The Sun.

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MR. BLAINE'S INSTRUCTIONS.

MORE OF HIS DESPATCHES TO MINISTER HURLBUT IN PERU.

The Landreau Claim, and the Question of the Transfer of Territory to Chili—Mr. Shepherd's Letter and the Secretary's Denial—Claims of French and English Creditors.

WASHINGTON, Dec. 18.—Mr. Blaine to-day has made public, with the assent of the President, some more of the correspondence between himself and Gen. Hurlbut, the Minister to Peru. The first despatch from Mr. Blaine to Gen. Hurlbut is dated Washington, Aug. 4. He refers to the applications made to the Department of State by citizens of the United States for aid in enforcing claims against Peru, and adds:

"The two claims for which special consideration and active intervention have been asked are those known as the Cochet claim and the Landreau claim. In reference to the Cochet claim there has been no information laid before the department of a sufficiently definite character to warrant a specific instruction, and in the absence of the requisite data here, you will be left to take such steps as may seem expedient in investigating the origin and character of the claim. The primal point at issue is whether any American citizen or association of citizens has acquired an interest in the claim in a manner entitling him or them to the good offices of this Government in making any representation to Peru. As the American holders of the claim or their attorneys will be on the ground, you will no doubt be placed in possession of all the facts, but you will take no step committing your Government to the use of its good offices without first reporting in full to the department for well-considered and definite instruction.

"In regard to the Landreau claim I see no reason to differ from the conclusions to which my predecessors seem to have arrived. John C. Landreau was an American citizen, apparently entitled under a lawful contract to reasonable compensation for important services to the Peruvian Government. In conformity with the established practice of our Government, while you cannot in such case make an official demand for the settlement of this claim, you will employ your good offices to procure its prompt and just consideration. * * * You will notice that the Supreme Court of Peru, sustaining a decision of the court below, has ruled that it had no jurisdiction of this contract, thus leaving Landreau in a position in which he can neither appeal to his own Government nor obtain a judgment from the tribunals to which by the contract he was authorized to apply in Peru. While this Government will not, as at present informed, undertake to controvert the contract or to decide upon the extent of the compensation due Landreau, you are instructed to call the attention of the Peruvian Government to this injustice, and say that the Government of the United States will expect some adequate and proper means to be provided by which Landreau can obtain a judicial decision upon his rights. * * *

"I desire also to call your attention to the fact that in the anticipated treaty which is to adjust the relations of Chili and Peru, the latter may possibly be compelled to submit to the loss of territory. If this territory to be surrendered should include the guano deposits which were discovered by Landreau, and for the discovery of which Peru contracted to pay him a royalty upon the tonnage removed, then the Peruvian Government should in the treaty stipulate with Chili for the preservation of payment to Landreau of the amount due under his contract. If transfer be made to Chili, it should be understood that this claim of an American citizen, if fairly adjudicated in his favor, shall be treated as a prior lien on the property to which it attaches, and that Chili accepts the cession with that condition annexed.

"As it may be presumed that you will be fully informed as to the progress of the negotiations between Chili and Peru for a treaty of peace, you will make such effort as you judiciously can to secure for Landreau a fair settlement of his claim. You will take special care to notify both the Chilian and Peruvian authorities of the character and status of the claim, in order that no definitive treaty of peace shall be made in disregard of the rights which Landreau may be found to possess."

Under date of Sept. 4 Gen. Hurlbut replied:

"As to the Cochet claim, this legation has nothing but vague and sweeping statements, better adapted to creating a commercial enterprise than to any judicial or quasi-judicial action. * * * In the Landreau case the proofs are sufficient, and the condition in which the Peruvian Government has left the complainant forms a just ground for a decided appeal to their sense of justice. I shall follow the direction in your despatch, and interpose on behalf of this and all other American claims, if any negotiation takes place between Peru and Chili which involves the loss of territory. I shall take special care that this claim and the attitude of the United States in respect to it be officially made known to the proper authorities of both Governments.

"I beg leave to call your special attention to the extract, given as inclosure to this, from a letter of Mr. J. R. Shepherd to me, dated 19th of August, 1881. I need not say that, if any such arrangement was in fact made, it would seem proper that I should be officially informed of it. As yet I have not received from the department any telegram whatever, nor any instructions, except in your No. 7, which certainly do not touch the very strong points reported to me by Mr. Shepherd.

"As at present advised, I have no faith whatsoever in the 'Peruvian Company,' not much in Mr. J. R. Shepherd, and am wholly in the dark as to the honesty or value and extent of the Cochet claim. If half of his statement is true, and the United States assume charge of the claim, we should own Peru by a mortgage which can never be paid."

Following is the extract from Shepherd's letter, dated Aug. 19, and professing to give a report of an interview with Secretary Blaine:

"But this is not quite all. It is notorious that Chili, Peru, and certain creditor of Peru are at the very point to apportion among themselves, not only the guano which is absolutely our property, but the only other valuable deposits of nitrates also.

"Such appropriation were allowed irreparable mischief might result. I therefore ask a preliminary injunction forbidding all progress in the direction of any such apportionment until the Landreau claim and the Cochet claim are first properly recognized and provided for, the former paid as res adjudicata, the latter allowed of fairly due proved.

"The Secretary instantly responded: 'That you will get and I will make it my first business.'

"On the 2d inst., very soon after, by direction of the Secretary, I wired advising that the identical instructions suggested had been that day sent you both by cable and by post, and that I might rely upon the state quo accordingly.

"Mr. Blaine replied under date of Nov. 17: 'After my instruction in regard to this subject was mailed I became convinced that there was no need of even the preliminary inquiry which I suggested in regard to the Cochet claim. There is no just ground whatever on which this Government could intervene on behalf of it. In so far as there may be any basis for the claim at all, it originates in the demand of a native Peruvian against his Government. If American citizens purchased an interest in such claim, they purchased nothing more than the original claimant possessed. They did not, and could not, purchase the good offices of this Government, and you are instructed not to extend them in the case of the Cochet claim. Your proposed course in regard to the Landreau claim is approved. But that claim must not, of course, be pressed in any manner that would seem to embarrass Peru in the hour of her great distress. Your previous instruction to use your good offices in procuring an adjudication of the Landreau claim was made in view of the possible fact—of which there was wide rumor—that numerous French and English claims were to be presented, in which event I was anxious that the resources of Peru should not be exhausted in the settlement of other claims to the prejudice and detriment of one belonging to an American citizen. You will still be guided by the spirit and intent of that instruction.

"The statements which you say were made to you by Mr. Jacob P. Shepherd are very extraordinary. It is in the first place extraordinary that he should have written to you at all, for I carefully advised him that Ministers of the United States in foreign countries were not permitted to extend their good offices in aid of any claim unless so instructed by the Department of State. I repeatedly told him that any representations on behalf of the claims he was urging must be made at Lima by his own agents. His writing you was, therefore, an impropriety, and his attempting to instruct you as to what I have written you was an egregious assertion, for the language he attributed to me. He simply makes the mistake common to a certain class of honest enthusiasts who imagine that the polite and patient listener is the author of their own extravagant fancies. I recognize several of the singular propositions intributed to me as having been made by Mr. Shepherd, and not in any sense admitted or assented to by me. I told him in the three or four interviews which he sought with me that I could see no possible ground on which the United States Government could lend its good offices in aid of the Cochet claim.

"You will therefore pay no attention whatever to anything Mr. Shepherd may write you in regard to claims against the Government of Peru. You will, indeed, do well to return at once to the writer any letters you may receive relating to private claims unless you first have the matter regularly referred to you by the Department of State."

On Nov. 19 Mr. Blaine writes:

"On the 27th ultimo I sent you the following telegram:

"'Influence of your position must not be used in aid of Credit Industriel or any other financial or speculating association.

"On the 2d instant I received your reply in these words:

"'It has not been. It will not be.

"'My reason for telegraphing you was the continual circulation of rumors that the aid of your legation was earnestly desired to promote the interest of the 'Credit Industriel of France'—an association which is making efforts to reorganize the finances of Peru. Agents of the Credit Industriel had visited the Department of State, and ineffectually endeavored to enlist the interest of this Government in their behalf. However trustworthy the Credit Industriel may be, I did not consider it proper for the department to have anything whatever to do with it. It is a foreign corporation, responsible to French law, and must seek its patronage and protection from France. At the same time it is no part of your duty to interfere with its negotiations with the Peruvian Government. If it can be made an effective instrumentality to aid that unhappy country in its prostrate and helpless condition, it would be ungenerous and unjust to obstruct its operations. * * *

"I have another word of caution to give you. I presume that you will be asked by the agents or officers of the Peruvian Company of New York to lend your influence as United States Minister to promote its interests. It would, of course, present to you the claim of an American organization, composed of reputable citizens, and entitled to your good offices, where they may with propriety be extended. But you will specially avoid any advocacy of the claims of that or any other company or individual in the pursuit of personal ends or business enterprises. * * *

"You will exercise the utmost care in any step you may take, and if any occasion shall arise where the interposition of this Government may aid in restoring the credit of Peru, you will confer by telegraph with the department, and you will take no important step without full and explicit instructions."

ROBBED BY THEIR CLERKS.

Stealing Carried on for Years in a Wholesale Drug Store in Philadelphia.

PHILADELPHIA, Dec. 18.—In 1875 L. W. Bean, a wholesale druggist, doing business at 47 South Second street, discovered that he was being systematically robbed by his employees. Quinine, morphia, opium, vanilla beans, oil of lemon, and other costly articles of the trade disappeared by the pound, and, owing to the large number of clerks employed in the warehouse, the thieves could not be detected. When, in 1876, Mr. Bean took a partner, and the firm became Bean & Rabe, effortswere made to stop the thieving, but it seemed as though when a suspected clerk was discharged a more dishonest one took his place. The thieves had confederates outside, to whom they delivered $10 or $15 worth of goods for 25 or 30 cents. The confederates disposed of the goods and divided the profits with the clerks. For a year or so back Bean & Rabe have received many letters from their customers, saying that nearly every order of goods they bought of the firm was short when it reached its destination. This was explained when two clerks were caught abstracting opium and quinine from cases that were about to be shipped.

Some months ago the firm discovered that, although the large and profitable opium trade they had with Chinamen in this city had fallen off entirely, the usual quantity of the drug went out of the store, but was not paid for. A detective learned that the confederate of the clerks carried the opium direct to the laundries, sold it for less than the market price, and pocketed the profits, less the clerks' share. Richard Justis, a Camden druggist, who was in the employ of Bean & Rabe in 1876, was arrested at that time, but in consideration of his youth and the fact that the magistrate he was taken before interceded for him, the charge was withdrawn. About the same time Dr. N. Wenzelle and his son, Delaware Wenzelle, both of Camden, were arrested and charged with being accomplices of the dishonest clerks, and Dr. F. C. Medville of forged-bond notoriety and his wife, who also live in Camden, were also charged by Mr. Bean with handling the stolen goods.

An examination of the books and stock of the firm about a week ago revealed the astonishing fact that they have been robbed of about $20,000 in the past five years. Rufus D. Shapley was consulted, and Detective W. B. Spittall was at once employed to work up the case. A day later the thieves, surmising their danger, but not frightened by it, coolly engaged a detective named Smith to watch the movements of Mr. Bean and Detective Spittall. On Thursday Spittall arrested Harry Penistan of 1,012 Anita street, and yesterday nabbed a clerk named James A. Dagney of 1,217 South Twelfth street. Penistan is said to have contracted to supply a candy manufacturer with Bean & Rabe's oil of lemon or $1 less than it cost per pound. Dagney, who has in the employ of the firm twenty-seven months, confessed that the thefts of the clerks during that time averaged $20 a day. The thieves met their confederates in a saloon in Vine street, and there divided the spoils. The prisoners are charged with theft and conspiracy.

TRAMPING OVER WINTER MUD.

The Westchester Walking Club's Last Day on the Road for the Season.

The Westchester Walking Club enjoyed its second supplemental and its very last walk of the season yesterday; or perhaps it should be said that the members tramped through a good deal of mud in order that they might enjoy themselves. At the hour when sleepier dwellers in Gotham were still in the land of dreams the club had rolled out from the Grand Central Depot on its way to the tramping ground laid out by the geographer of the club. The sight of hills covered with snow an inch deep and of boys skating on ponds by the side of the railroad track before the village of White Plains was reached, suggested sliding down hill on sleds, and brought to mind the delights of skating on Central Park Lake, and the members confessed that winter had arrived, and walking for fun was over for the season. Nevertheless, they were pleased when they alighted from the cars at Mount Kisco station when they were besought to take a cab by a countryman in an ulster, straw hat, and green goggles.

Over the hills from Mount Kisco to Croton Lake was but three miles, and it was soon covered. The air was pure, fresh, and invigorating, but an annoying sunshine transformed the stiff, frozen clay of the early morning into muck, and the road was heavy. At the apex of a lofty hill Mr. H. Fluellen, said to be a descendant of him who compelled *Pistol* to eat the leek, was met on the highway, and he pointed out on Mr. Kisco the site where Washington's army rested after its retreat from the hotly contested battlefield of White Plains and showed the stone fireplaces in which he said the soldiers roasted corn stolen from the neighboring farmers. At the Croton Lake House Landlord Palmer set forth the choicest of his viands, including a turkey which he had saved for his own inner comfort at Christmas, but which he sacrificed for his distinguished guests.

Then the members walked all around the picturesque lake, skimmed cobblestones across the thin ice, took short excursions into the surrounding country, and disported themselves like boys. The oldest member, 225 pounds in weight, remained at the hotel, and on the return of the others was astonished to learn that on account of his defection from duty he was transferred from active to the honorary membership, created for his especial benefit. Ex-County Clerk Henry A. Gumbleton had proposed the measure, and there was no repeal.

Thence the distance to Sing Sing was more than seven miles, and before the ground had been covered night had come on, and stars had come out in the cloudless sky. There was distress in plodding through the last five miles of mud, and no one was sorry when the lights of Sing Sing were descried through the gloom. The club had, according to the pedometer, plodded over twenty-two miles.

MRS. LINCOLN'S SIGHT.

A Paragraph which She Read Yesterday Morning with Some Annoyance.

A paragraph in yesterday morning's papers announced that Mrs. Lincoln, widow of the late President Lincoln, had written to her friends in Springfield, Ill., that she had wholly lost the use of her eyes. The statement is not true, and seems to have been caused by a misunderstanding. It has considerably disturbed and excited Mrs. Lincoln, who read it yesterday.

Mrs. Lincoln says that for some time she has not been able to use her eyes to any great extent, and consequently has not kept up a very active correspondence with her relatives. A few days ago she received a letter from her sister, Mrs. Edwards, who resides in Springfield, in which the latter complained at not hearing from her. Mrs. Lincoln dictated a reply to a young woman who waits upon her. In it she said that the reason she had not written was because her eyes were beginning to fail her, probably because she sat so much in a darkened room. It was through this letter that the misapprehension arose.

Dr. Lewis A. Sayre, who is regularly attending Mrs. Lincoln, has advised her to have her eyes examined by Drs. Knapp and Agnew. Mrs. Lincoln is still very weak.

COWBOYS INVADING A TOWN

AN EX-MAYOR OF CALDWELL, KANSAS, SHOT DEAD BY ONE OF THEM.

The Citizens Arm Themselves and Drive the Desperadoes Out of Town—A Party Hunting for Them in Indian Territory.

CALDWELL, Kansas, Dec. 18.—A large party of cow boys, most of them drunk and desperate, rode into town yesterday morning and made an attempt to take possession of the place. Where the citizens were few in number the invaders had their own way, and helped themselves to whatever they liked. This sort of thing continued for some time, but there was no bloodshed. At length Michael Meagher, against whom the desperadoes bore a grudge, appeared, and then the whole gang rode upon him, and with revolvers and rifles soon shot him to death. Meagher was City Marshal of Wichita for several years in the early history of that city, and in that position incurred the hostility of the class of men who yesterday killed him. He came to Caldwell three years ago to engage in the cattle business, and has been Mayor of this place. He was a man of great courage, and his tragic death is widely deplored.

After the first panic was over the more courageous of the citizens obtained arms and in a short time rallied a force which far exceeded in strength that of the cow boys. When the latter saw the people coming, they prepared to make a stand, but soon changed their minds, and putting spurs to their horses, dashed down the principal street at breakneck speed. The citizens followed them closely, and both parties exchanged shots at every leap of the horses. As the cow boys passed the depot on their way out of town they received a volley from citizens fortified therein which they were not prepared for. This unexpected attack demoralized the desperadoes, and they divided and rode in small parties toward the Indian Territory, which is only one mile distant. None of the citizens who engaged in the pursuit were injured, although the firing to which they were exposed was very warm.

The trail of the desperadoes is being followed by a party of well-armed men, and further bloodshed is looked for. The cowboys tried to take Wichita in 1873, but a shotgun brigade was organized and put into the streets before they could make a break.

Later.—The trouble grew out of ill-feeling engendered at a gambling place. A cowboy was arrested for disorderly conduct, fined, and ordered committed. His friends swore that he should not be taken to jail, and in rescuing him the firing began. It was kept up for an hour or two between officers and citizens and the cowboys. There were at first six cowboys and Dan Spear, a young fellow connected with a dance house and saloon at Caldwell, engaged against the officers. Three or four hundred shots were fired during the melée. Mike Meagher, who was assisting the officers, was shot through the heart and killed. The last words he spoke after being shot were, "Tell my wife I've got it at last." The cowboy who shot Meagher was Jim Talbot, who was one of the leaders of the party who took Banker Danford from the Sheriff a short time ago, and who headed the element who insisted at all times on hanging Danford without giving him a chance to settle. Immediately after killing Meagher the cowboys started for the Indian Territory, and rode out of town, amid showers of lead. Three of their horses were shot from under them. After they had gone Dan Spear walked into Bacon's saloon for some money. While he was standing at the counter some one looked in at the door and called out: "Dan, they are after you." He broke out of the back door, and started to run across-lots toward the dance house, "The Red Light," when he was shot through the lungs by a member of Shinn's posse. Spear was a resident of Caldwell, having come with his father and two brothers from Missouri. They have earned the reputation of being hard characters. Dan Spear was arrested a year ago, charged with murder. He was discharged, although everybody believed him guilty.

Reports came in late last night that Talbot and his party had been corralled in the brakes of Deer Creek, twelve miles south of here. It was ascertained that the cowboys had been so closely pressed that they had left their attached Deer Creek, they had to dismount and take to the brakes, where they concealed themselves. The pursuing party numbered only eight men, but they surrounded the ruffians as well as they could and kept up a fire upon them.

Thirty-seven shots were fired before one of the pursuers received a shot, which struck him above the groin and glanced and went through one of his wrists. This distracted the attention of the pursuing party, and the cowboys crawled out and escaped unobserved.

It is thought this morning there were fifty men on the ground, all well armed. Details were sent out and the country well scoured, but up to this evening no report has come in. Capt. J. M. Steele of Wichita, brother-in-law of Mike Meagher, went down early this morning, and is assisting in the ruffian hunt with about fifteen men. The cowboys are on foot and without hats, having lost them in the chase. One of them is known to be wounded in the ankle. The streets here have been full of people all day, and there seems to be a determination to clean out not only the persons who instituted the disturbance, but those who associate with them. Caldwell will most likely lose some of its citizens by sudden emigration or otherwise before to-morrow night.

The Coroner is holding an inquest over the body of Mike Meagher. The remains will be taken to Wichita for burial. Meagher was Marshal of that town during the worst part of the cattle troubles there. He was brave to a fault and never shirked a duty. The inquest on the body of George Spears will probably be begun to-morrow.

Four persons, Tom Love, Dick Eddleman, Tom Dulaney, and "Comanche Bill," who are charged with complicity in the row yesterday, are under arrest. It is uncertain how they will be disposed of. The Sheriff will probably try to take them to Wellington, but whether the people here will stand that or not is doubtful.

Two Desperadoes Shot in a Mining Camp.

LEADVILLE, Col., Dec. 18.—The Independence mining camp, twenty miles west of here, has for a long time been overrun with desperate characters, who kept it in a perpetual state of turmoil. Often several of these would band together and virtually take possession of the camp, shooting men down in the streets, closing the stores, and blocking business for several hours. Soon after dark last night Patten and Malloy, two desperadoes having the reputation of killing a number of men, becoming intoxicated, started up the streets firing their revolvers promiscuously. The people formed one en masse and pursued the desperadoes, who were brought to bay and literally riddled with bullets. They returned the fire fully as fast as they could, and a vigilance committee was formed for the purpose of hanging three or four of the worst blackguards, but nearly all of that class took fright and left town immediately after the shooting of Patten and Malloy.

'Longshoremen Talking of a Strike.

The practice of turning over the discharging of a vessel to unskilled laborers, under contracts awarded for a lump sum, is becoming common, and the 'longshoremen, whose work is thus more and more restricted to the loading of vessels, complain that their earnings have seriously fallen off. Delegates from three of the longshoremen's associations met yesterday in the basement of the St James parish school and voted to make war on the practice. Notice will be sent to stevedores, sea captains, and vessel owners that the entire union men will not work with non-union men. It was said at the meeting that members of the union have been cutting under the union rates, and it was decided to appoint a beach walker at $18 a week, whose duty it shall be to ascertain and report on what terms 'longshoremen are working.

Statesmen Entertained by a Statesman.

The Hon. Frank Duffy, with the view of ameliorating the condition of defeated and disaffected candidates, entertained a considerable number of them at an ox roast in his Third avenue hotel yesterday. They wore glistening tall hats and smoked strong cigars. Mr. Duffy sat at the head of the table, and in his speech, which was received with loud and continued applause, he advocated concentrated action toward the possession at the earliest moment of the emoluments now enjoyed by those who are drawing salaries and were not at the dinner. The banished ones who sat at the table are without a doubt a very sweet tempered, which was based on political reasons. The remains of the ox will be devoured on Sunday next.

City Mission Work.

Mr. Morris K. Jesup presided at the fifty-fifth anniversary exercises of the City Mission last evening in the De Witt Memorial Church, in Rivington street. Secretary Jackson reported that 740,000 tracts had been distributed during the year. The Rev. Dr. John Hall spoke on revival work. The Rev. Dr. Bevan said in substance that he was the worst kind of a pauperizing and socialistic people since preaching the Gospel to them. The testament is a meal and the preaching of the Gospel should be come-and-eat, but not pertained by the same person. The minister's benediction of the preaching of the Gospel could have to wait upon the minstrel's song or the antics of the circus clown.

Pirate Beard's Home.

The Benson homestead at Weehawken Cove, which will disappear this week to make way for the sixteen acres of cattle sheds which are to be built by the Erie Railroad, was built over 100 years ago of imported Dutch bricks and stone. It was at one time inhabited by the pirate Beard.

The house for the last quarter of a century has been the residence of ex-Chief of Police Jack Frost. A small building in the rear of the mansion was formerly the quarters of the slaves.

THE KINTZLER MURDER.

The Last of the Four Persons Implicated in the Crime Convicted.

MIDDLEBURG, Pa., Dec. 18.—The last of the four persons implicated in the killing of the Kintzlers, near Troxelville, on the night of Dec. 8, 1877, has been on trial here for the past week. The murderers first killed the aged couple, and after robbing the house of considerable money set fire to it to cover up their crime.

Uriah Moyer was arrested a few weeks afterward in Michigan. His trial was begun on Tuesday last. He had been jointly indicted with Emanuel Ettinger, Jonathan Moyer, and Israel Erb for the crime. The prisoner's three companions have already been convicted, and two of them are awaiting the execution of the death penalty. Ettinger, the most depraved of the four, took his own life by poison, and thus escaped death on the gallows.

Yesterday was the day fixed by the Governor for the hanging of Erb and Jonathan Moyer, but their counsel, desiring to present the case of Erb before the Board of Pardons, on Tuesday, Dec. 20, asked for a respite, which was granted.

Judge Bucher presided at the trial, which has been in progress during the past week. One of the principal witnesses was Jacob S. Mayer, who testified that the prisoner at one time in 1877 asked him to go along and help kill the Kintzlers; that they had money, and he needed money to pay a note in the Mifflinburg Bank; that when he (witness) expressed his horror of committing such a deed the prisoner said that he could kill them as easily as he could a deer, and that if they did not do it there were others who would, and they might as well have the money as any one else.

Daniel Smith of Mifflin County testified that some years ago he bought a cow from Mr. Kintzler, and in making the change Kintzler crawled under the bed, lifted a lid that was in the floor, and took therefrom a box containing money of various denominations. He told the witness not to say anything about it. This corroborates the story of Mary Hartley, that after the killing the assassins crept under the bed and took the money from a hole in the floor.

Detective Lyon testified that while bringing the prisoner from the West he accused him of killing the Kintzlers, and the prisoner made no reply; that at another time, in Reading, the prisoner expressed an apprehension of returning to Middleburg, and when asked for the reason he replied in German: "Because he helped to kill the Kintzlers."

Ex-Senator Dill made an earnest and impressive appeal to the jury in behalf of the prisoner, but it was futile. Judge Bucher charged the jury yesterday, and the jury retired to their rooms to deliberate on their verdict. At 10¾ last night they returned to the court room with a verdict of "murder in the first degree," having been out six and a half hours. Reasons for a new trial were filed, which will be argued on Jan. 17.

THE TREASURY INVESTIGATION.

John Sherman Desires that it Shall be Conducted with Closed Doors.

WASHINGTON, Dec. 18.—John Sherman has succeeded thus far in having the investigation into abuses in the Treasury Department conducted behind closed doors. It will rest with the Democratic members of the committee to decide the question whether the proceedings shall be published or not. Senators Allison and Logan, two of the Republican members, are decidedly in favor of permitting the investigation to be reported from day to day. Senator Davis of West Virginia, one of the Democratic members, also believes that there should be no secrecy about the matter. Mr. Cockrell is also thought to favor open sessions. If, then, either Mr. Beck or Mr. Ransom will vote with the others, he does not wish to conceal the testimony or the manner of getting it, a majority of the committee will decide to open the doors. The three Republican members, Dawes, Plumb, and Hale, would conduct any investigation in secret if a member of their party was likely to be hurt by its disclosure.

Mr. Allison, however, has said that, in view of the publicity of the charges, it would be better to have no concealment in the investigation of them, while Logan has asserted that if the charges are unfounded it can do no harm to have the testimony respecting them published each day, and if they are well founded the sooner the truth is known the better.

Sherman, however, is understood to be using every means to induce Senators Beck and Ransom of the committee to vote with the Republicans for a secret investigation. Mr. Sherman intends to show that these reports were merely backbiting rumors which spread from mouth to mouth in the Treasury. He wishes the committee to make a brief investigation and to make what will be a whitewashing report. Some of the witnesses who have been summoned say, however, that if the committee really wants the truth it will be easy to get it, and it will show a much more corrupt state of affairs than the Meline report hinted at.

A PLEASANT DAY BY THE SEA.

The Uneven Fight that the Capitalists are Having with the Ocean.

There were many visitors at Coney Island yesterday, and the Boulevard and Concourse were gay with equipages. There was an invigorating breeze from the ocean, and the sun was so warm that the day might have been mistaken for one in September. It is a matter for much anxiety on the part of the owners of property on the Island as to what the ocean may do with their investment. The latest experiment to protect Manhattan Beach, that of forming a bulkhead under water, about five hundred feet off shore, has had no visible effect. About 8,000 cubic feet of stone were put down in twelve feet of water. After the work was nearly finished, at the cost of many thousand dollars, an effort was made to find the stones, but it is said they had entirely disappeared in the sand.

A system of jetties has been adopted to preserve the beach between the Marine station and Brighton Beach. There are five jetties at present constructed, about four hundred feet apart. They are made of iron posts, and will extend out about 125 feet. These will serve to break the force of the waves, except those that come from a due south direction. Already a deposit of sand has been made by the waves, and the depth of the water at high tide next to the bulkheads is less than formerly.

"The ocean is an expensive enemy," said a stockholder who surveyed some of the plans to thwart it. "Who knows but it will yet swallow up all these big hotels? And how puerile seem the efforts to fight it."

The temperature of the water is now low, and bathing would be very perilous to the heartiest man. The barrooms that were open on the Island yesterday did a good business.

Claiming to be the Wife of a New York Policeman.

ROCHESTER, Dec. 18.—In August last there appeared in this city a woman named Jane Donohue, or Jane Keegan, who said she was the wife of a New York policeman who had deserted her for another woman. She was sent to the Home of Industry, where the sisters found her to be insane. She gave evidences of culture and refinement, and adhered to her story. Two weeks ago she disappeared, and on Thursday was found wandering through the town in tattered, almost starved, shoeless, and with her clothing hanging in shreds about her body. She is now in charge of the County Superintendent of Poor.

Arguing for a Bankrupt Law.

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J. C. Bancroft Davis's Successor.

WASHINGTON, Dec. 18.—The Illinois delegation, under the lead of Senator Logan, has been working for some days for the appointment of the Hon. John B. Hay, ex-Congressman, as Mr. Bancroft Davis's successor in the last section, as a recess appointment. It is said that the Democratic members of the delegation are doing what they can to help Mr. Hay. Mr. Hay had a half promise from the Garfield Administration that he should succeed Judge Hunt, but Glenni W. Scofield gained the reward. Now Judge Hunt himself stands in Mr. Hay's way. He must retire from the Cabinet, and the prospect is that he will return to his old place on the bench.

END OF A BATTLE ROW FEUD

JOHN MAHER SHOT THROUGH THE HEART BY PATRICK LYNCH.

A Grudge that is Said to Date Back to their Prison Life—Previous Encounters Between the Men—Lynch's Claim of Self-Defence.

About ten years ago there was a squatter settlement on the rocks at the corner of Forty-first street and Tenth avenue. The squatters were evicted from their shanties, and the larger part of them migrated to a row of brick buildings then recently put up on what had been the site of large swill-milk stables, on Thirty-ninth street, between Tenth and Eleventh avenues. The place soon got the name of Battle Row. Across the way in the same block is a cluster of rock shanties known as Hell's Kitchen. There have been several murders in this region, feuds constantly exist, and broils are frequent. Early yesterday morning one of these feuds resulted in the killing of John Maher of 584 West Thirty-ninth street by Patrick Lynch of 216 West Thirtieth street.

The affair took place between 1 and 2 o'clock in the morning. The two men had been at Kelly's saloon, at Tenth avenue and Forty-second street, but were not together, and nothing passed between them there. They left separately. Soon after, pistol shots were heard on the avenue, and when a policeman arrived Maher was found lying on the pavement, near Forty-first street, with a bullet through his heart. Lynch was arrested at midday yesterday, and admitted the shooting.

Both have served terms of imprisonment at Sing Sing, and it is stated that they had a falling out when they were fellow convicts. There has been a grudge between them ever since. Lynch is a good-looking young man of 29, a bricklayer by trade, but irregular in his habits. He has a steady, hard-working brother, and a good old mother, who is heart-broken over the affair. "I wish it was Paddy himself that had died," she said, last night, sobbing and wringing her hands, "rather than that he should have done such a thing. I was afraid of this. Last New Year's night there was a prize fight between Jimmy Cummings and George Forge in Forty-second street. The Battle Row gang was there, and they had a fight with Paddy. Four months ago they attacked him in front of my door. He was living with me then. They threw paving stones into my hall. I knew that trouble would come of it, sooner or later." Mrs. Lynch lives at 551 West Forty-second street.

After the shooting Lynch ran down Forty-first street and went to the rooms of his father-in-law, in 552 of that street. His sister-in-law said last night: "It was about 2 o'clock in the morning when he got here. His right ear was bruised and swollen where he had been struck. He told me that when he was in Kelly's a man he did not know came up and asked him whether he was Paddy Lynch. Afterward, when he went out he saw Cushing, which is the name Maher goes by, on the pavement with six others of the gang. He went down the avenue and they followed him, and Maher struck him. He says he heard the crowd say, 'Pull your knife on him,' and then he ran and they ran after him and kept firing. He left here inside of an hour and went to his own home."

At midday, when Lynch was arrested, he was asleep. His revolver lay on the mantelpiece, the chamber out, and newly filled with cartridges. The clothes of his wife, who still lay alongside, Lynch at first denied shooting any one, but afterward made the same statement that he had made to his sister-in-law.

Coroner Knox viewed Maher's body yesterday afternoon, and held Lynch on the testimony of Patrick Mead, who lives at 551 West Forty-second street. MacAvoy said that Maher had been drinking, and that he went to the saloon to get him out and take him home, as they were neighbors. As they came out, Lynch was standing in the hallway, and Maher said, "There is the fellow I want to see." Lynch started for him. Lynch retreated, and Maher followed him up and struck him. "The next thing I knew," said the witness, "I heard the boys shout, 'Look out for Paddy Lynch,' and then the shooting began. Maher walked along some distance, and Lynch fired four times. I saw Maher drop, and Lynch then ran away. I picked Maher up and asked him whether he was hurt. He said, 'I'm struck in the hip,' and died right after."

The autopsy revealed only one wound. The ball entered the right side of the neighbor's daughter, and if they are well founded the sooner the truth is known the better.

Sherman, however, is understood to be using every means to induce Senators Beck and Ransom of the committee to vote with the Republicans for a secret investigation. Mr. Sherman intends to show that these reports were merely backbiting rumors which spread from mouth to mouth in the Treasury. He wishes the committee to make a brief investigation and to make what will be a whitewashing report. Some of the witnesses who have been summoned say, however, that if the committee really wants the truth it will be easy to get it, and it will show a much more corrupt state of affairs than the Meline report hinted at.

A PLEASANT DAY BY THE SEA.

The Uneven Fight that the Capitalists are Having with the Ocean.

There were many visitors at Coney Island yesterday, and the Boulevard and Concourse were gay with equipages. There was an invigorating breeze from the ocean, and the sun was so warm that the day might have been mistaken for one in September. It is a matter for much anxiety on the part of the owners of property on the Island as to what the ocean may do with their investment. The latest experiment to protect Manhattan Beach, that of forming a bulkhead under water, about five hundred feet off shore, has had no visible effect. About 8,000 cubic feet of stone were put down in twelve feet of water. After the work was nearly finished, at the cost of many thousand dollars, an effort was made to find the stones, but it is said they had entirely disappeared in the sand.

A system of jetties has been adopted to preserve the beach between the Marine station and Brighton Beach. There are five jetties at present constructed, about four hundred feet apart. They are made of iron posts, and will extend out about 125 feet. These will serve to break the force of the waves, except those that come from a due south direction. Already a deposit of sand has been made by the waves, and the depth of the water at high tide next to the bulkheads is less than formerly.

"The ocean is an expensive enemy," said a stockholder who surveyed some of the plans to thwart it. "Who knows but it will yet swallow up all these big hotels? And how puerile seem the efforts to fight it."

The temperature of the water is now low, and bathing would be very perilous to the heartiest man. The barrooms that were open on the Island yesterday did a good business.

Claiming to be the Wife of a New York Policeman.

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