

BY TELEGRAPH.

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AMERICAN.

CHICAGO, 16.—One of the best points made by Foster to-day was in substance as follows: "The language that the prosecution flung of such great significance in the publications of the *Arbeiter Zeitung* is the word 'Ruhe,' which they say means rest, peace. Now, when the police arrived at the Haymarket, Captain Ward said: 'I command you in the name of the State of Illinois to disperse peaceably.' To this Fielden, who was speaking, answered naturally enough, 'Why, Captain, this is a peaceable meeting, or we are peaceable.' Now, should the State see anything so significant in this remark? The evidence shows that the meeting was peaceable, and I say here it was never intended to be otherwise. If at that moment some one on his own responsibility threw a bomb among the police, and that fact were now known, the word 'Ruhe' and Fielden's remark 'we are peaceable' would then have a natural significance or meaning on the face of it, instead of being, as the State insists, a symbol of riot and bloodshed."

Foster, after enlarging upon this feature of the case and declaring that the evidence fell short of proving that the Haymarket meeting had any connection with the conspiracy to attack the police, devoted considerable time to the consideration of the testimony of John Burdett, as opposed to that of Harry L. Gilmore. Burdett, Foster showed, had been interviewed by the state. He had been shown a picture of Joseph Schnaubelt, and upon hastily declaring that he could not recognize it as that of the bomb-thrower, was allowed to go. He could not serve the State as a witness. Called by the defense, Burdett swore that the bomb was thrown from a point far enough from that fixed by the prosecution to overthrow the theory based upon Gilmore's testimony, that Spies lit the fuse of the bomb, and that the bomb was thrown by Schnaubelt from south of Crane's Alley. Who was to be believed? Burdett, who had been over the ground since the night of the riot, and taken careful measurements and whose character had not suffered from the investigation of Captain Schnack and his detectives, or Gilmore who swore so glibly, who had been impeached by a dozen witnesses and who was a Grand Army man, but whether he had fought under the stars and stripes or stars and bars nobody knew. Why had not Gilmore been sent before the grand jury? Why was he placed on the stand when the trial was in progress? Because there was a missing link. So Harry L. Gilmore took the stand and said: "Rather than have the play stop, I'll furnish the missing link." Foster received the testimony of Gilmore exhaustively, denounced him as "a stupendous, a colossal, a monumental liar," and turning toward the defendants, said impressively: "If the testimony of Harry Gilmore is true, August Spies and Adolph Fischer must die." Foster referred to the testimony of the informers, Waller and Seliger. They had been given the choice of a rope or a written statement such as would serve the purpose of the prosecution. They, of course, as any one would, chose the lesser of the two, and tremblingly took the stand to swear away the lives of former comrades. "I say," said Foster, "I not only say it here in the court room but on the street and everywhere, that as a lawyer I am opposed to such means. Let justice be done though the heavens fall."

FOSTER CONCLUDED HIS ADDRESS

With an eloquent and glowing appeal to the jury. He asked them not to commit an act which they would regret the remainder of their lives.

Captain Black said he would prefer not to commence his address till tomorrow morning and the Court adjourned till that time.

OMAHA, 16.—In 1875 there was inserted in the Nebraska State Constitution a provision that at the general election immediately preceding the expiration of the term of a United States Senator from this State, electors shall by ballot express their preference for some person for the office of United States Senator. No action has been taken on this process up to the present time. Senator Van Wyck, who is a candidate for re-election, has determined to appeal to the people for their expression of preference under this proviso and he has accordingly issued a manifesto. This will be the first instance of a direct vote of the people for United States Senator, and it is supposed that the choice thus made will be binding as a matter of honor on the legislature. Senator Van Wyck's appeal is as follows:

To the Electors of Nebraska:

In a country governed by the people and for the people, the highest prerogative of the elector is the free and untrammelled choice of its public servants who administer the government. While the National Senate represents the sovereignty of the State, each Senator should be a true representative of the sovereign people of the Commonwealth. This was the aim and object of the framers of our State Constitution when they made the provision for the expression of a popular choice in the selection of a senator. For ten years the provision of our Constitution has been a dead letter. Although the

law framed in conformity with the constitutional proviso was passed by the Legislature years ago, and the officers of election are required to make returns of the vote upon the electors' preference for United States senator, no aspirant has as yet ventured to ask the people for a direct expression of confidence or preference. Without presumption on my part that any man has a vested right to a public office, however meritorious or faithful he may be, I desire to appeal to the people of Nebraska for a direct vote expressing their preference for United States senator. There are doubtless others in this State more worthy than I am of your confidence, and it will afford me great pleasure to meet any of them for a public discussion of the living and vital issues of the day. The office of United States Senator is a position of great responsibility and the people should know the views of every man who desires to represent Nebraska in the upper House of Congress. I trust that it is not inappropriate in this connection to refer briefly to my services in behalf of the State during my term now drawing to a close. By that record let the judgment be given. I have doubtless erred in some instances as all men do, but even my worst enemies cannot point to any act that would impeach my personal integrity or reflect discredit upon the State which has honored me. While I claim to have done only my duty in the light in which I was able to see it, and claim no credit for the faithful discharge of the trust committed to me, I only desire to express the claims which I have in common with all citizens to challenge my competitors for the Senatorial position to a submission to a popular verdict of their respective claims to the Senatorial succession.

(Signed,) C. H. VAN WYCK.

NEBRASKA CITY, Nebraska,

August 10, 1886.

DENVER, Colo., 16.—An Aspen special to the *News* says: A double assassination was committed near this place yesterday evening of a most cold-blooded character. From what can be learned it appears that Dan Fenton had jumped the ranch of Harry Burrows, 13 miles from here, and employed Michael Kluu to work for him, and yesterday morning they began cutting hay. Burrows warned the men not to cut hay as he would not permit them to finish work. Fenton laughed at Burrows, who turned and went away. In about an hour Fenton and Kluu, who had continued work, were shot in the back, the former through the spine and abdomen. The shooting was done from ambush with Winchester rifles. The men lived six hours, and before dying made an autemortem statement claiming that Burrows and "Doc" White did the killing. White has been arrested. At last accounts Burrows is at large with the vigilantes in pursuit, who will probably lynch him if they succeed in effecting his capture.

SAN FRANCISCO, 16.—Superior Judge Hunt to-day rendered a decision in the suit of Moorman & Hardy vs. Martin, known as the celebrated Cutler whisky case, which has been before the court for 12 years. Plaintiffs, who are successors by purchase of the original name of J. H. Cutler, asked for an injunction restraining the defendants from using the name of J. H. Cutler on the whisky made by the defendants, and selling the same as "Cutler" whisky. Judge Hunt said the evidence showed that A. P. Hotelling & Co., the accredited agents of the plaintiffs on the Pacific coast, manipulated the whisky after its reception from Kentucky, and as equity demanded equity, plaintiffs were not entitled to an injunction, but, inasmuch as defendants had not acquired any legal rights to the name of "Cutler," they would not be allowed costs.

DENVER, 16.—A Santa Fe, New Mexico, special says: Chief Justice Long of New Mexico had denied the mandamus in the case of Seligman vs. Jitz. Seligman was appointed Treasurer of the Territory by Governor Ross. The present Treasurer Ortiz declined to deliver the office, claiming that under the law the Governor had not the power to appoint. The Chief Justice held likewise and Ortiz, who is a republican, holds over till the session of the Legislature in January next.

ANNAPOLIS, 16.—The ceremony of unveiling the statue of Baron de Kalb is now going on. There is an immense crowd here, principally from Baltimore and Washington. The Free Masons are out in large force as well as other civic societies and the military in large numbers. So far the day has been bright and favorable to the occasion.

CHICAGO, 16.—All the Eastern wires on the Cincinnati and Pittsburg route are demoralized by storms. The Pittsburg telegraph office has been burned out by lightning. Communication with the East is entirely lost. A very heavy storm is now raging in Cincinnati.

HAVANA, 16.—Eight cigar factories workday Partido tobacco have been closed, 6,000 workmen having struck for higher wages. The strike threatens to extend to the Vuelta Abajo factories. The manufacturers intend to resist the demands of the workmen.

NEW YORK, 16.—The two and three story brick buildings from 204 to 201 Elizabeth street, used by the Brush Electric Light Company as a lighting station, was damaged by fire to the extent of \$100,000.

NEW YORK, 16.—Tolrof Peterson and two women Christine Feuders and Christina Hanson were drowned in Katlan Bay last night. They were out rowing when the boat capsized.

NEW YORK, 16.—A war of rates between the Continental Steamship Lines

is still raging without any probability of an early adjustment. This morning the Red Star Line announced a cut to \$15 on the outward bound business. Soon after this was followed by the Rotterdam Line. Its rates are, outward to Rotterdam \$13, to London \$12, and to Scandinavian ports \$15. Prepaid from Rotterdam \$12, from London \$12 and from Scandinavian ports \$15.

SANTIAGO DE CHILE, 16.—It is reported that the Cabinet of Senor Balmaceda, will be composed as follows: Minister of the Interior and Prime Minister, Senor Eusebio Lillo; Minister of Foreign Affairs, Senor Joaquin Godoy, late Chilean Minister to the United States; Minister of Justice and Instructions, Senor Pedro Montea; Minister of Finance, Senor Augustine Edwards; Minister of Coast and Marine, Senor Francisco Frure.

DENVER, 16.—A Pueblo, Colorado, special to the *News* says: W. A. Giffillan, of New Haven, Connecticut, died of peritonitis, here this evening. The deceased held the leading juvenile part in the "Zozo Company" as the Captain of the ship. His stage name was Olsen Arthur.

CHICAGO, 16.—Kansas City 2, Chicago 4.

Washington, 16.—New York 2, Washington 4.

Detroit, 16.—Detroit 4, St. Louis 5.

Philadelphia, 16.—Boston 5, Philadelphia 4.

WASHINGTON, 16.—The *Post* quotes one of the Civil Service Commissioners as saying with regard to the appointment of Mr. Webster, a republican, as Chief Examiner in the Civil Service Commission: "It was precisely in the line of promotion, and it was only carrying out the policy of the President in making the civil service machinery as free from suspicion of partisanship as possible. It has been recognized and commented on that the Commission, under the republican administration, was so exclusively republican in its complexion, that it laid itself open to at least the charge of being a party machine."

The issue of standard silver dollars from mints during the week ended August 14th was \$600,427.

On the advice of the Civil Service Commission, President Cleveland has amended Article X. of the Civil Service Rules as follows:

Rule X.—All applications for regular competitive examination for admission to the classified civil service must be on blank forms to be prescribed by the commission. Requests for blank forms of application for competitive examination for admission to the classified civil service and all regular applications for such examinations shall be made:

First.—For the classified departmental service, to the United States Civil Service Commission at Washington.

Second.—If for the classified customs service, to the Civil Service Board of Examiners for the customs district in which the persons desiring to be examined wishes to enter the customs service.

Third.—If for the classified postal service, to the Civil Service Board of Examiners for the postoffice at which the person desiring to be examined wishes to enter the postal service.

It is learned at the Treasury Department that the new silver certificates authorized at the last session of Congress will not be ready for issue before November. The one dollar certificate contains the vignette of Martha Washington, the two-dollar certificate the vignette of Major-General Hancock in full uniform, and the ten-dollar certificate the vignette of Vice-President Hendricks. The design for the five dollar certificate has not yet been selected. It is said that either General Grant or General McClellan will be selected as the vignette.

Messrs. Morris, Earl & Pugh, as solicitors for Attorney-General Garland, to-day filed his answer to the bill recently filed by J. Harris Rogers against Attorney-General Garland, Senator Harris and others, for the settlement of the Pan-Electric Telephone Company's affairs. Garland in his answer denies in detail every material statement in the bill, and calls attention to the "scandalous and impertinent matter in the bill." He says he must decline to answer such portions unless the court directs him to do so. In the course of his answer, Garland says he became impressed with the apparent usefulness of the invention, and on February 15th, 1883, attended a meeting of persons interested, at the residence of the complainant. After relating the circumstances of the working and making of the contract, he says that the complainant, instead of devoting himself to the perfection of the invention as by his contract he was bound to do, sold interests in his stock in the patent in violation of said contract and against the interests of the company; that finding he could not persuade the defendants to accede to his wishes, he procured many false and malicious statements to be published in the public press of the country, both as to the defendants, and as to the business of the company.

The President made the following appointments before he left the Capital: John T. Boyle, of New York, to be Secretary of the civil service commission. Henry A. Epfinger, of New York, to be United States Consul at Cienfuegos, Cuba, vice Wm. P. Pierce, suspended. BILLS RETURNED. The President has deposited in the Department of State the bills which remained in his hands unsigned at the time of the adjournment of Congress

with the following explanatory memorandum:

The joint resolution directing the payment of the surplus in the Treasury on the public debt (received Aug. 5th, 1886). Memorandum—"This resolution involves so much and is of such serious importance that I do not deem it best to discuss it at this time. It is not approved because I believe it to be unnecessary and because I am by no means convinced that its mere passage and approval at this time may not endanger and embarrass the successful and useful operations of the Treasury Department and impair confidence in the management of the finances of the government."

An act to provide for the erection of a public building in Annapolis, Md., received August 13, 1886. Memorandum—"The postoffice at Annapolis is now accommodated in quarters for which the government pays rent at the rate of \$500, and the office occupied by the collector of customs is rented for \$75 per annum. The government has no other use for a public building at Annapolis than is above indicated, and the chief argument urged why a building should be constructed there is based on the fact that the city is the capital of the State of Maryland, and should have a government building because most, if not all, other capitals of States have such edifices."

BOSTON, 17.—The publication of the fact that William Gray, Jr., Treasurer of the Atlantic and Indian Orchard Mills corporations is a defaulter to an enormous amount, has created great sensation here. It is believed his stealings will amount to half a million dollars. Gray was deposed from the treasuryship of both corporations several days ago, and William Hooper, coosen temporary treasurer of the Atlantic Mills, and Edmund Dwight of Indian Orchard Mills. The assets of the two corporations amount to more than \$4,000,000 and it is not believed that the solvency of either is impaired by Gray's operations. The capital of the Atlantic Mills is \$1,000,000 and the assets according to the last annual statement, exceeds \$2,000,000. The capital of the Indian Orchard Mills is \$600,000 and the assets are nearly three times that sum. Gray has been treasurer of the former for 10 years and of the latter corporation for eight years, and has occupied a foremost position in business and social circles. He has lived magnificently and been regarded as very wealthy. He owns the fine cutter yacht *Huron* and has been commodore of the Dorchester Yacht Club several years. Gray is about 50 years old and has a wife and two sons.

The managing directors of the Atlantic Mills Company are engaged upon the books of the corporation in relation to the shortage of Wm. Gray, late Treasurer, but at present the exact amount of the delinquency cannot be learned with certainty. In an interview this morning with two of the principal directors, who are anxious that their names should be withheld, the following facts were learned: Last Friday a deficiency was discovered by the examiner appointed by the directors, and Saturday Gray came to the office and was confronted with the charge. He, after a moment or two, confessed the crime, acknowledging he had embezzled funds of the corporation to the extent of between five and six hundred thousand dollars, but as to the use he put the money to, his only reply was: "Building operations." This accounting is believed to be true by the directors, who say his operations of this character in Roxbury have been notorious. It is also believed that Gray has told the truth regarding the amount embezzled, and the directors do not expect the deficit will exceed \$600,000. On Sunday last Gray accompanied by his brother-in-law and a party of gentlemen friends went on board his yacht *Huron* and cruised about the lower harbor and bay during the day and spent the night below. It is known that Gray has left the city, and it is thought he is now making his way for Canada with horse and buggy. It is not believed that he has carried any stolen money with him as he is believed to have spent most of it.

NEW YORK, 17.—Money 4 @ 6; bar silver, 91%; 3's 100%; 4's coupon 26%; 4's coupon 11%; Pacific's 26%; Central Pacific, 42; Burlington, 34; Rio Grande, 30; Northern Pacific, 27%; Northwestern, 13%; York Central, 9%; Navigation, 4; Transcontinental, 31%; Pacific Mail, 66%; Panama, 88; Rock Island, 26; St. Louis & San Fran 26%; St. Paul & Omaha, 40%; Texas Pacific, 14%; Union Pacific, 55%; Fargo Express, 26; Western Union, 65%.

WASHINGTON, 17.—The Secretary of the Interior to-day drew warrants on the Treasury Department for \$7,762,430, on account of the quarterly payment of pensions. Some time ago acting Secretary Fairchild instructed Mr. Writter, chief of the division of abandoned property, to carry into effect the provisions of the act of Congress authorizing the Secretary of the Treasury to deliver to the rightful owners certain articles of jewelry, etc., captured by the United States army during the civil war, and deposited in the Treasury Department. Mr. Writter has accordingly prepared rules and regulations which will govern the restoration of all such articles, and has just concluded an examination of the articles on deposit. They are contained in two boxes and consist of silverware, jewelry, portraits, watches, etc. One of the boxes contained nearly 500 watches, gold, silver and brass, and a number of penknives, pocket-books, letters, etc. These were

mainly taken from prisoners of war who died in the hospitals around Washington, Cape Lookout, and Elmira, and were deposited in the Treasury by General Ketcham. Some of them, however, belonged to Union soldiers who died during the war near the places designated. The other box contained a lot of articles captured by General Sherman's troops in Camden, S. C., in the early part of 1865. They consist of family plate, jewelry, etc., which had been deposited in the bank at Camden by Mr. McRae and other wealthy residents of that section. When the Union Army approached the town an effort was made to transfer the articles to a place of safety, but it did not succeed, as the troops came upon the scene while the transfer was being made. Many of the principal articles belonging to Mr. McRae were restored to him by a special act of Congress in 1882. An inventory has been made and it is thought the articles can easily be identified by their owners. They will be restored upon application accompanied by satisfactory evidence of ownership. The two boxes contain all the property of the character described now in the United States Treasury, except, possibly, the presentation swords belonging to General Twiggs and captured by General Butler in New Orleans. It is an unsettled question as yet whether these swords can be restored under the provisions of the act referred to above. All the articles mentioned which have not been restored by application, will be advertised for one year from this time, and they will then be sold at public auction.

It is expected that a formal exchange of copies of the extradition treaty between the United States and Japan will soon be announced from Tokio, and that its promulgation by the two Governments will take place immediately thereafter. This treaty was ratified by the United States Senate on the 21st of last June, but the Senate made some minor amendments in its text which render it necessary that the document should be again submitted to the Japanese authorities. Information has now been received that Japan accepts the amendments and is ready for the last step in the matter of a formal exchange. The Japanese authorities are quite enthusiastic over the consummation of this treaty, but not so much on account of its provisions, which are similar in general terms to those of the existing treaty between the United States and Great Britain, as because of the fact that it constitutes a step in the progress of that nation toward a position of equality with the most enlightened nations of the earth.

General Rosecrans, register of the Treasury, left Washington to-day for Fort Wayne, Indiana, to attend the Inter-State meeting of veterans of the late war, and the militia of Indiana, Ohio and Michigan.

A meeting of prominent citizens was held to-night to consider the project of holding in this city a national drill contest.

It was the sense of the meeting that the closing week in May, 1887, should be the time as more fitting the convenience of the citizens and soldiery everywhere, and as permitting the ceremonies to close with a general gathering of soldiers from all the States on Decoration Day at Arlington. It was agreed that not less than \$50,000 should be subscribed.

KELAMAZOO, 17.—Judge Powers publishes in the State papers to-morrow an exhaustive answer to the charges filed against him before the Senate Judiciary Committee when his nomination for Associate Judge of Utah was pending. He denies all the allegations and supports each point with strong documentary proof. His friends pronounce it a complete vindication.

CHICAGO, 17.—This is the fiftieth day of the Anarchists' trial, and Captain Black, the leading counsel for the defense, is making the closing speech for the Anarchists. The substance of his argument was that the man who threw the bomb, and no one else, was responsible for the results of the Haymarket meeting. He said the State had attempted to secure a conviction by appealing to the jury's prejudice and passion, and by absurdly declaring that the security of our institutions depended on the punishment of these men.

Without concluding his speech, Captain Black decided to postpone his closing remarks till to-morrow forenoon, at the request of some of the jurors.

HURON, Ind., 17.—Early this morning a tramp entered the station, and, becoming offensive, J. T. Davis, agent, tried to eject him. The tramp resisted and stabbed Davis to death. Neighbors soon caught the tramp and he was quickly hung to a tree. He has not been identified.

PROSPECT HOUSE, Adirondacks, N. Y., 17.—The President's party arrived here at 4 o'clock this afternoon after a continuous and uneventful ride from Albany. The party comprises the President and Mrs. Cleveland, the latter's mother, Mrs. Folsom, and Dr. Samuel B. Ward, of Albany. The midnight train on which they left Albany last night, was an hour late in reaching Plattsburg. Upon reaching Rouse's Point this morning the party were within a mile and a half of the Canadian line. A special engine and a single baggage car were coupled to the President's car at the Point and it was quickly pulled out of sight, greatly to the astonishment of several enterprising gentlemen who had been sitting all night watching for the car with a determination of sticking closely to it.