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## AMERICAN

WASHINGTON, 15.—The most important decision rendered by the Supreme Court of the United States to-day, was that in five cases commonly known as civil rights cases, which were submitted to the Court on printed arguments about a year ago. The title of the cases and States from which they came are as follow:

No. 1.—U. S. against Mary Stanley, from U. S. Circuit Court of the district of Kansas.

No. 2.—U. S. against Michael Ryan, from the U. S. Circuit Court for the district of California.

No. 3.—U. S. against Samuel D. Singleton, from the U. S. Circuit Court for the Southern District of New York.

No. 28.—Richard A. Robinson and wife against the Memphis and Charleston Railroad Company from the U. S. Circuit Court from the district of Tennessee.

These cases were all based on the first and second sections of the Civil Rights act of 1875, and were respectively prosecutions under that act, for not admitting certain colored persons to equal accommodations and privileges in inns or hotels and railroad cars and in theatres. The defence set up in every case was alleged unconstitutionality of the law. The first and second sections of the act, which were the parts directly in controversy, are as follows:

Section 1. That all persons within the jurisdiction of the United States shall be entitled to full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land and water, theatres and other places of public amusement, subject only to the conditions and limitations established by law, and applicable alike to every race and color, regardless of any previous condition of servitude.

Section 2 provides that any person who violates the first section shall be liable to forfeit \$500 for each offence, to be recovered in a civil action; and also to a penalty of from \$500 to \$1,000 fine or imprisonment from thirty days to one year, to be enforced in a criminal prosecution. Exclusive jurisdiction is given to District and Circuit Courts of the United States in cases arising under the law.

The rights and privileges claimed by and denied to the colored persons in these cases were full and equal accommodations in hotels, in ladies' cars on railway trains, and in the dress circle in theatres. The court in a long and carefully prepared opinion by Justice Bradley holds:

First.—That Congress had no Constitutional authority to pass the sections in question, under either the Thirteenth or Fourteenth Amendments, which are prohibitory upon the States only, and that the legislation authorized to be adopted by Congress for enforcing that amendment is not direct legislation on matters respecting which the States are prohibited from making or enforcing, but is corrective legislation necessary or proper for counteracting and redressing the effect of such law or acts.

Second.—That in forbidding the States, as for example, to deprive any persons of liberty or property without due process of law, and giving Congress power to enforce prohibition, it was not intended to give Congress the power to provide due process of law for the protection of life, liberty and property, which would embrace almost all subjects of legislation, but to provide a mode of redress for counteracting the operation and effect of State laws obnoxious to the prohibition.

The report of Commissioner of Railroads Armstrong, transmitted to the Secretary of the Interior to-day, notes the marked improvement in the method of accounting and reporting to his office by the several roads.

The report shows that the Central Pacific has in the treasury to the credit of the sinking fund \$2,404,015 and the Union Pacific \$1,632,637. The report regards the sinking fund as a failure, on account of the lack of suitable investments.

The commissioner recommends the appointment of a commission to investigate and report to Congress all questions relating to the establishment of transportation rates over or upon the railroads of the United States. The matter of the claim of the company for a deduction of \$382,230 expended for new construc-

tion and equipment from the gross earnings of the road has been referred to the Attorney General with a request that proceedings be instituted with a view of obtaining judgment for whatever amount may be found due the government, and to ascertaining, judicially, the proper construction of section first of the act of 1878.

With respect to the Northern Pacific Railroad. The entire line, he says, has been inspected and found to be very thoroughly constructed. The company has acquired by United States patent, 740,063 acres of land by certification by the U. S. Land Office; not patented, 5,033,035; earned but not certified, 25,000,000, making the total land grant earned by the company to June 30th, 1893, 31,823,098 acres. The company had disposed of 4,539,743 acres to June 30th, 1893, for \$15,593,150.

Of the Southern Pacific Railroad Company he reports the whole length from San Francisco to New Orleans generally well built, but in places it will require improvement.

The commissioner closes his report with the recommendation that the government authorize the construction of a railroad through the Yellowstone Park.

The Chief Justice announced that at the request of litigants in the important tax case of the county of San Mateo against the Southern Pacific Railroad Company, the case would be restored to its place on the docket, to await the hearing of other cases, involving the same, or nearly the same questions.

The National Republican will contain to-morrow interviews with Fred. Douglas, Minister Langston, Prof. Green and other prominent colored men on the division of the Supreme Court upon civil rights. They agree in considering the decision a matter for regret. Douglas thinks it a step backward, and places the United States in the rear of the civilized nations of Europe and America.

WASHINGTON, 15.—Gov. Murray, of Utah, who has just sent his report to the Secretary of the Interior, states that there has long existed in Utah a combination to nullify the laws of Congress. This conspiracy led to open rebellion at one time, and continues to evade and defeat the plain will of Congress; and he urges Congress to take some action to secure good government and not rely upon "time and railroads" to effect the desired reforms. He goes on to speak "of the dangers of another irrepressible conflict," and says that the militia of the Territory is not available.

The act of Congress of 1862, dealing with affairs, met defeat, not only spiritual but temporal. He calls attention also to the violation of the act of 1862, which declared it unlawful for any corporation or association for religious or charitable purposes to acquire or hold real estate of greater value than \$50,000 within any city in any Territory by the Mormon Church, which according to the latest census, possessed property within one county to the amount of \$2,500,000. He says it is impossible to estimate the amount of property held by the church in other counties in the Territory. He says he also finds that notwithstanding the law of 1862 forbidding bigamy, it continues to be openly taught and practiced, and that the Legislature of the Territory, created by Congress, not only joins, but leads in the successful nullification of this law. He says his appeal to the Legislature to enact laws in accordance with the laws of Congress was answered with the statement that the great majority of Utah's people believe the act of 1862 to be not only unreliable, but also unconstitutional, in that it "prohibits the free exercise of a part of their religion;" but though they do not fail to recognize the power of Congress, under pressure, to enact as expedient that or similar laws, they can, however, only view them in the light of history and experience as imprudent, mischievous and dangerous. He alludes to the incorporation of the "perpetual immigration fund," confirmed by the Legislature of Utah in 1856, by which the wholesale system of immigration was handed over to the corporation under control of the Church; to Legislative enactments by which the Church was declared sovereign in Utah, and to the fact that the common school system of Utah is under control of the leaders of the Church. He expresses a hope that Congress and the country may not further follow the argument as to the right of religious belief, but rather consider how the great crime

against the plain provisions of the constitution may be quickly and effectually arrested and punished. He says that independent of every act of Congress relating to the Territory or Utah, an ecclesiastical government exists, there to-day, and has existed for thirty years, intended to meet all requirements as to the temporal affairs of men in that Territory.

He recommended that the U. S. military be made available, and that it be made lawful for U. S. soldiers to be used for the execution of process out of the courts of the United States in the hands of the United States marshal, and that their services under proper restrictions in case of riot, insurrection, domestic violence and for the preservation of the peace, be made more radically effective than under present law.

The report states that the unlawful territorial government which for over 30 years has existed in the face of Congress and the country exists to-day. The unanimity and universality with which the request of the officials appointed by the governor under the Hoar amendment for officers was refused throughout the entire Territory, could only on this earth be seen in Utah. The governor continues as follows: Many laws of Congress have been nullified in Utah, and the law was defeated with the usual oneness, and I must say, with apparent familiarity with the business in hand. The lawfully appointed officers, instead of appealing to force appealed to the courts. The Supreme Court of the Territory sustained the action of the Governor, but the technicalities and delays of the law consequent upon the pleas and the state of the proceedings, resulted as usual in that Territory, in failure, and polygamists and the worst of rebels exercised the functions of office, and to-day many are so held who are not entitled under the law to cast a vote. He says after presenting these facts in explanation of his inability to enforce the law, it is not reasonable to suppose the Governor can execute the law when he can only rely under the law on those who combine to defeat it, and adds: "Congress must provide other agencies to enable the Governor to faithfully execute the laws."

With reference to the opinion that interference with Mormonism would be interference with the liberty of worship, he says: "The question is not whether Congress has or may permit the free exercise of religion; for that has been decided under the law of 1862, by the Supreme Court in a test case (Reynolds); but whether the Territorial Legislative Assembly in Utah—an agency of the general government, created by Congress, and paid as such out of the treasury of the United States—has not made a law respecting the establishment of a religion. He considers that the foundation of the Territory of Utah by the Mormons was merely an attempt to establish a religion. He alludes to what he calls a "reprehensible crime," that courts not open to all citizens and unknown to Congress, constantly sit with usurped powers, like unto those conferred by "act of incorporation" (one of the acts designed to be annulled).

As a remedy for this condition of affairs he asks that if the Legislature elected under the Edmunds law fail to repeal all laws passed by former Legislatures respecting the establishment of a religion, all statutes by which the laws of Congress have been nullified, fail to pass laws forbidding polygamy and punishing all persons who solemnize plural marriages, and providing for neglected and deserving wives; and fail to recognize the sovereign authority of the United States, then Congress shall repeal that section of the Organic Act establishing such a body, and assume control in the government of the Territory. He suggests that in place of a Legislative Council, three or five, or if necessary 13 or more shall be appointed by the President and confirmed by the Senate to provide laws for the Territory.

He says the Commissioners under the Edmunds Act have performed their duties faithfully, and he thinks effectively.

CINCINNATI, 15.—At nine o'clock to-night a pipe used to conduct ammonia gas used in Moerlein's brewery burst where it passed through the stalls, where it liberated the gas; 29 horses were killed thereby in a few minutes. No other damage.

Boston, 15.—The steamer *Julia Small*, chartered to convey passengers for Providence via the Stonington line, attempted to enter Ston-

ington harbor Sunday morning, and ran ashore, knocking a hole in her bottom, and causing a panic among a large number of passengers. Many donned life-preservers and prepared to jump overboard. Order was restored and by small boats and revenue cutters the passengers were landed at Stonington, no one injured. The boat is badly damaged.

Waterbury, Conn., 15.—An alarm of fire at Elm Street school during session, caused 600 children to rush headlong down stairs in a panic. Many were knocked down and trampled upon. One girl's collar bone was broken; another's eye was badly cut; a third is insensible, and several internally injured, and many others bruised. The fire caught from the paper room near the furnace, and was easily subdued.

Austin, Texas, 15.—The Colorado river is swollen from rains. Ferry boats this afternoon carrying two wagons and a hack with the team of Mrs. Hughes and two children, Mrs. Renz and two children, Mr. Robert Willis and two men attempted to cross the stream. The cable broke, the boat floated rapidly toward the dam, over which an immense volume of water was flowing. Several feet before the dam was reached a skiff rescued Mrs. Renz and two children, and one of the teams jumped off and swam ashore. Two men attempted the same feat and both were drowned. The others remained aboard and went over the dam with the boat. Miraculously none were drowned. All were promptly picked up by small boats.

Plymouth, 15.—A fierce gale prevailed on the coast to-day. Two of Her Majesty's training brig were driven into collision, and subsequently went ashore near this port, where they remain in a dangerous position. Assistance was sent them. The new steamer *Euripides*, Capt. Herd, from New Orleans, Sept. 17th, via Falmouth for Elsinore, is ashore at Hjelmen. Assistance was sent.

Pittsburg, 15.—The International Socialist Workmen's Association resumed its session this morning, only fifteen delegates being present. Letters of encouragement and congratulation were read from Mexico, London, Germany, Russia and Paris. Nihilists congratulated the society on past successes and gave heartfelt sympathy for the future. Papers were read from Milwaukee, New York, Chicago, Baltimore, St. Louis, St. Joseph, Omaha and California. California urged the society to do its utmost to form an organization over the country and prepare for the coming conflict, having everything in readiness to strike at one time, as their action must be simultaneous all over the world. Omaha demanded that all present systems of government be abolished, and that a general co-operative system be established all over the world.

This afternoon the delegates to the Socialist Congress held a secret session, and refused to state the nature of the business transacted.

This evening there was a meeting held in Allegheny, addressed by Parsons of Chicago. Eighteen persons only were present.

New York, 15.—At a meeting of the Central Labor Union to-day, a recommendation was received from the Advance Labor Club that all workmen form themselves into military organizations to defend their rights. Resolutions favoring the abolition of the Convict Labor system were adopted. It was determined to take active measures to secure the adoption of the proposed amendment forbidding it.

Atlanta, Ga., 15.—A special to the Constitution from Calhoun says: Margaret Harris, condemned negro, made another statement, in which she proclaims her innocence, and denies having administered poison to Mrs. Barnwell, as charged. She sent for Col. Starr this morning and in the presence of Sheriff Taylor made a statement that her confession was extracted from her by Lewis, father of Lela Lewis, the child who died from poisoning, and one Chapman, living on Mrs. Bernese's lands. She stated they carried her to an old house on the place and put a rope around her neck and hanged and lashed her, alternately, until they forced her into making the confession, telling her if she would confess the crime she would not be hurt and should have a good home as long as she lived.

New York, 15.—Frank R. Sherwin, arrested in Chicago on proceedings growing out of the delinquencies in the State Treasurer's office, has submitted to the custody of the court at Albany, and is purged of contempt by the courts here.

Albany, N. Y., 15.—Frank R.

Sherwin, late president of the Maxwell Land Grant Company, was put under arrest to-day, in an action begun at the instance of the stockholders of that concern, all of whom are Dutchmen living in Amsterdam, Netherlands. Justice Donovan of New York issued the order of arrest, and fixed the bail at \$75,000. Sherwin is charged with having converted to his own use 180 bonds of the original company, cash value \$100 each. These were entrusted to him by the company, with which to pay mortgages on the tracts in New Mexico and Colorado, which he had undertaken to reclaim from their clouded titles.

BRADFORD, 15.—The Beech Tree mines, owned by the Rochester and Pittsburg railroad, started up this morning with 160 men, without any disturbance, the presence of Pinkerton's detective party having a good effect upon the strikers. An attempt will be made to open the mines of the company at Paines towney this afternoon, and the extensive mines at Dubois to-morrow. The strikers at these points are very strong, and it is reported will resist any attempt at resumption. A dispatch from Reynoldsville reports all quiet there.

Pittsburg, 16.—Reports from the neighborhood of Dubois state that work has not been resumed in any more mines, and that all inquietude has subsided. The strikers are very restless, however, and the danger of a riot is past.

PANAMA, 15.—Matters in Panama continue to improve. It is believed that before the present month expires the Iglesia's troops will occupy Lima. The people commence to flock to his cause now that they see he is acquiring strength and prestige and really works for peace. The whole of the north is now governed by his officers who probably may have to break up some small Montenegro bands which are prowling about in the Condilleras. In Lima and Callao the opinion is almost unanimous in his favor. Montenegro, however, refuses to resign or assist in pacification of the country, and the Chilianians have determined to surround him and compel him to surrender.

ST. LOUIS, 15.—The switchmen on all the roads centering in St. Louis and East St. Louis, entered on a general strike at noon to-day. They demand 10 hours as a day's work, extra pay for Sunday and 80 cents per hour for all time over 10 hours; besides \$85 dollars per month of 26 working days. The strikers number about 600 in St. Louis and East St. Louis. The strike will probably cause a blockade of freight in East St. Louis.

SANDUSKY, Ohio, 15.—Four men named Martin, Koch, Charles Schwahnorn and Henry Carsel were instantly killed at Castania, in this county, last evening, while trying to drive across the railroad track ahead of a Indiana, Bloomington and Western train. A boy named Thomas Lanman, who was on the wagon with the men, was badly hurt.

ST. LOUIS, 15.—The yard men engaged in the various railroad yards in East St. Louis, held a secret meeting on Saturday night, and decided to demand an increase of wages. It is understood, but definitely known, that a demand will be made for an increase from \$2 to \$2.66 per day, or from \$75 to \$35 dollars per month for firemen. This is to be presented to the officials of the railroads to-morrow morning, and if not complied with by noon the men will go on a strike.

ST. PAUL, 15.—The Northern Pacific has given formal notice to the Trans-Continental Association that it will not be a party to the renewal of the special contract system which has heretofore been in force between the Union and Central Pacific companies and merchants in San Francisco. The Northern Pacific officials say they recognize the fact that there are some classes of freight which will go by the way of Cape Horn instead of across the continent, and does not consider the special contract system can be arranged to prevent it.

ST. LOUIS, 15.—Circuit Attorney Harris made application at noon to-day for an injunction against Messrs. Moore & Dillon, editors of the *Post-Dispatch*, to restrain them from publishing, using or destroying short hand notes of witnesses testimony before the last grand jury, alleged to be in their possession. The Court refused to grant the injunction on the Constitutional ground that it has no right to interfere with the liberty of the press. The *Post-Dispatch* publishes this evening the testimony of ex-police