

## By Telegraph.

## CONGRESSIONAL.

## SENATE.

WASHINGTON, 27.—The Senate proceeded to the consideration of the consular and diplomatic bill.

Sargent said the committee had declined to agree to all the cuttings down of the House, and had inserted amendments restoring the salaries, but not expending more than had been expended in former years. About forty consulates had been abolished by the House, which the committee had restored.

The question was taken on the first amendment proposed by the Senate committee as follows—"For the salaries of the envoys extraordinary and ministers plenipotentiary to Great Britain, France, Germany, and Russia, fixed by the House at \$14,056, the committee move to strike out \$14,056 and insert \$17,570."

The Senate agreed to the amendment.

WASHINGTON, 29.—After the introduction of bills and petitions, one of the latter being a petition of General Nelson A. Miles, that \$5,000 of the appropriation for the Sioux may be given to two German girls captured and held several months by the Indians, the Senate resumed the consideration of the consular and diplomatic bill.

Allison, from the committee on Indian affairs, reported favorably on the Senate bill to authorize the Secretary of the Interior to deposit in the U. S. Treasury all sums now held by him, or which he may hereafter receive, as trustee of the various Indian tribes, on account of the redemption of U. S. bonds, or other stocks and securities belonging to the Indian Trust Fund. The bill also provides that the U. S. shall pay 5 per cent. per annum interest on all sums so deposited; *passé*.

WASHINGTON, 30.—After the morning business the Senate took up Morton's Mississippi resolutions, and Bayard spoke in opposition.

Mr. Sargent presented a petition of the regents of the University of California, James Lick and others, trustees of the James Lick fund, asking that a site of land on the mountains, in Santa Barbara, may be granted to the University of California as a site for erecting an observatory, as contemplated in the donation of James Lick; referred to the committee on public lands.

Morton introduced the memorial of a convention of delegates representing the Society of Friends, remonstrating against the transfer of the Indian Bureau from the Interior Department to the War Department; referred.

## HOUSE.

WASHINGTON, 28.—After considerable discussion the House proceeded to vote on the substitute offered by Hurlbut, which was rejected, yeas 32, nays 192, and Glover's resolution was adopted with yeas and nays.

Atkins from the conference committee on the bill to supply the deficiency at the Red Cloud Sioux agency, made a report that the House should concur in the Senate amendment increasing the amount from \$100,000 to \$150,000; the report was agreed to.

WASHINGTON, 28.—Hoar introduced a bill to permit the importation, free of duty, of books printed in any foreign language; referred.

Gordon offered a resolution directing the judiciary committee to inquire into the expediency of preventing the use of the U. S. mails in carrying lottery advertisements; adopted.

WASHINGTON, 29.—Randall, from the committee on rules, introduced a resolution authorizing the Speaker to appoint one additional member to each of the committees on territories, Indian affairs, and public lands, from among the delegates from the territories; adopted.

WASHINGTON, 29.—Randall, chairman of the committee on appropriations, reported a bill to provide for the expenses of the admission of foreign goods to the Centennial Exhibition at Philadelphia; passed.

Banks, from the committee on rules, reported a resolution fixing the compensation of witnesses summoned to appear before the committees of the House at three dollars per day, and allowing five cents per mile mileage; adopted.

The House then, as the regular

order of business, considered the bill reported by Banning, from the committee on military affairs, regulating the pay and allowances of officers of the army.

The bill is to take effect on the first of July next.

The House then proceeded to the consideration of the bill appropriating one hundred and sixty-three thousand dollars for the bureau of printing and engraving of the Treasury, and providing for the issue of silver coin in place of the fractional currency.

At the evening session, the House went into committee of the whole on the legislative appropriation bill, the question being on the several amendments to the item of the salary of senators. The item was then passed as reported in the bill, at \$4,500.

Chittenden moved an amendment providing that the pay of any member so elected to fill a vacancy shall only begin from the date of his election. Agreed to.

The next paragraph was one appropriating a hundred thousand dollars for the various officers, clerks, etc., of the Senate.

## WASHINGTON, 30.

Knott, chairman of the committee on the judiciary, presented articles to be adopted and presented to the Senate, in maintenance and support of impeachment, for high crimes and misdemeanors in office, of Wm. W. Belknap, late Secretary of War, which were recommended and ordered printed, with the understanding that they would be called up on Saturday next.

The House then resumed the consideration of the bill appropriating \$163,000 for the deficiency in the printing and engraving bureau of the Treasury Department, and for the issue of silver coin in place of fractional currency.

WASHINGTON, 31.—Cox presented a memorial from women citizens of the United States, asking for a form of government in the District of Columbia that will secure to the women citizens the right to vote he asked as a matter of grace and favor, that the memorial should be printed in the *Record*.

Banks remarked that it was one hundred years to-day since the wife of John Adams, a member of the Continental Congress, wrote to him to secure an organization of a government which would secure the interests and rights of women. The desire to present this memorial, and to have it noticed in this way, was because this was the centennial anniversary of almost the first presentation of a proposition in the country.

The memorial was received and referred to the committee for the District of Columbia, and ordered printed in the *Record*.

## AMERICAN.

NEW ORLEANS, 27.—Captain Wilds, of the bark *Magdalia*, 800 tons, from Liverpool, in ballast for Passagulia, arrived here to-day, and reports that his vessel was wrecked off Chandler Island, March 18th; James Morrison, the mate, and three men were drowned; the others escaped to the island. The vessel went to pieces during the storm on Sunday the 19th.

WASHINGTON, 27.—A bill was introduced in the House, to-day, by Jones, of Ky., for the distribution of the official patronage of the Government at Washington, equally among the States of the Union; and by Hancock, to authorize the Commissioners of Internal Revenue to refund the taxes collected on the salaries of State officers.

Col. New has withheld, for the present, his resignation as United States Treasurer, at the request of the President and Secretary Bristow.

The decision of the Supreme Court in the Grant-Parish case is very elaborate. It says the elections appear to be only State elections, and there seems to have been no conspiracy on account of race or color, and the charge is really only conspiracy to commit a breach of the peace in the State, and the necessity for Government interference does not hold in this case; the judges, therefore, think that the first, second, third, fourth, sixth, seventh, ninth, tenth, eleventh, twelfth, fourteenth, and fifteenth counts do not contain charges of a criminal nature, made indictable under the laws of the United States, and that consequently they are not good in law; they do not show that it was the intent of the defendants, by their conspiracy, to hinder or prevent the enjoyment of any right granted or secured by the

Constitution. In regard to the fifth and thirteenth counts, which charge an intent to hinder the free exercise of the rights, privileges and immunities granted to the negroes as citizens of the United States, on account of African descent; and the eighth and thirteenth, which charge an intent to prevent these same citizens from enjoying the privileges of the Constitution and laws of the United States, the Court says the accused has a right to a specification of the charges against him, that he may decide whether he should present his defence by a motion to quash the demurrer of the plea, and the court, that it may determine whether the facts will sustain the indictments. If the crime is made to consist in an unlawful combination, with an intent to prevent the enjoyment of any right granted or secured by the Constitution, &c., the indictment should state the particulars. To inform both the court and the accused it must appear from the indictment that the acts charged will, if proven, support a conviction for the offense alleged. The conclusion is irresistible that the counts are too vague and general; they lack the certainty and precision required by the established rules of criminal pleading, and it follows that they are not good and sufficient in law; they are so defective that no judgment of conviction could be pronounced upon them. The order of the circuit court arresting judgment upon the verdict is therefore affirmed, and the cause is remanded, with instructions to discharge the defendants.

Justice Clifford dissented from the opinion, but concurred in the judgment.

Chief Justice Waite delivered the opinion of the Supreme Court in the Kentucky election case. It is very lengthy. The U. S. abandons the first and third counts, and waives the consideration of claims not arising out of the enforcement of the 15th amendment. The opinion says that Congress cannot enforce a penalty for refusal to receive a vote, except when the vote is refused on account of race or color. After discussing the necessity that the statutes should be explicit, having no double meaning, in order that there may be no misconception on the part of either register or elector, he says that the whole statute, with all its sections, should be read in order to get a comprehensive view of the true intent of the law. The language of the 3d and 4th sections does not, in the opinion of the court, confine their operation to unlawful discriminations on account of race, &c. If Congress had power to provide, generally, for the punishment of those who unlawfully interfere to prevent the exercise of the elective franchise, without regard to such discriminations the language of these sections would be broad enough for that purpose. It remains to consider whether a statute, so general as this in its provisions can be made available for the punishment of those who may be guilty of unlawful discrimination against citizens of the U. S., while exercising the elective franchise, on account of race, etc. These sections do not provide for such an offense, and if the case is provided for at all, it is because it comes under the general prohibition against any wrongful act or unlawful obstruction in this particular. The sections cannot be disregarded, even though it is claimed that they are, some of them, unconstitutional; they are all valid, and must be so considered by the State courts. Congress is supreme, and beyond the control of the courts; but if it steps outside of its constitutional limitation and attempts that which is beyond its reach, then the courts are authorized to, and when called upon in due course of legal proceedings must, annul its encroachments upon the reserved power of the states and people. To limit this statute in the manner now asked for would be to make a new law, not to enforce an old one; this is no part of our duty. We must therefore decide that Congress has not yet provided by appropriate legislation for the punishment of the offense charged in the indictment, and that the Circuit Court properly sustained the demurrers and gave judgment for the defendants. Therefore the judgment of the Circuit Court is affirmed. Mr. Justice Hunt and Mr. Justice Clifford dissented from the opinion, but concurred in the judgment.

The Senate in executive session, to-day, considered the report of the committee on foreign relations adverse to the confirmation of Dana; no action was taken, but it is thought the adverse report will be agreed to.

Christiancy's substitute for Morton's Mississippi election resolution is, in effect, that since it is alleged that the late election was characterized by great frauds, and intimidation of colored voters, and that such violence has since been continued in order to influence future elections; and since Congress has the power, and owes it to the country, to enforce the constitutional amendment protecting colored men in their rights, that therefore the chair appoint five senators to investigate these allegations, and to report to the Senate, before the end of the session, what legislation is necessary to secure to the colored citizens the free enjoyment of their constitutional rights.

WORCESTER, Mass., 27.—The top of the Paxton dam, down to the piling, gave way this morning, and has caused a panic below; the manufacturers are removing their goods along the stream, and in the narrow gorge of Cherry Valley the citizens are removing their chattels and families to the hills. The stream runs into the Blackstone river through a series of reservoirs.

BOSTON, 27.—Later advices from Clinton, Mass., show that the damage occasioned by the giving way of the Mossy Pond Dam, was even greater than at first estimated, and that \$200,000 will hardly cover it. It is not known that any lives were lost, but it is reported that two men are missing who were known to have been in one of the buildings destroyed. The scene to-day, for a distance of two miles on the track of the waters, recalls the terrible Mill River disaster. About 2 o'clock on Sunday it became evident that there was danger, and efforts were made to strengthen the dam with mattresses, bales of hay, and small trees, but the efforts were unavailing. The dyke melted like snow, and at three o'clock the waters burst forth with a mighty rush, sweeping away everything in their path. Trees were twisted, snapped and uprooted, and earth and boulders were torn from between the hills, leaving a rough gorge several rods in width. After passing Fullerville down to a branch of the Nashua river, the water had a scope of a large interval, and without further obstruction was carried off by the river. The summary of the buildings destroyed includes Clinton's tannery, the Fullerville Company's factory, a comb factory and four other buildings. The principal losses were at Fullerville, which is now completely ruined. The company occupied five buildings, hardly a vestige of which now remains.

J. Q. A. Sargent, of Manchester, contradicts the published statements that he paid ex-Secretary Belknap \$12,000 to obtain contracts; he pronounces the story unqualifiedly false.

LAWRENCE, Mass., 27.—Some 5,000 or 6,000 mill operatives here are idle to-day, owing to the stoppage of many mills in consequence of unprecedented high water. All the mills on Spicket river are stopped, and serious damage has been done at several points, but fortunately the rivers are free from ice. The water on the Merrimac, this a. m., was forty-one feet above the dam, and though the river had fallen four inches at noon, still higher water is expected.

BOSTON, 27.—Thomas W. Piper, formerly sexton of Warren Street Church, and convicted of the murder of Mabel Young, in that building, on the 23d of May last, was to-day sentenced to be hanged.

MEMPHIS, 27.—There is great alarm here of a disastrous overflow, the river being now within nine inches of the danger line, and is rising steadily; at Devil's Elbow, forty miles above here, it cut through the neck yesterday, shortening the river some fifteen or twenty miles. A steady rain is falling this morning.

MIDDLETOWN, N. Y., 27.—Rysdick's famous stallion Hambletonian died at Chester last night, aged about 28 years; he was the sire of the most noted and valuable trotting stock in this country.

PORTSVILLE, Pa., 27.—Of the collieries owned by the Philadelphia and Reading Coal and Iron Co., twenty resumed work this a. m.; recent rains will interfere with the work to a small extent for several days. In the vicinity of Shenandoah, all the men went to work,

except at the Kohinor and Turkey run mines, where, because of a reduction of the contract work, some of the miners struck this afternoon; these men will decide whether the strike shall be continued.

NEW YORK, 27.—Jno. S. Harris, of California, arrived at Baltimore a few days ago, with twelve Angora goats, which he brought from Asia Minor, after a difficult journey lasting a year; they have already cost him over \$525 a piece; Harris hopes to make them profitable in the Sierras of California.

PORTSMOUTH, N. H., 27.—The brig *A. Porter* went ashore on White Island yesterday; the captain and seven men were drowned; the first mate was the only one saved.

PORTLAND, Me., 27.—The schooner *Harriet Newell* went ashore on Cluff Island, yesterday; the captain and his wife were drowned.

CAYUGA, Ont., 28.—John and James Young, convicted of the murder of Abel McDonald, on the 20th of November last, near Caledonia, have been sentenced to be hanged on June 21st next.

MEMPHIS, Tenn., 28.—There is a settled conviction in the mind of those interested in the river bottom that a disastrous overflow is inevitable; the water, this evening, is within two inches of the danger line, and a scant two feet below extreme high water.

ST. LOUIS, 28.—Chas. P. Chauveau was elected President of the Missouri Pacific Railroad to-day, and John L. Dearborn, Secretary.

A libel suit for \$50,000 was brought in the Circuit Court, to-day, against the *St. Louis Times*, by Watson Foster, of Pike county, the matter growing out of certain publications in the *Times* concerning Foster's statement in relation to H. F. Summers, one of the jurors in the trial of Wm. McKee.

WASHINGTON, 28.—The finance committee have reported a substitute for Sargent's bill relative to silver coin. The substitute provides merely that the silver coins of the United States, except the trade dollar, shall be legal tender at their nominal value for any amount not exceeding five dollars in one payment.

The bill reported favorably from the Senate public lands committee, to-day, is Booth's bill authorizing settlers on the Southern Pacific land grant, between Hollister and Goshen, to purchase locations of 160 acres each, at \$2.50 per acre.

A bill was introduced by Senator Wright, to-day, which proposes to give to the Covington, Columbus and Black Hills Railroad Company of Nebraska, a national charter, under the name of the Sioux City, Black Hills and Pacific Railroad Company, with the right of way and authority to construct and maintain a railroad from Sioux City, through Nebraska, Dakota, Wyoming, Idaho, and to the city of Portland, Oregon; all to be completed within fifteen years.

This led to a conversation which increased his interest on the subject and he consented to look into the matter, to see whether it was worth his while to invest provided he could obtain the means. He thought Stewart was exceedingly anxious that he should have an opportunity to profit in the business; he told Schenck that Park would assist him, and would give him time if he would take five hundred shares, or make an investment of some degree of importance. Schenck wished to know the value of the property, and they gave him diagrams of the mine, and showed him statements of the working operations, the sales of ore at London, Liverpool and Swansea, and of the balance in the bank; they also told him they had a report on the mine from Prof. Silliman, showing the value of the mine. A day or two after this conversation they showed him Silliman's report, and Schenck finally made up his mind to invest in the mine if Park would let him have money on time, say for a year, Park having many shares. This matter was settled between Park and himself about the first of November, when their agreement was reduced to writing and executed; it was utterly false that the agreement was written or executed at any time prior to the date it bore. Schenck then exhibited an agreement for 500 shares, Park promising to give Schenck two per cent. a month on the shares while they should be held by him, or to take them back at par. Subsequently, at Park's request, Schenck agreed to a reduction to 1 1/2 per cent. Schenck