

## BY TELEGRAPH.

### CONGRESSIONAL.

#### SENATE.

WASHINGTON, 7.—A number of bills were introduced and referred.

Frelinghuysen offered a joint resolution proposing an amendment to the constitution, providing that the Supreme Court of the United States shall decide cases of contested election in Presidential elections.

Sherman called up his resolution, offered yesterday, directing the committee on elections to inquire into the recent election in Louisiana and Arkansas.

Some discussion ensued as to the constitutional right of Congress to inquire into the legality of an election in a State, but the resolution finally passed.

#### HOUSE.

WASHINGTON, 7.—Several bills were introduced and referred.

Hale reported the naval appropriation bill, appropriating \$18,884,993, as the special order for next Saturday.

Niblack, from the committee on appropriations, reported the annual fortification bill, which was made the special order for Tuesday next. The bill appropriates \$1,999,000.

The House then went into committee on the whole, Dawes in the chair, on the legislative, executive, and judicial appropriation bill. The bill appropriates \$17,041,352.

On motion of McCreary an amendment was adopted forbidding payment of contestants in contested election cases. In the course of his remarks, he stated that the amount paid to unsuccessful contestants during the last Congress was \$105,601. After disposing of about one-fifth of the bill the committee rose.

The Speaker announced the following select committee, ordered yesterday, on the Credit Mobilier and U. P. R. R. question—Wilson of Indiana, Shellabarger, Hoar, Swann, and Slocum.

#### EASTERN.

ALBANY, 7.—The assembly organized to-day and chose A. B. Cornell for speaker, who delivered a long address. Gov. Dix's message was read. He congratulates the State for the calm which succeeded the national election. He regards the fact that five-sixths of the States cast their votes for the same candidate as an indication that the animosities of the late rebellion are gradually wearing away. He believes a liberal and enlightened policy by Congress and an eminent citizen in whom public confidence is thus signally bestowed, will eventually lead to oblivion of past differences. The receipts for the past fiscal year were \$14,807,252, expenditures \$14,455,552. These are exclusive of canal and free school funds.

WASHINGTON, 7.—Under cross examination Oakes Ames, in the Credit Mobilier examination, thought Patterson, Dawes, Schofield, Benham, Wilson, and Colfax applied when they heard it would be a good investigation.

J. B. Alley's testimony seemed to show that Ames made every exertion to sell 650 shares, and induced Wilson to invest \$2,000 of his wife's money, but Wilson afterward insisted upon their being taken back. Dawes also gave back his shares to Ames. Boutwell took no stock.

LITTLE ROCK, 7.—The Senate completed the canvass of the vote for the balance of the State officers last night, reporting the entire Republican ticket elected. The new officers were sworn and entered upon their duties to-day.

CINCINNATI, 7.—W. J. Halpin, an actor, died at noon, at St. James' Hotel, from the effect of injuries received last Thursday, while playing his part at Pike's, as a big wolf, with Ned Buntline's company.

HARRISBURG, 7.—Simon Cameron was re-nominated this evening for Senator. The vote stood Cameron 64, Kelley and Wickersham 2.

WASHINGTON, 7.—The Credit Mobilier Committee resumed investigation this morning. Colfax was sworn and gave his testimony in written form. He stated explicitly that no one ever gave or offered to give him any shares of stock in the Credit Mobilier or Union Pacific Railroad; he had never received nor had tendered to him any dividends on cash, stock, or bonds, accruing upon any stock in either of said organizations, and neither Ames nor any other person connected with either of said organizations ever asked him to vote

for or against any measures affecting its interests, either directly or remotely, or to use any personal or official influence in their favor, but upon the representation of Ames that it was a paying investment, he agreed to purchase 20 shares in the Credit Mobilier at par, to be paid for as soon as he had money; that he had paid \$500 on this contract, but never received nor was offered any dividends, that, hearing that litigation would ensue, he gave them up; and that he never received his \$500 back again.

John B. Alley maintained that Ames was honest, and that the cry of "stop thief" was raised by the thieves themselves.

The chairman said he had sent a subpoena to the Secretary of the R. R. Company to bring the books, showing the holders of stock, or who have received dividends.

NEW YORK, 7.—Gov. Dix, in his message, recommends the uprooting of the present system of the city government of New York, and giving power to the mayor to remove and appoint officials, and recommends that in the city of New York the principle of minority representation in the legislature be adopted. He refers to the great increase of crime, recommends legislation that will more surely secure the prompt punishment of convicted criminals, and concludes by promising an earnest support to all measures of reform.

WASHINGTON.—The Supreme Court yesterday decided in the case of Hutchings versus the State of California, that settlement upon public domain does not confer such rights upon the settler as will prevent Congress, in its discretion, from disposing of the land for other purposes. Congress is not restricted in its power to dispose of lands by sale or donation or pre-emption right. Hutchings had settled on the Yosemite tract before it was granted to California for a public park.

At a Cabinet meeting Secretary Belknap received a telegram from General Emory, saying everything was quiet. General Sherman and other prominent army officers, as well as prominent officials in the civil service, express the belief that there will be no trouble in New Orleans.

NEW YORK, 7.—In the Tweed case after recess, it was decided that a jury be empanelled to-morrow. A panel of a hundred jurors is summoned.

The committee of the board of steam navigation reported to-day that the steamer *Missouri* was sea-worthy and well fitted, but that there was an utter lack of discipline on board, also that the vessel might have been saved from fire if the hose had been attached to the pumps when the fire broke out.

Suit has been commenced by Mrs. R. R. Benson against Commodore Vanderbilt to recover the value of a large tract of land in Gowanus, said to have been held by the Commodore in trust for the plaintiff, and which he is said to have given his son for \$10,000, who subsequently transferred it to one Litchfield for a large sum.

ST. LOUIS, 7.—An ordinance to repeal the social evil act and all supplemental legislation, was introduced in the city council to-night and almost unanimously rejected.

TALLAHASSEE, Fla., 7.—Governor Hart and Lieutenant Governor Stearns were inaugurated to-day at noon. Both branches of the legislature met. In the House A. B. Conover, State treasurer, was elected Speaker by a Democratic vote.

NEW YORK, 8.—Secretary Fish is reported to have said, on Saturday, that the Cuban revolutionists, not having gained any more ground than they possessed three years ago, are not any more entitled to belligerent rights now than then. He also said that our government has no scheme of annexation attending the naval force at the Sandwich Islands.

It was discovered, yesterday, that one Kidd, a twine merchant, in Murray street, had a train of fuse connecting his premises with adjoining property, whereby they could be set on fire. Kidd was arrested and his office boy testified to seeing him making the fuses. Three large warehouses were involved in this attempt, and but for the discovery, a heavy conflagration would have ensued, as the trains of fuse were nearly all laid in the upper stories, and from roof to roof.

The new city charter, prepared under the auspices of the Republican General Committee, will be presented to the legislature to-morrow. It is probable it will be adopted, although many of the fundamental principles recommended in the charter proposed by the committee of seventy are included in this charter. It does not comprise the provisions

on minority representation for the municipal elections in the spring and one or two other points which the charter of seventy had adopted. Among the principal changes proposed are the following: The abolition of the Board of Assistant Aldermen, assigning the duties of supervisors to aldermen; the preparation of the tax levy is taken away from Albany and is confided to the city officers; the Mayor may be removed by the Governor in the same manner as the sheriff.

CHICAGO, 8.—A Washington special says a measure for retaining over five hundred thousand dollars interest from the Credit Mobilier, introduced in the House by Randall, yesterday, and adopted, was submitted to the President to-day, and by him at once referred to the Attorney General, who will take great care to select two able attorneys to begin the suit, but he will postpone the matter until the close of the present congressional investigation, as he thinks it proper that the case should not be settled before. The Attorney General seems determined to take advantage of this resolution to probe the Credit Mobilier to the bottom.

Advices from New Orleans to the government state that there is no probability of an outbreak there. Dispatches received this evening declare there is a general feeling of relief at the decision of the Senate to-day, to order a full inquiry into the condition of affairs, and especially the alleged fraudulent election, which produced it.

#### WESTERN.

LOS ANGELES, 7.—Sunday law breakers were assessed light fines in consideration of it being the first offense, which were paid without demur.

A steamer to-day carried the first regular shipment of the season of oranges.

Santa Barbara, 7.—Quite a number of invalids have gone to the Sulphur springs, which are fast becoming a popular resort.

The Sunday law was being generally observed. No disturbances.

#### EUROPEAN.

PARIS, 7.—The Assembly has authorized the prosecution of a deputy for acting as second in a duel.

The Carlists have torn up the rails on the roads between Miranda and Bilbao, and between Alasna and Pampeluna. They also set fire to a railway station with petroleum, completely destroying it, and made prisoners of the railway officials and employees of the north of Spain railway, and obstructed the trains, which temporarily ceased running.

#### ILL-ADVISED MEASURES TOWARDS UTAH.

The removal of District Attorney Bates, and appointment of Mr. Cary, is in consonance with the new policy which it is understood the Administration intends to adopt towards Utah. We think the crusade which is about to be inaugurated against the Mormons is an ill advised one, that it will be attended with no good results, and that public sentiment will compel its abandonment.

A slight retrospect will outline the significance of Mr. Bates' removal. It will be remembered that more than a year ago the Rev. J. P. Newman went on a controversial mission to Salt Lake City. He tried to make President Young and his followers see the error of their ways in the matter of polygamy. His visit was followed by great activity on the part of Judge McKean, of the Supreme Court of the Territory.

By the organic law of Utah, the Supreme Court is, for the first six days of every term, and for a longer period if the docket requires it, invested with the functions of a District and Circuit Court of the United States. The process of its Federal branches of jurisdiction is executed by the United States Marshal; that of its Territorial branch is served by the sheriff. In the first the Marshal empanels the jury, in the latter the elective officer. In one branch offenses against the laws of the United States may be taken cognizance of; in its Territorial branch it is governed entirely by the law of the Territory. The Mormons could be proceeded against either under the act of Congress passed in 1862, prohibiting polygamy, or under the Territorial statute against lewd and lascivious cohabitation.

The objection against prosecuting under the statute of 1862 was that very few of the leading Mormons had contracted any polygamous marriages af-

ter the passage of the statute, and it could, of course, under the constitution, have no *ex post facto* force. Judge McKean undertook to meet the difficulty by proceeding against the Mormons under the Territorial statute, but in the United States branch of his court, the Marshal summoning the jury. Mr. Hempstead, the District Attorney of the United States, at the time, refused to be a party to the illegal proceeding, resigned and was replaced by a Mr. Baskin, an ad interim appointee of Judge McKean's, an appointment for which he had no earthly warrant of law. This was the state of matters found by Mr. Bates when he went into office in December, 1871. As United States District Attorney he was required to undertake the conduct of about thirty cases against President Young and the leading Mormons, not one of which were triable in the United States Courts. He refused until the Supreme Court of the United States had passed upon the matter. That tribunal sustained him, and yet he is removed.

The indications are thus very pronounced that the extra judicial measures set on foot by Judge McKean are to be adhered to, and that the judicial machinery of the United States is to be made the means of perpetrating an outrage. Whatever virtue there is in an abstract opposition to polygamy, the administration are putting themselves in the wrong. The offence against the Territorial statute should be tried in the Territorial court, by a jury summoned by a Mormon sheriff. The fact that he will summon Mormons, who will hold that a polygamous marriage is not a lewd and lascivious cohabitation, and who will acquit the indicted, does not alter the right of the case a jot. That statute, having been framed by a Mormon legislature, was undoubtedly not intended to apply to polygamy, and it is an outrage to give it an operation which its framers did not dream of, and by a judicial machinery outside of the law. The thing is a double wrong. It is not only violently wresting the statute from its real purpose, but it does it through an illegal process.

We have no sympathy with polygamy in the abstract, but we do not wish to see injustice done the Mormon people. They have been of very essential service in the grand work of development of the last ten years of the United States. They have made an epic and exceptional record for industry, courage and sagacity. We don't expect to see polygamy perpetuated in the United States. But we don't want to see an era of persecution inaugurated, that will result in absolutely no good, and untold harm.

His [Brigham Young's] strong and alert will has vitalized Mormonism, and has given it a history for persistence, pluck, frugality, and industry, not surpassed by any people on earth.

All Young's projects have been far-reaching and sagacious. The history of the establishment of the Mormons near the shores of the Great Salt Lake reads like a chapter from Fairy land. They can be very well let alone. We can afford to fight our battle against polygamy with argument and example. Edmund Burke said a hundred years ago, that it was absurd to frame an indictment against a whole people. All the people of the United States need or really ask for in Utah is fair play and no favor.

Meantime, we want to see President Young push along his Southern Utah. He is exhibiting a splendid comprehension of the demands of the age, and we feel like encouraging him in his projects. We expect, by the time his Southern Utah is graded, tied and ironed to Callville to meet him at that place, thus practically making San Diego the terminus of two great continental railways.

We would like earnestly to impress upon the Administration the policy of dealing gently with the Mormons. If you must harry them, however, do it according to law. Proceed against them under the Statute of 1862, which was really directed against polygamy, and do it according to law, if at all. For the present, better not at all.

Mr. Bates, in taking the course he has elected to pursue, has commended himself to the good regards of the whole bar of the United States. In taking counsel with justice and his own self-respect he has done well. He can very well afford to accept the displeasure of the Administration when he knows that the people generally commend his attitude. From one who knows him well, we learn that Mr. Bates is a gentleman, a scholar and a man thoroughly read in his profession.—*San Diego World*.