THE FATE OF THE POOL BILL

SOMETHING HAS HAPPENED TO BLOCK IT FOR THE TIME.

RUMORS OF A BIG CORRUPTION FUND AT ALBANY —A BILL TO DESTROY LOCAL OPTION—A MESSAGE FROM THE GOVERNOR.

[BY TELEGRAPH TO THE TRIBUNE.]

Albany, April 10.—When the members of the Assembly met to-night they found a long calendar of bills on third readings, besides a number of special orders for to-night. This filled the hearts of a considerable number of members with dismay, for they saw that there was little hope of their getting through a great many of their bills. Some of these measures are of much importance to the localities to be affected by them. The people who will be compelled to suffer because the legislation demanded by them has failed can place the responsibility upon the Democratic bosses of the State, who are desirous of killing off certain legislation. If the members were left to themselves the Saxton-Prescott Pool bill now would be in the hands of the Governor. At least ninety of the members of the Assembly are really in favor of the bill, but something has occurred to block it temporarily. It is safe to say that unless this measure is passed this week a goodly number of reputations will be ruined.

There has been talk of a large corruption fund on hand, raised by the poolsellers to stop the passage of this meritorious measure. Unless the bill goes through there will at least be the suspicion that there is more or less truth in this rumor. The Judiciary Committee of the Assembly, before which are both the Senate and the Assembly bill, will meet to-morrow. There are eleven members of this committee, eight being Democrats and three Republicans. The Republican members of the committee are Mr. Ainsworth, of Oswego; Mr. Bell, of Columbia, and Mr. Griffin, of Delaware. These three members will stand together on the bill or their previously made reputation sadly belies their real character. It is supposed that the three Brooklyn members, Cooney, Durack and Shields, also will vote to report the Saxton bill. Mr. Cooney acted peculiarly last week at the last meeting of the committee when a "snap" adjournment prevented action. New-York City has four members on the committee. They are Daniel T. Martin, Louis H. Hahlo, Percival Farquhar and James H. Southworth. Henry H. Guenther, of Buffalo, is the eleventh man, although he is second on the committee. With him the word of Lieutenant-Governor Sheehan is law. The eyes of every decent citizen of this State are on the eleven members of this committee, and they will be watched closely for the next seven or eight days to see how they vote upon this bill. It was said to-night that a scheme has been put up to have the Committee on Rules make enough bills special orders for adjournment to come before the order of reports of committees can be reached again, or before a motion to discharge the committee can be in order.

The Assembly forced through to-night the Foley bill making amendments to the Excise law. The most vicious feature of this bill is that it destroys local option in the country. If the measure gets through the Senate and becomes a law, local option is dead. The bill provides that where a Board of Excise arbitrarily refuses to grant a license, a writ of certiorari may be secured to compel the board to grant the license. Mr. Malby endeavored to postpone the consideration of the bill by raising a number of points of order, but the Speaker was against him, and decided the points not well taken. The bill finally was passed by a party vote.

Mr. Sullivan to-night introduced a bill providing for the annexation of Long Island City to New-York.

Mr. Webster put in a bill which will allow the Board of Estimate and Apportionment in New-York City to appropriate money for the use of the Board of Health this summer in case cholera should reach the city. He also presented a measure allowing Mayor Gilroy to appoint a commission to revise and codify the school laws in New-York.

Governor Flower sent a message to the Assembly calling upon that body to pass immediately some legislation that will save to the State 150,000 acres of lands within the lines of the forest preserve that had been taken under tax sales, but for which the titles were not clear. The message reads as follows:

State of New-York, Executive Chamber,
Albany, April 10, 1893.

To the Legislature: I desire to call the attention of the Legislature to a matter of vital concern to the preservation of the State's forest preserve.

There are now on file in the Controller's office over 800 applications for the cancellation of tax sales of Adirondack lands, covering about 150,000 acres of State lands in that wilderness. Unless Chapter 217 of the laws of 1891, under which these applications are filed, is speedily and radically amended, the State is likely to be deprived of this great area of forest land, and one-third of its present holdings in the Adirondack Park will be turned over to the devastation of lumbermen.

That would be a calamity to be regretted by every friend of forest preservation, and to permit it to happen without opposition or protest would justly subject the Legislature to severe criticism.

Let me explain the exact situation which confronts the State to-day. By innumerable tax sales in years gone by the State has come into possession of about 100,000 acres of forest lands. Prior to the passage of Chapter 217 of the laws of 1891, the only person who could compel the Controller to cancel a tax sale was the purchaser at such sale. The proceedings for the cancellation of tax sales were held to be for the purpose of affording relief to persons who purchased at such sales and paid their money to the State in good faith, and afterward discovered that, through some defect in the proceedings by which the tax was levied, the sale was ineffectual to pass title to the purchaser. Upon the cancellation of such a sale the purchase money is refunded to the purchaser.

In a proper case the Controller has power to cancel such sales where he discovers that the proceedings are so irregular as to pass no title to the purchaser, although the application is not made by the purchaser, but the only person who could compel the Controller to act prior to the passage of Chapter 217 of the laws of 1891 was the purchaser. By this statute, however, the following amendment to the existing laws was inserted: "All applications heretofore or hereafter made to the Controller for the cancellation of any tax sale by any person interested in the event thereof shall be heard and determined by him; etc."

The General Term of the IIId Department has just decided that this amendment makes a radical change in the law, the effect of which is to compel the Controller to take and pass upon all pending applications for cancellations, if made by any person interested in the lands to be affected by the application. It was this amendment of 1891, enacted apparently without a clear understanding by the Legislature of the scope of its provisions, which has brought this flood of applications for cancellation to the Controller's office, and which now threatens the State with a loss of nearly every acre of forest land acquired by tax sale.

The amendment was not in the interest of wronged or innocent owners—they had then and have now their means of redress—but in the interest of land and timber speculators, who, by acquiring some remote interest in the lands sold, and by proving some technical defect or oversight in the original assessment of taxes, or in the tax sale, might be able to cancel the sale, and for a mere song get possession of lands long held by the State without dispute over title.

There is now pending in the Legislature a bill to correct this evil by amending the present law so as to restore the conditions of cancellation existing prior to 1891. There remain but two weeks of the legislative session and this measure is still unacted upon. It naturally is opposed by selfish interests which seek to profit by the present law. But the interests of a half-dozen individuals—for this small number is said to include all the persons who are financially concerned in the 300 applications for cancellations now on file—should not control the action of the Legislature against the broader interests of six millions of people. I sincerely trust that no adverse influence will defeat the passage of this bill at the present session, but that the Legislature will supplement the great public service which it has just rendered in the enactment of the Forestry law by interposing its veto against the partial destruction of the Adirondack Park now threatened.

ROSWELL P. FLOWER.

There were two bills on second reading concerning this point, and they were made special orders for 11 o'clock to-night and passed.

MURDERERS STILL TO DIE.

THE BILL ABOLISHING THE DEATH PENALTY PASSED IN THE ASSEMBLY, BUT KILLED IN THE SENATE.

Albany, April 10 (Special).—While the members of the Senate were shaking the ceiling in the Senate chamber to-night over the Smith bill abolishing capital punishment, the Assembly passed by a vote of 77 to 29 a similar bill, introduced by Mr. Sullivan, of New-York, who has been making an energetic canvass for it during the last ten days. In accordance with a notice that he gave some time ago he moved to suspend the rules to have the bill read out of its order for the second and third time. This motion was carried by a vote of 72 to 2. Mr. Quigley, the Democratic leader, asked to have the bill read and this was done. Mr. Buck sent in an amendment making the confinement for life solitary. At first it was adopted, the friends of the bill being willing apparently to accept any amendment to get the bill through. A few words from Mr. Ainsworth, however, made the members see how cruel this would be. The vote was reconsidered, and the amendment was taken out. Then Mr. Quigley put in an amendment that the act should take effect on September 1. This was adopted. In spite of the provisions of the bill it is thought that it is intended to affect the case of Carlyle W. Harris. It was passed by a vote of 77 to 29, Mr. Malby, Mr. Quigley and Mr. Ryder all explaining their vote for it. The bill is as follows:

Section 1. Section 186 of the Penal Code is hereby amended so as to read as follows: "Murder in the first degree is punishable by imprisonment for the offender's natural life."

Sec. 2. Section 187 of the Penal Code is hereby amended so as to read as follows: "Murder in the second degree is punishable by imprisonment of the offender for a term not less than twenty years."

Sec. 3. This act shall not apply to offences committed before its passage.

Sec. 4. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 5. This act shall take effect September 1.

The Senate debated the bill abolishing capital punishment throughout the evening. Senator Smith, who introduced the measure, made a long speech in its favor, and was supported by Senators Saxton and McClelland. Earnest speeches in opposition to the bill were made by Senators O'Connor, Edwards, McMahon and McCarren. The opponents of the bill all argued that it would be a dangerous experiment to abolish capital punishment. At the end of the debate Senator Roesch moved that the bill should be killed, and the motion was adopted by the following vote:

Nays—Brown, Coggeshall, Endres, McClelland, Saxton, Smith—6.

Yeas—Ahearn, Aspinall, Cantor, Derby, Donaldson, Edwards, Emerson, Erwin, Floyd-Jones, Hunter, Mullin, McCarty, McCarren, McMahon, Nichols, O'Connor, Osborne, Parker, Parsons, Plunkitt, Richardson, Roesch, Van Gorder, Walker—24.

FOREST COMMISSIONERS APPOINTED.

GOV. FLOWER'S NOMINATIONS CONFIRMED—A FACTORY INSPECTOR ALSO CHOSEN.

Albany, April 10 (Special).—Governor Flower to-night made his nominations for Forest Commissioners and they were at once confirmed by the Senate. The five men selected were Francis E. Babcock, president of the First National Bank of Hornellsville; Samuel J. Tilden, of Chatham, nephew of ex-Governor Tilden, and former Collector of Internal Revenue; Clarkson C. Schuyler, a wealthy physician of Plattsburg; Nathan Straus, of the drygoods firm of R. H. Macy & Co., New-York, and William R. Weed, a lumberman, of Potsdam, St. Lawrence County. The first four are Democrats and Mr. Weed is a Republican. The new commissioners are not to receive any salaries, but their travelling expenses to the extent of $500 are to be paid. The first impression that the commission makes is rather unfavorable, since there is such a large infusion of the political element in it.

Governor Flower also nominated James Connolly for Factory Inspector, and he was confirmed.

A large number of bills came over from the Assembly to the Senate to-night, but none of them were passed, as Senator O'Connor had the courage to object, and they were all ordered to third reading.

MORE HOUSES TO COME DOWN.

THE DESTRUCTION OF FIFTY AT MOUNT CARMEL DECIDED ON.

Mayor Gilroy held a conference at his office yesterday with Commissioner Daly, Health Commissioner Edson, Chief Engineer Birdsall, Engineer Loomis and Mr. Dykman, special Aqueduct counsel, at which it was decided to begin to-day the prosecution of all persons who are found defiling or polluting the city's water supply or any of the streams of the Croton watershed.

Commissioner Daly's posse in the Croton region will be sworn in to-day as special deputy sheriffs of Westchester, Dutchess and Putnam counties, and their orders are to arrest all persons, no regard being paid to age, sex, color or past or present condition, who are caught violating the law, or against whom sufficient evidence can be obtained.

Reports submitted by Mr. Birdsall showed that nearly fifty houses at Mount Carmel, on the bank of Lake Glenida, would have to be torn down, as no system of sewage could be suggested for adequately preserving the water from contamination. Father Wall, of the Catholic Church of Mount Kisco, made an unavailing appeal to the Mayor for his church and parsonage. It was ordered that the buildings at Mount Carmel be removed.

This public notice, signed by Mayor Gilroy and Commissioner Daly, will be posted through the watershed region:

Attention is hereby called to Section 390 of the Penal Code. That section is as follows:

"Section 390. A person who throws or deposits gas, tar, or the refuse of a gas house or gas factory, or offal, refuse, or any other noxious, offensive or poisonous substance into any public waters, or into any sewer or stream running or entering into any such public waters is guilty of a misdemeanor."

We hereby give notice that the provisions of the above statute will be strictly enforced over the territory known as the Croton watershed. Any person offending against said statute will be prosecuted to the full extent of the law.

THEY WILL ADVOCATE THE KEMPNER BILL.

At Albany to-day the Assembly Committee on Cities will meet and settle the question of further legislation in regard to the Croton watershed. A number of delegations from this city will be present and have a hearing. The two bills to be especially considered are those introduced by Assemblyman Kempner and Senator Webster. The first is known as the Academy of Medicine bill, and the second is a bill to amend the Webster act. The exchanges have passed resolutions in favor of the Academy of Medicine bill.

Messrs. Davison and Chapman and Robert Thorne will present the memorial passed by the special quarantine committee of the Chamber of Commerce. Edward C. Rice will send the resolutions passed by the Produce Exchange, Dr. J. West Roosevelt will represent the Academy of Medicine, and J. C. Pumpelly and J. Edward Weld, the City Improvement Society. All of these delegations go to favor the Academy of Medicine bill. This provides for a Croton Watershed Commission, while the Webster bill puts all the power in the hands of the Commissioner of Public Works.

ST. PAUL'S ACADEMY TRUSTEES COMPROMISE.

The trustees of St. Paul's Military Academy, at Garden City, L. I., met last night to take final action in the cases of Cadets Hamilton, Salley, Foster and Kimball, for alleged insubordination. At the last meeting the trustees found that Mr. Moore, the head master, had not substantiated his charges. And gave him until yesterday to formulate new charges. At yesterday's meeting, Mr. Moor produced the school records of the last two years in support of his charges. The books showed a number of infractions, but they were all of a trifling nature.

At 7:30 o'clock the trustees took a vote, and it was found that three were in favor of upholding the master and three in favor of permitting the boys to return. They voted in this way a couple of hours, and then compromised. Cadets Salley, Foster and Kimball are to have their tuition money for the term returned to them. They are not, however, to return to the school. In the case of Hamilton, the same action was taken, except that he will be allowed to take part in the June examination and take his diploma. In the mean time he will not be allowed to attend the sessions. Both sides look upon this as a victory.

MRS. TILFORD WILL CONTINUE TO ACT.

There were no new developments yesterday in relation to the marriage of Miss Rita Selby, of the "Trip to Chinatown" company, playing at the Madison Square Theatre, to George E. Tilford, the son of Charles E. Tilford, of the firm of Park & Tilford. They are still at the Hotel Marlborough, but Mr. Tilford, when called for at the hotel yesterday, sent down word that he was very busy and had nothing further to say. He he is said to be little disturbed by his father's displeasure at the marriage. Mrs. Tilford played her part of Tony Gay in "A Trip to Chinatown" at the Madison Square Theatre last night as usual, as, indeed, she has at every performance since the marriage, which took place on March 2. She will continue in her place in the company for the present, and her managers have received no notice of her intending to leave the company at all.

CHARLES COGHLAN'S ILL HEALTH.

It was announced last night that the change in the plans of the Coghlans' company, previously mentioned in these columns, was made on account of Charles Coghlan's ill health. He has been suffering severely for several weeks, and though he will try to get through the performances of "Diplomacy" which remain to be given at the Fifth Avenue Theatre this week, he does not feel equal to the strain of rehearsals for "Money," which was to be given next Monday. It is therefore decided that Miss Rose Coghlan and the company shall play "Peg Woffington" next Monday night instead.

THE SITUATION IN THE SANTA FE SHOPS.

Topeka, Kan., April 10.—About 100 of the 500 men in the locomotive shops of the Atchison, Topeka and Santa Fe Railroad who struck Saturday returned to work this morning. None of the men in the car shops who, the machinists claimed, would join them are out to-day. There are enough men in the locomotive shops to keep up with the daily repair work, but not enough to do any general overhauling. The strikers have not congregated about the shops and there is no excitement visible. Should the strike continue for several days nearly all of the men in the car shops will be laid off, as with the locomotive shops idle there will be no work for them. No attempt has been made by the company to fill the places of the strikers, and none will be made until every possible effort has been made to settle the trouble.

A GUEST AT THE WINDSOR HOTEL ROBBED

MRS. W. H. BURNET, OF CHICAGO, LOSES MONEY AND JEWELRY.

Valuable jewelry and several hundred dollars in cash were stolen from the rooms of Mrs. William H. Burnet, at the Windsor Hotel, on Friday evening. Mrs. Burnet and her daughter have occupied the rooms for about two weeks. Their home is at No. 99 Forty-seventh-st., Hyde Park, Chicago, and Mr. Burnet is a wealthy man. The rooms which the mother and daughter occupied are on the Forty-sixth-st. side of the hotel. A few minutes before 6 p. m. on Friday Mrs. Burnet and her daughter went to the hotel dining-room. They had intended to go out later in the evening, and they left on their dressing-tables some of the jewelry which they were to wear. Mrs. Burnet also left her pocket-book, containing several hundred dollars, in her room.

When the women returned to the rooms, after an absence of about an hour, they saw that a thief had been there and had scattered things about. He had taken the money and jewelry which had been left within easy reach.

Manager Wetherbee, of the hotel, was informed of the robbery, and he sent for the police. Detectives from the Central Office and from the police station in East Fifty-first-st. were said to be searching for the thief and for the stolen jewelry yesterday. The jewelry, it was said, consisted of a diamond breast-pin and three diamond rings. The entire value of the stolen property was said to be $1,500. Mr. Wetherbee said that no employe of the hotel was suspected of guilt. He thought some sneak thief had got into the hotel and had committed the robbery.

PILING ON THE ATTRACTIONS.

THE GREATEST SHOW ON EARTH GETTING STILL GREATER.

As if there were not already attractions enough in the programme to confuse as well as amuse all the two-eyed old folks and children, the Barnum & Bailey management introduced new and interesting features in the circus performance last night. Chief among these was the appearance of Emelie Loyal, the daring bareback rider, whose engagement came near being broken owing to an injury which she received on the steamer Weimar while coming to this country. Miss Loyal is unquestionably one of the most skilful riders in the world to-day. She is not less at ease on the bare back of a horse than when seated in a rocking-chair.

Edward Nelson introduced the Spanish "Tranke." In other words, he did some clever balancing feats with a hollow pole, lying down with the end of the pole on his shoulder. George Melville, the juggling and acrobatic clown, was as ridiculously funny and eccentric as ever, and much applause was bestowed on him. Margaret Allen rode with her accustomed grace, and William Showles fairly surpassed himself in his fearless and accomplished equestrianism. The chair pyramids of Nicholas and the single flying trapeze performance of Duroy were marvels of skill and strength.

The chief attraction of the circus, however, is the aerial feat of Silbon. People never tire of seeing that beautiful flight through the air, the somersaults and the catch at the opposite end of the net. The Japanese go through their amazing feats as quietly as if they had never lost a minute's sleep because of the arrival of the World's Fair fakirs in this city. Leonora, the contortionist, seemed to have fewer bones in her body than usual as she walked about on a table on one foot, while with the other she tickled her left ear. People will squirm a little when they see such a feat, and such feet, but Leonora is quite as active as Carmencita.

The elephants and the horses and the dogs were active and in their right minds, and all were, therefore, pleasing. The circus goes on like a great mill, regardless of wind and weather, and the attendance is of generous proportions. The success of the show is due not alone to the great numbers and variety and excellence of the performances, but to the superb management in the arena. Not a moment is lost in the execution of any detail. Speed and accuracy seem to go hand in hand.

CHINESE ACTORS ON THE SARATOGA.

They were seven. There was the first walking gentleman, the heavy villain, the low comedian, the general utility man, the first tomtomist, the second tomtomist, the first bone rattler and the kettledrum soloist. They arrived yesterday from Havana on the steamer Saratoga, and at the pier they were met by Chu Fong, manager of the Chinese Concert Company, who took them to his theatre in Doyers-st. It is not often that a company of Chinese actors reaches this city, and yesterday Mott-st. resounded with the praise of the Celestial wearers of the sock and buskin. The eminent actors had studied their art for years in China, they had acquired ease and facility in a long course of Celestial barnstorming, and they have come to New-York crowned with the laurels of two continents. They have performed in Yokohama, San Francisco, New-Orleans and Havana, and yesterday the Cipango and Cathay Tragedy, Farce and Comic Opera Company, or whatever they call themselves, reached New-York, where they have a two months' engagement. Then they will complete their time in this country at Chicago, where they will remain during the World's Fair.

They did not bring many trunks on the Saratoga, as Chinese actors care little for press clippings. The actors of the company were Shei Nom Loi, Shei Chu Loi, Mae Chin Chou and Long Yai. The orchestra consisted of Sho Chang Chong, Kon Ong Lan and Cheong San Chon.

THE TYPHUS "SUSPECTS" TO BE WATCHED.

Nicholas Berger, a homeless man of middle age, was found to be suffering from typhus fever in Bellevue Hospital yesterday and was sent to North Brother Island. The eighteen homeless men who slept in the West Sixty-eighth-st. police station with Thomas Richards, who later was found to be ill with the fever, were sent to the tents for "suspects" in the Bellevue Hospital grounds late on Sunday night or early yesterday morning. They will be kept under observation until it is certain that none of them caught the fever.

Annie Beisner, thirty years old, and her infant daughter Annie were found to be sick with smallpox in their home, at No. 229 East Seventy-fourth-st., yesterday and were sent to North Brother Island.

STILL LOOKING FOR THE REGISTER CLERK.

J. G. McGowan, the postal clerk who disappeared a week ago yesterday just before a package of registered mail worth about $5,000 was missed, is still being sought by postoffice inspectors. It is said that his mother, with whom he lived, at No. 313 East Nineteenth-st., will make good the loss. This would otherwise fall on the senders of the letters and packages.

McGowan was the register clerk in charge of the registered mail for Long Island. He left the postoffice here at 6:10 a. m. on Monday of last week. At Long Island City he should have delivered the packages to the four clerks going out on different postal routes. Some of the mail matter was not placed in their hands, however. That afternoon McGowan should have taken the registered mail from Long Island to the postoffice here, but did not appear at the Long Island City railway Station. Another clerk was assigned to do his work.

Marvin D. Wheeler, Postoffice Inspector-in-Chief, is here from Washington superintending the efforts to capture McGowan, and to recover the missing mail. C. C. James, Postoffice Inspector-in-Charge at the office here, has his best men at work on the case.

PLANS OF THE NEW MEXICAN MINISTER.

Indianapolis, April 10 (Special).—Isaac Pusey Gray, Minister to Mexico, who arrived here this morning from Washington, where he received instructions from the Department of State, said in an interview to-night that he would start for Mexico April 26. His wife, and the wife of his son Pierre, will accompany him. When asked what appointments he would make, he said: "I will make my youngest son, Bayard, now in Chicago, my private secretary, if he desires to go with me, but otherwise there will be no appointments to make. The Secretary of the Legation, Mr. Dougherty, of New-York, son of Daniel Dougherty, will be retained. He has been secretary for two years.

"The interpreter, Mr. Butler, will also be retained. He has been there through several administrations. My call on the President in Washington was simply to say goodby. We talked of nothing but mission matters. I spent most of the time about the Department of State, familiarizing myself with my instructions and reading some recent correspondence on subjects now pending between this country and Mexico. There is nothing involved of any great moment, but I was informed by Mr. Creidler, Chief of the Diplomatic Bureau, that more business was done in the Department of State with Mexico than with any other country."

COLONEL TAPPEN WEAKER.

Colonel Charles Barclay Tappen, who has been seriously ill for several weeks at the home of his son, Frederick D. Tappen, president of the Gallatin National Bank, at No. 49 East Sixty-eighth-st., was weaker yesterday than he had been before. He is ninety-eight years old and has little strength to resist the erysipelas, from which he is suffering. Dr. Keyes, his physician, left the following memorandum for the press last evening: "The report for the day is that Mr. Tappen has shown no rallying tendency. He is one day worse—one day weaker. His intelligence is perfect and he does not suffer."

RAILROAD MEN'S RIGHTS.

THE RECENT DECISIONS DISCUSSED IN THE SENATE.

A RESOLUTION TO AUTHORIZE THE INTERSTATE COMMERCE COMMITTEE TO INVESTIGATE THEM.

Washington, April 10.—In the Senate to-day Mr. Butler reported from the Committee on Interstate Commerce a resolution authorizing that committee to inquire into the desirability of repealing the section of the Interstate Commerce law against pooling; also concerning the consular seal system; also whether any modifications should be made in the law concerning the relations between common carriers and their employes.

Mr. Peffer spoke in support of the resolution. He thought that Judge Ricks's recent decision, which had been a good deal criticised by labor organizations, would be approved by them when they came to understand better its scope and to view it in all its fulness. The resolution was referred to the Committee on Contingent Expenses.

A resolution authorizing an investigation by the Committee on Indian Affairs caused a debate, which drifted into a discussion of the recent judicial decisions as to the relations between railroad corporations and railroad employes.

Mr. Gorman said that those decisions were the first great step on the part of the judiciary to make serfs of the men who were employed by railroad corporations. If the law warranted those decisions (and possibly it did) then that law ought to be modified or repealed. He did not believe that the American people would ever submit to any branch of the Government (whether judiciary or legislative) putting such impositions upon them as were put in the recent judicial decisions.

The recent judicial decision that railroad employes might be restrained by an order from the court, might be fined and imprisoned if they resigned their places, was a most extraordinary decision; and one that had to be met at the threshold of the next Congress. It ought to be inquired into carefully.

Mr. Platt said that he had not yet seen, in the decision referred to, anything that looked like usurpation of power by the Courts, or that looked like degrading the workingmen of the country to the condition of serfs. He believed that the employes of railroads had no more right to engage in discriminations of commerce than their employers had. And he did not believe that there was anything either in the Interstate Commerce act or in the anti-Trust act that was not an affirmation of well-considered and well-established common law.

Mr. Hoar remarked that the anti-Trust law simply extended to the commerce of the United States the principles of the common law, so that he was quite certain that no such doctrine as that apprehended by the Senator from Maryland would be warranted by that law. The Interstate Commerce law was a new piece of machinery.

Mr. Vest thought it unfortunate that that matter should have come up for discussion because it was necessarily in the nature of ex parte criticism. Every lawyer knew how unsafe it was to take newspaper statements of judicial decisions. If any judge had declared such a doctrine as the Senator from Maryland spoke of, it would be reversed by the Supreme Court of the United States without one dissenting opinion.

Mr. Butler understood that one of the points decided at Toledo was that the court had a right to enjoin the employes of a railroad corporation from combining in such a way as to obstruct the operations of the road.

Mr. Brice inquired more particularly as to what Mr. Vest understood to be Judge Speer's decision; and was told that Mr. Vest simply understood it to be an exercise of the ordinary jurisdiction of a court over the actions of a receiver appointed by it.

Mr. Voorhees said that his attention had been called a few mornings ago to the recent decisions of Judge Taft and Judge Ricks, and that those decisions had prompted the resolution which he had offered. He was satisfied that the Inter-state Commerce act went further than any one supposed it did at the time of its passage. He had read Judge Speer's decision to-day. He thought, however, that the fault was in the law, and perhaps in the willingness and eagerness of Federal judges to construe the law in favor of corporate power and against the labor of the country.

Mr. Platt did not feel that the criticism passed upon the judicial decisions referred to were well taken. They seemed to be eminently reasonable and in conformity with good law and common sense. The real, true laboring man of this country desired to engage in no organization or association, or to be guilty of any act that would destroy property and restrain trade. It was not wise, Mr. Platt said, to attack the judiciary of the United States. It was not wise to charge the judiciary with desiring to usurp power. It was not wise to intimate that judges were czars. It was not wise to talk about the disposition of the judiciary to reduce laborers to the condition of serfs; to talk about laborers being chained to their cars. The laboring man had confidence in the courts, and he would be protected in all his legal rights. But he (Mr. Platt) did not believe, and the laboring man did not believe, that while engaged in the employment of common carriers he could choose his own time to leave that employment. It was not true, as a matter of law, that the employe could always quit the service of the common carrier. Just when and how he might quit that service, and under what circumstances, he would not undertake to say. That might be safely left with the courts. If the courts had made any mistake in recent decisions, the Supreme Court of the United States would set it right.

The debate was continued by Senators Butler, Hoar, Cullom, Call and Chandler, and then the question went over until to-morrow, when Mr. Palmer will have the floor to speak upon it.

THE COURT OF CLAIMS CRIPPLED.

Washington, April 10.—The United States Court of Claims is badly crippled by the grip. Out of the five Justices, two, Justices Knott and Weldon, are confined to their homes by this complaint.

PAYMENTS FROM THE CHILIAN INDEMNITY.

Washington, April 10.—The Navy Department to-day made the following payments out of the Chilian indemnity fund to the sailors of the cruiser Baltimore, for injuries received at Valparaiso: Frederick Clifford, $1,000; James M. Johnson, $700; O. Weeland, $500; S. W. Cook, $400; Neil Boyle, $300; Adolph Swanson, $300, and Henry Cunningham, $500.

MR. O'ROURKE IS SUPERVISING ARCHITECT.

Washington, April 10.—Secretary Carlisle to-day appointed Jeremiah O'Rourke, of Newark, N. J., Supervising Architect of the Treasury Department, vice W. J. Edbrooke, resigned. Mr. O'Rourke is about fifty-five years of age, and since early manhood has been engaged in his present profession, in which he has been successful. He is a member of the American Institute of Architects. Mr. O'Rourke was appointed upon the recommendation of Senators Smith and McPherson.

LIEUTENANT BRUNBACH SEEN IN IDAHO.

Washington, April 10.—A telegram was received at the War Department to-day from Colonel Carlin, of Fort Sherman, Idaho, stating that Lieutenant V. J. Brunbach, of the 2d Infantry, who disappeared in Washington about two weeks ago, was seen Sunday in a boat on the St. Joseph River, apparently returning to his cabin. Lieutenant Brunbach is supposed to be demented, and was sent from Fort Sherman to this city for confinement in the Government insane asylum here. Brunbach came here in charge of an officer. He gave no trouble on the trip, and upon his arrival he came to the War Department and saw General Williams, Adjutant-General of the Army. He behaved well, and to save him embarrassment he was ordered to report to the physician in charge of the asylum alone, the officer who accompanied him being ordered to return to his station. He left the Department, and had not been seen or heard of until yesterday.

WHAT THE CHEROKEES WANT.

Washington, April 10.—Secretary Smith expects the delegation recently appointed by the Cherokee Council to represent that Nation in the matter of carrying into effect the provisions of the Indian Appropriation act to arrive in Washington within the next few days. This delegation, it is understood, consists of Chief Harris, Treasurer Starr and two other leading men. The Appropriation act, which confirms, with some modifications, the treaty recently concluded with these Indians, authorizes them to negotiate a loan for $8,300,000, less the amount which may be retained by the Government to satisfy such claims as shall be found by the Court of Claims to be due the Shawnees, Delawares and colored people who hold membership in the tribe. It is probable that about $2,000,000 will be retained for this purpose, leaving $6,300,000, which the Cherokees may borrow on the authority and credit of the Government.

ECKELS WILL PROBABLY BE CONFIRMED.

Washington, April 10.—The Senate Committee on Finance will meet to-morrow and will take up the nominations that are now before it and make its report to the Senate. The only nomination of importance still to be acted upon is that of Mr. Eckels, of Illinois, nominated to be Controller of the Currency. It seems likely that to-morrow a favorable recommendation will be made. The committee feels that there is no purpose on the part of Mr. Cleveland to recall the nomination. In his inaugural the President, members of the committee say, practically advocated the repeal of the 10 per cent tax on State banks, and if such legislation is undertaken it will result in State banks being put, in some way, under a quasi-Government control, for which reason members think a man familiar with banking should be made Controller.

SECRETARY CARLISLE DEEPLY PAINED.

HE HAS NO INTENTION OF MAKING WHOLESALE DISMISSALS, AS REPORTED.

Washington, April 10 (Special).—Secretary Carlisle was reported a few days ago to contemplate the wholesale discharge of employes in the Treasury Department credited to the District of Columbia. He denies that he had ever entertained such an idea. Still the rumor was sufficient to alarm a few hundred men and women who had had the misfortune of being at the time of their appointment residents of the District. The following statement by the Secretary to-day to a representative of "The News" may allay their fear:

"The idea," he said, "of dismissing District employes from this Department without cause and simply for reason that they were residents of the District has never once entered my mind. When I first assumed the office of Secretary of the Treasury, I was besieged with applications for positions through members of Congress, and for this reason I determined to have made out a ready reference list of the people in the Department with the States from which they came.

"In going over this list I discovered that the District of Columbia, which was entitled to eleven employes, had an actual representation in the Department of 1,155 persons, or just 105 times the number to which the District was entitled. I was struck with amazement when I discovered this fact, as I was when I found that the quotas of Maryland and Virginia, for instance, were astonishingly over-crowded, especially in the unclassified service. But I have been amazed before in my time, and I did not immediately rush down the halls and announce that the District people and the Virginia and Maryland people must go. There is no legal way that I could make them go, even if I wanted to. But I do not want to do any such thing. If there is any intention on earth which I have developed since I assumed the management of this Department, it has certainly not been in the line of making wholesale dismissals of people from any State or of making dismissals at all without just and good cause.

"In making appointments in this Department henceforth I shall endeavor to give each State a more equitable showing, and to follow more closely than has been done heretofore the 'apportionment of the office' clause of the Civil Service law. It is very unlikely, however, that with the present condition of the quota list, there will be a thoroughly equitable distribution of the Treasury subordinate offices during my term of office, or during the term of several of my successors. Even if it were good policy ruthlessly to dismiss a large number of employes from a certain section for a shallow reason, and even if the head of an Executive Department was possessed of the erroneous idea that it would be good policy to do such a thing, he could find no warrant in law, as the law now stands, to make such wholesale dismissals.

"But you may set it down as positively certain that the last thing which a member of Mr. Cleveland's Administration would attempt to do, even supposing his inclinations were in that direction, would be to cast about for means to rid his Department of a class of employes for purely political reasons. You may say with absolute positiveness that there will not be discharges of District of Columbia employes either in the classified or unclassified service, for any other reason than cause, such as inefficiency or neglect of duty. So far from holding any silly grudge against District people, I have even appointed District employes in the unclassified service since I have been in office. I repeat, nothing grieved me more in a very long time than the erroneous announcement that I had any such intention."

People here wonder now whether Secretary Carlisle is in accord with the Administration on the subject of the Civil Service, or whether he hasn't heard yet of the doings of Fourth Assistant Postmaster-General Maxwell.

THE FOURTH-CLASS POSTMASTER LIST.

Washington, April 10.—The total number of fourth-class postmasters appointed to-day was 119. Of these ninety-nine were to fill vacancies caused by deaths and resignation and twenty by removals. Of the postmasters removed, seventeen had served four years and over.

THE WEATHER BUREAU INVESTIGATION.

Washington, April 10.—Ross Perry, counsel for Professor Harrington, opened the investigation into the charges of irregularities in the Weather Bureau to-day, by cross-examining Francis Van Ankers, the property clerk of the bureau, who said that Professor Harrington employed several detectives, who reported to him that they found several hundred dollars' worth of stationery in Ryan's cellar. Ryan said that detectives visited his house when he was sick. They reported, he said, that they found nothing.

A RESOLUTION LOOKING TO ADJOURNMENT.

Washington, April 10.—In the Senate to-day Mr. Harris offered a resolution for the appointment of a committee of two Senators to wait upon the President of the United States and inform him that unless he may have some further communication to make, the Senate was is ready to adjourn without day. Mr. Hoar looked around in the direction of Mr. Sherman's seat, with an expression of surprise on his countenance that no objection was interposed. He made no objection himself, however, and the resolution was agreed to. Subsequently Mr. Hoar moved to reconsider the vote; and that motion was entered.

TO INVESTIGATE SEVERAL SENATORS.

Washington, April 10.—Mr. Hoar, in the Senate to-day, presented the petition of Joseph W. Ady for an investigation of the election of United States Senator from the State of Kansas. Referred to the Committee on Privileges and Elections.

Mr. Hoar also offered a resolution directing the Committee on Privileges and Elections to examine the allegations recently made in the public press, charging William N. Roach, a Senator from the State of North Dakota. He said that the resolution was offered as a substitute for one already offered. The resolution was laid over for the present.

Mr. Chandler offered a resolution directing the Committee on Privileges and Elections to examine the statement derogatory to the Senator from Montana, Mr. Power, contained in "The Washington Post" of March 23. On demand of Mr. Gorman the resolution went over.

THE GOVERNMENT TO APPEAL.

Washington, April 10.—Secretary Carlisle has instructed the United States Special Attorney at New-York to enter an appeal against the judgment of the United States Circuit Court in awarding $105,000 damages, in addition to taxable costs, to the owners of the site condemned for a United States Custom House, but rejected by the present Secretary of the Treasury.

HOT WORDS BETWEEN STATESMEN.

Washington, April 10 (Special).—A large number of callers in the office of the Postmaster-General were witnesses to-day to a scene—some say it was "a spirited discussion" merely—which arose between Mr. Bissell and Congressman Dunn. The latter had called in the interest of an office-holding constituent, saying that he had been informed that letters reflecting upon the integrity of a constituent had been filed. When he requested to know who the authors of these communications were he was informed that "confidential letters require confidential treatment." Mr. Dunn retorted that he could see no reason why charges against an office-holder in his district should require secrecy. Mr. Bissell became indignant and with flushed face remarked that as a "gentleman," and a "gentleman of honor," he could not and would not reveal the names of those whose letters are written to him for his private perusal. Mr. Dunn apologized, a smile flitted across the countenance of the Postmaster-General, a ray of sunlight burst through the window and the ordinary tone of conversation was resumed.

A TORNADO IN SCRANTON.

Scranton, Penn., April 10.—A tornado passed over the southern part of Scranton last night, which resembled the terrific storm in Wilkesbarre two years ago. Though the strip of territory over which it was extended was narrow the damage done was considerable. Houses were unroofed and fences carried away, and a summer kitchen was moved fifty feet. Several persons were painfully hurt, but none was killed.

Kansas City, Mo., April 10.—The Kansas drouth is broken, but the change did not come until the wheat outlook was ruined. A heavy and general rain fell yesterday, and will hurry spring planting. The wheat crop is short 50 per cent.

A TIDAL WAVE STRUCK THE BARK FILIPPO.

Philadelphia, April 10.—The Italian bark Filippo, Captain Fabiano, came into port to-day almost a complete wreck, having been struck by a tidal wave at midnight on March 29,