

## BY TELEGRAPH.

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## AMERICAN.

WASHINGTON, 23.—This afternoon Scoville filed in the Supreme Court of the District of Columbia papers upon which he bases his motion or motions for a new trial. In the first trial, not being familiar with the practice in this District Court, he continued to file motions to assure himself against the possibility of being deprived through any legal technicality of the right of review by the court in its general term. The first filed in support of the motion is the affidavit of Frederick H. Snyder as to finding a newspaper in the jury room, under circumstances indicating it had been read by the jury; the affidavit of J. W. Guiteau that he is acquainted with the signature of five jurors whose names are written on the margin of newspapers said to have been seen by the jury. That he has seen them write their names, and believe the writing on said newspaper to have been the jurors named; the last affidavit is that of Scoville, setting forth newly discovered evidence upon which to find a motion for a new trial. The first paper is a motion for a new trial on the following ground:

First.—By reason of uncertainty in the said verdict in that the jury thereby found defendant, whereas indictment consists of a different count variant from, and inconsistent with, each other matters of substance.

Second.—That said verdict of the jury does not specify which count or counts of indictment it was founded upon, and several of the counts are materially different from others; the defendant is not advised by form or substance of said verdict as the finding of the jury on material facts of the death or place of death of the deceased.

Third.—For that the trial of this cause was commenced at the June term of this court and was not concluded in the same term of court, but was extended into the December term without authority of law.

Fourth.—For that this court has no jurisdiction of this cause by reason of death of deceased having taken place outside of the District of Columbia.

Fifth.—For that the court erred in overruling each and all prayers upon questions of law asked by counsel for the defense, and in refusing to instruct the jury as requested in each of the 14 prayers by them.

Sixth.—That the court erred on the trial of this case in excluding proper evidence offered by defendant, as set forth in the bill of exceptions.

Seventh.—That the court erred on the trial of this cause in admitting to go to the jury improper evidence on the part of the prosecution, as shown in the bill of exceptions.

Eighth.—That the court erred in commenting improperly during the trial on the conduct of defendant and on entering an arrangement with the District Attorney (without the knowledge of counsel for defendant) whereby the jury and expert witnesses for the prosecution during a portion of the trial might observe certain conduct of defendant to subserve the purpose of the prosecution (the defense being insanity) without the restraining power of the court being exercised until those purposes were accomplished to the great prejudice of defendant.

Ninth.—Misbehavior of the jury in reading or hearing read to them newspapers circulated to prejudice their minds against defendant.

Secretary Kirkwood, referring to rumors that the Mormons are exciting Indians in the West, said he had very little faith in the story. While it was undoubtedly true the Mormons might seek the friendship of the Indians in the event of trouble with the United States, it could not be possible the Mormons would attempt to defy the United States Government, as an effort of that sort would have a very different result from that which attended the early campaign in Salt Lake.

NEW YORK, 23.—The long looked for report of President Palmer of the Denver & Rio Grande Road shows the net earnings for 1881 to be \$2,603,812; deducting interest, insurance, taxes, etc., leaves a balance of 1,348,623, less four quarterly dividends, surplus \$434,523 remains. The above balance of \$1,348,622 is nearly 9 per cent. upon the stock of

the company issued against the average mileage in operation during 1881. In 1882 the capital stock increased by \$1,000,000. The London issue will be about \$29,000,000 and the estimated earnings for the year on mileage as it stands, December 31, 1881, and on the average earnings per mile realized in 1881, without allowance for development will leave a balance of \$9,132,422. But estimating that connection with Salt Lake alone will add 25 per cent. to the earnings, the road will be able to earn 10 per cent. and over on \$29,000,000 stock. The total value of rolling stock paid for by the company is a little over a million dollars. The company has no floating debt, and there is no construction company in the sense of intermediate organization deriving any possible gain from the railway company. The remainder of the report is taken up with a description of the various articles furnishing the principal tonnage of the line, and its rapidly increasing business. The average mileage in operation in 1881 was 755. The present mileage is 1,062.

WASHINGTON, 30.—There is still much concern felt by the President and Secretary of State over the immediate result of Trescott's action in South America. Up to yesterday no replies were received from him acknowledging the receipt of two telegrams of Jan. 3d and 4th, and which were dispatched by way of Europe and which were designed to show him a complete change of policy had been adopted by the President. These telegrams were sent as most urgent matter and every precaution taken to insure their prompt forwarding and delivery. The days succeeding the sending of these telegrams were days of grave anxiety. At the end of the fourth day, no reply having been received, the Secretary of State sought a personal interview with the Chilean Minister here to impress upon him in an informal talk that the President had no policy in regard to the pending troubles between Chili and Peru beyond a desire to exercise the good offices of the United States impartially and in a most friendly spirit toward both nations and solely for the purpose of bringing about peace. Both the President and Secretary of State after carefully examining instructions to Trescott were impressed with the belief that if they were executed in the temper in which they were written we were on the threshold of war with Chili. They further believed only by prompt and decided action could trouble be averted. The frank conference with the Chilean Minister was for the purpose of adding greater certainty to desire as evidence of the first stage of trouble. The anxiety now is lest Trescott, before he receives the new advice sent him may have taken the first instructions, which will lead to an open rupture of diplomatic relations. Serious results of such a misfortune have been in some degree escaped, it is believed, by the wide publication of this Government's real motive of purpose, as shown in the recent instructions, and by the conference with the Chilean Minister, at which a good understanding was reached. The president would in any event have made known his change in policy, but it was felt it would be much less embarrassing to announce it before trouble had actually arisen and grown publicly known. It is not yet certain that the difficulties have not already arisen, as portions of Trescott's last dispatch, not fully deciphered, are of a character to create much uneasiness, and there will be a great relief here when it becomes officially known Trescott has received and begun to act under his new instructions.

The four jurymen whose signatures, it is alleged, appear on an extra Critic, appended to an affidavit filed by the defense in the Guiteau case, Saturday, with the motion for a new trial, deny most positively that a copy of that or any other paper was ever in their apartments at the hotel; they declare they never had a pen in their hands during the whole course of the trial except to write autographs for outside parties, and that this was always done in a room occupied by the bailiff and in the immediate presence of these officers. The general impression with those who have examined the matter is, it is a clever piece of forgery. It is stated with much positiveness that President Davis, of the Senate, favors the admission of Dakota into the Union. He holds, it is said that the southern portion of Dakota is entitled by reason of population and other considerations to

admission, and that it is not a question for partisan consideration. Judge Davis' vote, combined with the republicans, would give the bill a majority, and as the republicans control the House, it would appear the measure has a good prospect of becoming a law the present session.

The Post has an interview with ex-Secretary Blaine upon the subject of the diplomatic correspondence relating to Chili and Peru. The Secretary says: The statement published that instructions to Mr. Trescott signed by him had been drafted and committed to Trescott without the knowledge of the President has absolutely no foundation in truth. The instructions were not only talked over fully with the President, but when written were twice read to him for criticism and change. I have the original draft in my possession with the modifications desired by the President clearly noted. It is inconceivable that an extraordinary mission, important enough to be mentioned in the annual message to Congress, could be allowed to leave the country without the President knowing the instructions by which its action should be governed. No friend of the President could possibly make the suggestion, and on his behalf I repel it. The President specifically referred in his message to the instructions given Mr. Trescott, and besides what possible interest could I have myself in sending an instruction without full knowledge of the President? I was to leave the Department in a fortnight, and I would naturally take care not to send an instruction merely to have it revoked. In addition to all other considerations, I had no desire to send Mr. Trescott on a fool's errand.

Q. How do you account for the change of policy?

A. That is none of my business. It is the undoubted right of the President, as it is of a private citizen, to change his mind. Either President Garfield or President Arthur saw every dispatch of importance that was sent, and no step was taken without the full concurrence and approval of the Executive. During the late President's illness, no dispatch of any special moment was sent either to Peru or Chili.

The ex-Secretary was then asked what he meant by the expression "a fool's errand," and he answered: "I meant there seemed to be no possible need of Mr. Trescott's being in Chili if he is simply there to be a helpless witness of the utter spoliation of Peru."

CHICAGO, 30.—Seth Hanchett, clerk of the probate court of this county which was recently declared illegal, has made a statement of the business done by that court during its four years of existence. It includes 4,094 cases transferred to the county court, and 2,978 new cases. Value of transferred cases settled and pending in court, \$19,185,000; value of new cases settled and pending \$32,984,000; value of transferred cases distributed under the orders of the probate court, \$19,185,000; value of new cases distributed, \$8,027,000; number of appeals, 145; number of decrees of sale of real estate 408; number of judgments rendered on claims filed, 5,211. Preparations for quo warrant proceedings are not yet completed.

NEW YORK, 30.—Superintendent Walling, to-day received a circular from the Scotland Yard police, advertising a reward of £3,000 for the recovery of the body of the late Earl of Crawford, which was stolen from the family vault in Aberdeenstown. The English Government will pay £500 and the family £2,500 to any one who will give information leading to the apprehension of the thieves. Pardon is promised any accomplice who will give information. It is supposed the thieves came to this country.

Cannon, of Utah, who is in town, was interviewed by a reporter to-day. He believes that in the contest in which he is now engaged for his seat with Campbell, he will be successful, as precedent and right are on his side, and that if defeated it will be by the powerful influence brought to bear against him by his opponent and the government party. There is nothing now to be considered, save, perhaps, the latest aspect of the polygamy question, and of Campbell, who only received 1,357 votes to 18,168 cast for me, is admitted, it will be in the face of a precedent. I do not think Congress will dare to take such an unjust step, or that the country will approve of such a course. My defense against this charge of infidelity on account of being an alien was ample and complete, and I have nothing to add to it now. In answer to the question

as to whether there was a disposition on the part of the Mormon element to resist the passage of laws suppressing polygamy, he said: "No, the government will meet with no resistance on the part of the people of Utah. Such a course would be hopeless. However, they may regard any laws of this nature they will never resort to arms for redress, they will regard themselves as martyrs. They will remain in Utah where all their interests lie, relying on the people of the country for justice. He would not express an opinion with regard to the proposition to divide Utah among Colorado, Wyoming and Montana. He denied that the Mormons were inciting the Utes and other tribes to hostility nor was there any truth in the statement that his people were selling guns and ammunition.

Reviewing its various articles on the anti-Mormon boom, the Tribune says: There is a fair prospect that some action will be taken by the present Congress, by which the Mormon evil may be effectively reached at last. This is the opinion of Representative Willlets, of Michigan, who takes a deep interest in the subject. Benjamin F. Hall, the first Chief Justice of Colorado, gives an interesting account of the establishment of Territorial government in Utah in 1850, and of the regret that Fillmore subsequently expressed that he had placed Brigham Young at its head. Rev. Dr. Newman preached a sermon in this city last night on the peril of the country from the toleration of Mormonism. Some features of the evil were set forth by Rev. Gallagher, who has done missionary work in Utah.

QUINCY, Ills., 30.—News is just received from Clayton, Ills., that Colonel Thomas G. Black, one of the best and most prominent citizens of this county, a member of the Legislature of 1876, and one of the 308 Grant men at the National Republican Convention of 1850, was assassinated in his office at Clayton last night. Excitement is intense. The assassin is unknown. Col. Black was a native of Naur County, Tenn., and commanded the Third Missouri Cavalry during the war, was 57 years old, a physician, a quiet and exemplary man. The cause of the act is inexplicable.

Later advices say two unknown men entered Black's office at 7.30 on Sunday evening. Without saying a word, one of them struck him with a knife, cutting through his coat and vest. As he jumped up the other cut him an ugly gash on the forehead. Both men then disappeared suddenly. At midnight the doctor was removed to his residence. At first the report was that his wounds were mortal, but later advices say they are not serious. Robbery was the design.

CHEYENNE, 30.—Charles Hattan, agent at Fort Washakie, with five Arapahoe chiefs, Black Coal, Sharp, Little Wolf, Iron and White Horses, passed through on the way to Carlisle, Pa., where 13 Arapahoe children were at school. The chiefs will then go to Washington for a big talk with the Great Father. The fact of the children being at school greatly pleased the chiefs, and is a splendid preventative of Indian wars. The children have only been at school a short time over a year, and have written letters to their parents in English, which were translated to the chiefs. Other Indians wish to send their children to be educated.

NEW YORK, 31.—The fire reported as breaking out in the Times office originated in the building formerly occupied by the New York World, in the same block with the Times' building, but separated from it by an intervening building. Strenuous efforts are making to save the Times but the fire is spreading rapidly and it is feared cannot be controlled short of the corner where the Times office is located. There is an unconfirmed rumor of the loss of several lives.

Irenus Prime sends the following note to the Associated Press:

"The New York Observer has been burned out and this week's issue will be delayed."

The Observer office was at 37 Park Row in the old World building. There were a large number of offices, stores and advertising agencies in that and the adjoining houses. In one of these offices, there were a number of women employed and it is reliably asserted that one woman fell or leaped from the roof over Pettingill's advertising office and was killed. There are rumors of another woman's being burned in an office but these cannot be verified.

The pecuniary loss will be very

heavy both on buildings and stock in the stores, including wholesale supply of rubber, machinery, etc. At 11 o'clock the southern end of the gore is a mass of ruins, but it is now thought the Times' office will be saved, though the danger is not over.

The Times' office is in flames which are raging fiercely, and there is no doubt that the building will be a total loss.

The Times' building, saved, but considerably damaged. The flames are confined to Beekman Street and Park Row, corner of the block. Only one life is lost, that of the woman already referred to.

It is stated that four bodies were recovered in Nassau Street of persons killed by jumping from the windows. It is feared the loss of life will be heavier than at first believed. The building was crowded with employees, and very few could have escaped by the stairway. An old gray-haired woman was seen in the fourth story of the World building appealing for help. Her lips were seen to move, but her voice could not be heard. All who saw her were horror-stricken. The flames raged about her person, igniting her hair and clothing. She fell back into the flames and was not seen again.

A young girl, wearing a blue dress, who was cut off from the stairs, ran to the fourth story window on the Park Row side, and stood hesitatingly, while the flames and smoke encircled her.

"Jump, jump," shouted the spectators. Casting a frightened look below, she threw herself out, and fell on the stone pavement. When picked up, life was extinct. Her head was crushed beyond recognition.

A few minutes later a negro woman appeared at the third story window of the World office, on Park Row side and also jumped to the sidewalk. She was badly injured, and was taken to the Chambers' street Hospital. Several men and women saved themselves by leaping from the windows into Nassau Street.

When the woman who was killed jumped from the window, there were two men hanging from the window sills by their finger ends. The ladders were too short to reach them and they were saved by firemen mounting on one another's shoulders, and the men let themselves down by their aid. The scenes at the time when the occupants of the upper floors were making their escape, were often exciting and touching. Men could be seen holding the hands of women, evidently encouraging them to calmness.

Three women ran on the roof and fell through the skylight of one of the northern buildings, receiving serious injuries. A bootblack on the corner of Beekman Street and Park Row, seeing some men entangled in the telegraph wires adjoining the burning premises climbed a pole and cut the wires, releasing them from their critical position. Several people descended from the burning building on the Nassau Street side by reaching the telegraph pole.

One boy leaped from the fifth story and would doubtless have been killed but for the wires breaking his fall. He was hurt but not dangerously. An express wagon having a canvass covering drew up under the windows, and several men who were about to leap to the ground were told by the driver to jump on the wagon, which they did and escaped without any serious hurt.

One young woman stood upon the windowsills of the fourth story under the firemen arranged to a ladder a piece of canvass which they held at the ends and sides, when all was ready she threw her hands straight over her head and jumped. She fell upon the outstretched canvass and escaped injury. It is almost impossible to estimate the losses at this writing but it is believed they will exceed \$100,000.

An old gentleman with white hair got out of the fourth story window on the Beekman Street side. He stood on the sill fully five minutes holding on the narrow piece with his hands. The flames were approaching him, but he saw no chance of escape. The firemen raised a ladder, but it only reached to the story below him. The crowd on the street grew excited, and a score of willing hands braved the dangers of the falling debris and cladders and shouts went up, plainly heard by the old gentleman.

"Jump, jump, for your life; we'll save you." But he looked at the 60 feet of distance below him and