

While I have been of the opinion that the mail of the United States may be defended by the use of troops, I have been obliged to give instructions that they cannot, without disregarding the act of Congress, be employed to aid the officers of law in capturing the robbers after they have committed the crime. In doing so they would act as a posse committatus, and this is nowhere by law expressly authorized. In the new and sparsely populated region of the west, to say to robbers and thieves that they shall not be taken on any writ unless the sheriff and his local posse is able to capture them without aid from the soldiers, is almost to grant them immunity from arrest. In those new regions, the army is the power chiefly relied upon by law-abiding people for protection, and chiefly feared by the lawless classes. Numerous instances might be cited, but the recent occurrences in Lincoln County, New Mexico, constitute a striking example of the inability of the officers in command of the troops in that vicinity to aid the officers of the law in making arrests, which was one of the principal causes which led to the most disgraceful scenes of riot and murder, amounting in fact, to anarchy. This state of things continued until a case could be made for declaring the district in insurrection, after which a proclamation of warning was issued by the President, the troops were called into action and at once restored quiet. I am clearly of the opinion that the President should be left free to employ the national forces in aid of the process of the federal courts, whenever he shall deem it necessary, but if such use is to be limited to cases where it is expressly authorized by the constitution or by act of Congress, then I respectfully submitted that Congress should give very careful attention to the enumeration and specification of cases in which such use of troops is to be permitted.

The operations of the department are embarrassed by the action of Congress relating to land grants to railroads, to none of which can money be paid until the conclusion of the suit before the courts. As the principles and claims involved have been finally acted on by the Supreme Court, and judgment in favor of the roads upon the rates heretofore fixed by the war department has been given in every case finally decided, it would be wise and just to repeal this restrictive legislation and allow the railroad account to be settled as other accounts for military service, without imposing upon companies the delay and expenses of formal suits which hereafter can involve only the principles already decided in their favor.

The Secretary suggests an increase of the engineer's battalion to 520 enlisted men. The number of trained soldiers is needed for the torpedo service alone. Increased appropriations are required for the manufacture of small arms, of which only 22,583 of the latest model are in reserve.

Signal officers' reports show that of its weather predictions 84.36. 100ths per cent. have been verified. A weather case, or farmer's weather indicator, an instrument arranged to exhibit together on a simple plan the meteorological indications of several instruments in such a way that they can be easily noted by anyone, is in preparation for general use. This instrument is intended to be used in connection with the farmer's bulletin. It will enable agricultural populations and others to determine in advance something as to the character of the coming weather from local indications alone when other means of information cannot be reached or may fail.

Reporting his action for the relief of yellow fever sufferers during the recent southern epidemic, the secretary says: I would recommend to congress careful consideration of the question, whether such emergencies, in future, may not be provided for by law, by conferring upon the President authority to act. If it be practicable, the law should be so framed as never to leave an executive officer under the necessity of acting outside the statute.

The Secretary says of Lieutenant Benner, who died of yellow fever, while in command of the expedition for the relief of sufferers: He was a man of high character and a young officer of uncommon merit. He leaves a widow and two infant children, and congress should without delay, take such action as well as recognize and give a proper ex-

pression to the nation's gratitude for the self-sacrificing heroism which characterized his conduct and led to the sacrifice of his life. I earnestly recommend the passage of an act granting a pension to his widow.

The department expenditures were more than four and a quarter millions less during the last than in the preceding fiscal year. His estimates for the next year are \$49,887,000, of this \$29,335,000 are for the military establishment proper, \$7,679,080 for public works, \$1,000,000 for fortifications and other defensive works, \$5,000,000 for army operations in river and harbor improvement. These estimates are much less than those asked by the bureau, but are made to conform approximately to the policy of congress, as indicated by its acts.

The Secretary concurs with Gen. Sherman's commendation of the system of competitive examinations to determine the selection of appointees to West Point military academy. While the secretary favors a partial revision of the academic system, he does not favor advancing the qualifications for admission or the grade of theoretical studies of the academy. It would serve to exclude young men of sufficient capacity for the ordinary military duties, without adding a necessary element of usefulness in their performance. I would rather drop out of certain subjects to give time for the study of others more practically useful.

Secretary Schurz, in his annual report, says a striking illustration of the perplexity the Indian service has sometimes to deal with, is furnished by the present condition of the Pimas and Maricopas in Arizona. These tribes, numbering over 10,000, were located on a reservation, part of which was irrigated by the river Gila, and by making use of the water of that river they were enabled to raise crops sufficient for their wants, so that congressional appropriations for their support were very light. It may be said, indeed, that these tribes were really self-supporting by their own labor and industry. Mines were discovered, however, within the past few years on the upper course of the Gila river, and most of the water which formerly served to irrigate the fields of the Pimas and Maricopas was diverted for mining purposes, so that the water supply no longer sufficed for irrigation of Indian lands under cultivation. The consequence was a failure of their crops and, in fact, it became impossible for them to raise anything. The Indians found themselves compelled to leave their reservation and seek new fields on Salt River, where, however, the white people set up claims to the land and now loudly demand their removal. The result is, that these Indians will starve on their reservation, says Secretary Schurz, or be driven away if they attempt to settle down and cultivate the soil elsewhere, unless government buys supplies to feed them, which would make thriftless paupers of industrious and hitherto self-supporting tribes. It is difficult to see how they can be placed on the Territory of Arizona elsewhere without arousing against them fierce opposition on the part of white people. Inspector Watkins was sent to inquire into their condition, and reports in favor of their removal to the Indian Territory, for which, as he thinks, an appropriation of \$25,000 would be sufficient. I concur in that recommendation.

CHICAGO, 29.—The Journal's Washington special says: A letter received here, to-day, from Jacksonville, Florida, from a democratic source, claims that Bisbee, republican, is defeated for Congress, and Hall, democrat, has a small majority after the votes were counted at all the contested precincts, as ordered by the Supreme Court of that State.

The South Carolina democrats claim that there will be no opposition to Gov. Hampton in his candidacy for the senatorship.

A dispatch from Columbia, S. C., says the United States grand jury has come into court with true bills against a number of democrats for assaulting supervisors of elections, voting more than once, and for interfering with deputy U. S. marshals on the day of election. Bills would not have been found but for the emphatic charge of district judge Bryan, that the jury must take notice of the acts of men who deliberately interfere with United States officers while in the discharge of their duty.

SAN FRANCISCO, 29.—It is very

difficult to obtain reliable news from the Sierra Nevada crosscut now, as miners are forbidden, under penalty of being discharged, to give information, and no one is admitted to the mine. As far as can be learned, the crosscut is in ore mixed with a vein of porphyry. The crosscut from the north end drift on the 2200-foot level, about 50 or 60 feet north of the first crosscut, is making good headway, and is expected to strike the ore body next Wednesday or Thursday.

NEW YORK, 30.—The Herald has a long telegram from Lexington, Ky., stating that Breathitt County is in a state of civil war arising from a murder committed during the recent political campaign. The Herald's report says: A letter written from Jackson, on Wednesday, says the town is under control of a mob. Good citizens are fleeing for their lives. Women and children are seeking shelter from any who will protect them. The officers of the law are defied and havoc and desolation prevail. Men, drunk and wild with frenzy, armed to the teeth with pistols and guns, are walking the streets, yelling at the top of their voices, proclaiming who they intend to kill. In fact, it is as much as your life is worth to appear upon the streets, for you are liable to be attacked by either or both parties at any moment. This is the third day of this terrible condition of affairs. This people have been sorely afflicted in the past, but the outrages and lawlessness then are not to be compared with the terrible crimes of this week. An appeal has been made to the Governor for State troops, county judge Burnett and many others having been murdered by the rioters.

Articles incorporating the central Arizona Mining Company were filed in the county clerk's office, yesterday, capital \$10,000. Among the trustees are A. L. Hinton, L. W. Kravals, A. Mitchell, W. E. Wallace and Noah Brooks.

The temperance orator, Murphy, replied yesterday to the charges of mercenary motives, stating that the Seventh Street Methodist Church paid his board bill, and beyond that the only remuneration he had received since laboring here was \$25. He had nothing to do with collections at meetings.

The chief clerk of the naturalization bureau received notice from the Chinese half-breed, who acted as political sponsor for the recently-naturalized Chinamen, that he would bring several others, to-day, to declare their intentions.

A resolution, excommunicating Mrs. Tilton from Beecher's Church was the first adopted last night, after prayer meeting.

The new legislature of South Carolina will stand thus: Senate—republicans, 5; democrats, 29. House—republicans, 3; democrats, 121. Last year the democrats had only one majority on joint ballot. Hampton received, for governor, 119,550 votes, all the others 213.

The Sun says: Speaking of the recent naturalization of Chinamen, it is estimated at least that there are 5,000 Chinese in this city and Brooklyn. They are a quiet patient, hardworking class. Of these there are a few who belong to the aristocracy and educated classes of China, and who still retain their prejudice of the race. Accompanying A. P. Sutherland, of 93 Centre street, who is the authorized interpreter of the Chinese of this city, a visit was made, yesterday, to Wung Ah Ling, of 20 Mott Street, commissioner of the Chinese emigration society of San Francisco, and acknowledged agent, adviser, and friend of his countrymen.

Commissioner Wung Ah Ling speaks English fluently. He had read the announcement that Wung Ah Yee had been made a citizen and was indignant at the avowment. He was the first Chinaman to assume the first character "My Cousin, Quong Lee," he said, "was made a citizen in 1873. Two years afterwards he served as a jurymen, and was the first Chinaman that ever acted in this capacity in Europe or America. I was made a citizen in 1876, and could name several of my countrymen, risen to positions of distinction, who are citizens. "Here," Wung Ah Ling added, producing a document from a wallet locked in a drawer, and covered with a delicate silk handkerchief, "is my citizen or naturalization paper, I love it greatly, for it is the talisman to a great era in the history of our country. To him it was the most precious document in the world. He would not lose it for a fortune, as it had given him a prestige among his countrymen,"

which, he proudly remarked, could not be matched. It has been used by him on several occasions in voting when he knew men were good, it was issued in St. Louis on March 9, 1876.

Commissioner Ling spoke with pride of Yung Wing, the now accredited minister to China, who was made a citizen ten years ago, and who has voted in Connecticut for four years.

Clerks in the Superior Court say that they are certain 12 or 15 Chinamen have been made citizens in this city within the last 20 years. Three, who were naturalized last year, could read and write, and said they believed in the Christian God.

WASHINGTON, 30.—Indian Commissioner Hoyt denies the report from Dakota, based on information said to come from an army officer, that the Red Cloud Indians are in danger of starving. He states specifically that 97 wagon loads of supplies arrived at the agency on the 25th instant, and abundant supplies are on the Missouri, besides four and a half months' supplies of beef cattle in the vicinity of the agency; also, that the Indians have 156 wagons and 112 ox teams of their own.

The Secretary of War's report states that the number of desertions during the year ending last June, were 1,678, which is considerably less than any year since 1873, but is still a crime alarmingly prevalent. He repeats the recommendation to fix a specific limitation of period within which a deserter can be arrested. He thinks it should be three years, provided that the time shall not run while the accused shall have absented himself from the country, secreted himself or for other reason been amenable to justice within that period.

The annual report of the census of Supt. Walker states that since the census of 1830, the increased population of the northwestern states is enormous, while the south and west remain unchanged, which statement suggests that should the south continue politically solid, and the republican predominance in the northwest be maintained, the census of 1880 cannot fail to restore the preponderance which the north held before the colored vote of the south gave the present basis of appointment.

CLEVELAND, Ohio, 30.—Between five and six o'clock, last night, the extensive Sewer Pipe Works of Speery, Ritchie & Company, of Tallmadge, Ohio, were totally destroyed by fire. The loss is estimated at between \$75,000 and \$100,000; insured for \$39,000.

SAN FRANCISCO, 30.—A Marysville dispatch says: Early this morning, John McDaniels, lessee of the Marysville Park, was murdered by a Chinaman, whom he caught burglarizing his premises. The murderer was overpowered and secured by Mrs. McDaniels and a Chinese servant.

John H. Snow, chief mate of the bark C. O. Whittemore, indicted by the United States grand jury for the murder of J. H. Elwood, second mate, was arraigned yesterday, and sent to jail in default of bail. The trial is set for December 10th.

FOREIGN.

LONDON, 27.—Fort Mahometz, otherwise called Khurum, was occupied by the British troops this morning. The Afghan garrison fled to Peeward, at the northern extremity of Khurum valley, where they are expected to offer resistance to further advance.

A Rotterdam dispatch says: It is impossible to converse with Captain Schwenzen, who is under medical treatment, his nervous system being strongly affected. He has received nobody. The captain of the City of Amsterdam gives the following information: It was very dark on the night when the Pommerania was off Folkestone. Captain Schwenzen left the bridge for a moment. When he felt the shock he immediately returned to the bridge. He said he could not well recollect the subsequent events. The City of Amsterdam, which was passing at the time, heard cries, but could see nothing, nevertheless, she lowered her lifeboats and Captain Schwenzen was found floating on a piece of wood.

LIVERPOOL, 27.—It is feared that 15 persons were drowned by the disaster to the ferry boat, which was in collision with the ship at anchor in the river Mersey yesterday.

HALIFAX, 27.—North Street sta-

tion was crowded this morning to witness the departure of the governor-general and princess. The buildings were beautifully decorated and great crowds were present an hour before the time of leaving. The vice-regal party reached the station at 1.05 and were received by a guard of honor from the Sixty-third volunteer rifles. The marquis and princess went at once to the car and remained on the platform till the train moved off, amid immense cheering, a salute being fired at the same time from the citadel.

LONDON, 28.—One female and two male corpses, from the wreck of the Pommerania have been landed at Hastings. One of the bodies is apparently that of an officer of the steamer.

The Cleveland mine owners passed a resolution recognizing the importance of a prompt settlement of the wages question by agreement. It is said the men are prepared to assent to a reduction of five per cent.

Thomas Blight, certificated officer of the English mercantile marine, who embarked on the Pommerania at Plymouth, was under examination all yesterday morning by the Receiver of Wrecks, and has been detained at Dover by the Board of Trade because of the nature of his evidence. He says the Pommerania was going at from half to three-quarters speed. There was a good lookout and the lights were burning, and it was not foggy. He heard no whistle or fog horn. Before the steamer sank there was time to save every life if order had been maintained. He was beside the captain when the latter put on his life belt. He heard no orders given; it was too late for orders. One of the officers told him the doors of the watertight bulkheads were all open. There was no more sea than in the Thames. All could have been saved if the sailors had not rushed to the boats.

The Pommerania's masts will be taken out to-day. It is not expected that the vessel will ever be floated. The latest figures show 94 of the crew saved out of 111, and 72 passengers out of 199.

ST. PETERSBURG, 28.—The budget for 1877 shows the revenues have been 549,000,000 roubles, and the expenditures 1,014,000,000 roubles, nearly half of which was on the army.

The Czar will arrive at St. Petersburg on Dec. 3rd. General Kaufman is expected at the same time.

BERLIN, 28.—It is thought the speech of Gen. Kaufman, at Tashkent, in presenting the sword to the Afghan envoy for transmission to the Ameer, was made, if at all, previous to the signature of the treaty of Berlin.

CONSTANTINOPLE, 28.—Prince Lobanoff has gone to Adrianople.

Count Zeichy, the Austrian ambassador, has informed the Porte that Austria will take care that Eastern Roumelia is regularly constituted in accordance with the treaty of Berlin, and that the Russian troops evacuate Turkey in May.

Austria and the Porte have agreed in principle concerning the occupation of Nova Bazar.

Moukhtar Pasha has been appointed commandant at Janina.

An imperial trade has been published authorizing the Porte to negotiate for a loan of \$100,000,000.

TABRIZ, 28.—The question of the cession of the province of Khotoud to Persia is assuming a threatening phase, and hostilities are possible. A detachment of Persian troops have been sent to the front to demand the evacuation of the province by the Turkish officials.

PESTH, 29.—A dispatch to the Pesther Lloyd's, from Berlin, says: Russia is about to begin a diplomatic campaign with England in relation to Afghanistan.

General Kaufman has handed to his government a memorandum pointing out how dangerous to the security of the southern frontier of Turkistan it would be if the Khyber Passes were permanently occupied by the British troops. General Kaufman regards, as groundless, the British apprehensions of Russia threatening the northern frontier of India from Central Asia. This portion is quite impregnable, while the British occupation of Southern Afghanistan would be a standing menace to Russia Turkistan. The St. Petersburg Cabinet, relying on this report, will ask serious guarantees from England that no changes will be made in the territory or the independent condition of Afghanistan.