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AMERICAN.

WASHINGTON, 18.—When the "reports of committees" were announced to be in order in the Senate this morning, Edmunds rose and said:

"Mr. President, I am instructed by the committee on judiciary, to whom was referred the letter of the Attorney General, with authority to report with open doors, to make a report with sundry resolutions which I ask may be placed on the calendar."

The President *pro tempore*—Does the Senator desire to have them read? Edmunds—No, sir; but the Senator from Alabama (Pugh) desires to make a remark.

Pugh—From the minority on the committee as to the report just made, I desire to state that they knew nothing of the contents of the report until it was read to the committee this morning. The minority desire to prepare a report in which they will present their views, and to enable them to do so, they have until Monday a week within which to prepare their report, and it is understood that the majority report and resolutions accompanying will not be called up for consideration until we get leave to file a minority report; the time given us to do so is not extended beyond next Monday, a week.

Dawes—Can we have the resolutions read?

Chief Clerk Johnson read the resolutions as follows:

Resolved, That the Senate hereby expresses its condemnation of the refusal of the attorney general, under whatever influence, to send to the Senate copies of papers called for by its resolution of the 25th of January and set forth in reports of the committee on judiciary as in violation of his official duties and subversive of the fundamental principles of government and of the good administration thereof.

Resolved, That it is under these circumstances the duty of the Senate to refuse its advice and consent to the proposed removals of officers, documents and papers in reference to the supposed official or personal misconduct of whom are withheld by the Executive, or any head of Department, when deemed necessary by the Senate and called for in considering the matter.

Resolved, That the provision of Section 1754 of the Revised Statutes declaring that: "Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty, shall be preferred for appointment to civil offices, provided that they are found to possess the business capacity necessary for the proper discharge of the duties of such office," ought to be faithfully and fully put into execution, and that to remove, or to propose to remove, any soldier whose faithfulness, competency and character are above reproach, and to give such place to another, who has not rendered such service, is a violation of the statute of the law and of the practical gratitude the people and government of the United States owe to the defenders of constitutional liberty and integrity of the government. All of which is respectfully submitted.

(Signed) GEORGE F. EDMUNDS,
JOHN J. INGALLS,
S. J. R. McMILLAN,
GEO. F. HOAR,
JAMES F. WILSON,
WM. M. EVARTS.

Butler—Is there a report accompanying these resolutions?

President *pro tempore*—Yes.

Butler—Is it to be printed?

Edmunds—Certainly it will be printed under the rules. I ask that the report of the committee as well as the resolution be printed in the *Record* also.

The President *pro tempore*—If there be no objection that order will be made.

The report recites the fact and circumstances of the removal of Dustin, and the appointment of his successor as United States attorney for the southern district of Alabama. It declares that it has been the uniform practice of the judiciary committee since the tenure of office act, to call upon the heads of departments for all papers and information in possession of the department touching the conduct and administration of the officer proposed to be removed, and the character and conduct of the person proposed to be appointed. This has been done with the unanimous approval of all the members, although the composition of the committee has been during that period sometimes of one political character and sometimes of another. In no instance until this time, has the committee met with any delays or denials in furnishing such papers and information, with a single exception, in which exception the delay and suggested denial lasted only two or three days. Precedents are cited and discussed at great length. One of the appendices is a list showing the numbers of various ranks who were suspended or removed by the President during the first thirty days of the present session of Congress.

The report quotes the resolution adopted by the Senate, calling upon the Attorney-General for the papers in the above-named case, and his reply thereto, and continues:

This letter, although in response to the direction of the Senate that copies of any papers bearing on the subject

within a given period of time be submitted, assumes that the Attorney-General of the United States is a servant of the President, and is to give or withhold copies of documents in his office according to the will of the Executive, and not otherwise. Your committee is unable to discover, either in the original act of 1789, creating the office of Attorney-General, or in the act of 1870, creating the Department of Justice, any provision which makes the Attorney-General of the United States in any sense a servant of or controlled by the Executive in the performance of the duties imputed to him by the law or the nature of his office. The Executive is bound by the Constitution and by his oath to take care that the laws have been faithfully executed, and he is himself as much bound by the regulations of the law as the humblest officer in the service of the United States, and he cannot have authority to undertake to faithfully execute the laws, whether applied to his own special functions or those of the Departments created by the law, otherwise than by causing, so far as he lawfully may, and by lawful methods, the heads of the Departments and other officers of the United States to do the duties which the law, and not his will, has imputed to them.

The important question is then whether it is within the constitutional competence of either House of Congress to have access to the official papers and documents in the various public offices of the United States, created by laws enacted by themselves. It may be fully admitted that in respect to the Department of the Treasury there is not a statute which commands the head of that Department to transmit to either House of Congress, on its demand, any information whatever concerning the administration of his Department, but the committee believes it to be clear that, from the very nature of the powers entrusted by the Constitution to the two Houses of Congress, it is a necessary incident that either House must have at all times the right to know all that officially exists or takes place in any of the Departments of the Government.

The committee feels authorized to state that after a somewhat careful research, within the foregoing limits there is scarcely, until now, any instance of refusal by the head of a Department, or even the President himself, to communicate official facts and information, as distinguished from private and unofficial papers, motives, views, reasons and opinions to either House of Congress, when constitutionally demanded. Indeed, the early journals of the Senate show great numbers of instances of directions to the heads of Departments as, of course, to furnish papers and reports upon all sorts of affairs, both legislative and executive. Instances of requests to the President and commands to the heads of Departments, by each House of Congress, from the early days until now, for papers and information, a very conceivable subject of public affairs, are almost innumerable, for it appears to have been thought by all Presidents who have carried on the Government now for almost a century that, even in respect of the requests to them by an independent and co-ordinate branch of government, they were under constitutional duty and obligation to furnish to either House the papers called for, unless, as happened in very rare instances, when the request was coupled with an appeal to the discretion of the President in respect of the danger of publicity not to send papers, if in his judgment it should be incompatible with the public welfare. Precedents to establish this proposition, many of which have been made public, are cited and discussed at great length, and the report continues as follows:

The committee feels safe in stating, from the researches it has made, that the course of the government has been constant and continuous and unchanged from the beginning until now, and that in its belief no instances within the principles and limitations before stated have occurred in which cases for official papers and files addressed either to the President in the form of requests or to the heads of departments in the form of commands, have not been complied with; but it has sometimes happened, where a request to a President was merely a conditional one, leaving it to his discretion whether the papers should be communicated or not, that they have not been communicated. The practical construction of the constitution in these respects by all branches of the government for so long a period would seem, upon acknowledged principles, to settle what are the rights and powers of the two Houses of Congress in the exercise of their respective duties, covering every branch of operations of the government, and it is submitted with confidence that such rights and powers are indispensable to the discharge of their duties, and do not intrude upon any right of the Executive, and that it does not belong to either the heads of the departments or to the President himself, to take into consideration any supposed motives or purposes either house may have in calling for such papers, or whether the possession of their contents could be applied to either house to useful purposes. The Constitution of the United States was adopted in the light of the well known history that even the ministers of the English crown were bound to lay before Parliament all papers when demanded, on the pain of instant dismissal of such ministers on refusal, through the rapid and effectual instrumentality of a vote of want of confidence.

And the Continental Congress had for more than 10 years itself governed the country and had control of all papers and records, not by reason of anything expressed in any articles of confederation, but by reason of the intrinsic nature of free government. The jurisdiction of the two Houses of Congress to legislate and the power to advise or withhold advice concerning treaties and appointments, necessarily involves the jurisdiction to officially know every step and action of the officer of the law, and all the facts touching their conduct in the possession of any department, even that in the possession of the President himself. There was no need to express such a power, for it was necessarily an inherent one, incident to the exercise of the power granted. It will be observed that in this instance the call for the papers covered a period for more than six months, during which the regular incumbent of the office has been discharging its duties, and also the further period of more than six months, during which the person designated to discharge those duties had been acting and that person is the one now proposed to be appointed to the place. It will also be observed that the President has not undertaken to remove the incumbent of the office, but has only in express and stated pursuance of the statutes on the subject, suspended that officer, and that the same statutes expressly provide that such officer shall not be removed without the advice and consent of the Senate, and that if that advice and consent be not given, the incumbent would (unless his term of office should have previously expired), at the close of that session of the Senate, be restored to the lawful right to exercise its duties. The Senate, then by nomination, is asked to advise and consent to the removal of the incumbent, and to the appointment of the candidate proposed for his place. In exercising its duty in respect of these questions, it is plain that the conduct and management of the incumbent is a matter absolutely essential to be known to the Senate, in order that it may determine whether it can rightfully advise his removal or rightfully leave him to resume the functions of his office at the end of its session, as well as whether the candidate proposed has, in the exercise of the office under his designation, so conducted himself as to show that he is competent and faithful. Indeed, it may be stated with entire accuracy that even in the case of a vacancy in an office and the proposed filling of such vacancy, it is important for the Senate to know the previous condition and management of the office, the state of its affairs, whether there has been cases of misconduct or abuse of power, embezzlement of money, and indeed, all the circumstances bearing upon the administration in order that it may judge of the suitability of appointing a particular person to take up its duties with reference to the difficulties that may exist in its affairs, the state of accounts and everything concerning its administration so as to measure the fitness and competency of the particular candidate to meet the emergencies of the case.

A table is presented showing the large number of persons appointed in the place of the officers suspended, and the query is made, have these suspended officers or any considerable number of them been guilty of misconduct in office, or of any personal conduct making them unworthy to be longer trusted with the performance of duties imposed upon them by law. If they have, it would seem to be clear that every consideration of public interest and of public duty would require that the facts should be made known, in order that the Senate may understandingly and promptly advise their removal. And that a more careful scrutiny should be had in respect of the selection of their successors, as well as in respect of providing better means and safeguards by legislation for administering the laws of the United States. Such information, it would seem, the Executive is determined the Senate shall not possess for the alleged reason that it might enable the Senate to understand what circumstances connected with the faithful execution of the laws induced the President to exercise the discretion the statute confers on him to suspend them, and ask the Senate to unite with him in their removal from office.

The report quotes the passage on civil service contained in the President's annual message, and says: This highly important and valuable official communication, in the presence of 643 suspensions from office, would seem to lead to the conclusion that the number of civil officers of the United States, elected to be suspended and removed, had been so derelict in the performance of their functions, or guilty of such personal misconduct, as to put them in the category of unfaithful public servants deserving of dismissal by the President and the Senate, and the condemnation of their countrymen. In such a state of things we think that the common sense of justice and the fair play that is so much prized, we believe, by the people of the United States, would require that in some way this large body of men should have an opportunity to know the substance of their alleged misdeeds in order that they may either admit their guilt, or, denying it, explain their conduct, or show that the accusations against them were selfish and wicked pretenses, and set up for the mere purpose of obtaining their suspension and ultimate dismissal from office in order that others less capable and worthy might at once receive the honors and emoluments of those places. It is

known to every Senator that so far as the Senate has to do, both with removals and appointments, it has for a great number of years been its practice, when an officer or person was before it for removal or appointment against whom any serious accusation has been made which would, if true, influence the action of the Senate in the case, to cause the person concerned to be informed of the substance of the complaint against him, and give him an opportunity to defend himself; and it is also known that all this very session a very considerable number of instances of that kind occurred and are of daily occurrence. If the Senate is proceeding upon a false principle in such instances, it is high time that its course in those respects should be reversed, and that hereafter it should act upon such accusations without any knowledge other than that derived from the accusers, and leave the victims of such injustice to console themselves with the reflection that all parties are now engaged in an effort to reform the Government.

Why should the facts as they may appear from the papers on file be suppressed? Is it because that being brought to light it would appear that malice and misrepresentation and perjury are somewhat abundant, or merely, that faithful and competent and honorable officers have been suspended and are proposed to be removed under the advice and consent of the Senate, in order that places may be found for party men, because they are party men, or are the especial objects of party favor? How does it happen in this time of suggested reform and purer methods in the Government that for the first time it is thought important that historic and administrative facts relating to official and personal conduct of the officers of the United States should be withheld, and that the administration of the Government should proceed with secrecy and mystery as great as in the days of the Star Chamber?

The high respect and consideration that the Senate must always have for Executive office would make it reluctant to adopt either theory, but at present the impenetrable veil remains, and as the committee is unable to suggest any other solution of the riddle, it must leave it until this veil is lifted and the operations of the Government shall again be known. In this state of things, the committee feels it to be its clear duty to report for the consideration of the Senate and for its adoption the resolutions set forth above.

SEATTLE, 18.—When the Chinamen were driven out of Snohomish City last week, three who had property interests were allowed to remain, but were notified that they must leave by Monday last. On Monday, on being told to go, they refused and said they intended to remain. Late on Monday night a dynamite cartridge was exploded under their house, wrecking the building but not injuring the Chinamen, who pluckily moved into another part of the building that was not destroyed and reiterated their determination to remain. This morning a number of shots were fired into the house, but none of the Chinamen were injured, and at last accounts they still held the fort and declaring they would not leave.

WASHINGTON, 19.—The House Committee on Postoffices and Post Roads to-day unanimously agreed to report adversely all bills before it for the purchase or construction of telegraph lines by the Government. On March 3d and 4th the committee will hear argument from all persons who desire to address the committee on the subject of Government contracts with telegraph companies.

ANXIOUS ABOUT UTAH.

At to-day's session of the Woman's Suffrage Convention resolutions were adopted calling upon Congress to submit to the States at once the question of the right of women to vote and protesting against the passage in its present shape of the bill now pending in Congress to suppress polygamy as discriminating unjustly against the Gentile and non-polygamous Mormon women for crimes never committed by them. At the evening session the vote of the audience was taken relative to the passage by Congress of the Sixteenth Amendment to the Constitution enfranchising women. It received a general and hearty vote in the affirmative. The following resolution was unanimously adopted:

Resolved, That we extend our grateful thanks to Senators Blair, Palmer, Bowen and Chase for their favorable resolution to protect women in the exercise of the franchise: to Representative Reed for the presentation of the resolution to the House; to the Judiciary Committee for granting us a hearing; also to Senator Hoar and those who supported his amendment to the Utah bill.

The Judiciary Committee of the House will give the officers and delegates of the Association a hearing Saturday morning.

PHILADELPHIA, 19.—Brief services over the remains of the late John B. Gough were held this morning at the residence of Dr. Bruce Burns in Frankfort, where the celebrated lecturer died yesterday. At Mrs. Gough's request the services were private and were of rather an informal nature.

DENVER, 19.—A Durango special to the *Tribune-Republican* says: C. S. Stollsteimer of the Southern Utah Agency, in company with Interpreter Archuleta, Chief Ignacio of the Utes, Buckskin Charlie, Chief of the Winne-muccas, and several other chiefs, start to Washington in the morning. The Utes are desirous of selling their res-

ervation in Southern Colorado to the Government and moving from the State, and are going to Washington on the order of the Interior Department to see if a satisfactory treaty can be made.

HENRIETTA, Texas, 20.—A. A. Steagall, charged with incest with his own daughter and murdering her babe, was taken from the jail by a mob and strung up by the neck. After he had hung five minutes the sheriff cut him down; he is now in a critical condition. The crowd booed and shouted while he was hanging and after he was cut down.

ST. JOHN, N.B., 20.—This city was visited to-day by a tidal wave which submerged all the wharves to a depth of from one to four feet. The water covers the floors of many stores and dwelling houses on the lower levels of the city and did an immense amount of damage. The gale is blowing from the southwest and to-night's tide will be still higher.

GLOUCESTER, Mass., 20.—The schooner *Clytie* arrived to-day bearing Captain Silva and crew of 14 men of the schooner *Annie*, which was burned on George's Banks on Thursday last. The crew fought the fire three hours and then took the dories.

INDIANAPOLIS, Ind., 20.—This afternoon the Supreme Court decided the telephone case, holding that the law fixing the annual rent for instruments at \$36 is constitutional.

THOY, N. Y., 20.—Three hundred girls employed in the ironing department of Miller, Hall & Hartwell's collar shop, in this city, struck to-day because the proprietors refused to discontinue the use of certain machinery. The girls recently joined the Knights of Labor.

PITTSBURG, 20.—A telegram from Scottvale, Pa., says: The coke strike has ended in favor of the strikers, the operators at the conference to-day having granted the demands. Work will be resumed on Monday.

PITTSBURG, 21.—Shortly before 7 o'clock to-night people living in the vicinity of Mulberry Alley and Twenty-second street were startled by the report of four shot in quick succession. This was followed by screams of children coming from the house of David Wilson. A crowd soon collected and forcing their way into the house they were horrified to find Mr. and Mrs. Wilson lying on the floor unconscious with bullet wounds in their heads. In the husband's hand a small revolver tightly clasped, told the story. Medical aid was summoned, but before the physician reached the house Mrs. Wilson was dead, Wilson was insensible and has not yet recovered consciousness. He will probably die. Poverty is believed to have been the cause of the tragedy. Wilson has been out of employment 17 months, and as he had six children, it is thought he became discouraged. The children say their father came home under the influence of liquor and after supper ordered them to bed. Shortly afterwards they heard loud words and then pistol shots.

LEXINGTON, Ky., 22.—A special to the *Press* from Winchester, Ky., says: "At noon to-day a powder explosion occurred in the grocery store of Mary Wills; the clerk was in the act of weighing some powder from a can when a man standing near the counter struck a match to light a cigar. This ignited the powder, which exploded with terrible violence. The house was badly wrecked and three persons severely wounded. Two of them—Jas. Hopper and Will Murray—are in a dying condition and several others will not probably recover. The man who struck the match escaped unhurt; Mary Wills and others were unhurt. The house took fire, but the flames were soon extinguished. The injured are: Bird White, Thos. Martin, Jas. Newkirk, Jas. Hopper, W. Murray, John Rudy, James Carrick and Buford Smith.

DENVER, 22.—The Santa Fe and Denver & Rio Grande roads to-day reduced passenger rates to Oregon and Washington Territory points, to meet the cut announced by the Union Pacific and Northern Pacific people on Saturday. They also reduced to Oregon and Salt Lake the rate from \$30 to \$25, making it the same as the San Francisco rate. With this exception everything remains the same as at the beginning.

PORTLAND, Oregon, 22.—A mass meeting, in pursuance of the resolution passed by the anti-Chinese congress held here on the 13th inst., was held here to-night. About 1,000 attended. Among the speakers were Nathan L. Baker, of this city, and A. J. White, of Oregon City, who stated that they headed a mob there this morning, explained in detail the *modus operandi* and stated that driving the Chinese out was a great deal easier than they had imagined. A resolution was passed to appoint a committee of 15 to notify the Chinese to leave, not specifying a date. The language of the resolution was "To notify them to get up and git." One member of the committee is Col. A. N. Hamilton, editor of the *Daily News*.

SAN FRANCISCO, 22.—No important developments occurred in the railroad war to-day, the strength of the fight now being concentrated on freighters. The Pacific Mail, it is stated, has engaged a quantity of freight for New York at \$8 a ton. The reduction on railroad regular schedule rates ranges from 25 to 40 per cent, according to the class of freights. The lowest passenger rates quoted to day are: New York unlimited, \$80; limited, \$65; third class, \$37.50; Chicago unlimited, \$45; limited \$55; third class, \$28. Slight differences, however, are made in these figures by the various roads. The At-