

working classes. May this monument ever look down on a happy and contented nation, if such be God's will."

SERVED AS SENATOR.

Ransom Was Such When He Received His Commission

AS MINISTER TO MEXICO.

Plenty of Precedents for Declaring Him a De Facto Officer.

AUDITOR HOLCOMB'S VIEWS.

But the Deposed Diplomat May Retain All the Salary He Has Received.

WASHINGTON, D. C., Aug. 18.—It was learned to-day that Thomas Holcomb, Auditor of the Treasury for the State and other departments, did not content himself with merely raising the question to the right of ex-Senator Ransom to draw the salary of Minister to Mexico, but on the 13th of July last decided that he was not entitled to the compensation which he claimed as such officer. This opinion was approved by that of Solicitor-General Holmes Conrad, acting Attorney-General, having been referred to the Department of Justice for review. In discussing the case Mr. Holcomb said:

"In determining Mr. Ransom's right to the salary, it is necessary to decide when an appointment is complete, and whether or not it was complete during his term as Senator. He was nominated by the president of the Senate February 23, and the nomination was confirmed the same day. The commission bears date of February 23. I take it that the legal presumption is that the signing and sealing was on the date of the commission unless rebutted by proof to the contrary, and this I have been unable to obtain, so that those acts were performed while Mr. Ransom was yet serving his term as Senator. But he did not take the oath of office until March 4, and his commission was not delivered to him until March 5, which days were after his Senatorial term had expired."

In support of this position, Auditor Holcomb cited numerous decisions of the Federal and State courts and the language of commentators on the opinions of Attorney-Generals, who have considered the question, beginning with Chief Justice Marshall's opinion in the celebrated case of Marbury vs. Madison, in which he decided the acts of "appointing to office and commissioning the person appointed can scarcely be considered as one and the same."

In the opinion of the court the appointment was complete at the latest when the commission was signed and sealed, "and," said Mr. Holcomb, "this in the case of Mr. Ransom took place before his term as Senator had expired. The decision in the case of Marbury vs. Madison has been followed and affirmed with remarkable unanimity, whenever the question has been raised, notwithstanding the severe adverse criticisms of Thomas Jefferson of the opinion, as well as the Chief Justice who delivered it."

In concluding, Auditor Holcomb said: "Thus it is seen that the testimony is overwhelming. The Supreme Court in two cases; the great jurists who have critically examined the constitution, those Attorney-Generals, who have considered the question at all, and the courts of the States, all concur in the opinion that the appointment is complete at the latest when the commission is signed and sealed. Therefore, as Mr. Ransom's commission was signed and sealed on February 23, before his term as Senator had expired, I cannot escape the conclusion that the constitutional prohibition contained in section 6, article I, prevailed to prevent his

appointment as Envoy Extraordinary and Minister Plenipotentiary to Mexico, and that, therefore, he is not entitled to salary as such.

"Mr. Ransom, however, took the oath of office, the commission was delivered to him and he has been performing the duties of the office with the consent and approval of the State Department. He has also regularly drawn the salary of the office, and his drafts have been paid upon requisition of the State Department. It would seem that he has occupied the position of a de facto officer. The doctrine announced in Kent, that 'salary and fees are incident to the title,' has been almost universally accepted to prohibit payment of compensation to de facto officers. But where the officer has been paid the compensation it has been held that it cannot be recovered. Upon the authority of the case of Baude vs. the United States, Mr. Ransom will be allowed in settlement whatever amount he has received toward payment of the salary."

COMPTROLLER BOWLER'S OPINION.

It Is Expected That He Will Not Sustain Sugar-Bounty Claims.

WASHINGTON, D. C., Aug. 18.—Comptroller Bowler has not yet begun the preparation of his decision on the sugar-bounty claims of Nebraska and Louisiana producers, counsel and other interested parties not having filed their briefs in the case. He expects to begin work this week, and will complete it by September 1, when he will leave the city for the remainder of his vacation.

While, of course, there has been no intimation as to what his opinion will be the general belief is that he will refuse to pass the \$5,238,000 sugar-bounty claim, and thus leave the claimants to the United States Court of Claims for redress.

VALKYRIE III ARRIVES.

Continued from First Page.

has been at Cowes, watching the performance of his twenty-rater, Audrey, the first yacht built from his own designs. He frequently sailed her himself, and was greatly interested in her racing. Lord Dunraven spent much time at the Royal Yacht Squadron castle, where the Valkyrie-Defender matches were constantly discussed. Lord Dunraven is reticent when questioned by newspaper men as to the chances of the new boat; in fact, he has uniformly declined to be interviewed on the subject, but he talked freely at the quarters of the Royal Yacht Squadron, always expressing confidence in the Valkyrie.

The representative of The United Press has been able, with the tacit sanction of Lord Dunraven, to learn his opinions and feeling through squadron friends, who are in Lord Dunraven's full confidence. Upon arriving in New York he will lose no time in getting the Valkyrie in racing trim. There will be absolutely no change made in her, except possibly her weights will be altered, so as to bring her load-water length to 89½ or 89 feet. Three weeks' practice by the crew under the conditions prevailing in American waters will make them familiar with those conditions by

SILVER MEN CONTROL

Claim They Will Rule Ohio's Democratic Convention.

BRICE TO BE LEADER.

Great Excitement at the Cuyahoga Convention in Cleveland.

FREE SILVER WAS INDORSED.

Governor Campbell, Favored for the Head of the Ticket, Declined a Renomination.

COLUMBUS, Ohio, Aug. 18.—Judging from the reports of yesterday's county primaries throughout the State and the gossip current here to-night by those well informed in matters political, it is reasonably sure that Calvin S. Brice will control the Democratic State convention which meets at Springfield next Tuesday to nominate the full ticket.

The sound money men believe themselves to be in control of the situation, but the fight, which has been long and bitter, will be renewed with increased vigor upon taking up business in the convention. The county conventions have in many cases been attended by bolts and nearly always by the bitterest strife. In the Cuyahoga convention at Cleveland yesterday there was a bolt, and instead of the fifty-nine delegates from that county next Tuesday 118 votes from that county were in the field. As the lynchers entered, colored Deputy Sheriff Perkins, who was in the jail, fired at them. The lynchers fired a volley in return, killing Jaier Keysey. They then dragged Lewis from his cell and lynched him. The body of the victim hung until late this morning, when it was cut down.

NEGROES ARM IN SECRET.

Preparations to Force a Fight With Italians of Spring Valley.

Hundreds of Pistols Bought for the Use of Those Who Will Battle.

CHICAGO, ILL., Aug. 18.—It is believed the colored men of this city are making secret preparations to send an armed body of men to Spring Valley, Ill., to force a fight with the Italians there in retaliation for their outburst against the negro miners two weeks ago.

It was learned yesterday by the police that a colored man whose name is supposed to be Robinson has been canvassing the pawnshops in this city and has bought over 100 revolvers.

One firm of money-lenders reported to the police that they had sold seven revolvers to a colored man. The description of the man they gave tallies with that in the hands of the officers. Detectives have been detailed on the case.

It is said that colored people have become disgusted with the public meetings because their plans have always miscarried. Therefore they have decided to meet in secret. A number of men are to be armed and smuggled into Spring Valley to be in readiness for duty at a moment's notice. The discovery of the plot has caused considerable agitation in police circles.

At a meeting of the advisory board of the American Protective Association of Cook County, resolutions were adopted denouncing the Mayor of Spring Valley as cowardly, disloyal and un-American for not using his authority to quell the recent uprising there, and demanding that the loss sustained by the negroes be repaired. Sheriff Clark of Spring Valley was assured that the American Protective Association stood ready with 5000 men to go to the mining town to assist him in preserving peace.

THREATENED BY TRAMPS.

An Influx of Gangs of Ruffians to Fargo, North Dakota.

Made Desperate by Hunger, the Men Have Stolen Arms and Plundered Stores Boldly.

FARGO, N. D., Aug. 18.—The great influx of laborers in this section is causing the people here no end of trouble, and it is likely that before the city has gotten rid of the army of tramps there will be serious trouble. Of late the men, tired of looking for work and angry at being repulsed on every hand when asking for food, have been arming themselves, and there are now, it is estimated, over 1000 men in this immediate vicinity who are carrying revolvers or guns.

Burglaries of hardware stores are of nightly occurrence, and it is remarked that the case containing the revolvers and shotguns is the only thing molested.

It is claimed by some of the men who have been sent to jail as vagrants that the army of unemployed is awaiting a favorable opportunity to hold up the city. For the past month men have been coming in here by the hundred, and of late the police have ordered them away as fast as they came. Every freight train brings in from ten to 100 of the men, and among the lot are some of the most villainous specimens unchanged. They claim to be hungry, and demand that the people of the city support them until they can find something to do. There are more men in the harvest fields now than can find work, and the steady rush of men to this point is but complicating affairs. Many of the people here are badly frightened at the outlook.

FATAL SHOOTING AFFRAY.

An Enraged Father Kills a Man Who Acted Suspiciously.

CHESTER, Pa., Aug. 18.—Emides Volpe shot and killed Jeneroso Coligno to-day at Felton, a suburb of Chester. Volpe claims that Coligno had entered the room of his 15-year-old daughter Lizzie by means of a back shed. Her screams aroused her father, who was sleeping downstairs, and he seized a double-barreled shotgun and fired one shot at the intruder and ordered him to get away. Coligno threatened to kill Volpe, and the latter then fired a second time, killing Coligno instantly.

made that the Legislature would be brought in the event it was Democratic. Mr. Thurman, after discussing the political situation, launched into a philippic against President Cleveland. He said: "It is not Mr. Brice's money, but President Cleveland's Postmaster, that will endeavor to railroad the sound money resolutions which will be adopted at the Springfield convention. Cleveland's Revenue Collectors and other Federal office-holders are the men who will try the rule of ruin tactics. Every Postmaster and Postmaster's clerk has been working for Brice. I, myself, have seen letters that Brice wrote to Postmasters asking them to use all means in their power to carry the sound money resolutions. There will be about 125 Federal office-holders who are delegates to the Springfield convention. I resent the assertion that Ohio Democracy can be bought, and if it is true Democratic principles do not triumph it will be because of the presence of these puppets in the convention."

"During Mr. Cleveland's first administration," continued Mr. Thurman, "an order was issued forbidding Federal office-holders from taking part in the convention, yet this year in Kentucky every Revenue Collector, every Postmaster and every whisky ganger was turned loose in the State to help Carrillo. Only last year Mr. Cleveland worked tooth and nail against Gorman and Brice, yet he now turns about and drums every Federal officer into the Brice ranks. The Democratic party gave these men their offices."

HANGED TO A TELEGRAPH-POLE.

Murderer Lewis Lynched and a Jailor Who Resisted the Mob Killed.

JUPITER, Fla., Aug. 18.—Samuel Lewis, the murderer, was taken from jail at Juno by a mob at 3 o'clock this morning, hanged to a telegraph-pole in front of the courthouse and then riddled with bullets.

The mob approached the jail with sledge-hammers and began to batter the doors. Seeing they would get in anyhow, Jailor Keysey threw the lynchers the keys. As the lynchers entered, colored Deputy Sheriff Perkins, who was in the jail, fired at them. The lynchers fired a volley in return, killing Jaier Keysey. They then dragged Lewis from his cell and lynched him. The body of the victim hung until late this morning, when it was cut down.

FIRE IN THE CASTLE.

Holmes' Charnel House Destroyed by a Blaze.

WORK OF INCENDIARIES.

An Attempt to Cheat the Police Out of Further Evidence.

EXPLOSIONS OF KEROSENE.

The Building Almost Wrecked Before the Fire Department Arrived.

CHICAGO, ILL., Aug. 19.—The Holmes castle at Sixty-third and Wallace streets was attacked by fire at midnight and is almost a total wreck. Firemen who were summoned to save the structure from destruction unhesitatingly declare that the fire was of incendiary origin, and it is generally supposed the intention was to destroy it and any evidence it might yet contain relative to the Holmes case.

The fire started in the rear of the structure on the first floor, in the southwest corner of the building, and the first known of it was when Thomas Rogers, the watchman at the railroad crossing, heard a muffled explosion.

A moment later smoke was seen issuing from the north windows of the building. A small crowd gathered and were frightened by a series of three explosions similar to the first. Then in an instant the whole building was wrapped in a solid sheet of flame and the work of destruction was well under way before the fire-engines had been summoned.

Fire Marshal Kenyon gave a second alarm as soon as he reached the scene, but both the upper floors of the building were burned away before the fire was got under control.

Marshal Kenyon declares there is ample evidence of incendiarism as given by members of the first fire company that reached the scene. It is said the explosions were caused by kerosene oil. The fire started in the rooms behind the confectionery store that changed hands a few days ago. Davis' drugstore on the corner is as complete a wreck as is the confectionery. The fullest investigation will be made by the police department. There was no one asleep in the building at the time the fire broke out, and there are no tenants save those on the ground floor.

The fire caused great excitement in the neighborhood and thousands of people were present.

As yet the police do not know whom to suspect of guilt. The loss on the building will not exceed \$15,000, and the damage to the stocks of tenants will amount to about \$10,000, and the neighborhood is perfectly quiet at 2:30 A. M. So far as the police know there were no suspicious characters about the place, and from this fact it is agreed that the fire was of incendiary origin and had started from within, and the muffled explosions are supposed to have been caused by the materials used by the incendiary.

EXECUTION OF A WRECKER

Young Garcia Died for Putting Stones on a Railroad Track.

In Mexico the Authorities Enforce the Penalty for Obstructing Trains.

ST. LOUIS, Mo., Aug. 18.—A special from the City of Mexico says: A boy named Garcia who twice placed stones on the track of the Hidalgo Railway, the second time causing the wreck of the train, was executed to-day at Pachuca under the new law suspending constitutional guarantees in the case of persons obstructing the public mails or railway trains.

Garcia's father has committed suicide by throwing himself in front of a train on the same road, being frantic with grief over the fate of his son.

The new law is being universally enforced and the penalty is about to be inflicted in the State of Jalisco for obstructing the track of a railway. American railroads may here approve of the law, as do way men the Mexican operators and employees. Experience has demonstrated that nothing but the death penalty will stop railway wrecking. The same law was in force two years ago and then was suspended with the result of an increase in attempts to wreck trains.

Governor Martinez of the State of Puebla makes public a statement of his relations with Editor Olmes, who was assassinated in the city of Puebla a short time ago. The Governor shows that he had lent Olmes money and had promised to aid him in being elected to the National Congress, and besides had not pressed him for debts due the State Treasury.

General Rocha, who was judge of the field in the Vazquez-Bonero duel, has refused to avail himself of his rights as a soldier to be tried by military tribunal and submits to a jury trial, although it is possible some of his political enemies may be drawn on the jury that may try him. His conduct is applauded by the press and public. Interest in the approaching trial is increasing, especially as the testimony promises to be sensational.

WELDED CLUBS AND CHAIRS.

Chicago Armenians Engage in a Factional Warfare.

CHICAGO, ILL., Aug. 18.—There was a small-sized riot and a number of broken heads at the meeting of the Armenian National Union in North Clark street here to-day. The society was recently organized for the purpose of securing funds for the benefit of Armenian subjects of the Sultan of Turkey who have been the victims of the murderous Kurds in the Sultan's domain recently. A large amount of money had been raised and then a factional fight was precipitated by one element combining for the purpose of getting control of the organization and disbursing the funds.

At the meeting this afternoon officers were to be elected and T. Hungum was chosen president. The election produced a row and the opposition faction opened an attack upon the new president and his friends. Chairs and clubs were used freely and a dozen or more of each faction were felled to the floor, and afterward carried out to a physician's office, where their wounds were dressed. To make the matter worse, the janitor

of the building locked the doors and the combatants mingled with each other freely until the police came upon the scene. When the officers arrived and started to ascend the stairs the rioters battered down the doors of the hall and beat a hasty retreat. There is no doubt that the next meeting of the organization.

PROBABLY A FATAL ACCIDENT.

Three Boys in Swimming Shot by a Young Negro.

NILES, Mich., Aug. 18.—An accident which will probably result fatally occurred here yesterday. Three boys—Herman Wirtz, aged 16; John Walker, aged 13, and Bert Welling, 15 years old—while in swimming were approached by Garfield Finley, a colored boy, who carried a shotgun which he claimed was not loaded. In a playful manner he pointed it at the boys and pulled the trigger. The gun went off and the three boys were struck by the flying shot. Wirtz was only slightly injured, but Welling and Walker were badly hurt by the shot. The doctors say the wounds may cause death.

RUMORS OF GOMEZ'S DEATH.

Another Report Denied by a Cuban Leader.

TAMPA, Fla., Aug. 18.—La Luchia, from Cuba to-night, unofficially announces the death of the insurgent chief, General Maximo Gomez, of consumption, on July 31. Colonel Fernando Figueroa, the noted Cuban leader here, denies that Gomez ever had consumption. He thinks the report without foundation.

Passengers arriving report that the Automotist party was to hold a meeting to-night. The call was made by Marcoso Garcia immediately after his interview with Campos last week. The purpose is to demand of Spain autonomy for Cuba, which, if not granted, will result in the total dissolution of the Automotist party.

FATE OF A COWARD.

A Hova Officer Burned at the Stake for Neglect of Duty.

MARSEILLES, FRANCE, Aug. 18.—The Yangste, from Madagascar, brings news that envoys from the Hova Government arrested Ramasombasa, who was charged with not defending Maravao and with not burning the stores there before he retreated. He was taken to Antananarivo and after a summary trial was convicted and sentenced to be burned alive, which sentence was carried out. It is reported that the Prime Minister has decreed the expulsion of the British, American and Norwegian traders and missionaries in Madagascar. The authority and prestige of the Prime Minister is said to be rapidly declining.

JOURNEVED TO THE MECCA

Ex-Mayor Magowan's Absence From Trenton Finally Explained.

Isolated Himself in Oklahoma, Where He Is Suing for a Divorce.

NEW YORK, N. Y., Aug. 18.—Frank A. Magowan, a possible Republican candidate for Governor of New Jersey, ex-Mayor of Trenton and head of several large manufacturing enterprises, disappeared from his home at Trenton a few weeks ago and much comment was made over his absence. It was intimated that he had fallen in some of his large business enterprises. Not until to-day did it become known what caused his sudden disappearance.

A dispatch from El Reno, O. T., stated that ex-Mayor Magowan of Trenton, registered there on August 1, and that he had begun proceedings against his wife for divorce. This was the first news received of Mr. Magowan's whereabouts during the week he was absent from Trenton. The news that he had begun a suit for divorce will cause a sensation, as this is the first intimation that Trenton's ex-Mayor had any serious domestic troubles which caused him to take this step. The statement that ex-Mayor Magowan has begun divorce proceedings was verified to-day by Mr. Magowan himself when he was seen by a reporter in this city. Mr. Magowan positively refused to say anything, however, except to verify the statement that he had begun divorce proceedings in Oklahoma.

The Magowans are well-known members of society at Trenton. Mr. Magowan has taken every precaution to prevent any one from knowing what he went to Oklahoma for; but upon investigation it was learned he had sought a divorce in New Jersey a few months ago and when he found that he could not be successful, he consulted a prominent law firm of this city, who advised him to go to El Reno and establish a residence there.

In the meantime Mrs. Magowan and her family are staying at Spring Lake, N. J.

ON THE BALL FIELD.

CHICAGO, ILL., Aug. 18.—Chicagoes 6, 14, 7; Indianapolis, 10, 12, 5. Dolan and Kiltredge; Phillips and McFarland. Empire, McDermott.

CINCINNATI, OHIO, Aug. 18.—Cincinnati's 3, 6, 4; Cleveands 15, 21, 2. Foreman, Rhines and Vaughn; Cunny and O'Connor. Empire, Emisle and O'Day.

ST. LOUIS, Mo., Aug. 18.—St. Louis 6, 12, 3; Louisville 5, 3. McDonald and Pettit; Wehling, Cunningham and Warner. Empire, Jevne.

Summer Trips

Will afford you little pleasure or profit if you are suffering from impure blood, tired and languid, without ambition, unable to eat or sleep. First purify your blood and build up your system with Hood's Sarsaparilla and then vacation will do you good.

Hood's Sarsaparilla

Is the only true blood purifier prominently in the public eye to-day.

Hood's Pills

are the best after-dinner pills. They assist digestion.

A LADIES' GRILL ROOM

Has been established in the Palace Hotel

Dr. Gibbon's Dispensary,

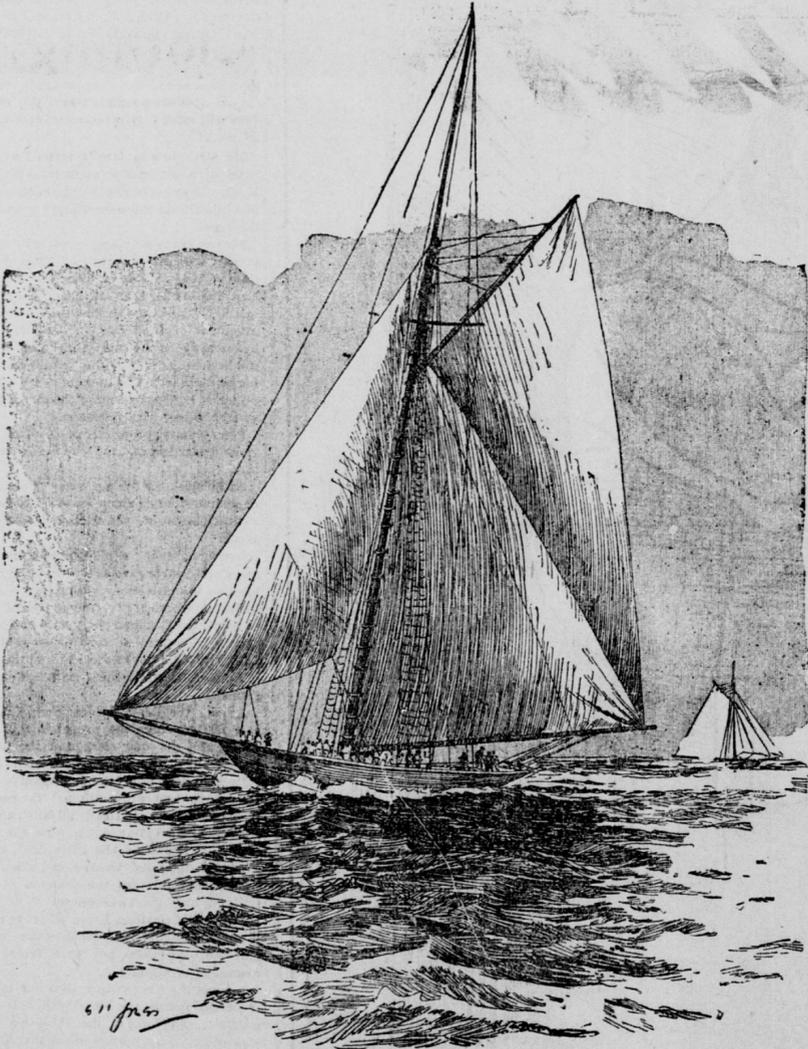
625 KERNAN ST. Established in 1854 for the treatment of Private Diseases, Lost Manhood, Debility or disease arising from body and mind and all other ailments. Dr. Gibbon's Dispensary, Dr. J. F. GIBBON, Box 1957, San Francisco.

LIQUID ELECTRICITY.

QUIETING PAINS AND AFFECTIONS. MICHIGAN cures: rheumatism and rheumatism cured; a treatment from the battery free to every purchaser. 918 Market st., room 25, third floor.

Weak Men and Women

SHOULD USE DAMIANA BITTERS, THE GREAT MEXICAN REMEDY; gives Health and Strength to the Sexual Organs.



LORD DUNRAVEN'S YACHT VALKYRIE III.

Ransom took place before his term as Senator had expired. The decision in the case of Marbury vs. Madison has been followed and affirmed with remarkable unanimity, whenever the question has been raised, notwithstanding the severe adverse criticisms of Thomas Jefferson of the opinion, as well as the Chief Justice who delivered it."

"Thus it is seen that the testimony is overwhelming. The Supreme Court in two cases; the great jurists who have critically examined the constitution, those Attorney-Generals, who have considered the question at all, and the courts of the States, all concur in the opinion that the appointment is complete at the latest when the commission is signed and sealed. Therefore, as Mr. Ransom's commission was signed and sealed on February 23, before his term as Senator had expired, I cannot escape the conclusion that the constitutional prohibition contained in section 6, article I, prevailed to prevent his

September 1. The Valkyrie has no center-board or any other secret contrivance whatever. There is no difference between her and the Valkyrie II, except as to her lines and sails. Lord Dunraven long ago determined that he would, if it were possible, bring the America cup back to England. Should he fail in his attempt this year he will certainly repeat his efforts. He has always believed that had his challenge in 1889 with the Valkyrie I not fallen through he would have won the cup with her. In regard to the Valkyrie II, Lord Dunraven was never sanguine. He considered her more an experiment than anything else. Until the time she started for America, the Valkyrie II was undoubtedly the best boat in England. She won eleven first prizes from the Britannia, while the latter won only six from her. The Vigilant beat the Valkyrie II in every race in America, and then when the Vigilant came to England she was defeated eleven times by the Britannia and defeated the Britannia four times.

ing except to say there will be many changes before the 808 delegates give their vote to the convention. Governor Campbell, who is first choice for Governor, is reported to have declined the nomination on the ground of financial conditions. Paul J. Sorg of Hamilton is a strong second choice, while many think that in John B. Clarke of Youngstown will be found the dark horse at the critical moment.

THURMAN ATTACKS CLEVELAND

Seeking to Control Ohio Politics by Executive Patronage.

CINCINNATI, OHIO, Aug. 18.—A special to the Tribune from Columbus, Ohio, says: Allen W. Thurman, the leader of the silver faction of the Democratic party of Ohio, when seen to-night said that the Democratic party had nothing to fear so far as Senator Brice's money was concerned. He expressed surprise that Senator Brice did not resent the imputation