

## BY TELEGRAPH.

## CONGRESSIONAL.

## SENATE.

WASHINGTON, 11.—Schurz said he approached the subject in no party spirit. He was about to retire to private life and the success of any party would not benefit, nor the defeat of any party injure, him. He proceeded to review the scenes of last Monday in the Louisiana legislature, and asked where was the constitutional warrant, where the law for such proceedings. He recited the various excuses made for military interference in this case, but declared that none of these touched the question. The question was where was the law for the acts? It was his deliberate judgment, conscientiously formed, that the deed done on the 4th of January in Louisiana, constitutes a gross and manifest violation of the constitution and laws. It was an act indicating a spirit in our government which either ignores the constitution and laws, or so interprets them that they cease to be a safeguard of independent legislation and of the rights of the people, and this spirit shows itself more alarming still in the instrument the Executive has chosen to carry out his will. No American citizen could have read without profound regret and apprehension the recent dispatch of General Sheridan to the Secretary of War, suggesting that a numerous class of citizens should by wholesale be outlawed as banditti by the mere proclamation of the President, to be delivered over to a military commander for summary judgment by a military commission. He spoke in the highest terms of admiration of Sheridan's military record, but said he was another illustration of how great a man may be as a soldier and how conspicuously unable to understand what the civil law and a constitution mean. The question was asked on every hand, If such things could be done in Louisiana, how long would it be before they would be done in other States or in the House of the nation's representatives. He commented upon affairs in the South, and criticized the legislation of Congress as having had a bad effect on southern partisans, who had come to look upon the President and Congress as their natural allies and sworn protectors, bound to sustain them in power by whatever means. Referring to the Warmouth-Kellogg quarrel, he said, "Your Caseys and Packards carried off the State Senators on a U. S. revenue cutter, and shut up the republican governor in the custom house, guarded by U. S. soldiers to keep out another republican faction; nay more, the same Packard, a U. S. Marshal, during the last election managed the Kellogg campaign, and also the movements of the U. S. troops to keep his political opponents from intimidating his political friends, while the department of justice of the U. S. appeared to be like a central bureau for the regulation of State elections." Speaking of the colored people he said he would hail the day as a most auspicious one for them when they threw off the scandalous leadership of those adventurers who, taking advantage of their ignorance, made them tools for their rapacity. He declared that the people of the south were not murderers and banditti; there were bad elements among them, but the national government itself was giving these bad elements strength they would never otherwise have possessed by constitutional proceedings. He argued that Virginia, North Carolina, and Georgia, where self-government was unobstructed, were advancing in prosperity, while in Louisiana and other States, in a similar political condition, there was no prosperity, and the lawlessness of power was becoming far more dangerous than the lawlessness of mobs. Referring to the lawlessness and the alleged intimidation of voters in the South, he condemned everything of the kind but asserted that it was not all on one side, and in this connection he referred to the discharge of the government employees solely for political reasons, and argued that when the national government was the champion of intimidation, we need not be surprised if partisans on all sides profit by the example. He advised the people of Louisiana to exercise judgment and

moderation, and trust in the justice of their cause, and eventually a spirit of peaceful victory would bury usurpers under a crushing load of patriotic indignation. He declared that the people had lost confidence in the truthfulness of those who parade bloody stories of outrages, because it was often too apparent that they were merely partisan stage thunder to catch votes. He declared his belief that the conservatives fairly carried the election, and were defrauded out of the result by the returning board, and this act had been sustained by U. S. soldiers. He hoped his motion to instruct the judiciary committee would not result in a bill for a new election in Louisiana, with Sheridan as chief ruler and Packard to conduct the campaign. No measure would avail which did not boldly vindicate the constitutional privilege of the land, and preserve to the State the right of self-government.

At the expiration of the morning hour Clayton moved to proceed with the consideration of his resolution calling upon the Secretary of War for the official report and communications of Major Lewis Merrill, of the U. S. A., in reference to the Coushatta trouble; agreed to.

Davis asked if this was the same Merrill who had, while in command in South Carolina, committed so many outrages, and who was now under arrest in Louisiana for handcuffing citizens, cutting the telegraph wires, &c., and suggested an amendment of the resolution, so as to have General Emory report on Merrill's conduct.

Clayton defended Merrill as an honorable true officer.

## HOUSE.

Fields introduced a bill to increase import duties ten per cent. after March 25, '75, and an additional ten per cent. quarterly till the price of American gold shall not exceed the par of legal tender notes.

Cox offered a preamble setting forth the interference of the U. S. military forces in the organization of the Louisiana legislature, resulting in dispersing said legislature, and that such action had received the sanction and ratification of the President of the U. S., and resolutions that in the judgment of the house, such intervention and control were in violation of the federal constitution, subversive of the principles upon which our system of government is founded and without a precedent in the history of this or any other free government; that they were defiant and insolent breaches of parliamentary privileges, illegal and revolutionary infractions of local government chartered liberty and solemn treaty obligations, and not only unjustifiable outrages upon the State of Louisiana, but a menace to the rights, liberties, and dignity of every other state; that therefore, the representatives of the people of the United States demand the restoration of tranquillity, order and civil discipline in Louisiana, by the immediate withdrawal of the military force of the U. S., and the condign punishment to those guilty of this reckless usurpation; referred to the judiciary committee.

## AMERICAN.

VICKSBURG, 11.—Conger announced that the Congressional committee would close its sittings on Wednesday. The witnesses examined testified to additional acts of cruelty, outrages and illegal proceedings on election day. Crosby was examined at great length. He said he resigned because he feared for his life if he refused, and also for that of General Packer. He was informed that he had authority to summon a posse, but though he authorized the call it was put in much stronger language than he designed.

HARRISBURG, Pa., 11.—The House of Representatives, this evening, adopted resolutions condemning the recent action of the military usurpation of power, and directing the chair to appoint a committee to report resolutions embodying the sense of the House in the premises.

OMAHA, 11.—The convicts in the State penitentiary, under the lead of the notorious McWaters, revolted to-day, and seized the armory; they overpowered the guards, and shot one named Julius Goshen, wounding him severely; another is reported to be dying. Two citizens, who were approaching with an

armed crowd, were wounded by shots from the convicts. The warden was absent in the city. His wife and children and a female convict were locked in the upper part of the building, and grave apprehensions were felt for their safety, as the convicts are desperate men. The warden and a large body of citizens are patrolling outside the prison, and it is momentarily expected that the convicts will sally forth; Governor Furnas has applied to General Ord for aid, and a company of troops left this evening on a special train for Lincoln.

NEW ORLEANS, 11.—The republican members of the legislature forwarded their account of the recent troubles to congress to-day.

SAN FRANCISCO, 11.—Arrived to-day the ship *Annie M. Small*, from New York. She reports that when in the Straits of Lemaire she picked up a boat containing the Captain and wife, steward and wife, two mates, carpenter, sail maker and four seamen of the British bark *Willie T. Thompson*, from St. John's, N. B., burned fifteen days previously.

The annual report of the San Francisco Wool Exchange gives the wool product of California, for 1874, at nearly forty million pounds, being a large increase over any previous year.

WASHINGTON, 11.—Secretary Belknap, to-day, received a letter from Wendell Phillips, expressing gratification at the tone of Sheridan's dispatches, and his thanks to the administration for upholding him.

Andrew Johnson, the only union democratic candidate, seems to have a fair prospect of being chosen senator by the Tennessee legislature, which begins balloting tomorrow. It is expected that the union democrats will concentrate upon him against the regular democratic nominee, who will be an ex-confederate.

Governor Hawley, while hesitating to express definite opinion on the entire Louisiana case, and the legality of the action there, disapproves of the interference of the military in any event, and would have preferred that the legislature should have been organized illegally and fraudulently rather than there should have been any interference beyond what was necessary to keep the peace. The troops were sent to New Orleans to restrain the people from a forcible collision, and not to organize the legislature.

A strong suspicion is expressed by well informed parties that the mishap to the N. Y. train on the Baltimore and Philadelphia Railway, on the night of the 7th was not wholly an accident. The fact that \$800,000 in paper money was admitted to have been on board, and that it is claimed to have been all destroyed by fire, is looked on as corroborating these suspicions. An investigation is not improbable.

A bill was introduced by Sargent to-day authorizing the issue of mining patents in certain cases. It provides that foreigners may be granted patents for *bona fide* mining claims purchased by them from citizens prior to May, 1872, if all the provisions of the law of that date have since been complied with. The bill also provides that citizens in *bona fide* possession of mining claims shall not be refused patents on the ground merely that one or more of the locators thereof may have been foreigners at the date of location, provided the location was made prior to May 10, '72.

Luttrell will, to-morrow, introduce a bill, which will be supported by Clayton, Page and Houghton, to provide for the reclaiming of desert lands in Lassen Co., Cal. It authorizes any citizen to file, in the local land office, a declaration that he intends to reclaim a particularly desirable tract of desert land, not exceeding one section, by conducting water thereon in two years thereafter, and upon making proof of doing so, he shall be allowed to purchase the same on payment to the government of one dollar and twenty-five cents per acre. All not mineral lands or timber lands, which do not produce grass, or which will not, without irrigation, produce some agricultural crop, shall be considered desert lands in the meaning of this bill. The measure is carefully guarded against monopolies and other abuses. It will be heartily supported by the Pacific coast members as a means for giving value to large tracts of alkali and sage brush lands now returned by the government surveyors as worthless.

The record in the case of Ah Fook, a Chinese woman claimed to have been brought to California for immoral purposes, and involving the right of the State to return her, has reached the office of the Supreme Court and has been filed, and it is expected that a motion will soon be made to advance it on the docket.

Before the Supreme Court to-day, the case of French vs. Edwards *et al*, in error to the circuit court of California. This was an action of ejectment. The plaintiff conveyed lands to trustees for the use of certain railroads, providing, in a deed that the conveyance in trust should be void in case the road was not built, and the road not being built, this suit was commenced to recover possession. The court held that the legal title conveyed to the trustees was still vested in them, and that therefore, the plaintiff could not recover. This court holds that this conclusion of law was an error, that the presumption should have been, on the contrary, that the trustees had reconveyed to plaintiff and that the property was invested in him. The judgment of the lower court was reversed. Mr. Justice Swayne delivered the opinion.

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