

BY TELEGRAPH

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AMERICAN.

WASHINGTON, 7.—The decision rendered by the Supreme Court in the so-called "Granger case" of Neal Ruggles against the people of the State of Illinois is one in which the question is raised whether the charter granted to the Central Military Track Railroad Company, now Chicago, Burlington & Quincy Railroad, by the Legislature of Illinois in 1852, or any subsequent amendment thereof, contains such a contract between the State and the company, as to establish its own rates of fare and freight, beyond interference by the State. The court answers this question in the negative, and holds that the directors of the railroad company cannot adopt any by-law fixing rates of fare and freight which are in conflict with the laws of the State relating to the same subject. The judgment of the Supreme Court of Illinois is affirmed.

A Supreme Court decision was rendered in the patent case of Robt. L. Downton, appellant, against the Yeager Milling Company, which involves the question of the validity of the patent in what is known as the "new process" for making flour by crushing the grain between rollers. The court holds that the patent is void, for want of novelty, the process which appellant claims as his invention having been clearly described as early as 1847 in a publication called "Anglo-American and Swiss Science Milling," by Christian Wilhelm Fritschner of Leipzig. The decree of the Circuit Court dismissing the bill was affirmed. After reading over opinions in a large number of cases, the most of which, however, involved only questions of local or private interest, the court adjourned for the term.

Officers of the Postoffice Department in reply to inquiries in regard to proceedings recently taken to close private postal companies in New York City, say that so far as the investigation has gone it seems to show that the most flagrant violations of law are the companies known as Huesey's Express, Boyd's Dispatch Post, Manhattan District Telegraph Company, and United States Circular Delivery Company. The prosecution of this unlawful business by such companies, post-office officers here say not only results in the loss of large revenues to the department, but materially in many ways interferes with the proper conduct of the United States postal business, and brings undeserved blame upon the postal administration. The Boyd and Huesey companies make collections and deliveries only twice a day, while the regular government carriers deliver and collect from eight to twenty times daily. It is not true, therefore, that the private postal companies are patronized because their service is better than that of the government; the only advantage which these private postal companies have over the government is that of lower rates. The private organizations doing business under the name of the Manhattan District Telegraph and Circular Delivery Company have begun to transmit mail matter in bulk to other cities than New York, where they have agencies and to distribute it there, thus beginning the formation of a network of mail routes in clearly illegal competition with the Postoffice Department.

The President has recognized the following named vice-consuls: Denmark—H. Harrington, Gold Hill, Nev.; Christian Naser, Boise City, Idaho; B. Ehrneman, Tucson, Arizona; Esper S. Larson, Portland, Oregon; C. O. Plong, Seattle, W. T. So far as can be learned to-night, the civil service rules have not yet been approved by the President, but Dorman B. Easton has furnished a statement, showing that the changes made from the original copy given out for publication while the rules were still under consideration by the cabinet are very few and of little importance. In connection with this premature publicity, it is alleged that an Eastern member of the commission has been fixed upon as the leaking vessel.

SAN FRANCISCO, 7.—El Paso, Texas, 6.—Information from Gen. Crook, on the way to Jonas, Chihuahua, is expected hourly. His second resting place would be at Blanco Jonas, a town of 15,000 inhabitants on the eastern foothills of the Sierra Madres. That the Mexican forces under Major General Ca-

bro in Chihuahua and Sonora are operating in conjunction with Gen. Crook is evident from a dispatch received at Hermosillo, yesterday, announcing a sharp fight at Lagunilla Canyon, 13 miles southeast of that city.

El Paso, Texas, 7.—Gen. Fueno, commanding Northern Mexico, will in two days be at Paso del Norte. He arrives on the Rio Grande to take command of all positions in Chihuahua, in conjunction with Gen. Crook, now in Mexico, Col. Unda, Chief-of-Staff, with troops and headquarters is already at Paso del Norte. Unda is amused at the idea of any difference between the two countries on account of Crook's operations. General Fueno comes direct from the City of Mexico. There is perfect accord. When Crook reaches a certain point now a military fort, the Mexican forces will move forward. There seems little doubt but that a final end will be made of the hostile renegade Apaches.

A dispatch received by the Times here from San Carlos says: About 1,200 Indians have strayed from the agency proper to the northwest part of the reservation, near Fort Apache. They evidently believe they will have better protection near the fort. Captain Dougherty has issued about 3,000 pounds of corn to them.

SAN FRANCISCO, 7.—The railroad war is at a complete standstill, pending instructions from the East, where a general meeting will be held Thursday. The result of the meeting will influence the California Passenger Agents' Association. The determination of the Union Pacific not to attend the meeting at Salt Lake is construed as a virtual withdrawal from the California pool. This is attributed to the aggressive action of the Southern Pacific in cutting freight rates.

Chicago, 7.—The Times will say: A tripartite agreement has been consummated, the parties to which are the Atchison, Topeka & Santa Fe, the St. Louis & San Francisco and the Atlantic & Pacific Railway, under the agreement the controlling interest in the St. Louis & San Francisco Railway is secured to the Atlantic & Pacific, the latter agreeing to stop the construction of its line west to the Colorado River for the present, but to be permitted to proceed to the completion of the work eventually to the Pacific Coast, making San Francisco its western terminus, as originally contemplated. Should the agreement be faithfully kept by the other parties, the Atlantic & Pacific will not be permitted to reach San Francisco for the full term of the contract, which is 20 years; and the controlling interest which it has secured in the St. Louis and San Francisco is a practical stoppage of the extension of that line, and equivalent to merging its franchises in the Atlantic & Pacific connections. This line to the Pacific Coast will be from the Colorado river over a branch of the Southern Pacific to Mohave, thence by the main line to San Francisco and Los Angeles. The new arrangements go into effect at once.

Victoria, B. C., 7.—Onderdonk's Canadian Pacific Railroad contracts are now in full swing. Four thousand Chinese, 2,000 whites, and a number of Indians are at work. Three millions are already expended on the sections under construction. The outcry against Chinese is greatly heightened by the knowledge of the fact that one Chinese firm of this city has \$250,000 savings, mostly from Chinese railroad workmen. Other Chinese firms have lesser sums, almost every dollar of which goes to China, impoverishing the province. It is hoped that measures now before the legislature will stop Chinese immigration.

HALIFAX, 7.—Rumors are current of a startling letter received by Lieutenant Governor Archibald, warning him of the expected visit to Halifax of two suspicious American vessels, and cautioning him to have precautions taken for the safety of life and property in the city. The Lieutenant Governor admitted receiving the letter, but declined to state its contents or nature. Prompt measures were taken by the military and naval authorities. From other parties in a position to know the contents of the letter it is learned that Col. Clarke on Sunday communicated to the officers information said to be from Sir John MacDonald, that two suspicious vessels manned it is believed by Fenians and carrying a quantity of torpedoes and other dangerous explosives, had sailed from Boston a few days ago, and it was thought intended to make Halifax their destination. On

arriving here, it was asserted the torpedoes with which the vessels were laden would be laid as opportunity offered beneath the water in the harbor, with the intention of blowing up shipping entering or leaving. A line of torpedoes was to be stretched from Sombra up the harbor as close to the city as possible, and when the time arrived, all would be fired. Particular mention is made of an extraordinary watch to be kept on the 14th inst., the day on which Brady, Phoenix Park murderer, is to be executed; and it was also recommended to guard the various barracks of the powder magazine, that the dock yard and war ships be strengthened. It could not be learned whether the guards on imperial property all over the city will be increased; but on H. M. S. Tenedos in port that has been done, and sentries at various parts are instructed to be careful whom they allow to enter the gates at which they watch.

ASHLAND, Penn., 7.—A number of men were overcome to-day at the Continental Colliery, by gas generated by a small locomotive in the mine. The engineer and train hands were revived with difficulty. A driver named Riley fell under the wagons and had a leg broken; All work stopped. Three men overcome are suffering severely.

Halifax, 7.—The ship *Cambrina* from Sunderland, England, had her bows stove by ice on the 5th instant, and foundered. The crew took to the boats and were picked up.

San Francisco, 7.—The body of an elderly man was picked up floating in the bay yesterday. The remains were unrecognizable, but a memorandum book identified him as John Arnheim, a German farmer lately arrived from Detroit, Michigan. His suicide is attributed to financial difficulties.

Chicago, 7.—Early this morning, two children, aged two and three, belonging to a poor colored woman who had left them a few moments to go out and purchase bread, were burned to death in a four-story tenement house, in a room occupied by the children; cause unknown. A blind man, one of the occupants of the building, had his life saved through the exertions of firemen; others escaped; loss slight.

Galveston, 7.—News' Terrell special: A fire at Farney destroyed the greater part of the business portion of the town on the north side of the railroad.

San Francisco, 7.—The *Graphic*, burned off Vancouver coast, was formerly a British gun boat, latterly employed in the coast passenger trade on the northern coast. The Nanaimo dispatch steamer *Alexandria* left to rescue those who may succeed in getting ashore. White men known to be saved: Superintendent Jaggin McAllister, Engineer Steele. Lost: Pilots Sidney Franklin, John Smith, Mate Donald McPhail, Duncan McLean, Geo. Thomas, Chas. White, Wm. Row. Supposed lost: R. K. Hall, Lambert G. Vivian, B. Bush, Johnson Robinson, Bradford J. Cardman, Silas Lane, C. Lord, Henry H. Kamp, A. D. Click, C. Groschere, David Brown, Henry McCleck, Wm. Smith, C. Fredericks, and six Americans, names unknown, engaged to work for Turner, Boodon & Co. in the country. Considerable freight for the canneries was shipped in her, for Saunders & Warren, McAllister & Harrie, and Thos. Shalbot, and 1,000 ounces of silver goods and silver; fully insured.

Winona, Minn., 7.—During a light thunder shower yesterday afternoon three little daughters of Jacob Movowiz, playing in the street under an umbrella, were struck by lightning. The two older girls, 9 and 11 years old, were instantly killed, a third, six years old, is somewhat paralyzed on the right side, but likely to recover. The umbrella was burned up, the clothing of the girls was also fired and considerably burned before the horrified relatives could reach the scene.

St. Louis, 7.—Nearly all the principal business part of the town of Brownsboro, Texas, was burned on Friday night; loss, \$20,000 to \$30,000.

San Francisco, 7.—On the trip of the steamer *Dora*, from Alaska, Albert Burgess, second officer, 25 years old, a native of Massachusetts, was lost overboard.

BUTTE, Montana, 7.—The municipal election passed off quietly, resulting as follows: B. Whitford, (republican) mayor, 218 majority; Joseph M. Venable, (democrat) city marshal, 102 majority; police magistrate, a tie vote between C. E. Irvine (independent democrat) and Milo French; (republican), Thomas Laspeyre, (democrat) city attorney,

200 majority; E. G. Leiter, (republican) treasurer, 57 majority; three democrats and one republican aldermen were elected.

HELENA, Montana, 8.—President Henry Villard, of the Northern Pacific Railway Company, accompanied by the following officers of the Northern Pacific, and gentlemen friends arrived in this city yesterday evening: T. M. Buckley, manager in charge of the Northern Pacific Railroad on the Pacific coast; Col. C. B. Lamborn, land commissioner; John Muir, Supt. of Traffic; Wm. R. Mead, architect, of New York, in charge of the construction of the Union Depot, at Portland, Oregon; O. A. Spofford, private secretary to Mr. Villard; Gen. James B. Fry; Brevet Maj.-Gen. U. S. A., Retired. This evening a large and enthusiastic meeting was held in the Opera House. Speeches were made by President Villard, Governor Crosby and others. The party leave for the east in the morning.

CHICAGO, 8.—It is generally understood that the purpose of G. M. Pullman's visit to New York is a most important one of financial importance and value to his company as well as to the Central Pacific Railroad Company. The officials of the latter road are now in New York, where, it is said, negotiations will be completed with Pullman for the introduction of Pullman sleeping cars on the Central Pacific road between Ogden and San Francisco, and possibly on the Southern Pacific road, between Deming and San Francisco.

CINCINNATI, 8.—The assignees of Newburgh, Frenkel & Co., clothing dealers, have filed an inventory showing the approximate value of assets to be \$275,500. Total liabilities \$382,000, only \$55,000 of which is for merchandise, the remainder being the notes of assignees.

WASHINGTON, 8.—Rear-Admiral Edmund R. Calhoun has been placed on the retired list.

CHICAGO, 8.—The City Council, after midnight last night, amid the greatest confusion and after an acrimonious debate, passed an ordinance granting to the District Telegraph Company of Chicago, the right to erect poles within the city for stringing telegraph wires placed in cables. Under the existing ordinance all telegraph companies were to have been compelled, on the first of the present month, to place all their wires underground, but the operation of the law was delayed by injunctions granted by State and Federal courts and litigation is pending and undecided at present.

DENVER, 8.—One of the severest hail storms ever known in the west occurred here at noon to-day. The storm was accompanied by terrific thunder and lightning, and lasted fully an hour. Hailstones measuring an inch in diameter lie six inches deep in the streets. The fruit crop is no doubt ruined.

WASHINGTON, 8.—The decision rendered in the Supreme Court in the Granger case of Neil Ruggles, plaintiff in error against the people of the State of Illinois, was on a case which arose out of the facts below set forth: On the 5th of March, 1873, Morgan A. Lewis, a passenger on the train of the Chicago, Burlington & Quincy Railway Company tendered Neil Ruggles, a conductor of that company, 18 cents as fare for his transportation from Buda to Neponset, a distance of six miles. This was at the maximum rate of 3 cents per mile, prescribed by the statute of Illinois then in force. The conductor demanded 20 cents, which was the fare fixed by the railroad company. Lewis refused to pay more than 18 cents, and the conductor thereupon attempted to eject him from the car. For this action the conductor was prosecuted before a justice of the peace upon a charge of assault and battery, and fined \$10 and costs. The case was then carried up through the State courts by successive appeals, the railroad company sustaining the conductor and raising the question of the right of the State to interfere with its business by fixing rates of fare and transportation. A decision was finally rendered in favor of the State by its highest court, and the railroad company thereupon appealed to the Supreme Court of the United States.

The judgment of the Supreme Court of Illinois is affirmed, with costs.

Rear Admiral Edmund R. Calhoun has been placed on the retired list.

The civil service rules were this morning approved by the President, substantially as printed Friday last.

Secretary Teller says there was

nothing in the President's order of Saturday extending the boundaries of the Zuni Indians in New Mexico that could serve as a foundation to form an opinion that had been entertained by friends of Senator Logan that the order was intended as a blow at the latter, whom it was sought to reach through his son-in-law, Paymaster Tucker.

Present indications are that the investigation of the affairs of the Supervising Architect will not be begun in earnest before Monday, the 21st.

The case of Plummer vs. Jackman, involving the title to 160 acres of valuable land near Bismarck, Dak., has been decided by the Secretary of the Interior in favor of Jackman for the whole. Jackman's claim to the land was contested on the ground that he had not settled upon it in good faith. He took the land at that particular point in 1872, with other parties in anticipation that the Northern Pacific Railway would cross the Missouri River there, and a town be built. The Secretary in his decision says the statute cannot be construed to mean that persons going to the frontiers or along the lines of projected railroads and anticipating the country's population shall not enjoy the benefits of their enterprise and foresight; though they believed their claims would become of great value on account of the proximity to villages or that cities would even be built upon such claims, and thereby enable them ultimately to realize large prices for such lands that is not the sort of speculation the statute is intended to prohibit.

Dear Sir: When the order was made recognizing the right of the New Orleans Pacific Railroad Co. to a land grant many years forfeited, I felt it my duty to ask your Department to be informed of the precise proceedings, with a view to oppose any further legislation, and to prevent further absorption of the public domain by a corporation which had not even the semblance of legal or equitable rights, and also to protect settlers who have been occupying and improving portions of this dead grant. The New Orleans, Baton Rouge and Vicksburg Railroad Co. in 1871 obtained a large grant, specifying that said company should complete the whole of said road within five years from the passage of the act. The five years expired, and not a mile, not even a survey or definite location was made. The only act was to lease and distribute bonds among patriots who were intent in developing the country. Five years more of miasma and doubly dead lethargy, and not yet a mile constructed or definitely located. Its third act was in December, 1882, to assign what it did not own to another corporation, which was organized by the Legislature of Louisiana in 1876 to build through substantially the same location, without expectation of any aid for the company known as the New Orleans & Pacific Co., which finally drifted into the hands of a syndicate, who also have been practically developing the country so that millions of dollars and millions of acres rewarded their sacrifices and exertions. It became necessary for the system of roads they controlled to connect with New Orleans. They built without aid from the Land Department or Congress, not even filing a map of definite location of any portion of their road. They knew Congress only could vitalize the dormant grant. It is great presumption even for a railroad corporation to assume this could be accomplished simply by their fiat, and now they hope to forestall action by this recognition they have obtained from your Department. They must have well known the title to these lands is not complete till final action by Congress. I realize your embarrassment when Congress at its last session failed to act. The Attorney General had given to your Department in response to a request of your predecessor, an opinion that the company had a right to said grant. An additional necessity for this notice is that the present company, the New Orleans Pacific, are about issuing a mortgage and bonds on the basis of this forfeited land grant; and they naturally desire it legalized long enough to place those bonds on the market. Two trustees are named, one in the interest of the bonds issued 12 years ago, so the victims are to be the people, the settlers on that portion of the public domain or the purchasers of the bonds. My object is that Congress shall not be met next session with the plea that innocent purchasers bought these bonds, and they should