THE MORMON PROBLEM.

PRESIDENT CLEVELAND'S RECENT UTAH MESSAGE.

Views of a Zealous Opponent of Polygamy Concerning its True Inwardness.

A reporter of THE SUN found Miss Kate Field at the Victoria Hotel and asked her about the President's message, sent to Congress a few weeks ago, recommending the calling of a special session of the Utah Legislature, for the reason that the last general appropriation bill passed by that body had been vetoed by the then Governor of that Territory. Inasmuch as the Legislature under existing laws would not convene for two years, the President believed that public order would be imperilled, educational and charitable institutions paralyzed, and internal improvements stopped unless the Legislature met and made provision for their support. "A determination on the part of the general Government to suppress certain unlawful practices in this Territory," continued the President, "demands neither the refusal of means to support the local Government nor the sacrifice of the interests of the community."

Miss Field—Such a message from so outspoken an opponent of one of Utah's peculiar institutions as Mr. Cleveland leads the uninitiated to conclude that the ex-Governor of Utah has exceeded his authority and been guilty of a gross wrong. In the recent hearing of the Mormon question before the House Judiciary Committee several of the "Saints" did not hesitate to assert that, because of vetoing this appropriation bill, Gov. Murray had been "removed," these gentlemen forgetting that Gov. Murray's resignation had been in the hands of the Secretary of the Interior from the beginning of the new Administration. The Governor was requested to remain at his post, and Gentiles of all parties hoped that the President's pronounced opinions on the civil service meant the retention in office of one who for six years had fought so bravely for republican institutions. A sudden demand by telegraph for Murray's resignation startled all who are interested in the welfare of the great West. "Why?" asked thousands of Americans. "What has Gov. Murray done to warrant what amounts to summary dismissal?"

Reporter—In the name of thousands of Americans THE SUN asks you to answer that question.

Miss Field—To answer this question we must consult the "Saints." In his argument before the House Judiciary Committee, James W. West, a Mormon, said:

"The fact that he (Gov. Murray) was removed from his position for the sweeping exercise of the veto power is an indication that the legislative assembly was right in these matters. He was removed simply because he vetoed the general appropriation bill and nullified other important acts."

Later the Utah Delegate to Congress, Mr. John T. Caine, fully substantiated the assertion of his colleague. Here is the Delegate's plea, which I will read to you from the House Judiciary report:

"I do not pretend to construe the law or to say who is right and who is wrong in the matter; that is a subject for the courts. The facts are there, and I so represented them to the Administration." The Territorial Legislature in 1852 created the offices of Territorial Treasurer and Territorial Auditor, and provided for the manner of filling the same by the joint vote of the legislative assembly. The dispute first arose during the incumbency of Gov. Wood. He claimed that the organic act provided that those officers should be nominated by the Governor, and appointed by and with the consent of the Legislative Council. When George W. Emery became Governor the question was submitted to him. I myself talked with him about it, and he said he wished that the Legislature would provide that these officers should be elected by the people; that it was always safe to trust the people. He said, in substance: "As far as I am concerned, I do not wish to enter into this controversy; I do not care about appointing any officers, and you had better provide for having them elected by the people." A law to that effect was passed, and signed by the Governor—I think that was in 1878—and those officers have been so elected ever since.

After Gov. Murray had been there some time the question was again agitated, he claiming that it was his prerogative to appoint all Territorial officers by and with the advice and consent of the Legislative Council, under the provisions of section 7 of the organic act of the Territory. Now, the Territorial statute provided that they should be elected by the people, and I hold that this was the law of the land, binding alike upon the Governor and the legislative assembly, and was in full force, not vetoed by Congress or set aside by any court of competent jurisdiction. The officers were, therefore, the officers *de facto* until superseded by legal successors. The claim that these officers did not furnish no excuse for the Governor's action in vetoing the appropriation bills, and thus crippling the Territory for the next two years.

Then, on Mormon representation, Gov. Murray's resignation was peremptorily demanded! Is it not incredible?

Reporter—But what are the facts?

Miss Field—The organic act of the Territory of Utah gives to the Governor the duty of filling all Territorial offices to be created by the Legislature, among them being the Territorial Treasurer, Auditor, and Superintendent of Public Instruction. Ignoring this command of the organic act, the first Utah Legislature placed the appointing of these officers in its own hands, while later another statute was passed making these same officers elective. Four years ago there was no election for Territorial officers, and the incumbents held over. Three years ago candidates for these offices were nominated by the Mormons, and by the means voted for them, but the Utah Commission, then acting under the Edmunds law of 1882, refused to count the votes, holding that there was no authority in law for this particular election. Instead of yielding, the Mormons retained the old officers, thereby defying both Governor and Congress. Desiring to obtain a decision on this important point from the present Administration, one year ago the Utah Commission applied to the Secretary of the Interior for instructions. Here are the documents:

OFFICE OF THE UTAH COMMISSION,
SALT LAKE CITY, May 14, 1885.

SIR: For several years it has been a disputed question whether certain territorial officers in Utah are to be appointed by the Governor, with the assent of the Legislative Council, under the organic act of Sept. 9, 1850 (section 7), or are to be chosen by the people at their general elections under certain acts of the legislative assembly.

The officers referred to are Territorial superintendent of District Schools, Territorial Auditor of Public Accounts, Territorial Treasurer.

In preparing for the general election to be held in August of this year it is important for us, as well as the election officers appointed by us under "Edmunds act," to have this question authoritatively settled; and we therefore address you this communication, with the request that the question may be referred to the honorable Attorney-General of the United States.

The Governor for some years past has nominated these officers to the Legislative Council, and they, refusing to recognize his power of appointment, decline to give their assent, upon the alleged ground that such officers should be elected by the people at their general elections, under the Territorial statutes.

Our attention having been more than once called to this question, we concluded (with some little doubt and hesitation) that the said officers are to be appointed by the Governor.

In order to facilitate the examination by the Attorney-General, we refer to the following statutes and authorities pro and con:

(1)

IN FAVOR OF ELECTION BY THE PEOPLE.

Compiled Laws of Utah, Sec. 44, page 93.
Chapter 11, Sec. 4, session L. L. of Utah, 1878, page 27.
Compiled Laws of Utah, Sec. 612, page 247.
Chapter 19, Sec. 14, page 51 of Session Laws of Utah, A. D. 1880. (The language of this section (14) is identical with that of sec. 612, supra.)
Act of Congress of Feb. 21, 1855, page 611, Vol. 10, U. S. Stat. at Large.
Compiled Laws of Utah, Sec. 586, page 241.
Sec. 6 of Organic Act, Compiled L. L. of Utah, page 30-38.
Sec. 1,851, Compiled L. L. of Utah, 38.

(2)

IN FAVOR OF APPOINTMENT BY THE GOVERNOR.

Sec. 7 of Organic Act, Compiled Laws of Utah, page 30.
Sec. 1,851, Compiled Laws of Utah, page 39.
The Compiled Laws of Utah, A. D. 1876, and the Session Acts of Utah, 178, are in the office of the Attorney-General, left there some months ago by Secretary Thomas.

Those who maintain the validity of the Territorial acts rely upon a statement made by the Chief Justice in the case of Clinton *ad.* Englebrecht, 13 Wallace, which is found on page 446, second paragraph from the top. *Per contra*, it is claimed by the other side that the presumption of approval by Congress of a Territorial act, by reason of non-action and lapse of time, does not prevail in case of a direct conflict between the act of Congress and the act of the Territorial Legislative Assembly.

Very respectfully yours,
A. H. GARLAND (Democrat),
G. L. CONNOR (Republican),
R. J. PATTERSON (Democrat).

To the Honorable the Secretary of the Interior, Washington, D. C.

LETTER FROM THE ATTORNEY GENERAL.

DEPARTMENT OF JUSTICE, WASHINGTON, June 5, 1885.

L. Q. C. Lamar, Secretary of the Interior.

SIR: At the instance of the Utah Commission, the Honorable (H. L. Sharon) acting secretary of the Interior, in a letter dated the 22d instant, requested my opinion upon the following question: "Whether certain Territorial officers in Utah, namely, Superintendent of District Schools, Territorial Auditor of Public Accounts, Treasurer, and Commissioners to Locate University Lands, should be appointed by the Governor, with the assent of the Legislative Council, or chosen by the people at their general elections."

For convenience, so much of the question as relates to the Commissioners will be considered separately, as the appointment or election of those officers appears to be controlled by a provision not applicable to the others.

Upon examination of the statutes enacted by the Territorial Legislature it appears that the Superintendent, Auditor, and Treasurer are thereby required to be elected biennially at the general election by the qualified voters of the Territory. (See Compiled Laws of Utah, page 247, act of Feb. 22, 1878, chap. 11, laws of 23d session, p. 27.)

The organic law, however (see sec. 7 of the act of Congress of Sept. 9, 1850, 9 Stat. at Large), provides that "the Governor shall nominate, and, by and with the advice and consent of the Legislative Council, appoint all officers not herein otherwise provided for." And as the three Territorial officers last mentioned are not therein "otherwise provided for," a direct conflict manifestly exists between the statutes of the Territorial Legislature above referred to and the organic law.

The organic law of a Territory takes the place of a Constitution as the fundamental law of the local government. It is obligatory on and binds the Territorial authorities. (Nat. Bank agt. County of Yankton, 101 U. S., 129.) Any act of the Territorial Legislature inconsistent therewith must be held void. (Farrar agt. Higley, 20 Wall. 375.) Congress may undoubtedly make a valid act of the Territorial Legislature valid, and a said act had. (101 U. S. supra.) But, for the exercise of this power, some legislative act on its part, having that effect, would be necessary. Certainly nothing can be implied in favor of the validity of a Territorial statute which conflicts with an express provision of the organic law of the Territory from the mere fact that Congress has adjourned.

It follows that the statutes of Utah, in so far as they require the Superintendent of District Schools, Auditor of Public Accounts, and Treasurer of the Territory to be elected, being contrary to the provision of the organic law hereinbefore mentioned, are a nullity, and that those officers should be appointed in conformity to that provision.

A similar conclusion was reached by the Supreme Court of that Territory in regard to the Territorial Marshal, who, by an act of the Legislature of the Territory, was ordained to be elected by a joint vote of both Houses. It was argued to be elected by a joint vote of both Houses was argued to be inconsistent with the provision of the organic law above adverted to, and, therefore, void. (See ex parte, Duncan, &c.; 1 Utah Rep. 81.)

* * * * * * *

I am, sir, very respectfully,
A. H. GARLAND, Attorney-General.

So you see, continued Miss Field, that the Attorney-General of the United States upheld the Utah Commission in its decision regarding the Territorial officers under discussion.

In Gov. Murray's annual report to the Secretary of the Interior, presented last autumn, the status of Utah was ably and exhaustively discussed. Therein Gov. Murray wrote what I will read:

For a number of years an unlawful Territorial Government in part has been persisted in, in violation of a law of Congress, and my effort to correct it. I ask your attention to my report of 1883 as to the whole question in Utah, and especially to this feature. All Territorial officers created by Territorial statutes are holding on by virtue of an unauthorized and unlawful election held years ago, and contrary to the law of Congress, an adjudication of the Supreme Court of the Territory, the decision of the Utah Commission, and the later decision of Attorney-General Garland. It is questionable if the bond heretofore given by these de facto officials would protect the public in case of unlawful expenditures, defalcations, or malfeasance in office. Very important business and educational interests are involved in this matter, and the last Legislature went so far as to strike down the Deseret University by leaving it without an appropriation rather than see the will of Congress carried out in the Government of Utah. I have delayed further action in this matter, trusting that with the opinion of Attorney-General Garland before them, sustaining my previous action, the Legislature soon to assemble would recognize the law, and that a satisfactory determination of this question would follow.

It is somewhat strange that in his own report the Secretary of the Interior, while calling attention to reports from other Territories, should have forgotten Gov. Murray's valuable contribution. I do not wish to think that this ignoring of Utah was due, as has been publicly stated, to the fact that Eli H. Murray is a Southern Republican who fought in the Union army. I have met Secretary Lamar, and like him personally, but here is an official act that I should condemn were he my best friend.

When, continued Miss Field, the Utah Legislature met last January, Gov. Murray in his message called attention to the unlawful organization of a part of the Territorial Government, quoted Attorney-General Garland's decision, and advised a repeal of all laws inconsistent with the act of Congress establishing the Territory of Utah. The Legislature began its session by a direct insult to the Governor in refusing the common courtesy of printing this message, which in every vital respect was disregarded. For eight weeks the brethren expended their efforts in strengthening local illegal self-government, Territorial and municipal, in defying national authority, and in the passage of statutes which would yet more firmly build up the Church, give the polygamists further advantage in their grasp on the throats of the people, and relieve them, as far as possible, from the consequences of their crime.

Reporter—What was this appropriation bill in really?

Miss Field—Simply a proposition to place a large sum of the people's money in the hands of illegal officers who had been holding over beyond the term for which they were elected three full years into a third term. Moreover, there was no bond to make good the money in case these men should appropriate it to their own uses. A special reason given by Gov. Murray for the enforcement of the law in regard to the Territorial Treasurer was that this person occupied the position of private clerk in the headquarters of the Church, was subject to the orders of John Taylor, and that this dual service formed a dangerous conjunction of ecclesiastical authority and the public funds. As in duty bound, the Governor sent to the Legislature the names of three prominent citizens who were fitted for the disputed offices, and who could give the necessary bonds. Not one, but several members of the Mormon Legislature said privately, "We know perfectly well that the Governor is right, but we have not the strength to sustain him." Translated into the comprehensible, this confession means that the orders from the Church were to persist in nullification.

This is the Appropriation bill that Gov. Murray vetoed, for doing which he was commanded by telegraph to resign, and in consequence of which the President sends a message to Congress asking for a revival of Utah's Legislature.

The Utah Legislature sent to the President and to Congress a memorial, which was also presented to the House Judiciary Committee, claiming that in the discharge of their duties they had met with persistent obstruction from the Governor who, exercising arbitrary powers, had nullified the chief labors of the session and had thrown the affairs of the Territory into perplexing confusion.

Who is responsible for this perplexing confusion? Did or did not Gov. Murray carry out the decision of Attorney-General Garland? Who defies the organic act, the Executive or the Legislature?

Such are the facts, and the law-loving President of the United States, wrongly informed, has asked Congress to bring back to life a disloyal Legislature. The law providing for the election of a Legislature limits its existence to a session of sixty days, beginning on a certain day. The late Legislature fulfilled its extreme functions, and is dead. To revive such a body is to do a gross wrong to republican institutions. If Congress can bring back the dead, it can appoint a Legislative Commission, which is really the only sensible way out of the Mormon imbroglio, and the only way that really recommends itself to Utah Gentiles and to investigators of the Mormon conspiracy. But the new Edmunds bill, as revised and improved by the House Judiciary Committee, is the next best thing to a Commission, and I shall be thankful if it passes the House in its present shape.

Meanwhile," we asked, "if Congress is asked to call together the Legislature at great expense to the Government, where is the Great American Objector, Mr. Holman?"

Miss Field—Congress should do nothing of the sort. What says the Constitution?

Congress shall make all rules and regulations concerning the territory or other property belonging to the United States.

Let Congress authorize the Utah Commission, engaged at an expense of $40,000 a year for doing little or nothing, to take charge of this matter and to pay over to the legally appointed officers the money needed for the various appropriations. To breathe life into the late Utah Legislature would be a blot on our national escutcheon.

THE COMING WEEK IN CONGRESS.

Important Measures that will Occupy the Attention of the Senate and House.

WASHINGTON, June 20.—Final action on the Naval Appropriation bill will consume the first hour of to-morrow's session in the House. After the call of States for bills, a motion will be made to pass, under a suspension of the rules, Mr. Muller's bill increasing the standing appropriations for the militia. The Invalid Pensions Committee will also make an effort to pass the substitute for the Blair Pension bill. On Tuesday Mr. Morrison will renew his motion to consider the Tariff bill. Nothing has developed since Thursday's vote to justify the assumption that the House will reconsider its action on the subject. On Tuesday afternoon the Sundry Civil bill will be called up, and it is probable that the remainder of the week will be consumed in its consideration.

In the Senate Mr. Beck intends to-morrow to insist upon action on the bill to prohibit members of Congress from acting as attorneys for subsidized railroads. It was passed by a large majority and without debate, but is held upon the table by Senator Hawley's motion to reconsider the former vote. This motion is not debatable under the rules, but they may not be invoked, since Senator Beck has expressed a willingness to hear what the opponents of the measure have to say.

It is likely that most of the week will be spent by the Senate in the consideration of the following measures: The bill to repeal the Preemption law, the Post Office and Legislative Appropriation bills, and the bill for the relief of Fitz John Porter. If any time remains after these measures are disposed of a day or more may be devoted to the miscellaneous calendar under the five-minute rule, or the Senate may discuss and act upon the Des Moines River veto, and the resolution providing for open executive sessions, which stand next after the Pension bill upon the caucus order of business. The River and Harbor bill will probably be ready to be reported to-morrow or Tuesday, but the Commerce Committee has not indicated a purpose to call it up this week.

Her Husband and her Money Missing.

PHILADELPHIA, June 20.—Miss Ursula Lena Heer, a protege of Paul Weber, the celebrated landscape painter, was married in New York on Sunday last to Louis Haversmith. Yesterday Mrs. Haversmith was at one of the leading hotels here deploring the loss of her husband and her money. Mr. Haversmith having left for parts unknown. The young lady arrived in New York from Munich only a week previous to her marriage. She made Haversmith's acquaintance on the steamer, and they were married soon after the vessel's arrival at New York. They remained in the metropolis several days and came to this city a few days ago. The wedding was soon thereafter intruded to Haversmith some 20 marks, all the money she had, and this also disappeared with the missing husband.

Opening of a New Railroad.

SHOHOLA GLEN, Pa., June 20.—The echoes were startled among the Pike county hills to-day by the running for the first time of cars on a switchback railroad which has been built between Shohola village and Shohola Glen by John F. Kilgour, "the Bluestone King." Thousands of people from all parts of the Delaware valley came to Shohola to see the novel road and enjoy a ride over it. It made the old Pike countians open their eyes. This road is the first link in a route up the Shohola Creek, back in the wilderness, which is to become a pleasure route, with novel features. The switchback is modelled after the gravity roads of the coal regions, and was constructed by Mr. Kilgour at a cost of $10,000 a mile.

A Thief Pays an Early Call at Mr. Bluxome's.

A thief entered the house of J. A. Bluxome, the Sixth avenue fancy goods dealer, at 105 West Twenty-first street, early yesterday morning, and, making his way up stairs, took $50 and a $250 watch and chain from Mr. Bluxome's clothes which were hanging near the bed. As he went out the thief collared a silver-headed cane, an umbrella and a top coat from the hat stand. How he got into the house is not clear.

MRS. S. D. C.'S LITTLE CHARGE.

A Little Five-year-old Whom She is Ready to Adopt if She Can.

MRS. ——. Come and settle or I will have to come to you in haste. S. D. C., 63 Lafayette av., Brooklyn, N. Y.

This was a "personal" in a New York paper on Saturday. A matronly, good-natured looking woman, who said that she was the S. D. C. of the personal was found at 63 Lafayette avenue. A pretty five-year-old dark-eyed, dark-haired girl was playing by her side.

"There is a secret in my possession," she said, "of which this little girl is the subject, and occasionally I have to resort to "personals" to communicate with a lady whom I call Mrs. ——. This child has been in my care since she was a few months old. She was with me at Police Headquarters in New York while I was stopping there with Mrs. Webb, the Matron, who is my mother. Who the child is, and the circumstances of her birth, are matters of secrecy between me and the persons who are interested. I have been paid for her board, but there is now $100 due, and I have taken this means to notify the lady who has assumed the responsibility for her support that it is time to call around or send a check.

"This Mrs. —— is living in good circumstances in Brooklyn. She was a widow when, as I understand matters, she received this child from its mother as a sacred charge on the mother's deathbed, and promised to see that it was always well cared for. A few years ago she married a wealthy gentleman of ——. For some reason, as I think, she keeps her husband in ignorance of her relations to the child, whose mother and father she has assured me are dead. If she wishes to be relieved of all responsibility for the girl I will adopt it and love it as my own. I feel that I succeeded in fixing the identity of this lady and learning where she lived. While these facts are in my possession I may call and see her, if she is not less tardy in her payments. The personal, however, I am sure will serve the purpose."

MRS. SCHEINERT IN GREAT PAIN.

Application Made for the Arrest of Policeman Arfkens.

Mrs. Fannie Scheinert, who says that Policeman George L. Arfkens of the Eldridge street station beat her black and blue on Friday, lay on her cot in Bellevue Hospital yesterday suffering greatly. Dr. Lambert said that her condition was dangerous, and that the result, in view of her delicate condition previous to the assault, is doubtful. Her child will be prematurely born.

Her husband and Lawyer Nelson visited Coroner Messemer yesterday, and he told them to see Justice Duffy at the Essex Market Court and obtain a warrant for Arfkens's arrest. Justice Duffy told Mr. Scheinert to call at the court again to-day. Coroner Messemer requested Capt. Allaire to keep Arfkens under surveillance in the mean time.

Moritz Roessler, who lives next door to Scheinert's little furniture store at 55 Orchard street, and several other neighbors corroborate Mrs. Scheinert's story in detail.

A THRIFTY PICKPOCKET NABBED.

His Pockets Full of Money and Watches—A Confederate Escapes.

Bartender William Kuester of 439 East Eighteenth street, fell asleep on a Third avenue open car at 2 o'clock on Sunday morning, near Thirtieth street. Policeman Blank was on the car, returning home. He saw a pickpocket twist off Kuester's watch, and hand it to a confederate. Blank clapped a pistol to the pickpocket's head, and took him in, but the confederate got away with the watch. The prisoner was John Welsh, alias John Kelly. Lamar, the police say, is the name of his confederate. Kelly had in his pockets $698 in currency, an empty pocket-book, a diamond stud, a gold dollar charm, a $1.50 pawn ticket for a ring, a hunting-case gold watch made by Henry Cuft of Geneva, with chain and pendant, and a silver watch.

Justice Power, in the Jefferson Market Police Court, held Kelly for examination. Of the $698 the Justice ordered $223 to be returned to the rightful owners of the property. Kuester identified the watch as his property. The rest, in large bills, was retained by the Property Clerk on the chance that the owner may be able to identify the bills.

Kelly had been a prisoner before Justice Power on Saturday morning. At 2:45 o'clock that morning Policeman Whittle thought he saw him attempt to pick the pocket of Thomas Thomas, a Delaware street car at Seventh avenue and Thirtieth street. The policeman arrested both men. Kelly pretended that he had been quarreling with Thomas. On that occasion $731 was found in Kelly's pockets. In court the men made counter charges of assault. Justice Power fined each $10 for disorderly conduct. From his big roll of money Kelly paid his counsel, Lawyer Wise, which was regarded by the police as evidence that they had some interest in common.

Ordination Services at St. Thomas's Church.

The ordination of the graduates of the General Theological Seminary took place yesterday in St. Thomas's Church in Fifth avenue. Twenty candidates, in flowing robes of white, kneeled before the altar when Assistant Bishop Potter performed the ceremonies. Six clergymen assisted him. Fourteen of the candidates wore silk sashes across their shoulders. They were deacons. The other six wore the sashes as stoles, in token of their assumption of the priesthood. Deacons' orders were conferred upon John W. Chapman, Francis L. Hawks Pott, Richard Herbert Gesner, Charles Elisha Freeman, Jesse Mercer Davis, Arthur Hess, Ralph Birdsall, John Marshall Chew, Isaac Doorman, Joseph J. Cornish, Adolph Martin Lewish, George Nelson Mead, William McIlvaine, Henry Hyde Pierce, and Benjamin Polhemus.

These were made priests: Rev. Prescott Evarts, James Buchanan Nies, Ernest Voorhies, Charles E. M. Belden, Floyd D. West, and Allen C. Prescott. The Rev. Frederick B. Van Kleeck of White Plains preached to the candidates.

Deacon Francis Pott, who is a son of James Pott, the publisher, will start at once for Japan to join the Protestant Episcopal Mission. His classmate, Adolph Martin Lewish, starts in the same steamer for the mission in Japan.

Bombi Not Happy.

Bombi, the big rhinoceros which was carted up to Central Park from the steamship Eider, on Saturday, had a dreary time yesterday. The close cage which holds him was not any too airy on the upper deck of a steamer in mid ocean, and it was almost suffocating yesterday in the hot building occupied by the lions, tigers, and panthers. He was near enough to the big iron cage that is to be his home to see it, and he appeared anxious for it to be finished. Bombi's appetite did not desert him, however, and he ate a bushel of oats, much hay, and two pails of water in the afternoon.

Tippo Saib, the friendly elephant which dragged Bombi under shelter, evinced a desire to visit him. He dragged at his chain and waved his trunk in the direction of Bombi's cage, as though assuring him that he was always ready and willing to haul the stranger anywhere he wanted to go. Bombi couldn't see these manifestations of friendship, and so he grew melancholy as the day advanced. Every time the tiger sprang spitefully in his direction he sneezed. He only drinks six gallons of water and ate not over 100 pounds of garden truck.

If the cement floor of his new cage is hard enough to bear his great weight Bombi will be moved into it at 9 o'clock this morning.

Justice Duffy Settled It at Once.

Ottilia Fleischner, a comely young girl, of 167 Suffolk street, was very indignant when summed before Justice Duffy yesterday morning to answer a charge made by Adolph Mayers that she had possession of a red shawl of the value of $1.50, which, he alleged, had been stolen from him a week or so ago.

"Why, your Honor," said Ottilia, "I have had the shawl three months, and there are plenty of witnesses that I have had it. I bought it for 50 cents, and there are fifty shawls like it on the block, and this man comes and disturbs me by saying I've got a stolen shawl."

"How do you identify this shawl?" said the Judge.

"Well, I know dot shawl," Mayers answered. "Your Honor could see it was vort more as fifty cent; it is all vool. I prung proof for dot."

"Come next Sunday with your witness," said the Justice.

"Oh, I can't come Sunday," said Mayers. "I have to go out of town on lodge business."

"Well, you must come Sunday," said the Justice. "I am not going to let this poor girl away from her work."

"Well, I got to the City Attorney," said Mayers, in a rage.

"Be quiet," shouted the little Judge sternly. "I will settle this case here and now. The decision of the Court is that this girl take the shawl. Get out of here and go to church."

Charley Johnston's Brother Kills Himself.

John Johnston, aged 44, of 46 Prospect street, Brooklyn, a brother of Charley Johnston, the sporting man, became insane on Saturday night, and he was taken to the York street police station for safe keeping. At 5 o'clock yesterday morning Doorkeeper Hoadley heard groans in the cell. He found Johnston lying on his back and gasping for breath. It was discovered that the prisoner had pressed his handkerchief into a ball, put it in his mouth, and forced it down his throat with the end of a small rule. He died before the ambulance surgeon arrived. He had been a hard drinker, but it was not supposed he had a suicidal mania.

Court Calendars This Day.

SUPREME COURT—CHAMBERS.—Motion calendar for the third Monday of June.—Nos. 1 to 60, inclusive, continued. SPECIAL TERM.—Part 1.—Nos. A. M.—Nos. 681, 705. 10 A. M.—Nos. 731, 988, 778. 10½ A. M.—Insurance—Nos. 134, 114, 136, 138, 139, 147, 148, 149, 164. Part 11.—Adjourned until June 21. TRIAL TERM.—Part 1.—Clear. Nos. 1251½, 2042, 1048, 2723, 2774, 2781, 2846, 2848, 2818, 2453, 2229, 2270, 1493, 2249, 2583, 2719, 2820, 2283, 2473, 2475, 2476, 2480, 2482, 2486, 2487. Part 11.—Clear. Nos. 2593, 2606, 2681, 3330, 2689, 2631, 3080, 2691, 1564, 2565, 1555, 1949, 1735, 1747, 798, 2084, 1862, 1877, 1883, 1656, 2052, 1868, 622, 2463, 2366. Part 111.—Case on. Guggenheimer agt. the Greenwich Insurance Company. Part IV.—Case on. Farnsworth agt. the Western Union Telegraph Company.

SURROGATE'S COURT.—Estate of Edwin Meyer, Margaretta Koeliel, and Peter F. McManus, 10:30 A. M.; Davis, 11 A. M.; will of Moses Obell and Christopher Y. Horan, 11 A. M.; Ryan, 11:30 A. M.; Ingersoll and Isaac Marcus, 1 P. M.; Bridget O'Rorke, 1:30 P. M.

SUPREME COURT—GENERAL TERM.—Adjourned until Friday, July 2.—CIRCUIT TERM.—Case on. Brewster agt. Marsh. Part I.—Clear. Nos. 1867, 1315, 1009, 1715, 566, 640, 1728, 1420, 1459, 1849, 904, 894, 192, 202, 1583.

COMMON PLEAS.—IN EQUITY.—Adjourned until June 24. SPECIAL TERM.—Nos. 12, 16. EQUITY TERM.—Nos. 42, 43, 44, 46, 48, 49, 27. Part 1.—Clear. Nos. 1848, 1854, 1862, 1872, 1889, 1891, 1895, 1896, 1904, 1910, 1911, 1912, 1915, 295, 1870, 779, 1916, 1918, 1920, 1936, 2116, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1929. Part 11.—Clear. Nos. 1579, 842, 1296, 1726, 1554, 445, 1121, 1787, 1834, 1436, 1922, 1368, 1779, 369, 1318.

CITY COURT—Part 1.—Nos. 6422, 6362, 6374, 6384, 6569, 6528, 6536, 6585, 6586, 6577, 3110, 6470, 6526, 7349, 6561, 6567, 6568, 6436, 6522. Part 11.—Nos. 7517, 5690, 6177, 6055, 5898, 6111, 6864, 5687, 5869, 5373, 893, 3779, 5415, 6343, 5660. Part 111.—Nos. 6255, 6203, 6241, 6498, 3145, 6478, 6405, 6783, 6287, 6527, 7428, 7479, 6262, 1911, 6467, 6374, 5488, 6183, 6195, 6520, 6360, 6407, 6522, 7366, 6723.

HIS PROPERTY CUT IN TWO.

Boat Owner Both Arrested for Tearing Down the Vanderbilt Railroad Fence.

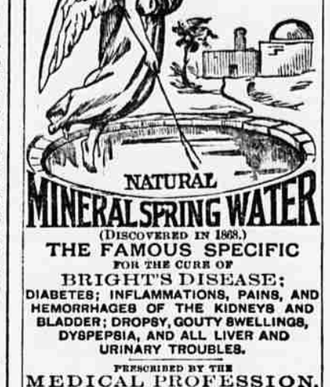
The fence erected three weeks ago by the Hudson River Railroad Company, enclosing its tracks along the Harlem River in the neighborhood of McComb's Dam Bridge, has been torn down several times recently. On Saturday night Policemen Cusack and Williamson of the High Bridge station were sent out to ascertain who the fence destroyers might be. They heard a crashing of planks under McComb's Dam Bridge at 2 o'clock yesterday morning, and found Charles and Andrew Both and Peter Bach there. Andrew had an axe in his hands.

In the Harlem Court yesterday their lawyer said that Charles Both, who owns a boat house near where the fence was broken down, also owned the land on either side of the track, and that the fence interfered with his business as a boatman. No customers could reach his boat house except by a long and circuitous route if the fence was permitted to stand.

The lawyer for the railroad company said that the fence had been built to prevent people from crossing the tracks and endangering their lives. The prisoners were paroled.

Drowned While on a Picnic.

While the propeller Bay Ridge, with the J. F. Gilhooley Association of this city on board, was making a landing at Elm Park, on the west shore of Staten Island, yesterday afternoon, John Hecket, 30 years old, of 239 Greenwich street, attempted to jump from the boat to the wharf. He missed his footing, fell overboard, and was drowned. Persistent efforts were made to recover the body without success. When the attempts to find the body were given up the picnic was abandoned, and the party returned to this city.



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RECOMMENDED BY
GUY'S HOSPITAL, LONDON.
RECORDED IN
DUNGLISON'S MEDICAL DICTIONARY
AS ONE OF THE
Leading Mineral Waters of the World.
☞The only Water in the world that can be drank freely by persons affected with Kidney Troubles without experiencing inconvenience.
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☞To protect the Public, and to prevent Spurious Waters being palmed off as ours, also for convenience in handling and better keeping, BETHESDA is put up and SOLD ONLY IN SEALED BOTTLES, and none is genuine except it bears the Bethesda Trade Mark, the Angel at the Pool, and a neck-strap also bearing our trade-mark, extending over the cork of the bottle.
FOR SALE BY DRUGGISTS AND DEALERS.
PRICES:
STILL WATER (for Medicinal Use), $5.00 a Case, Containing 20 Half-Gallon Jars; and $4.50 per Case of 10 Gallon Jars.
CARBONATED (for Table Use), $10.00 a Case, Containing 100 Pint Bottles; and $7.50 per Case of 50 Quart Bottles.
SOLE SELLING AGENTS:
P. SCHERER COMPANY,
11 Barclay St., New York. 146 State St., Chicago.
☞Send for Pamphlet containing Testimonials of some of the most eminent physicians and prominent public men in the country. Mailed free to any address.

Wanted—Females.

A.—UP-TOWN ADVERTISERS.—May leave their favors for THE SUN at the only authorized up-town advertisement offices:
1,826 Broadway, between 53d and 54th, till 9 P. M.
953 Broadway, between 22d and 23d sts., till 8 P. M.
1108 West 23d st., corner 8th av., till 8 P. M.
766 3d av., entrance on 47th st., till 8 P. M.
153 4th av., corner 14th st., till 8 P. M.
1,007 3d av., near 60th st.
257 East 125th st., near 3d av., till 7:30 P. M.
Sundays charge.

A.—A.—A.—EXPERIENCED indoor Wheeler & Wilson operators on ladies' undergarments; steam power; good pay, steady work; learners taken. Girls to cut out embroideries. Out-door operators who can cut buttonholes. Also good plain sewers in quantities: sample and reference required.
L. DANNHAUSER, 155 and 157 South 5th av.

A.—Feather Trimmings.—Experienced weavers on power looms wanted; also girls as learners; $1 a week while learning.
ISIDOR COHNFELD, 104 Bleecker st.

A.—Operators on W. & W. and W. & G. machines on undergarments and slips. Steam power. TAUSIG, 100 Greene st.

A FEW good pressers on white goods.
CHEGNAY, 9 Beach st.

A GIRL to do general housework; must be a good washer and ironer. 807 5th st.

BASTERS and finishers on boys' jackets in and out of the house. 465 North 2d st., Brooklyn, E. D.

EXPERIENCED W. & G. operators and turners on linen collars.
LOEWENSTEIN BROS., 130 Greene st.

EXPERIENCED dressmakers to work on waists and skirts; also, a few improvers and apprentices. Basement, 261 Madison st.

EXPERIENCED HANDS on lawn dude bows at good pay. H. RICHTER & SONS, 502 Broadway.

EXPERIENCED jersey operators wanted. Apply all week.
A. HERMAN, 29 Lispenard st.

EXPERT operators on W. & W. machines.
MARTIN, 174 Fulton st., Brooklyn.

EXPERIENCED glue hands wanted; steady work. 4 Box shop 136 William st.

FREE Sewing Machine School, open daily from 9 to 5, at Geis' Lodging House, 27 St. Mark's place, 8th st.

HAT TRIMMERS.—Wanted, 10 trimmers on soft and stiff hats.
FELDSTEIN, 572 3d av.

OPERATORS on W. & W. machines to make fine flannel shirts; operators not accustomed to making shirts will be instructed.
HENRY ROTHSCHILD & CO., 43 Leonard st.

OSTRICH FEATHERS.—Experienced preparers, sewers, sorters, packers. M. H. ROSENSTEIN, No. 102 Bleecker st.

OPERATORS on fine custom coats; also those who understand sewing by hand. 114½ Allen st.

OPERATORS on boys' pleated jackets at 205 North 4th st., Brooklyn, E. D.

PAPER BOXES.—Hands on large glue work; also paste hands on candy boxes.
SCHENK & SCHLICHTE, 93 6th av.

PAPER BOXES.—Wanted, experienced hands on glue work. LOUIS WAGNER, 202 and 204 Canal st.

PAPER BOXES.—Wanted, hands on glue work.
ADAMS & YOUNG, 142 and 144 Mulberry st.

PAPER BOXES.—Good girls on glue work.
LEOPOLD SOSN & SONS, 86 to 90 Canal st.

PAPER BOXES.—Glue hands wanted.
JOHN G. BECKER, 25 Great Jones st.

PAPER BOXES.—Experienced hands on glue work wanted at 307 Water st., near Roosevelt.

PAPER BOXES.—Experienced hands on paste work. 393 Canal st.

RUSHE PRESSERS wanted; those with experience at widow ruches preferred.
LUCIUS BROS., 137 Greene st.

WANTED.—Thoroughly experienced hands on men's scarfs, to work either at home or in store; coolest workroom in city. FLEISCH & CO., 560 B'way.

WANTED—Experienced hands on Willcox & Gibbs machines.
THEO. TIEDEMANN & BRO., 35 Wooster st.

WANTED—Girls, 14 and 16 years of age, of good figure, to try on misses' cloaks. Apply at MANHATTAN CLOAK AND SUIT CO.'S, 307 Canal st.

WANTED—Finishers, operators, and button sewers on cloaks; also learners. Apply all week at 325 East 84th st., first floor.

WANTED—Tobacco cigarette makers; learners also taken. D. E. ROSE & CO., 18 Fulton st.

WANTED—Experienced finters and crimpers on rolling. SILBERBERG BROS., 53 Greene st.

WANTED—Operators on flannel and cheviot shirts; apply all week. 204 South 9th st., Brooklyn, E. D.

WANTED—Good basters on vests; steady work.
GARTNER, 644 East 9th st.

WANTED—Finishers on coats. J. COHN, 30 Av. B, first floor.

WANTED—A lady waitress. Restaurant, 4 Coenties sl