

## By Telegraph.

### AMERICAN.

DAVENPORT, Ia., 22.—Governor Kirkwood has issued an order for the re-organization of the Iowa State militia under the name of the National Guard of the State of Iowa. All the artillery companies are ordered to meet on January 31, at their respective armories, to elect officers.

SAVANNAH, Tallahassee, 22.—A dispatch says the House passed, under the suspension of the rules, an act to establish the appointment by the State of Florida, of electors for President and Vice President.

NEW YORK, 22.—Charles W. Chadwick, one of the parties implicated in the forgery of the check for \$64,000 on the Union Trust Company, was arrested this afternoon.

The *Times* Washington special says the scene in the Senate, today, at the conclusion of the morning hour was an extraordinary one. Every seat in the galleries was occupied, and hundreds of persons, unable to obtain seats, were standing. Sir Edward Thornton occupied a conspicuous place in the diplomatic gallery, and on the floor were seated General Sherman, General Garfield, Cox, Colonel Ingersoll and many members of the lower house. Frelinghuysen was entitled to the floor, but as he was not present, it was accorded to Morton, who was pale, weak and evidently in great pain, but who, nevertheless, signified his desire to be heard in opposition to the measure. He spoke for nearly an hour, sitting in his chair during the time, and made one of the clearest and most forcible arguments that has ever been listened to in the Senate. He commenced amid unusual silence, and was listened to with close attention to the end. The statement that the shadow of the Mississippi plan had entered the Senate Chamber, and the so-called compromise bill was the result of its appearance, created a marked impression upon the Senate and caused a flutter of excitement and some applause in the galleries. The senator continued, and for a few moments his intense feeling and the depth of his conviction made him forget his pain and weakness, and the power of his mind rose above the infirmities of his body. He became truly eloquent. His voice rose high and sonorous above the whispered comments of his associates.

WASHINGTON, 22.—The President, to-day, sent to the House the following message in answer to the resolution passed last December, asking information concerning the movements, orders, reports, etc., of the army in certain southern states. He says:

The resolution was, soon after its reception, referred to the Secretary of War and Attorney General, who had all the orders, etc., covered by the inquiry. The information is voluminous, and with a limited clerical force in the department of justice, has consumed the time up to the present. Many communications accompanying this have already been made public, in connection with the messages heretofore sent to Congress. This class of information includes important documents received from the governor of South Carolina and sent to Congress with my message on the subject of the Hamburg massacre; also the documents accompanying my response to the resolution of the House of Representatives in regard to the soldiers stationed at Petersburg. There have also come to me, at the department of justice, from time to time, the earnest written communications from persons holding public trusts, and others residing in the South, which I append hereto as bearing upon the precarious condition of the public peace in these States. These communications, I have reason to regard, were made by respectable and responsible men. Many of them deprecate the publication of their names as involving danger to them personally. Reports heretofore made by the committees of Congress of the result of their inquiries in Mississippi and in Louisiana, and the newspapers of several States recommending the Mississippi plan, have also furnished important data for estimating the danger to public peace and order in these States. It is enough to say that these different kinds and sources of evidence have left no doubt whatever in my mind that intimidation has been used, and

actual violence to the extent requiring the aid of the United States troops where it was practicable to furnish such aid. In South Carolina and Florida, and in Louisiana as well as in Mississippi, Alabama and Georgia, troops of the United States have been but sparingly used, in no case so as to interfere with the full exercise of the right of suffrage. Very few troops were available for the purpose of preventing or suppressing violence and intimidation in the States above named. In no case except that of South Carolina was the number of soldiers in any State increased in anticipation of the election, saving that twenty-four men and an officer were sent from Fort Foote to Petersburg, Virginia, where disturbances were threatened prior to the election. No troops were stationed at the voting places in Florida and Louisiana respectively. Small numbers of soldiers in said States were stationed at such points in each State as were most threatened with violence where they might be available as a posse for an officer whose duty it was to preserve peace and prevent the intimidation of voters. Such disposition of troops seemed to me reasonable and justified by law and precedent, while its omission would have been inconsistent with the constitutional duty of the President of the United States to take care that the laws be faithfully executed. The statute expressly forbids the bringing of troops to the polls except when it is necessary to keep the peace, implying that to keep the peace it may be done; but this, even so far as I am advised, has not in any case been done. The stationing of a company or part of a company in the vicinity where they would be available to prevent riot, has been the only use made of the troops; and at the time of the election were so stationed that they could be called in any emergency requiring it, by the marshal or deputy marshal as a posse to aid in suppressing unlawful violence. The evidence which has come to me has left me no reason to doubt that if there had been more military force available it would have been my duty to have disposed of it in the several States, with a view to the prevention of the violence and intimidation which have undoubtedly contributed to defeat the election law in Mississippi, Alabama, and Georgia, as well as in South Carolina, Louisiana and Florida.

By article 4, section 4, of the Constitution, the United States shall guarantee to every State in this Union a republican form of government, and, on application of the legislature, or the executive when the legislature cannot be convened, guard it against domestic violence. By the act of Congress, Revised Statutes of the United States, section 1,034-51, the President, in case of insurrection in any State or unlawful obstruction to the enforcement of the laws of the United States, may order a course of judicial proceedings, or whenever domestic violence in any State obstructs the execution of the laws thereof and of the United States; as to deprive any portion of the people of such State of their civil and political rights, he is authorized to employ such parts of the land and naval forces as he may deem necessary to enforce the execution of the laws and preserve the peace and sustain the authority of the State and of the United States. Acting under this (title sixty-nine of the Revised Statutes of the United States) I accompanied the sending of troops to South Carolina with a proclamation such as is therein prescribed.

The President is also authorized by act of Congress to employ such part of the land or naval forces of the United States as shall be necessary to prevent violation and to enforce due execution of the provisions of title twenty-four of the Revised Statutes for the protection of the civil rights of citizens, among which is a provision against conspiracies to prevent by force, intimidation or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner toward or in favor of the election of any lawfully qualified person as an elector for president or vice-president or as a member of the Congress of the United States (Revised Statutes, 1889). In cases falling under this title I have not considered it necessary to issue a proclamation. To precede or accompany the employment of such of the army as seemed to be necessary, in case of an insurrection

against the State government or the government of the United States, a proclamation is appropriate, but in keeping with the peace of the United States at an election at which members of Congress are elected, no such call from the State or proclamation by the President is prescribed by the statute or required by precedent. In the case of South Carolina, insurrection and domestic violence against the State government were clearly shown, and an application of the governor, thereof was duly presented, and I could not deny his constitutional request without abandoning my duty as executive of the national government. The companies stationed in the other States have been employed to secure a better execution of the laws of the United States and to preserve the peace of the United States. After the election had been had and violence was apprehended by which the returns from the counties and precincts might be destroyed, troops were ordered to the State of Florida, and those already in Louisiana were ordered to points in the greatest danger of violence. I have not employed troops on slight occasions, nor in any case where it has not been necessary to the enforcement of the laws of the United States. In this I have been guided by the constitution and laws which have been enacted and precedents which have been formed under it. It has been necessary to employ troops occasionally to overcome the resistance to the internal revenue laws, from the time of the resistance to the collection of the whiskey tax in Pennsylvania under Washington to the present time. In 1854 when it was apprehended that resistance would be made in Boston to the seizure and return to his master of a fugitive slave, the troops there stationed were employed to enforce the master's right under the constitution, and the troops stationed at New York were ordered to be in readiness to go to Boston if it should prove to be necessary.

In 1859, when John Brown, with a small number of armed men, made his attack on Harper's Ferry, the President ordered the United States troops to assist in the apprehension and suppression of him and his party without a formal call of the legislature or governor of Virginia, and without a proclamation by the President. Without calling further instances in which the executive has exercised his powers as commander-in-chief of the army and navy to prevent or suppress resistance to the laws of the United States, or where he has exercised like authority in obedience to a call from a State to suppress insurrection, I desire to assure both Congress and the country that it has been my purpose to administer the executive power of the Government fairly, and in no instance to disregard or transcend the limits of the constitution.

(Signed)

U. S. GRANT.

The *Chronicle* has suspended publication.

NEW ORLEANS, 22.—The republican House seated five members subject to contest. Ex-Gov. W. P. Kellogg left for Washington today.

LITTLE ROCK, 22.—This morning a fearful explosion occurred at Ink Bayou, nine miles north east of this city. The boilers in Griffiths & Hyck's shingle factory and saw mill, exploded. Three men were killed and several dangerously injured.

NEW YORK, 23.—The *Times*, in an editorial, says the senatorial advocates of the surrender plan of counting the electoral votes show a natural anxiety to rush it through with as little delay as possible. The people are beginning to have a clearer perception of its unconstitutionality, and of the heritage of confusion and mischief which its adoption would entail.

The *Tribune's* Washington special says the republicans recognize the importance of immediately securing the services of three of the ablest lawyers in their party to prepare evidence and argument upon their side to prevent the proposed triple commission. The national committee will no doubt move in this matter. There is no time to lose.

The *World* says W. H. Vanderbilt's first public act of importance since his father's death will meet with general approval. He has practically given a quarter of a million dollars towards carrying out Strakosh's project of a grand opera house.

A petition to Congress in relation

to the compromise plan for the electoral count is in circulation at the Union League club and elsewhere in this city. The petitioners make substantially the following suggestions:

First.—That the constitutionality of the proposed act should be formally passed upon by the Supreme Court.

Second.—That the judges of the Supreme Court should not be members of the commission if prior adjudication by the courts cannot be obtained.

Third.—That the part assigned to the five judges comport neither with the dignity and impartiality of the court nor with the rights of the people, nor with the principles and safety of the country's institutions.

The petitioners ask that Congress will not involve the judges of the Supreme Court in any manner with the pending contest until the court shall be called to act on the question in its judicial capacity.

CHICAGO, 23.—Andreas Filbert, under indictment for the murder of William Oldenburg, his son-in-law, but out on bail, shot himself this morning at his residence on 16th street.

HAT CREEK, Wyo., 23.—The mail carrier between this post and Red Cloud was attacked by four Indians on the last trip, but escaped; on the return trip he met fifty friendly Sioux who were en route to treat with Crazy Horse for his surrender. They report that a party of one hundred Cheyennes met them, and on learning their mission dismounted them, necessitating their return to the agency. Small bands have been seen at several points between here and Indian Creek.

SIoux CITY, Iowa, 23.—A telegram has been received here from Fort Randall, stating that news was received there this afternoon through Indian sources, of the capture of Valin and Papinan's train on the Little Missouri River last Thursday morning by Crazy Horse's band, and the massacre of twenty men who were with the train coming out of the hills. Particulars of the affair are not yet received, but the report is believed to be correct at the Fort. The attack was made at a place about thirty miles east of the Hills.

TRENTON, N. J., 23.—John R. McPherson was, to-day, chosen United States Senator by one vote over Frederick T. Frelinghuysen the present Senator.

WASHINGTON, 23.—The President has vetoed the bill abolishing the police board of commissioners. The bill was passed by both houses without opposition.

WASHINGTON, 23.—The authorities learn that an illicit distiller named Redmond, in South Carolina, surrounded the house of deputy collector Barton with an armed band of twenty and compelled Barton to pay \$100 or die, and then took one of Barton's horses and rode off.

NEW ORLEANS, 23.—Casseneve and Kenner left for Washington this morning in charge of the House sergeant-at-arms.

DEADWOOD, D. T., 23.—No news has been received here confirming the Sioux City despatch in regard to the capture of Volins' train and the massacre of the men with it.

SPRINGFIELD, Ills., 23.—Hon. Charles B. Lawrence was unanimously nominated by the republican caucus for United States senator, Gen. Logan having peremptorily declined to permit the further use of his name. Lawrence is an ex-judge of the Supreme Court and a man highly esteemed. He has declined to be a candidate, but may recall that determination.

SAN FRANCISCO, 23.—Linforth, Kellogg & Co., importers of hardware and agricultural implements, have suspended. Liabilities about \$250,000. At a meeting of the creditors it was ascertained the assets are \$300,000. A committee was appointed to examine the affairs of the firm.

NEW YORK, 24.—The electoral bill continues the great theme of discussion all over the country. The journals have specials from all quarters giving the proceedings of legislatures, boards of trade, chambers of commerce, mass meetings, &c., for and against the proposed measure.

The *Times* and *Tribune* continue editorially to attack the bill as unnecessary and unconstitutional, while the *Herald*, *World* and *Sun* approve. The latter says the extremes of both sides at the first blush opposed the commission, and

it is known that neither Mr. Tilden nor Hayes favored it. Indeed that knowledge was one of the obstacles to be overcome. The fact that Hewitt was a member of the committee has no significance in this regard. He acted for himself, and not in any representative capacity. Morton's refusal to sign the report is a strong recommendation in its favor.

The *Times* says no man, not violently partisan, sees any cause for anger and alarm in the count by the President of the Senate. He is as likely to be upright, as well informed and as fearless as a judge of the supreme court, but the democrats having given to their opposition the form of menaces pointing to anarchy, timid people listened to overtures for compromise. The electoral bill is the result.

The *Tribune's* Washington special says the material of the defunct *Chronicle* has been purchased by the proprietors of the Burlington, Iowa, *Hawkeye*, who will start a newspaper in Washington.

The *World's* Washington special says, in a recent conversation with the President, on the Louisiana subject, said the adherents of both governors had been pressing him for a recognition, but whatever might be his personal opinion of the validity of the Packard or Nicholls government, it offered him no constitutional reason for proceeding to instate either one or the other, nor had anything yet occurred which gave him any more reason to proclaim Packard or Nicholls governor than existed to proclaim Robinson governor of New York; nor would he, acting upon his private and individual judgment, be any more justified in ordering Augur to instate one or the other in full possession of the State government. For a decision upon this question he should wait until all the evidence was before him, and the reports to the legislature gave him the opinion of the lawmaking power. He should be glad at that time to make his action final and conclusive. He was weary of this political row. If the Packard government had rights of its adherents ought to be able and ready to support them by force of arms, but as matters stand they relied upon the troops, and if they were removed would not remain twenty-four hours in New Orleans.

The Irish Rifle Association has again challenged the American marksmen to a match for the championship, to take place in Ireland the coming season.

CINCINNATI, O., 24.—James Brooks, of the government secret service, who caused the arrest a few days since of John McKernan and wife, of this city, for dealing in counterfeit money, and of Miles Ogle, for manufacturing the same, induced the latter to make a confession, and obtained possession, this morning, of 150 finely executed plates. Among them were plates for the manufacture of ten dollar notes on banks at Richmond, Lafayette and Muncy, Indiana. He also recovered 40,000 counterfeit fifty cent pieces, which were found buried near Brighton, a suburb of this city. These pieces so closely resemble the genuine that none but experts could distinguish the difference between them.

WASHINGTON, 24.—The Senate adjourned last evening to meet at 11 a. m. to-day. At that hour President Ferry called the Senate to order, and Secretary Gorham commenced reading the minutes without a solitary senator being in his seat. Senator Merrimon was the first to make his appearance, and by the time Gorham had concluded reading, some ten or twelve members were present. The galleries were filled to their utmost capacity during the day, Sargent and Conkling occupying the most of the time.

LITTLE ROCK, 24.—A terrible double murder was committed last night in Gentry settlement, Saline County. Two women, named Mrs. H. B. Taylor and Mrs. McHale Staver, wives of esteemed planters, being most brutally murdered in cold blood for their money. The robbers escaped.

NEW ORLEANS, 24.—The republican house passed a resolution expressing full faith and confidence in the President of the Senate, and requesting the senators and representatives of Louisiana to oppose the passage of the electoral bill.

Gov. Packard yesterday addressed a note to Gen. Augur saying that he was informed that the Parish officers, holding the commissions of Nicholls, took possession of the offices in Ouachita parish on Jan. 17th in violation of the status quo.