

plause), and yet you tell me that unless I vote against the dictates of my own conscience, the departments shall go penniless. Do you think I will do it. In obedience to what conspiracy do you come here to try it? (Renewed applause.) Your action looks like a determined attempt, not to carry the country in a political campaign in 1880, but to take possession of a large portion of the south. It looks hopeful to you that you have come into power at the same time with that of the "rag tag and bobtail" of all the financial elements. Greenbackism has about got a foothold. He warned the southern members against the northern brethren, who promised much but cannot deliver their goods. They were men who, while the south stood manfully for its creed, climbed trees and went to Canada to avoid draught. He warned them against futile and dangerous greenback schemes and affiliations. If, in the past, the republican party has done anything wrong, it has been from zeal, which I hope God will pardon, for the liberty, freedom, justice and a free ballot. (Loud Applause.)

Garfield, answering Hawley's question, said he would vote for a repeal of the clauses of the election laws as a separate measure, but not in this way.

Tucker thought that very narrow ground to stand on. He believed he was right in the fierce struggle of four sad years, and would take the same course if called on to do so, but now he had come back in the Union with an honest purpose to make the Union glorious among the nations of the earth and make the government a success in liberty, prosperity and independence. The past was dead and buried. The Constitution was our only hope. He believed the government of the United States the best system ever devised, but he would put the power of the government at its minimum and the liberty of the people at its maximum, consistent with the safety of society. He would have law on the judgment seat wearing a civic crown and ermine and gently and with unmailed hand, leading forth liberty as wedded life. He would have the army and navy to be willing servitors of liberty to expel, on her call, all invaders upon her sacred precincts or to put down the despotism of the licentious. If his aspirations and hopes, his dreams and visions could be realized, feeling as he did, that the "sere and yellow leaf" was approaching, that the evening of his life was coming to its close, he might then, with humble reverence, repeat the prayer, "Now, O Lord, lettest thou thy servant depart in peace," for mine eyes hath seen the salvation of my country's liberty and seen restored the grand and noble system of the Constitution of our forefathers. During the course of his speech Tucker was frequently interrupted with applause and at its conclusion was warmly congratulated.

At this point the general debate closed and the bill was considered under the five minute rule.

Garfield said that during the last four days, fifteen or twenty demolitions of his argument of last Saturday had been made in the presence of the House and of the country. All of them, save one, had alleged that he alleged it to be revolutionary to place this legislation on an appropriation bill. If they had any particular pleasure in setting up a man of straw to knock him down again, they had enjoyed that pleasure. They had never claimed that it was either revolutionary or unconstitutional to put a rider on an appropriation bill. No man on the republican side had claimed that. The most that had been said was that it was considered a bad parliamentary practice. All parties in the country had repeatedly said that. The gentleman from Kentucky (Blackburn) had thought that he was especially severe in showing that he (Garfield) had insisted on the passage of a conference report in 1872, in an appropriation bill that had a rider to it, and had said that it was revolutionary in the democratic party to resist it. What he (Garfield) had said on that occasion and what he said now, was that it was revolutionary in the gentleman's party to refuse to let the appropriation bill be voted on for four days. The gentlemen on that side had said that the House should not vote on the appropriation bill because there was a rider on it. He had tried to prevent that rider being put on, but when the minority insisted that the House

should never act upon it, he had said that that was an unparliamentary objection. The republicans did not filibuster to prevent a vote on the pending measure. The majority had a right, however indecent it might be as a matter of parliamentary practice, to put a rider on an appropriation bill and pass it. When the bill was sent to the Senate, that body had a perfect right to pass it, and when it went to the President, it was the President's constitutional right to approve and sign it. If the President signed it, it would be law; if otherwise, a two-thirds majority of the House and Senate must pass it. The question of a veto had been raised in the last session and threats made by the democrats of cutting off the supplies. He (Garfield) had not threatened a veto. That would be indecent to do, but the democracy had proclaimed: "Sign this bill, or we will starve you to death." Tucker had threatened that the army might be annihilated by withholding the supplies to redress a grievance, the grievance being that a law properly framed by representatives of the people and in every way constitutional, could not be got rid of in ordinary and constitutional way. The republicans would debate in the forum of every man's mind whether the army must be annihilated because the President would not, against his conscience, sign a bill sent to him by Congress. If the return of the democratic party to its birthright is to be signalized in its first great act by striking down the grand army of the United States, the people of this country will not be slow to understand that there are reminiscences about that army which these gentlemen would willingly get rid of. (Loud applause on the republican side and in the galleries.) Garfield expressed his willingness to help the democrats wipe from the statute book the law authorizing the use of the army at the polls. A bill for that purpose should be introduced in the regular manner.

New offered an amendment providing that nothing in that section shall be construed as abridging or afflicting the duty or power of the President under the Constitution to send troops on the application of a legislature or the executive officer.

Baker, of Indiana, offered an amendment making it unlawful for anyone to have on his person firearms, bowie knives or clubs or bludgeons in the vicinity of a place where an election is being held.

The chairman, in ruling out Baker's amendment as not germane to any army bill, encountered a good share of the opposition from Congress, against whom he threatened to call in the sergeant-at-arms, to which Congress replied with defiance. Finally, however, the angry passions subsided, the committee rose and the House, after the ordering of all debate on the bill and amendments to close at 12.30 o'clock to-morrow, took a recess till 11 to-morrow.

#### AMERICAN.

WASHINGTON, 2.—The Senate confirmed Andrew D. White, of New York, envoy extraordinary and minister plenipotentiary to Germany; Cornelius A. Logan, of Ills, minister to Central American States; Jacob H. Stenart, of St. Paul, surveyor general for the district of Minnesota; A. B. Claton, United States marshal for the northern district of Texas; Jefferson P. Kidder, associate justice of the Supreme Court of Dakota.

The report of the board of officers in the case of Fitzjohn Porter says: The new evidence, in addition to the old, has placed beyond question many important facts before the subject of dispute, in respect to which radically erroneous opinions were entertained by Gen. Porter's accusers, and doubtless by the court-martial that pronounced him guilty. The result has been to establish, beyond a reasonable doubt, all the facts essential to the formation of a correct judgment upon the merits of the case. Concerning the charge of which Gen. Porter was found guilty, of not having moved his command on the night of August 27th, 1862, in obedience to an order from Gen. Pope, the board report that it was a manifest physical impossibility to march over that road that night. That nothing would have been gained by the attempt, and that it would have been wise if Gen. Porter had delayed the attempt still longer than he did; that he exercised the very ordinary discretion of a corps

commander, and that it was his plain duty to exercise it. With reference to the famous 430 order, the board find that it was not received by Porter before 630 of the 29th of August; that the officer who wrote the dispatch only began to write at 430; that the messenger who took it could not have traveled over the route which they assert they had taken, if their own testimony be true; that one of the witnesses concerning this order had given manifest inconsistent statements, and another witness had confessed to the board that he had deliberately made a false statement in regard to the route taken while carrying the dispatch, and as to still another witness on this point, his testimony as to the early delivery of the dispatch was so completely broken down that no weight whatever was attached to it. On the other hand the testimony as to the time of the delivery of the 430 order, such officers as General Sykes, Colonels Locke and Monteith, and several other witnesses all go to prove that the order was not delivered until about sundown, and this testimony has been confirmed by the production of a dispatch from Porter to McDowell dated 6 p.m. of the day in question, the terms of which show that Porter could not then have been in possession of the 430 order. As soon as the 430 order was received, Porter ordered an attack, but darkness came on and Porter wisely ordered further preparations to cease. The report concluding this part of the investigation says: When the darkness came on the rear of McDowell's column of weary troops was passing by the rear of Porter's column, still several miles from their destined place on the field. The Union army was not even yet ready for battle. Porter's duty during the afternoon of the 29th of August was too plain and simple to admit of discussion, and the board are unable to find anything in it subject to criticism much less deserving of censure or condemnation.

The President has nominated David T. Corbin, of South Carolina, for chief justice of the Supreme Court of Utah; Mrs. S. Wadsworth, of Ills, receiver of public moneys, La Mesle, New Mexico.

The joint resolution introduced in the Senate, to-day, by Harris, of Tennessee, sets forth in the preamble that it is the desire and wish of the government and people of the United States to maintain the most amicable relations with the republic of Mexico; that it is believed to be manifestly to the interests of the people and of both governments to extend and increase, by all proper means, the exchanging of products and to facilitate and foster the most liberal commercial relations between the people of the two governments, and that many citizens of the United States have invested their capital, and others are desirous of investing in Mexico, in mining, construction of railroads, banking, farming, stock-raising and merchandizing, and in this view with the purpose of increasing said investments, which are believed to be mutually beneficial to the people of both governments, a treaty is deemed necessary; therefore,

Resolved, That the President of the United States be authorized and requested, by the appointment of three commissioners, to be confirmed by the Senate, to open and conduct negotiations with the republic of Mexico for the purpose of making a treaty which will include matters and subjects named in the preamble to this resolution, and any and all matters which, in the opinion of the two governments are the proper subjects of such treaty.

WHEELING, W. Va., 2.—The town of Farmington, Marion county, has been infested for some time past by a class of people who have lived in open violation of law and decency, selling whiskey without a license and living in open adultery. Late last night a band of 30 men, supposed to belong to a vigilance committee recently organized under the name of the "Red Men," visited a number of scandalous places, broke them up, inflicting the punishment of lashes and tar and feathers on the inmates, destroyed the whiskey and made general purging of the filthy sewers.

CHICAGO, 2.—The telegraph says: Keene now has about 6,500,000 bushels of wheat in America, and by a shrewd combination, has control of a considerable amount in Europe. There seems considerable ground for the

belief that there is a combination to raise the prices of grain and provisions all over the country.

ST. LOUIS, 2.—A number of prominent colored gentlemen who have been most active in relieving, while here, and assisting to their destination colored emigrants from the south, issued, this afternoon, an appeal for aid to all generous and charitable people throughout the country, setting forth that of late, scores of colored people have been daily landed on the wharves here, fleeing from inhuman treatment by white leaguers and from a second slavery. Their struggle to reach the free west should receive the attention of liberty-loving men and women everywhere, and appeal to all such for means to assist them in finding new homes. The colored people of this city have not encouraged them to come; transportation companies have offered them no inducements to emigrate; but, according to their own testimony, they have started for Kansas, because they heard they would be free there, and because it was impossible for them to live longer at their old homes. These refugees, at the best, have but slender means. A large proportion of them are destitute when they reach here, having spent all their money for the passage to this point, and are thus dependent upon others to reach their destination. We need both money and clothing. In the name of God and humanity we ask help for the refugees. Any contribution sent will be most thankfully received and acknowledged by the Rev. Moses Dickson, 1,211 Morgan street.

NANTUCKET, 2.—The schooner *Emma G. Edwards* sunk on Tucker-muck Shoal, last night, and the captain, mate and three of the crew were lost.

NEW ORLEANS, 2.—The case against ex-Collector Geo. L. Smith, recently indicted by the grand jury, charged with perpetrating fraud on the government by carrying on the custom house rolls the names of parties not actually performing any work for the government, was called, to-day, in the circuit court. After examining half a dozen witnesses, District Attorney Leonard stated that the government had failed to make out a case. The accused was honorably acquitted.

GALVESTON, 2.—A special to the *News* from Fort Griffin says: On the night of the 25th ultimo, nine disguised, well-armed men took possession of Hamburg's Store, Tepee Creek, near Staked Plain, covering the clerks and others with pistols, until they robbed the store of all the money, arms and ammunition. They then attacked a camp party en route for Leadville taking them by surprise, and shot Mr. Anderson, who attempted resistance. They took about \$300 and all the live stock of the party. After leaving the vicinity they went to Blanco Cañon, and robbed the store of Conrad & Roth of \$1,500 worth of provisions, arms, etc. They are believed to be the notorious Reeves gang, from Lincoln, Neb. The New Mexico rangers will pursue.

SAN FRANCISCO, 2.—Ratifications were finally exchanged, to-day, between the Sutro tunnel and mining companies, and Mr. Sutro left for Virginia this afternoon, to start work on the sub-drain of the tunnel.

About 200 laborers employed on the sea wall, North Beach, struck, to-day, and went to California Street Hill, where about 100 more were grading for some contractor, and forced them to quit work. A strong squad of police maintained order. The strikers demand an advance of half a dollar a day, and say they will allow no one to go to work at the former prices. The contractor announces his intention of putting men on at the previous rates.

NEW YORK, 2.—A. Seligman's corset and shade factory, Broadway and Broome streets, was burned to-day; loss \$25,000; insured.

A contract was made in the city on Tuesday, to carry 100,000 bushels of grain at 5½ cents per bushel from New York to Liverpool, which is the lowest point yet touched.

The *World* says: The vindication of Porter clouds the fame of Grant, because Grant allowed his case to rest, but it is the direct condemnation of Gen. Pope.

Three feet of snow has fallen since yesterday around North Troy and Vermont. The storm visited the region of Lock Haven, Pa., this morning. Hereabouts it is raining.

GALVESTON, Texas, 2.—A *News*

special says: A shooting affray occurred on March 30th, at Stephenville. Messrs. Ross, Keith and Robinson, in attempting to serve a writ for the arrest of one Holliday were shot and killed. Three others were wounded. Another fight followed, resulting in the death of two others. Holliday, with his followers, barricaded the house, and have repulsed all efforts to dislodge them. The sheriff and a posse have left for the scene.

LEAVENWORTH, 3.—The Kansas Central Railroad, narrow gauge, running west from Leavenworth 85 miles, will be sold on the 14th of April, under a mortgage foreclosure. The road cost \$1,000,000 and is appraised at \$275,000.

DESMOINES, Ia., 3.—News was received that the citizens of Davis City, Decatur County, Iowa, on Monday, banded together, seized two desperadoes, Tucker and Tarter, hung Tucker, and would have hung Tarter, but he was taken from the mob and jailed. Martha McLain's bagnio was then entered and the contents destroyed, and committed other depredations. Much excitement prevails and more trouble is anticipated.

WASHINGTON, 3.—The Senate, in executive session, confirmed Clarence King as director of the geological surveys; John H. Morton, to be Consul at Honolulu; John M. Wilson, Consul-General for Mexico.

DANVILLE, Va., 3.—A severe tornado passed over Brown Summit, N. C., to-day. Several houses were blown down, scattering the furniture broad cast. One boy was killed and many persons were seriously injured by the falling timbers. Trees and fences were prostrated and the wheat damaged some.

NEW YORK, 4.

The *Commercial Bulletin* closes a review of the wheat prospects of the northwest as follows: It is very evident that while there is nothing yet to cause uneasiness in grain circles, the opening conditions of the seeding season of 1879 are far behind those of 1878. These conditions are a late spring, an average acreage, and a disposition to decrease the wheat.

The *World* says: There was some excitement in the grain market in the produce exchange yesterday, and wheat advanced ½ cent to 1 cent a bushel on the reports of the drought in Kansas. It was said on the street, that James R. Keene has stated his belief that wheat was well worth one dollar in Chicago. When this report was known, much capital was made out of it, and the most exaggerated reports were telegraphed to Chicago and the west.

Miragoane was destroyed by fire on the night of the 16th of March. The Haytian government is sending relief.

The United States steamer *Plymouth*, from this port March 15, for a cruise to the West Indies, has returned, the yellow fever having broken out when 300 miles southeast of Bermuda. Egan, the boatswain, died of the disease. The ship came from the West Indies last autumn with yellow fever on board, and it was thought fumigation and the frost of winter here had destroyed all germs.

CHICAGO, 4.—The scandal recently occasioned on the north side by the attention paid to Mrs. Henry Gilderman, by Dr. Henry Meyer, the impropriety of his addresses, arising from the fact that Mrs. Meyer and Mr. Gilderman had shortly before died, under circumstances which, taken in connection with the subsequent conduct of the surviving ones, were deemed suspicious. The bodies of the two deceased were, therefore, exhumed, and after a careful analysis just completed, large quantities of strychnine were found in the system of Mr. Gilderman, and the stomach of Mrs. Meyer was found impregnated with the deadly colchicine. The coroner's jury, after hearing the testimony of the chemists, found a verdict, recommending that Dr. Meyer and Mrs. Gilderman be held for murder.

COUNCIL BLUFFS, 4.—The volume of west bound travel through this city is unprecedentedly large for this time of year. Yesterday the Union Pacific took out 29 full cars of passengers, including nine of emigrants, and this number is not greatly in excess of the general average. A large proportion of the persons going west are destined for Colorado and the Territories.

LOUISVILLE, 4.—Wm. Harris, the pedestrian who came in second in the six day's walk here, last week, died this morning.