

FOR BUSINESS AND FINANCIAL NEWS, LIVE STOCK AND PRODUCE MARKETS, SEE ELEVENTH PAGE, SECOND PART.

THAT SHOCKING CASE

The Kemmler Argument Before the U. S. Supreme Court.

THE EIGHTH AMENDMENT QUOTED, Which, Coupled With the Fourteenth, May Save Kemmler's Life.

CRUEL AND UNUSUAL PUNISHMENT

Totally Forbidden by the Constitution of the United States.

Roger H. Sherman, counsel for Kemmler, who was to have been electrocuted last Wednesday, appeared before the United States Supreme Court yesterday.

His client has asked the Eighth and Fourteenth Amendments to the Constitution. A decision will probably be handed down on the 29th instant.

SPECIAL TELEGRAM TO THE DISPATCH.

WASHINGTON, May 5.—The case of the condemned murderer William Kemmler, sentenced to death by means of electricity, has now reached the Supreme Court of the United States and bids fair to become a noted one in legal history.

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Durston to show that in this case no such conditions had been secured. Mr. Sherman then said that "a law which authorized the warden to go into the convict's cell with a rope and hang him within a fixed week, could hardly not be due process of law."

The same principle was applied in the state of New York in the case of the Harris case (106 U. S. 365), and the case of Baldwin versus Franks (130 U. S. 688), and in Hartung against the people (234 N. Y. 105).

Justice Field then asked: "Do you claim that the eighth amendment applies?" Mr. Sherman answered "not without the aid of the fourteenth."

At the conclusion of the hearing in the case the Court took an adjournment until Monday.

The work of the present term is finished except the handing down of some decisions. This will be done on Monday.

ANOTHER WRIT GRANTED.

Buffalo, May 5.—Another writ of habeas corpus has been issued in the case of Kemmler, the murderer. Copies were this morning served upon District Attorney Quinn and others interested in the case.

THE ELKS MEETING.

Legal Measures to Prevent its Taking Place in Cleveland.

New York, May 5.—Justice Barrett, of the Supreme Court, today granted a temporary injunction restraining the Benevolent and Protective Order of Elks from holding their annual meeting of 1890 in Cleveland, O., and Secretary Arthur C. Moreland from removing the seal and charter or books and papers of the order.

FIFTY MILLIONS OF CAPITAL.

The Plans of the Prospective American Gas Company.

PHILADELPHIA, May 5.—The stockholders of the United Gas Improvement Company held their annual meeting today, at which the preliminary steps were taken toward guaranteeing the organization of the prospective American gas investment company.

FROM ATLANTIC TO PACIFIC.

A Syndicate Said to be Moving for a New Transcontinental Route.

LEAVENWORTH, May 5.—A big railroad scheme, with millions to back it, is on foot for a transcontinental short line from New York to the Pacific.

THE ORIGINAL MILL EMPLOYERS.

PROVIDENCE, May 5.—The Original Mill A. A. Reed and Gordon Reed employed owners, is reported to be temporarily embarrassed. The mill runs about 16,000 spindles, making a fine grade of Turkish toweling. It employs about 250 hands.

THE PITTSBURGH DISPATCH

HE HAS DISAPPEARED

Washington Quinlan, Heir to Millions, Drops Out of Sight.

HE HAS HAD VERY HEAVY LOSSES.

A New Member of the New York Stock Exchange Initiated.

HE STARTED OUT VERY WELL FIXED.

Only About 35 Years of Age and Worth Three Quarters of a Million.

Broker Washington Quinlan, of the New York Stock Exchange, is missing. It is thought the fear of losses which he might not be able to make good led him to get out of the way. He was a millionaire's son. Detectives are looking for him.

SPECIAL TELEGRAM TO THE DISPATCH.

NEW YORK, May 5.—One of the professional traders on the Stock Exchange, who has been trying to keep prices down while the silver boom has carried them up, has disappeared.

THE SULTAN SUPPORTS THE COMPANY.

ZANZI BAR, May 5.—The suspension of operations by the British East African Company owing to the pressure of England and Germany has disgusted the natives, who fear that the country desires to disengage itself from the Sultan's rights.

CRUEL THREATS TO REAGLE.

ROME, May 5.—The Senate today in the debate on the charities bill rejected the clause providing for church expenses.

STREANER RICHMOND FOUNDERED.

LONDON, May 5.—A cable dispatch received here today from Buenos Ayres states that the British steamer Richmond has foundered near the eastern coast of the Argentine Republic.

SMASHED THE MACHINERY.

PARIS, May 5.—Strikers at Lille today smashed a number of workmen and smashed some machinery in a factory. They were dispersed by military.

FOREIGN NOTES.

LORD CHIEF JUSTICE COLERIDGE is still that he could not be out yesterday.

MONTANA IN A PLIGHT.

Russell Harrison says the State is now leaning on a tick.

CHICAGO, May 5.—Russell B. Harrison is apprehensive that the State of Montana will find itself in a desperate condition unless the Governor calls an extra session of the Legislature.

TO ELBET BECK'S SUCCESSOR.

Kentucky's Legislature to Cast Ballots on the 15th Instant.

LOUISVILLE, May 5.—Governor Buckner, contrary to last night's announcement, today sent a formal notice of Senator Beck's death to the Legislature, and the election of a successor was postponed.

HARRIMAN HALF WAY.

He Has Broken Down Fourteen Horses and is Ahead of Schedule Time.

LAMAR, CO., May 5.—Colonel J. S. Harriman, who is walking from Wabash, Ind., to San Francisco within 65 days on a wager of \$100,000, arrived here at 7 o'clock this evening.

TEMPET IN A TEAPOT.

A Town All Split Up Over School Graduation Exercises.

PROVIDENCE, R. I., May 5.—The adjoining town of North Attleboro is all agog over the action of the teachers in the High School in awarding the valedictory honors at the coming commencement to Miss Marion French.

MOVED THEIR STOCK AWAY.

New York Firm Placed in a Serious Position by the Evidence of Truckmen.

NEW YORK, May 5.—Five attachments were issued yesterday by E. B. Blumensold and Hirsch, aggregating \$18,770, against Henry A. Rawke, doing business as Rawke & Co., a well-known manufacturer, at 534 Broadway.

ARMOUR AND NEPTUNE.

CHICAGO, May 5.—At noon today Mr. George Armour, daughter of Mr. Miss Whitehouse, eldest son of the late Bishop Whitehouse, were married.

THE WEBSTER MYSTERY.

THE UNEXPLAINED DEATH OF MISS HOYLE RECALLED.

The Singular Conduct of Her Uncle Andrew and His Elongation With the Dead Light is Suggested Upon Which Light is Beaming to Dawn at This Late Day.

STAFFORD SPRINGS, May 5.—The mystery of beautiful Lilla Hoyle's murder in Webster, Mass., whose body was found tucked into a corn crib on a lonely road in Oxford, Mass., has not been solved.

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IN HONOR OF BECK.

Both Branches of Congress Adjourn in Honor of Senator Beck.

SEVERAL FEELING TRIBUTES PAID.

A Congressman Who Knows the Deceased From 10 Years of Age.

TELLS OF SENATOR BECK'S RECORD, And Speaks of His Career as One of a Typical American Citizen.

WASHINGTON, May 5.—There was an unusually large attendance of Senators present in the chamber, and of spectators in the galleries this morning when the opening prayer was offered by the chaplain. Mr. Beck's desk and chair were covered with black crepe, and a feeling of solemnity pervaded the chamber.

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SPECIAL TELEGRAM TO THE DISPATCH.

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BACK FROM CANADA.

The First of New York's Boodle Aldermen Returns to Surrender.

ACCOMPANIED BY HIS BROTHER

He Goes to the District Attorney's Office to Have a Bond Made,

BUT BECOMES VERY IMPATIENT,

And Leaves the Place Without Accomplishing the Mission Intended.

S. Ex-Alderman Sayles, of New York, has left the Canadian colony and returned to the metropolis. He went to the District Attorney's office for the purpose of giving himself up, got nervous while there and left.

SPECIAL TELEGRAM TO THE DISPATCH.

NEW YORK, May 5.—Henry L. Sayles, ex-Alderman of 1884, is here again from a foreign shore; that is, he is here for a while, and maybe he is yet. He is the first of the colony in Canada to venture back into the jurisdiction of New York.

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