THE SUN.

TELEGRAPHIC SUMMARY, ETC.

The signal service prediction for today is fair weather. Saturday fair.

The British force at Suakim made a reconnoissance yesterday, and in the neighborhood of the Hasheen Hills they had an engagement with the Arabs, who killed four of the British infantry. The British then retired, the Arabs not following. A battle is expected with Osman Digna's forces near Tamai today=The wife of James Stephens, the ex-head centre of the Fenians, writes that her husband is destitute and dying in Belgium.

The Chesapeake and Ohio Canal board have made reductions in salaries and pay-roll expenses=The Supreme Bench has decided that colored men cannot be denied admission to the bar=The thirty-third annual commencement of the Maryland College of Pharmacy took place yesterday=The Brydon case, concluded yesterday, was the longest trial in the Superior Court since 1860=A mail wagon upset on Holliday street early yesterday morning=Gus. Matthews, colored, who was burned Wednesday night, died of his hurts.

In the United States Senate yesterday Senators Wilson, of Maryland, and Gray, of Delaware, were sworn in.

H. W. Dunne, of Philadelphia, who for five years past has been the superintendent and engineer of the Lancaster Avenue Improvement Company, has been appointed superintendent of the New York, Philadelphia and Norfolk Railroad, to succeed Jas. McConkey, resigned. Mr. Dunne will assume his official duties on April 1, and will have his headquarters at Cape Charles, Va.

At Trenton, N. J., yesterday, Judge Nixon filed an order that the receivers of the New York, West Shore and Buffalo Railway may issue certificates or notes at not less than par to the amount of $8,300,000, to be a lien prior to the first mortgage. Authority is given to purchase such locomotives and machinery as are necessary to maintain and operate the road.

A two-story structure in Brooklyn, N. Y., occupied by Travers Storm as a glass factory, was burned last night; loss $75,000, partially insured. About 250 men are thrown out of employment. Two firemen were badly injured. The bursting of a pot of melted glass caused the fire.

Manager Fleishman, of the Walnut Street Theatre, Philadelphia, his treasurer and doorkeeper, and Walter Bentley, an actor, were arrested last night before the performance because the manager had failed to take out a license from the State.

The earnings of the American Bell Telephone Company for the ten months ended December 31 were $2,067,544, against $2,295,594 for the preceding twelve months. The net earnings the last ten months were $1,380,166, and dividends $1,440,315.

The receivers of the Philadelphia and Reading Railroad Company will make application to the United States Circuit Court today for permission to pay the obligations of the Jersey Central Railroad Company falling due on April 1.

In Philadelphia, Tuesday night, Mrs. Wm. Burris, who has been separated from her husband for several years, lay in wait for him on the street and beat him soundly with a cowhide. She said he had been telling stories about her.

Col. Francis Eugene Whitfield, general counsel of the Southern Express Company, died Wednesday night of heart disease while on the steamer City of Jacksonville, on the St. John's river, Florida, en route to Jacksonville.

ADMITTED TO THE BAR.

DECISION IN THE WILSON CASE.

A COLORED MAN MAY PRACTICE LAW.

The Supreme Bench of Baltimore City Decides that No One Can be Excluded from the Bar on Account of Color.

[Reported for the Baltimore Sun.]

The Supreme Bench of Baltimore City yesterday filed its decision in the case of Charles S. Wilson, colored, declaring that colored men who have passed the requisite examination cannot under the amendments to the constitution of the United States be excluded from the bar on account of color. The question was argued on Saturday, February 14, 1885, by Mr. Alexander H. Hobbs, counsel for the petitioner. The opinion, signed by Judges George Wm. Brown, Edward Duffy, Wm. A. Fisher, William A. Stewart and Charles E. Phelps, the entire bench, is as follows:

Charles S. Wilson, a person of color, formerly a citizen of Massachusetts, where he was admitted to the practice of law, and now a citizen of Maryland, applies to this court for admission to practice law in the courts of Baltimore city. The act of 1876, chapter 264, which is in this respect only a re-enactment of article 11, section 3, of the Maryland Code, excludes colored persons from that right, and the question is whether he is entitled to admission notwithstanding that act.

Section 1 of the fourteenth amendment to the constitution of the United States provides that:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The case of Strauder vs. West Virginia, decided in 1879, settled the question that by force of the fourteenth amendment of the constitution of the United States, and particularly the last clause thereof, colored men cannot be excluded from the jury on account of their race or color, because as the court says in its opinion, 100 U. S. Rep., p. 306, the amendment "was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons, and to give to that race the protection of the general government in that enjoyment whenever it should be denied by the States." On page 307 the court adds that the amendment "is to be construed liberally to carry out the purposes of its framers. It ordains that no State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the United States, (evidently referring to the newly-made citizens, who, being citizens of the United States, are declared to be also citizens of the State in which they reside.) It ordains that no State shall deprive any person of life, liberty or property without due process of law, or deny to any person within its jurisdiction the equal protection of the laws. What is this but declaring that the law in the States shall be the same for the black as for the white; that all persons, whether colored or white, shall stand equal before the laws of the States, and in regard to the colored race, for whose protection the amendment was primarily designed, that no discrimination shall be made against them by law because of their color. The words of the amendment, it is true, are prohibitory, but they contain a necessary implication of a positive immunity, or right, most valuable to the colored race—the right to exemption from unfriendly legislation against them distinctively as colored—the exemption from legal discriminations, implying inferiority in civil society, lessening the security of their enjoyment of the rights which others enjoy, and discriminations which are steps towards reducing them to the condition of a subject race.

"That the West Virginia statute respecting juries—the statute that controlled the selection of the grand and petit jury in the case of the plaintiff in error—is such a discrimination, ought not to be doubted. Nor would it be if the persons excluded by it were white men. If in those States where the colored people constitute a majority of the entire population a law should be enacted excluding all white men from jury service, thus denying to them the privilege of participating equally with the blacks in the administration of justice, we apprehend no one would be heard to claim that it would not be a denial to white men of the equal protection of the laws."

The court, therefore, concluded that the statute of West Virginia amounted "to a denial of the equal protection of the laws to a colored man when he is put upon trial for an alleged offense against the State." 100 U. S., 310.

... cause to exclude them would be to discriminate against them as citizens in the enjoyment of their rights, because it would be unfriendly legislation against them distinctly as colored, and because it would be a discrimination which would be a step towards reducing them to the condition of a subject race. If, then, these reasons prevent a colored citizen from being excluded from the jury-box of a State, why do they not equally prevent his exclusion from becoming a member of the bar of a State? Can any sound distinction be drawn between the two cases? We think not. The right of admission to the bar is the far more valuable right of the two. Each is equally a right. It is not a sufficient answer to say that a member of the bar is an officer of the court, and that therefore the right of admission depends on his possessing the qualifications for the office which the State alone has the right to prescribe. A juryman is equally an officer of the law, for he is appointed by public authority to perform under oath a public duty, for which he is paid and his qualifications are prescribed by law, but notwithstanding this a colored man has the constitutional right to sit on a jury in spite of any discrimination against his color which the State may impose. A member of the bar is indeed an officer of the court, but he is much more than that, he is also a member of a learned profession whereby he earns his livelihood, a profession which constitutes a large and essential part of every civilized community, and which is especially influential and indispensable in a republican government. To debar any class of citizens from its membership is not only to prevent their engaging in a lawful calling, but, in the language of the Supreme Court, tends to degrade and stigmatize the whole class by depriving them of a privilege which all other citizens possess and of the equal protection of the law. If one class may be so debarred, so may every other, whether it be on account of nationality, religion, or any other cause, at the will and pleasure of the State. All such exclusions are, as we think, plainly declared by the Supreme Court to be prohibited and unconstitutional.

The Court of Appeals of Maryland in the case entitled "In the matter of Charles S. Taylor," 48 Maryland, 20, affirmed the validity of the act of 1876 and excluded the applicant because he was a colored man from the right to be admitted to the practice of the law.

The respect which we entertain for the judgments of that tribunal would induce us to accept the conclusion in that case if the condition of the Federal decisions upon which that case was avowedly based had remained unchanged. The argument for the applicant in that case was founded exclusively upon the proposition that the act of 1876 was an abridgment of the privileges and immunities of a citizen of the United States, and upon this ground was repugnant to the fourteenth amendment to the constitution of the United States. The court met it simply by showing that the Supreme Court of the United States had decided in the slaughter-house case and in Mrs. Bradwell's case that the privilege claimed was one which appertained to the citizen of the State and not of the United States, and that the clause of the fourteenth amendment relied upon was inapplicable. No reference whatever was made in the argument of the applicant or of the court to the other clause of the amendment, the full effect of which was afterwards for the first time brought to light by the series of decisions in 100th United States Reports. The terms of the Maryland constitution limiting the selection of judges from members of the bar were not alluded to, and no observation was made upon the fact that in the selection of juries they have important ministerial functions which formerly fell within the province of the sheriff's office, both being matters having material bearing upon the question whether the exclusion contemplated by the act in question would be open to objection as denying the equal protection of the laws, but wholly unimportant to the discussion of those clauses of the amendment which alone had been under consideration in the case in 48th Maryland and in those in 16th Wallace upon which it was founded.

We think that the later cases in the Supreme Court lead irresistibly to a different conclusion from that in the case of Charles Taylor, and some expressions of the judges, particularly those already mentioned, and also of Judge Bradley in the civil rights case in 109 United States reports, would seem to indicate such to be the view of the Supreme Court.

The Court of Appeals, however, merely decided that the act of 1876, standing alone, was not repugnant to the 14th amendment, and gave no opinion upon its effect when taken in connection of the provisions of the Maryland constitution already referred to. It is to be regretted that the question was not presented anew to the Court of Appeals, in order that that tribunal, rather than a subordinate court, might be placed in position to pass upon the result of the later decisions of the Supreme Court of the United States, and that we might have an authoritative declaration of the rule to be adopted, and that even the appearance of departure from the precedent of the Taylor case might be avoided. The application, however, having been made to the Supreme Bench, it is

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St. John's river, Florida, en route to Jacksonville.

The republicans of Rhode Island have nominated George Peabody Wetmore, of Newport, for Governor. The democrats have nominated Ziba O. Slocum for Governor and Jonathan M. Wheeler for Lieut.-Governor.

The A. Burritt Hardware Company of Waterbury, Conn., manufacturers of steam, gas and water-pipe fittings and general iron founders, made an assignment yesterday with liabilities of $115,000. The assets are $175,000.

The trial of Dr. E. Burross for the murder of A. B. McCune in September, 1883, was concluded at Council Bluffs, Ia., yesterday, and a verdict of guilty rendered, fixing his punishment at death.

Two joint ballots for United States Senator were taken in the Arkansas Legislature yesterday. The last stood: Berry, 42; Dunn, 35; Newton, 17; Fishback, 10; Horner and House, 3 each.

Hon. E. Jeffords, of Issaquena county, Miss., late representative in Congress from the Shoestring district, died suddenly in Vicksburg yesterday, of heart disease.

Near Elkhart, Ind., Wednesday, William Hubbell, who was about to be removed to an insane asylum, fatally shot his wife and then blew out his own brains.

A dispatch from Mount Carmel, Pa., says: "Great dissatisfaction exists among the miners of the anthracite coal region, and a general strike is predicted."

Mr. Wm. Young, of counsel for defense in the case of Gabde vs. German, tried at Belair Md., spoke an hour and a quarter, and made an able argument.

A disease resembling hog cholera is prevailing in several counties in Virginia, and hundreds of the animals are dying from it.

The winning horses at New Orleans yesterday were Lord Clifton, Capt. Warren and John Sullivan.

No vote was taken for United States Senator yesterday by the Illinois Legislature.

J. D. Creech & Co., general store, Raleigh, N. C., have made an assignment.

TELEGRAPH OPERATORS STRIKE.

Employes of the Bankers and Merchants' Company Quit Work.

NEW YORK, March 19.—The feeling of dissatisfaction that has long existed among the operators of the Bankers and Merchants' Telegraph Company, at the main office, 187 Broadway, culminated in a strike tonight. Twenty-five men, comprising nearly all the force, left their tables at 9 o'clock. They had been paid their January wages. On reporting for duty this evening each man was given a printed slip which stated that Receiver J. B. Butler would pay 70 per ct. of all claims provided a receipt in full were given. After consultation, the men telegraphed to Mr. Butler that unless he agreed to pay them at once they would quit work. Mr. Butler answered in person. A committee of three waited on him with the information that if they received their salaries in full for February on Saturday, and he assured them that they would get their March money on the 23d instant, they would remain at work. Mr. Butler answered that he would pay last month's wages on Tuesday, but he could say nothing at present about this month's.

The operators then withdrew and quit work. The operators complain bitterly of the way they have been treated in money matters, and say that messages have been coming in from all over the country where the company has offices asking when they should be paid.

Mr. Butler is said to have stated that the money with which he offered to make the settlement came from Edward *Stokes*, of the Hoffman House, who owns much stock in the company.

BOSTON, March 19.—The entire night force of the Bankers and Merchants' Telegraph Company stopped work tonight, and it is understood that the strike is general throughout the whole line of the company. The operators in the Boston office have no personal grievances, having been paid in full, except for extra service performed in February. Their action is simply to strengten and sustain their brother operators in New York and the larger cities, to whom the company is heavily in arrears.

Trying to Recover His Child.

[Special Dispatch to the Baltimore Sun.]

WHEELING, W. VA., March 19.—Ormand Brady, formerly of this city, but now said to be of Baltimore, today swore out a writ of habeas corpus for his daughter Julia, aged about 4 years, who has been living with her mother here since December, 1883. Brady alleges that his wife is not a fit person to have charge of the child. When a deputy sheriff went to serve the writ Mrs. Brady, her mother and sister defied him and kept him at bay with revolvers till three policemen came to his assistance. The child was then secured and placed in the care of the wife of the county jailer till tomorrow, when a hearing will be had. The child says she prefers to go with her father.

Gen. Grant's Condition.

NEW YORK, March 19.—After his visit to Gen. Grant tonight Dr. Douglas said: "The General slept seven hours continuously last night. He was very well through the day. He asked for roast mutton and ate it. During the afternoon and evening the General revised enough of his book to keep the printers busy three days. When I left the General tonight he was inclined to sleep.

an alleged offense against the State." 100 U. S., 310.

Such being the interpretation placed upon the federal constitution by the Supreme Court of the United States, it becomes necessary to consider whether that decision has any, and if so, what bearing upon the restrictive provision of the Maryland Code above referred to. If it should be found upon examination that the fourteenth amendment as thus authoritatively construed in effect overrules that restrictive provision, either expressly or by necessary and unavoidable implication, it is made the imperative duty of this court by force of the second article of the Maryland Declaration of Rights, itself declaratory of pre-existing law, to give full effect to the constitution of the United States, anything in the law of this State to the contrary notwithstanding. If the authority of our own Court of Appeals is needed in support of this position, it may readily be found in the very recent case of Pinkney vs. Lanahan, not yet reported.

What then is the scope and effect of the decision in the West Virginia case?

A juror merely decides in such a case the guilt or innocence of the accused upon the evidence submitted to the jury. The judge determines what evidence shall be so submitted. He may exclude from their consideration all evidence making in favor of the accused and admit only that which makes against him. If the jury wrongfully find a verdict against the defendant, the judge may continue the wrong by refusing a new trial. In inflicting the punishment for the offense, the judge in most cases determines the length of the imprisonment, and in one case he determines whether the punishment shall be imprisonment or death. Moreover, in this city, the judges appoint the grand jury and select the names from which the petit juries are drawn. If, therefore, a law excluding all colored men from the opportunity of becoming jurors because of their color is a denial of the equal protection of the laws to them, a law excluding them from the like opportunity of filling the judicial office and participating in the selection of juries is likewise a denial to them of that equal protection, and the decision in Strauders's case, that a law excluding them from the possibility of becoming jurors is unconstitutional and void, is equally applicable to a law which removes from the negro race all chances of participation in other branches of the administration of the law quite as essential to their security.

At the time of the adoption of the Maryland constitution of 1867, the above provision in the Maryland Code was the law governing the admission to practice. That constitution in article 4, section 2, upon the qualification of the judges provides that "they shall be not less than thirty years of age at the time of their election or appointment, and *shall be selected from those who have been admitted to practice law in this State*." If, then, the code excludes the colored man from the right to be admitted to practice law, and the Maryland constitution requires that the judges shall be selected from those who have been so admitted, it would follow that the constitution excludes the colored man from the right to be a judge. When, therefore, the fourteenth amendment was adopted in 1868 the above provision in the Maryland constitution would have immediately become unconstitutional and void if the provision in the code were still operative. The provision in the Maryland constitution standing by itself is not in violation of the fourteenth amendment; it could only become so by the operation upon it of the exclusion of the colored man made by the code, if that were possible. In other words, the provision in the Maryland constitution, valid when standing by itself, would be made void by the provis*ion in the code, which imports an unlawful* distinction. But the constitution of Maryland is the paramount law, overriding the code and all acts of Assembly. It can make void an act of Assembly, but it cannot be made void by one, and when the two come into conflict the act of Assembly must fall.

The above considerations present the answer to the suggestion, which might otherwise be made, that since the statute limits the membership of the bar to white citizens only the fourteenth amendment would operate upon the provisions of the Maryland constitution, and eliminate the restriction in the selection of judges from members of the bar alone and open the office in that manner to all citizens irrespective of race. The statute and not the constitution must give way, if the conjoint effect of both would be to produce a repugnance not incident to the constitution alone.

The principles of constitutional law laid down in the Strauder case in our opinion conclusively settle this case, not only upon the grounds already stated, but upon others also.

The whole court concurred in the decision except Judges Clifford and Field, and it is a significant circumstance that the latter in the subsequent case of the Butchers' Union Company vs. Crescent City Company, 111 United States, page 756, decided in 1883 in the separate opinion which he gave assumes that the right of all citizens of the United States to be admitted to the bar, except by regulations alike affecting all persons of the same age, sex and condition, is a proposition too plain for argument. "It cannot be," he says, "that a State may limit to a specified number of its people the right to practice law, the right to practice medicine, the right to preach the gospel, the right to till the soil, or to pursue particular business or trades, and thus parcel out to different parties the

be avoided. The application, however, having been made to the Supreme Bench, it is necessary to determine it, and we are of opinion that the applicant, if in other respects duly qualified, is not to be debarred by reason of his color.

MISS MADISON'S DEATH.

T. J. Cluverius Arrested—His Wealth and Good Reputation.

[Special Dispatch to the Baltimore Sun.]

RICHMOND, VA., March 19.—The police authorities have been busy all day working up clues and fitting together the links in the chain of circumstances surrounding the death of Miss Fanny Lilian Madison, whose dead body was found in the reservoir last Saturday. The latest development is the arrest of Mr. T. J. Cluverius, the young lawyer of King and Queen county, charged with the murder of that lady. The officers arrived here this evening with the prisoner. They arrested him at the house of Mrs. Samuel Tunstall, near Little Plymouth, in that county. He was at the supper table when the officers were announced. When their errand was made known to him the young man appeared very much surprised. He admitted, in response to questions asked by them, that he knew of the discovery of the dead body of Miss Madison in this city. He had just obtained the Richmond papers from the little country postoffice, and obtained that information from their perusal. Cluverius admits that he was in Richmond on Friday last, the day on which the unhappy girl must have come to her death. He denies, however, that he saw her during his stay here, or had any communication with the girl, either written or otherwise. He can, he says, account for every hour of his stay here from the time of his arrival Thursday until his departure for his home Saturday morning.

Mr. Cluverius is about twenty-three, five feet nine or ten inches in height, broad-shouldered, and probably weighs 150. He has light complexion and dark auburn hair. His face is rather pleasant and he is continually smiling. He has no beard now, but it is said that until recently he has worn a very slight mustache. He is highly connected in King and Queen county and other sections of the State. His family is wealthy and influential, and will probably spare no expense in defending him. Able counsel have already been secured for that purpose. The friends of the young man cannot be made to believe that he has any connection with the death of Miss Madison. All his friends say that he is a man of irreproachable character.

When arrested by the police young Cluverius had upon his person a package containing fifteen or twenty letters, most of them from ladies, and some of them, it is said, breathing the tenderest affection for him.

On the envelope of one of the letters in the batch was a request from the fair writer that the recipient should not open it unless he first pledged himself not to mention its contents. The trunk of the dead girl was brought here tonight from Millboro', Bath county, by her cousin. In it are letters that belonged to Miss Madison. It is hoped that these will furnish some new clue which may solve the mystery of her death. At present there is no evidence connecting any one directly with Lilian Madison's death.

Suicide and Railroad Wrecks.

[Special Dispatch to the Baltimore Sun.]

LANCASTER, PA., March 19.—Frederick Nixdorf, of this city, had been on a prolonged spree, and his friends had him committed to prison on Monday to sober up. Soon after he was committed he was found to be suffering from delirium-tremens, and another prisoner was placed in his cell to watch him, but he become frightened at Nixdorf's ravings, and was removed to another cell. Last night, about midnight, the watchman heard a noise in Nixdorf's cell, and looking through the wicket, saw that Nixdorf had broken a bottle which he found in his cell, and with a piece of glass had cut a terrible gash in his abdomen, and was pulling out his intestines with his hand. Nixdorf was secured, and his wound dressed, but he died about five o'clock this morning. He leaves a wife and six children.

About 4 o'clock this morning, while a freight train on the Pennsylvania Railroad was backing from a siding near Paoli the brake rigging of one car broke, throwing the car over on the north track. A west-bound freight came along on the north track and struck the derailed car, the engine of the west-bound freight, with several cars behind it, being overturned and twelve cars wrecked. Conductor John Keech, Engineer Jacob Shultz, and Fireman Henry Gluts, all of Columbia, were buried under the engine. Gluts was instantly killed, and leaves a wife and child in Columbia. Shults and Keech were cut and bruised, but not seriously. The wreck caught fire, and the overturned engine, with three cars loaded with general merchandise, were totally destroyed. Other cars were loaded with lumber, coal, &c. The wreck burned for three hours, and the track was blocked for five hours.

Near Allegrippus, on the eastern slope of the Allegheny mountains, this morning, a freight train on the Pennsylvania Railroad broke in two, and the first section hurrying forward to keep ahead of the rear section, ran into another train in front. Many cars were wrecked. J. Michaels, fireman, was killed, and Fireman Bergan, Conductor Hatch and Engineer Fox were badly injured.

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Hoffman House, who owns much stock in the company.

BOSTON, March 19.—The entire night force of the Bankers and Merchants' Telegraph Company stopped work tonight, and it is understood that the strike is general throughout the whole line of the company. The operators in the Boston office have no personal grievances, having been paid in full, except for extra service performed in February. Their action is simply to strengten and sustain their brother operators in New York and the larger cities, to whom the company is heavily in arrears.

Trying to Recover His Child.

[Special Dispatch to the Baltimore Sun.]

WHEELING, W. VA., March 19.—Ormand Brady, formerly of this city, but now said to be of Baltimore, today swore out a writ of habeas corpus for his daughter Julia, aged about 4 years, who has been living with her mother here since December, 1883. Brady alleges that his wife is not a fit person to have charge of the child. When a deputy sheriff went to serve the writ Mrs. Brady, her mother and sister defied him and kept him at bay with revolvers till three policemen came to his assistance. The child was then secured and placed in the care of the wife of the county jailer till tomorrow, when a hearing will be had. The child says she prefers to go with her father.

Gen. Grant's Condition.

NEW YORK, March 19.—After his visit to Gen. Grant tonight Dr. Douglas said: "The General slept seven hours continuously last night. He was very well through the day. He asked for roast mutton and ate it. During the afternoon and evening the General revised enough of his book to keep the printers busy three days. When I left the General tonight he was inclined to sleep. The patient's throat looks better this evening; it has not the angry appearance it has had. There was catarrhal difficulty in the morning that caused gagging, but no bad results. Cocaine is not now being used, and there is no pain. It is mental occupation that renders the General wakeful."

Arrested on a Serious Charge.

[Special Dispatch to the Baltimore Sun.]

CUMBERLAND, MD., March 19.—Nehemiah Bates, colored, was committed by Justice Harbaugh today for a further hearing on the charge of assaulting a young woman with felonious intent. The girl is a domestic in the house where Bates was working as a plumber's assistant when the alleged offense was committed.

A Peanut Establishment Burned.

[Special Dispatch to the Baltimore Sun.]

PETERSBURG, VA., March 19.—The large peanut establishment at Waverly, on the Norfolk and Western Railroad, owned and conducted by Judge W. E. Arnold, was destroyed by fire this morning; loss about $3,000, on which there is an insurance in companies in this city of $1,100.

distinction. But the constitution of Maryland is the paramount law, overriding the code and all acts of Assembly. It can make void an act of Assembly, but it cannot be made void by one, and when the two come into conflict the act of Assembly must fall.

The above considerations present the answer to the suggestion, which might otherwise be made, that since the statute limits the membership of the bar to white citizens only the fourteenth amendment would operate upon the provisions of the Maryland constitution, and eliminate the restriction in the selection of judges from members of the bar alone and open the office in that manner to all citizens irrespective of race. The statute and not the constitution must give way, if the conjoint effect of both would be to produce a repugnance not incident to the constitution alone.

The principles of constitutional law laid down in the Strauder case in our opinion conclusively settle this case, not only upon the grounds already stated, but upon others also.

The whole court concurred in the decision except Judges Clifford and Field, and it is a significant circumstance that the latter in the subsequent case of the Butchers' Union Company vs. Crescent City Company, 111 United States, page 758, decided in 1883 in the separate opinion which he gave assumes that the right of all citizens of the United States to be admitted to the bar, except by regulations alike affecting all persons of the same age, sex and condition, is a proposition too plain for argument. "It cannot be," he says, "that a State may limit to a specified number of its people the right to practice law, the right to practice medicine, the right to preach the gospel, the right to till the soil, or to pursue particular business or trades, and thus parcel out to different parties the various vocations and callings of life."

And it is equally significant that in the same case, page 764, Judge Bradley, who, although he united in the decision of the court, gave a separate opinion, in which Judges Harlan and Woods concurred, used language equally emphatic. He says: "I hold it to be an incontrovertible proposition of both English and American public law that all mere monopolies are odious and against common right," and he adds: "I hold that the liberty of pursuit—the right to follow any of the callings of life—is one of the privileges of a citizen of the United States."

As we have already stated the particular question decided in that case is that colored men cannot by reason of their race be excluded from sitting on juries, and the court holds that to exclude them by law from the opportunity of sitting on a jury, when a colored man is put on his trial for a criminal offense, is discriminating against the accused and depriving him of equal protection, and is therefore prohibited by the 14th amendment. But the decision goes much farther than that. It decides that colored men are entitled to sit on juries not only because colored men may be tried before a jury, but be- [illegible]

prisoner was placed in his cell to watch him, but he become frightened at Nixdorf's ravings, and was removed to another cell. Last night, about midnight, the watchman heard a noise in Nixdorf's cell, and looking through the wicket, saw that Nixdorf had broken a bottle which he found in his cell, and with a piece of glass had cut a terrible gash in his abdomen, and was pulling out his intestines with his hand. Nixdorf was secured, and his wound dressed, but he died about five o'clock this morning. He leaves a wife and six children.

About 4 o'clock this morning, while a freight train on the Pennsylvania Railroad was backing from a siding near Paoli the brake rigging of one car broke, throwing the car over on the north track. A west-bound freight came along on the north track and struck the derailed car, the engine of the west-bound freight, with several cars behind it, being overturned and twelve cars wrecked. Conductor John Keech, Engineer Jacob Shultz, and Fireman Henry Gluts, all of Columbia, were buried under the engine. Gluts was instantly killed, and leaves a wife and child in Columbia. Shults and Keech were cut and bruised, but not seriously. The wreck caught fire, and the overturned engine, with three cars loaded with general merchandise, were totally destroyed. Other cars were loaded with lumber, coal, &c. The wreck burned for three hours, and the track was blocked for five hours.

Near Allegrippus, on the eastern slope of the Allegheny mountains, this morning, a freight train on the Pennsylvania Railroad broke in two, and the first section hurrying forward to keep ahead of the rear section, ran into another train in front. Many cars were wrecked. J. Michaels, flagman, was killed, and Fireman Bergan, Conductor Hatch and Engineer Fox were badly injured.

United States Marshal Hughes.

[Special Dispatch to the Baltimore Sun.]

RICHMOND, VA., March 19.—The fact that United States Marshal R. P. Hughes, of the eastern district of Virginia, has not been seen here since Wednesday evening, the 11th inst., has caused some talk. On that evening he left for Washington, where he has since been written and telegraphed to without any response being received. It is stated by those supposed to be in possession of the best information on the subject that he has tendered his resignation. It is alleged that he has been pressed for the payment of $1,000 in fees, which, it is said, he had collected, and which, it is stated, were subsequently disallowed by the court. District Attorney Waddell, when asked what he knew about the absence of Marshal Hughes, declined to give any particulars, but said that all the information in his possession on the subject had been officially communicated to the Attorney-General. Until he had heard from the Attorney-General he had nothing to say. It is reported that Hughes has gone West. He is not related to District Judge Hughes.

by the palaces of what they call the railroad kings. These are mostly on the east side of California street, where the eye meets them from every direction. These railway magnates succeeded in getting out of the government more money than would twice build the Pacific railroads, and in addition a strip of land besides on each side of these tracks, some strips forty and some twenty miles wide, the government retaining the alternate sections and demanding the government price for these sections. Water gives the only value to the property, and by buying or squatting through their agents where water is, the railroads get control of about all desirable land. The government might as well have given the whole of the land as the alternate sections. No Eastern man can appreciate the value of water until he sees its scarcity out there. Mr. Bannon stopped at the ranch of a man who had been a government contractor, and had settled in a valley as wide and a little longer than the Hagerstown valley. He had 9,000 head of good cattle and 500 fine horses. He had two watering places, for which he had patented possibly a half or a whole section of land. The government owned the land on the east and west of him. He owned the water; the government did not own any. The stream was about the size of a country mill stream. It came up out of the ground at its source and disappeared in the earth at the other end, as is the fashion with water there. The result is in that valley, with its two watering places, the cattle have a range of twenty miles, and Uncle Sam might as well own no land there. The ranchman got the water land at government price, and left the other land, worth nothing, to the government.

From Kansas to within 250 miles of the Pacific coast the country appears to have been upset and tilted and the bed-rock shaken, and when water falls it sinks right down. All the land is used for pasturage, and cattle thrive and increase rapidly if they get water. The varieties of the seasons are not well marked, and the cattle range abroad in winter and summer. An Eastern man's appreciation of the country he has left will grow as he goes West. The mountains of Maryland and West Virginia are pleasing to the eye. Ohio, Indiana and Illinois are rich in agriculture. Kansas has fine farming country, but stock raising grows in importance as he travels until he reaches the edge of Colorado, where cropping ceases, and is seen little of until near San Francisco. Stock-raising is all the talk in the cars, and stockmen occupy the sleeping coaches and the best places in the hotels. Politics, religion and science are forgotten in their desire to raise cattle. Sunday is nearly ignored after leaving Kansas City, because the popular calling is to look after cattle, which must be done on Sunday as well as Monday. Stores are open and business is transacted on Sunday as upon any week day. The people are agreeable and intelligent, but they are absorbed in estimating and securing the profits of cattle raising, and all this is because Uncle Sam has so much public land. They say, "Give us free grass, and we do not care for your politics or religion." Three years ago 100,000 buffalos were slain, and their hides sold at $1 apiece, and all this was done to make room for domestic cattle. A ranchman who had rented a part of the Indian reservation at $100,000 a year, said he would make plenty of money if he could get it for a few years more on the same terms.

Mr. Bannon was convinced that the Pacific slope States would go for Mr. Blaine for President. Their railway kings have 175,000,000 acres of land, secured from the government when Mr. Blaine and his friends were in public life. They do not want to take out title to it, because then the States and Territories would tax it. Therefore they want the government to hold nominal possession until they sell it, and then they get patents for it for those who become the buyers. They argued that the republicans, with Mr. Blaine as President, would favor their policy. The railroads are single tracks, with a little dirt ballast in the middle of the pine ties. The trains run at eighteen miles an hour on levels, and the Annapolis and Elkridge Railroad is a first-class concern compared with any of them. First-class fares from Kansas City to San Francisco are $95, while the Baltimore and Ohio charges $28 to Kansas City and runs at a speed of 38 miles an hour from Baltimore, and that, too, over the Alleganies. The best artists and writers are employed to get up delightful views of the canyons and the big trees and boast of the soil and climate to attract people to the coast. But Mr. Bannon missed the forests and foliage of the East, and his eyes grew sore in searching for something green to rest upon. He thinks that after crossing the western border of Kansas there is not much to engage the attention of a man from this section of the country. There is a belt about 1,500 miles wide, running from Missouri nearly to the Canada border, that is a desert. It looks as if the devil has been left in possession of that field, and he has burnt it over and tilted its strata upon end so that rain sinks into the bowels of the earth. The debris of this upheaval is left there, with here and there a rare green spot.

Messrs. Bannon and Walcott made a full report upon the Deer Creek coal fields. A band of 25 men had remained on the ground there for four years, except when the government drove them off, they expecting to keep possession of it. Mr. Bannon said that as to the matter of the publicity given to the estimate of his expenses on the trip, he could guess one or two reasons for it. Either some more, with representatives in Washington and the other cities, has taken up the matter on contingent terms, and the attorneys will have work to do in establishing the title of the claimants for indemnity for losses sustained in the previous century. It will be necessary in fixing up these cases for the nearest living representatives to take out letters testamentary, and reopen proceedings in the estates of persons who died many years ago.

COLORED LAWYERS.

Views of Members of the Bar as to the Admission of Colored Men.

[Reported for the Baltimore Sun.]

Reporters of THE SUN yesterday obtained the views of a number of lawyers on the question of the admission of colored men to the bar.

Judge Phelps said he agreed with Judges Brown and Fisher, and regarded the exclusion of colored men from the practice of the law as a relic of barbarism. The decision of the Court of Appeals in the case of Taylor, however, was based upon decisions of the Supreme Court as they were in 1877. As to the bearing of these later decisions on the State courts, Judge Phelps said on Saturday last, when the matter was before the Supreme Bench: "Under the Maryland bill of rights the constitution and laws of the United States are binding upon all the courts of this State, notwithstanding anything in the State law to the contrary, and a decision of the Supreme Court of the United States upon a strictly *federal* question is a decision within its appropriate sphere of jurisdiction, and therefore binding directly upon the State courts."

Mr. Sebastian Brown, who was a candidate for Congress in the fourth district last fall against Mr. John V. L. Findlay, said he thought colored men ought to be admitted to the bar. He had not examined the recent decisions of the United States Supreme Court, but understood that the right of the State of Virginia to fine a white man for marrying a colored woman had been affirmed. This would seem to imply the right of the States to make race distinctions which might cover the Maryland law excluding colored men from practicing law.

Mr. I. Nevett Steele said he had not considered the subject and was not prepared to give an opinion. He was opposed to admitting women, but as to colored men he had not made up his mind.

Col. Charles Marshall said he had never examined the law on the subject, but personally he had no objection whatever to a colored man practicing law if he is fit to do so. If a colored man is a good lawyer people will employ him, and if he is a bad lawyer they will not. There is no profession in which a man will find his level so surely as in the law. It would be less dangerous to license colored lawyers than colored doctors, because the lawyers' mistakes could be easier corrected.

Mayor Latrobe said: "I see no good reason why colored men, if properly qualified, should not be admitted to the practice of the legal profession. In my judgment all restrictions on the freedom of citizenship should be removed. Colored men can practice medicine, engage in trade, receive holy orders, serve on juries, hold any legislative, judicial or administrative office and legally enter all other avenues of employment. Under the law they enjoy equal protection with the whites in all rights of person and property. Why, then, should they be forbidden to practice law? I am sure if a client wishes the services of an attorney the law should permit him to select the color of his lawyer."

Mr. I. Parker Veasey, ex-city solicitor, said: "It seems to me quite clear that the decision of the Court of Appeals of this State in the Taylor case must be conclusive of this question until the Legislature modifies the provisions of the code. I think it would be a mistake to oppose such a change in the provisions of the code. I see no more reason for prohibiting colored men from engaging in this than any other business occupation."

Mr. Bernard Carter, city solicitor, said he had not thought about the policy of the matter at all, but that personally he saw no objection whatever in admitting colored men to practice at the bar.

Mr. Archibald H. Taylor said the question of admission of colored men to the bar had been discussed among lawyers at one of the social clubs where he is a member. He concluded that it is a question which will come up for decision, and perhaps may as well be disposed of now, and that was the sentiment of the club discussion. There was no race prejudice expressed. The proper safeguards against the admission of an untrustworthy element should be secured, and this answers for any class without regard to color. He would not oppose any proposition to give men of color an equal chance, but his objections would be made to the indiscriminate introduction of indifferently educated lawyers at the bar. A colored judge, elected in a section where his race predominates, could admit such a class, and perhaps examples of that kind have occurred in the South.

WHOLESALE DESTRUCTION OF SONG BIRDS. The song birds of New Jersey, especially in Camden, Salem, Cumberland, Cape May and Atlantic counties, are slaughtered in such numbers by hordes of pot-hunters, who kill them for the sake of their skins, which they sell to parties in New York for trimming ladies' bonnets, that it is stated that an effort

class, has been accepted by the Secretary of the Navy. The resignations of the other cadets who were deficient at the late examination and allowed to resign will be considered and accepted tomorrow, except in the case of Naval Cadet J. C. P. De Kraft, of Iowa, of the second class, who refused to resign, preferring to be "dropped," as recommended by the academic board. Cadet Frick's resignation was sent to Washington in advance of the others. Until the resignation of a cadet is accepted by the Navy Department he is supposed to be in the service of the navy and subject to its regulations, receiving pay up to the time of his leaving the Academy at the rate of $500 a year. Today Cadet Dashiell, one of the number awaiting action by the Navy Department, was placed on board the prison ship Santee, charged with violating one of the rules of the institution by entering the steam engineering department building without permission Sunday. As the offense is not a grave one, it is thought the only punishment inflicted upon the cadet will be his incarceration on the ship until the time arrives for him to leave the Academy permanently.

Lieutenant-Commander Wm. M. Folger, of the naval proving grounds, is ordered to Washington Wednesday for medical examination preliminary to promotion as commander in the navy to the vacancy caused by the death of the late Commander George D. B. Glidden.

Calling Naval Officers to Account.

WASHINGTON, Feb. 9.—The Secretary of the Navy has issued a general order that all petitions, remonstrances, &c., from officers of the navy or marine corps to Congress on any subject of legislation will be forwarded through the Navy Department, and no officer will appear before any committee except by authority of the department. It is understood that the order was prompted by the action of a number of naval officers in uniting in a protest to Congress against the passage of the resolution thanking Commodore Schley and Lieut. Emory, of the Greely relief expedition. The Secretary has addressed a circular letter to the officers who signed the petition, calling their attention to the fact that they have violated the naval regulation which forbids officers of the navy from attempting to influence legislation.

Sea Coast Defenses.

WASHINGTON, Feb. 9.—Messrs. Horr, Ellis and Hancock, of the House appropriations committee, have completed the fortification appropriation bill. It appropriates $4,935,000, as against $700,000 last year. It provides for the continued construction of those already begun, and for new works at Boston, New York, Philadelphia, Hampton Roads, New Orleans and San Francisco. The amount appropriated is $2,060,000 outside of the New Orleans works. The bill recommends a permanent annual appropriation of $1,500,000 for five years for heavy steel rifle guns for armament of deep-water ports, to be expended so as to induce American manufacturers to undertake the work of furnishing material.

Gen. Swaim's New Trial.

WASHINGTON, Feb. 9.—Gen. Swaim this morning appeared before the general court-martial which is to try him on the additional charge of unlawfully obtaining and disposing of forage. He asked the court to grant him a delay of a week to secure counsel, his own being engaged on other cases at this time. After consideration the court granted a delay until Wednesday next.

Washington Notes.

WASHINGTON, Feb. 9.—The Secretary of State will pay the five per cent. balance due to the beneficiaries of the awards of the Spanish and American claims commission on and after the 11th instant. These payments amount to about $78,000.

The Court of Claims today made an order directing that until otherwise ordered the existing rules, so far as applicable, will govern the practice in cases arising under the act relating to French spoliation claims.

A call has been issued by the secretary of the national democratic committee for a meeting to be held at the Arlington Hotel in this city on Monday, March 2. The purpose of the meeting is not stated.

The Petersburg Bank Deed Valid.

PETERSBURG, VA., Feb. 9.—In the Hustings Court today Judge R. M. Mann rendered his opinion as to the validity of the deed made on May 19 last by the directors of the defunct Planters and Merchants' Bank. The deed was assailed by the State of Virginia, which had on deposit in the defunct bank $140,000, and by the Union National Bank of New York and other judgment creditors. Judge Mann, in rendering his opinion, said that the deed as made by the directors of the bank is a valid one, and decrees that the funds now in the hands of the trustees of the bank be distributed pro rata among its creditors. The trustees have on hand $90,000, sufficient to pay the creditors a dividend of 25 per cent. The petition of J. R. Barksdale, treasurer of the Commonwealth of Virginia, which has been treated as a cross bill, is dismissed, and the demurrer to the bill of the Union National Bank of the city of New York is sustained. Counsel for the State asked for a suspension of the order, with a view of taking an appeal to the Supreme Court of Appeals, which was granted.

A Singular Case of Suicide.

READING, PA., Feb. 9.—John Steinman, aged 63, a bachelor of peculiar habits, living near

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BALTIMORE, MONDAY, FEB. 16, 1885.

SOUTHSIDE VIRGINIA.

ailure of a Large Grocery Firm—A Rush for Bank Dividends.

[Correspondence of the Baltimore Sun.]

PETERSBURG, VA., Feb. 14.—Messrs. Davis, oper & Co., one of the oldest and largest ocery firms in this city, made an assignent today for the benefit of their creditors. eir liabilities are estimated at about ,000 and their assets at $150,000. The credrs are divided into five classes in the deed, be paid in the order of the classes. The m, outside of their regular grocery busiss, have operated cotton and grain mills, d it is understood that their embarrassment caused by their indorsements and payents on account of the Petersburg Cotton lling Company, of which they are the ners. The failure is greatly regretted by e community, in which they have always ood very high.

The trustees of the Planters and Mechanics' ank began today the first payment of a divent of 22 per cent. to the creditors, and ere has been a rush all the day to the unters of the bank. The State having andoned its intention, as at first announced, appeal from the decision of our Hustings urt sustaining the validity of the deed ade by the directors of the bank immediely after its failure in May last, the decree the court ordering an immediate distribun pro rata among all creditors who had oved their claims of the $90,000 in the nds of the trustees was entered of record. here are three other large judgment crediрs who joined in the suit to test the validity the deed, viz: The Norfolk and Western ilroad Company, the Union Bank of New rk and the Citizens' Bank of Blacks and hites, in this State, which will doubtless o acquiesce in the decision and draw their vidends.

Col. James D. Brady, Congressman elect m this district, has resigned his position chairman of the republican State comttee, but no action has yet been taken upon The reason for Col. Brady's course is not ted, but rumor has it that his wishes in gard to the appointment of his successor in office of collector of revenue for his disct were not respected.

The work of construction on the Atlantic d Danville Railroad through Sussex county s been stopped by an injunction awarded the Circuit Court of the county restrain the company from further work by rea of failure to pay the damages for the ht of way. The company can do nothing til the injunction is removed.

It is reported that the democratic city comttee, at a meeting held last night, decided indorse Mr. Charles Watson for postmas, Mr. R. T. Wilson for collector of revenue d Mr. Peter F. Cogbill for collector of cusms of this city. While there were several plicants for the postmastership, Mr. Wil is the only one for collector of revenue, bond for which is $240,000. It has been nerally regarded that the contest for the stmastership was a free one, open to all, d the reported action of the committee ses much comment. It is not believed, wever, that it will drive any of the other ndidates off the track.

Gen. Stith Bolling was arrested on his arial here this evening from Richmond, arged with being about to engage in a duel, ormation to that effect having been reved today from Richmond by Mayor rrett. The name of the person with whom n. Bolling was to fight has not yet been de known, and Gen. Bolling will give no ormation concerning the matter. He was ught before the mayor, who required him give $1,000 bonds to keep the peace for ee months. Col. James D. Brady became bondsman. Gen. Bolling contested the ht of the mayor to put him under bonds, as evidence had been introduced to justify doing so. Gen. Bolling is postmaster of s city.

The Schmitt-Schabbot Case.

[Correspondence of the Baltimore Sun.]

CUMBERLAND, MD., Feb. 15.—In the dams case of Mrs. Schabbot for ejectment Rev. V. F. Schmitt from St. Michael's urch, Frostburg, trial of which has been reved from Alleghany to Washington nty, THE SUN has given the clergyman's tement of the affair. Mrs. Schabbot, the intiff in the case, gives her story through counsel, W. M. Price, Esq., as follows: On the morning of September 22 last I was ited by two young friends to attend Mr. mitt's church, at Frostburg, as a witness their marriage. About a dozen of their d my friends went along. We went into church; I went into a pew near the nt; there was also a man and boy in e pew with me; the other friends were ing in next seat back and around me. I elt at the pew door, and also in the pew said my prayers. The couple to be mard went forward and knelt at the altar. ther Schmitt came out of the door and lked up to the bridal couple and asked the y who were her witnesses; she said Mrs. habbot and ——; before she could say more her Schmitt turned and came directly to and asked if my name was 'Chabbe.' I d, 'Yes, sir!' He says, 'Are you a Catholic?' I d, 'Yes, sir.' He then said, 'I have never n you at church; you are no Catholic, you a heathen, an infidel; get out of here.'" I grabbed me by the upper part of my n and gave me a push. His grip on my n left black and blue marks, which reined there for about a month. I think I ked loose from him, when he again caught and tore my dress loose and it fell to the or. I caught it up, when he called some er parties to help him. I put my dress and told him I would go out, he need not any one to help him. I then left the rch; I had been invited to be a witness the marriage. I do not think there were re than a couple dozen persons in the ge church at the time, and the groom was pew-holder in the church, and hence I id not regard myself as a trespasser in ng as witness to his wedding. I am a tholic; I had no pew in the church; I had y been in this country a short time, and been but once to church. I did not make oise; he did not tell me I was in the wrong w, for he knew I was a witness, having eady been told this fact. The assault was provoked, and I can assign no reason for nless it was because I had not rented a w in the church; there were plenty of other ant pews in front, and I was the only lady ness who went along with the bridal ple."

The claims of both parties to the suit having n given, the matter is left to the court.

Hagerstown Items.

Correspondence of the Baltimore Sun.]

AGERSTOWN, Feb. 15.—Mr. Lewis G. Stan, late superintendent of the Chesapeake Ohio Canal, will remove to Washington April.

The Cumberland Valley Railroad will folw in the wake of the Pennsylvania Raild Company and equip its passenger aches with the Westinghouse train signal, a ntrivance which does away with the bellpe.

Next summer's supply of ice for Roanoke d Luray, Va., is being received via Hagerswn from Laurel, Pa., a point on the Harrisrg and Gettysburg Railroad.

Although apparently early in the season a ely trade is now going on between Baltiore and the South in phosphates. For sevl weeks past the Western Maryland Railad has delivered to the Shenandoah Valley ilroad at Hagerstown for points in the uth on an average of ten carloads per day, an equivalent of 150 tons daily.

Melvin Reed, a lad, of Sharpsburg, Washgton county, has been held to bail for his pearance at court to answer the charge of abbing in the back with a knife a lad named cob Stride.

Mr. Wm. Miller, now with one exception obably the oldest citizen of Hagerstown, ll a day or two ago and broke one of his s. He is lying in a precarious condition, d on account of his advanced age—93 years—ars are entertained that he will not recover.

Rev. Dr. Pritchard, of Philipsburg, N. J., s declined the pastorate of Trinity Luthn Church of Hagerstown, to which he was

CAN COLORED MEN BE LAWYERS?

Argument on the Application of Charles S. Wilson for Admission to the Bar.

[Reported for the Baltimore Sun.]

The Supreme Bench, Chief Judge Brown and Judges Duffy, Stewart, Fisher and Phelps, met on Saturday in the Circuit Court room and heard argument on the application of Charles S. Wilson, colored, for admission as an attorney. Mr. Wilson in his petition recites that he is a citizen of the United States, is 30 years of age, was born and raised in Massachusetts; completed his education at Amherst College; began the study of the law in 1877 in the office of Wm. D. Northland, of Salem, Mass.; was licensed to practice in 1880, and did practice in Boston for nearly three years. In August, 1883, he came to Maryland, and taught school at Sunnybrook, Baltimore county, for twelve months. The court room was well filled with colored men, among whom were Bishop A. W. Wayman, of the A. M. E. Church, and several colored ministers.

Mr. Alexander H. Hobbs, counsel for the applicant, opened his argument with the statement that he believed the statute of Maryland, which confines the admission to white applicants and excludes colored citizens, is nullified by the late amendments to the constitution of the United States. The thirteenth amendment abolished slavery. By the fourteenth amendment, section first, it was declared that "no State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

The purpose of the late amendments and the legislation of Congress were evidently intended to place the white and colored races equal in political affairs and equal under the laws; rights granted to one of the races cannot be withheld from the other. On the adoption of the thirteenth amendment, abolishing slavery, no State assuredly had the right to oppose its operation and support the cause of slavery. On the adoption of the fifteenth amendment the colored citizen's right to vote was not interfered with because the word "white" was retained in the statute of the States. The constitution of the United States, or the laws made in pursuance thereof, instantly arrested the operation of the conflicting State laws without the change of a word or letter in the obnoxious State law, and the right of the colored men to a seat in the jury-box was assented to in the same way; for in the case of two conflicting laws the "supreme" must, of necessity, prevail. When the Supreme Court of the United States decided the Virginia civil rights cases, giving the colored men the right to be sworn in as jurors, it needed no repeal of the State law, wherein this invaluable right was confined to "white men," and, in fact, the word "white" is still in the Maryland statute. Colored men, however, are now on our juries every term of the court.

Mr. Hobbs then proceeded to quote decisions in support of his view. The first case was one decided by Chief Justice Chase in 1867, in which an apprenticeship under the Maryland law was declared void because the articles did not provide for education of the colored apprentice as for the white, and that the colored apprentice could be transferred at the will of the master, while the white could not. Chief Justice Chase declared that "colored persons, equally with white persons, are citizens of the United States." In 1875, in the case of the United States against Cruikshanks, of South Carolina, the Supreme Court decided that the fourteenth amendment furnishes "additional guaranty against any encroachment by the States upon the fundamental rights which belong to every citizen as a member of society," and that prohibits a State from denying to any person within its jurisdiction the equal protection of the laws. In 1879, in the case of Strauder vs. West Virginia, the Supreme Court of the United States declared that the "law in the States shall be the same for the black as for the white man." Now, added Mr. Hobbs, to hold that white men only are eligible to admission to practice law in Maryland is certainly not applying the same law to the two races. It is discrimination, plain and simple, and is in direct conflict with the supreme authority just quoted. It is not equality, but positive inequality among peoples who are all citizens alike of a common country of equal citizenship. In 1879 the Supreme Court, in the case of Virginia vs. Rives, said the plain object of the civil-rights law was to place the colored race, in respect to civil rights, upon a level with the whites. Yet in Maryland the colored race is flatly excluded from all membership in the legal profession without, it is suggested, a shadow of legal justification, while the white race enjoys a monopoly in that honored profession. The United States Circuit Court for California decided in 1880, in a case which grew out of a provision in the constitution of the State of California prohibiting the employment of Chinamen, that "the individual citizen, as a necessity, must be left free to adopt such calling, profession or trade as may seem to him most conducive to the end of the full employment of the citizen's rights. This right to choose one's calling is an essential part of that liberty which is the object of the government to protect, and a calling, when chosen, is a man's property and right."

After citing other decisions Mr. Hobbs contended that the applicant, if found professionally qualified, is entitled to be admitted to practice law in the courts of Maryland. It is also the sacred duty of the government to assure protection to all its citizens, white and colored, equally. There are under the protection of this government more than 6,000,000 colored people. Shall the future policy of this State respecting them be unfriendly, quasi-hostile or indifferent, and thereby cause them to retrograde or relapse, it may be, into a condition more degrading than slavery? The colored men are entitled to vote; they are qualified for a place in the jury-box to dispense justice. In certain States they have been elected to the House of Representatives and held seats in the National Legislature, formed a portion of the Legislature of many States, and are eligible to any office under the government. The status of trust and confidence with which the colored man is clothed has been the work and plain duty and policy of the federal government. With this record before us it may be safely asserted that the colored man is unquestionably eligible alike with the white man to the honored place of admission to the legal profession. In view of the grave responsibility which the colored man has placed upon him, is it not wisdom to afford him the means of mental culture and moral training, and not place obstructions in his way? As the colored race is about one-seventh of the whole population of the United States, and a large majority in fact nearly all of them are native-born citizens, can there be a doubt as to the justice and propriety of affording them all reasonable means of improvement to prepare them to become useful and worthy citizens?

When Mr. Hobbs concluded Mr. Frederick W. Story, attorney, called the attention of the Supreme Bench to the provision in the Code of 1878 that an attorney of another State who has been admitted there according to law shall be admitted to practice in the courts of Maryland the same as any citizen of Maryland.

Judge Brown.—"Would not that be giving a colored man from another State preference over one from Maryland?"

Mr. Story.—"He is admitted as a lawyer for the sake of comity between the States."

Judge Phelps.—"That would apply to females, would it not?"

Mr. Story.—"If she was a lawyer."

Judge Stewart.—"It is my impression that females have been admitted to practice law in Maryland. In Scharf's 'History of Western Maryland' there appears on the list of attorneys of Frederick county the name of B. A. Lockwood. I think that must be the late female candidate for the presidency." [Laughter.]

Judge Brown.—"We will examine the matter. My impression is that the meaning of the statute is not that persons from other States should have privileges over those of our own State."

ington,) Rev. W. T. L. Weech; Baldwin Memorial, Rev. E. O. Eldridge; South River, Rev. L. A. Thirlkeld.

Cumberland District.—Barton, Rev. W. C. Griffith; Centre Street, (Cumberland,) Rev. C. W. Baldwin; Kingsley, (Cumberland,) Rev. D. G. Miller; Elk Garden, Rev. T. R. Marsh; Frostburg, Rev. J. P. Wright; Keyser, Rev. George E. Maydwell; Piedmont, Rev. J. H. M. Lemon.

The statistics furnished at the last session of conference show that the number of probationers was 3,985; full members, 32,976; local preachers, 155; churches, 377; probable value, $878,906; Sunday-schools, 376; officers and teachers, 5,828; scholars, 40,342.

The Baltimore Conference of the M. E. Church South assembles on Wednesday, the 11th of March, at Salem, Va., and will continue about eight days. Bishop Parker, who has never before presided over this conference, will be the presiding bishop. The conference embraces most all of the State of Maryland, the valley of Virginia along the Potomac, and a portion of West Virginia. It numbers 200 ministers and four laymen from each of the eight presiding elder districts. Only one preacher has died since last conference, Rev. William H. Wilson, a superannuated man, who lived in Washington. The limit rule in this conference is four years, and under this rule there will not be many changes this year, though there may be quite a number of other changes, for, like the Baltimore Conference of the M. E. Church, all places are at the disposal of the presiding bishop. The following are the places where changes will necessarily occur on account of the limitation rule: Washington district—Alexandria, Va., Rev. J. A. Kern; Fauquier circuit, Rev. J. H. Wolff. Winchester district—Cedarville circuit, Rev. H. W. Kinzer. Rockingham district—Port Republic Mission, Rev. S. R. Snapp. Roanoke district—Salem, Rev. L. R. Greene; Roanoke, Rev. L. L. Lloyd. Moorefield district—Moorefield, Rev. S. G. Ferguson. The time of appointment of Rev. J. S. Gardner, presiding elder of the Washington district, expires at this conference. At the conference last year the statistics showed: Local preachers, 110; white members, 32,504; colored, 32; churches, 392; probable value, $801,055; parsonages, 91; probable value, $145,065; Sunday-schools, 481; officers and teachers, 4,657; scholars of all ages, 28,960.

The Maryland Annual Conference of the Methodist Protestant Church meets about a month later this year than usual, and will convene on the first Wednesday in April instead of the second Wednesday in March, as heretofore, at Alexandria, Va. The change in the time was made last year on account of the difficulty in crossing the bay in March, made so by stormy weather. Dr. J. T. Murray is the present president of the conference, and it is likely that he will be re-elected at the coming session. Mr. Murray has been president for two years, and it is a sort of a precedent to elect for three years in succession. This conference embraces the State of Maryland, District of Columbia, a portion of Delaware and a few points along the Potomac on the shore of Virginia. There are upon the roll of the conference about 115 members, and there is about the same number of lay delegates, so that there are about two hundred on an average who attend. The rule has heretofore been that the maximum time for a minister of this conference to remain at any one point is five years, but at the General Conference, held last year in May, it was relegated to the forty-four annual conferences to take such action as they desired as to this restrictive rule. None of the conferences have yet taken action in regard to the matter, but the Maryland Annual Conference at its coming session can change the time if they so wish or let it remain at five years. According to the five-year rule there will be very few changes in the pastors this year, but a number may be made who have not remained the five years, as it is not obligatory to remain for that length of time: about three years is the average time. There are about 15,000 members within the bounds of the conference.

BURGLARS IN THE TOILS.

A Number of Arrests on Charges of House-Breaking and Theft.

[Reported for the Baltimore Sun.]

John Hubbell and Thomas or "Doc." Whitty, the two men arrested by Sergeant Toner while attempting to break into the clothing house of J. B. Dietz, 204 West Pratt street, were brought before Justice Cashmyer on Saturday by Capt. Lannan, and held for court on charges of burglarious entry and also with being common thieves. Frank Sherman, who has been in the penitentiary on a charge of burglary, and has been associating with Hubbell and Whitty of late, was arrested on Saturday and also held on a charge of being a common thief. He and Hubbell were held on an additional charge of attempting to break into the cigar manufactory of Baron & Co., at 63 East Pratt street. The tools found on Hubbell when he was arrested fitted the marks in the gate at Baron & Co.'s made by the burglars in their endeavors to break it open. Capt. Lannan and his officers watched the men at work in their unsuccessful attempt at Baron & Co.'s.

About 2 o'clock Saturday morning Sergt. Fullem arrested a colored man on Howard street, near Saratoga, whose rapid walking and superfluous clothing aroused his suspicions. When taken to the western police station it was found that the man was a well-known burglar, Charles Grinnidge, who was released last May from the penitentiary, having served almost the whole of a 15 years' term for burglary, having been sentenced by Judge Gilmor. At the hearing, held by Justice Wiener in the afternoon, he was committed for court on seven charges of burglary which have been committed during this month, as follows: February 3, from Samuel Sampson, 64 Dover street, an overcoat, hat, pair of shoes, handkerchief; February 8, from George Walker, 4 Elbow lane, two bottles of whisky, three bottles of wine, gloves, &c.; February 9, from John W. Williams, 37 China alley, shoes and a piece of meat; February 10, from James W. Jennings, 36 China alley, overcoat, silk umbrella and silk hat; February 11, from Authur Smith, 63 Raborg street, overcoat, gloves, razors, teaspoons; on February 12, from Maggie Parker and Thomas Tunston, 23 Orchard street, a dolman, silk handkerchief, hat and umbrella; February 13, from George Burton and Jos. Walters, 202 South Howard street, pocket-book, eye-glasses, gold pencil, penknife. All the persons who were robbed are colored people, and the value of all the articles stolen amounts to about $125.

Charles Robinson and Robert Thompson, young men, who have been leading a rather fast life, were before Justice Cashmyer on Saturday, charged with stealing a lot of bronzes, valued at $850, from Robinson's mother, Mrs. Aldiba M. Robinson, of 184 West Madison street. Robinson was also charged with stealing silverware worth $1,600 from his mother. Mrs. Robinson was present at the hearing and was greatly affected. The evidence showed that Mrs. Robinson had the goods stored in a house at Boundary and Maryland avenues. Her son got the key to the house and took the silver away, piece by piece, selling it to C. Stein Schwalloff, of 41 North Gay street. He says he got about $150 in all for it. He and Thompson took the bronzes away together. They were packed in two trunks and shipped to Philadelphia. Robinson and Thompson went to Philadelphia with the bronzes, and after they were stored in the cellar of a saloon there Robinson returned to the city, leaving Thompson there to dispose of the bronzes. When the robbery was discovered Detectives Seibold and Droste were put on the case. They arrested Robinson here, and went to Philadelphia and arrested Thompson and recovered the bronzes. Robinson was committed on the charge of stealing the silver, but the hearing in the bronze case was postponed until the 18th, Thompson demanding a lawyer. Thompson is said to be an accomplished thief, and although not over 24 years of age, has already served a term in the penitentiary. The detectives recovered the silver in Schwalloff's place, and he was held on a charge of buying it, knowing it to be stolen.

Wm. F. Haynes, charged by officer Wm. H. Doyle, with breaking into the cigar store of Roberts & Co., 396 Greenmount avenue, and stealing an overcoat and a lot of cigars, worth

LOCAL MATTERS.

Real Estate Transfers.—Feb. 12.—Solomon Straus and wife to B. Cahn, six lots, $1,765. Solomon Straus and wife to B. Cahn, four lots, $1,176 60. Peter Schramm, administrator, to P. Schram, lot west side of Light street, near Wells, 14 by 65 feet, $1; ground rent $35. Michael J. Rourke and wife to P. Crist, lot east side of Poppleton street, near Lombard, 16 by 81 feet, $1,225; ground rent $32. Edgar J. McPherson to A. B. Stoemaker, lot west side of McCulloh street, near North avenue, 17 feet 9 inches by 90 feet, $1,000; ground rent $151. John Hubner, &c., to C. H. Smith, lot southeast side of Mosher st., near Fremont, 16 feet 3 inches by 74 feet, $1,500; ground rent $69. Levi Z. Condon and wife to J. A. Horner, &c., nine lots, $10,000. Christian Muhlberger to M. D. Cohen, lot east side of Bond street, near Canton avenue, 20 by 60 feet, $1,900; ground rent $80.

On Friday, Feb. 13.—John F. O'Neill to James McColgan, trustee, $1. Vincent T. Bogue, administrator, to V. T. Bogue, &c., three lots, $1. Vincent T. Bogue, administrator, to V. T. Bogue, &c., three lots, $1. Vincent T. Bogue, administrator, to V. T. Bogue, &c., three lots, $1. Vincent T. Bogue, administrator, to V. T. Bogue, &c., three lots, $1. Vincent T. Bogue, executor, &c., to V. T. Bogue, &c., lot west side of Charles street, near Little Pleasant, 24 feet 3 inches by 75 feet 9 inches, $1. Magdalene Hegele, executrix, to M. Hegele, lot east side of Charles street, near Hamburg, 10 feet 9 inches by 120 feet, $1. Magdalene Hegele to A. Kloke, &c., lot east side of Charles street, near Hamburg, 10 feet 9 inches by 120 feet, $1,800. Mary H. Devereaux to M. A. Frederick and wife, lot east side of Park avenue, near Little Pleasant st., 20 by 90 feet, $1,000. Benj. F. Horwitz, &c., trustee, to J. Hecht, lot south side of Franklin street, near Howard, 25 by 150 feet, $1. George G. Burnett to M. Walsh, lot south side of Lombard street, near Republican, 14 by 64 feet, $812; ground rent $35. Wm. M. Burgan to R. T. Mavin, two lots, $450; ground rent $60. John Moore, trustee, to J. Devlin, $1. Mary G. Croney and husband to S. F. Norris, $200. James T. Miller, &c., to H. Swain, &c., lot north side of Bayard street, near Carroll, 12 by 70 feet, $600. Henry Fette to J. Gutman, lot west side of Eutaw street, near Marion, 12 feet by 53 feet 6 inches, $4,500; ground rent $180. Adolph Hybbeneth to J. Gutman, lot northwest corner Eutaw and Marion streets, $3,500; ground rent $360. George H. Dalrymple to S. R. Boyd, &c., two lots, $1,065; ground rent $35 each. George H. Dalrymple to C. G. Nickle, three lots, $1,665; ground rent $35 each. Geo. H. Dalrymple to F. W. Trimble, lot northeast cor. McElderry and Castle sts., $980; ground rent $36. Frederick Striefler and wife to H. A. Mueller, &c., lot southwest cor. Aliceanna and Cannon sts., $1,050; ground rent $45.

On Saturday, Feb. 14.—Henry Smith to H. Smith, Jr., two lots, $5; ground rent $90. Henry Smith and wife to H. Smith, Jr., two lots, $5. John Stewart and wife to A. Donaldson and wife, lot west side of Light street, near West, 15 by 118 feet, $10. John Stewart and wife to G. Waters, lot west side Light street, near West, 15 by 117 feet, $10. Bernard Clark to K. Bruns, lot south side Chase st., near Wilcox, 12 by 69 feet, $1,100; ground rent $36. Hy. A. Hubbard to J. Hakesley, $450. Benjamin F. Horwitz, &c., trustees, to T. P. Kavanaugh, lot north side of Lexington st., near Park avenue, 22 by 100 feet, $425. Benjamin F. Horwitz, &c., trustees, to K. Birkey, lot west side of Paca street, near Mulberry, 24 by 142 feet, $5. Dietrich H. Radecke, administrator, to C. Kestner and wife, lot south side of Eastern avenue, near Caroline street, 24 by 51 feet, $400; ground rent $18. John Prinz to C. Kestner and wife, two lots, $1,500. Levi Z. Condon and wife to S. D. Moore, three lots, $1 200; ground rent $75. Benjamin F. Horwitz, &c., trustees, to J. T. Aler, two lots, $2,725. Benjamin F. Horwitz, &c., trustees, to W. O. [illegible] two lots, $1,130. Henry Weitzel, Jr., to C. G. Schroepfer and wife, lot south side of Mulberry street, $1,000; ground rent $28 12. Wm. H. Ford, &c., executor, to M. C. Albert, $1. Edw. Duffy, &c., to M. C. Albert, $400. Wyatt Owen and wife to A. Pahl, four lots, $5. Mary H. Devereux to F. Agnes, trustee, lot south side of Baltimore street, near Calvert, 14 by 36 feet, $5,142. Ernest Robbins, executor, to F. W. Heath, lot west side of Fulton avenue, near Lafayette avenue, 19 feet 3 inches by 112 feet 4 inches, $2,400. Jos. M. Cone to C. Felden, lot north side of Harlem avenue, near Fremont street, 15 feet 8 inches by 115 feet, $2,700; ground rent $90. Wm. E. Wood, &c., to J. Kern, Jr., lot southeast side of Hanson alley, near Cross street, $933. Wilton Snowden to S. Snowden, lot west side Walker street, near St. Peter, 12 by 53 feet, $200; ground rent $25. Wm. Henschel to G. Bender, lot southeast side of Biddle street, near Pennsylvania ave., 33 feet 2 inches by 25 feet 1 inch, $1,600; ground rent $66. Richard T. Moran to A. A. Moran, two lots, $5; ground rent $84. Saml. R. Busey to G. E. Lewis and wife, lot east side Mount st., near Fayette, 14 by 80 feet, $400; ground rent $80. George B. Graham to E. Whitridge, $5. Richard T. Allison and wife to J. Curran, lot southwest corner of Fawn and High streets, $1,100. John H. Garrettson to E. B. Owings, lot east side of St. Paul street, near Townsend, 17 feet 7 inches by 123 feet 5 inches, $3,300; ground rent $180.

A Steel Steamship Built in Ireland for Spain.—The steamship Guido, Capt. Jose Maria de Aldamiz Echevarria, of Bilbao, Spain, now loading at pier 8, Locust Point, for Liverpool, in J. Hooper & Sons' line, is the only steamship visiting this port built wholly of steel, her hull, masts, boilers, and every part of any importance in her construction being of that metal. This vessel is a leviathan in her proportions, being 372 feet long, 41 feet 2 inches beam, and 26¼ feet depth of hold. She was built in Belfast, Ireland, in 1884, by Harlan & Wolff, the builders of the White Star Line steamships, at a cost of $300,000. She registers 2,064 tons, or 3,133 tons gross, and has a carrying capacity of 4,654 tons of freight. The compartments for water ballast represent 813 tons, and her coal-bunkers 1,282 tons, without reserve. Her engines are of 400-horse power. The average speed of the Guido is 12¼ knots per hour, and her last trip from Santander, Spain, to Havana, Cuba, was made in fourteen days, the distance being 4,200 miles. The Guido belongs to the Compania Navegacion la Flecha, which is composed of eight first-class steamships. They touch at but two ports in the States—Baltimore and New Orleans. The Guido will take out a full cargo, in which will be 4,000 bales of cotton. Capt. Echevarria's staff consists of first officer, Evaristo de Lachiondo; second, Bruno de Aboitiz; third, Ignacio Goitizolo; chief engineer, John Edgar; second, Wm. Brandwood; third, Ramon Lopez; fourth, John Watt; majordomo, Pablo de Orube. All the engineers, with one exception, are Englishmen. Chief Engineer John Ireland, who was among the last to leave the wreck of the British steamship Benwell Tower, is the son-in-law of Chief Engineer John Edgar, of the Guido.

Suit on an Executor's Bond.—Judge Stewart, in the City Court, heard the opening argument on Saturday in the suit of the State, use of Thos. Hughes, receiver, against Skipwith Wilmer; administrator of Riggin Buckler, William G. Bansemer and Anna Hoffman. The suit is on the bond of Anna Hoffman and Alfred Bennett, as executors of Charles Hoffman, on which the late Dr. Riggin Buckler and William G. Bansemer were sureties. Mr. Hoffman, by his will, directed that a pork-packing business which he had conducted for many years be continued by Alfred Bennett and George D. Reese. The capital, about $9,000, was lost in the business about three years after Mr. Hoffman's death, and the Circuit Court held that Messrs. Bennett & Reese were liable for the amount, and appointed Mr. Thomas Hughes, receiver, to collect it. The Court of Appeals affirmed the decision. The sureties deny their liability, and contend that the executors performed all that was required of them in turning over the capital of Mr. Hoffman's business to Messrs. Bennett & Reese. Mr. Hughes charges that the executors were derelict in their duty in not collecting the debt. The argument will be resumed on Saturday, February 28.

A Typhus Patient at Bayview.—Some uneasiness was felt at Bayview Asylum Saturday morning when it was learned that late during the night previous a patient had been brought to the institution from the City Hos-

WHAT IS GOING ON ABROAD.

Messengers from Khartoum Who Haven't Heard of Its Downfall.

Messengers have arrived at Korti from Khartoum. They were six days on the journey. They profess ignorance regarding the fall of Khartoum or of the death of Gen. Gordon. The Mudir of Dongola refuses to credit the reports concerning the capture of Khartoum by the Mahdi and the massacre of Gen. Gordon and the garrison under his command.

The London Standard on Saturday published a dispatch from its correspondent at Korti stating that a messenger who had just arrived at Korti declares that Khartoum has not been captured by the Mahdi. The messenger, the correspondent says, asserts that he left Khartoum six days after Col. Sir Charles Wilson appeared before the city in the boats sent from Gubat, and that when he (the messenger) left Gen. Gordon still held Khartoum. Government officials do not believe the messenger's story, and state that no official information confirmatory of it has been received. The Times still clings to the hope that Gen. Gordon is alive. It thinks that the saddlebag document was possibly a ruse made use of in the hope of preventing the British advance upon Khartoum, as it was then too late to rescue Gen. Gordon. The Times asks: "If Gen. Gordon has been killed and Khartoum captured, why did not the Mahdi let Col. Wilson land there and then massacre him and his party?"

The story of the messengers from Khartoum has caused a sensation throughout England, chiefly because it accords with the persistent belief of the Mudir of Dongola that the Mahdi had not yet captured Khartoum. But, notwithstanding the fact that several messengers brought the same news of Gordon, the story is generally distrusted both by government officials and the public at large, chiefly on the ground taken by Sir Charles Wilson, that the Arabs were likely to tell the story best pleasing to Gen. Lord Wolseley in order to be more favorably received into the British camp.

It is now thought certain that the attack on Metemneh by the British forces at Gubat will be made at once, as contemplated. The news of the result of the attack is expected to arrive at Korti on Tuesday next. Lord Wolseley's disposal of the forces at present at Gubat under the command of Colonel Sir Redvers Buller depends upon the result of the assault.

The London Army and Navy Gazette takes a gloomy view of the position occupied at present at Gubat. According to the Gazett the troops can neither retreat across th desert nor down the Nile. They are co pelled, from the very necessities of th situation, it is contended, to intrench th selves where they are and there hoard t ammunition, live on camel meat and rem on the defensive until relieved. Contin the Gazette says that masses of hostile A from Khartoum will soon throw themse in line between Gubat and Gakdul Well capture the latter place and perhaps push northward and attack Korti itself.

The report that El Mahdi's troo marching to attack Kassala has led t newal of negotiations with Italy for t patch of an Italian expedition from wah for the relief of the garrison.

The Earl of Northbrook, first lord admiralty, the Right Hon. H. C. E. chancellor of the exchequer, and Lord Hartington, war secretary, attended a council of war at the war office on Saturday. It was resolved to increase the Indian contingent to be dispatched to the Soudan for Gen. Wolseley's relief to 3,500 men, in order to raise the total effective force which Gen. Graham is to have for his Suakim expedition to 11,500 men. The council also again considered the colonial offers of military assistance. Both the Earl of Northbrook and the Marquis of Hartington urged the war office to assent to the requests to embody colonial contingents in the expedition.

Gen. Graham departs for Suakim on the 18th inst. He will be left the fullest option as to the time to be occupied by the expedition in reaching Berber. It is stated, however, that Gen. Graham intends to make forced marches all the way to Berber from Suakim. If he encounters Osman Digna and defeats him Gen. Graham believes he can reach Berber within twenty days. It would require thirty days to complete the journey with an army making ordinary time.

The Duke of Connaught has requested to be assigned to service in the Soudan. He will retire in any event from his command at Meerut, India, on April 1 next.

The Marquis of Lorne publishes a letter in the London Times urging the acceptance by the government of the proffered services of Williams's Canadian corps. The prompt offer of military service made to the home government by the Canadians and Australians, the Marquis says, shows that the colonies of Great Britain possess right feelings towards the parent government. The Governor of Victoria has cabled a message to the home government tendering to the Queen the assurance that the colony of Victoria was ready to do its part as an integral portion of her Majesty's empire to assist England in Egypt. Five eminent Austrian staff officers recently applied for permission to offer their services to the British authorities to assist the English expedition in Egypt. Their request was refused.

An Arab newspaper says the Mahdi intends to proclaim himself King of Nubia when he captures Shendy. It is reported here that Prince Hassan has been appointed governor-general of the Soudan.

At the approaching session of Parliament the political conflict against the present government will open on the presentation of the government demand for a vote of credit of £2,500,000 on account of the Suakim expedition. It is understood that the conservatives will support the request for the new credit, but that they will accompany their vote with a vote of censure against the government. An early dissolution and appeal to the people is now expected and discussed. It is believed that a majority of liberals, conservatives and Parnellites alike concur in the desire for an early dissolution.

NEWS OF THE DYNAMITERS.

The London police officials appear very nervous and uncertain in regard to the outcome of the trial of Cunningham. It is stated that the Dublin detectives who were brought to London to work up the case have not been able to lodge any information with Mr. Poland, the solicitor of the treasury, showing any connection between Cunningham and the Invincibles in Ireland. Rumors are afloat that a dynamite outrage far exceeding the recent explosion at the House of Commons will signalize the opening of Parliament. The authorities have again received letters containing warnings that St. Paul's Cathedral and the Bank of England are to be attacked with dynamite.

Policemen Cole and Cox, who were so dangerously wounded while endeavoring to prevent the recent dynamite explosion at Westminster Hall, have received a number of valuable presents in recognition of their heroic efforts on that occasion. Mr. Gladstone has given each of the gallant officers £50 from the royal county fund. Sir William Harcourt, the home secretary, has given Cole, who pluckily picked up the bundle containing the dynamite and attempted to carry it out into Palace Yard, £127, and Cox, who went to Cole's assistance, £70. Sir James Ingham, magistrate presiding at the Bow Street Police Court, has presented each of the wounded officers with £30, and the members of Parliament have collected £500 for the benefit of the brave officers, while numerous private individuals have donated various sums of money for the same purpose.

The new regulations for the admission of people to the House of Commons are so stringent as to amount almost to prohibition. The members who ask for permission from the Speaker to introduce persons will be held answerable for the conduct of persons so admitted. Strangers will not be allowed to promenade on the terrace, even if escorted by members. The members of the press holding seats in the press gallery are greatly excited over the Speaker's new regulations abolishing the rule granting to press repre-

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COLORED LAWYERS IN MARYLAND COURTS.—There are some privileges which are so nearly akin to rights that the public fails to appreciate the distinction in a country where all are declared to be free and equal, and claim to stand on the same basis for the enjoyment of life and liberty and in the pursuit of happiness. Among these privileges are those of going to and fro on the lines of travel, of voting at the polls, and of following any of the vocations of life which will insure personal independence, whether in trade, industrial pursuits or the professions. So long as artificial restraints are employed as a bar against perfect and absolute freedom in this particular, agitation and opposition will follow, until finally the obstacle will be removed. In the past prejudices or self-interest barred from the full enjoyment of all the privileges of civil life those people who held to the ancient faith of the Hebrew race, and clung to imprisonment of debtors, and held on to various other relics of the past, until one by one they were overborne by an enlightened public sentiment. The condition of the freedmen after emancipation presented a number of problems which have one by one been disposed of, until now probably only one very serious question of a long series remains undecided, and that is the question of the admission of colored lawyers to practice in the State courts of Maryland. As far back as 1877 Charles Taylor, a colored man from Massachusetts, had been admitted to practice in the United States courts for Maryland. He had been duly admitted previously to practice in all the courts of the Commonwealth of Massachusetts, and was a qualified citizen of Maryland. He sought to exercise what he considered a right in the State courts of Maryland, and being denied, took his case to the Court of Appeals of Maryland, where, at the October term of 1877, an adverse decision was rendered, Judge Bartol, the chief judge, delivering the opinion of the court. In this decision the ground was taken that under the act of 1876, the year preceding, the privilege of admission as an attorney in the courts of this State is limited to white male citizens above the age of 21 years. The court also held that the limitation to the privilege of admission as an attorney in the courts of this State, under the act of 1876, is not repugnant to the 14th amendment to the constitution of the United States; that the privilege of admission to the office of an attorney is not a right or immunity belonging to the citizen within the meaning of the 14th amendment, but is governed and regulated by the Legislature, who may prescribe the qualifications required and designate the class of persons who may be admitted, and that the power of regulating the admission of attorneys to the courts of a State is one belonging to the State and not to the Federal government. Mr. Taylor, it is believed, has not pursued the matter involved in his case any further, though it was understood at the time that he would carry the issue to the Supreme Court of the United States. However, the disbarment of colored men in the State courts has brought forward another applicant for the removal of the restriction in the person of Charles S. Wilson, a colored lawyer, whose case was before the Supreme Bench of Baltimore City last Saturday, and will be further argued, though some of the judges expressed their individual opinion that in view of the act of 1876, which Maryland State courts are bound to respect, if constitutional, and of the decision of the Court of Appeals in 1877, there is no remedy until the Legislature chooses to repeal the act of 1876. This would be the most satisfactory mode of procedure, and was the course advised and strongly urged by THE SUN during the session of the General Assembly of 1884, when a repeal bill was before the Legislature. On the 7th of February, 1884, THE SUN urged the passage of this bill because, as plaintiffs and defendants, as accusers and accused, colored people are perfectly free to come into the courts, and that they may do so also as jurors. The ground was taken that "the law has no right to keep a colored man from earning his bread in any honest way he may see fit, provided that he shows himself able to meet the requirements imposed on all other classes of citizens," and it was stated that "the law as it stands formed only one part of a system that has passed away, and which no one wishes to bring back." On the 12th of March THE SUN, in another article advocating the repeal, said: "To say nothing of the doubtful constitutionality of the existing law, it will certainly take no elaborate reasoning to convince any one that in this late day in the world's history the State has no right to stop any citizen from earning his living in the pursuit of any lawful occupation for which he can show himself as well fitted as those who are allowed to follow it." While the Supreme Bench, as at present constituted, has the problem presented by Mr. Wilson to face with the same general aspect as the State courts in 1877, the Court of Appeals has added the weight of their opinion; but the Legislature to be elected next fall will have it entirely in its power to make another effort to liberalize the profession of the law in Maryland, which it ought to do without consideration of color or previous condition. Sooner or later all restrictions on the freedom of citizenship must disappear, and there is no reason why the legal profession should be the last to recognize the inevitable. On the 12th of April, 1882, the medical profession of the State took the advanced step of admitting a properly qualified colored practitioner to membership in the Medical and Chirurgical Faculty of Maryland. What the doctors of medicine did in this particular is no more than should be expected of any intelligent body of men, and what the doctors of law should emulate.

FURTHER PENSION LEGISLATION.—The Senate Saturday added to one of the private pension bills under its consideration several

o'clock, thence to Saint Patrick's Church, where a Requiem Mass will be offered for the repose of his soul.

GOLDHEIM.—On February 7, Mrs. SARAH GOLDHEIM, in the 69th year of her age, wife of the late L. Goldheim. [Winchester (Va.) and Trenton (N. J.) papers please copy.]

Her funeral will take place from her late residence, No. 273 West Pratt street, Tuesday afternoon, at two o'clock. Friends invited. [No flowers.]

HUGHES.—Fell asleep in Jesus, at 5.40 P. M., Sunday, February 8, CHRISTOPHER C. HUGHES, in the 70th year of his age.

The relatives and friends are requested to attend the funeral, from the residence of his son-in-law, F. M. Abell, No. 209 West Hoffman street, Wednesday, at 10.30 A. M. ***

KAVANAGH.—On 7th February, MARY KAVANAGH, a native of county Wexford, Ireland. R. I. P.

Her funeral will take place from the residence of her brother-in-law, Mr. John Kavanagh, No. 35 Block street, this (Monday) morning, 9th instant, at nine o'clock, thence to Saint Patrick's Church, where a High Mass of Requiem will be offered for the repose of her soul. Relatives and friends of the family are respectfully invited to attend.

KUNKEL.—The remains of GEORGE KUNKEL, who departed this life January 25, will be removed from the vault in Baltimore Cemetery and interred in section DD, Lot 465½, on February 10, at two o'clock P. M. [Harrisburg (Penna.) and New York papers please copy.] **

LINDEMAN.—Suddenly, on 7th February, ELLA, aged 1 year and 5 months, beloved daughter of Charles and Robina Lindeman.

McCHONE.—Departed this life, on February 8, at 8.30 A. M., CLARENCE EUGENE McCHONE, in the 24th year of his age. [Middletown Transcript and New Castle county papers please copy.]

Relatives and friends are requested to attend the funeral, on Tuesday, at 8.30 A. M., from the residence of his brother-in-law, Mr. F. H. K. Nickols, No. 363 Mosher street, thence to Union Station, for interment near Middletown, Del.

McSWEENEY.—Suddenly, on February 8, 1885, HENRY J., aged 42 years, youngest son of the late Jeremiah and the late Catharine McSweeney. May he rest in peace.

Relatives and friends of the family are respectfully invited to attend the funeral from his late residence, No. 28 South Collington avenue, on Wednesday morning, 11th instant, at eight o'clock, thence to St. Patrick's Church, where a High Mass of Requiem will be offered for him. ***

MEGONIGAL.—Departed this life, on February 8, 1885, HANNAH, in the 22d year of her age, wife of Randolph Megonigal. [Philadelphia papers please copy.]

MIDDLEDORF.—On 7th of February, at 11 P. M., LOUIS M. MIDDLEDORF, in his 81st year.

His funeral will take place from his late residence, No. 567 Lexington street, on Tuesday, February 10, at 9 A. M. Relatives and friends are invited to attend. [No flowers.]

MOXLEY.—On the morning of February 8, MAGGIE A. MOXLEY, in the 44th year of her age.

The funeral will take place from her late residence, No. 207 Dolphin street, Tuesday afternoon, at two o'clock.

RICHARDSON.—On February 6, JULIA, wife of E. D. Richardson.

Her remains will be taken to Harford county for burial this (Monday) morning, 9th instant, at 6.30 o'clock.

SMITH.—On Saturday, February 7, at 11.55 P. M., EMMA ELIZABETH, aged 31 years, beloved wife of Frank S. Smith.

The funeral will take place from her late residence, No. 193½ Chesnut street, this (Monday) afternoon, at three o'clock.

SMITH.—On February 8, 1885, SARAH E. SMITH, aged 61 years.

The relatives and friends of the family are invited to attend her funeral, from the residence of her son, Elias M. Smith, No. 169 Patterson Park avenue, on tomorrow (Tuesday) afternoon, at three o'clock. **

SNYDER.—On February 8, JENNIE B., aged 20 years, youngest daughter of Mary C. and the late Wendel Snyder.

Due notice of the funeral will be given.

STOCKDALE.—At Finksburg, Carroll county, Md., on Sunday morning, February 8, at 8.30 o'clock, REBECCA COCKEY, wife of S. B. Stockdale, and daughter of the late Judge M. G. Cockey.

Funeral will take place at the M. E. Church South, this (Monday) afternoon, February 9, at three o'clk.

TAPMAN.—On February 8, WILLIAM S., aged 14 years 4 months and 15 days, second son of Henry T. and the late Agnes E. Tapman.

The funeral will take place from his parents' residence, No. 240 Hanover street, Tuesday afternoon, 10th instant, at two o'clock. Relatives and friends are invited to attend, without further notice.

WEBER.—On February 8, 1885, DORA A., aged 9 years, beloved daughter of J. H. and Caroline Weber.

Farewell, my friends, farewell,
I can no longer stay with you;
My Saviour calls me, I must go,
To meet my sisters on the other shore.

The funeral will take place from her parents' residence, No. 71 Gough street, this (Monday) morning, at ten o'clock. Relatives and friends are respectfully invited to attend.

SPECIAL NOTICES.

ST. JOHN'S IND. METH. CHAPEL, *Madison avenue and Lanvale street.*—SPECIAL SERVICES. Rev. RICHARD COPP, Taylor Missionary at Panama, will assist the Pastor. EVERY EVENING THIS WEEK, (except Saturday,) at 8 o'clock. fe9-5t

EASTERN AVE. M. E. CHURCH.—Revival Service THIS EVENING, 7½ o'clock. fe9-5t*

A MEETING FOR CONSECRATION AND THE DEEPENING OF CHRISTIAN EXPERIENCE will be held in the PARLOR OF Y. M. C. A. TUESDAY, 11 A. M. All Ladies cordially invited. o6-mtf

HIBERNIAN SOCIETY OF BALTIMORE. Members are requested to attend the Adjourned Meeting of the Society on THIS MONDAY EVENING, at 8 o'clock, to be held in the School Rooms, North, near Lexington street.
fe7-2t* B. F. SMITH, Secretary.

CALUMET CLUB, ATTENTION!—Meet at 60½ West Baltimore street, Pioneer Club Rooms, THIS MONDAY, at 7.30 P. M., for Drill and Parade in the Eastern district. Aid to Marshal will report to P. REILLY, Chief Marshal. 1t*

THE GRAND CONCLAVE OF MD. HEPTASOPHS, ORD. W. M., will meet in Annual Communication at Raine's Hall, corner Baltimore street and Postoffice avenue, on THIS MONDAY EVENING, 9th inst., at 8 o'clock. P. A.'s will please be punctual in their attendance.
fe7-2t* CHAS. F. HUCHSON, Grand Scribe.

CONFEDERATE SOCIETY AND MARYLAND LINE.

THE SOCIETY OF THE ARMY AND NAVY OF THE CONFEDERATE STATES IN MARYLAND AND THE ASSOCIATION OF THE MARYLAND LINE will hold a joint meeting on TUESDAY, February 10, at 8 P. M., at SNOWDEN HALL, West Fayette street, to hear reports on the Banquet and on Senator Vance's Address. Tickets for both will be distributed. By order of
GEN. BRADLEY T. JOHNSON, President.
GEO. T. HOLLYDAY, Secretary. fe9-2t

ATTENTION.
CALUMET CLUB.

There will be a General Meeting of this club at 60½ WEST BALTIMORE STREET, at 7.30 THIS EVENING. Messrs. C. N. Oehm & Son will have representatives to take measures. Members to have overcoats in season must be measured at once. By order. P. REILLY, Prest. 1t

THE ALUMNI OF PRINCETON COLLEGE resident in Maryland are invited to meet at 64 FRANKLIN STREET, TUESDAY, Feb. 10, 3 P. M., for the purpose of FORMING A PERMANENT STATE ASSOCIATION. fe9-2t

ST. ANDREW'S SOCIETY.
A Quarterly Meeting of the ST. ANDREW'S SOCIETY of Baltimore will be held THIS MONDAY EVENING, February 9, at 8 o'clock, at the CARROLLTON HOTEL.
By order,
fe6-3t ROBERT SIM, Secretary.

BALTIMORE HOUSE-PAINTERS' UNION, No. 1.—Special Meeting THIS (MONDAY) EVENING, February 9. Business of importance demands your attention. By order of Union.
1t* J. C. McDOWELL, Rec. Secretary.

BROTHERHOOD OF CARPENTERS AND JOINERS' UNION, NO. 29.—Members are notified to attend the meeting THIS (Monday) EVENING, February 9. Business of importance. By order of the Union. I. B. AYLSWORTH, Sec'y.1

NOTICE.—All the members of the various LODGES OF THE G. U. O. OF O. F., under

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FOUR WAREHOUSES BURNED.

Cassard's Packing-House and Bergmann's Stable Destroyed—Loss $72,000.

[Reported for the Baltimore Sun.]

There was a $72,000 fire in Baltimore yesterday, which burned for seven hours, required the united efforts of eleven engines and over a hundred men to suppress it, and was the cause of six men being injured. The roofs and interiors of four buildings were destroyed, and a large quantity of stock was damaged or ruined. These warehouses are on the south side of Baltimore street, between Paca and Greene streets, and extend back to German street. They are numbered 405, 407, 409 and 411.

No. 405 was owned and occupied by Joseph Bergmann, who kept a livery stable. Messrs. G. Cassard & Son, pork packers, occupied Nos. 407, 409 and 411. All four of the buildings are of brick, and all except No. 411 are three stories high, the latter being two stories. The damage to Mr. Bergmann's building is estimated at $1,000, and to his stock of oats, bran and corn $500. His building is insured for $8,000 and his stock for $7,000. The damage to the Cassard buildings is estimated at $20,000, stock $40,000 and machinery $10,000, making a total of $70,000. The buildings are insured for $25,000, the stock for $49,500 and the machinery for $10,500. The Cassards estimate the value of their entire property of warehouses, stock and machinery at from $125,000 to $150,000.

In addition to the damages already mentioned, No. 413 Baltimore street, owned by the Fitzgerald estate and occupied as a restaurant by Louis Neidhardt, was damaged $150, and the carpets and furniture $50. A lot of straw and oats in Louis Coblens's stable, northwest corner Paca and German streets, was damaged $500 by water. It is insured. According to these estimates the total damage done by the fire amounts to $72,200.

The fire is said to have started in the boiler-room of No. 407. It was first seen by policeman Gillipsie at a few minutes after six o'clock. Smoke was rising slowly from the building, but by the time the alarm was sounded from box 42, which is at No. 2 truck-house, on Paca street, just above Fayette, flames had burst through the smoke and were spreading rapidly. Four engines and one hook-and-ladder company responded to the alarm and went to work with a will.

As the fire was hard to get at, it made headway steadily, and forced its way into the adjoining buildings on the west. When Chief Hennick arrived he saw the need of prompt action and immediately sent in a second alarm, which brought out four more engines and another hook-and-ladder company. Still the fire burned on without apparent check, notwithstanding the firemen were unceasing in their efforts to get the better of it. The chief then decided to sound a third alarm, and in response to this his force was increased to eleven engines, which, with the exception of two engines, which were kept in reserve in case of fires in other parts of the city, comprised the whole department.

In Bergmann's stable were thirty-five horses, which became excited by the noise of the cracking and hissing flames in the building next door, and would have caused a great deal of confusion and trouble had they not been removed to Miller's place, on German street, before Bergmann's stable caught fire. At nine o'clock the second story back building of the stable became ignited. Four firemen from No. 5 engine got into the building and tried to make their way toward the flames, but they had hardly gotten as far as midway the building when the eastern brick wall of No. 407 toppled over and came crushing through the roof and floors down upon them. A shout of horror went up from those who saw what had happened, and when the

LOCAL MATTERS.

Can Colored Men Be Admitted to the Bar?—Mr. Alexander H. Hobbs appeared before the Supreme Bench, Chief Judge Brown and Judges Duffy, Phelps and Fisher, sitting in the Circuit Court, on Saturday in behalf of Charles S. Wilson, colored, who applies for admission to the bar as an attorney. Mr. Wilson is a resident of Massachusetts and a practicing attorney there. He is a graduate of Amherst College, and recently taught school at Sunnybrook, Baltimore county. Mr. Hobbs asked to be heard upon the petition.

"The whole question," said Judge Brown, "I take it, has been decided by the Court of Appeals, which declares that the statute law of Maryland excluding colored men from practice as attorneys in our courts is not in conflict with the constitution of the United States. The question is not an open one, and we are not at liberty to review it. For myself, I regret exceedingly that the law of our State excludes colored men from the legal profession. It is a great injustice that no colored man can be admitted to the practice of the law. There is a large colored population in our State, and they ought to be allowed to enter any lawful occupation for which they may be fitted."

Judge Fisher said: "I concur with Judge Brown. There ought to be no exclusion. It is the duty of the Legislature to remove the restriction. Until the law is changed, however, we cannot without disrespect review the decision of the higher court."

Mr. Hobbs contended that there are decisions of the Supreme Court of the United States which overrule the decision of the Court of Appeals of Maryland, and which would justify the Supreme Bench in hearing the application.

Judge Duffy.—"I don't see how we can decline to hear the application if the Supreme Court of the United States has decided different from the Court of Appeals."

Judge Brown.—"If you have any subsequent decisions of the Supreme Court of the United States, Mr. Hobbs, which overrule the Court of Appeals, we will hear them. But I think the Court of Appeals would be the proper place to present the petition."

Judge Fisher.—"It would be disrespectful for a subordinate court to hear or an attorney to argue a proposition that the Court of Appeals was wrong. I am willing, however, to hear any decisions rendered by the United States Supreme Court since the decision of the Court of Appeals."

Judge Duffy.—"My own view is that a party has as much right to be heard in a case of this kind as in any other."

Judge Phelps.—"If the counsel has any authorities he should produce them. It is the duty of every court to follow the decision of the Supreme Court of the United States."

Mr. Hobbs asked to be heard orally at a future day, and it was determined to hear his argument on Saturday next at 12.30 P. M.

Real Estate Transfers.—Feb. 7.—John Whiteside and wife to A. Hamilton, two lots, $3,100. Winfield M. Simpson, trustee, to J. C. Moyston, four lots, $1,650. Samuel T. Williams to B. Hupfer and wife, lot west side of Wolfe street, near Hampstead hill, 16 feet 6 inches by 90 feet, $1,000; ground rent $41 25. Frank W. Trimble to E. W. Gorman, lot east side of Castle street, near Jefferson, 12 by 75 feet, $900; ground rent $27. John Klebe to P. Klebe, lot south side of Henrietta street, near Peach alley, 13 by 63 feet, $1,000; ground rent $25. Henry Schaumburg to J. G. Ehrhardt, &c., lot southeast corner of Barre street and Sterrett alley, $1,600; ground rent $25. Wm. E. Whitson, administrator, to M. Stout, lot west side of Paca street, near Lexington, 25 by 105 feet, $1,000; ground rent $365. Margaret Stout to M. G. Shoemaker, lot west side of Paca street, near Lexington, 25 by 105 feet, $5; ground rent $365. Emily S. Brune, &c., to T. H. Ridgely, lot southeast corner of Harlem avenue and Brune street,

Telegraph Matters.—A meeting of the directors of the Baltimore and Ohio Railroad Company was held on Saturday, at the Central Building, at which a resolution was passed ratifying and confirming all previous action of the executive officers in regard to the expenditures required for the extension of the Baltimore and Ohio telegraph system. It was stated that this action was not taken in consequence of the recent suit commenced in the United States court to discover the relations existing between the railroad and telegraph companies. The action taken by the directors was said to be similar to that taken by other large corporations, who formally vote to confirm the action of the executive in matters of detail which cannot wait for the approval of the directors.

Hon. Roscoe Conkling, of New York, and General Bradley T. Johnson, of Baltimore, counsel of the Southern and of the Bankers and Merchants' Telegraph Companies, have prepared bills and secured the appointment of receivers in several of the States outside of the eastern district of Virginia. Last December counsel for other parties secured the appointment of a receiver for that part of Virginia which is in the eastern district, including Richmond, Petersburg and Norfolk. Gen. Johnson went South on this receivership business, and it is stated that the receiver took possession of the telegraph lines in several of the States as far South as Alabama, and got control of the whole system outside of the Eastern Virginia district. This was done to secure the business and connection of the Southern Company to the Bankers and Merchants'.

The Funeral of the Late John Marshall.—The Friends' Mission Meeting House, on Light street, near Cross, was thronged with people yesterday afternoon to witness the funeral rites of the late John Marshall, who died on Thursday evening at his late residence, No. 19 Poultney street. The deceased was the janitor of the mission for seven years, and was well known in South Baltimore. At 2 o'clock the pall-bearers, Messrs. Oliver V. Geoghegan, John Cunningham, A. J. Denson, J. Robert Marley, Wm. T. Wilson, D. A. Bodensick, Wm. L. Denly and Philip V. Clayton, of Franklin Lodge, No. 4, I. O. M., of which deceased was a member, left the house of mourning with the casket. They walked slowly through the street to the mission, which was just around the corner on Light street, followed by the family and intimate friends of the deceased. The casket was covered with a profusion of flowers, the centre design having the word "Rest" wrought in white blossoms. As the cortege entered the building the Sunday-school children, who were arranged on either side of the platform, sang in subdued tones "Shall We Meet Beyond the River?" Mr. John C. Thomas read a part of the 15th chapter of 1st Corinthians, after which Dr. James Carey Thomas, Prof. Harris, of the Johns Hopkins University, and Dr. R. H. Thomas made brief addresses. They referred to the life of the dead, his wanderings about the world as a sailor, and his pious and exemplary life. Miss Mary S. Thomas offered an eloquent prayer, and then the Sunday-school children were invited to view the remains. They passed round the bier and went out of a door in the rear. The whole audience then passed forward and looked upon the face of the dead. After some further remarks the funeral proceeded to Mt. Olivet Cemetery, where the body was buried.

The Convention of Maryland Farmers appointed originally to be held on February 23 will not convene until the following day, Tuesday, the 24th, the committee of arrangements announcing that they have made the change because of representations from a number of gentlemen concerned that on account of the sailing schedules of the steamboat lines Monday is an inconvenient day for such a meeting, and that its selection would probably considerably reduce the attendance.

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IN THE MATTER	)	BEFORE THE SUPREME BENCH
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CHARLES S. WILSON.	)	BALTIMORE CITY.

Charles S. Wilson, a person of color formerly a citizen of Massachusetts, where he was admitted to the practice of law and now a citizen of Maryland, applies to this Court for admission to practice law in the Courts of Baltimore City. The Act of 1876, ch. 264, which is in this respect only a re-enactment of Art. 11, Sec. 3, of the Maryland Code excludes colored persons from that right and the question is whether he is entitled to admission notwithstanding that Act.

Sec. 1 of the 14th Amendment to the Constitution of the United States provides that:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life liberty or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The case of Strauder vs. West Virginia, decided in 1879, settled the question that by force of the 14th Amendment of the Constitution of the United States and particularly the [illegible] colored men cannot be excluded from the jury on account of their

race or color, because as the Court says in its opinion, 100 U. S. Rep:- p. 306, the Amendment "was designed to assure to the colored race the enjoyment of all the civil rights that under the law are enjoyed by white persons and to give to that race the protection of the general government in that enjoyment whenever it should be denied by the States." On page 307 the Court adds that the Amendment "is to be construed liberally to carry out the purposes of its framers. It ordains that no State shall make or enforce any laws which shall abridge the privileges or immunities of citizens of the Unites States (evidently referring to the newly made citizens who being citizens of the United States, are declared to be also citizens of the State in which they reside). It ordains that no State shall deprive any person of life, liberty or property, without due process of law, or deny to any person within its jurisdiction the equal protection of the laws. What is this but declaring that the law in the States shall be the same for the black as for the white; that all persons, whether colored or white, shall stand equal before the laws of the States, and in regard to the colored race, for whose protection the Amendment was primarily designed, that no discrimination shall be made against them by law because of their color. The words of the Amendment, it is true, are prohibitory but they contain a necessary implication of a positive immunity, or right, most valuable to the colored race--the right to exemption from unfriendly legislation against them distinctively as colored--the exemption from legal discriminations, implying inferiority in civil society, lessening the security

of their enjoyment of the rights which others enjoy, and discriminations which are steps towards reducing them to the condition of a subject race."

"That the West Virginia Statute respecting juries--the Statute that controlled the selection of the grand and petit jury in the case of the plaintiff in error--is such a discrimination, ought not to be doubted. Nor would it be if the persons excluded by it were white men. If in those states where the colored people constitute a majority of the entire population a law should be enacted excluding all white men from jury service, thus denying to them the privilege of participating equally with the blacks in the administration of justice, we apprehend no one would be heard to claim that it would not be a denial to white men of the equal protection of the laws."

The Court therefore concluded that the Statute of West Virginia amounted "to a denial of the equal protection of the laws to a colored man when he is put upon trial for an alleged offence against the State." 100 U. S. 310.

Such being the interpretation placed upon the Federal Constitution by the Supreme Court of the United States it becomes necessary to consider whether that decision has any, and if so what, bearing upon the restrictive provision of the Maryland Code above referred to. If it should be found upon examination that the Fourteenth Amendment as thus authoritatively construed in effect overrules that restrictive provision, either expressly or by necessary and unavoidable implication, it is made the imperative duty of this Court by force of the second Article

of the Maryland Declaration of Rights, itself declaratory of pre-existing law, to give full effect to the Constitution of the United States, anything in the law of this state to the contrary notwithstanding. If the authority of our own Court of Appeals is needed in support of this position, it may readily be found in the very recent case of Pinkney vs Lanahan, not yet reported.

What then is the scope and effect of the decision in the West Virginia case?

A juror merely decides in such a case the guilt or innocence of the accused upon the evidence submitted to the jury. The Judge determines what evidence shall be so submitted--he may exclude from their consideration all evidence making in favor of the accused and admit only that which makes against him--if the jury wrongfully find a verdict against the defendant, the Judge may continue the wrong by refusing a new trial--in inflicting the punish-

ment for the offence, the Judge in most cases determines the length of the imprisonment, and in one case he determines whether the punishment shall be imprisonment or death. Moreover, in this City the Judges appoint the Grand Jury and select the names from which the petit juries are drawn. If therefore, a law excluding all colored men from the opportunity of becoming Jurors because of their color is a denial of the equal protection of the laws to them, a law excluding them from the like opportunity of filling the judicial office and participating in the selection of juries is likewise a denial to them of that equal protection, and the decision in Strauders case that a law excluding them from the possibility of becoming jurors is unconstitutional and void is equally applicable to a law which removes from the negro race all chance of participation in other branches of the administration of the law quite as essential to their security.

At the time of the adoption of the Maryland Constitution of 1867 the above provision in the Maryland Code was the law governing the admission to the practice. That Constitution in Art. 4, Sec. 2, upon the qualification of the Judges provides that "they shall be not less than thirty years of age at the time of their election or appointment and shall be selected from those who have been admitted to practice law in this State." If then the Code excludes the colored man from the right to be admitted to practice law and the Maryland Constitution requires that the Judges shall be selected from those who have been so admitted, it would follow that the Constitution excludes the colored man from the right to be a Judge. When

therefore the 14th Amendment was adopted in 1868 the above provision in the Maryland Constitution would have immediately become unconstitutional and void if the provision in the Code were still operative. The provision in the Maryland Constitution standing by itself is not in violation of the 14th Amendment--it could only become so by the operation upon it of the exclusion of the colored man made by the Code if that were possible. In other words the provision in the Maryland Constitution, valid when standing by itself, would be made void by the provision in the Code which imports an unlawful distinction. But the Constitution of Maryland is the paramount law overriding the Code and all acts of Assembly. It can make void an Act of Assembly, but it cannot be made void by one and when the two come into conflict the Act of Assembly must fall.

The above considerations present the answer to the suggestion, which might otherwise be made, that since the Statute limits the membership of the bar to white citizens only, the 14th Amendment would operate upon the provisions of the Maryland Constitution, and eliminate the restriction in the selection of Judges from members of the bar alone and open the office in that manner to all citizens irrespective of race. The Statute, and not the Constitution, must give way, if the conjoint effect of both would be to produce a repugnance not incident to the Constitution alone.

The principles of Constitutional Law laid down in the Strauder case in our opinion conclusively settle this case, not only upon the grounds already stated, but upon

others also.

The whole Court concurred in the decision except Judges Clifford and Field, and it is a significant circumstance that the latter in the subsequent case of the Butchers' Union Co. vs. Crescent City Co., 111 U. S. p. 758, decided in 1883 in the separate opinion which he gave assumes ~~[illegible]~~, that the right of all citizens of the U. S. to be admitted to the bar, except by regulations alike affecting all persons of the same age, sex and condition, is a proposition too plain for argument. "It cannot be", he says, "that a State may limit to a specified number of its people the right to practice law, the right to practice medicine, the right to preach the gospel, the right to till the soil, or to pursue particular business or trades and thus parcel out to different parties the various vocations and callings of life."

And it is equally significant that in the same case p. 764, Judge Bradley who although he united in the decision of the Court, gave a separate opinion in which Judges Harlan and Woods concurred, used language equally emphatic." He says "I hold it to be an incontrovertible proposition of both English and American public law that all mere monopolies are odious and against common right," and he adds, "I hold that the liberty of pursuit--the right to follow any of the callings of life--is one of the privileges of a citizen of the United States."

As we have already stated the particular question decided in that case, is that colored men cannot by reason of their race be excluded from sitting on juries, and the Court holds that to exclude them by law from the opportunity of sitting on a jury, when a colored man is put on

his trial for a criminal offence is discriminating against the accused and depriving him of equal protection and is therefore prohibited by the 14th Amendment, but the decision goes much farther than that. It decides that colored men are entitled to sit on juries not only because colored men may be tried before a jury but because to exclude them would be to discriminate against them as citizens in the enjoyment of their rights, because it would be unfriendly legislation against them distinctly as colored and because it would be a discrimination which would be a step towards reducing them to the condition of a subject race. If then, these reasons prevent a colored citizen from being excluded from the jury box of a State, why do they not equally prevent his exclusion from becoming a member of the bar of a State? Can any sound distinction be drawn between the two cases. I think not. The right of admission to the bar is the far more valuable right of the two. Each is equally a —— right. It is not a sufficient answer to say that a member of the Bar is an officer of the Court and that therefore the right of admission depends on his possessing the qualifications for the office which the State alone has the right to prescribe. A juryman is equally an officer of the law for he is appointed by public authority to perform under oath a public duty, for which he is paid and his qualifications are prescribed by law, but notwithstanding this a colored man has the constitutional right to sit on a jury in spite of any discrimination against his color which the State may impose. A member of the Bar is indeed an officer of the Court but he is much more than that, he is also a member of a learn-

ed profession whereby he earns his livelihood, a profession which constitutes a large and essential part of every civilized community and which is especially influential and indispensable in a Republican Government. To debar any class of citizens from its membership is not only to prevent their engaging in a lawful calling, but, in the language of the Supreme Court, tends to degrade and stigmatize the whole class by depriving them of a privilege and of the equal protection of the law which all other citizens possess. If one class may be so debarred, so may every other, whether it be on account of nationality, religion or any other cause, at the will and pleasure of the State. All such exclusions are, as we think, plainly declared by the Supreme Court, to be prohibited and unconstitutional.

The Court of Appeals of Maryland in the case entitled "In the matter of Charles S. Taylor" 48 Md. 30, affirmed the validity of the Act 1876 and excluded the applicant because he was a colored man, from the right to be admitted to the practice of the law.

The respect which we entertain for the judgments of that tribunal would induce us to accept the conclusion in that case, if the condition of the Federal decisions, upon which that case was avowedly based, had remained unchanged. The argument for the applicant in that case was founded exclusively upon the proposition that the Act of 1876 was an abridgment of the privileges and immunities of a citizen of the United States and upon this ground was repugnant to the 14th Amendment to the Constitution of the United States. The Court met it simply by showing that the Supreme Court of the United States had decided in the

Slaughter House case and in Mrs. Bradwell's case that the privilege claimed was one which appertained to the citizen of the State and not of the United States, and that the clause of the 14th Amendment relied upon was inapplicable. No reference whatever was made in the argument of the applicant or of the Court to the other clause of the Amendment, the full effect of which was afterwards for the first time brought to light by the series of decisions in 100th U. S. Reports. The terms of the Maryland Constitution limiting the selection of Judges from members of the bar were not alluded to, and no observation was made upon the fact that in the selection of juries they have important ministerial functions which formerly fell within the province of the sheriff's office--both being matters having material bearing upon the question whether the exclusion contemplated by the act in question would be open to objection as denying the equal protection of the laws, but wholly unimportant to the discussion of those clauses of the Amendment which alone had been under consideration in the case in 48th Maryland and in those in 16th Wallace upon which it was founded.

We think that the later cases in the Supreme Court lead irresistably to a different conclusion from that in the case of Charles Taylor and some expressions of the Judges, particularly those already mentioned and also of Judge Bradley in the Civil Right case in 109 U. S. Rep. would seem to indicate such to be the view of the Supreme Court.

The Court of Appeals however merely decided that the Act of 1876 standing alone was not repugnant to the 14th

Amendment, and gave no opinion upon its effect when taken in connection of the provisions of the Maryland Constitution already referred to. It is to be regretted that the question was not presented anew to the Court of Appeals in order that that tribunal, rather than a subordinate Court, might be placed in position to pass upon the result of the later decisions of the Supreme Court of the United States, and that we might have an authoritative declaration of the rule to be adopted, and that even the appearance of departure from the precedent of the Taylor case might be avoided. The application however having been made to the Supreme Bench, it is necessary to determine it, and we are of opinion that the applicant, if in other respects duly qualified, is not to be debarred by reason of his color.

Robert Boyd

Edward Duffy

William A. Fisher

William A. Stewart

A. E. Phelps

1885

Supreme Bench

In the matter
of the
Petition of Chas S Wilson
for Admission to
practice law

Opinion of Court

Filed March 19th 1885