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## AMERICAN.

WASHINGTON, 21.—Secretary Whitney said to-day, the delay in the arrival of the U. S. steamer *Nipsic* was probably due to a broken shaft.

The President has approved the bill providing for the study of the nature of alcoholic drinks and narcotics and their effects, in the public schools of the District of Columbia and the Territories.

Attorney General Garland, Dr. Rogers and his son and Messrs. Van Benthuyssen, Sypher and Casey Young were in attendance upon the Telephone Investigating Committee to-day. The Attorney General was the first witness called. His attention was called to Brisson's testimony he said there were two or three mistakes in his account of his interview at the Department of Justice. The Attorney General had not expressed any opinion as to the proper mode of treating Van Benthuyssen's application. When Brisson asked leave to withdraw Van Benthuyssen's application, witness had told him that he had no jurisdiction and that the paper had gone out of his office. Witness had not made any remark in reference to what would become of the application filed in his office afterwards. He was positive about that.

Ontes said that it had been alleged that witness had visited Young's rooms while a conference was in progress. Witness replied that he had never been in those rooms, and did not know until he had seen it in the newspapers that Young had rooms in "G" street. He wished to add to his former statement that he did not believe he had attended a Pan-Electric meeting after the presidential election in 1881, and was positive that he had never attended one after the inauguration.

Ontes inquired if any person had intimated to witness that an application for a suit would be made and that witness had intimated it would be opportune if made during his absence.

Witness positively declared there had been no such intimation.

Ranney read from Brisson's account of his interview with the Attorney General, and witness smiled at certain points in the reading.

"What did those four men want?" inquired Ranney, referring to the visit of Brisson and the others of the department.

"I have stated that about 15 times," stated the witness, "but I will state it again if you wish. What they really wanted, I don't know; what they said they wanted was, 'We want, in the name of the United States, to test the Bell telephone patent.' I remarked in reply, that I 'could not consider the application, that I was a stockholder and an attorney for a rival company.' Then there was a question or two about procedure. I don't remember what they were. I was determined to cut the matter off, and I have been a little abrupt, I am afraid."

The witness said he wished to say a word about that part of the testimony of the editor of the *New York Sun* where in answer to Millard's question he had said that if he (Dana) had been in his (witness's) place, he would have protected his Department against this suit. That he would have smashed it. While he (witness) cared little about the matter, he might say a word in reply. It has been conceded on all sides that he had no proper authority to act in the matter because of his being a stockholder in a rival company and his relationship to the country had not changed in his absence from July to October when he found action had been taken. The same ability existed then as when he had declined to act in the first instance. If that same disability existed then, he put the question to Col. Dana and the committee, how he could have smashed the suit if he did not have the ability to institute it.

Chairman—Your view was that you had no power to interfere?

Witness—Not at all. I had not been denuded of my disability.

Ranney discussed with the witness at some length his power in such matters and the legal phase of the case.

Then Millard asked if the witness had not understood that Van Benthuyssen's original application had been withdrawn with a view to filing another in a different way. Witness replied he had no understanding on the subject.

Casey Young offered to show competent evidence that the patent that had been attacked by the Government had been obtained by fraud from the patent office; that the officer who gave it was derelict in his duty, that he issued the patent through a corrupt influence and that he was paid by the patentee to issue the patent. These facts he would prove by papers or witnesses. The committee at this point adjourned until tomorrow, when the offer will be considered in secret session.

Mr. Van Benthuyssen to-day presented, in support of the testimony heretofore introduced (and the Committee will to-morrow decide in secret whether or not to go into this phase of the case) an affidavit by Zenos Fish Wilber, examiner in the electrical inventions division of the Patent Office from 1873 till May, 1877. Wilber states that in none of the affidavits he made in the suit brought at Columbus to annul Bell's patents he ever told in relation to the issuance of the first Bell patent. Wilber then tells of the influences brought to bear on him which caused him to show to Pro-

fessor Bell, Gray's caveat and to favor Bell in various ways. First, Major Bailey, one of Bell's attorneys, cultivated his acquaintance, presented his wife with a handsome watch and placed him (Wilber) under many other obligations. Therefore when it came to a question of priority between Gray and Bell, in the matter of filing the caveat he closed the examination without waiting the receipt of all the proofs and determined it was the earlier. Thus the patent was hurriedly and in advance of its term issued to Bell. On the afternoon of the same day he called on Wilber, and on leaving presented him a hundred dollar bill.

Mrs. Virginia Thompson was confirmed to-day as Postmistress at Louisville, Kentucky.

The President to-day transmitted to Congress a communication from the Secretary of State recommending additional legislation for the repression of the opium traffic in accordance with the supplemental treaty with China which went into effect in 1881. The Secretary of State enclosed a letter on the subject written by John Russell Young when Minister to China, to Secretary Frelinghuysen.

The House shipping committee met and concurred in part of the Senate amendments to the Dingley shipping bill and non-concurred in several amendments and authorized Dingley of Maine to report back the bill to the House, with the recommendation that the House agree to the conference asked by the Senate. The committee were unanimously in support of the Senate amendment to the shipping bill designed to meet the action of Canada, but formally non-concurred in the amendment simply to make a verbal change. Dingley will report back the bill to the House at the earliest opportunity next week, when the House will at once act upon it, as the report will be privileged.

Senator Chase to-day reported from the Senate committee on patents an original international copyright bill as a substitute for the bills on the subject before the committee. It amends section 4952 of the Revised Statutes by striking out the words "citizens of the United States or residents therein." This is the section which confers the copyright and the proposed amendment will extend the right to foreigners.

St. Louis, 20.—Frederick Bieger, the trunk maker, testified that the prisoner had bought from him a canvas covered trunk and packing case on Monday, April 6th. In paying for them he exhibited a large roll of bills mostly of large denominations. Later in the day he returned to the store and bought two large trunk straps. The straps taken from around the trunk in which Praeler's body was found were identified as those sold to the prisoner. Witness was shown two trunk boards found in the packing case and asked if they were parts of the tray. He said they were not, but were pieces of the top of another trunk. The packing case had no tray. The zinc trunk in which Praeler's body was found was brought before the witness who was asked to tell, as an expert, whether the tray had ever belonged to it.

Mr. Fauntleroy, counsel for the defense objected to expert testimony on the point, but his objection was overruled and the witness answered it had. Exception was taken to the ruling. The point was an important one as the tray and partition were found in the packing case.

William Train, a Southern Hotel reporter, recognized the trunks brought from Bieger, as those he had carried to the prisoner's room on the same day they were bought. When he entered the rooms the zinc trunk was in the middle of the floor and the clothes were scattered about and heaped in piles. He lifted one end of the zinc trunk to see if it was packed, and thought it weighed 170 or 180 pounds—a heavy weight for trunks of that size. Witness, at the prisoner's order, carried down the canvas covered trunk, leaving the others. Maxwell said he would be back in a day or two.

Louis F. Duff, a hat dealer, testified he had sold Maxwell a hat on Easter Monday. Maxwell wanted one "to make him look like a yankee," and was very nervous.

J. A. W. Ferno, a druggist, testified that Maxwell came into his store on several occasions. About 1 p.m. on Easter Sunday he came into the store and purchased four ounces of chloroform and some carbolic acid, and after a little chat he went away. About 5 p.m. he returned and asked for another four ounces of chloroform. Witness had only about that amount left and gave him only two ounces. Defendant objected to this, saying he wanted four ounces or all the witness had, but he took two ounces, and after tearing the wet label from the bottle, with the remark that he being a doctor labels were not necessary, left the store in great haste. He had previously stated that he was in a great hurry, and had insisted that he should be waited on quickly.

On cross examination witness stated that when the defendant came to the store the second time he said he had accidentally knocked over the first bottle of chloroform and spilled the contents and wanted another supply as quickly as possible. He did not appear to be excited, only in a hurry.

Adjourned till to-morrow.

New York, 20.—The court of Oyer and Terminer was filled this morning with spectators anxious to hear Judge Barrett pronounce sentence upon Alderman Jachne, convicted of bribery in connection with the Broadway Railroad franchise. Jachne was in attend-

ance, guarded by a deputy sheriff. His face was pale and his eyes had a weary look. After the judge had taken his seat, the district attorney moved for sentence to be passed on the prisoner.

General Pryor, of Jachne's counsel, made a motion for arrest of judgment upon the following grounds: First, that the indictment was insufficient in substance; second, that the count in the indictment upon which the verdict was rendered was insufficient to sustain the verdict; and third, because in law there can be no judgment upon an indictment and verdict.

Counsel also moved for a new trial upon two grounds; first, misdirection of the matters of law, and because the verdict was contrary to law and against the evidence.

The motions were both denied. Counsel took exceptions to the denial of each motion.

Jachne then stood up for sentence and in reply to the usual questions of the clerk, gave his age as 36 years, and residence as 43 Van Dam Street. He said also that he had learned the jewelry trade. He was asked what he had to say why judgment should not be pronounced against him according to law. He made no reply, but kept his eyes fixed upon the rail in front of him. Judge Barrett then sentenced the prisoner to nine years and ten months in State prison. He said the prisoner had been convicted, after a fair trial; that he had every advantage that a defendant could have, and able counsel; he had the services of two of the most eminent members of the bar, one a veteran of the criminal bar, noted for his power and force, and another gentleman of equal ability whose services were ever ready at the command of the poor, unfortunate and oppressed. The case was a sad one. It was a humiliating spectacle that a man who was selected to a public office in this city should have so heinously betrayed his trust as the prisoner had. It was humiliating to the people of the city, of the State and the country, that such a spectacle should be presented in a free government as a person betraying his trust as the prisoner had. It was sad to see a man with his advantages in the position in which he now was. One could not be unmoved at the spectacle of your weeping wife and broken-hearted mother, but the saddest thing of all about your case, is the doubt which prevailed many good and honest minds of your conviction. There was not a doubt of your guilt. It was universally conceded when the evidence was in, that the case against you was clear, convincing and overwhelming. The first doubt seems to have arisen from lack of faith in the efficiency of our jury system, the zeal of our public prosecutor and the efficiency of our police. These doubts have been dispelled by your conviction. It teaches the important lesson that the majority of our people in public life have not their price. Let me again say at this point that your offense was not technical bribery, but stupendous bribery for the furtherance of stupendous transactions. Have the people of this city ceased to remember the fate of Tweed of Genet, of Crowley, of Fish and of Ward? The people are not all honeycombed with corruption.

According to the testimony in your case, the only two honest men in the Board were sneered at by you as dudes. Our worthy sheriff, Grant, refused a proffered bribe, and it is entirely immaterial as was suggested, whether they expected a reward—Grant to run for Mayor and O'Connor for Governor.

The Judge then passed sentence upon the prisoner.

Lawyer Newcomb on affidavits made by himself and Jachne, containing legal points raised during the trial, and exceptions taken, secured from Judge Daniels a temporary stay of proceedings and an order to show cause why the stay should not be permanent pending an appeal. Arguments will be heard at 3 o'clock this afternoon.

Jachne is in custody of the warden, who assigned him to cell No. 11 on the third tier. According to the remission for good conduct, he will actually have to serve six years, four months and eleven days.

The application for a stay of execution of the judgment in the Jachne bribery case was argued before Judge Daniels in the Supreme Court this afternoon. General Pryor argued for the stay and Assistant District Attorney Nicol opposed it for the people. Judge Daniels denied the motion and Jachne will be taken to Sing Sing in the morning.

A Nogales, Arizona special says: Sullivan and Moore who were believed to have been killed by Indians, arrived here this morning.

Tombstone, Arizona, 20.—Frederick Lotley, while on a visit to his brother at a neighboring ranch, a short distance from here, was killed by the Indians yesterday. Wood Corder, known as "Dutch" Charley, engaged on the same ranch, was seriously wounded. Harry, a brother of the murdered man, escaped. A Mexican who has just arrived from Whetstone mountain, notified the sheriff that the Apaches killed three Mexicans this morning.

St. Louis, 21.—The grand jury which has been in session in Hillsboro for the past nine days, finished their labors yesterday. Their time has been almost given up to the investigation of charges of conspiracy against the late railroad strikers, 50 of whom are indicted. Many of them escaped before warrants could be served on them and only four have been arrested.

New York, 21.—Alderman Jachne was removed at an early hour from the Tombs and taken to Sing

Sing to serve out his sentence of nine years and ten months. As early as six o'clock a crowd of people gathered about the Tombs exits to see the prisoner off on his journey. Accompanied by the deputy sheriff, to whom he was handcuffed, Jachne left the prison and entered the carriage which was occupied by another deputy sheriff. The party were driven to the Grand Central Depot where they took, the eight a. m. train for Sing Sing.

New York, 21.—A dispatch from Sing Sing states that Jachne arrived safely at the State prison, and was at once put to work in the laundry.

Yonkers, N. Y., 21.—Dr. Dig Lewis, author and reformer, died at his home here this morning after a illness of two or three days, from erysipelas.

St. Louis, 21.—The interest in the Maxwell case continues undiminished. At the opening proceedings this morning the crowd of curious spectators exceeded the attendance on any previous day. This was due perhaps to the fact that a witness was to be examined who had positively identified the body found in the zinc trunk, at the Southern Hotel, as that of Praeler.

This witness proved to be J. A. Frazer, of Toronto, Canada, for many years a photographer, but now a portrait painter and sculptor. Frazer was placed on the stand and testified that he had met Praeler in Toronto a year ago last February. He described Praeler as he knew him then, and exhibited a portrait which he had painted, and it had been pronounced an excellent likeness. He was shown by McDonald of the prosecution, during the latter's visit to Toronto, a post mortem photograph of Praeler's body and had made a portrait from it. Witness described his visit to St. Louis after the murder; he had visited the cemetery in company with one of the counsel for defense. Had seen the casket in which Praeler's body had been placed exhumed, and recognized the body without doubt as that of Praeler. He recognized the corpse by the face and a peculiar scar on the left eyebrow. He considered the body to be a remarkably perfect state of preservation. The witness identified two different photographs of Praeler. The cross-examination failed to confuse the witness, and as he stepped down from the stand it was evident that jurors and spectators alike entertained no doubts as to the identity of the body found in the trunk.

Washington 21.—The House Committee on Judiciary to-day instructed Chairman Tucker to report favorably an amendment to the Constitution declaring polygamy unlawful. There was only one member who did not agree to the action of the committee, and he only desired further time to consider it.

The following is the full text of the amendment as it shall be reported:

Resolved, that it is deemed necessary by the two houses of Congress to propose an amendment to the Constitution which shall be valid to all intents and purposes as a part of the constitution when ratified as hereby proposed by the Legislatures of three-fourths of the sovereign States.

The proposed amendment to be numbered and to read as follows, to wit:

Article XVI. First—The marriage relation, by contract or in fact by one person of either sex and more than one person of the other sex shall be deemed polygamy. Neither polygamy or any polygamous association or cohabitation between sexes shall exist or be lawful in any place within the jurisdiction of the United States or any of the States.

Second—The United States shall not, nor shall any State make or enforce any law which shall allow polygamy or any polygamous association or cohabitation between the sexes. But the United States and every State shall prohibit the same by law within their respective jurisdictions.

Third—The judicial power of the United States shall extend to the prosecution of polygamy and of polygamous associations or cohabitation between the sexes under this article, and Congress shall have power to declare by law the punishment therefor.

Fourth—Nothing in the Constitution nor in this article shall be construed to deny to any State, exclusive power, subject to the provisions of this article to make and enforce all laws concerning marriage and divorce within its jurisdiction or to vest in the United States any power respecting the same within any State.

Judge Tucker, chairman of the judiciary committee, said to an Associated Press reporter: "The committee will report the amendment on Monday, and will then probably take up the Edmunds Utah bill. The sub-committee have considered the Edmunds bill, and will submit their views to the full committee, which will meet thereafter as often as practicable. The Edmunds bill will be very greatly modified, but I am not prepared to say until action by the full committee, in what respect. I will say, however, that it will not be in a way to materially change the policy of the government in reference to polygamy, but an effort will be made while condemning the crime of polygamy to do so in consistency with constitutional law and with respect to the liberties of the people affected. An amendment to the Constitution itself will be offered, so that no element in the definition of the offense would be left to congressional action in case polygamy should continue to be revived in a new State when it ceased to be a Territory. The amendment gives Congress the power to punish crime created by this article and to the courts of the United States power to try it. Then in order to prevent any inference in

the general law of each State as to marriage and divorce, the amendment further provides, that no construction shall be given to which would deny to each State exclusive power to regulate that class of questions or to give any such power to Congress. The amendment, therefore, while serving as a remedy for the crime, even in the States themselves, is entirely conservative of the power of the States over the important domestic relations of family. The amendment was framed for the purpose of throwing the weight of the Constitution itself against polygamy. As the present Constitution makes it essential that every State that comes into the Union, as well as those already in it, shall be republican in their form of Government, so this amendment provides that every State in the Union shall be American in its type of society and not Asiatic. That is, the State shall be Republican as to their form of government and monogamists as to their social life."

Judge Tucker said that he had given the amendment thorough and mature consideration in sub-committee, and then the full committee had agreed to it, after full consideration, and it had met with general approval from perhaps fifty members of Congress to whom it had been shown and on whose judgment he could rely. He intended to introduce and secure a speedy and thorough consideration for it by Congress.

SPRINGFIELD, Mass., 21.—This afternoon Andrew J. Wiggin, aged 39 years, a bricklayer, and his wife, who is 39 years old and very pretty, were walking in Dwight street. Suddenly Wiggin drew a revolver and stepping backward fired three shots at his wife, one striking effect in her hip, the second in her arm and the third in her hand. A crowd at once started in pursuit of Wiggin, who ran down an alley. As the crowd gained upon him he appeared to become frightened, and after looking backward two or three times, placed the muzzle of the pistol to his temple, fired and fell dead. Mrs. Wiggin was taken to the City Hospital, where she now lies in a critical condition. Domestic troubles are the cause of the tragedy. Wiggin was well connected, being a son of the President of the New Hampshire Legislature.

St. Louis, 22.—The prosecution in the Maxwell case are nearing the end of their list of witnesses, the evidence of whom they think will convict the defendant of murder in the first degree, and probably that they will close their side of the case to-day. Several witnesses were examined this morning, but gave no new testimony.

BADDECK, C. B., 22.—On his return, Consul General Phelan said that a law under which permits are granted dates prior to 1830, but that in 1830 President Andrew Jackson issued a proclamation granting certain commercial rights to English vessels and a similar proclamation was issued by ministers in power at that time in Great Britain. This British proclamation was in the same spirit as that issued by President Jackson, and it is claimed that the joint action of the two governments secured to all vessels sailing under the United States flag the same right as those enjoyed by English vessels in ports of the colonies, subject, of course, to the customs law. It is understood that this will be the argument used by Consul Phelan throughout the progress of the case of seizure. It is thought he will be able to prove the right of American vessels to procure bait in British waters. It is not yet decided whether the seized vessels will be brought to Baddeck.

TUCSON, A. T., 22.—A Mexican named Vaqueros, just arrived, reports that the Indians attacked Juan Teller's Mountain Spring ranch, 18 miles south-east of Tucson, this morning and carried off two Mexican boys aged 10 and 12 years. The father and mother escaped by hiding in a neighboring gulch. It is now believed the Indians are heading for San Pedro River, where they will endeavor to induce the peaceful Indians under Chief Eskimirzin to join them.

The trail taken by the hostiles leads through a thickly settled region which has not been raided since the early white settlement of Arizona. Great fears are entertained for the defenseless settlers. Couriers have been sent out from here and Fort Lowell to warn them.

A party of volunteers composed of Americans and Mexicans have started on the hostiles' trail.

A Mexican from Willow Springs ranch, in the Dragoon Mountains, 20 miles from here has arrived with a report that his ranch was attacked this morning, and he asked that assistance be sent the besieged. Fourteen citizens, armed and mounted, left at noon for Willow Springs. The Mexican further reported that news had been received at the Springs previous to his departure that two Mexicans and one American had been killed in the mountains.

Captain Lawton's command is now pursuing the Indians. They found and buried the bodies of six Mexicans and one American on the trail taken by the fleeing Apaches in Sonora.

CHICAGO, 22.—James Black, of London, England, who has been in the city since Thursday, returned to New York to-day, expecting to be back in Chicago within ten days. His mission here, he says, was to agitate a plan for the construction of a new short line railway from Chicago to New York, with branches from Cincinnati to New York and from Chicago and Cincinnati to Baltimore. The name of the proposed system is to be the Midland Railway.