

BY TELEGRAPH.

AMERICAN.

WASHINGTON, 22.—A number of prominent republicans, including Gen. Garfield, have been quietly at work in the city for several days looking up the law and precedents bearing on the present and prospective situation of affairs in Maine, with a view to overcoming by some means the extraordinary action by which Governor Garcelon and his council have counted out enough republicans to give a majority in the Maine legislature to the Fusionists, democrats and greenbackers. It is reported, on good authority, that a telegram has been sent to Senator Hamlin, as the results of these inquiries and deliberation, substantially as follows:

We advise the republicans even to the extent of force. The President informs Garfield that he will recognize a Davis legislature if it is set up as the legislature by the republicans.

The plan contemplated by the sender of this dispatch may be briefly stated thus: When the day for the meeting of the Maine legislature arrives, the republicans who have certificates of the returning officers, and those who have been counted out, are to assemble and organize as a legal legislature. The counted out republicans will previously, if possible, procure certificates to election from the Supreme Court of the State, or, failing in that, from the county clerks. They are then to proceed to elect Davis Governor, and if the fusionists also organize and elect Garcelon or Smith an issue will be presented to call for a decision by President Hayes as to which is the legal legislature and duly constituted government of the State. The question, it is claimed, can be brought before him very readily by a call from the democratic legislature for national aid to suppress resistance to its authority, if not in some other way, within the purview of the act of February 28, 1795. This act, according to the famous Supreme Court decision, in the case of *Luther vs. Borden*, pronounced by Chief Justice the purposes of that act whether a government organized in a State is the duly constituted government of that State, and after he has decided the question the courts of the United States are bound to follow his decision. The Supreme Court further held that the government of a State by its legislature has the power to protect itself from destruction by armed rebellion by declaring martial law, and the legislature is the sole judge of the necessary exigency. It will be seen, therefore, that the matter after all is for the President to decide which is the legislature of Maine.

Recent advices from Maine, as well as the movement in this city above outlined, point conclusively to a determination on the part of the republicans not to submit to Governor Garcelon's action, which they regard as a gross outrage upon their political rights and a violation of every principle of fairness and equity; hence there seems to be a strong probability that within the next three weeks the President will be called upon to decide between the claims of the contending parties in the Pine-tree State, and the Maine muddle will become a matter of immediate national importance.

A private letter received from General Grant says: He expects to arrive in Washington on the 29th inst., and that after spending a few days quietly at General Beale's residence he will proceed southward, stopping a day or two at each of the principal southern cities on his way to Florida, whence he will sail for Cuba about the middle of January. His plans are not definitely formed beyond that date, but he will probably spend some four months in Cuba and Mexico, and return east via New Orleans and the Mississippi River cities, and Colorado, in time to reach Long Branch for the summer, where he expects to re-occupy his cottage.

Gen. Grant also informs a friend in this city that he has no intention of accepting the presidency of the Nicaragua Inter-ocean Canal Company till the necessary amount of capital is secured by subscriptions based upon the inter-oceanic merits of the project. He considers them amply sufficient to warrant a subscription of \$100,000,000 of capital and believes that amount to be necessary, but he doesn't care to commit his future to any scheme if

it has not sufficient strength to enlist capital irrespective of the use and prestige of any one man's name as president.

It is stated that President Hayes said in conversation a day or two ago, that he believed under the Constitution the Vice-President of the United States had a right to count and declare the presidential vote; and whether he counted it and declared it in the rotunda of the capital, or in the presence of both Houses of Congress in joint convention assembled, that he, Hayes, should recognize and enforce it as the true and legal declaration of the count.

A motion was made in the United States District Court to-day to advance the case of John Miles, which is an indictment for bigamy in the Supreme Court of Utah, and which involves, among other questions, the right of a prosecuting officer to examine upon their *voir dire* persons in the practice of or belief in the divine origin of polygamy, and jurors as to their practice of or belief in the divine origin of polygamy, and to exclude for bias those found by triers to observe such practice or obtain such belief.

It has been the custom for years of certain tobacco manufacturers to pack in hogsheads and bales for foreign trade a brand of leaf tobacco known as Black Feet. A decision was rendered by the Commissioner of Internal Revenue to-day in releasing a quantity of such tobacco which had been seized in New Orleans, holding that this tobacco, if intended for consumption, must be put up in legal packages in a tobacco manufactory and properly stamped.

By its action to-day on the lottery cases, the Supreme Court practically sustains the action of the Postmaster General as the case now stands. It is understood, however, that a new bill will be filed and a judicial decision sought upon the constitutional question involved in the matter, which, in the opinion of the Court has not yet been properly brought to its attention.

Counsel for M. A. Dauphin, wishing to amend the bill in equity against the Postmaster General for *sedes materiae*, presented a motion in a few minutes thereafter an amended complaint was filed by Senator Carpenter, counsel for Dauphin.

Owing to the scarcity of greenbacks in the Treasury, new United States notes can no longer be furnished from the Washington office for bankers' drafts.

The President has approved the bill authorizing allowance for loss by leakage or casualty of spirits withdrawn from distillery warehouses for exportation.

Frank Hatton, editor and proprietor of the Burlington (Iowa) *Hawkeye*, has been appointed postmaster at Burlington.

NEW YORK, 22.—The *Tribune* learns from Arizona parties, who have arrived here, that recent transactions with Inspector Hammond and Commissioner Hayt of Indian Bureau implicate them in the scheme of Agent Hart of San Carlos reservation, Arizona, who was charged with crooked practices in connection with the silver ledge discovered on the reservation. It is asserted that the charges against Hayt have been withdrawn and he allowed to resign, since which a new survey of the reservation lines have been made to throw the mine out, and that Hayt and Hammond are interested in the mine through friends. The *Tribune* says: These transactions may be capable of an explanation which will relieve the inspector.

The large corset and suspender factory of West, Brady & Cary, at Nos. 227 to 233 West Twenty-ninth Street, was burned to-night. The flames started in the basement and the entire building was in flames in less than an hour. Twenty women in the building barely escaped with their lives. Two of them jumped from the seventh story upon the roofs of adjoining buildings, a distance of three stories and were seriously injured. Three tenement houses adjoining were damaged by the falling walls. Two firemen were severely injured. The entire loss is about \$300,000; insurance not yet learned.

A Havana dispatch says: The base ball club from Rochester, New York, met the strongest picked nine out of four Havana clubs and defeated them by a score of 21 to 7, in the presence of 5,000 people. The Americans played with only two errors, winning great applause.

They will repeat the match Christmas day, and leave here on the 26th for New Orleans.

CHICAGO, 22.—The 8,000 striking workmen at the stock yards have largely resumed operations, the packers having acceded to their demand that no men outside the Union should be employed. The only firms which will stand out are Armour & Co., Fowler Brothers, Cudahy & Chapin, and the Anglo-American Packing Company. P. D. Armour said to-day his firm would stand out till doomsday rather than allow their employees to dictate terms. There has been no trouble whatever at the stockyards and no talk of violence.

The examination of Stettauer Bros. & Co., bankrupt dry goods merchants, has been progressing all day before Judge Loomis, of the county court, at the instance of a number of creditors representing nearly \$200,000. Charles S. Stettauer was examined at some length regarding several transactions, which had excited suspicion on the part of the creditors.

LOS PINOS AGENCY, Dec. 21, via Lake City, Colo., Dec. 22.—A courier informs the commission that the Indians have delivered their ultimatum. Gen. Hatch is ready to leave with the prisoners, but is compelled to await the arrival of Sowerwick, who is on his way from the Grand River to accompany the chiefs to Washington as a representation of the White River Utes. Jack was also selected by Ouray to represent that tribe, but his heart fails him and he declines the trip, fearing arrest. The change in Jack is attributed by Ouray to Mormon influence. Jack has decided to quit the reservation and join Sitting Bull. He informed Ouray that he was a man with a carbine and plenty of ammunition, and he proposed to fight. Gen. Hatch will probably start on the 25th inst. The Indian prisoners will be under military guard, detailed from Fort Garland.

ATCHISON, Kan., 22.—Two of three extension lines of the central branch of the Union Pacific Railroad, now under the control of Jay Gould, have just been consolidated under the name of the Atchison, at a meeting of the new directors, held at Beloit, Kansas, Dec. 19th. R. M. Pomeroy, of Boston, was elected President; H. Nichols, of New York, Vice-President; A. J. Barnes, of New York, Treasurer; and Thos. J. White, of Atchison, Secretary. This road runs through some of the richest lands on the continent, which are being rapidly settled and put under cultivation. The line will be vigorously pushed westward.

ST. LOUIS, 22.—The funeral of Wm. McKee to-day was one of the largest that have occurred here for a number of years. A great many prominent people, as well as those in the humble walks of life, were present; also several relatives of the deceased from abroad. Two sets of pall bearers served, one selected from the heads of departments in the *Globe-Democrat* establishment, the other chosen from among the old friends of the family.

PORT JARVIS, N. Y., 22.—Snow has fallen here to nearly a depth of seven feet. The storm extends along the Erie Railway to the Susquehanna and north for a distance of 24 miles.

SAN FRANCISCO, 22.—A San Diego dispatch says: Telegrams exchanged on Friday and Saturday, between the attorney and authorities and President Scott, of the Texas and Pacific Railroad Company, have resulted in an amicable adjustment of the pending litigation. The Texas Pacific will deed one half of the railroad lands to the Atchison, Topeka and Santa Fe Railroad Company. This gives the latter company a splendid deep water frontage on the Bay, and 5,000 acres of well located lands, with ample facilities and privileges for a first-class depot and wharf accommodations. The details will be settled as rapidly as possible between representatives of the companies and of the city.

A schooner supposed to be the *Mary D. Pomeroy*, from Crescent City, for this port, was sighted bottom up, off Point Keyes. There were on board eight officers and seamen and 12 passengers, all of whom are supposed to be lost.

The bullet which entered Mayor Killoch's chest last August, and has since caused him considerable trouble was yesterday extracted from his left arm pit.

NEW YORK, 23.—At a dinner of the New England Society last

night Secretary Sherman responded to the toast "The President of the United States," and in the course of his remarks said: "It is one of the first devices of the average American to vent all his spite and spleen against the president of the United States. It is a very safe and easy occupation because the President can only answer by his dignity and in silence. But of late years the press of this country has greatly improved. No other presidents of the United States were ever spoken of with such bitterness as Washington, Adams and Jefferson, and yet now we are brought to respect the name of Washington as first in war, first in peace, and first in the hearts of our countrymen. (Applause.) Adams and Jefferson each set against the other in our early history, are now blended, and all their quarrels forgotten. I have, during my official life, personally known six presidents of the United States. Among them probably one of the most abused was Abraham Lincoln. (Loud Applause.) A man who bore for four years the cross of the American people and whose martyrdom will be read with tears by nations yet unborn. (Applause.) The only one of these presidents now living is the illustrious soldier and citizen, who, having conducted a great war and won many battles, battles greater than any in modern history, including even those fought by Napoleon Bonaparte—and after having served his country for eight years, and received all the honors the American people have ever given to mortal man, he now, after a circle of the globe, returns with blessings heaped upon him in the language of the civilized world. (Cheering and applause.) All these presidents have not been equally distinguished and probably will not be equally remembered, but there is not one of them who has not been true to his country's honor as he believed it and saw it at the time. For ninety years the great powers of the government have been administered by men selected by the people, and no one of them has disgraced the honor conferred upon him in the way that is common in the countries where the king, or the time being holds his seat by hereditary descent. The great principle of the selection of the highest magistrate by the people has been entirely justified by the experience of the American people. And now I trust you will not deem it amiss for me to say a few words of honor and respect for the President of the United States that now is. When President Hayes assumed executive functions—yes, before he assumed them—he was encompassed with difficulties that his predecessors did not have. For the first time, for the second time perhaps I might say, a great doubt existed as to who was elected president, and no doubt gentlemen now here may have been, and certainly the American people were divided upon the question as to who had been elected to the presidency. But the very fact that the question was settled by a tribunal organized for that purpose in peace and quiet is the greatest triumph of American civilization. (Loud applause.) When he entered upon his office he found two States in which were opposing parties, prepared for deadly conflict, and though men have differed as to the mode and means in which those difficulties were avoided and evaded, yet I believe it is the common judgment that the administration of Pres. Hayes acted in this respect with wisdom, and prudence, and to preserve the peace of the American people. His administration was commenced when we were involved in financial difficulties of a serious character, when nearly all our industries were impeded, and all over this broad land were parties demanding legislative interference. Our currency was irredeemable, its value was less than it promised, but such has been the policy adopted by President Hayes, that all those evils have been removed, and now peace and plenty spread themselves all over the country. Men who were idle are now busy, artisans are receiving fair wages, and you in this great mart of commerce are receiving the fruits of this boundless prosperity, and should be thankful to the man who by his firmness aided in bringing this about. No doubt many causes have contributed to this, our large crops and the absence of crops in foreign countries, the surplus of five years of hard times, and the boundless resources of this great country is ours. You after all

must admit that it was by the firmness of the President of the United States that the measure which tended to promote this result was finally brought to a successful issue (applause).

The following is a report of Sherman's speech on the Ute question.

We all pity the poor Indian. I know my friend Dr. Storrs takes a humanitarian view of the case. We have conversed about it to-night. I pity the poor Indian, (applause) but the continent has got to be settled. The supreme command of God has been pronounced, "Go forth and multiply and replenish the earth." (Applause.) You have come from Massachusetts to New York, have gone to Pennsylvania, from Pennsylvania they have gone to Ohio, why there are now more Yankees there than in Massachusetts, and so people have spread to the west and south, and you find Yankees everywhere obeying the divine command. The Indians are entitled to our humanity and consideration. Admit that fact, (applause) but at the same time they must do something for their own living and they must get out of the way. (Applause.) I will merely point out to you the steps which have been taken with these Utes. We have been negotiating and negotiating and negotiating for weeks. They have been ordered to deliver up twelve Indian murderers and they can't do it, are you to sit down like a parcel of fools and let these Indians treat us so? (Loud applause and cries of "No.") I am not going to tell you what we are going to do, but these Indians must submit and deliver up these murderers or take the consequences. (Applause and cries of "Good, good.") If that be inhumanity, then I don't understand what humanity is. If they can go and kill our agents and shoot women and brain children, then we are pitiable indeed. (Loud applause.) I do not think that will be the result. We may for six weeks or more until the snow disappears, for there it is from 16 to 17 feet deep, but just as sure as the snow will pass away those Indians must take their place among the nation or disappear from the face of the earth. (Loud applause.)

Sante Domingo dates to the 8th inst., confirm the announcement of the flight of Pres. Guillermo. The city suffered from hunger before the surrender, and Guillermo is greatly disliked as being responsible for the distress. As a consequence of this feeling the triumphant entry of the revolutionary army on the 17th of November was attended with perfect order. It is still unknown who will be the next president. Peace has been entirely restored. None of the plantations have been destroyed. An outbreak was feared at Cape Haytien and troops were sent to prevent it. Some arrests were made. Business is active.

The *Tribune* says: Yesterday's charges against Indian Commissioner Hayt and Inspector Hammond were made on the authority of one of the Board of Police Commissioners who says he will be responsible for their truth. The *Tribune* reporter called on two of the parties to whom it is alleged Hayt transferred the San Carlos mine. They acknowledge holding title to the property, but decline giving information as to how it came in their possession. Both have business relations with Hayt.

The *Tribune* has this:

Washington, 22.

The statement in to-day's *Tribune*, headed "An Indian Scandal," is utterly unfounded in all things that reflect on me. I request the publication of this dispatch.

(Signed) E. A. HAYT,

Commissioner.

Senator Booth said at the Sturtevant House yesterday that he did not think popular feeling in his State was in favor of the nomination of Grant, although the ex-President would undoubtedly enjoy strong support if nominated and would carry the State.

A dispatch says: On the 27th of November, a bloody and stubborn battle took place between the Chileans and allied forces. The Chileans remained masters of the field, occupying the town of Taracopa.

It is intimated in Treasury circles that while in New York Secretary Sherman will arrange for the sale of the balance of 4 per cent. bonds authorized to be issued under the refunding act of July 14, 1870, and the supplemental act of January 20, 1871.

The next annual report of the