The Wheeling Intelligencer.

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The Intelligencer.

THE Hale House at Charleston was reopened to the public on Wednesday last.

THE Surveyors on the Quincy & Bridgeport extension of the St. Clairsville Narrow Gauge are expected to reach Overbaugh's Gap to-day.

REV. MR. BARNITZ has received a letter from Gov. Colquit, of Georgia, whom he met at the Atlanta Sunday School Convention, expressive of his gratification at the prospective good likely to result from that memorable gathering of delegates from all parts of the country.

THE new Martinsville *Messenger* complains that Wetzel county is over run with medical quacks who are simply so many efficient allies of the undertakers and grave-diggers. Not one in ten of them, according to the *Messenger*, can show a diploma. It calls on the people to cease to employ them.

THE White Sulphur Springs Hotel, proposes to charge $3 per day this season or, (if we mistake not,) $20 per week. Considering that this is a year of plenty, and that flour, bacon, and mutton, and butter and eggs, will be cheaper than for many years in the Greenbrier region, (where they are always plenty) the hotel should be a bonanza this season.

THE Swiss-German colony at Helvetia, Randolph county, in this State, does not appear to be augmenting, but rather diminishing. According to a letter from its principal pioneer, C. E. Lutz, in the last Buckhannon *Banner*, the movement to settle such a colony there started in 1870, and by April, 1875, there were 500 people. Now there are only about 300 and some of them preparing to leave. No particular reasons for this decline of the colony are given beyond a feud between some of the leaders.

IT is announced that the Hon. Charles James Faulkner has reappeared upon the scenes as a candidate for Congress in the Second District. The old veteran office holder cannot stay quiet in private life. This, too, notwithstanding he is now about at the end of the lease allotted by the Psalmist. The ruling passion is strong to the very last. Not that we mean that he is superannuated or imbecile, or inefficient even—for he is not. On the contrary, like his *alter ego*, Caleb Cushing, he is a man full of work when anything is to be made by it either in the way of glory or money. He is so well preserved, too, that we doubt not he will lead the Hon. Ben. Martin a lively chase up and down the rough roads of the wide spread Second District within the next few weeks, in quest of delegates. And if the Hon. Benjamin is not very vigilant the ex-minister to St. Cloud will bag the delegates as he did four years ago. He is an old and very cunning hunter. At this time, we doubt not, the veteran diplomat is very busy with his pen preparing the way for these personal visits to the various counties.

THE *Braxton Mountaineer* says that the Elk river should have received a larger appropriation than $5,000: for, says the editor, "Elk river is susceptible of great improvement in the way of sluice navigation."

"What the people along its banks desire is to have the dams all removed, timber and logs taken from the bed and banks of the stream, and channels made in its shoals; and they would have an improvement infinitely of more advantage to them than even a railroad would be. To do this would require some $50,000 judiciously expended, and they would not ask for more."

Elk is the river which the editor of the *Portsmouth Valley Blade* said he had so frequently jumped across when hunting in his boyhood days. Whether it is one of the rivers that will, as Sam Cox said, need an appropriation to supply it with water is not quite apparent from the *Mountaineer's* article. It is evident, however, that $5,000 is not going to do much good for it. There was a big rise in it a few days ago, and about $25,000 worth of staves, hoop poles, logs, float-boats and iron were shipped from Braxton county.

The Carpenter Theory of Creation—The Argument of Design—Dr. George's Lecture Last Night at the Fourth Street M. E. Church.

Herbert Spencer sneers at the Mosaic account of the creation as the "Carpenter theory" of the "Hebrew Myth." We may as well accept the designation. The Carpenter theory, or the idea that the worlds were built by Jehovah as a carpenter builds a house, contains, at least, *the argument of design*. A house is not a purposeless or accidental thing. Even a child could not be convinced that a house was evolved from nothing, or that matter and force, acting blindly and unintelligently waltzed it into existence. There was a period when the universe existed only as an idea in the mind of Jehovah—when not a star had shot its light across the heavens, when not an angel wing had fluttered, when not a creative breath had broken the silence of the ages. Stupendous moment! When the infinite mind conceived the Cosmos—a universe of law and order!

A number of passages of Scripture were quoted to show the Biblical idea—that the worlds were "created and made"—originated and fashioned, by the Almighty, and to show the exact correspondence of these teachings with known geological processes. The 104th Psalm, called the Hymn of the Creation, was especially used to illustrate this view. Humboldt, Lyell, Dawson and other scientific authorities were quoted to strengthen the position of the speaker. John Milton wrote before the rise of geology, and he obtained his cosmical facts from Moses and David, but he has described the mighty changes which took place on the earth's surface, not only with poetic beauty but also with scientific exactness, as was shown by a passage educed. Geological researches, however, have their limits, and the facts of geology must be carefully distinguished from the speculations of fanciful observers. Geology as a science of observation and induction does not carry us back to the period of creation. "In the earliest geological epochs, organic life, dry land, and an atmosphere, already existed."

Religion inquires for the cause of things, which must be a matter of revelation; but science has to do with methods and laws which may be discovered by research. If science not discerning an origin of things, affirms that the origin of things cannot be known, then science is unscientific, for it is illogical and absurd to declare that a thing does not exist, because it cannot be discovered by unaided human faculties. The knowledge of it may come as an epiphany—a shining forth from the presence of God. Religion has nothing to fear from the boldest inquiry. He is an unwise Christian who thinks that science must be infidel. There is no truth anywhere which is not the outbeaming of the Divine glory. Religion by securing for men the right of personal judgment and freedom of inquiry, has rendered the greatest conceivable service to science. It has opened the gates into the broadest realm of investigation. The right of a personal approach to a personal God, without the inter-position of priest or altar, and without regard to rank, fortune or position, has in it the essence of all progress, and embodies the hopes of the race.

It is no objection to the doctrine of design in nature that we cannot comprehend the intricate process by which the result is secured. One does not need to be a printer to know that the syllables and sentences of paragraph and page did not arrange themselves so as to express the thoughts of the writer and make his ideas luminous, by a mad whirligig of atoms and forces, or without a minute, distinct, persistent purpose, on the part of an intelligent presiding mind.

No presumption can arise against the doctrine of design in nature, because long periods have passed since the work of the designer was performed. It matters not whether the carpenter is six days or six years in building a house, the design is just as manifest. The matter of the earth may have existed for millions of years, but the evidence is overwhelming that it first existed in the thoughts of a designing Creator. The pyramids of Egypt attest the pride and cruelty of their kingly builders as emphatically to-day, as they did a thousand years ago, and their testimony will not lose its validity through the lapse of ages. The great question betwixt orthodoxy and liberalism is whether wings were planned for flight; or whether flight has produced wings—whether the universe is to be regarded as a revelation from God, or as undesigned phenomena. How can any thinking mind fail to discern in a cosmos—a system of order and law, or in man, a creature so marvelously made, with capacity of thought, experience of love and longing for immortality, convincing evidence of design—irresistible proof of a wise and intelligent Creator.

We have given only the merest abstract of the arguments and illustrations of this discourse, for our space would allow nothing more, but we add the concluding passage:—

In the days of her power and splendor, Rome built roads for military purposes, not only the Appian Way, leading off to Brundusium, but higways extending from Scotland, on the one hand, to Antioch, on the other, a distance of nearly four thousand miles, interrupted only by the English Channel and the Hellespont. Sections of these roads still remain, and they attest the grandeur of a wide-extended but consolidated Empire. If Rome were blotted out of history, if every line of her majestic literature were destroyed, these roads would demonstrate her ancient magnificence and glory. Mr. Herbert Spencer would not hesitate a moment to apply the "carpenter theory" to these roads. They were made, and their makers were a wonderful people. The time may come when another great ice-drift from Arctic seas, flowing over into the Gulf stream, sweeping across the American continent, may render this whole country uninhabitable. It may be, in that age, some persons from the then great Empire of Patagonia will follow the line of the Pacific Railway and its connections from New York to San Francisco. They will say, here are the ruins of a road-bed, of bridges, arches, tunnels, of wharves and sea-port towns. A great people, with the resources of Empire, once occupied this land; for the evidences of design, of wisdom and of power are on every side. In like manner, from a molecule to Mars or Neptune, from a flower to a star, from a polyp to a man, from the centre of the earth to the circumference of the heavens, the cosmos proclaims the Creator.

Cases Adjudicated in the Supreme Court of Appeals Sitting at Wheeling on Saturday May 4th 1878.

Eugene Howry, et al., appellees,
vs.
Henry G. Davis, appellant.

SYLLABUS.

1. In a trial of an issue out of chancery it is the duty of the court presiding at the trial of such issue to sign bills of exception to its opinions as in trials of law before a jury.

2. A Judge by mandamus may be compelled by the Supreme Court of Appeals, to sign a bill of exceptions to the opinion in the trial of an issue out of chancery, when such bill of exceptions states fairly the truth of the case involved therein.

3. When an issue out of chancery has been tried in the Court below, and verdict rendered which is satisfactory to the Court, and a decree rendered, based on such verdict, and pending the trial of the issue the defendant therein excepts to an opinion of the Court refusing to permit evidence to be introduced to the jury by such defendant, and the Judge refuses to sign a bill of exceptions to such opinion, and the defendant appeals from the decree to the Supreme Court of Appeals, and does not apply to that Court for a mandamus, to compell the Judge to sign a bill of exceptions, but proceeds to have his cause heard and determined by the Supreme Court of Appeal, on the record without such bill of exceptions, and the decree is affimed; the defendant has received the benefit of such exceptions and cannot afterwards be heard to complain of the action of the Judge in refusing to sign such bill of exceptions.

4. A fact which has been directly tried and decided in a court of competent jurisdiction cannot be controverted again between the same parties, in the same or any other Court. But to make it *res judicata* it must have been directly and not collaterally in issue in the former suit.

5. The clause in the Constitution requiring the Supreme Court of Appeals to "decide every point fairly arising upon the record, and give its reason therefor in writing" is directory, and does not affect the common law doctrine of *res judicata*.

6. The decree of the Supreme Court of Appeals upon a question decided by the courts below is final, and irrevocable, and upon a second appeal in the cause, the question decided upon the first appeal cannot be reviewed. In such case the conclusions of the decree of the Supreme Court of Appeals is the same whether the first appeal was from a final or interlocutory decree of the court below.

7. When the Supreme Court of Appeals makes a decree and sends the cause back for further proceedings, there cannot be a bill of review to correct the decree of such court for error apparent.

8 When the Supreme Court of Appeals has exercised its power in the cause before it, and its final decree or judgment requires some further act to be done, it cannot issue an execution, but will send its decree or judgment to the Court below to be executed. Whatever was before the Court and disposed of is considered finally settled. The inferior court is bound by the decree or judgment as the law of the case, and must carry it into execution. The Court can examine it for no other purpose than execution, or give any other or further relief; or review it on any matter decided on appeal for error apparent.

6 By error apparent is meant such as appears upon the face of the proceedings, and thus includes all that was involved in the issue, but a bill of review, or supplemental bill in the nature of a bill of review will be for after discovered evidence subject to the rules applicable thereto.

W. S. Coleman, appellee,
vs.
James T. Waters, et al., appellants.

SYLLABUS.

1. A judgment entered and rendered as confirmed, (in pursuance of the law of the State of New Jersey,) by virtue of and in pursuance of a warrant of attorney, being valid in the State of New Jersey by virtue of the laws thereof, is entitled to full faith and credit in this State within the meaning of Section 1 of Article 4 of the Constitution of the United States.

2. When a Court of Equity has properly taken jurisdiction of a cause against an absent defendant, it must proceed to give relief according to the principles of equity.

3. If the absent defendant appear and answer, there may be a personal decree only against him, or there may be both a personal decree and a decree subjecting the attached effects.

4. A decree of the Circuit Court will not ordinarily be reversed because it rendered a personal decree against the non-resident debtor without disposing of the attached effects and determining other questions in the cause at the same time, especially when the court cannot see that the appellant is injured thereby.

Coville & Garber, plaintiffs below and appellants,
vs.
J. G. Gilmore and others, defendants below and appellees.

SYLLABUS.

A verbal contract is made between A and B, which A claims was an agreement on B's part, to sink an oil well for him and to be paid therefor a reasonable price out of the first oil pumped from the well, after which the well was to belong to A exclusively.

B claims that he was to sink the well, pay himself for the same out of the first oil obtained, and thereafter the parties, A and B, were to be equal partners in operating the well. After B had bored the well and occupied it sufficiently long in his judgment to more than pay all the expenses of the boring, A brought an action of assumpsit for the oil B had sold, to which B plead non-assumpsit and filed as offsets the costs which he had incurred in boring the well. The jury found a verdict for A for a certain sum, and after some time A brings another suit of assumpsit against B for oil pumped and sold since the institution of the first suit. B then files a bill setting forth his version of the contract and that a partnership in all the oil pumped from the well existed between him and A, praying a dissolution of the partnership, a settlement of the partnership accounts and asking an injunction to prevent the collection of the judgment obtained by A, and also the further prosecution of the second action of assumpsit. Proof was taken showing the existence of the partnership as claimed by B.

Held: 1st. On motion to dissolve the injunction so much of it as enjoined the collection of the judgment should be dissolved, as the verdict and judgment conclusively established that the oil for the proceeds of which this judgment was rendered was exclusively the property of A.

2d. That the verdict did not establish that there was no partnership in the oil pumped after the institution of the first suit, even though it were proven ever so clearly that there was and is no claim that any partnership in any of the oil existed except such as might have been formed by the original contract, and that in the trial of the common law suit B defended himself by claiming that this original contract created a partnership in all the oil pumped from the well and obtained from the court an instruction that if the jury believed such partnership existed they must find for the defendant, and thus as the question of partnership or no partnership was not directly involved in the pleadings it cannot, so far as the oil not sued for in that suit is concerned, be regarded as conclusively determined by the verdict of the jury and judgment of the court, though it be shown by evidence it was the controverted part on which the verdict of the jury must have been found, nor is this verdict even evidence of the non-existence of the partnership.

3. The Court ought not to dissolve the injunction prohibiting the prosecution of the second action of assumpsit till the hearing of the case, as the question of partnership or no partnership ought to be settled in the chancery suit, the determining of it there settling it finally and preventing a multiplicity of suits, as neither the common law suit pending or others which might be brought from time to time would conclusively determine this question.

Patton & Shav.r
vs.
The Elk River Navigation Co.

SYLLABUS.

1. It is a general rule in pleadings that whatever circumstances or facts are necessary to constitute the cause of action or complaint, or the ground of defense, must be directly and distinctly stated in the declaration, or plea, as the case may be, and all beyond is surplussage.

2. Where the count shows the cause of action to be the breach of the contract on the part of the defendant merely in refusing to pay the plaintiffs for the logs actually delivered to it by the plaintiffs per contract, it is not a circumstance necessary to constitute the cause of complaint whether the defendant had or had not title to the land from which the logs were cut, although the contract stated the title was in defendant, and an averment in said count that defendant had not title is surplussage and no proof of title is required.

3. Where the real cause of complaint in a count is a claim for damages which plaintiffs make for 300,000 feet of logs, which the plaintiffs cut for defendant per contract on lands to which defendant claimed the title, but were prevented from delivering in the boom by no act or default of theirs, but by reason of a certain order of injunction awarded by the Circuit Court, granted solely on account of the acts and default of the defendant and of the persons owning the stock of defendant, it is not necessary to allege in the court that the defendant had no title to the lands; nor is it necessary to allege that the plaintiffs had purchased a large number of horses, mules and wagons, and employed a large number of laborers, to be used in the delivering of the logs aforesaid; but such allegations do not vitiate the count, and may be rejected as surplussage.

4. If it be true that plaintiffs did cut the 300,000 feet of logs, under their contract, as alleged, and were prevented from delivering the same by reason of no fault or act of their own, but of the injunction being awarded, on account of the acts and defaults of the defendant, then the plaintiffs are entitled to recover, as damages, the contract price of the logs so cut and not delivered, less the expense or costs necessary to make the delivery.

5. Upon the trial of the case the plaintiffs introduced in evidence the resolution passed by the board of directors of defendant as evidence of the modified contract relied on by them to sustain their action; the defendant objected to said resolution being given in evidence to the jury, upon the ground that it contained only part of the contract between the parties, as it offered to show by its original books produced in Court, and which it offered to prove, which defendant claimed contained the full contract between the parties, and asked the Court to require the plaintiffs to give to the jury, as part of their evidence, in connection with their resolution, "certain other matters from the books of defendant." But the Court being of the opinion that the evidence offered by the plaintiffs, was at this stage of the cause competent to go to the jury by itself, and that the defendant could prove its version of the contract when it came to give its evidence to the jury," permitted the plaintiffs to give the resolution in evidence in connection with the proof that had preceded.

Held: 1. There is no rule of practice under which the Court has power to compell the plaintiff to introduce any evidence to prove the contract.

2. If the plaintiffs introduce evidence not admissible by itself, and fail to follow it with other evidence to make it admissible, it is to their own folly and loss, and not to the injury of the defendant, and the court should direct the jury to disregard it.

3. In this case had the resolution been *inadmissible by itself the defendant* could have asked the court to direct the jury to disregard it; but the defendant had no right to ask the court to compel the plaintiff to introduce parts of its own entries in its own records, if the plaintiffs did not consider it proper to do so of their own accord.

4. The defendant's objection is not to the admissibility of the resolution, but to the ruling of the court in refusing to compel the plaintiff to introduce other matters in evidence. The court did not err in refusing to give the instruction.

6. When a bill of exceptions does not set out sufficient facts to show the pertinency of the instruction, the Appellate Court will not undertake to decide whether the Court did right or wrong in refusing to give the instruction.

7. Where an instruction, asked for is so imperfectly expressed that its true import is not readily discernable, and would tend to mislead the jury, it should be refused.

8. When in the statement of an instruction, asked for, there is such a mixture of *facts* with the *law*, which necessarily would demand the opinion of the Court on both, so as to necessitate the Court to either refuse the instruction, or discriminate between the *facts* and *law*, which it is not bound to do, it is not error to refuse the instruction.

CONGRESSIONAL.

HOUSE.

WASHINGTON, May 2.

A GOOD DAY'S WORK ON PENSIONS.

The special pension bills passed last night numbered just one hundred. Among them are pensions to the widows of General Robert Anderson, General Charles L. Lovell and Admiral Charles Wilkes.

Mr. Stephens, from the Committee on Coinage, reported a bill to retire the five and three-cent silver pieces, and stop their further coinage, also providing that fractional or subsidiary or silver coin shall be legal tender to the sum of twenty dollars, and shall be exchangeable at the Treasury for other legal tender money when presented in the sum of twenty dollor over, Ordered printed and recommitted.

The House then took up the unfinished business of yesterday, being the Legislative Appropriation Bill. Mr. Baker made the point of order on the amendment offered by Mr. Gibson for the re-establishment of a branch mint at New Orleans, that it was new legislation and not in the interest of economy. After a long argument, the point of order was overruled.

The House then began to vote on the various amendments agreed to in committee of the whole.

The first on which a division was asked was the one increasing the clerical force in the office of the Surgeon General. The amendment was resisted generally on the Democratic side and was supported on the Republican side as being necessary for the quicker dispatch of business in the decision of pension claims.

The vote resulted, yeas 115, nays 114. All the Republicans voted for the amendment, and the Democrats, with the exception of Mr. Stephenson and six others, voted against it.

The Speaker cast his vote in the negative, thus tieing the vote and defeating the amendment.

The next vote was on the motion to strike out the section which authorizes the entire clerical force (except six) now employed on the Medical and Surgical History of the War, to be employed on work necessary to the prompt payment of pensions. Rejected—yeas 110, nays 115.

An amendment increasing the salaries of principal clerks in the Agricultural Department was rejected.

An amendment requiring agricultural seeds to be distributed proportionally among Congressional Districts was agreed to, 111 to 99.

An amendment, offered by Mr. Gibson, appropriating $185,000 for the re-establishment of the New Orleans Mint was agreed to—yeas 125, nays 95.

The bill was then passed.

Adjourned.

An Outrageous Assault Upon a Steubenville Lady.

STEUBENVILLE, O., May 4.—Yesterday a large, powerful-looking man entered the residence of Mr. James Conly, on Logan street, and demanded food of Mrs. Conly, who was alone. Mrs. Conly said she was unwell, and unable to get him any thing. He then threateningly replied that he wanted something, and was going to have it, and made a step toward her, when she stepped to the bureau, taking out a revolver, pointed it toward the cowardly villain, who fled at once. This morning Mrs. Conly was again alone, when the same man rushed in, saying: "You are the woman who wouldn't give me any thing to eat yesterday; now I want you." He caught her by the throat, beat and kicked her until she became unconscious, bound her hands with a cord, ransacked the house and fled. Mrs. Conly is in a very critical condition. A man bearing the description given by Mrs. Conly has been arrested. The police also arrested seventeen other tramps, and escorted them out of the city.

John Morrissey's Funeral.

TROY, May 4.—The funeral of John Morrissey took place to-day from St. Peter's Catholic Church, and was attended by an immense concourse of people.

The entire State Senate, with Lieutenant Governor Dorsheimer and a delegation of Assemblymen, were present.

Bishop McNierny, of Albany, assisted at the religious services, which were participated in by a number of clergymen.

England Fortifying the Black Sea

NEW YORK, May 4.—A cable special from London says: The British Admiral has ordered the Island of Heligoland, in the North Sea, to be efficiently fortified, and heavy guns, torpedoes, &c., will be dispatched there without delay.

BY TELEGRAPH.

ASSOCIATED PRESS REPORT.

TO THE DAILY INTELLIGENCER

WASHINGTON.

The Democracy and the Presidential Title.

WASHINGTON, May 4.—Senator Cockrell, of Missouri, at last night's meeting of the Democratic Congressional Campaign Committee, is reported as having said, when the question of the Florida investigation was under discussion, that "there are not two Democrats in ten who desire to get Tilden in the White House. What, then, will an investigation accomplish? If an investigation is solemnly ordered by the House of Representatives, it must be for an object more than the mere fact of making campaign capital. It must be for a result, and that result can only be, if the Florida fraud is proved, the taking of some steps to get Hayes out of the White House. Now, if the Democratic party enters into the matter at all, it must be with a purpose to overturn the results of the fraud, if fraud be established. It must, if fraud is proved, vitiate that which has been accomplished by it, and the inevitable end would be a movement to disturb President Hayes in his seat." He next analyzed the effect of such a movement in the way of party capital. He thought that if the investigation is entered into the Republicans will take advantage of such a proceeding to give out that the Democratic party is endeavoring to disturb the peace of the country, to create revolution and to turn Hayes out and put Tilden in; when the fact is that Tilden's own party don't want him in the White House. Again, he thought, if an investigation was vigorously pressed it would solidify the factions in the Republican party and give cohesive strength to an organization that the drift of events is fast disintegrating. He said that while no sane man would deny that Hayes got the votes of Florida and Louisiana through fraud, yet he subsequently attained a solid title to the office through a bill which was passed by Democratic votes.

THE TARIFF BILL.

As soon as the Legislative Appropriation Bill was disposed of Wood moved to go into Committee of the Whole on the Tariff Bill. He did not expect any speech would be made to-day, as when he made his motion it was 4 o'clock; but he wanted to put his bill in line as having precedence of all others in Committee of the Whole. Pending his motion, O'Neill, of Pennsylvania, moved to adjourn, and the latter motion was carried on a yea and nay vote by 103 to 95. It was regarded as a test of the question, and an examination of the vote shows that the tariff revision and anti-tariff revision men divided squarely on the question. Wood will press his bill next week, but a majority of the House can determine in all cases whether it shall be taken up or not.

TREASURY STATEMENT.

The Treasury now holds $347,811,850 in United States bonds to secure the National bank circulation, and $13,448,000 in bonds to secure public deposits.

U. S. bonds deposited for circulation, for week ending to-day	$1,073,000
U. S. bonds held for circulation, withdrawn for week ending to-day	370,000
Internal revenue receipts to-day	723,839
Customs	285,379
Receipts of National bank notes for the week ending to-day, as compared with corresponding period last year:	
1877	5,067,000
1878	3,964,000
Receipts to-day	526,000

Subscriptions to the four per cent loan to-day $388,450.

THE FLORIDA INVESTIGATION.

It is rumored to-night that should the House determine to order an investigation of the alleged Florida frauds a motion will be made to refer the subject to the Committee on Elections, which already have before it much testimony concerning the contested case of Finley, Democrat, against Bisbee, Republican, sitting member, from the Second District of Florida.

PROSPECTS FOR ADJOURNMENT.

Owing to the forwardness of the general appropriation bills, it is thought by a number of members of Congress that an adjournment *sine die* can take place towards the last of June. They do not suppose that the discussion of the tariff bill will occupy more than a week, and say that time will be afforded for the consideration of the Pacific Railroad bills and other public measures. Strenuous efforts will be made this week to either lay the tariff bill on the table or postpone it until next session, which result would be equivalent to its defeat. Representative Wood, however, is still sanguine that it will become a law at the present session.

Coaching.

PHILADELPHIA, May 4.—The Tally-Ho Coach, from New York, at half-past 6 this morning, arrived at its destination at 6:33 this evening, three minutes behind time, according to Philadelphia clocks and chronometers. But the New Yorkers insisted that their time-pieces noted half a minute ahead of the schedule limit. The reception of the visitors was most gratifying. The people were out in full force, and cheered lustily as the Tally-Ho rattled along the broad street, followed by the Rabbit Club, and a cavalcade of ladies and gents on horseback and in every description of elegant vehicles. A crowd of 10,000 greeted the coach as it reigned up in front of St. George's Hall.

The Southern Methodist.

ATLANTA, May 4.—The call for memorials, petitions and appeals began in the Methodist Conference to-day, and numerous important matters were presented and referred without debate. Resolutions offered by the Conference were similarly disposed of. A communication from the Bishops of the Colored Methodist Episcopal Church on the subject of Church property was received and referred. Dr. Abby, of Mississippi, special agent for the claim of the Church against the Government for damages done to the publishing house, submitted a report, which was referred.

Weather Indications.

WAR DEPARTMENT, OFFICE OF THE CHIEF SIGNAL OFFICER, WASHINGTON, D. C., May 6—1 A. M.

PROBABILITIES

For Tennessee and the Ohio Valley, the Upper Mississippi and Lower Missouri Valleys, stationary, followed by falling barometer, warmer south and west winds, clear or partly cloudy weather and possibly occasional rains.

Watching the Cimbria.

ELLSWORTH, May 4.—The Passenger Agent of the Union Pacific Railroad arrived to day and is to go on board the Cimbria to morrow; in the meantime the British agents are continually on the wharf or walking about the shore watching the steamer and every movement of the officers and crew.

Marine Intelligence.

LONDON, May 4.—The steamships City of Montreal, Wieland, from New York, arrived out.

QUEENSTOWN, May 4.—Arrived—Britannic, from New York.

NEW YORK, May 4—Arrived—Steamships Amazon, Bristol; The Queen, Liverpool.

FURTHER FROM MINNEAPOLIS

Death List Increased to Eighteen. Loss $800,000, Insurance $500,000.

MINNEAPOLIS, MINN., May 4.—The interest in the scene of the great mill disaster of Thursday centers mainly in the search in the ruins for additional remains, in more accurate estimates of the money loss, and in prospects for rebuilding. Working parties are industriously engaged upon the ruins, but their operations are necessarily confined to the outer side of the wreck, on account of the heat and smoke still remaining in its vortex.

A large band has been employed in clearing away the broken timbers and the stone of the east wall of the Washburn, from the canal, which seems literal debris. Between the Washburn and Petit, Robinson, Zenith and Galaxy, which stood opposite, the crushed and crumpled walls of Washburn A are being gradually moved away from the exposed foundation; and another force of men was employed yesterday in saving the masses of wheat which had only been partially injured by the fires, and lies in great heaps at the westerly end of the building.

The debris still smokes and steams, and occasional flames leap up. Engines have been playing upon the building all day. Two safes have been taken from the ashes of the Petit, Robinson & Co. mill, both of which are intact.

THE DEAD.

The number of dead is now swelled to eighteen, the names of Jacob Rhodes and John Grandman being added to those sent last night. The bodies of eight of the eighteen have been recovered. Ten more are buried in the ruins, of which number eight are in the ruins of the Washburn Mill, one in the ruins of the Zenith, and one in the ruins of the Humboldt. Almost every semblance to humanity has been obliterated by the cruel heat that left only the charred and blackened trunks in some cases, and in others only a few handsful of blackened bones which crumbled at the touch. Three of the number were identified last night as Clark Wilber, John Boyer and E. W. Burbank, watchman. These and others were identified by such articles as keys, knives, &c. A fifth body is identified by the incidents of the death, as that of a boy named Jacob Rhodes. It is he whose tragic death was witnessed by the crowd on the railroad track, and who was first supposed to be John Boyer. The other remains are believed to be those of Patrick Judd, Cyrus Ewing and Peter Hobberg.

LOSSES AND INSURANCE.

The following is the latest revision of an itemized statement of losses and insurance:

C. C. Washburn, Mill A, loss $300,000; insurance $175,000.

Minneapolis Mill Company Elevator, loss $63,000; insurance $28,000.

Goodrich & Co., wheat in elevator, loss $2,750; insurance $2,750.

Petit, Robinson & Co.'s Mill, loss $70,000; insurance $54,000.

Petit, Robinson & Co., stock in mill, about $9,000; insurance $9,000; lumber about $18,000; insurance $18,000.

Bull, Newton & Co, Humboldt Mill, loss $60,000; insurance $37,500.

Bull, Newton & Co., stock in mill, about $6,500.

S. S. Brown & Co., wheat in elevator, $550; uninsured.

J. A. Christian & Co., stock in mill; loss $75,000; insurance $40,000.

Hall & Dann, barrels and stock, loss $5,700; insurance $3,700.

W. D. Washburn, planing mill building; loss $7,500; insurance $4,250.

M. & St. L. Railroad, six cars; loss $28,000; insurance $2,800.

D. O. Barber & Son, wheat in elevator; loss $2,000; insurance $3,500.

Rocker, Fisk & Co., wheat in elevator, 8,526½ bushels; loss $9,380; insurance $14,000.

Warner, Brenst & Co., stock; loss $500; uninsured.

Smith, Parker & Co., machinery; loss $2,500; insurance $800.

Smith, Parker & Co., stock; loss $1,000 insurance $750.

Day, Rollins & Co., Zenith Mill; loss $35,000; insurance $20,000.

Day, Rollins & Co., stock; loss $10,000; insurance $1,500.

Estate of W. P. Ankeny, Galaxy Mill; loss $65,000; insurance $40,000.

Cahill, Ankeny & Co., stock in mill; loss $8,000; insurance $5,000.

Cahill, Ankeny & Co., wheat in elevator; loss $4,000; insurance $4,000.

Gorton, Haywood & Co, Diamond Mill; loss, $30,000; insurance, $20,000.

Gorton, Haywood & Co., stock; loss $1,500; insurance, $1,500.

H. O. Butler, machinery in their shop; loss $4,000; uninsured.

Milwaukee and St. Paul Railroad roundhouse; damage $1,500; insurance $1,500.

City Bank, machinery in planing mill loss $10,000; insurance $7,500.

Lowry & Morrison, frame building; loss $9,000; insurance $6,500.

J. A. Harrison, frame building; loss $1,000; insurance $750.

C. A. Pillsbury, wheat in elevator; loss $10,000; insurance $10,000.

The latest revised list of losses and insurance makes the total loss $824,160, and total insurance $519,300.

THEORY OF THE EXPLOSION.

Speculation continues to be rife as to the origin of the explosion. The theory of Mr. Christian of the fire originating in the friction of dry stones, communicating to explosive gas generated from mill dust, is generally received.

Another theory is that the building became super-charged with electricity thrown off from the shafts and not neutralized by conductors. Hence the other charge which caused the destruction and communicated fire. As to the mills, no doubt is entertained that all will be rebuilt at once.

General Washburn, who is here, states that he will put up a mill on the ruins of the Washburn A, which, it is believed, will be the largest in the world, containing fifty run of stone. The new mill will be larger on the ground than the old one, and contain improved machinery. Other proprietors are less definite in their statements, but they all propose to rebuild. The mill company's elevator has been a losing investment, and its rebuilding is doubtful.

CROWDS VISITING THE RUINS.

ST. PAUL, May 4.—The scene of the ruins of the destroyed mills was visited to-day by thousands, a special train being run from St. Paul, and crowds are coming in from the different parts in carriages. All parts of the debris were black with curious relic hunters from morning till night. The work of searching still goes on, the only result being the discovery, about 9 A. M., of a body in the water, not much disfigured, which was easily identified as that of Patrick Judd. The mutilated remains supposed to have been his yesterday consequently are those of some other victim.

Will Parade if they Die.

MONTREAL, May 4.—The County and District Masters of the Orange Order in this city replied in the negative to the Protestant clergy's address asking the Orangemen not to parade on the 12th of July. The votes of the delegates were 367 for a procession; 6 against.

ST. PETERSBURG, May 4.—Grand Duke Nicholas arrived here to-day and was enthusiastically received.

FOREIGN NEWS.

Peace Prospects Grow More Shadowy.

Russia Yields Nothing and England Maintains Her Demands.

The First Boom of Cannon the Signal for Austria to Seize Her Share of the Spoils.

What England Expects from the United States by Reason of the Washington Treaty.

THE EASTERN QUESTION.

Still as Far from Settlement as Ever—Abandoning All Hopes of Peace.

LONDON, May 5.—The *Herald* correspondent in St. Petersburg telegraphs that even the worst optimists in the Russian Capital are abandoning all hopes of peace. It is now asserted confidently that General Todleben will force a rupture if *the Turks refuse to deliver up the fortresses*. The arrangements for the Congress make no progress. England demands that Russia shall withdraw her army first, and then her fleet will follow suit. An agreement on this question of mutual withdrawal is, therefore, not probable.

An understanding between Austria and Russia is nearly complete. With Russia's consent Austrian troops will occupy Bosnia at the sound of the first cannon. This will leave England in a position of complete isolation.

BRITISH SKEPTICISM AS TO RUSSIAN CONCESSIONS.

LONDON, May 4.—Notwithstanding the hopeful news of Russian concessions announced from Vienna and intimated from St. Petersburg, it can not be said there is any positive change in the principle of the questions in dispute. It is said a conciliatory disposition has prevailed in the councils of the St. Petersburg Government, but it is asked, "What does Russia consider at this moment to be a peaceful concession or conciliatory proposal?" The fresh attempt to reach an understanding is described as getting over difficulties of form by making a far-reaching concession on the merits of the question, but the misfortune seems to be that while the Russians consider it a question of principle, England demands the placing of the treaty of San Stefano before the Congress for unreserved discussion. Russia, it is said, refuses to give way on that point. In Berlin, as in London, the subject is treated with skepticism as long as it is known that Russia refuses to yield on the chief point and that England maintains her demand.

HOLDING HER TRUMPS FOR THE LAST TRICK.

The *Times*, in its leading editorial, says: "The British Cabinet admits in principle that an interchange of views respecting the substance of the treaty would be desirable in case the difficulties which now obstruct the Congress be removed, but it shows no inclination to waive the preliminary condition. Accordingly it has hitherto refrained from expressing its views, and has not yet replied to the annex of Prince Gortschakoff's circular. In other words, we are holding our case in reserve until the Court before which it ought to be laid is properly constituted, or at least until there is a fair prospect of its being thus constituted."

OBLIGATIONS OF THE UNITED STATES.

The *Times*, commenting on the appearance in United States waters of the steamship Cimbria, with Russian officers and men on board, says: "There are good reasons why we should regard the proceedings of this kind without alarm. The chief one is that the United States Government, which has always prided itself on fulfilling its neutral duties, has been placed under special obligations in this respect by the Washington treaty. By virtue of its rules we were condemned to pay a fine of £3,00,000 for depredations committed by the Alabama and her consorts, and the United States, by accepting that fine, have further pledged themselves to observe on their own part the new rules of the treaty. It was an unwelcome penalty to us, at the time, but we have the advantage of additional protection. We may, in fact, be confident that the United States will act honorably up to its obligations in this respect, and the Russians will, consequently, find it difficult to execute the enterprises they appear to have planned."

THE RHODOLP INSURRECTION.

The *Times'* Pera correspondent telegraphs that General Todleben is taking the Rhodolp insurrection vigorously in hand. Troops have been ordered up from Adrianople to Philippopolis. Reports are current respecting the withdrawal of the Russia troops beyond the neutral zone. General Todleben is very desirous of taking up a strong defensive position, which the present disposition of his force does not afford.

TURKEY WILL PROBABLY REMAIN NEUTRAL.

From the approaching re-establishment of diplomatic relations with Russia the Bassiret newspaper, of Constantinople, concludes that in case of war between England and Russia, Turkey will be neutral, but adds that the question is too involved to allow definitive conviction on the subject.

THE MISSION OF THE RUSSIANS.

NEW YORK, May 4.—A St. Petersburg dispatch says the Russian Commandant of the Cimbria, now in American waters, is Casimer De Grippenberg, and that his mission is to create a flotilla of cruisers.

AUSTRIA AND RUSSIA.

BERLIN, May 4.—The *North-German Gazette* denies that Austria has concluded a compromise with Russia, or decided to immediately enter Bosnia and Herzegovina.

TURKEY WILL REMAIN NEUTRAL.

CONSTANTINOPLE, May 4.—Sadek Pasha has declared that Turkey will observe neutrality in the event of war between England and Russia, and cause her own territory to be respected.

BETTER PROSPECTS.

ST. PETERSBURG, May 4.—The *Agence Russe* says that a much better impression prevails respecting the prospect of the negotiations. It is rumored that the approaching arrival of Count Schouvaloff here on a visit is connected with a friendly exchange of views.

The Turks have evacuated Artirn, in Pushalak of Tubizond. This is considered the commencement of the execution of the treaty of San Stefano.

DINED WITH THE QUEEN.

LONDON, May 4.—Hobart Pasha dined with the Queen at Windsor Castle yesday.

LINT FOR THE WOUNDED.

The British Goverment has ordered one million pounds weight of lint and other appliances for the wounded.

CONSTANTINOPLE, May 4.—The Russo-Turkish convention has been concluded, arranging for the return of the Turkish refugees to their homes. Only those will be sent back at present who belong to the localities occupied by the Russians outside of the principality of Bulgaria. Russian troops will accompany the refugees, to protect them and restore their property.

GREAT BRITAIN.

LONDON, May 4.—Bullion gone into the Bank of England on balance to-day, £61,000.

ENORMOUS FAILURE.

Corbett & McClymont, builders, of London, Putney, Surbiton and Westgate-on-Sea, have failed. Liabilities, $7,000,000, assets, upward of 1,000 houses, valued at from $25,000 to $40,000.

GROWING CONFIDENCE IN AMERICAN MARKETS.

The *Economist* says: The Erie foreclosure has lifted a weight off the American market, as it is hoped British bond and shareholders may henceforward appeal to American Courts to obtain their legal rights with some prospect of success.

ITALY.

Germany and the Vatican.

ROME, May 4.—The Congregation of Cardinals, which was directed to study the Prussian ecclesiastical May laws, in order to pronounce whether they are acceptable to the Church, is understood to have arrived at decisions calculated to greatly facilitate the re-establishment of relations between Germany and the Vatican.

It is stated that the Congregation has expressed an opinion that the May laws have been, to a certain extent, misrepresented.

FRANCE.

PARIS, May 4.—The English exhibitors gave a great banquet to the Prince of Wales last night. Lord Granville presided.

CARDINAL M'CLOSKEY.

Cardinal McCloskey visited the Exhibition to-day. He was escorted by Mr. McCormick, the Commissioner General of the United States. Cardinal McCloskey will sail from Havre for New York on the 11th instant, in the steamer Pierre.

Pistols Without Coffee.

LITTLE ROCK, May 4.—An unfortunate street encounter with revolvers occurred on our streets this morning between John D. Adams, one of the proprietors of the *Daily Gazette*, and Colonel J. N. Smithee, one of the editors of the *Democrat*. Several shots were fired, resulting in the latter receiving two flesh wounds, one in the right arm and the other in the hip. Cause, a newspaper controversy.

For Additional Telegraph see Fourth Pag.

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