

BY TELEGRAPH.

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AMERICAN.

WASHINGTON, 20.—Decision was rendered by the United States Supreme Court to-day in the polygamy case of Rudger Clawson against the United States, brought here by a writ of error from the Supreme Court of Utah. Clawson, plaintiff in error, was indicted for polygamy at the April term of 1884, of the District Court of Utah, and after trial found guilty and sentenced to a fine of \$800 and four years' imprisonment. He appealed to the Supreme Court of the Territory, and that tribunal having affirmed the judgment of the District Court, brought his case here for review, upon the ground that the grand and petit jurors by which he was indicted and tried were illegally constituted. The alleged illegality in the impaneling of the grand jury consisted in the exclusion, upon challenge, of persons who believed a man had a right to have more than one undivorced wife living at the same time; and, in the case of the petit jury, in the drawing of jurors from an "open venire" after the whole annual jury list of the one hundred had been exhausted through the exclusion of polygamists. This court, in a carefully-prepared opinion of Justice Blatchford, decides against the plaintiff, in error upon both points raised. Section 5 of the Edmunds act provides: "That in any prosecution for bigamy, polygamy or unlawful cohabitation, under statute of the United States, it shall be sufficient cause of challenge to any person drawn, or summoned as jurymen or talesmen, that he believes it is right for a man to have more than one living and undivorced wife at the same time."

This Court holds that the proceedings to impanel a grand jury, which finds indictments for one of the offenses named under the statutes of the United States against a person not before held to answer, are a part of the prosecution, and that the indictment is good, although the persons drawn and summoned as grand jurors were excluded by the court from serving on the grand jury and being challenged by the United States for the cause mentioned in the Act, the challenges having been found true with respect to alleged illegality in the case of the petit jury. The court holds that where, under Section 4 of the act of June 23, 1874, relating to courts and judicial officers in the Territory of Utah, the names in the jury box of the 200 jurors provided for by that section are exhausted, the jury being only partly impaneled, the District Court may issue a venire to the U. S. Marshal for the Territory to summon jurors from the body of the judicial district, and the jury may be completed from the persons thus summoned. The judgment of the court below is accordingly affirmed.

Decision was also rendered by the court in the murder case of Frederick Hopt, plaintiff in error, against the people of the Territory of Utah. The principal interest which this case has it derives from the fact that in December, 1880, plaintiff in error had been three times tried for the same murder, three times found guilty and three times sentenced to death. It now goes back for a fourth trial upon an informality in the charge of the judge to the jury which last found the prisoner guilty.

NORFOLK, 20.—The Russian corvette *Strifac*, Captain Skrdgloff, 180 men, four days out from Havana, arrived at the naval anchorage this afternoon, and was followed in about an hour's time by the British man-of-war, *Garnett*, Captain Henry Hand, from Vera Cruz, with 250 men and 12 guns. The *Garnett* came to anchor about a quarter of a mile below the *Strifac*. Both vessels were saluted by the receiving ship *New Hampshire*, lying at the navy yard.

NEW YORK, 20.—The *Herald* says the figures showing Director of the Mint Burchard's estimate of the production of gold and silver in the United States during the year will give encouragement to the silver men. The amount of gold produced has not been so small in any year since 1859, nor has the amount of silver been so large. The plea that silver is an important American product and should be cherished and protected by Governmental act, will receive new support, as will the theory that as the production of gold is continually decreasing, this metal should not be made the sole monetary standard of the country. Burchard's figures come at an appropriate time, for the Latin Union is now being examined with a view to its continuance or abrogation, and the questions involved in the silver problem must be reviewed in this connection.

CASSOPOLIS, Mich., 21.—At midnight last night fire broke out in the Bailey & Sons dry goods and totally destroyed two brick blocks and the hotel. Loss \$20,000; no insurance on buildings. Bailey's goods insured \$4,000.

RALEIGH, N. C., 21.—The president is reported here as saying that he did not intend to remove Mr. Bruce, who has made a good officer, nor did he intend to remove James Hill the colored collector in Tennessee.

CUMBERLAND, Md., 21.—Wm. E. Hartman, one of the leading business men of Lonaconing, Md., is under arrest on a charge of arson. He is charged with having set fire to his store, March 22d, which resulted in the burning of six buildings and a loss of \$40,000. Hartman's loss was estimated at \$6,000; insurance \$5,000.

WASHINGTON, 21.—The first Comptroller of the Treasury has given his opinion to the Commissioner of Agriculture in regard to his authority under the appropriation for such disinfection and quarantine measures as may be necessary to prevent the spread of cattle diseases from one State or Territory to another under the bill for the establishment of a bureau of animal industry. The First Comptroller holds that the power of the Commissioner is broad and unlimited as to the means employed by him to carry out disinfection and quarantine; and that he can cause such disinfection as he may deem proper and use such means as he thinks fit to carry out the purposes of the act. He said the slaughter of infected animals may be ordered if deemed necessary, and other means employed that do not exceed the limits of the appropriation.

Powers, who was to-day confirmed to fill the vacancy on the supreme bench of Utah, is a resident of Kalamazoo, Mich., where he has the reputation of being a good lawyer and staunch democrat. He is author of a text book on "Chancery Practice in the State of Michigan," and of "Power's Supreme Court."

President Cleveland discussed in the Cabinet meeting to-day his proposed trip to Georgia. The result was that he asked the committee of Georgians now in the city for the privilege of postponing his decision until May 10th. They replied that they would await his pleasure. The President assured the committee that he was very anxious to make the visit and would do so if the state of public business permitted.

The Secretary of the Navy has received a telegram from Admiral Jouett at Colon, stating that the *Sucutara* had just returned from Cartagena and that the Colombian General Vias writes him that he will soon come to the Isthmus and re-establish a constitutional government.

CLARK'S CROSSING, N. W. T., 21.—A dispatch just received from Battleford says a messenger has just returned from Fort Pitt and reports that the fort has fallen into the hands of the Cree Indians. Two policemen are known to have been killed and it is feared the whole garrison were massacred. The commander of the fort was Francis Jeffery Dickens, third son of Charles Dickens, the novelist.

ST. PAUL, 21.—The *Globe's* Winnipeg special says: There is intense excitement to-day over the situation at Fort Pitt. There is no further news of the refugees, Battleford is in danger of attack by Indians at any time. The following is a list of those who were in Fort Pitt: Factor McLean, Hudson Bay Company, with his family of eight; Alfred Hewson, Jas. Hailey and family, Reverend Charles Quinney, wife and family; Abraham Montoor and family, John Fitzpatrick and family, John Pritchard and family, Father Legoff, Rev. Mr. Murer, Alex. Gorlen, L. C. Baker and family, Frederick Keller and family, Peter Bondren and family, Michael Geddes, J. H. Caldwell, Fred. S. Simpson and family, James Simpson, Stanley Simpson, W. B. Cameron, Mrs. Dufferin, Mr. and Mrs. Mann and three children, Alfred Quinn, besides Inspector Dickens and 25 police, with Corporal W. P. McConnell second in command. It is believed some forty or more others were in the fort from the surrounding country.

The following has been received from Battleford by the operator at Clark's Crossing: A messenger who has just returned from Fort Pitt says he saw the bodies of two policemen outside the fort. An Indian told him the Crees had gone down the river to Battleford. It would have taken them only two days to reach here.

WICHITA, 21.—A *Daily Eagle* special from Kingman, Kansas, gives the details of a disastrous flood, which occurred this morning in the Ninnescah river, and which is supposed to have been the result of a waterspout.

About 9 o'clock the river began to rise at a tremendous rate; but little attention was paid to it, as the preceding night had been one of rain. The river rose five feet in 30 minutes, and in a little time was out of its banks; but still people did not fear any particular danger, thinking the water could not rise much more. Soon small buildings and shops began to move, and almost instantly the whole south of Main street was under a rush of waters, which tore houses from their foundations and sent them drifting across the street, and on their way down the wild and turbulent river with families still in them, screaming for help. The flood soon reached the floor of the bridge, which caused the water to pour into the riverside hotels. The inmates fled precipitately to the north side. Fifteen dwellings were swept into the current, with men, women and children in them, and at the mercy of the waters.

The number drowned is unknown, though four women and one man are known to have been drowned, besides several children.

At this hour, 3 p.m., the water has begun to recede, and a meeting of citizens is being held to look after the destitute living and the bodies of the dead.

PANAMA, 21.—The United States steamers *Tennessee*, *Alliance* and *Sucutara* are at Aspinwall. The *Galena* is cruising in the vicinity of Cartagena, and the *Powhattan* is at that port. The *Yantic* is expected to arrive there shortly, and the *Shenandoah* is at Panama. The force available and within easy call for short service numbers 1,800, with thirty guns. A French man-of-war and an English man-of-war are at Aspinwall. Two English and two French war ships are at Panama.

PANAMA, via Galveston, 21.—The situation last night and to-day was critical. Handbills have been issued inciting the natives against foreigners. Alzupuru is quoted as saying he would not fight in the city. The cathedral towers are being loopholed, and it is reported that a quantity of dynamite has been placed in the soldiers' quarters, to be fired in case of defeat. Residents of Panama are more alarmed at the coming troops than at those now here. Well known criminals, liberated in the recent flights, are now seen in hotels and elsewhere. Firing in the streets occurs here frequently at night.

SAN FRANCISCO, 22.—A very important clue has been unearthed to-day by I. W. Lees, captain of the detective police of this city, assisted by detective John Coffey, respecting A. H. Lennox Maxwell, the supposed murderer of Arthur H. Preller, at St. Louis, April 6th. It is now known that this man, who is believed to be the same as T. C. Daugnier, as registered here, did not stop at the Palace Hotel during the night he was here. Under the influence of wine he became very talkative at a house he visited. The proprietress of the house being interrogated afterward regarding her visitor, stated that he introduced himself as a Frenchman, recounted many warlike deeds, showed her a diamond ring with a deep claws setting. The diamond was about a three-quarter carat. As further evidence of the large quantity of jewelry of which he was possessed, he showed her links of beaten gold and platinum. The woman also observed that he had a three-cornered scar under his chin. During the early part of the evening he spoke in broken English, but on looking over a photograph album suddenly ejaculated in most excellent English: "Oh! that's Henry Irving and Miss Terry," on seeing the photographs mentioned. The open-faced silver watch which he brought from St. Louis, alluded to in a previous dispatch was exchanged by him here for another and has been found. It bears on the inside of the outer case 3,262 and 4,316. Following the latter number is a dot underlined, then the figure one with a long down stroke and figures eighty-five. Below these are figures five with a down stroke and eighty-three under which are the letters W. W. R. underlined by the letters L. C. O. On the inside of the case are the numbers five, with a down stroke, eighty-three, under which are the capital letters D. N. On the inside of the brass cap that covers the works is written in ink H. M. Brooks with the figures, either 902, 402 or 102. The importance of this discovery is that the name is the same as that subscribed to the ticket purchased from the St. Louis and San Francisco Railroad at St. Louis and collected on the train from the man Douquier. Comparison of the writing of the name on the ticket and in the watch case shows that it has been done by the same person the only slight difference being in the letter "S" in the word "Brooks." Captain Lees raises the query whether H. M. Brooks is not the correct name of the supposed murderer and not Walter H. Lennox Maxwell. He believes the man's name to be Hugh Maxwell Brooks. His theory being partly based on the fact that two of the same initials appear in both names. The man was traced to every place he visited while in this city. The result confirms the previous assertion that he left on the Australian steamer.

SAN FRANCISCO, 22.—Mrs. Barrios, wife of the late President of Guatemala, and seven children are among the passengers on the steamer *Granada* which just arrived from Panama. Her son, Antonio Barrios, arrived yesterday from the east. The *Bulletin* will publish this afternoon the following particulars of the death of the late President Barrios of Guatemala, obtained from B. Barrott, Guatemalan Consul of this city, who returned here this morning on the steamer *Granada* from Guatemala: The engagement in which Barrios was killed was between one battalion of Guatemalan troops and a much larger body of San Salvadorians. At 9 a.m. Barrios gave the order to attack, but at 10 o'clock no advance movement had been made, as the troops were under command of an unpopular colonel, and refused to obey him. Barrios was in his tent with two of his officers when this information was brought him. On the refusal of both these officers to assume command, he left the tent; and it was while proceeding to the front of the column that he was shot by Sharpshooter from a tree. The bullet entered his right shoulder, passed through the heart and out on the left side. Meanwhile the battle had commenced, and in a short time both sides withdrew from the battlefield, but not until a determined and successful effort had been made to recover Barrios' body.

CHICAGO, 22.—News reaches here of a disastrous fire which is raging at Wheaton, 25 miles west of this city, on the Northwestern R. R., at the county seat of Dupage County. A fire steamer has just been dispatched from this city by a special train. PHILADELPHIA, 21.—A fire occurred early this morning in the Pullman Palace car repair company's shop. The building and contents were destroyed. Loss \$150,000; insured.

WASHINGTON, 22.—Hon. A. W. Wyman, Treasurer of the United States, has tendered his resignation, to take effect May 1st. Mr. Wyman tendered his resignation through the Secretary of the Treasury on the 3d of April, but any announcement of the fact has been withheld at the request of Secretary Manning, who accepted the same to-day on behalf of the President. The Secretary expresses his confidence in Treasurer Wyman, and regrets his retirement, which is entirely voluntary. Mr. Wyman was in March elected vice-president of the Omaha National Bank at Omaha, Nebraska, have charge of an important trust company there. C. D. Jordan, formerly cashier of the Third National Bank of New York, was to-day appointed successor, and is present in the city preparing to assume the duties of the office.

VICKSBURG, Miss., 22.—A fire last night destroyed Fornansf's dry goods store, Maurice Meyer & Co's dry goods; William Brunson, hardware; Warren & Seales, clothing; Baum & Co., stationers; Robert Ernst, jeweler; A. Westcott, hardware; Joseph Hosteda, wholesale liquor; United States Signal Office; Telephone Exchange; three residences on Mulberry Street; the *Herald* office and Western Telegraph Office. Loss, \$250,000.

FOREIGN.

LONDON, 20.—In the House of Commons Lord Randolph Churchill, Conservative, asked Mr. Gladstone how far England was complicated and how far responsible for the suppression of the French newspaper *Bosphore-Egyptien*, at Cairo.

Gladstone replied that Egypt had not acted alone in the matter of seizing and suppressing the papers, and admitted that England was not in a position to disclaim all responsibility for the act.

Fears are entertained that the *Bosphore-Egyptien* affair is likely to lead to difficulty between France and England.

The situation at the close of the session of Parliament this evening was one of uneasiness bordering on gloom.

The *Pall Mall Gazette* states this afternoon that despite all prevalent alarmist rumors, it is in a position to state that the differences between England and Russia are in a fair way toward settlement.

LONDON, 21.—The *Daily News* in an editorial this morning says: It is believed the government has decided upon the immediate recall of Gen. Graham's forces from the Soudan.

WARSAW, 20.—The *Tagblatt*, the Russian official organ, states that Russia is making the necessary preparations for the taking of Herat.

Mashed advices of April 20th says that the Russians are still at Aytopa. Gen. Komaroff has gone to Sarakhs and Gen. Alkanoff to Youlatan.

LAHORE, India, 20.—Earl Dufferin, Viceroy of India, in an address to the Indian Association, again referred to the marked manner of the offers made by the native people and princes to give England assistance in any struggle which she might have with Russia, and assured his hearers that England would know how to use this help when occasion required it.

LONDON, 20.—It is stated that Russia declines to subscribe to a distinct and definite obligation that she will on no account advance her forces beyond the country settled by the joint commission, which England proposes as the only stable settlement.

It is confidently expected that even the confidence of the Gladstone ministry is worn out at last.

LONDON, 21.—The grand jury, this afternoon returned "true bills" against Cunningham and Burton for treason and felony, and also commended the police for their management of the affair.

WARSAW, 21.—The *Tagblatt* announces this morning that it is the intention of Russia to immediately make a descent upon Herat, capture it and strongly fortify the place. It also states that the damage thus far done to Great Britain in India would far exceed any losses to Russian commerce by a blockade to Russian ports.

DUBLIN, 21.—On the arrival of the Prince and Princess of Wales last night, a slight attempt was made by the nationalists to create a disturbance. The police succeeded in disposing of them.

VIENNA, 21.—The *Politisch* correspondence states that the points of the difficulty between England and Russia are the bridges at Pulikhisti and Ak-tapa, which command Herat, and which Russia insists upon retaining.

ST. PETERSBURG, 21.—It is rumored here that Ayoub Khan, formerly Ameer of Afghanistan, who was arrested at Teheran, was taken into custody by order of Russia, and that he will be kept at the disposal of the Russian government. One of the uses to which it is said he will be put, if it becomes necessary, will be to produce a schism among the Afghan troops.

ST. PETERSBURG, 21.—The *Journal De St. Petersburg* insists that the accounts of the battle of the Kushk River, made by Gen. Komaroff and Sir Peter Lumsden agree, notwithstanding English opinions to the contrary. It says a detailed statement of the affair from Gen. Komaroff cannot be had for several weeks.

The *St. Petersburg Gazette* says the occupation of Penjeh was a good answer to the imprudent seizure by England of the Island of Port Hamilton.

The *Novoe Vremya* says exchange has again fallen, and the war cloud is advancing.

LONDON, 21.—Gladstone, in the House of Commons to-day, announced that the Government had received Sir Peter Lumsden's answer to the government's inquiries of the 10th inst. "The

message arrived to-day," said Gladstone, "and it shows how seriously Sir Peter Lumsden is at issue with General Komaroff. 'We can't,' continued the Prime Minister, 'enter into the details or effect of this difference in a few words. The whole matter will be laid on the table early to-morrow.' Gladstone said the government had received no communication from either Turkey, Austria, France or Germany concerning the closing of the Dardanelles.

Gladstone, in presenting the government's request for the vote of credit, said: "The government feels it is necessary to hold all the resources of the Empire, including the forces in Soudan, available for instant use wherever required. The credit does not include any provision for offensive operations or military preparations for an early march on Khartoum. The government rely upon the patriotism of the House, but our intentions have been, and are now based upon a strong desire that every pacific means should be used to obtain a just and honorable settlement of whatever controversies England might be involved in.

Gladstone explained that of the \$22,500,000 wanted for Soudan, \$3,750,000 would be devoted to the Suakim-Berber railway; \$2,000,000 to the Nile or Wady Halfa railway; \$2,500,000 to naval charges in connection with the removal of troops from Soudan, and the balance would be used to defray military changes in connection with Soudan. Gladstone said that although the Suakim-Berber railway had been commenced, any considerable extension of it would have to be suspended. It would be necessary to hold Port Suakim and one or two places in the vicinity, for health considerations, until some permanent arrangement shall be effected. The Suakim-Berber railway, he said, was merely a work of military necessity. The Nile railway, however, would be completed apart from military reasons. In regard to interior steps in the Soudan, the government reserved entire liberty of action subject to the judgment of Parliament.

Sir Stafford Northcote said he regretted the postponement of debate on the budget, but felt it was inevitable in view of the gravity of the situation. He thought the government was not dealing with the Soudan question in a satisfactory manner, and said he would refuse to vote the credit of \$22,500,000 asked without a fuller statement from the government regarding its policy in Soudan.

In the House of Lords Granville said the government had come to the conclusion that the position of affairs justified the putting of the army and navy and the whole of the auxiliary forces of the nation in immediate readiness for service if required.

The government has asked for a credit of \$55,000,000 for the army and navy accounts; \$22,500,000 are for war purposes in Soudan and \$32,500,000 for other naval and military preparations.

Earl Morley, Under Secretary of War, announced that the whole of the first class army reserves had been notified that they are liable to be summoned for service at any moment.

Earl Granville, in answer to questions concerning the probable disposition of troops, stated that Indian troops would be raised to hold Soudan, and the British troops there would be kept in reserve as an army corps to be called on for military service in India or elsewhere.

The lobby was excited over Gladstone's statement in the House of Commons, which is considered to amount to an evacuation of the Soudan. His repeated references to the necessity of holding the troops in readiness for service wherever wanted indicates that England is on the verge of war. Such words by the responsible minister, it is thought, will soon make peace impossible. It is believed Sir Peter Lumsden's dispatch is certain to influence the British war feeling to an alarming degree. Despite the fact that a credit of \$55,000,000 means an increase of sixpence in the income tax, it is undoubtedly true that the bulk of the conservative and liberal members of the House of Commons will vote for the credit cheerfully.

LONDON, 21.—In defiance of her treaty stipulations with England, Turkey and other powers, Russia is strongly fortifying Batoum on the eastern coast of the Black Sea. That point is now flooded with guns and munitions of war and a large corps of infantry and cavalry guards the railway from Poti and the coast to Tiflis, the capital of Trans-Caucasia. This railway is of great value in the transportation of troops from the Black Sea to the Caspian, on the way from European Russia to Afghanistan.

LONDON, 21.—Sir Peter Lumsden's dispatch in reply to the government inquiry as to the correctness of Gen. Komaroff's report of the encounter between the Russians and Afghans on the Kushk river is dated Tirpud, April 17th, and is addressed to Earl Granville. The dispatch reads:

"Gen. Komaroff's account of the attack on Penjeh is considered incorrect. Gen. Komaroff says: 'On the 25th of March one detachment approached Tash-Kepri on our bank of the Kushk River.' I reply that Gen. Komaroff's claim to either bank of the Kushk is untenable. The left bank has always been held by the Afghans and was never subject to Russian occupation. On the 20th of February the Russians located an outpost of 25 Turcomans on Kizil-Tepe mound, one mile north of Pul-i-Khisti, and about a mile from the nearest point on the Kushk River at the Kushk's junction with the Murghab River. This has always remained the extreme limit of the