

FOR A NEW CONSTITUTION

The Virginia Convention to Meet Next Wednesday.

Judge Mullen Outlines the Work Before the Body—A Comparison of Former Instruments—A Number of Changes Likely to Be Made.

RICHMOND, Va., June 8.—The convention to frame a new constitution for Virginia will assemble in Richmond next Wednesday.

The question of convening such a body has been before the people of the Old Dominion for a number of years. In 1870 the voters decided against revision of the constitution. The question was submitted to the people again at the spring elections in 1890, and the advocates of the convention then carried the day.

In framing the new constitution the convention is expected to accomplish two results—the disfranchisement of illiterate voters and a reduction of the expenses of the State Government. These are the grounds upon which revision of the constitution is justified. Those who favor amending the constitution are not agreed as to the extent to which the revision should be carried, and differences of opinion will be emphasized in the proceedings.

Hon. J. E. Mather, Judge of the Hastings Court of Petersburg, who is thoroughly informed upon the subject, makes the following statement bearing upon the work of the convention:

"The present constitution is largely modeled after the constitution of 1789. It is known as the 'Underwood Constitution,' and has been denounced as the handiwork of negroes and alien adventurers, whose sole aim was political spoil and patronage."

"That our constitution needs reforming cannot be denied, but it is not that abolitionists who have gone to the subject of constitutional revision would be successful in their efforts."

"The existing constitution has twelve articles; but it is unnecessary to refer, except in the most casual way, to Article IX (militia), Article XI (miscellaneous provisions), Article XII (miscellaneous provisions), Article XIII (miscellaneous provisions), or to Article XII (future changes in the constitution). There are no corresponding provisions to these in the constitution of 1851 or in either one of those that preceded it, relating to the militia, a form of a very general nature, could be retained or eliminated without detriment. Perhaps its retention should be left entirely with the Legislature."

"It may be assumed that 'homestead exemptions' have come to stay. The 'Bill of Rights,' which is the subject of Article I, contains five paragraphs—Nos. 2, 3, 19, 20, and 21—not heretofore found there. They were deemed necessary in order to clearly define the rights of the State owners of property who had been slaves and toward the Federal Government under the conditions imposed by the result of the civil war. Whether these paragraphs should be eliminated or modified may be left to the Legislature. There has been very little discussion along this line."

"It has been suggested that Article II, declaring that the co-ordinate branches of government shall be separate and distinct, should also provide that no person shall hold a county or municipal and a State office at the same time. In my judgment there should be some such restriction, but as to the wisdom of this suggestion, while it is quite correct, it is none the less reprehensible to have the offices of Commonwealth's Attorney and members of the General Assembly filled by the same officer at the same time."

"The 'Elective Franchise and Qualifications for Office' is the title of Article III. It confers the right to vote upon 'every male citizen,' and not merely upon 'every white male citizen,' as does the corresponding article of the constitution of 1851. The other qualifications are substantially alike in both, except that our present constitution disfranchises for dueling. Another departure is the voting by ballot instead of viva voce. There are some advocates of this old viva voce system, but in my opinion, it will not be adopted. Should the convention have the courtesy to revise this method of voting, which is retained when every voter was 'free and equal' in fact, it is a concession to the supremacy. This apprehension largely controlled the action of the Legislature in submitting to the people the question of calling a constitutional convention."

"This question of convening such a body was the subject of the constitution of 1851, for the reason that until 1851 it was the consensus of opinion that amendments in kind to the constitution were not only barred legislative relief from the evils of negro suffrage, other amended revisions, but even this, could have been secured in the same manner the six amendments already enacted upon the constitution were adopted. Through legislative enactments submitted to the people for their ratification."

"The 'Executive Department' is the subject of Article IV. It differs from the corresponding article of the constitution of 1851 in that it provides for the removal of political disabilities consequent upon conviction and confers upon him the veto power. It also provides for the establishment of a bureau of statistics, a bureau of agricultural chemistry, and a bureau of agriculture and immigration."

"The Legislative Department is the topic of Article V. The House of Delegates and the Senate have fewer members than under the constitution of 1851. Now the House shall consist of not more than 100 and not less than 90 members, and the Senate of not less than 35 nor more than 40 members; then the House had 120 members and the Senate 50. The apportionment of representatives and the qualifications of Senators and Delegates differ somewhat."

"Under the present constitution only such persons, otherwise qualified, as hold salaries or offices under the State Government are disqualified from holding office of the General Assembly. Under that of 1851 other persons were disqualified. It is insisted by some that no person holding a salaried public office or employed on a salary by any State, Federal, or State, or individual, or firm, or corporation, or retained as attorney by anyone, shall be permitted to qualify for office. These restrictions are somewhat along the line of the old constitution, but more stringent."

"When we come to consider the powers and duties of the General Assembly, as prescribed by the present constitution

THE LOW CONTEMPT RULE

A Motion to Dismiss It Denied by Justice Anderson.

The Court's Order Concerning the Transfer of Funds of Former Wards, Amounting to \$3,000, Not Complied With—Proceedings Today.

Justice Anderson today overruled the motion to dismiss the proceedings for contempt issued some time ago against William G. Low, the former guardian of the children of Warren J. Low. Since the rule was issued against Low by Justice Cole, sitting for Probate Business, requiring him to show cause why he should not be committed to jail for contempt of court, it is said he left the jurisdiction.

Low was appointed guardian for the three minor children of Warren J. Low, who failed to make the reports of his stewardship as required by law. He was, about three months ago, removed as guardian, and James F. Seagus was appointed in his stead. At the same time Low was ordered by the court to deposit with the court \$3,000 of the funds of the estate of his wards. This he failed to do and Charles C. Cole, who at that time was a member of the Supreme Court of the District, sitting for probate business, issued an order requiring Low to show cause why he should not be committed for contempt of court.

The motion for the dismissal of the contempt proceedings was opposed by Seagus & Beck, representing the children of Warren J. Low, and Charles C. Cole, in overruling the motion, stated that he would not consent to the rule against Low being dismissed until he appeared in person in court and purged himself of the contempt.

HISTORIC STONES MUTILATED.

The New Mason and Dixon Markers Will Be Cast.

CARLISLE, Pa., June 8.—The monuments of the Mason and Dixon boundary line between Pennsylvania and Maryland have suffered severely from the attacks of vandals, and they will soon be replaced by cast-iron markers.

Rapid progress is now being made on the relocation of the line. The eastern portion was originally marked by stone monuments at equal distances of one mile. Many of these stones have been removed or destroyed. The western portion, owing to the great difficulty at that time in the region traversed by the line, was marked by wooden posts, cut on the spot and secured in place by mounds of earth or stone piled around them. The stones have disappeared, but some of the mounds remain. Many have been destroyed by cultivation of the ground. It is believed, though, that enough of them can be recovered to enable the relocation of the boundary with precision.

The Pennsylvania Legislature has appropriated \$2,000 for the purpose of erecting new markers, and the Maryland Legislature \$3,000. Dr. W. C. Clark, of Baltimore, is in charge of the work of Internal Affairs Latta, of Pennsylvania, in directing the work.

A FIRE IN A HOSPITAL.

CONTEMPT AMONG PATIENTS AT A NEWTON, MASS., INSTITUTION.

BOSTON, Mass., June 8.—The Thayer hospital, one of the oldest of the Newton hospital, at Newton, was badly damaged by fire shortly before 1 o'clock this morning. During the fire a fire alarm sounded, and the fire department was called. There were about thirty patients in the Thayer ward and they were removed with difficulty to other parts of the hospital. No one was injured, although several bad accidents were narrowly averted. No one was killed or seriously injured. The fire was caused by a patient who had been confined in the ward for some time. The fire started in the kitchen, and spread to the ward. The fire was extinguished by the fire department. The damage done was estimated at \$5,000. The hospital will suffer considerable inconvenience through the loss of available space until repairs can be effected.

AN EXPLOSION IN A COLLIERY.

Pennsylvania Miners Driven Out by the Flames.

SHAMOKIN, Pa., June 8.—While miners were at work in No. 4 slope of the Lake Fidler colliery this morning, an exploding blast ignited loose coal in a breast, in a short time a raging fire was in progress. The flames and smoke were so dense that the miners were driven out of the mine. The fire was extinguished by the fire department. The damage done was estimated at \$5,000. The colliery will suffer considerable inconvenience through the loss of available space until repairs can be effected.

A TUGBOAT ENGINEER'S FEAT.

Went Through Flame and Smoke to Draw the Fires.

NEW YORK, June 8.—While the tugboat J. Fred Lohman was ablaze at the Ward line pier last night, Valzer Colt, the second engineer, dashed through flames, smoke, and escaping steam, groped his way down to the fireroom and drew the fires.

Those who watched him disappear never expected to see him alive again. At the time of his descent the flames, which were so thick that they hid the fire, had already made a leaky cloud of steam, which escaped in a dense cloud with a great hissing sound. Smoke and steam combined rendered it impossible to see three feet ahead of him. He was barely able to stumble to the fire, and there he was seen to be working. He was seen to be working. He was seen to be working. He was seen to be working.

At the wedding dinner in the Palace Hotel, San Francisco, the social world was startled by the announcement that the wedding cake was shattered while being carried from the kitchen to the table. This, the wisecracker held, assured no good for the newly married pair. A telegram received by Governor Baxter yesterday stated that the wedding cake was shattered by further information as to the time of the next steamer sailing, which was the wedding day had been a widow before the close of the honeymoon.

12.25 to Baltimore and Return via Saturday and Sunday, June 8 and 9.

THE PAY OF AN ARMY CAPTAIN.

An Important Ruling by the Comptroller of Treasury.

Robert J. Tracewell, Comptroller of the Treasury, has received a letter from the Paymaster General of the United States Army, wherein he makes the request that the former reconsider his decision of March 1891, of the claim of H. Brodhead, late of the 1st Cavalry, for the pay of a captain.

Mr. Tracewell declined to modify his decision, saying that all captains and assistant captains are commissioned by the act of March 1889, and that the pay of a captain is \$1,000 per annum. He said that the pay of a captain is \$1,000 per annum, and that the pay of an assistant captain is \$800 per annum. He said that the pay of a captain is \$1,000 per annum, and that the pay of an assistant captain is \$800 per annum.

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WANT THEIR BAIL REDUCED

The Ingles File a Motion in the District Supreme Court.

Men Accused of Forgery Desire Freedom—One Wants to Look After His Chickens, While the Other is Needed at His Home in Maryland.

Frederick D. H. Ingley and Samuel Ingley, who were held in the Police Court to await the action of the grand jury on May 20, on the charge of forging twenty-five cents worth of car tickets to one Blanche Brown, filed a motion today asking the District Supreme Court to reduce their bail from \$5,000 to \$1,500. The prisoners say that their friends and counsel have diligently tried to find bail, but the sum required is so large that they have been unable to succeed. The motion also asks that the defendants be released on their own recognizance if the bail is not reduced. The defendants must remain in jail all summer, awaiting trial, as it is not probable that the grand jury will hear the case before fall.

The motion recites the fact that the former charges were for 25 worth of car tickets, and sets out that during the last year there were eight charges of forgery on the docket of the Criminal Court, and that in a case of W. H. Thomas, where the value of the forged was \$200, the bond demanded was \$500, and that in the case of forgery against Edward Lawer, the check forged was \$15, and that the bond was \$1,000. Other cases are cited.

Attached to their motion, the defendants have an affidavit, sworn to by the prisoners, that they are not likely to flee, and that they are not likely to be a burden on the community. The affidavit further recites that Frederick D. H. Ingley has two children, little girls, who are dependent upon him for support, and if the bond is reduced so that he can be released, that after a very few days they will have no support whatever, as what money he has is almost expended.

Attached to the motion is also an affidavit of one of the defendants, John W. Niles, who is an agent of the Ingleys, makes an affidavit that he has made diligent effort to secure a bondsman, but that the amount of the bond is so large that he has failed to find one. He offers to make a similar affidavit. Then follows a petition signed by various citizens of the District, certifying that the former good character for honesty of the defendants.

Edward G. Niles is named as counsel for the defendants. The matter will come up for hearing before Justice Barnard on Monday next.

A HOUSECLEANING SALE.

The Interior Department to Dispose of Unserviceable Articles.

Secretary Hitchcock has decided to have a general housecleaning, and on Thursday next will sell at auction all of the material which has accumulated in the various bureaus of the Interior Department, and which is not of service.

The material to be sold consists of books, paper, presses, camp outfits, geological notes, collections of maps, charts, atlases, Indian work, and several tons of miscellaneous articles which have been their usefulness in the Department.

TO ESCAPE VACCINATION.

A New York Italian Leaps From a Window and Vanishes.

NEW YORK, June 8.—Nelle Zarra, living at 237 East Eleventh Street, called at Bellevue Hospital yesterday to ask about the infant brother and sister who are being treated there. It was found that she had smothered. The Board of Health sent Dr. Laase to the tenement house in which she lived to vaccinate the inmates and establish a quarantine.

When the doctor made known the purpose of his visit there was a stampede. Men, women, and children ran to the street in hopes of evading the needle and the quarantine, but they found policemen at the doors and the police officers at the door. Vincenzo Reppo, however, jumped out of a second-story window, vaulted a fence and, with a dozen persons and a policeman at his heels, dashed into a saloon on the opposite corner, East, Eleventh Street. He dashed through the crowd at the bar, up the stairs to the second story and disappeared.

His pursuers thought he had killed himself in the fall of twenty feet, but to their surprise he was seen to be climbing down after striking the ground. He was seen to be climbing down after striking the ground. He was seen to be climbing down after striking the ground.

Board of Health officers took Henry Furst, sixty years old, from a lodging-house in the Bowery last night, ill with smallpox.

DENIED BY GEORGE E. FOSS.

The Representative Not to Be a Candidate for the Senate.

CHICAGO, June 8.—Representative George Edmund Foss, of the Seventh district, denies that he is a candidate for the United States Senate to succeed Senator Mason in 1903.

"I expect to be a candidate for re-election as a member of the lower branch of Congress," said Mr. Foss, "but I shall not be a candidate for the Senate."

However, Mr. Foss's friends are keeping the subject alive, apparently with some purpose.

PRIZE WINNERS AT YALE.

Robert H. Ewell, of Washington, Second in Eloquence.

NEW HAVEN, Conn., June 8.—Charles Duncanson Miller, of New York city, was awarded the first prize in French at Yale. He is a member of the Junior class.

The sophomore prizes in elocution have been awarded as follows: First, Allan Fox, Detroit; second, Robert Hall Ewell, Washington, D. C.

A Packet's Narrow Escape.

LACROIX, Wis., June 8.—The steamer packet, which was sunk in ten feet of water, was difficult to enforce and was hard to see. On the other hand, the collector thought the law had a good effect in making the man who had been in the shop concerned of business.