

By Telegraph.

CONGRESSIONAL.

SENATE.

WASHINGTON, 16.

Miles called up the President's message about the occupation of Petersburg. Johnson quoted from the *Record*, showing that Sherman had said Virginia, unlike other Southern States, was at peace. Johnson held that this was true. The races had lived together harmoniously, and the President had no right to send troops there, because there had been a street fight at the previous election. The Constitution never intended the army should be evoked merely to keep the peace, but that it should be used in concert with State authorities in suppressing domestic violence. He explained how the negroes organized and voted the republican ticket in Petersburg.

Withers said it was of little consequence whether a few troops were or were not at Petersburg on election day. The great question was whether the executive department should be allowed to control the ballot by the army? If so, Congress has been wasting time counting the electoral vote. The military at the polls to influence votes filled him with alarm for the safety and perpetuity of a free government. He condemned Taff's loose interpretation of the law and the use of the military in State governments and its congregation about the capital. Corruption, fraud and violence had preceded the downfall of other republics. We have had fraud and corruption, and who can say when the third step would be taken. Virginia had lived under a despotic government and could endure it. It was for the northern people to say whether they would consent to the change.

Whyte attributed this trouble to the act of 1865, authorizing the sending of troops to keep the peace at the polls.

Withers submitted a bill authorizing the judiciary committee to inquire into and report whether the attorney general's interpretation of the laws touching the elective franchise, of Sept. 7th, 1876, was correct; agreed to.

WASHINGTON, 17.—Morton took the floor to reply to Johnson and Withers, yesterday, concerning the Petersburg case, defending the President's action, declaring that under the law the President might send troops to the polls in any state to keep the peace.

Morton stated that the money for defraying the expenses of the elections committee was expended, and a bill appropriating an additional \$25,000, which passed the Senate, was delayed in the House. The Louisiana committee investigations were very important, but must stop unless more money was forthcoming. He said this to free himself from the responsibility of the suspension of these investigations.

HOUSE.

WASHINGTON, 15.—Caulfield moved to suspend the rules and pass a bill providing that it shall be unlawful for more than one regiment of infantry, one company of cavalry, and one battery of artillery to be stationed at the Capital of the United States, and that no portion of that force shall be allowed within half a mile of the Capitol during the sessions of Congress.

Cochrane moved to suspend the rules and adopt a resolution instructing the judiciary committee to enquire into the propriety of revoking any concessions and privileges held by the Western Union Telegraph Company under Congressional acts, owing to the contumacy of the company.

Wm. Orton was before the Bar of the House for contempt, in not producing certain telegrams before the Louisiana investigating committee. Mr. Orton, through his counsel, Lowry, pleaded illness as an excuse for his non-attendance. The whole matter was referred to the judiciary committee, and Orton remanded to the custody of the Sergeant-at-Arms.

Orton's answer represents—First, that when subpoenaed he was suffering from such ailment, that ever since it was impossible to take a long journey. Second, that the desired telegrams had never been in his control except as agent of the company, and that the company had, without his knowledge or participation, taken from him all power over the telegrams sent through its offices. He disclaims

any intentional disrespect to the committee or the House, and says he will appear before the committee on its return and give his testimony fully and freely. He, therefore, asks to be discharged from custody.

Whyte, of Kentucky, introduced a resolution reciting that fears are entertained concerning the peaceable solution of the presidential question, and declaring any attempt to prejudice or excite the public mind, in advance of constitutional authority, as unwise, unpatriotic and dangerous to the country; adopted.

WASHINGTON, 16.—The resolution allowing the elections committee to send for papers, etc., and sit during the sessions of the House, was adopted—149 to 70.

Lynde, from the judiciary committee, reported the refusal of the Louisiana returning board to produce certain papers before the House committee, and concluded with a resolution directing the sergeant-at-arms to bring them before the Bar of the House.

Huntton, from the judiciary committee, reported a resolution permitting Orton to proceed, in charge of the sergeant-at-arms, to New York, to consult his physician, and providing for his return on Friday; adopted.

WASHINGTON, 17.—A resolution was adopted permitting E. W. Barnes to go to New Orleans, in the custody of a sergeant-at-arms, to procure certain telegrams, and return them within ten days.

The resolution reported by the judiciary committee, yesterday, in relation to the refusal of the members of the Louisiana returning board to produce certain papers, was discussed.

After a two hours debate, in which Banks, of Mass., declared that the State of Louisiana ought not to yield up the papers except to an overwhelming force and that the United States ought not to permit her to yield them, and which was closed by Cox with a peroration showing the miserable condition of Louisiana under federal bayonets, and declaring that now the voice of Louisiana had been given for liberty, for peace, for democracy and for Samuel J. Tilden, the resolution was adopted by a party vote.

WASHINGTON, 17.—Stone, of Missouri, introduced a bill for the organization of the Territory of Oklahoma; referred.

Kidder introduced a bill extending the time for the payment of public lands where grasshoppers have destroyed the crop; also establishing a land district in the Black Hills.

The resolution to bring the members of the returning board before the House for contempt was adopted—153 to 81; a strict party vote.

AMERICAN.

BUFFALO, 15.—The late snow storm has so completely blocked the eastern roads that no live stock has been sent from this point for the western market since Friday.

NEW YORK, 15.—This city and vicinity has been visited by another snow storm, and navigation, both by land and water, is very difficult. There are six westward bound trains on the New York Central railroad blocked by snow, and no trains have passed Lockport, New York, since early on Saturday morning. The California mails are delayed about forty-eight hours.

The accident on the Buffalo railroad killed two laborers and wounded three.

Judge Donohue has decided that Dr. Phelps is justified under the statute, in refusing to answer the grand jury about the Bennett-May duel, also that Judge Gildersleeve is justified in committing him for contempt, as he did not avail himself of the technicality of the saying "his testimony would criminate himself." Judge Gildersleeve has discharged Phelps, who promises to go before the grand jury to-morrow.

NEW ORLEANS, 15.—The republicans are much elated over the new phase of affairs, while the democrats assert that the order of the President to Gen. Auger will not compel him to interfere unless to prevent bloodshed.

Nicholls' and the democratic legislature will not hold Packard's proclamation of this morning, and the former will resist any attempt of Packard to recapture the courts or station houses.

Gen. Auger does not regard the order of the President, received last night, as materially changing his former instructions.

The *Times* extra says Judge Shaw has issued a writ of *habeas corpus* requiring the sheriff of the House to produce the assistant sergeants-at-arms now in the parish prison, who were arrested by Baylan's police, and while attempting to arrest senators at Pinchback's house.

The Sixth District Court has issued an order to sheriff Handy, reciting that one S. B. Packard, a wicked and shameless impostor, has issued a proclamation, and that considering his pretensions to be governor have no foundation, except in that he pretends to be supported by the irresistible power of the national government, it is ordered that the civil sheriff of this parish, Handy, provide sufficient force to guard this court from any violence or intrusion.

The *Evening Democrat*, referring to the probability of Governor Packard's attempting the retaking of the courts and stations, says Packard, however, is playing a dangerous game. The patience of this people is well-nigh exhausted, and if they are forced into a conflict which is calculated and designed to again rob them of the government of their choice, and the blessings of an honest and efficient administration, their wrath will be difficult to restrain, and we for one hope no hand will be able to restrain it. If Mr. Packard forces this conflict, we appeal to our friends to spare, as far as a final and complete victory permit, the lives of metropolitan and negro dues. We advise them to let the full weight of their vengeance fall upon the leaders of this iniquitous, murderous and most damnable scheme, and to follow Packard into the hotel; and, if need be, into the custom house itself, and hang him from its highest window.

CHICAGO, 15.—Early this morning a heavy snow storm, accompanied with a violent north-east wind, set in, and has continued up to midnight, without abatement. The street cars have managed to keep their tracks clear enough for occasional trips, and the railroad trains have not been completely stopped, but all of them have been delayed greatly, and probably some freight trains will be laid off to-night. Advices from several States in the west show that the storm is very great, and that from one to three feet of snow are on the ground. The weather is moderately cold. No disasters have been reported yet in any direction.

WASHINGTON, 15.—Representatives Gibson, Ellis and Levy, today, received from Governor Nicholls, of Louisiana, a copy, by telegraph, of the dispatch sent last night to General Auger by the President. It was shown to various members of the House, and was considered substantially a recognition of the Packard government. No formal opinion has been rendered to the President by the Attorney General on the subject, but it is well understood that the Attorney General regards the Packard government as the legal one of Louisiana.

PITTSBURG, 15.—The river is still rising, and the wind high. The Allegheny River at Oil City is still closed; no signs of a break up.

LOUISVILLE, 15.—Rain fell all day. Gorged ice, varying in size from a wheelbarrow to a circus tent, floated down the river the entire day. The noise made by the ice as it passed over the falls was much like that heard at Niagara. The grandeur of the scene is increased by parts of steamboats, a dozen barges, flat boats, rafts, all heaped together, floating with the ice. The steamer *Bannock City* passed over the falls. Report says a barge, containing five men, also went over. The damage here is very small.

At ten to-night the river is still rising.

NEW ORLEANS, 16.—The *World's* New Orleans special says if Packard makes an attempt to carry out his threats, his forces will be routed; but it is scarcely conceivable that he can organize a body of men for the purpose. He might get together 1,000 of all sorts, but it is not believed they will move forward to an attack in the face of the determined attitude of the population. Packard thought that the legal legislature, police, and militia would disperse on the publication of his proclamation, but of this there is not the slightest prospect. The legislature and courts are now in session. Everybody says Grant's interference to settle the contested judiciary case is as violently and conspicuously illegal as his invasion of the legislature in 1875.

The *Herald's* Washington special says the fear that the Nicholls government, if it should prevail, would undertake to canvass the electoral vote, moved the republican leaders here to extraordinary exertions in behalf of Packard, and it is probable the administration will try to keep the Packard government in existence, at least until after the electoral vote is counted. After that it is an open secret here that leading republicans will let Packard take care of himself, for they are heartily tired of maintaining southern State governments by federal interference. It is noticed here that since the democrats declared South Carolina to have gone for Hayes there is very little republican sympathy here for Chamberlain.

The winter thus far is unparalleled in severity. From all quarters come accounts of heavy snow, detention of trains and destruction of life and property.

The democrats are still hopeful, while the republicans claim that the President's dispatch to General Auger foreshadows an early recognition of Packard's government.

CHICAGO, 16.—The mail, passenger and express trains on all the roads, to-day, are from one to twelve hours late. All the trains have been dispatched at the usual time. No accidents are reported. A light snow is still falling, and not less than two feet is now on the ground.

The following was received at the military headquarters to-day—

St. Paul, Minn, Jan. 16.

To Adjutant General Deas, of Missouri.

A dispatch received from Col. Miles states that on the 18th of December three companies of the Fifth Infantry, under Lieut. Baldwin, struck Sitting Bull's camp on the Redwater, and defeated him with a loss of all the property in the camp and sixty mules and ponies. The Indians escaped with little besides what they had on their persons.

(Signed) ALFRED H. TERRY,

Brigadier General.

AUGUSTA, Maine, 16.—James G. Blaine has been elected United States Senator for the long and short term.

CHICAGO, 16.—The *Journal's* Washington special says the *Inter-Ocean's* Washington representative has a letter from Kentucky saying that the democrats are following Henry Watterson's advice, and already ten thousand of them are organized to come to Washington armed on February 14th, to be on hand in case of need when the votes are counted.

WASHINGTON, 16.—The following decision was rendered in the United States Supreme Court in the case of Wiggins vs. the people of the United States in Utah Territory, error to the Supreme Court of Utah Territory: It is here held that a writ of error from this court to the supreme court of the Territory is allowed by section three of the act of June 23, 1870, in conviction for bigamy, polygamy, or sentences of death, for any crimes that in a trial for homicide, when the question whether the prisoner or deceased commenced the encounter which resulted in death is in any manner of doubt, it is competent to prove threats of violence against the prisoner made by the deceased, though not brought to the knowledge of the prisoner. Reversed. Justice Miller delivered the opinion. Justice Clifford dissenting.

NEW YORK, 16.—The *Sun* accepts the probability that the joint congressional committees on counting the electoral vote will report in favor of a tribunal of five Senators and five Representatives, from which one member shall be dropped by lot. The remainder, in conjunction with four Supreme Court Judges, to determine irrevocably all issues in counting the electoral vote on which both houses of Congress fail to agree. The *Sun* opposes the scheme as one with which the country will not be satisfied. The element of chance should not enter into the settlement of this question; besides, canvassing the electoral votes is not the proper function of the Supreme Court.

The *World* also throws cold water on the scheme.

SAN FRANCISCO, 16.—Rain commenced falling lightly this morning, and throughout the day occasional slight showers with a fresh wind, varying from south to west. The barometer is falling and indi-

cations favor more rain to-night. Reports from all parts of the State show that in the southern counties, San Diego, Los Angeles, San Luis, and Obispo rain is threatened, but none has yet fallen since that previously reported. The indications are that the present change in the weather will result in a general storm. If such prove the case, and rain falls copiously, good crops may be expected in all portions of the State, as it is only in a few limited localities that any serious consequences have as yet ensued from the drouth. The damage, such as it is, has been mostly confined to San Diego and those portions of Sacramento and San Joaquin valleys in the vicinity of Sacramento and Stockton.

Later dispatches indicates that the storm is spreading southward. It is raining throughout the southern counties this evening, as well as the central and northern parts of the State. Reports from all parts say the prospects are good for a continuance.

Legal proceedings were commenced, to-day, in the district court, Eureka, Nevada, by the Eureka Mining Co. against the Richmond Mining Co., to recover damages alleged to have been sustained by the encroachment of defendant upon the ground of the plaintiff. The exact amount at issue has not yet been ascertained, but the surveyor's report estimates the amount of ore taken from the plaintiff's ground at 40,000 tons, valued in the neighborhood of \$2,500,000. The Richmond mine is owned by English capitalists.

PITTSBURG, Pa., 16.—The Monongahela is twenty-three feet, and rising fast. The heavy rains of yesterday caused a break up in Younghiogheny, and other tributaries of the Monongahela, which has swelled the latter to an enormous height. The avalanche of ice was even more famous than that of Sunday, and with the high water has completed the destruction which was begun on Sunday morning. To escape Sunday's disaster, Messrs. Brown & Co., James O'Neil, N. J. Begley, John F. Dravo and John Penny had run their crafts into the Younghiogheny, above McKeesport; these were all swept away and lost.

ST. PAUL, Minn., 16.—The Hon. Wm. Windom was, to-day, elected to the United States Senate for six years, beginning March 4th next.

By the explosion of the boiler of a steam thrasher, in Bloomington, Hennepin Co., two men and a boy were instantly killed and horribly mangled.

The late Major General John P. Bankson's affairs and accounts show defalcation or deficiencies amounting to \$150,000.

CHICAGO, 16.—The *Tribune's* Washington special says the democrats and republicans alike consider that the President's dispatch recognizes Packard, and despite his statement that he did not intend it to be thus understood.

DETROIT, 16.—T. W. Ferry was, to-day, re-elected United States Senator by a unanimous republican vote in the assembly.

MEMPHIS, 16.—During the heavy rain-storm yesterday, a fall of small, live snakes was noticed in the southern part of the city, thousands of which could be seen to-day. They are from a foot to a foot and a half in length.

WASHINGTON, 16.—The President, to-day, received telegrams from Gen. Auger conveying information that Gov. Packard had applied to him for assistance to reinstate the Supreme Court in the building of which they had been dispossessed, and to therewith enforce Packard's proclamation, and that he had informed Packard that he did not understand his instructions as authorizing the use of the troops for any such purpose, but he had referred the matter to the President. The President replied to Gen. Auger that his understanding of his instructions was correct, and that the forces under his command are not to be used except to prevent a breach of public peace by either of the opposing political parties.

In a lengthy communication from S. B. Packard, to Gen. Auger, regarding the state of affairs in New Orleans, and the instructions received from President Grant about recognizing the legal government, Packard concludes as follows:

"I learn that it is the President's wish that the present status be maintained throughout the State until the congressional committees now in Louisiana, return; and feeling assured that the legal status