

to your questions, I may be pardoned if I refer to some of his statements. He finds authority to regulate charges upon railroads in that clause of the Constitution of the United States giving to Congress the authority to regulate commerce among the several States. Under this reading the power of regulation is a power to regulate the carrier; whether that carrier be a corporation or an individual. The regulating of railroads upon this ground is entirely foreign to that which has heretofore engaged our attention, and the difficulties of regulation upon this theory are practically insurmountable, substantially for the same reasons with the added difficulty that barriers would be erected to the commerce between individuals living in different States, that would not exist between individuals living in the same State. Referring to Black's statement about government aid to the Pacific railroads, Stanford says: So far from the aid of the government being sufficient to build the Central Pacific Railroad. I can say, because I know whereof I speak, that every dollar derived from the loan of the government credit went into the construction of the railroad, together with a much larger amount derived from the other resources of the company. It is susceptible of easy demonstration that the work of grading the first 150 miles of the Central Pacific Railroad, from Sacramento eastward, was more than would suffice to grade the road for a single track from the Rocky Mountains to the Hudson River. In conclusion, gentlemen, allow me to say that maximum rates determine the possibility of maximum rates; that maximum rates have enabled the railroad to develop to the extent that they have the vast resources of the country; that the railroads, in opening up new countries, adding new industries, conferring additional facilities for the interchange of commodities, and bringing the buyer and seller close together, have furnished, and do furnish labor for the common welfare far beyond other agencies. The reduction of rates under the plea of regulation is a great blow to the laboring man who produces and to the laboring man who consumes, in my opinion, any reduction scarcely goes to the benefit of the many, but to that of the comparatively few, and comparatively wealthy, who occupy the positions of middlemen between the producer and the consumer. This question of transportation is of an importance that prevents its being settled excepting upon just and correct principles.

WASHINGTON, 23.—Following is the full text of the mineral land provision finally agreed upon in the bill which passed the Senate last Thursday, providing for the adjudication of Mexican land claims in Nevada, Colorado, Wyoming, New Mexico, Arizona and Utah. "No allowance or confirmation of any claim shall confer any right or title to any gold, silver or quicksilver mines or minerals of the same, unless the grant claimed effected the donation or sale of such mines or mineral to the grantee, or unless such grantee has become otherwise entitled thereto in law or in equity, and all such mines and minerals shall remain the property of the United States, with the right of working the same, which fact shall be stated in any patents issued under this act, but nothing in this act shall authorize the working of any mines therein by any person, the confirmee or his assigns, until Congress shall provide by law therefor. This clause is based upon the Spanish and Mexican ordinances, which provided that the precious minerals should be preserved to the Crown unless specially included in the grants.

A motion submitted by Senator Teller, to strike out the whole clause as originally framed by the private land claims committee, was defeated, yeas 12, nays 38; but the amendatory proviso beginning with the words "unless" and "but," as above given, were accepted at Teller's instance, and it is believed will protect all existing mineral rights.

The other principal conditions precedent to confirmations under this bill are as follows: No claim shall be allowed for any land, the right to which has hitherto been lawfully acted upon and decided by Congress, or under its authority, no proceeding, decree or act under this act shall conclude or affect the private rights of persons as between each other, all of which rights shall be reserved and saved to the same effect as if this act had not been passed, but the proceed-

ings, decrees and acts herein provided for shall be conclusive of all rights as between the United States and all persons claiming any interest or right in such lands.

The bill also provides that all claims not presented by petition to the proper United States District Court within three years from the date of its enactment, shall be forever barred.

The belief that Senator Allison is to be Secretary of the Treasury under the next administration, has gained ground among his senatorial associates during the past few days, but if he has given any information on the subject it has been in confidence. At the capitol, yesterday, several of his brother Senators called his attention to the report that his appointment would give general satisfaction, but he neither affirmed nor denied the rumor.

There has been of late a very marked "let up" in the wild hunt in Washington for offices. The departments are not now overrun by office seekers as usual, nor is the President's ante room daily crowded as heretofore by importunate applicants. Of course, it is not for a moment supposed that there are not as many people wanting office as ever, but they are holding back to tackle the new administration, being evidently of the opinion that their tenure of office if successful then will be longer and more solid. There is thus a reserve force in waiting for President Garfield and his Cabinet. The Navy Department is the only one where the place hunter shows anything like his wonted activity. Most of those who hang around its waiting rooms and corridors, are from West Virginia. They want to gather in the crop while the weather is good, but Secretary Goff has not responded very readily. He has made only three or four appointments in his department since he took charge of it.

LITTLE ROCK, 23.—A large meeting of republicans was held in this city last night, attended by leading republicans throughout the State, for the purpose of requesting President-elect Garfield to place in his cabinet a representative southern republican. Stirring speeches were made. An address was numerously adopted endorsing Hon. M. A. Gibbs for the place, among which was the following:

"That the selection of a colored republican would afford a grateful recognition of the fidelity of principle always shown by his race."

ELMIRA, 23.—Erie train No. 12, from Buffalo, left Elmira last night, at 11 o'clock for New York. The train consisted of one postal car, one express car, two baggage cars and nine passenger coaches, most of which were Pullman sleepers. When five miles west of Oswego, near Tioga Centre, one of the driving wheel axles of the locomotive broke close up to the wheel and the entire train, going at the rate of 35 miles per hour, was thrown from the track. The accident occurred where there was no embankment. The engine kept its feet, the engineer applying the air brakes as soon as he felt the shock, and the cars were stopped very quickly, but the forward ones were turned over and over two or three times, some going on one side the track and some on the other. The engineer and fireman escaped unhurt. The postal car contained four clerks. This car almost instantly took fire and burned like gunpowder. The oil lamps used probably exploded and added fuel to the fire from the stove. Every man in the car was roasted to a crisp. The remains of one who weighed over two hundred pounds, were gathered up and put in a small box. In the express car was messenger Henry C. Brewer, of Elmira. Efforts were made to relieve him. A hole was cut inside the door of the car so that he got his head out, but his legs were fastened by a piled up mass of express matter. The train men tried to pull him out, but the flames drove them away. They saw his hair and whiskers burned off and then he put his hand up to his eyes and fell back into the flames. Five men in all were burned. No passengers were injured. The men in the postal car must have perished very quickly, as not a sound came from the wreck, except the crackling of the flames. The names of the dead are Joseph Redinger, mail agent, Henry C. Brewer, express agent, of Elmira; mail agents Seybolt, of Mount Hope, Ingraham, of Binghampton, and mail weigher Fox, of New York.

Chicago, 23.—The *Inter-Ocean's* New York says: The passengers on the train wrecked at Tioga Station,

reached New York to-night. Among them was Henry C. Vilas, of Cleveland, general manager of the South Shore line. He was one of the passengers in the forward sleeping car. He said to a *Tribune* reporter, "The crash occurred at about five minutes to 12, I should think, sometime after I had gone to bed. It was very severe, and I awoke with a start. Hastily putting on my coat I rushed out and found myself one of the first on the ground. At once I began to look out for the unfortunate people in the forward cars. The scene that presented itself was terrible. The postal car, which was directly behind the engine, had been thrown off into a field at right angles to the track at a distance of nearly 100 feet, and it was smashed all to pieces. Flames immediately began to rise from it, doubtless caused by fire in the stoves and the explosion of the kerosene lamps, with which the car was lighted, and in less than five minutes the whole car was in a blaze, which lighted the bare fields around with a ghastly glare. It lay in a heap under a large elm tree, which soon took fire and was enveloped in flames. Nothing could be seen at first of the mail clerks who had occupied the car, and no sound was heard from them, but when the roof of the car caved in, three of the bodies could be distinctly seen huddled up in one corner of the car, where it is supposed they were thrown and killed by the first shock. The other body was found in the opposite end of the car, and all were so charred and blackened that identification was almost impossible. The cars which followed the postal car were not thrown from the roadway, but were lying across the track in utmost confusion. The express, baggage and smoking cars were off the track, and the first caught fire immediately. The door to it was completely blocked by express matter in the car, and Brewer, the agent, was imprisoned amid the flames. His cries attracted attention, and great efforts were made to extricate him from his horrible position, but in vain.

The passengers had by this time collected from all parts of the train and were supplied with shovels from the village. They tried to extinguish the flames by throwing snow upon the burning cars. They were soon assisted by the arrival of the fire department of Oswego. The three forward cars were burning at the same time, and soon afterward the smoking car began to blaze. One of these had been occupied by an Alabama negro street troupe, the members of which had been able to escape without any further injuries than some severe scratches. This car was lying on side, and it was some time before all got out. Baggage-master Perry was found to have dislocated his arm, and I assisted two other men in pulling his arm into joint while he lay on the snow. After this he worked like a Trojan, and with the help of some passengers he was able to save every piece of baggage. The coolness and discipline displayed by employees of the train was remarkable. It was by their efforts that a serious panic was prevented. As it was, all the passengers were at first much frightened, and many rushed from the cars half dressed, but when they saw the danger was over they became quiet, and were very willing to lend their assistance in caring for those who were injured and in putting out the fire."

NEW YORK, 23.—A disastrous fire occurred this morning at the Metropolitan Hotel. The fire started from a defective flue on the second story of the wing occupied by the dining room. This wing, adjoins Niblo's theatre. The dining room, which was immediately over the billiard room, was soon a mass of flames. The guests in the hotel were aroused and a number of men and women fled from their rooms without waiting to dress. The manager of the hotel and police did all in their power to preserve order, and went about from room to room assuring the guests that they were in no imminent danger, and had time to secure their wearing apparel. The firemen by hard labor succeeded in confining the flames to the dining room, and before the expiration of an hour had the fire completely under control. During the struggle with the flames a fireman named Hoagland, and Wm. H. Bennet of the Hook and Ladder Company No. 8, were injured. Hoagland was partly buried by falling plaster and burning cinders. His hands, arms and face were badly bruised and burned, and he was with difficulty rescued from the debris by his comrades. He was sent to the hospital; Bennett was struck by a fragment of one of the large mir-

rors and hurt on the back. He also was taken to the hospital. No damage was done to the property of the guests, and happily none were injured. The damage by the fire was confined to the dining room. Nine large mirrors, reaching from the floor to ceiling, valued at over \$10,000, were shattered and strewn about the floor, and six elegant chandeliers of cut glass, valued at \$12,000, were broken into millions of fragments. Six Japanese vases, valued at \$1,500, were broken beyond repair. The roof of the dining room was burned away, and quantities of silver ware, fancy crockery, elegant dishes and furniture ruined by falling timber and debris. The south galleries of Niblo Theatre were flooded and damaged to the amount of about \$500. The total loss is estimated at \$65,000 to \$75,000, covered by insurance. The most thrilling sight was on Prince and Crosby Street corner, in the upper stories of which the help slept, and great excitement prevailed among the girls when aroused by the cry of fire. Their rooms were filled with smoke and it was with difficulty they groped their way to the fire escape, down which they were assisted by the firemen to the street.

CHICAGO, 23.—The *Tribune's* Fredericksburg, Va., says: Intelligence is received of the beginning of an oyster war on the Rappahanock River. Yesterday a fleet of 15 alien dredge boats entered the mouth of the Rappahanock and began dredging for oysters, in open violation of the Virginia oyster laws. The authorities at Middlesex at once sent for a cannon, which was brought to the river bank and manned. The fleet of dredges was well armed with muskets and pivot guns, used for shooting ducks, and proceeded with gathering the oysters, unmindful of the warnings from the shore. The cannon then opened on them, and the first round was returned by a volley from the fleet, delivered amid cheers from the oyster pirates. The cannon, a Whitworth, which formerly belonged to the Richmond citizens, fired a second shot with better effect than the first and struck one of the dredges in her rigging. An oysterman who was here to-day giving an account of the fight, said, in his enthusiastic nautical language, "The whole fleet then made straight shirt tail for the mouth of the river, their speed being accelerated by shots after them."

The *Tribune's* New York special says: The report that Auditor French proposes to order the cancellation of the Central Pacific Railroad Company's dividend, is regarded on Wall Street as very improbable. The *Post* says concerning this matter: "It is said at the branch office of the company here that nothing is known of such notice as French is said to have given, nor have the financial agents of the company any knowledge of such notice. What seems odd to us about the matter is, that, if it is true that the Central Pacific did not earn its dividends for six months next preceding the last dividend, it was not stopped then instead of waiting for the expiration of six months, during which the company did earn its dividend."

It is reported that Jay Gould has sent his ultimatum respecting the control of the Gulf, Colorado and Santa Fe. The ultimatum is described as "virtually mandatory," backed with an outline of aggressive measures should his proposition be rejected.

BRIEF TELEGRAMS.

Parts of England have been revisited by another severe snow storm. Five or six tug boats have been submerged near Sandy Hook by the recent storm. An ironclad is reported on the coast of Ireland to prevent the landing of arms. Troops are being sent to Wigan and Preston Districts, owing to their disturbed condition. The charge of the jury in the Irish traversers' case will be given on Monday, by Judge Fitzgerald. The revenue of France for 1882 is estimated at 2,836,000,000 francs, expenditures, 2,818,000,000 francs. The legislative appropriation bill will be ready for the full appropriations committee early next week. Colliers and police of Skelmerdale, England, had a fight yesterday,

and several persons were injured.

A terrific storm took place on the Mediterranean on Saturday, and destroyed about 50 smacks in French ports.

Bismarck's second introduction of the establishment of a triennial imperial budget, is meeting with great opposition in the press.

Advices of the surrender of Lima have been received by Chili's London representatives. The Chilean commander had 40,000 men.

The storm of hail and rain yesterday causes still an almost entire suspension of telegraphic communication throughout New York.

The postoffice appropriation bill, as reported to the House, appropriates \$40,769,432. The estimated postal revenue for 1882 is \$38,845,174.

The Bernhardt engagement at Chicago has been a success. The company leaves, and in two weeks have made and takes away with them \$40,000.

In the Nebraska legislature, on the seventh ballot, General Charles H. Van Myck was elected Senator. He was formerly a member of Congress from New York.

Carrie Stokes (colored) was murdered last night, at Atlanta, and the body placed on a fire of wood. The clothing was saturated with coal oil, and the head and face horribly burned.

In the Rappahanock River, to-day, a gorge formed and caused the water and broken ice to back up to a height of eight feet, which submerged the wharves at Fredericksburg.

Gambetta, on Friday, said the Chamber of Deputies, would not adjourn until the restriction had been removed from the President and the right of public meetings sanctioned.

Large numbers of distinguished Israelites are at Cincinnati to attend the meeting of the B'Nai Britto Grand Lodge of District No. 2, embracing Ohio, Indiana, Kentucky, Missouri and Colorado.

Secretary of the Navy Goff, Secretary Everts, and many representatives of the Masonic fraternity were among nearly 10,000 people who witnessed the placing of the obelisk upon its pedestal in Central Park, New York, to-day.

The Boston *Transcript* perpetrates the following: "My wife lost her pocket with fifteen dollars in it to-day," said a sad looking man. "When? Going down town or coming home?" Asked somebody. "When? Don't I tell you she had some money in it?" demanded the sad-looking man, and everybody knew when she lost it.

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