

Fort Worth Daily Gazette.

Successor to the Democrat-Advance.

FORT WORTH, TEXAS, TUESDAY, MARCH 20, 1883.

VOL. 7, NO. 78.

AUSTIN.

Message of the Bill to Issue Land Certificates to Confederate Soldiers and Sailors.

Adoption of the House Joint Resolution Relative to State and County School Tax.

The Senate Refuses to Recede From Its Amendments to the Sunday Law Bill.

The Bill Reorganizing the State Into Judicial Districts Amended and Passed.

Consideration of the Land Bill in the House—Legislative Notes and Gossip.

Senate.

Austin, March 19.—Mr. Matlock presented a petition from citizens of Tarrant county asking that the office of district attorney be abolished.

Mr. Shannon introduced a bill supplementary and amendatory of the act providing for the sale of school lands.

Mr. Jones introduced a joint resolution providing that the legislature adjourn sine die on March 31st. Referred.

Mr. Terrell introduced a joint resolution requesting our members of congress to urge the right of Texas to Greer county.

The bill providing for the location and patenting of certificates issued to Confederate soldiers, and others under acts of March, 1881, and July 28, 78, was taken up.

Mr. Buchanan moved to reconsider the vote on the bill on Saturday.

Mr. Gibbs entered a motion to reconsider the vote just taken, as the crossing clerk had left out a word changing the meaning of one of the amendments adopted by the senate.

House resolution amending the constitution relative to state, county and school tax was taken up.

Mr. Gibbs offered to amend by providing that counties may be laid off to school districts by county commissioners, and authorizing them to levy a special school tax. Adopted.

Mr. Chesley offered to amend by fixing the school tax at fifteen cents. Adopted and the resolution passed.

Mr. Cooper called up Mr. Gibbs' motion to reconsider the confederate land certificate bill and moved to lay it on the table. Lost.

A vote was then reconsidered and before the senate, Mr. Cooper offered to amend by striking out the word "not" and substituting "never," as to correct the error complained by Mr. Gibbs. Adopted.

Mr. Terrell offered to amend by adding a new section, that this act shall not be construed to recognize any right in the holder of any certificates to have satisfaction of the same by appropriating land within the limits of the territory appropriated to education and to pay a public debt by act of July 14, 1879.

Mr. Gibbs offered to amend, but resume is in the nature of a donation of such certificates are so recognized. Adopted and the bill passed.

House joint resolution amending the constitution to fix the state tax at 25 cents, county tax at 25 cents and cities and towns for public buildings and improvements at 15 cents was taken up.

Mr. Gibbs offered to amend so as to increase the road tax to 25 cents. Lost.

Mr. Davis offered to amend by striking out all the road tax. Lost.

The bill granting E. S. Crosby the right to construct a boom across the Brazos river near Waco passed.

The senate refused to recede from its amendments to the Sunday law and a free conference committee was appointed.

The bill reorganizing the state into judicial districts was taken up, two amendments adopted and the bill passed.

Mr. Matlock called up the bill regulating the manner of conveying property for right of way for railroads with the substitute by the committee. The substitute was adopted.

Mr. Harris offered to amend so that the owner of an appeal the land owner shall have the right to draw from the deposit made with the clerk the amount of his judgment by giving bond in an amount to be fixed by the court, conditional that he will return so much money as he may not recover on final judgment. Adopted.

Mr. Patton offered to amend by striking out that part of the bill requiring railroad companies to deposit the amount of the award in case they are dissatisfied and desire to push their work until final judgment is had and adding that in no event shall the railroad company have the right of appeal.

Mr. Matlock offered to amend the amendment by striking out "that in no event shall a railroad have the right to appeal."

Pending discussion the senate adjourned till three p.m.

AFTERNOON SESSION.

The pending business was Mr. Matlock's amendment, which was adopted.

Mr. Patton said the adoption of the amendment virtually killed his entire amendment and he moved a reconsideration of the vote. Lost.

Mr. Patton's amendment as amended was then lost.

The question recurring on engrossment was lost. Yeas 9, nays 16.

Mr. Patton called up the motion to reconsider the vote (referred to the committee) on the house bill to set aside fraudulent sales of school lands and to provide for a committee to continue the investigation. Lost.

In executive session the senate confirmed Dr. Swearingen as a state health officer. The other appointments were not acted upon.

Adjourned.

House.

About an hour and a half was spent in the discussion of a resolution providing for night sessions, which, on a final vote, was lost.

Mr. Caven offered a resolution providing that in the future no member shall speak but once on the same subject, and not to exceed five minutes. Laid over under the rules.

Mr. Graves introduced a joint resolution to amend the constitution extending the time of regular sessions of the legislature to 120 days.

The railroad substitute bill came up as the special order, but at the request of Mr. Gibson it was laid on the table, subject to call, until after the land bill is disposed of.

The land bill was then taken up, the question being on the motion of Mr. Robertson of Williamson to reconsider the adoption of Mr. Browning's substitute to section six.

Mr. Chambers of Collin addressed the house at some length, in which he detailed in a minute manner the history of land legislation in Texas. He took the position that there was no hurry for the sale of these lands and opposed the sale at the present time.

Mr. Graves spoke briefly and expressed himself as agreeing fully with Mr. Chambers.

Mr. Browning contended against a reconsideration and after some further discussion by Messrs. Hill, Foster of Limestone, Cotton, Hazlewood, Stout and others the motion to reconsider prevailed by yeas 42, nays 39.

The question then recurring on the adoption of the substitute, Mr. Stringer offered an amendment to be read for information to strike out the feature localizing the agent for the sale of the lands.

A long and tedious debate ensued in which members iterated and reiterated their views upon the subject and which have been heretofore given in these dispatches, at the conclusion of which a vote was taken on the adoption of the substitute and it was lost by yeas 40, nays 44.

The house then adjourned until 3 o'clock.

AFTERNOON SESSION.

Mr. Moore of McLennan introduced a joint resolution providing that no new county shall be created with a less area than 300 square miles.

Mr. Browning introduced a petition from citizens of Wilbarger county on the subject of the sale of school lands and the rights of actual settlers thereon.

Mr. McGarity called up the bill defining the boundary lines of the city of Gonzales and it was read a third time and passed under a suspension of the rules.

Mr. Mairs introduced a joint resolution providing for an increase of the membership of the senate from thirty-one to fifty-three.

The house resumed consideration of the land bill, the question being on the adoption of section six.

Mr. Chenoweth offered an amendment to strike out the words "in quantities to suit purchasers" and insert "not more than four sections."

Mr. Moursund offered a substitute providing for the sale of lands by competition and the purchaser of one watered section of pasture lands to also purchase five dry sections. The substitute was adopted by yeas 45, nays 37.

Mr. Caven offered an amendment providing that agricultural lands shall be sold only to actual settlers. Adopted.

Mr. Kendall offered an amendment providing that where more than one section is bought, such sections shall be divided only by alternate railroad sections. Lost.

Mr. Robertson, of Jack, offered an amendment that no lands shall be sold except to actual settlers.

Mr. McDaniel offered a substitute for the amendment providing for the sale of lands by competition and section providing that no sale of more than 640 acres to any one purchaser shall be made to actual settlers, except for works of public necessity, and that no watered section shall be sold when such sale would defeat the sale or lease of adjoining unwatered sections. Lost.

Mr. Robinson's amendment was lost by yeas 42, nays 43.

A motion to reconsider was entered.

Mr. Caven's amendment failed and Mr. Browning offered an amendment to the substitute of Mr. Moursund to strike out the words "railway agent."

Mr. Chenoweth offered a substitute embracing Mr. Moursund's substitute and the successful amendments.

Mr. Cotton offered an amendment restricting the purchase to one section within five miles of the geographical centers of counties.

Mr. Browning's amendment was lost.

Mr. Patton's amendment was temporarily withdrawn.

Mr. Chenoweth's substitute was lost.

Mr. Patton's amendment was renewed and adopted.

An amendment was offered by Mr. Cotton to strike out five sections and insert four where ever it occurs.

Mr. Caven moved to make it ten. Lost.

Mr. Cotton's amendment was adopted.

An amendment by Mr. White to insert the word "class" after the word "amount" in line prohibiting the evasion of the requirements of the bill was adopted.

The previous question was moved.

The main question was ordered and the section adopted as amended.

A motion was made to reconsider and that motion laid on the table.

Section seven was read as follows: "until otherwise prescribed by the board the land shall be placed upon the market in the following manner: When the tabulated statement has been forwarded to the surveyor of the county or land district and the board shall have designated some one to represent the state in the disposition of the land in such county or land district and notice of such facts shall under the direction of the board have been published in not more than three newspapers of the state."

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and shall have been published under the direction of persons authorized to sell, for thirty days in the section where the lands is situated. The lands of such company or land district shall be considered upon the market for sale, and the person designated to represent the state shall receive bids for the same."

Mr. Frank moved to strike out the section just read.

The motion was lost by yeas 45 to 47 nays.

Mr. Frymire offered an amendment providing that no sale shall be valid until approved by the board. The amendment prevailed and the section was adopted after which the house adjourned.

Notes.

Mr. Kendall's bill for the revocation of the fraudulent land sales, which was tied up by the senate by a motion to reconsider its reference to the judiciary committee, of which Senator Terrell is chairman, was taken up today, and the bill so referred.

Senator Terrell is strongly in favor of the bill, and Senator Matlock, chairman of the land committee, opposes it, and this is the reason the friends of the measure desired such reference. The overwhelming vote on the bill to-day appears to augur well for its final passage.

Apologies of the joint resolution offered in the house to-day to increase the membership in the senate, it has been suggested that perhaps the idea is to make the body larger and thus by a simple rule of multiplication and division render it more difficult to control.

The house has now spent more than two whole days on the sixth section of the land bill. At this rate of speed, there being twenty sections in the bill, the perfection of land legislation evidently is not one of the events of the very near future.

Governor Ireland is absent on a visit to San Antonio.

The comptroller deposited seven thousand dollars with the treasurer to-day.

The Beaumont Fire Company filed a charter to-day.

"The Frohman" of Brenham filed an amendment to his charter.

The adjutant general received applications for rangers to suppress lawlessness in the Panhandle.

Secretary Baker to-day received the following sums for the Peabody fund for public schools in Texas: Sam Houston, normal school \$2,000; Galveston, \$800; Fort Worth, Gainesville and Corsicana, \$300 each; Palestine, Bryan \$150 each. Dr. Curry, general agent of the fund, will visit Texas during the month of May and he promises the state schools more money this year.

Representative Rosenthal of Fayette county is an applicant for collector at Brownsville. Lading Republicans here think Taylor will get it.

General Randolph returned from his home this morning. He says the people in his section are much divided on the penitentiary issue.

Representative Chambers is again at his post.

CAMPBELL'S PISTOL.

A Drunken Negro Shoots and Kills a Policeman—Jailed.

Special to the Gazette.

Gouston, March 19.—Saturday night about twelve o'clock Henry Campbell, colored, was flourishing a six-shooter at a negro ball in the Fifth ward. Policeman Snow attempted to arrest him when Campbell shot him in the head. Several shots were fired and in the melee a negro child was shot in the hand, presumably by Snow. Sheriff Fant and posse surrounded Campbell's house in an hour after the shooting and found him in bed. He denied shooting but the pistol was found with one of the chambers discharged and he was lodged in the county jail. The identification is complete. Snow lingered until 12 o'clock Sunday when he died. To-day the city council contributed fifty dollars to defray the funeral expenses. The affray occurred so late Saturday night that it was current street rumor that Jack White one of the Sabine Pass heroes was the victim. White was sick in bed, which probably saved his life, as the tragedy occurred on his bed.

Old Locomotives.

Chicago, Ill., March 19.—Exhibits for the national exposition of railway appliances which opens here March 24th are now being received in large numbers. Secretary Talbot to-day received a cablegram from London stating that the old engine "Rocket" built by George Stephenson the first locomotive ever run upon a railroad, had been secured and is now among the curiosities of South Kensington museum. They will have four of the oldest engines in existence. The other three include one from England and one from Nova Scotia built by Stephenson and owned by the Baltimore & Ohio railway.

Hamilton, Ont., has several citizens who could serve in emergencies as fire escapes. Here are samples: Emanuel Morton 6 feet; William McCartney, 6 feet 7 inches; Police Constable Donald Smith, 6 feet 5 1/2 inches; Chief of Police Stewart, 6 feet 4 1/2 inches; George Sayers, 6 feet 4 inches; Alexander Harvey, 6 feet 4 inches; James Harvey, 6 feet 4 inches.

The legislature of Missouri has received 8,231 petitions and 46,581 remonstrances on the question of submitting a prohibitory amendment to the people, and will take no action in the matter.

About 100 horses are trailing out the Louisville, Ky., track, which is said to be in fine condition.

Shiloh's Vitalizer is what you need for constipation, loss of appetite, dizziness and all symptoms of dyspepsia. Price 10 and 75 cents per bottle. Sold by L. N. Brunswig. 2-17-e-o-d-w-w-r.

WASHINGTON.

The Star Lente Jury Given a Holiday and the Court Has a Wrangle.

Secretary Folger Quietly Leaves the City—The President Changes His Mind—Notes.

Washington, March 19.—When the court adjourned Friday last the proceedings had just closed their preliminary argument upon the pertinency of the question as to whether or not witness (Gen. Brady) had any knowledge of the Price draft. This was argued as an important point by both sides, for if the question is admitted it would probably lead to the admission of testimony by Price in support of the government charge. The court in answer to a question from Merrick said it would allow the government an opportunity to reply to the arguments of the defense.

Turning toward the court, Gen. Brady said, positively: "Your honor, I would prefer to answer that question as I did all other similar questions. My lawyers and myself do not seem to have taken the same grounds."

Merrick was of opinion that the witness might answer without reference to his lawyers. The court, however, said it would hear his lawyers.

Ingersoll—"Of course, your honor, this is no question of privilege but of relevancy and my client is interested."

Wilson said if the matter were gone into now he should feel it incumbent upon him to try now and try it to the bottom. But it was not proper to bring another case into this when it could not be tried and a verdict had before the jury. He did not propose spending the remainder of his days in a court room trying other matters that might be brought into the case. One case at a time was a proper method.

The court—It has not been brought into the case.

Davidson then began an argument upon the statement of the officer.

The court interrupted and inquired if Merrick's offer was to show only that this draft had been placed upon witnesses desk.

Merrick—No your honor. Placed upon his desk and given for a corrupt purpose.

The jury were excused for the day, and argument continued at great length. Merrick said Brady had stigmatized all of Walsh's testimony as false; as he made out of the whole cloth his cross-examination. The government proposed to interrogate him relative to the facts sworn to by Walsh. They had proved in the chief examination that the expeditionary were allowed, and that beyond doubt they were allowed for corrupt and money motives, but the witness came upon the stand and declared he had acted from pure patriotic motives. He brought the motive into the case, but he would find what he thought was a solid rock for the government to rebut his testimony. On that point there was more benefit to be derived from introduction of evidence. Now that it had been offered in chief he put his motives forward said Merrick, and "I propose by the magic rod of truth to dissolve and disclose his purpose."

Ingersoll made the closing argument. He said it was not material in this case what Brady's motives were in making the expedition. It was not necessary to introduce several other cases to prove that Gen. Brady knew it was wrong to swindle the government. You could not prove a man guilty of stealing by proving he stole in a thousand other cases. No matter if he had stolen in those cases, the presumption was he was innocent in the charges under trial. Ingersoll commented on the length of the trial, and said that it might run into years.

The court said the candles still burned.

Ingersoll—I am willing to go on with eleven when one juror dies, and when the last dies to take his administrator yes (to Merrick) I expect to survive it and the case may drive along until the judge who shall finally pass upon it will not remember even the name of your honor. [Laughter.]

In the course of the argument the court took occasion to enlighten the counsel with regard to his position upon certain questions. Speaking of Brady he said that he may have been a very kind hearted man and allowed the members of congress to run over him and get those orders at their will. That would have been weak and not criminal. If he had been charged with receiving bribes the court would require direct evidence on that charge and would not allow the evidence of any other offense to be accepted in proof of that charge. It was only his motives and intentions that could make his acts criminal. He was on trial to show his purpose. Proof that Brady had received bribes in another case could not be used against him, Dorsey or other defendants. The question was whether the court could receive evidence of the payment to Brady by other contractors. Whether his acts could not on their face be shown to be criminal acts by light thrown upon his motives in other transactions. The court wished it to be distinctly understood these latter were only brought to the attention of the counsel for their guidance; that the court had not made up its mind upon the matter as yet. Ingersoll said he might continue his argument to-morrow. Adjourned.

Capital Notes.

Secretary Folger left very quietly Saturday morning and the fact of his departure was not known at the treasury department till this morning.

Assistant Secretary New saw Secretary Folger about three o'clock Saturday. He was then making preparations to leave the city, but did not say where he was going to or when he expected to return.

While no definite information on the subject can be obtained it is the general impression at the treasury department that he embarked on the revenue cutter Ewing at Baltimore for a short sea voyage.

The issue of standard silver dollars for the week ending March 17th was \$101,000. Corresponding period last year \$132,500.

With to-day began the sixteenth week of the star-rate trial and the criminal court-room was filled with spectators.

It is now stated the president has abandoned the proposed trip to Fort Monroe and will instead move out to the Soldiers' Home.

Among the subscriptions received by Treasurer Gillfillan for the Garfield Memorial Hospital are the following: King George of Tonga, through Dr. Canisius, United States consul, Samoa Islands, \$250; H. C. Marston, consul at Malaya, Spain, \$144; Hugh H. Hamilton, United States vice-consul at Tenerife, \$280.

The report of Rear Admiral Clitz, commanding the United States naval forces on the Asiatic station, relative to the circumstances attending the loss of the United States steamer Ashuelot, by which several lives were lost, has been received by the secretary of the navy. The report has not been made public, but it is of such a character that Secretary Chandler has ordered a court martial to try Commander Horace E. Mullan, who was in command of the Ashuelot when sunk.

Captain Wm. Penn and Jos. N. Miller, former president of the court and Master Sam C. Lemly as judge advocate have been ordered to proceed to San Francisco and take passage for Yokohama by the steamer sailing on the 27th instant.

Assistant secretary of the treasury to-day he asked Secretary Folger Saturday if he had any instructions to give him in regard to questions anticipating the interest of the 120th call for the payment of that call, which will mature May 1. Secretary Folger said he had no instructions to give in the matter as he was not quite ready to act.

The assistant will take no action himself on either question, until anticipated by the secretary. Treasurer Gillfillan says it has never been necessary to anticipate the interest before the 25th of the month, because it is not possible to prepare the interest checks before that date.

Justice Cox to-day delivered the opinion of the court in general terms in the case of Key vs. the secretary of state, and directed the issue of a mandamus to compel payment to Key of a portion of the award made by the Mexican claims commission in the case of Benjamin Wall.

No action will be taken in regard to the charges against Supervising Architect Hill until Secretary Folger returns. Ex-congressman Murch said to-day every charge he had made was well founded, and he has the proof to back it.

President Arthur has received a letter from Berlin inclosing a contribution of 1,000 marks from a number of prominent bankers of that city for the flood sufferers in this country. The letter was referred to the state department for proper acknowledgment, and the money turned over to the order of the Red Cross for distribution.

Secretary Teller has requested the secretary of war to detail a military guard for the protection of the Yellowstone Park property. Secretary Lincoln promises to comply with the request.

LAREDO.

Meeting of the County Court—General Sheridan's Visit—Temperance—Notes.

Laredo, March 19.—County court convened to-day with Capt. E. R. Yarrow as special judge for the term presiding.

Gen. Sheridan and party, accompanied by Major Sumner, commander of this post, paid a flying visit to Monterey for the purpose of inspecting the Mexican railways in a special car of General Manager Gardner of the Mexico National railway. They returned on route to Corpus Christi.

The temperance movement has struck the town. Rev. Dr. Young lectured at the Methodist church last night to a large audience and succeeded in inducing 178 to take the oath of total abstinence. Among them were two soldiers.

Eighteen of the soiled doves of the city were arrested and fined to-day for being disorderly and making too public display of themselves.

Commissioners from Trinity county visited here to-day on a tour of inspection of the jails of this state with a view of adopting the best plan for a jail shortly to be built in that county. They express themselves well pleased with our jail, which in fact is one of the most secure, comfortable and convenient in the state.

The city council has adopted the plan of Mr. Tindall of Galveston for the erection of a new market house and city hall, and will soon advertise for bids to build the same.

A strong petition has been sent to Governor Ireland for the appointment of Joe Sheely as captain of the state troops to fill the vacancy caused by the resignation of Capt. McKinney. This appointment would give great satisfaction in this part of the state.

The Voice of a Murderer.

Waterbury, Conn., March 19.—Ensign Meeker to be hanged the 30th at Windsor for the murder of little Alice Meeker, has written to her husband and daughter to visit her before she is buried at Barre. They refuse the request. Mrs. Meeker wrote her son Almon and the officers that they will repent on their dying bed for her cruel murder.

FOREIGN.