

BY TELEGRAPH.

FORTY-SIXTH CONGRESS.

EXTRA SESSION.

HOUSE.

WASHINGTON, 27.—Sparks introduced the army appropriation bill. He stated that it was substantially the bill which passed the last House, with the reorganization features stricken out. It retained the clause prohibiting the use of troops at the polls. It was referred to the committee of the whole and the House went into committee.

A motion to reduce the army to 15,000 men was rejected, 58, to 119. The provision allowing a deficiency in one item of appropriation for pay to be made up from the excess in any other item under the same general head was stricken out. The opposition came from both sides, the provision being regarded as a violation of existing law, and a dangerous authority to be conferred on the department.

The provision in regard to railroad companies doing general business, passed without discussion.

Reagan moved to strike out the provision in regard to the appropriation for regular supplies, incidental expenses, barracks and quarters and army transportations.

McCook suggested that difficulty might arise if riots should suddenly break out in some quarters, and if the President, in reply to call, even from democratic governors, should send troops there while there was no provision made for the expense of such transportation of troops.

After discussion the provision was stricken out—all the democrats and some republicans voting in the affirmative.

Section six, relative to the use of troops at the polls having been reached, was passed over for the present.

The section authorizing the Secretary of War to issue small arms, etc., to any college or university which may desire them, and which has 150 male students, was stricken out.

The committee then rose, having disposed of all but two or three ordinary provisions of the bill. Adjourned.

WASHINGTON, 28.—Springer presented a memorial from J. J. Wilson, claiming to be elected from the ninth congressional district of Iowa, on the 5th of November and offered a resolution to refer the memorial to the committee on elections, when appointed. All sitting members from Iowa were elected on the day claimed on the other side as not the day legally fixed for the election. The resolution was adopted by a party vote.

The House then went into committee of the whole on the army appropriation bill.

Tucker offered an amendment repealing the law which prohibits any person who has served in the military, naval or civil service of the confederate states from being appointed to a position in the army of the United States.

A point of order, made and withdrawn by Conger, was reversed by Sparks and sustained by the chair. The consideration of the bill having been concluded, with the exception of section six, repealing the statutes allowing the military to preserve peace at the polls, that section was read.

Conger raised a point of order that the section changed the existing law and didn't retrench expenditures. It could not be held seriously that the striking out of the words "to keep the peace at the polls" retrenched expenditures.

Sparks admitted that the section changed the existing law but argued that it retrenched expenditures.

Frye argued that the section did not retrench expenditures. It did not affect the transportation of the army because the President was commander-in-chief and could transport troops wherever he pleased, and there was no power in the House to say he should transport troops here and not there.

Carlisle thought the House and country would hesitate a long time before accepting the doctrine laid down by Frye, that the President, as commander-in-chief of the army, can transport troops wherever he pleased, and use them for whatever purpose he pleases, with or without the consent of Congress. Under the constitution the United States President had no right to use the army or navy, or any part of it, to protect

the state against domestic violence or to enforce states laws, unless he was authorized to do so by act of Congress. Did the gentlemen on the other side mean to say the provision in the constitution which made it the duty of the United States to guarantee to every state a republican form of government conferred upon the President or a single officer of the United States that power? Were the gentlemen prepared to go before the country on the proposition that the President was the United States? All the authority which the President possessed, to-day, to use the army and navy in protecting states against domestic violence or in assisting states in enforcing the law, was derived not from the provision of the constitution which had been read, but from the action of Congress of 28th of February, 1795, amended in 1807.

Frye—The gentleman, in commencing his speech, stated that it was claimed the President had the power to transport troops wherever he pleased for any purpose whatever. I did not say so. I did not claim it, and I never claimed it. What I claimed was simply this, That if these words "to keep the peace at the polls" were stricken out, that there would not be any restriction whatever on the power of the commander-in-chief of the army to transport the army from barracks to barracks, and from State to State, as he saw fit. That is all I claim, and does not the gentleman know that?

Carlisle—I agree to that.

Robeson—If the executive of the State calls on the President to suppress domestic violence, and if the domestic violence is at the polls where a general election is taking place, is not the President bound, under his oath of office, to comply with that request?

Carlisle—If the application is made in regular form, under the act of Congress, I admit that it is the duty of the President to send troops; but I say, when these troops have gone into a State, and have dispersed the mob or insurrectionists, or whatever they might be called, who are acting in resistance to the State authorities, they have performed their duty and must stop at that. They cannot stay at the polls to protect the peace there.

Robeson—Nobody is now disputing that question; but I ask the gentleman, whether or not this proposed section would take away the power of the President to do that if he were properly called upon?

Carlisle—It certainly will not.

Robeson—If that be so, and if it does not take away the President's power, and if that contingency shall happen, as it possibly may, and if the officers of the army are sworn to obey the lawful orders of the President, then what becomes of the officer who is ordered by the President to suppress a riot and to quiet domestic violence at a place where a general election has taken place?

Carlisle—The gentleman from New Jersey is asking me questions on one subject and I am discussing another subject. Of course an officer is bound to obey the order of the President where the President is acting in strict conformity to law; but we are discussing the question whether or not soldiers can be sent into a state for the purpose of keeping the peace at the polls, not for the purpose of suppressing domestic insurrection or violence.

Robeson—Do you understand that the President of the United States is included in the scope of this section which speaks of "any other person engaged in the civil service of the United States?" If he is, and if he be called upon by the executive of state in a proper manner, and if he responds to that call would he be liable to punishment under the provisions of this section?

Carlisle—The President cannot be properly called upon to do a thing which he has no power to do. In other words, he cannot be properly called upon to send troops into a State to preserve the peace at an election.

Robeson—I understood the gentleman to say that he thought the section did not affect that power of the Executive.

Carlisle—I desire to say that the words of the section to which the gentleman has called my attention are taken from the act of Feb. 25, 1865, and are an exact copy, so far as they go, of that act. I am not prepared to say exactly what its true construction is, but I do say that this law cannot be so construed

or amended as to punish any officer or citizen for doing that which he has a right to do.

Stephens obtained the floor, but stated that he was unable to proceed at present, and at his suggestion the committee rose and the House adjourned.

AMERICAN.

NEW YORK, 28.—On the night of March 14th the Haytian warsteamer *St. Michael*, having on board part of the Twenty-seventh Regiment line of Grandee Riviere, with General Montpont, military governor of Cape Haytien, on her way from Port-au-Prince, to the first named port, came into collision with the British steamer *Bolivar*, near Gonaives, in the bay of the same name. Of the 150 persons on board the steamer, of whom only four were civilians, 72 were saved by the boats of the English steamer.

WASHINGTON, 28.—About 20 members of the House of Representatives, including Reagan and Jones, Texas, Springer, Stevenson, Ewing, Murch, Ladd, Kelly, De LaMatyr, Weaver, Warner, Wright and Wise, met this evening, to consider the subject of the presentation of financial measures the present session. After a general interchange of views, the following resolutions were adopted:

Resolved, That we will ask the co-operation of our fellow-members and all parties in endeavoring to pass, at this session, a bill for the following purposes:

First.—Increase the coinage of silver to the capacity of our mints, and to issue certificates receivable for all public dues and the purchase of silver bullion at market rates.

Second.—To reissue the greenbacks now held for the redemption of fractional currency, or hereafter retired for payment of the bonded debt.

Third.—Providing for the substitution of legal tender notes for national bank notes.

Fourth.—To stop all further increase of national debt.

Fifth.—To provide for a tax on an income of over \$2,000.

Some conversation followed as to the better means to introduce a bill for the foregoing purposes in the House, and Ewing, Weaver, and Warner were appointed a committee to prepare a silver bill in accordance with the first branch of the resolution. It was stated that De LaMatyr had a bill to offer in relation to the substitution of legal tender notes for national bank notes.

CHICAGO, 28.—The *Tribune's* Washington special says: Evarts is the only undecided member of the cabinet. Schurz is as firm as a rock against changing the election law. Key is the most radical republican in the cabinet regarding this matter, as in most political affairs.

DEADWOOD, D. T., 28.—Little Wolf and his band of Cheyenne Indians, numbering 35 lodges, with 250 ponies, were captured by Lieut. Clark, of the Second Cavalry, with 85 men, on Box Elder Creek, near the Yellowstone River, on Tuesday the 25th inst.

NASHUA, 28.—Knox Martineau, colored, the murderer of Jno. Wittenmeyer and wife, was hanged here, to-day, in the presence of about 12,000 people. Before leaving jail he made a full confession of his crime.

SAN FRANCISCO, 28.—Horace A. Webster, secretary of the Occident Cricket Club of this city, who returned from Australia by the last steamer, reports that 10 of the English gentlemen cricketers, accompanied by Lord Harris, who have been making a tour of Australia, will return home via San Francisco by the next steamer. They will be invited to a match in this city.

NEW YORK, 29.

The *Times* says: The complaint of the Union Pacific Railroad Company against McComb, which we publish this morning, will be found interesting to others besides lawyers. It contains a history of the facts in the famous credit-mobilier scheme, which brought ruin to so many reputations half a dozen years ago. At that time it was very well proved that *bona fide* share holders, as well as government, had been made to pay extraordinary profits to a company of directors of the Union Pacific forming the credit-mobilier corporation. It was supposed that government would be able to recover from the credit-mobilier, but though the wrong committed, was substantial, and the conduct of those who com-

mitted it was outrageous. The Supreme Court decided that actions would not lie. But now comes the Union Pacific Company and sues one of its faithless officers for his share of the ill-gotten gains. The complaint sets forth the method by which the trustees of the Union Pacific managed to pocket a dollar or more for every dollar which the road cost to build. If "equity" be not merely an empty technicality, and if the law is designed to do justice, and not to cover up swindling, it would seem that the company ought to win the suit which it has brought.

The *Sun's* Albany correspondent says: Horatio Seymour, in spite of his repeated refusals to accept office, is to-day, the most prominent candidate for Governor in the State of New York. Circumstances have conspired recently to bring his name before the people and when that name is mentioned it awakens an enthusiasm which no other name arouses.

The Rochester *Union* and *Advertiser* says: The *Union* made no mistake when a week ago it named Horatio Seymour as the man to whom the democracy of the State turn their eyes in this emergency. The man who can be relied upon as a leader of the whole party and not a faction. Other authorities assert that the use of Seymour's name is only a mask to cover the designs of Robinson's opponents, who will, at a favorable time, disclose their real preference for Sanford E. Church.

The *Sun's* editorial says: Gen. Grant is studying the people of the different countries in the old world to learn how people can be permanently ruled, and he is studying monarchical governments to learn how a monarchical government may be established in the United States. This is no imaginary dream. We point to real danger. Grant is not like Washington. He was not content with the highest military rank ever conferred upon the father of his country, but craved and obtained a higher. He is not content with two terms of the presidency which satisfied Washington and all his successors till Grant. He wants a third. He wants to be emperor. Grant is not an unselfish patriot like Washington. He resembles Alexander or Napoleon and his unbridled ambition already menaces the liberties of his country.

CLAREMONT, N. H., 29.—The Fremont House was burned, early this morning and five persons perished.

TOPEKA, Kansas, 29.—The bridge over Soldier Creek, on the Kansas Pacific Railroad, near here was burned.

EVANSVILLE, Ind., 29.—Paul Boyten has arrived in his boat.

CINCINNATI, 29.—Officers yesterday, rifled the Pullman cars on the track for taxes due in 1876.

The Licking County, Ohio, Court House, at Newark, just finished, at a cost of \$200,000, caught fire in the cupola, from a gas jet used to illuminate the clock, at 12 o'clock, to-day, is now burned down to the second story. It will probably be totally destroyed. The insurance is but \$20,000.

WASHINGTON, 29.—The treasury department reports the number of standard silver dollars coined to date at 21,661,274, of this number 6,605,056 are in circulation, leaving 15,056,198 on hand.

The checks for the payment of April interest of registered 4 per cent. bonds number over \$36,000 and represent \$2,600,000.

The Secretary of the Treasury has issued the ninety-third call for the redemption of \$10,000,000 5-20 bonds.

The case of Mrs. Oliver, against ex-Senator Cameron is adjourned till Monday. The arguments of the counsel were the only matters of interest to-day. General Butler moved that the case be taken from the jurors as the receipts of the plaintiff effected a full release for the defendant. The judge said he did not entertain any doubts as to his power to withdraw the case from the jury, but what he wanted most was to hear something more about the receipt. If the suit was to stand upon the receipt alone he would settle the case very quickly, but what he wanted to know was whether or not there was any controverting statements laid down in that receipt. Unless there was he should hold it at bar to this action. A recess was taken, and when the court reassembled the argument on the point of law was continued, and General Butler said, by recognizing the validity of this claim, it would

open the door to blackmailers, and no man could tell how soon he would be victimized. He asked the court to rise and come to the rescue of the community, and assist in driving out those women who disgrace the capital and blackmail legislators. Teach them that the halls of justice are the last place where they must come to further blacken their victims, after entering into a settlement. Break the charms of these suits, which have come down from Alexander Hamilton, who was drawn upon so heavily by a blackmailer until finally his salary would not support him. The judge denied the motion to withdraw the case from the jury, and then Butler moved that as Mrs. Oliver, by her statements, manner of living and conduct was, in the eye of the law a married woman, she was stopped from consummating another marriage. The judge said that if he should judge himself by the acts in the case (jury absent from the room), he would make short work of it.

NEW YORK, 29.—The reason that Rowell did not start for home on Wednesday was because offers of large pay for exhibiting himself has been made. He is said to have received \$2,000 for running eight miles in Philadelphia, on Wednesday. On the afternoon and evening of next Monday, he is to show himself in Springfield, Mass., and will, probably, perform in Boston later in the week. He may make a tour of the country if his London engagements can be postponed; and one plan is for him to give ten mile walking and running matches with O'Leary.

MADISON, Wis., 29.—A fire, at noon, destroyed the two upper stories of the Fairchild block. Loss on the building, \$15,000; other losses about \$10,000. During the progress of the fire, three separate explosions occurred, throwing firemen and others down the stairway to the street. The second explosion caused the rear wall of the building to fall. The fire was first discovered in the third story. The origin is a mystery, but it is supposed to be incendiary. It is suspected that some thing explosive was placed between the floor and ceiling in the third story for the purpose of causing the destruction of the entire block. Insured.

JACKSONVILLE, Ills., 29.—A fire, this afternoon, destroyed a portion of the north end of the Deaf and Dumb Asylum. The damage by fire and water is not over \$10,000. The inmates were badly scared but none injured. The fire caught on the roof from the stove.

LITTLE ROCK, 29.—A body of 20 armed men entered the town of Fayetteville, fired several volleys of shot into the *Sentinel* office and into the houses of several citizens and left. It is believed they were taking threatened revenge on the town for the death of a desperado, named Reed, who was killed in the jail. Nobody was hurt, but these ruffians will suffer the penalty at the hands of the citizens, if caught.

SAN FRANCISCO, 29.—A Tucson dispatch says: Governor Mariscal and others, with a small escort, have gone to Chihuahua. Ures was occupied by General Carlo with 500 men. Serna is in possession of Hermosillo. The war is over. The people who came from Tonoro here to avoid the revolution are returning.

King Kalakua, of Hawaii, has knighted Claus Spreckles, of this City, for his service in developing the resources of the Hawaiian Islands.

The *Bulletin*, this evening, publishes an interview with General C. W. Legendre, formerly United States consul at Amoy district, China, in which he takes the ground that most of the Chinese emigrants to the United States come under contracts made with emigration brokers in evasion of the regulations of the Chinese authorities for suppressing the coolie traffic; that to check such immigration, which comes almost entirely through Hong Kong, it is necessary simply to counteract the operations of the Chinese immigration houses there, in which British authorities would undoubtedly lend ready aid, and that a revision of the Burlingame treaty is not necessarily involved in such immigration. He draws a strong picture of the nefarious practices of Chinese immigration brokers, who, he considers, practically little better than kidnappers.

CHICAGO, 31.—News has been received that on the 23rd Little Wolf and 35 lodges of Cheyenne Indians surrendered to Lieut. John-