

VOLUME OF MONEY.

Attorney General Engley's
Opinion on the Subject

THE LEGISLATION NEEDED.

He Thinks That There Should Be Established a Statutory Depository of Silver Bullion and the Issuance of Certificates Thereon—His Reasons For So Thinking Given in Detail.

DENVER, July 31.—Attorney General Engley has rendered an opinion to the effect that it is within the power of the legislature to enact appropriate legislation for the establishment of a statutory depository of silver bullion and the issuance of certificates thereon, assignable by delivery and receivable by the state in the payment of state taxes.

In his opinion Mr. Engley says: "The purpose of the inquiry is, as I understand it, to furnish if possible a medium, in part, owing to the contraction of the volume of money, to better transact business and relieve the financial depression now existing in the state. The advisability of practicality of remedial legislation by the state along the line proposed is a matter I shall not discuss herein, but I shall confine the inquiry to the legal aspects of the question. Legislation of the kind proposed to be effective must stand the test of a judicial interpretation of the federal constitution.

The attorney general then proceeds to quote the United States constitution Article 10, Section 1, to the effect that "no state shall coin money emit bills of credit, make anything but gold and silver coin a tender in payment of debts."

"The whole question," he proceeds to say, "as here printed, turns upon the precise meaning of the words 'emit bills of credit.'"

The opinion of Chief Justice Marshall in the case of Craig vs. Missouri on the right of state to issue certificates of indebtedness, receivable for taxes and other state dues, and other opinions of the United States supreme court, cited on the subject are quoted at length.

In concluding his opinion, the attorney general says:

"From a review of these decisions, it is evident that there is practically no limitation on the power of the states in the chartering of banks. The greatest embarrassment in the way of state banks is the 10 per cent tax on their issue. The state may own the banks and direct that its paper be received for dues to the state, and may give to the bank all franchises it may see fit, as long as the federal constitution is not infringed. The state may organize a state bank and authorize the issue of money based on bullion deposited in the vaults of the bank on mortgages and good personal security. A constitutional objection might be raised—I do not say successfully raised—to the issue of money based on deposits of bullion alone, upon the ground that such legislation would be class legislation.

"There can be no constitutional objection to the state establishing depositories for the storage of bullion and issuing certificates representing bullion stored therein. These certificates may be made assignable by delivery. Representing, as they will, if issued, a commodity that fluctuates in value, the certificates will fluctuate accordingly. Hence they can in no sense be called paper intended to circulate as money. They will be sold in the open market, and these sales, when made, will only be a token of the sale of so many ounces of bullion or bars of metal. Their value will be controlled by the same rules and causes that control the value of any other personal property. They are, in effect, nothing more than warehouse receipts, stating on their face that the holder will be entitled to the delivery to him of so many ounces of bullion of a certain fineness on presentation of the certificate to the proper officer of the government.

"The government should charge a per cent of the value of the bullion, when deposited, to cover the warehouse expenses, including the salaries of the officers in charge of the business. This per cent may be payable in current funds. The certificates may be issued upon aliquot parts of the specific amounts of bullion deposited and made receivable for dues to the state.

"If the national government does not restore silver to the status of 20 years ago or does not remove the tax on state banks I can see no way out of our difficulties except at great and unequal loss to the people of the state. Unnumbered as certificate of deposit would necessarily be, by the fluctuations in the market value of the bullion itself and the constant expense, however small, of keeping it stored, they might find but a feeble and uncertain circulation. If we establish a state bank we must pay 10 per cent upon its entire issue of bills for the privilege. As between the two—the issue of certificates by the state and making them receivable by the state for all dues to the state—and the establishment of a bank, the latter may be the most feasible.

"Neither the certificates nor the notes of the bank can be made a tender for private debts. The state may pledge its entire revenue to protect the issue of the bank, and I see no reason why the collateral held by the bank should not be as safe as the government bonds deposited by the national, are worth nothing if the property within our banks is worth nothing. Our developed and taxable property sums up to hundreds of millions. It is not within the scope of human intelligence to reckon the value of our undeveloped and as yet undiscovered treasure.

"We can do what we please with it so long as we confine ourselves within

the limits prescribed by the federal constitution. It can all be made a pledge, a visible, tangible guarantee, to protect our homes and our credit and backed by the energy of the people who dwell upon our mountains and plains, it can be made a rampart behind which we may be safe from the money changers of Europe. Unless our property is preserved by the government which our forefathers established and which we have acquired by the labor and privations incident to a pioneer life, we must in obedience to the paramount law of self-preservation, proceed to turn aside the flood of ruin that is now upon us."

CONSPIRACY UNEARTHED.

Seventy-Three New England Banks Victimized.

NEW YORK, July 31.—The World's special says that a huge conspiracy has been unearthed whereby 73 banks and banking institutions in New England were victimized.

The story is to the effect that certain employees of the Northern Pacific Elevator company of Minnesota issued \$1,500,000 worth of forged duplicate certificates for grain in storage in the country elevators owned by the concern, where the inspection is not so strict as at the terminal elevators. These forged certificates were deposited with eastern banks as collateral. About \$800,000 was secured in New England and the balance in New York. Some of the eastern holders of the paper became suspicious, and an investigation being made the true statement of affairs came to light. The stockholders of the elevator were dumbfounded when the facts came to their notice, and offers of settlement with the banks were at once made and terms of a compromise offered. The company was then reorganized as the Lake Superior Elevator company, with George Cook, secretary of David Dows company, New York, as president.

The terms offered to the banks were 60 per cent cash, the remainder to be paid in five annual payments. A committee of bankers, whose institutions hold large books of the elevator certificates, was appointed to consider this proposition. It is impossible to say exactly what course the bankers will pursue, as they are very loth to talk, and, in fact, they have done all in their power to keep the whole affair from the public. The few who do say anything—and they are very few—admit that they have been swindled, and declare that the swindlers ought to be sent to prison. At the same time, they say that good business policy, under present conditions, forbids such severe action, and especially as the stockholders of the elevator company are ready to make a compromise settlement.

The Northern Pacific Elevator company is now in the hands of a receiver, and the frauds of its employees has wiped out its existence.

Among the New England banks swindled are nearly all the State street institutions here, which were hit heavily by banks at Portland, Me., and various banks in the towns about Boston.

Preparing For the Race.

LONDON, July 31.—The measurements of Royal Phelps Carroll's Navahoe have not yet been received at Cowes from the yacht racing association. Therefore she may race unmeasured. Many yachtsmen at Cowes find the Navahoe quite similar to the Satanita. Of all the large tonners she has the heaviest rating. Emperor William has some hopes of winning the queen's cup in Tuesday's race, and many Germans have gone down to Cowes to see what his yacht can do. The Valkyrie, with Lord Dunraven aboard, is already there. By tomorrow morning the usual crowd of titled yachtsmen will be at hand to see the beginning of the meeting.

Child Burned to Death.

WHEELING, July 31.—Lizzie Vankeuren, the 10-year-old daughter of Charles E. Vankeuren, proprietor of the Hotel Vankeuren, was burned to death. She and her little brother were visiting near Bridgeport and with two other children started a fire among some day grass and leaves. The fire began to spread, and in an effort to put it out the child's clothing took fire and she burned to death before anyone heard her cries for help. One of her little playmates was badly, though not fatally, burned in trying to extinguish the flames.

The President's Sunday.

BUZZARD'S BAY, Mass., July 31.—President Cleveland spent Sunday quietly at Gray Gables. The greater part of the day was passed on the veranda with Mrs. Cleveland and Dr. Bryant. At 6 o'clock President Cleveland and Dr. Bryant drove to the station, and Dr. Bryant boarded a train. President Cleveland returned to Gray Gables. Before going Dr. Bryant said that his visit at Gray Gables was ended. He should go to Sorrento, Me., to pass a week with his family, and then he should return to New York.

Will Have to Pay the Tax.

WASHINGTON, July 31.—Secretary Carlisle has replied to the request of the Kentucky distillers for an extension of 90 days in which to pay their internal revenue taxes upon their whisky which has been held three years in bond, that the law is imperative and leaves him no discretion in the premises. So these distillers, when the three years are up, which will be this month, will have to pay the tax of 90 cents a gallon, or subject themselves and their stocks of whisky to the penalties prescribed by law.

Death of a Landlord.

LONG BRANCH, July 31.—William C. Barrett, aged 48, proprietor of the Barrett House of New York, died Sunday at his cottage near here of heart failure. He was the eldest son of the late William C. Barrett, Sr.

EXPOSITION OPEN.

The World's Fair Again Open on Sunday.

ONLY A SMALL ATTENDANCE.

The Grounds Almost Deserted and Visitors Might Easily Have Been Counted—Reducing the Free Admissions—A Lack of Elevators and Guides the Latest Complaint.

CHICAGO, July 31.—The exposition was open yesterday under the order of the court, but the attendance was extremely light. The grounds were almost deserted and the visitors in the buildings might easily have been counted. During the morning hours about the only persons entering the gates were exhibitors, their helpers and others employed in the grounds, but between noon and 3 o'clock the cars landed a few visitors at the gates.

There was no attraction in the evening to draw a crowd. There was no music nor entertainment of any character in the main grounds and the people betook themselves to the pleasure where the attractions with two exceptions were running as usual. The weather was delightful.

The Latest Complaint.

The national commission suspended the regular proceedings to hear a number of gentlemen representing the American Exhibitors' association. President Pangborn of the association was the first to address the commission. He explained that owing to a lack of elevators for visitors to the fair, few went up in the galleries of the buildings. There was a great lack of ventilation, and in some of the buildings, more especially in the galleries, the air was almost stifling. He complained that on this account the grounds were frequently crowded with people when the buildings were almost empty.

"The dancing girls on Midway Plaisance," he said, "the scum of the brothels of the Orient, attracted more attention than the great manufacturers and liberal arts building. This should not be so. Something should be done to induce the visitors to visit the exhibits." He thought if there were plenty of guides to show visitors through the buildings more interest would be taken in the exhibits. Director General Davis promised to do what he could.

Reducing the Free List.

The efforts to reduce the free list are proving so successful that Superintendent Tucker of the department of admissions predicts that under the revision now taking place at least 10,000 season passes will be cut off.

Cultman Succeeds Schwill.

At the meeting of the auditing committee of the Ohio board of managers P. H. Cultman, of New Lexington, was elected chairman of the auditing committee in place of Albert Schwill, of Cincinnati, who resigned last month.

BUILDING COLLAPSES.

Narrow Escape of Forty Workmen—Two Buried in the Debris.

PITTSBURG, July 31.—At 12:10 o'clock Saturday afternoon, a 7-story brick and iron building at the corner of Spring alley and Ninth street, owned by the Second National bank, collapsed and crumbled to the ground. About 40 workmen were seated inside of the building eating their dinner. Some of the number detected a trembling of the structure and gave a shout of warning. The men all rushed for the street and escaped save two of their number who are yet missing and are supposed to be covered under the many tons of debris. The building was being arranged for office purposes and a new three story addition was in process of erection upon the old and evidently weak walls.

A Gloomy View.

INDIANAPOLIS, July 31.—Congressman W. D. Byrdum, who has just returned home from Washington, takes a rather gloomy view of the financial situation. He says: "I have not talked with members of congress sufficiently to form an idea as to any action that may be taken. I am not a believer in free silver or gold, but am an out-and-out bimetalist. It is clearly apparent to me that the financial stringency does not depend on the amount of money in circulation, but rather on the influences that control circulation. I anticipate very lively times when congress convenes, as the session will be one in which every member will say something as well as vote."

Starting Stories at Homestead.

PITTSBURG, July 31.—The trouble among the iron mills resulting from the unsettled trade conditions has at last come to affect the steel works of the Carnegie company at Homestead. Commencing tonight, the night turns will not run in the plate mill. This is rated as especially significant because this particular department has never been slack of orders before. It has been running three turns, and under the new arrangement the men in each turn will work every third week. The announcement of the charge caused general comment and speculation and some startling stories are afloat at Homestead.

Mission Destroyed by Rioters.

LONDON, July 31.—A dispatch to The Times from Shanghai says that the Italian Catholic mission at Mien Yang, 90 miles from Hankow, has been destroyed by native rioters.

Will Resume Soon.

HARRISBURG, July 31.—It is learned from a semi-official source that the American Tube and Iron works, at Middletown will resume operations next week.

A FATHER'S MURDER AVENGED.

Double Tragedy on the Streets of a Kentucky Village.

LOUISVILLE, July 31.—Death-dealing bullets sped from the pistols of three men in the beautiful little suburb of Parkland, and two of them rolled lifeless into the gutter. One of them was Marshal A. J. Blunk of Parkland, and the other was Edmund Graham, whom he was trying to arrest on a warrant. The marshal murderer would probably have escaped with his life had not the 18-year-old son of the officer avenged his father's death by sending an additional bullet through Graham's body. The double tragedy caused intense excitement, particularly from the fact that Marshal Blunk was an aged man, his hair and long beard being as white as the driven snow, while Graham was almost a giant in strength, and died three times a murderer. He was nearly 6 feet tall, weighed 200 pounds, and was in the prime of manhood.

Parkland is just west of Louisville, and it was only a few hundred yards from the city limits where the fatal affray occurred. Graham was a carpenter and lived in what is known as North Parkland. There has been almost a feud between the people of Parkland and those of North Parkland over the question of jurisdiction. Parkland is under an injunction on account of the war over the base ball park, and a number of people are taking advantage of this to avoid the ordinances. Graham was the leader of them. Thursday night Marshal Blunk found two of Graham's cows on the streets and placed them in the pound. Graham, it was charged in the warrant, broke into the pound and took his cows. The marshal saw Graham and drew out the warrant, when Graham placed his hand on his pistol and said if he attempted to serve it he would shoot. The aged marshal went across the street and deputized a dozen young men to help him. They followed Graham one square, and then made a rush for him. Graham slashed at the boys with a knife, then leveled a pistol at them, firing once.

The white-haired marshal had stood in the middle of the street, but seeing the danger of the boys he rushed upon the giant Graham, and they began a duel at arms' length. Six shots were fired, when Graham fell. Then he raised up, leveled the pistol on his knee and fired again at the marshal, who fell, then raised on his elbow and fired again. The marshal's young son was in the crowd of boys. He drew a pistol on seeing his father fall and sent a bullet through Graham's heart. Graham fell face downward in the mud and died. The aged marshal also expired in a few minutes, while his son and avenger knelt weeping over his body.

Marshal Blunk was a splendid officer, and had served two terms.

Graham murdered his wife several years ago, and also killed a man in Indiana. Mr. Blunk was a member of the G. A. R., having served through the entire war in a Michigan regiment. His death was bravely met, and no more affecting sight has been witnessed here for many a day.

Graham also killed Marshal T. B. Hudson of Oakland City, Ind., five years ago, and was still under bond for the murder. This made the second marshal he has killed.

OVER A THOUSAND KILLED.

Desperate Fighting in the Last Two Battles in Nicaragua.

SAN JUAN DEL SUR, Nicaragua, July 31.—Details of the battle fought at Mateares, where the government forces made their first defense of Managua, and the one at Managua, when the government troops were forced to evacuate the capital, are gradually coming in. General Zelaya, who aided in the overthrow of Saca, and afterwards joined the revolutionary party of Leon, led the attacking troops on each occasion.

A determined resistant was made by the government forces, commanded by General Avilez, the commander-in-chief. There was desperate fighting at each place. The loss of life was enormous.

General Zavola, president of the Granada government, admits that 600 men lost their lives in the two engagements, but the lowest estimate placed by impartial observers upon the combined loss of the armies in the battles of Mateares and Managua is from 1,000 to 1,400 lives. The fighting was at close range, and the most desperate ever witnessed in Nicaragua.

THE PEACE PARTY WON.

After a Long Session the Siamese Cabinet Decided to Surrender.

BANGKOK, July 31.—The Siamese government has accepted the full terms of the French ultimatum. The cabinet council at which the decision to grant all demands at France's ultimatum was made was called at the royal palace. The king presided. His two brothers and all the ministers were present. After sitting several hours the council approved the views of the peace party.

It is stated here that England protested to France that her threatened blockade of the Siamese coast would not be a legal act, and that France conceded the point made by Great Britain. France, it is said, has undertaken that British commerce will in no wise be interfered with by the French warships. English vessels will be allowed to cross the Menam bar inward for Bangkok after Sunday.

Big Land Suit.

ASHEVILLE, N. C., July 31.—Colonel A. E. Cochran, a prominent lawyer of San Diego, is here for the purpose of instituting in the United States circuit court a suit for the possession of a large tract of land granted by the state to his grandfather in 1795.

SILVER CONVENTION.

A National One Will Be Held in Chicago.

THE DELEGATES ARRIVING.

What is Expected of the Great Gathering. Interviews With Prominent Men on the Subject of the Present Financial Situation and the Stringency in the Money Market.

CHICAGO, July 31.—About 100 delegates to the national silver convention have registered at the headquarters in the Montauk block up this time, according to the advices received by the committee on arrangements, fully ten times this number will be on hand within the next 24 hours. Headquarters will be opened at the Palmer house for the delegates from New York and Colorado; at the Great Western hotel for those from Montana, Idaho and Illinois, and at the Antique hotel for the delegates from Ohio, Texas, Indiana, Nebraska, Michigan and California. This applies to delegates that come alone. For those with families provision has been made at the Hotel Mecca.

Senator Wolcott of Colorado and Congressman Boen of Minnesota were among the morning arrivals at the Grand Pacific. They tarried long enough, however, only to remove the dust of travel and take dinner and then continued their journey to Washington.

In conversation with some of the local silver men who were anxious that he should remain for the convention, Senator Wolcott said that he felt that he could be of more service to the party at the national capital in view of the fact the makeup of the committee and other important matters would command consideration during the coming week.

Congressman John H. Reagan of Texas also arrived at the Grand Pacific yesterday afternoon. The national executive committee of the Peoples' party has established itself in the same hotel. Only Chairman H. T. Taubeneck, Treasurer Rankin of Terre Haute, and George J. Washburne of Massachusetts, chairman of the eastern division of the Peoples' party, have so far put in an appearance, and although these were in consultation for several hours, no formal caucus will be held until the bulk of the committee arrive.

It is understood, however, that the Populists in the convention will vigorously resist any attempt to form a new party on the ground that the Omaha platform concedes everything that is demanded by the silverites and that as a consequence the latter could not do better than to come into the Populist fold in a body. The leading silverites are ready on the ground moreover are strongly opposed to any inflammatory or demagoguery harangues under the cover of the convention. They want it, they say, to be a sober, calm and deliberative body, and if Governor Waite or any others should undertake to repeat their recent wild utterances they will be speedily called down and sent to the rear.

About 200 laboring men gathered on the Lake Front yesterday afternoon to listen to a silver address by Carl Brown, one of the delegates from California and who styled himself national recruiting officer of the industrial legion of the United States. He declared that the gold bugs got their shackles on the country during the war and that they had kept them riveted ever since. American white men today were in a worse condition under king gold than the slaves before the war under king cotton, for the latter were assured of plenty to eat and a days holiday now and then. There were those that considered Senator Sherman a statesman and a patriot, but if this were true, then the Benedict Arnold must be a saint in heaven.

As for the old man down at Buzzard's Bay he was trying to do just the opposite to what Jackson did in the financial question, and yet the great bulk of his own party regarded him as a dyed-in-the-wool Jackson Democrat. Congress, declared the speaker, who was frequently applauded, had degenerated into a great auction room, in which the rights and privileges of the people were bartered and sold. Notwithstanding this, however, the present silver trouble must be settled peaceably. There was no necessity to allow mouthings or talk of revolution. It was the people's fight, and the people would settle it in such a way as to demonstrate that the republic was a bulwark and a rock between themselves and those that would deprive them of their rights.

Among the arrivals were ex-Congressman H. F. Bartine and T. K. Wren, of Nevada. "Our delegation will not be a very large one," said Mr. Bartine. "We shall demand free coinage on a ratio of 1 to 16. It is absurd to say that silver can be produced at 50 cents an ounce. There are occasions when a rich find may put the cost of mining down to that figure, but the average cost of mining silver is about a \$1 an ounce. Everything has closed down in Nevada, save a few mines where the percentage of gold is extremely large. Only ruin is in store for the west and eventually the east in the demonizing of silver."

Senator Stewart of Nevada is the most mentioned for permanent chairman by the western people but a growing sentiment has developed in favor of General Warner as permanent chairman. Fear is entertained that if a western man is made permanent chairman an impression will go abroad that the convention is being managed wholly in the interest of western mine owners and for this reason many of the delegates favor General Warner or some other eastern man.