ROLL CALL.

That Is What the Olympian Delegates Consume Their Time in Asking For.

Mr. Prosser Still in Good Condition and Willing to Continue Talking.

The Schedule Article Was Taken Up, Read, Amended and Recommitted.

(SPECIAL TELEGRAM TO THE REVIEW.)

OLYMPIA, Aug. 17.—The convention met at 9 o'clock, the president in the chair. Prayer by Rev. Palmer of Olympia. Roll call showed thirteen vacant chairs. The records were read and approved. Cosgrove, Dunbar and Tibbetts were excused for the afternoon.

Browne's report of the special committee on the state seal, with three designs for a seal, three members on the committee, was presented, tabled temporarily and ordered printed.

The state lands article was taken up and the amendments proposed by the committee of the whole were considered and those in section 1 were concurred in. The next amendment was Turner's declaration of the state's sovereignty over tide lands, etc., and on the question of concurring in this amendment Joy called for the ayes and nays with this result—ayes 23, noes 26. The roll was called on the next section also, which was a disclaimer of the state's claim to pre-emption, homestead or donation lands covered by a United States patent. Concurred in—Ayes 45, noes 23.

On concurring in the amendment requiring the successive legislatures to agree to laws for the sale of the tide lands another roll call was ordered and this section went out—Ayes 32, noes 36.

The next point of difference was upon the proposition to exclude from the sale of school lands the value of the improvements thereon.

Cosgrove said it was "confiscation," but the convention either

DID NOT AGREE WITH HIM

or else was in a confiscating mood, for it adopted the proposition—ayes 48, noes 18.

On what has been known as "Crowley's proposition," to confirm the sales of university lands, etc., the roll call was 46 ayes, 20 noes, so that was confirmed.

All the other amendments made by the committee of the whole were concurred in. The gates were now wide open under the rules for the usual stream of amendments, and Joy moved to amend so that the whole of any school section, any part of which is within a mile of any incorporated city, shall be sold in lots instead of by the acre.

Griffitts thought this would not accomplish the result sought, particularly at Spokane Falls, where the whole school section is just outside the one-mile limit.

Stiles disapproved of the whole section, and thought the legislature would attend to these details.

A division was called for and had, and the proposition prevailed — ayes 33, noes 11.

Prosser offered a substitute for section 5, providing for the perpetual retention by the state of the school lands and for the leasing of the same, which was his proposal of yesterday. He had not heard one single argument in favor of inserting in the constitution a direction for the sale of the school lands. The only thing approaching that was Dunbar's suggestion that

MONEY WAS WANTED

now for the school purposes; but that was wholly unnecessary, for the timber, coal, etc., could be sold. The legislatures could not act fairly, for in every county there were men of influence who wanted to purchase these lands for their own purposes. As to Bowen's contention he claimed that he (Bowen) had only corroborated his statements. That gentleman had admitted on this floor that the primary school money of Michigan had been used to build a state capital, and to pay the depreciated state warrants of that state.

Bowen asked a question or two which presently the chair stopped, as running into a coloquy.

Prosser proceeded, claiming that if a private individual had administered a trust as Michigan had handled her school lands, he would have been proceeded against criminally even in Michigan. He protested vehemently against putting the school lands upon the market in the near future in competition with the cheap lands of the United States and the Northern Pacific railroad and called upon the convention to perform its duty to the people and to all the children of the future.

Cosgrove thought his county was well enough protected, and they wanted money for the schools without taxing themselves.

Moore entered his protest along with that of Prosser in behalf of the future generations of this state. He would

CALL A HALT HERE,

knowing that the people could, through amendment of the constitution, demand that these lands be sold if they desired to do so. Money could easily be borrowed for immediate use instead of sacrificing this magnificent heritage for a few thousand dollars that are at present needed in school matters. He demanded the yeas and nays and they were ordered.

Buchanan would handle this land just as he would his own, and if he owned it

HE WOULD SELL IT.

He compared leasing with selling. He commented on Prosser's argument and stated his own experiences in public lands in Wisconsin. Land was very much more plenty in Michigan and Wisconsin and prices much lower, so that it was difficult to sell them, even at $1.20 per acre. It was of more importance to provide means for the honest management of the moneys received from the sale.

Bowen, again in the interests of time, moved the previous question and it was ordered to be put, and again the convention showed its want of sympathy with Prosser's proposition by voting it down—ayes 22, noes 43.

The roll being called on Moore's demand, Browne moved to amend so that no more than one-third of each school section shall be sold in the first five years nor more than two-thirds in the first ten years, so that the improvements on what was sold would tend to raise the value of what was left.

Turner favored that amendment, Cosgrove opposed it, and Browne demanded a roll call and it carried his proposition—ayes 35, noes 31.

Weir moved an additional section as follows: The legislature shall provide by general law that all persons owning land abutting upon the shores of any navigable water within the limits of the state and having, prior to Feb. 22, 1889, valuable improvements occupying the shore land below the government meander line in front of such abutting land such improvements being in actual use and a necessity for trade, commerce or business, and the shore land so occupied being other than the extension of any street, alley or other public highway, shall have the prior right for a limited time to as much of said shore land as may be necessary for the purpose for which such improvements were made at the valuation fixed by a board of appraisers, which board shall fix such valuation irrespective of the improvements on such land; provided, that nothing herein shall apply to the area covered by the reservation in front of any incorporated city, or any lands in front of any fort or light-house owned by the United States.

Jones moved the previous question, and Moore demanded the ayes and noes. The previous question was ordered by ayes 51, noes 15. Pending the decision of that motion Jackson moved a call of the house, but the chair ruled him out of order until the pending motion was settled.

The question was then put on Weir's section, and, by roll call, it was adopted—41 to 26.

Stiles moved to amend section 2 by adding a proviso that nothing in that section should be construed so as to deprive any riparian proprietor of his right to carry his claim to a court.

Jamison asked for a roll call, and that being had, the amendment was adopted—ayes 44, noes 19.

Turner put in again his substitute of yesterday for the section validating United States patents, leaving the matter to the legislature. Lost—ayes 23, noes 46.

T. M. Reed wanted to amend by saying "for educational purposes," instead of saying "for common schools."

Jones moved to put in "docks and dockyards," because they ought to be included and would not be by the phrase "defensive works."

Browne further amended by making all the article correspond with his previous amendment, establishing an alternate system of selling only three at a time in each school section, and several other technical amendments, all of which were adopted.

Prosser offered a proviso to section 5 providing that no school land in the state of Washington shall be sold unless a majority of the electors of the state so decide in an election. He thought the chairman of the committee (Dunbar) would not object to having this matter go to the people.

Dunbar said he had

NEVER HEARD OF THIS

proposition and certainly should not favor it.

Prosser—I understood you to say yesterday that you were willing the people should decide this.

Dunbar—Through their representatives in the legislature.

Prosser repeated that in a matter of so great importance the best that the members could do was to allow the people to decide. He asked for the ayes and noes, but on roll call his proviso failed—Ayes 18, noes 44.

Stiles moved to amend by saying five-acre "parcels," instead of "blocks and lots." Lost.

Griffitts moved again his substitute for section 1 providing that all school lands shall be reserved from sale, except lands granted for university, charitable and certain other purposes), and asked a roll call. Result—ayes 16, noes 53.

Power said this article had been discussed and amended for three days, and now he moved to pass it to a third reading, but withdrew at Prosser's request.

Prosser moved to amend so that the time within which the first third of the school lands may be sold to the year 1900, and the time within which the second third may be sold to the year 1920, and had a roll call upon that, with failure again—ayes 29, noes 35.

Power renewed his motion to pass to a third reading and called for the previous question, but yielded to Browne.

Browne thought the sale of a part of the tide lands had been provided for and part not, so he moved to amend by authorizing the legislature to arrange for the sale of such portion unprovided for at public auction.

Power again renewed his motion.

Crowley asked for a reprint and moved to amend Power's motion to that effect.

Power refused to accept that amendment. He proposed to get this article finally adopted here this morning if he could.

Griffitts hoped this motion would not be pressed, as he had another amendment to offer, and that was to declare that if any of the state lands had not been given away or sold by this article

IT WAS UNINTENTIONAL

on the part of the convention. The chair declined to entertain it, and Crowley's motion to print was lost after E. H. Sullivan had expressed his wish to get through this article to-day.

Powers' motion to engross and pass to a third reading was adopted on roll call by ayes 46, noes 20.

Weisenburger moved to suspend the rules and put the article on its final passage now.

Roll call again at Griffitts' demand and the suspension failed—Ayes 35, noes 31.

Griffitts asked a reprint of this article, and the chair said he should order it.

Lillis asked leave until Monday afternoon. Refused—24 to 25.

The president signaled Turner to take the chair this evening.

E. H. Sullivan moved to adjourn sine die.

The chair said it couldn't adjourn sine die, and he put his motion to adjourn simply. Lost. On motion of Gowey a recess was taken until 2 P. M.

AFTERNOON SESSION.

The Schedule Article Taken Up in the Convention.

The convention met at 2 o'clock, with Turner in the chair. The schedule article was taken up.

Dickey moved to go into committee of the whole informally, with the president pro tem. in the chair.

Dyer hoped not.

Moore thought they had better go into committee of the whole formally if at all, and have

NO HALF-WAY BUSINESS

about it. The motion was lost.

Power moved to take up the schedule formally in convention and it was so voted.

The sections following were agreed to with the new amendments:

SECTION 1. No existing rights, actions, suits, proceedings, contracts or claims shall be affected by exchange in the form of government, but all shall continue as if no such change had taken place, and all process which may have been issued under authority of the territory of Washington previous to its admission into the union shall be as valid as if issued in the name of the state.

SEC. 2. All laws now in force in the territory of Washington which are not repugnant to this constitution shall remain in force until they expire by their own limitation or are altered or repealed by the legislature.

SEC. 3. All debts, fines, penalties and forfeitures which have accrued or may hereafter accrue to the territory shall inure to the state of Washington.

SEC. 4. All recognizances heretofore taken or which may be taken before the change from a territorial to a state government shall remaid valid and shall pass to and may be placed in the name of the state, and all bonds executed to the territory or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities or their successors in office for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments, decrees, bonds, specialties, cases in action and claims or debts of whatever description belonging to the territory of Washington shall inure to and vest in the state of Washington, and may be sued for and recovered in the same manner and to the same extent by the state of Washington as the same could have been by the territory of Washington.

SEC. 5. All criminal prosecutions and penal actions which may have arisen or which may arise before the change from a territorial to a state government, and which shall then be pending shall be prosecuted and judgment and execution had in the name of the state; all offences committed against the laws of the territory of Washington before the change from a territorial to state government, and which shall not be prosecuted before such change, shall be prosecuted in the name and by authority of the state of Washington with like effect though such change had not taken place, and all penalties incurred shall remain the same as if this constitution had not been adopted; all actions at law and suits in equity which may be pending in any of the courts of the territory of Washington at the time of the change from a territorial to a state government shall be continued and transferred to the court of the state having jurisdiction of the subject matter thereof.

SEC. 6. All officers now holding their offices under authority of the United States or of the territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state, and shall be entitled to receive for services rendered coupensation not greater than that therefore received on the taking effect of the constitution.

SEC. 7. All officers provided for in this constitution, when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this constitution, on the first Tuesday of October, 1889.

SEC. 8. Whenever the judge of the superior court of any county elected or appointed under the supervision of this constitution shall have qualified, the several causes then pending in the district court of the territory within any county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto shall pass into the jurisdiction and possession of the superior court of such county, and until the district courts of the territory shall be superseded in any manner, said district courts and the judges thereof shall continue with the same jurisdiction and powers to be exercised in the same judicial districts respectively, as heretofore constituted under the laws of the territory; whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the territory and the papers, records and proceedings of said court and the seal and other property pertaining thereto shall pass into the jurisdiction and possession of the supreme court of the territory, and the judges thereof shall continue with like powers and jurisdiction as if this constitution had been adopted.

SEC. 9. Until otherwise provided by law the seals now in use in supreme and district courts of the territory are hereby declared to be the seals of the supreme and superior courts respectively of the state. The seal of municipalities and all county officers of the territory shall be the seals of such municipalities and county officers respectively under the state.

SEC. 10. Whenever the state is admitted into the union and the superior court in the respective counties organized, the books, records, papers and proceedings of the probate court in each county and all causes and matters of administration pending therein shall pass into the jurisdiction and possession of the superior court of the same county created by this constitution, and the said court shall proceed to final judgment, decree, orders or other determination in the matters and causes, as the territorial probate court might have done if this constitution had not been adopted, and until the election and qualification of the superior judges are provided for in this constitution the territorial probate judges shall act as judges of the probate courts within the respective counties.

SEC. 11. The legislature at its first session shall provide for the election of all officers whose election is not provided for elsewhere in this constitution and define their terms of commencement and duration of their term.

SEC. 12. In case of a contest of election between candidates at the first election under this constitution for judges of the superior courts, the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to by the secretary of state, and said officer, together with the governor and treasurer of the state shall review the evidence and determine who is entitled to the certificate of election.

SEC. 13. One representative in the congress of the United States shall be elected from the state at large at the first election provided for in this constitution, and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by congress the legislature shall divide the state into congressional districts in accordance with such apportionment. The vote cast for representative in congress at the first election shall be canvassed and the result determined in the manner provided for by the laws of the territory for the canvas of the vote for delegate in congress.

SEC. 14. All district, county and precinct officers under the territorial laws (except probate judges and prosecuting attorneys), who may be in office at the time of the adoption of this constitution shall hold their respective offices until the ——day of January, 1891, and until their successors are elected and qualified, and the official bonds of all such officers shall continue in full force and effect until the termination of their respective terms of office, the same as if this constitution had not been adopted.

SEC. 15. The first election held at the time of the adoption of this constitution shall be held and conducted in all respects according to the laws of the territory, and the votes cast at said election (or all officers (where no other provisions are made in the constitution) shall be canvassed and returned in the manner provided for by the territorial laws.

Power moved to adjourn. Lost. On Reed's motion to refer, 24 to 17 was the vote, so the schedule article goes back to the committee.

At 4 P. M. Gowey moved to adjourn to Monday morning.

IN FOR A YEAR.

Sullivan Sentenced to Imprisonment in Mississippi.

PURVIS, Miss., Aug. 17.—Court did not open until nearly 9 o'clock this morning. Judge Terrell was on hand long before that time and Sullivan was also seated before the bar, showing up with Clune, before his attorney came into court. He looked pleasant and unconcerned, although there was a trembling in his eye after the judge was seated and he glanced over at the men who found him guilty. The crowd in the court was small, but grew larger in a few minutes, for hardly was the court seated when the grand jury filed in. They presented one indictment to be recorded and filed against Sullivan. The case was then taken up. Judge Calhoun submitted a motion to arrest judgment. The papers had been left at the hotel, however, and the case went over temporarily. District Attorney Neville called the case of John Fitzpatrick. The district attorney read the indictment and then asked: "What say you, guilty or not guilty?" "Guilty," quietly answered Fitzpatrick. District Attorney Neville then addressed the court, reviewing Fitzpatrick's connection with the fight, and the circumstances under which he became referee, and closed by saying that he felt justified in recommending the accused to the court's clemency. Captain Fitzpatrick also made a statement in his behalf, and concluded by asking the court to be as lenient as possible. The court reserved its decision. The Sullivan matter was taken up again and Green read a motion in arrest of judgment. The court overruled the motion after reading the contents. Green then submitted a motion for a new trial and asked for an immediate decision without argument from counsel. The motion was based on various technical points, alleging error in the instructions to the jury and in the admission and exclusion of testimony, etc. Judge Terrell then overruled the motion for a new trial and sentenced Sullivan to one year's imprisonment.

Venom in a Horse's Teeth.

[From the Cincinnati Enquirer.]

Isaiah Bentley, formerly of Hartford City (Ind.), a few weeks ago was attacked by his Arabian stallion and had his arm so badly mangled by the teeth of the infuriated animal that amputation was necessary. Word has just been received from Sabina, O., that Bentley died a few days since from the effects of the poison of the stallion's teeth.

Guilty of Prize Fighting.

PURVIS, Miss., Aug. 17.—The jury at 5 p. m. returned a verdict finding Sullivan guilty of prize fighting. A motion in arrest of judgment was made and will be heard to-morrow

YOUNG FIREBUGS.

A Gang of Boys Have Been Setting Fires to Buildings in Walla Walla.

Deputy Nagle, the Slayer of Judge Terry, Jailed in San Francisco.

Two Towns in Danger---Sentenced to Hang---Numerous Pacific Coast Items.

WALLA WALLA, Aug. 17.—In the past six weeks seven fires have been set, some in unoccupied buildings. The fires were incendiary and tramps were suspected. A vigilance committee was organized. It transpired that some people, however, thought the fires were caused by young boys. The police have been working for the past few weeks to find out the truth. They had a young man disguise himself and mingle with the suspected youths. This morning he ascertained that a gang of boys aged 13 to 15 and in number about twenty, had been setting all the fires. The evidence is considered good enough to convict the offenders. Attorneys were consulted before making arrests and the police were told that under the law to fire unoccupied buildings was not a crime. The arrests were not made, but the parents were notified and the boys disciplined. There is considerable talk in the city about the matter.

Frank Larson, the escaped convict, was captured last night in the brush near the Touchet river. He had been out of prison but two days and had had no food. He was still in the convict dress, and was discovered by an engineer of a passenger train, who stopped the engine and an officer chased the convict down and captured him.

SAN FRANCISCO NEWS.

Deputy Nagle in Jail—A Murder—The Cruiser Charleston.

SAN FRANCISCO, Aug. 17.—Deputy Marshal David Nagle, who arrived in this city this morning in charge of Sheriff Cunningham of Stockton, was taken at once to the city prison. A writ of habeas corpus was issued by Judge Sawyer and served upon Sheriff Cunningham yesterday. The sheriff went to Stockton yesterday afternoon and left there with Nagle in a special train an hour before daylight this morning. The removal was given no publicity, as there was no one at the depot when the train left. The writ of habeas corpus was made returnable in the circuit court at 11 o'clock this morning, but at that hour Judge Sawyer postponed proceedings until Tuesday, and he provided Nagle in the custody of Marshal Franks, and the prisoner was placed in the county jail.

Thomas A. Reynolds, a shoe dealer was arrested this morning on the charge of murder. The dead body of a Chinaman was found in front of his store last night with a wound in the temple. A hammer covered with blood was found in Reynolds' store. Reynolds says he caught the Chinaman stealing in his store and chased him into the street where he fell. He denies hitting him.

Steam was raised on the steamer Charleston this morning for the purpose of giving her a trial run in the bay. The trial will be conducted entirely by the engineers and others connected with the union iron works, and no government officials will be aboard. If satisfactory results are obtained to-day the cruiser will be given another builders' trial in the bay next week. If that also proves successful the builders will notify the navy department that they are ready for a second official trial trip.

IN DANGER.

Georgetown in Danger of Nihilation from Forest Fires.

PHILLIPSBURG, Aug. 17.—A mounted messenger arrived in Phillipsburg this evening from Georgetown, calling for aid to keep the forest fires from burning the town. Fire has surrounded the town and all of Georgetown flat is burning. The wind was very high to-day and has brought the fire to within six miles of Phillipsburg, and some alarm is experienced as to the safety of the Bimetallic mill, as the fire is traveling toward it with great rapidity. A large mounted force left here at 8 o'clock for the scene, and it is hoped they will be able to check the fire so as to save Georgetown and such buildings as may lay in its track. Great excitement prevails. The smoke is exceedingly dense, more so than at any time since the beginning of the fire.

The Death Sentence.

PLACERVILLE, Cal., Aug. 17.—John Olsen and William Drager, who were convicted, together with John M. Myers, of the murder of John Lowell, a ranchman, were sentenced to-day to be hanged on Wednesday, October 16. Myers explated his crime on the scaffold November 30 last. Drager reiterated his claim of innocence to-day but Olsen maintained sullen silence.

More Forest Fires.

GRASS VALLEY, Aug. 17.—Fire started in the grass at Forest Springs to-day and swept the country up to near this town. It is feared some houses and barns have been burned. Fires are raging south of the town.

The Napa Fair.

NAPA, Aug. 17.—The fair closed this afternoon. On the race track Gold Leaf in a trial against time beat all her former records, pacing a mile in 2:11¼ with a running mate. This also beats the 4-year-old record.

A DENIAL.

Russell B. Harrison Denies Having Libelled Crosby.

NEW YORK, Aug. 17.—The papers in the suit of John S. Crosby against Russell B. Harrison, which was transferred from the supreme court, were received by Clerk Shields of the United States circuit court to-day. Accompanying them is the answer of William A. Sweetzer, counsel for Harrison, in which he makes a general denial of the libel. He adds: "For a further, separate and distinct defense and answer the defendant alleges that the Montana Live Stock Journal is a newspaper published and owned by the Journal Publishing company, and defendant had no control or connection with the matter appearing in the columns of that paper."

A Strike Ended.

CHICAGO, Aug. 17.—The Northern Illinois mining troubles have come to a settlement. After a long discussion tonight the mine owners finally offered to make a reduction of 7½ cents instead of 10. Congressman Sawyer and other nondelegates were made to retire from wageworkers' conference, on the ground of being agitators who were preventing a settlement. After midnight the miner's committee agreed to the figures proposed on condition of an advance of 2½ cents in October.

Not the Aeronaut.

BABYLON, L. I., Aug. 17.—The body of the man which was found on Fire Island beach two weeks ago and which was supposed to be that of Prof. Hogan the missing aeronaut and was subsequently buried in the cemetery of this village, has been identified as that of Henry Warden of Chicago, who committed suicide.

The End.

HELENA, Mont., Aug. 17.—The convention completed its labors to-day and adjourned sine die.

Wasting No Time.

[From the Spangle Record.]

The energy and enterprise displayed by the people of Spokane Falls since the fire, in setting to work to rebuild so soon, is characteristic of her citizens. The ruins of the burnt district are now a living mass of workmen industriously engaged in clearing and excavating, and those who have suffered heavily do not seem to be cast down in the least, but intent upon building more substantially than ever. Spokane's great loss is felt by the entire country, but it is gratifying to know that she will not waste a moment until she is rebuilt again even better than ever.

NOT GUILTY.

The Johnstown Sufferers Against a Hunting Club.

PITTSBURG, Aug. 17.—The solicitor for the South fork fishing and hunting club made a plea of not guilty to-day in the allegations made by the Johnstown sufferers against the club through a bill in equity filed some weeks since. This has the effect of placing the case upon the issue docket, and the case will now come up on jury trial in its regular turn. The filing of this plea was done voluntarily, and shows that the defendants are anxious to have the matter settled.

CROWNED HEADS.

The Italian Government Says the Pope can go, But not the Treasures.

The Intention of the Tripple Alliance Seems to be to Suppress France.

BERLIN, Aug. 17—Signor Crispi, encouraged from Berlin, has sent the officials of the Vatican private hints that the Italian government will not permit the popal treasure or the Vatican art objects to leave Rome. It could not prevent the Pope's personal departure, but the contents of the Vatican must remain.

Prince Bismarck must have counted the cost of his unfriendly diplomacy toward the Vatican by balancing the increased centrist hostility against the weakening of the triple alliance. He preferred an intensified feud in the centre party to the risk of losing Italian cooperations.

General Beck's interview with General Von Waldersee and War Minister Du Verno has resulted in a military convention which is associated with the Italian convention, and completes the plans for.

NAVAL AND MILITARY COMBINATIONS.

In the event of war, although no official warrant is given for the reported absorption of England into the alliance. The language of the semi-official press justifies the inference that the British government has agreed that its naval and military forces will co-operate with those of the alliance in repressing any wanton disturbance of the European race.

The leading official organs of Berlin and Vienna breathe the language of general good will, and sensational rumors of a general disarmament pervade diplomatic circles. It is said the emperor will announce a project for the limitation of European armaments, threatening as an alternative

A GENERAL WAR.

The fact, however, does not accord with this expectation. It is more likely that this emperor's speeches at Strasburg and Metz will be outspoken warnings to France to cease nourishing dreams of revenge.

The czar's advent is still doubtful, and he may postpone his visit until returning from Copenhagen. The conclusion has arisen from changes in the czar's humors, and the emperor's programme has been settled irrespective of the czar's programme.

The papers generally approve the condemnation of General Boulanger.

Abbe Dingelstadt, professor at Oldenburg, has been appointed bishop of Munter.

A BLOODLESS DUEL.

Two Hot Headed Georgians Settle a Dispute With Pistols.

[Atlanta Special.]

Just over the Georgia line in Alabama, on the Rome & Decatur road, near dark this evening, Col. Williams and Lt. D. Williamson fought a duel with pistols. Mr. Calhoun was perfectly cool and fired but one shot. Mr. Williamson was nervous and fired five shots without stopping. Mr. Calhoun repeated his demand that Mr. Williamson should apologize for words spoken, which Williamson agreed to. Neither party was hurt and all scattered at once to escape the arresting officers who were now close upon them. The cause of the duel is briefly this: Mr. Calhoun, who is a grandson of the great nullifier, is general counsel for the West Point terminal system of railway, and is the master spirit of the combination of which John H. Inman is the head. The West Point terminal scooped in the Central railroad system of Georgia, thus bottling up the state. This aroused the indignation of the people, and the result was the introduction of a bill into the legislature known as the Olive bill, to forfeit the charters of roads entering into either consolidations or combinations. Mr. Calhoun on Tuesday appeared before the railroad committee to argue against the passage of the bill. There he found himself antagonized by President J. D. Williamson of the Chattanooga, Rome & Carrollton road, who argued in favor of the bill and declared for independent roads. Mr. Calhoun retorted that Mr. Williamson sought to enter the West Point combination, but that through his (Calhoun's) opposition Williamson had been kept out, and thus deserved no credit for being at the head of an independent road. Williamson jumped up and hissed out that the statement was false. A demand for a retraction was declined and both parties left the city last night determined on gore. Mr. Calhoun's second was Captain Harry Jackson of Atlanta, and Mr. Williamson's second was Jack King. Governor Gordon made strenuous efforts this morning to have the combatants arrested, and they slipped through the hands of two sheriffs in their endeavor to get to the duel ground. Mr. Calhoun was arrested for Williamson, but on proving that he was not Williamson was released.

ATLANTA, Ga., Aug. 10.—Latest reports from the field of battle show that Williamson was not touched by Calhoun's ball. Williamson fired five times quickly, while Calhoun rested on the first shot. Calhoun then demanded an apology again, which Williamson gave, and the duel was over.

Prolific Always.

[From the Spangle Record.]

Spokane Falls seems to be prolific of candidates for official positions. Judge L. H. Prather is announced as a candidate for superior judge, while Judge George Turner is a candidate for a supreme judgeship. Mr. Prather is a very excellent, upright gentleman, who would doubtless reflect credit upon the judicial ermine, and Judge Turner is recognized as one of the ablest expounders of Blackstone in the territory, and one of the leading lights of the constitutional convention.

Evidences of Faith.

[From the Sprague Herald.]

We are pleased to note that real estate values have in nowise been depreciated in Spokane Falls by the recent disastrous fire in that city. Her citizens are giving abundant evidence of the faith which is in them and which made the city at the Falls what it was, by already making preparations to build their city more substantial than ever.

Went Through the Roof.

A large boulder weighing three or four pounds came crashing through the roof of R. H. Davis' stable on East Main street—the Model stable—yesterday, going through an inch board and lodging on the top floor. The stone missed a man's head only about three feet. It must have been thrown from quite a distance, as there is no blasting being done within two blocks of the stable.

JUSTICE FIELD.

A Warrant Issued at San Francisco for His Arrest---Bail Fixed at $5000.

The Supreme Court of California Refused to Adjourn---A Legal Contest.

Justice Field Himself Petitions for a Writ of Habeas Corpus.

(SPECIAL TELEGRAM TO THE REVIEW.)

SAN FRANCISCO, Aug. 17.—The Terry tragedy continues to dwarf all other news in the popular mind in this city. Interest in the affair has been increased by the action of the district attorney of San Joaquin county in issuing a warrant for the arrest of Justice Field on complaint of Mrs. Sarah Althea Terry.

A LEGAL CONFLICT

threatens to grow out of this demand. The warrant directs Sheriff Cunningham of San Joaquin county to take Field to Stockton, the former home of Terry, in which city Nagle is at present under arrest. The sheriff arrived here last night with a warrant which he presented to Judge Rix, of the police court, this morning for his signature. Judge Rix asked the opinion of District Attorney Page, by whom he was advised to endorse the warrant. Ex-Judge Lauderbach appeared for Justice Field, declaring that the issuance of the warrant was an attempt to humiliate a justice of the United States supreme court.

Judge Rix finally endorsed the warrant and it was placed in the hands of Sheriff Cunningham of Stockton. Judge Field arrived at his chamber about noon accompanied by Judge Sawyer and Judge Brewer. Sheriff Cunningham, Chief of Police Crowley and Captain Lees went to the marshal's office in the building as soon as Judge Rix had

SIGNED THE WARRANT.

From there the party, accompanied by Marshal Frank, went to Judge Field's chambers. The latter rose to receive them and Sheriff Cunningham presented the warrant formally. A writ of habeas Corpus was at once sworn out before Judge Sawyer of the Circuit court and heard by him in chambers. The writ was at once granted and a hearing ordered for next Thursday. The bail was fixed at $5000. The petition was long, closing a statement as follows:

"It is incredible, but how any man, acting in the course of duty, could have listened for one moment to charges from such a source." Referring to Sarah Terry, the petition also charged that the purpose of the complaint by her was to subject Mr. Field to arrest and confinement at Stockton, where said Sarah Althea may be able by the aid of partisans to carry out long-continued and repeated threats of personal violence.

The supreme court of California, of which the late David Terry was formerly a justice, yesterday morning

REFUSED TO ADJOURN

out of respect to Terry's memory. This decision was announced from the bench. At Stockton yesterday morning Judge Buld adjourned his court out of respect to David Terry. He said those who knew Judge Terry best knew himas a pure judge and an .able attorney.

The petition for the writ of habeas corpus was made by Justice Field himself, and it is a very lengthy document. It sets forth in detail the facts of the case already known, and declares that at the breakfast table at Lathrop Justice Field was maliciously and wickedly assaulted by Terry without cause or warning by David S. Terry, which assault was not provoked by any act, word or deed of the petitioner.

The details of the contempt proceedings of September last, when Mrs. Terry assaulted Justice Field in the circuit courtroom, are then set fourth, and it is declared that at the time of the commission of said contempt by Terry and his wife and their arrests and conviction, and the sentence therefor, at divers times and places since, the petitioner is informed and believes that said Terry and wife have repeatedly threatened that at the first opportunity they would insult and assault the petitioner on account of acts done in the discharge of his duties devolving upon him as associate justice of the United States supreme court, and said Terry repeatedly and frequently declared and threatened that he would "get even" with the petitioner. The petition next sets forth that at the time of the shooting Justice Field was accompanied by D. Nagle, a deputy United States marshal, who was acting under instructions from Attorney-General Miller of the United States, and Marshal Franks. The petitioner declares that he is in no way responsible for any directions given Nagle or any other person, and that he was merely present at the place of the shooting while en route from Los Angeles to San Francisco, in the discharge of his official duties.

He further declares that he was not armed then, nor has he been at any time during his years armed with any weapon whatever, nor has he used any weapon of defense. The petitioner further alleges that Sarah Althea Terry falsely and maliciously swore out a warrant of arrest. Justice Field also sets forth in his petition that he is now holding court in this city and that his arrest and removal would seriously interfere and interrupt his official duties, such an interference being contrary to the provisions of the constitution.

Justice Field further asserted that in the United States circuit court during the hearing of the Sharon case it was proved and held that the complainant, Sarah Althea Terry, was "an abandoned woman" without veracity.

TAKEN TO SAN FRANCISCO.

SAN FRANCISCO, Aug. 17.—Deputy Marshal Nagle, who shot and killed Terry at Lathrop last Wednesday, was removed from jail at Stockton by Sheriff Cunningham this morning and brought to this city on a special train. This proceeding was based on a writ of habeas corpus issued by Judge Sawyer of the United States circuit court yesterday directing Sheriff Cunningham to produce Nagle in the circuit court at 11 o'clock this morning. Nagle was taken from the Stockton jail at that early hour in order to avoid the excitement which his removal during the day might occasion.

A great number of persons were present in the circuit courtroom this morning when he appeared. Attorney McGuire introduced District Attorney White of San Joaquin county, and said they appeared conjointly to oppose the release of Nagle by the federal authorities. The attorney, after reading the papers connected with the proceedings, entered

A GENERAL PROTEST

to the order of the court, claimed that it was beyond the jurisdiction of the federal courts to take into the custody of a state an official person who had been arrested for the commission of a crime in the state's jurisdiction, and against the state laws.

"If the court please," said attorney Maguire, "we desire to protest against any requirements of this court to the sheriff of San Joaquin county to bring a person held under state authority into this court out of deference to the court by the sheriff, and the sheriff now presents his returns to the writ." The attorney then proceeded to read the written return. "We shall take the position on behalf of the people of the state of California that Mr. Nagle is in the custody of the state authorities, and the federal courts have no jurisdiction to take the prisoner from the custody of state officers. That objection gives rise to a very important question which we are not at present prepared to argue."

Judge Sawyer said: "It goes to present an important question. The claim on the part of the prisoner is that the acts complained of were committed in the performance of duty under the laws of the United States, and by reason of that he has been brought within the jurisdiction of this court. We recognize the necessity of our being thoroughly prepared for argument, and probably for ascertaining the facts. It perhaps might be as well to postpone the matter for a week to give the counsel an opportunity to decide what is the best course to pursue."

After conferring, the lawyers decided that they would be ready to argue the questions raised next Thursday, and a hearing was set for that date, Deputy Nagle returning to jail under custody of the United States marshal.

FISHERMEN'S LUCK.

The Government Fish Vessel Albatros Arrives In Port.

WASHINGTON, Aug. 17.—Prof. Charles H. Gilbert, who has been for the past seven months chief naturalist on board the United States fish commission steamer Albatros, has just returned to Washington, and is now engaged at work on the collections made during that time off the Pacific coast. Prof. Gilbert says that after joining the ship at San Francisco early last winter, work commenced on the southern coast of California and continued three months between Point Conception and San Diego, the main work therein being the location of fishing grounds and dredging for deep-sea material. While there, thirty-five different species of fish not known before on the coast were taken, some of them entirely new to science.

A new fishing bank was discovered in the vicinity of San Diego, and one company has already begun to fish on it.

Prof. Gilbert thinks there is a possibility of some little industry being established there. He does not, however, regard it as a very important fishing bank.

After completing work on that part of the coast, a cruise was made into the Gulf of California, partly for the purpose of looking up the oyster question there and partly to ascertain whether the experiment of introducing shad into the Colorado river has been successful. No shad were found in this river, although some had been planted there several years previously. The waters are evidently not suited to the species. Very

South of Guaymas, beds of oysters were found, which are thought to be fully equal to the best we have on the Eastern coast. The question now to be determined is whether there is suitable ground on the California coast where they can be propagated.

Part of the work was of scientific interest. Many new and interesting forms have been obtained.

Having finished the southern coast, the vessel proceeded northward and did some work off the coast of Oregon and Washington territory, locating fishing banks there. It had been reported that there were good halibut banks out off the northern coast, but the Albatros was not successful in finding the fish in sufficient abundance to promise any large industry in that line.

SPOKANE'S PROGRESS.

How Real Estate is Selling Since the Fire---Increased Demand for Business Property.

Several Large, Handsome Bricks Begun in Addition to Those Heretofore Mentioned.

The real estate market has been immensely lively since the fire, especially in business property and in many instances there has been a strong demand for property in the burnt district at figures considerably in advance of those offered before the fire. There were several large sales during the week and the sales of business property since the fire aggregate $745,000. Many of the sales of the past two weeks do not appear in the weekly report of real estate transfers. Dealers report an increased demand from abroad for business property. Following is the week's

SUMMARY OF SALES:

Monday	15	$19,842
Tuesday	12	55,841
Wednesday	18	46,452
Thursday	12	59,801
Friday and Saturday	19	173,082
	76	$351,088

BUILDING PROGRESS.

The rebuilding of the city has commenced in earnest. Contractor T. R. Nickalls states that he will have the foundation of his building up before snow flies. He has fifty-eight men on his employ clearing away the ruins of different blocks and will commence rebuilding several brick buildings this fall.

Dr. N. Fred Essig yesterday purchased the interest of E. B. Hyde in the Wilson & Hyde property, Main and Howard streets, at $600 per front foot, and with H. L. Wilson purchased of James Morris the sixteen feet adjoining on Main street for $10,000. It is the intention of Messrs. Essig and Wilson to erect a five-story building there, 71x102 feet, provided with all modern conveniences, including steam heating, elevator, electric lights, electric bells, etc.

Bump & Co. are excavating for a fine four-story brick with basement, on the corner of Second and Post streets. The dimensions are 50x100 feet. The building will have an elevator and other modern conveniences and the intention is to complete it within four months.

Building Inspector Harn has condemned the walls of the old Bella Union theater building and Mr. Wilson will therefore be unable to repair the structure as he intended but will tear down the walls and build anew.

Mason, Smith & Co., are adding a second story to their brick warehouse south of the railroad track, and will build another fine brick on Post street and extending through to their present brick warehouse. The work of rebuilding their brick store on Stevens between Main and Riverside, has already commenced and will be completed in four months. It will be three stories high.

A large force of men are clearing away the ruins of the Frankfurt and another Frankfurt will soon take the place of the one destroyed, and will probably be one story higher.

J. S. Sloan will build a four-story brick on the corner of Front and Mill, on the ground formerly occupied by