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PORTER'S GREAT SPEECH

CONTINUATION OF HIS MASTERLY ADDRESS TO THE JURY.

Terrible Portrayal of the Depraved Character of the Prisoner and Caustic Puncturing of the Fallacies of the Theories of the Defense—Eloquent and Earnest Defense of Grant and Conkling from the Insinuations of Scoville—Tribute to the Worth of President Garfield—The Devil and the Herd of Swine of the Scriptures Aptly Used in Illustration—Frequent and Grossly Insulting Interruptions by the Prisoner—The Argument Not Completed Upon the Adjournment of Court.

WASHINGTON, Jan. 24.—As soon as court opened Judge Porter was about to begin his speech, when the prisoner forestalled him and called out from the dock: "I desire to say that some crank has signed my name to a letter that appeared in a paper this morning. It was without my authority, and I repudiate it. I also want to say in regard to a couple of cranks that I understand have been arrested for hanging around here. If they undertake to harm me they will be shot down. I want everyone to understand this."

Judge Porter, who had paused to permit this preliminary announcement, began by saying the prisoner as usual, has made the opening speech. After thanking the court and jury for their consideration yesterday, which had made it possible for him to appear before them to day, Judge Porter said:

A SHAMEFUL DEFENSE.

This whole defense has been a shame and an imposture—an imposture which was supposed to have gained a strength of evidence from reiteration. The truth asserted by this defense is that truth which is uttered with effrontery enforced by persistency and reduplicated by reiteration. This is the truth which they assert in opposition to that truth which you are to ascertain and declare. In my remarks yesterday, I showed you how the prisoner has belied by his acts his professions; how he has belied by his acts, the character given him by his counsel. I showed you that he had been a liar, a swindler, a murderer at heart from the beginning. That this man has grown worse every year of his life we have all seen and know."

TART REJOINDERS.

Guiteau—"That's bosh, and you know it, Porter."

Judge Porter continued to depict the character of the prisoner and the fallacies of his actions, when Guiteau again, and again interrupted him at one time calling out: "Attorney General MacVeagh would'nt have anything to do with it."

Judge Porter, half replying to the prisoner, said: "And this Christian gentleman would have you even believe that the Attorney General MacVeagh had dipped his hands in Garfield's blood."

Guiteau—"Oh, that's very fine."

A moment later allusion having been made by Porter to the present attorney general, Guiteau bawled out. "He's a high toned gentleman, and you're a wine bibber. I've got your record, Mr. Porter."

Judge Porter, with deliberation: "Well, perhaps I am."

Guiteau with a drawling accent: "Well, I guess you are, Mr. Judge Porter."

A SPIRIT OF WOE.

Continuing, Judge Porter said: "This Christian gentleman, who prays every night and every morning, would have you believe I am a wine bibber." With great effect, and impressive earnestness of manner, Judge Porter emphasized, by an anecdote which he related, the distinction between a spirit of love and a spirit of woe. "The latter being is expressed in the life and character of the prisoner."

The first serious outbreak of the morning occurred when Judge Porter, adverting to the statement of the prisoner's counsel, and the reiterated assertions of the prisoner himself, that the notes of Stenographer Bailey were destroyed by the prosecution because they would have benefited the defense, denied the right of the defense to expect or demand to see papers prepared by the prosecution solely for their own use. "Furthermore," said Judge Porter, "There was not contained in them anything asserted by the defense that would have improved their standing in this case."

RULED AGAINST.

Scoville insisted upon being heard and demanded the court stop counsel from making any such statements on his own authority as to the contents of papers which had not been in evidence before the jury.

Judge Porter insisted he had a right to deny statements of the same character made by the other side.

Judge Cox thought counsel had no right to make any statement as to the contents of such papers.

Judge Porter, with much feeling, protested that he had been a practitioner longer than the judge, and had never before heard such ruling. He, (Porter,) was of course debarred from taking a legal exception, but he must protest against the unfairness in the ruling which would admit all sorts of statements from the prisoner and from the counsel, and yet would debar the prosecution from all opportunity of refuting.

Reed, with considerable excitement, said: "If I was Judge I would put him under arrest. Such insults to the court should be punished.

REASONABLE DOUBT.

Judge Porter resumed his argument and proceeded to discuss the question of reasonable doubt as an element of the defense of insanity. Referring to the decision of Judge Martin, New Jersey, which had been reinforced by the decision in Erie, New York, he was again interrupted by Scoville, who desired to know if arguments were to be heard again upon law points. A sharp colloquy between the counsel ensued when Judge Porter removed the objection by handing his authority to the Judge, saying, "It will answer every purpose of mine, your honor, if you should have occasion to rule upon the point."

WHO KILLED GARFIELD.

Returning again to the crime and its commission, Judge Porter said: "Who killed Garfield?"

Guiteau—"The doctors, Porter. Yes, the Lord let them do it to confirm my act."

Judge Porter—"Secretary Blaine was not responsible."

Guiteau—"I say morally responsible."

Porter—"Mr. Blaine saved his life on that night before the murder simply by his presence with him as they walked together. He might have saved his life on the fatal 2d of July but from the fact that the murderer stole up from behind." The prisoner confessed that Mrs. Garfield's presence with her husband on a former occasion had prevented him from shooting. He was asked if Mrs. Garfield had been leaning upon his arm instead of Blaine on that fatal morning would you have shot him, and he answered "no." Then Mrs. Garfield is responsible for her husbands's death, according to the fallacy of this wretchedly fallacious defence.

MONSTROUS SENTIMENTS.

Referring to the oratorical flight of counsel for the defense when he presented the president's widow at her daily prayers, praying for acquittal of the prisoner in the name of justice, Judge Porter in burning language showed up the profanity and inconsistency of such assertions and rebuked the assumption of a man who had never exchanged a word with Mrs. Garfield in presuming to credit her with such monstrous sentiments. Continuing, Judge Porter said: "Who else is responsible? John H. Noyes. He is responsible. He killed Garfield. John H. Noyes, from whom the prisoner stole his lectures."

"That is false. I rely on my own brains for my productions."

Who else? His father is responsible, that father whom he struck when 18 years old. He killed President Garfield; that father whom he says he can never forgive and with whom he had not for the last fifteen years of his honored life, exchanged a word. Who else is responsible? Why, the mother; the mother whom he scarcely even remembers, who was guilty of the monstrosity of having an attack of erysipelas, so as to necessitate cutting off of her hair some weeks before his birth, and who for this reason, it is asserted, transmitted congenital insanity to this murderer. Who else is responsible? Why, Uncle Abram, who was drunken and dissolute but not insane. He transmitted insanity to him, although he did not become insane until after he (the prisoner) was born. He killed Garfield by making the prisoner insane. Who else is responsible? Why, Uncle Francis killed Garfield. Uncle Francis, who, as we are told, being disappointed in love, either killed the husband of the woman he loved, or fought a sham duel and long after became demented. He killed Garfield by making this man a congenital monstrosity, as Dr. Spitzka says. Then Cousin Abbey, she is responsible, who, unfortunately, was taken possession of by one of this Guiteau tribe, a traveling mesmerist, and her young mind so wrought upon that finally she was, for better protection, sent to an insane asylum. She killed Garfield by making this murderer insane, and as if all this were not enough to kill President Garfield.

Guiteau—"Ther's enough to kill your case according to your own showing."

Judge Porter—"Why the Chicago convention killed him. If this had'nt nominated him I should not have killed him," says the prisoner. "The doctors killed him, for if he had not been chosen president he would not have been killed. His nomination was the act of God. His election was the act of God, says the prisoner, and he would have us believe the Deity who had thus twice confirmed his choice, found it necessary to correct his labors by appointing this wretched swindler, this hypocrite, this syphilitic monstrosity to murder the president, whose nomination and election he had confirmed. Those are the defenses put forward by this prisoner and his learned counsel to divert your attention from the fact that the

DELIBERATE MURDERER OF GARFIELD

is there (pointing to the prisoner). But even this is not enough. The press killed Garfield, and the press is arraigned by the prisoner, and without an indictment the press is found guilty by the murderer, but fortunately they are found guilty only by the blistered tongue of the murderous liar himself."

Referring to Reed's suggestion about Mrs. Garfield praying on behalf of the prisoner, Porter said: "Imagine what sort of creeds these are that the counsel thus brings up. Imagine the aged mother of the president coming before you draped in black. Imagine according to the old custom of English laws, this trial taking place in the presence of the corpse. Garfield mutilated by the murderer, enwrapped in white linen, through which it was supposed the mere approach of the murderer would start the blood to flow. Imagine Garfield lying there, not one of the clavicles of his back bone, but the whole man, cold in death, with the death sweat not even yet dry, his brow drawn with an expression of agony, which this prisoner put there and with the cowering assassin here, shirking fear approach to the body, which was required by the old Princess of Bierrite. Imagine the aged mother who had looked to that son to close her eyes in death, bowing with grief at the coffin head with Mrs. Garfield, whose lips were the last that touched the cold lips of the president, sitting at his feet in dust and ashes. If in such a scene Mr. Charles Reed stood up and said the woman who seems to you to be kneeling only to God in her sorrow, is kneeling to God in prayer that this murderer shall be dealt with leniently, what would you think of it? It is well for us all, gentlemen, that the law does not call upon a juror to leave only the immortal part of their nature, their moral nature, outside of the court house when they come to administer justice. Although Garfield is dead, the prisoner speaks and has spoken on the witness stand these words, which prove him to be not only an assassin, but a meditating, deliberate, sane and responsible assassin of the president. This man slaughtered Garfield as he would have slaughtered a calf, had he wanted to eat.

"The doctors did that," said the prisoner, "and having disposed of him in that way, in comes his counsel and charges with crime those who occupy a too lofty position to notice the vipers that said it, and who would have degraded the dignity of their office by noticing it. One of them is a distinguished American senator, who at this moment, except that he was too proud and too lofty to accept office, would be sitting as chief justice of the supreme court of the United States, the son of a great and honored American jurist, a man who, still young in years, has commanded more of attention at home and abroad, of the admirers of intellectual greatness, of the loftiest eloquence of the greatest statesmanship, than any man, perhaps, even of his time. Better still, he is a man honest in all he undertakes, a man faithful to his friends, faithful to his convictions, even though they involve sacrifice. That man capable of doing what but few men are, resigning the leadership of the American senate and do it at the peril of his own political destruction; a man of integrity of courage and fearlessness and manliness which made this withdrawal a matter of regret even to his political adversaries; such a man is to-day arraigned before an American jury and arraigned not by the criminal, but by the criminal's defense, ("Without my knowledge," interposed the prisoner) as responsible for the murder of Garfield.

Another of those so arraigned is a man, more honored in the confederate states than any American, save their own cherished leader, General Lee; a man who is honored in the Northern states for services rendered, first in war and afterwards in reconciliating the difficulties which grew out of the war; a man whose life has been without dishonor and without reproach; a man elevated to conspicuous positions, the successor of Washington and Jefferson, Jackson and Lincoln; one who after he left that place was welcome to every European and Oriental land as one of the ablest men and purest personal characters to be named in the history of the nineteenth century; that man is arraigned by the lawyer of Guiteau ("but not by Guiteau" interrupted the prisoner), as responsible for the murder of Gen. Garfield. More than that, we have the president of the United States.

The prisoner—"Made so by the inspiration of Guiteau; don't you forget that, Mr. Porter. You do not represent him here, either,"

Porter—"The successor of Garfield and Hayes, and Lincoln and Jackson, and Jefferson and Adams and Washington. Elelevated to that position not by the assassin, but by the choice of his countrymen, and when this creature says 'I made Arthur president,' he forgets Gen. Arthur was made president by the voice of his countrymen, by that very voice which made Garfield president. He was made president under the constitution and laws. Millard Fillmore was just as truly elected by the people as the president whom he succeeded."

The Prisoner—"That is a false statement, Mr. Arthur and Mr. Fillmore were nominated as vice presidents, and would not have been nominated as president at the time."

Mr. Porter—"This man told you in his speech last Saturday, Garfield might have died from any other cause, that he might have trod upon and orange peel and received an injury which might have caused his death, or that he might have trod upon a rattlesnake whose fangs might have pierced his heel. Was it an orange peel or rattlesnake that made Arthur president?"

"Neither," said the prisoner.

"Both, because the prisoner has shown himself all his life, as slippery as an orange peel and venomous as a rattlesnake."

The prisoner—"That is false, and you know it."

Mr. Porter—"But in one respect he is more than a rattlesnake, for Providence has provided in respect to the reptile, there shall be a warning at one end, and venom at the other. This was a rattlesnake without a rattle, but not without fangs, and when he tells you he made Gen. Arthur president of the United States, he made him president in just the same sense in which a rattlesnake might have done it, by introducing into President Garfield's veins the venom which in eight days would bring him down to the grave. Mr. Reed, as counsel for the prisoner, has chosen to pose here as the friend of Garfield. I take it for granted he has read those memorials saying of President Garfield, simple as childhood, guileless, frank, sincere, his dying utterances, between Guiteau's bullet and Garfield's death.

In one of his waking hours, the 11th of July, the president asked Mrs. Susan Edson where Guiteau was. This was while he expected to recover. He then remarked he supposed the people would come to him some day with a petition to pardon the man and he wondered what he should do in a personal matter of life and death. Mrs. Edson told him she should think he would do nothing at all, that he surely could not pardon such a man, and the president said, "No, I do not suppose I can, and yet, Mr. Chas. Reed, to whom the American bar is indebted for the introduction, to its ranks, of the prisoner Guiteau, undertook to say the president regarded him as an irresponsible man."

Passing on to criticize Reed's argument and his illustratiod as to Christ casting out devils and healing lunatics Porter said: "The Savior made a distinction between a sick lunatic and those possessed of devils. The claim here is this man was so enormously wicked as to be, in the language of Dr. Spitzka, an 'oral monstrosity.' He represents the class of which the Savior spoke, not lunatics, but possessed of the devil."

"That is bosh," exclaimed the prisoner. "B-o-s-h," spelling it out.

Mr. Porter—"You know, gentlemen, how the Savior dealt with those who were possessed of devils. I am not able at this moment to find the text."

The Prisoner—You are not acquainted with the bible I see, Mr. Porter. If you read the bible more and drink wine less you would be a better man.

Mr. Porter—"A man who was possessed by the devil came to the Savior and prayed to be delivered. The Saviour granted his prayer, and commanded the devil to say who he was. 'My name, said the devil is legion,' and he prayed to be allowed to go into a herd of swine, because even devils go through the form of prayers."

"Then its time for you to pray," said the prisoner.

Mr. Porter—"The Saviour consented but what became of the swine after the legion had entered the herd? They rushed down a steep place into the sea and were choked. Whether the devil that possessess this man is or is not to be choked by the law, you are to determine, but the destination of diabolism such as his, was thought by the Savior to be fitting for swine and ultimate destination, even if swine, was to be choked in the water.

The prisoner—"If you do not stop drinking wine the devil will choke you. You will go into a drunkard's grave yet."

"I might," said Judge Porter, "detain you a week, but I am here for the purpose of ascertaining whether this man is guilty, and these collateral issues I will not delay upon. The junior counsel," said Judge Porter, "has told you you are kings, and imagines you may override the law and the evidence in grasping an almost intangible doubt and ignoring the solid structure of the evidence of guilt. You are not kings, and the man who told you so is the junior counsel, the only man in fifty millions who would or could recommend Guiteau for office." Recess

Afternoon Session.

After recess Judge Porter resumed his argument and pointed out the cunning, the duplicity, the acting of the prisoner since the beginning of the trial. You are, gentlemen of the jury, no more kings in respect of law than the prisoner in the dock, who sits uncrowned save in his own conceit.

Referring to the oft-repeated assertion that he had sent Garfield prepared to meet his God and he (Guiteau), too, was ready to die if God willed it, Judge Porter with deliberate emphasis said: "I do not believe in all this assemblage there is one soul that contemplates with such abject terror the possibility of facing his Maker as does this brazen murderer."

Guiteau whirled around with the ferocity of a wild beast and fairly yelled: "That's a miserable lie and you know it, Porter, and you are an infernal scoundrel. I hope God Almighty will send for you soon, both you and Corkhill. Such a miserable, stinking whine as that is."

"The law," said Judge Porter, "is founded upon reason and law, and established principles, which will not let murder, and rapine, and arson run riot through the land."

Mr. Porter then went on to discuss the points of law as laid down by Judge Cox in this case. After he had disposed of that question he took up again the question of the reponsibility of the prisoner. "What household," he said, "would be safe, what church would protect its worshippers, if this man were to escape on the plea of irresponsibility? Is it true, any man who has had an insane father, an insane uncle, an insane aunt or an insance ancestor, and who is not himself insane, but knows perfectly that murder is legally and morally wrong, is to escape punishment, may be stab or shoot, or waylay, or murder by day or night, and then claim in his vindication, not that he is insane himself, but that somebody else was? If so, what is human life worth? Nay more, if it were true, every insane man, no matter in what degree, no matter whether from melancholia, or from any of those casual or occasional conditions of mind, is at liberty to commit burglary, to fire your dwelling house, to set the city of Washington on fire when frost shall stiffen the water and when fire is destructive, to ravish your daughter; what security is there? That license for which this brother-in-law of Guiteau contends, namely, that the law is intended only for rational men, and that all of those crimes which I have mentioned may be committed by license, not from law, but from one of the twelve emperors or kings in defiance of law and of instructions from the court.

Nay, more, the insane of this country, I mean the undoubted insane, who are inmates of lunatic asylums, are to learn from the verdict in this case, if the theory of the defense shall be sustained, that each of them is at liberty to murder the keeper who restrains him; that they are all at liberty to confederate, to open the gates of the asylums and to go out with knife and torch in hand and spread ruin and conflagration in every direction, and although the law forbids it, an American jury can be found that will sanction the act."

The Prisoner—"That is very fine but it is all bosh."

Mr. Porter—"More than that, any man who has insanity in any degree, shall be at liberty to murder any other insane man. I believe if a jury could be empannelled in a lunatic asylum in this country, they would say of this man not only that they would be endangered by his presence, but that he is perfectly sane. Was the man insane on the second of July? If he was not you have but one duty, and that is to convict him. He was not insane. I aver what the proof indisputably establishes. He never was insane, and certainly not on the second of July. On that point the principal claim by the prisoner and his counsel, is the atrocity of this particular act. I do not deny his claim of being the most cold-blooded and savage murderer of the last 6,000 years. But he is not alone as he will find when he comes to those realms where murderers are consigned. Murder has existed in all ages. Four thousand years ago there was inscribed on tables of stone a command to all people, 'Thou shalt not kill.' But Guiteau says that life is of small consideration. He says in one of his letters of consolation to the widow, 'Life is but a fleeting dream;' 'his death might have happened at any time.' But the Lawgiver of the Universe entertained different views of the value of human life, when he said, 'Whoso sheddeth man's blood by man shall his blood be shed.'"

The prisoner—"That was three or four thousand years ago. We have made law since then."

Mr. Porter—"And that man in the dock tells you the same God that placed that value on human life placed no value on the life of James A. Garfield, and that life at best was but of small value. It was 'a fleeting dream.' We have had the gospel of Guiteau, and he thinks that this jury will endorse his gospel. Christ speaking to the Scribes and Pharisees said: 'Ye who claim to be of the seed of Abraham prove it by doing the acts of Abraham; but ye are the children of your father, the devil, who was a murderer from the beginning.'"

The Prisoner—"That takes you in, Porter."

Mr. Porter—"That is the insanity which this man has inherited. The man is a liar as well as an assassin, and he was instigated not by the Almighty, but by the devil."

The Prisoner, alluding to Porter's habit of lowering his voice at the end of a sentence—"The point is so fine that I cannot hear it over here, you had better do it again Judge."

Mr. Porter went on to review the prisoner and his life of crime, in which he included adultery.

The Prisoner—"How many times have you been guilty of that? Look up your record old man. I guess you are about as bad as Corkhill."

Mr. Porter went on to refer to the prisoner's life in Washington, and asked: "Was this temporary mania, Abrahamic mania, or disease of the brain, which resulted in murder for the benefit of the stalwarts of the Republican party?"

The Prisoner—"For the benefit of the American people. A removal, not murder. They are very well satisfied with it, too."

Mr. Porter—"Gentlemen, if I went no further, do you believe that the man's brain was diseased, and did the disease come and go according to whether President Garfield went at one time with his wife, or went out with his children, or went to the Soldier's Home, or went to the railroad depot? Do you believe that the right remedy for disease of the brain, is to make six weeks preparation for the assassination, and that shooting another man through the spine is a cure for disease? That is the case as the prisoner makes it out.

The Prisoner—"If I were president of the United States and had ruined the Republican party, as Garfield had, I ought to be shot. That is my opinion about that, and it is the opinion of a great many people, too."

In the course of his further argument, Porter referred to the prisoner's divorced wife as the woman who loved him.

The prisoner—"I did not love her. It was a one-sided affair."

Mr. Porter—"The woman who married him"—

The prisoner—"That was a swindle."

Mr. Porter—"The woman who slept with him,"—

The prisoner—"Sometimes she did and sometimes she did not."—

Mr. Porter—"The woman who borrowed for him and who gave the earnings of her industry to furnish him money which he spent on a street prostitute"—

The prisoner—"That's a lie, and a big one,"—

Mr. Porter—"The woman whose divorce was secured by his procurement, by all sorts of deceit, meanness and ignominy."

The prisoner—"I had no business to marry her at all."

Mr. Porter—"He and his prostitute were witnesses to aid them in removing his wife."

The Prisoner—All that happened ten years ago and has nothing to do with the case.

Mr. Porter went on to argue against the claim of the prisoner's insanity, and while he was looking for an extract of the testimony, the prisoner took advantage of the pause and said: "This gives me time to say that I am in receipt of a letter from New York, in which the writer says he has conversed with 250 intelelligent people about my case, and that all of them are of opinion that the Almighty inspired my act. I have also a letter from a prominent lawyer, in Maryland, who says I will go into history by the side of Grant and Washington. That is their opinion on this matter."

Mr. Porter, referring to the testimony of Mrs. Scoville, paid her the compliment of a sincere woman, and said "she had never seen insanity in the prisoner until the time when he raised an axe upon her when he was 35 years of age."

The prisoner—That never occurred.

Mr. Porter—Your sister swore it, and she is a woman of truth, while you have committed perjury."

The prisoner—"That is a matter of opinion."

Mr. Porter—"She came into court with unbloodied hands, and she went out of it as she entered it, an honest woman, believing what she asserted."

"I lifted no axe against this sister," said the prisoner.

Mr. Porter—"He did. There is his own sister, the only one who has stuck by him faithfully and honestly. She tells you honestly, that the first time she thought you insane was when you were 35 years of age. She says: 'I had no thought before that he was not in his right mind.'"

The prisoner—"The letters I get show the American are solid for me; don't forget that, Mr. Porter."

Further reference by Porter to the incident of the axe brought from the prisoner this remark: "It was a very stupid thing for Scoville to bring in that axe matter at all. He ought to have known the use the prosecution would make of it. That's about as smart as Scoville's family are. The whole thing is bosh from beginning to end."

Mr. Porter went on to criticize the testimony of Reed, of Amer, and of North. He said it would take 1,000 Norths to make him believe Luther W. Guiteau, that calm, quiet, religious man, ever said to the old father and old mother who had a son that did not want them to go to the Oneida community, "Take a knife and slay him as Abraham did Isaac."

At this stage of Porter's argument court adjourned.

Bearing on Guiteau's Case.

NEWARK, N. J., Jan. 24.—In the Graves murder case the judge charged the jury that it was a settled law in New Jersey that if the accused had sufficient mind to distinguish between right and wrong and could control his conduct under ordinary circumstances he could not acquit himself on the plea of irresistible impulse. Thereupon the jury brought in a verdict of murder in the first degree.

NEWS FROM WASHINGTON

IMPORTANT MEASURES INTRODUCED IN CONGRESS.

Bill for the Punishment of National Bank Officials for the Illegal Issue of Certified Checks—Regulating the Counting of Electoral Votes and Punishing Wrong Doing in Connection Therewith—Troubles in the Way of the Proposed Division of Dakota Territory—National Aid to the Cause of Education—Opposition of Favored Army Officers to the Bill Reorganizing the Manner of Making Details—Miscellaneous.

The Senate.

WASHINGTON, Jan. 24.—James W. McDill, Iowa, as senator for the unexpired term, was sworn in and the credentials of James F. Wilson, senator from Iowa for six years, beginning the 4th of March, 1883, were placed on file.

The bill for the relief of Mary Lincoln passed. It appropriates $15,000 for her immediate relief and increases her present pension to $5,000 per annum from and after this enactment.

Bills were introduced:

By Senator George—To make the agricultural department an executive department and to enlarge its statutes and powers,

By Senator Johnston—To repeal so much the section of the revised statutes as imposes an export tax on tobacco.

Senator Beck introduced a bill for the punishment of officers of national banks, who illegally issue certified checks. This bill, on demand of Voorhees and others, was read at length. It is as follows:

"Be it enacted, etc.—That any officer, clerk or agent of a national banking association, who shall wilfully violate the provisions of the act entitled 'an act in reference to certifying checks by national banks,' approved March 3, 1869, being section 2,208 of the Revised Statutes of the United States, shall be deemed guilty of a misdemeanor, and shall on conviction thereof in any circuit or district court of the United States, be fined not more than $5,000, or shall be imprisoned not more than five years, or both, in the discretion of the court; provided, nothing in this act contained shall relieve any banking association from any of the penalties prescribed in the act and section to which this act refers."

Senator Beck remarked this unlawful practice is now going on to the amount of $100,000,000 a day; that under the law penalty is a forfeiture of the bank's charter, but that no punishment had yet been inflicted on the guilty parties. Upon his motion the bill was referred to the finance committee.

Additional bills were introduced.

By Senator Plumb—Proposing an amendment to the constitution prohibiting the manufacture, importation and sale of all distilled and fermented liquors as beverages in any portion of the United States and territories.

By Senator Teller—A joint resolution declaring forfeited, so far as the same have not been earned by fulfilment of their conditions, the land grants to the twenty-two railroads enumerated by the bill, including the Northern Pacific, the Atlantic & Pacific and Texas Pacific. The estimated quarterly lands granted each of these is set fourth in the bills as respectfully 47,000,000, 62,000,000 and 18,000,000 acres.

By Senator Pugh—To enforce observance of the constitution in reference to election of president and vice president. It punishes with a fine of $1,000 to $2,000 and imprisonment from five to ten years any congressman or holder of a government office of trust or profit who exercises or attempts to exercise the powers of presidential elector. The same punishment is imposed for false assumption by anyone of the office of elector and for conspiracy in aid thereof.

By Senator Voorhees—For the better protection of the mails of the United States. The bill directs that the postmaster general shall require all railroads in the United States to heat railway mail cars with steam from the locomotive.

Resolutions submitted by Senator Hoar were adopted calling on the secretary of the interior for information as to the sums expended under treaties for the education of Indian children, to what extent the treaty obligations in this direction have not been fulfilled, what it will cost the United States to perform such unfulfilled obligations, if any; what amount of the sums expended for the support of Indians has been expended for schools, etc. Also, calling on the secretary of war for information as to the cost of the government of Indian wars during the past ten years, and the cost of so much of the army as has been engaged in the observation and control of Indians, or whose presence has been rendered necessary as a protection from danger from Indian hostilities.

Consideration of Sherman's 3 per cent. bond bill was resumed, and Senator Call reviewed the pending amendments, and opposed the bill as premature.

Senator Bayard said he regarded the compulsory nature of Vest's amendment as weakening the bill, and the measure itself as unnecessary in view of the success of Secretary Windom's operations in continuing the 5s and 6s, a transaction which he (Bayard) contended did not involve a change of contract or making a new one, but was simply a voluntary agreement for the diminution of the interest rate. He added, in reply to a criticism by McPherson, that the change from the conditions of last year to the present favorable solution with reference to the bonds of the government, relieved the opponents of the pending bill, who were also friends of the 3 per cent. measure last year, from any charge of inconsistency.

Senator McPherson replied briefly and was followed by Beck, who said, if the statement made the other day by the senator from Minnesota, (Windom) that the surplus revenues for the last ten months had amounted to $120,000,000, was a correct one, he thought the first step for congress to take was to reduce the tariff and internal taxation. It should defer funding legislation until it could be based upon actual revenues, but this basis could not be ascertained in advance of a reduction of taxation. He also favored diminution of the greenback redemption fund to $50,000,000, and opposed the locking up of revenues in excess of that amount. The proposed amendment of Plumb, limiting that fund to $100,000,000, and that of Vest met his approval, and if the bill was thus amended he would vote for it. He also argued the certification of bank checks in excess of available funds should be stopped. He said that in 1879 the secretary of the treasuay in his report to congress, showed that among the clearing house exchange, these certified checks increased from $34,000,000 June 14, to $60,000,000 October 2, and to more than $90,000,000, October 30, notwithstanding the penalty of the law was forfeiture of the bank charter. The secretary merely sent out examiners who whitewashed the banks, and the offense was subsequently repeated, while no executive officer has attempted to put a stop to it. This practice contributed largely in bringing about the mischievous results of the New York "black Friday," and he (Beck) has reason to believe transactions in certified checks were now running up to $120,000,000 per day.

Senator Garland at this point, on leave, reported back from the judiciary committee, the resolution in reference to the extradition of an Italian, Vincenzo Rebello, with a bill regulating the fees and practice in extradition cases. The bill provides for making fees regular, compels commissioners to hold court in public and where the accused is poor and cannot afford the cost, authorizes the United States to send for his witnesses and pay all fees, the government to be reimbursed for the expense so incurred by the government asking surrender of the fugitive.

A message from the president was received transmitting drafts of bills to increase the salary of the commissioner of the general land office to $5,000 per year and create an assistant commissioner of the general land office at a salary of $3,000 per year and five inspectors for surveyor generals and district land offices; also to increase the salary of the commissioner of Indian affairs to $5,000, and to create the office of assistant commissioner of Indian affairs at $3,000 per annum, and the draft of a bill to provide for the cession of certain lands of the Creek Indians in the Indian territory to the United States for the use of the Seminoles.

Senator George introduced a bill to prevent discriminations between shippers and consignees by railroads engaged in inter-state transportation. The bill is designed to secure absolute equality in rates between small and large shippers and consignees.

The senate, without action on the bill, went into executive session, and soon adjourned until to-morrow.

House of Representatives.

WASHINGTON, Jan. 24.—Mr. Belmont, from the committee on foreign affairs, reported back the resolution calling on the president for copies of all correspondence, etc., relative to the efforts of this government to bring about peace between Chili, Peru and Bolivia. Adopted.

Mr. Reed in behalf of the committee on judiciary, asked leave to take from the speaker's table, for immediate consideration, senate bill to retire Associate Justice Ward Hunt, of the United States supreme court.

Mr. Holman objected.

Mr. McLane from the committee on commerce reported back the resolution calling on the secretary of the navy for all past communications, etc., relating to the Chirique coaling sections. Adopted.

Mr. Carpenter, from the same committee, reported back the resolution directing the committee on commerce to inquire where existing laws can be amended so as to afford relief to the merchants marine engaged in the foreign carrying trade, and that measures can be apopted to promote our ship building and other commercial interests. Adopted.

Mr. Haskell, from the committee on ways and means, reported back the bill admitting, free of duty, all clothing and other articles charitably contributed for the relief of colored people, who may have emigrated to their homes from other states, and not for sale.

Mr. Cox, New York, wanted to amend by striking out the word "colored," so as to apply the provisions of the bill to all goods contributed to charity. He wanted cheap clothing. He thought the house and treasury could stand his amendment.

Mr. Haskell refused to yield for the amendment. His bill simply applied to a little charitable institution in his state, and he did not desire to draw into the discussion the question of the tariff. Next week the committee on ways and means would report a bill concerning the tariff question, and it was the intention to open up more or less the whole subject.

Mr. Hooker (Miss.) objected to the bill, because in his opinion it did not provide sufficient safeguards against the sale of goods imported.

Mr. Carlisle (Ky.) contended sufficient safeguards existed, and Mr. Morrison (Ill.) assured Cox, whenever some poor people asked for like charity, Congress would be found ready to extend it. The bill passed.

Mr. Henderson (Ill.), from the committee on naval affairs, reported a resolution calling on the secretary of war for a detailed statement of all items of expenditures under annual appropriations for the United States signal service from 1875 to 1881; also, for a detailed statement of the account of Capt. H. W. Howgate, showing all the items of disbursements made by him on account of such service during said years. Adopted.

Mr. Orth, Indiana, chairman of the committee on civil service reform, reported a resolution calling on the president for information as to what action has been taken by him for carrying out the provisions of the act of congress appropriating $15,000 to enable the president to promote the efficiency of the different branches of the civil service, and if said sum is insufficient, what further amount is necessary for the purpose. Adopted.

The house went into committee of the whole, Mr. Robinson, Massachusetts, in the chair, upon the fortification appropriation bill. The total amount appropriated is $375,000, as follows: Preservation, repair and protection of fortifications, $175,000; armament of sea coast fortifications, $100,000; torpedoes and their preservation, $100,000. After an important discussion the committee rejected a couple of amendments and reported the bill to the house. It passed.

Pending action upon the report of the committee on accounts, respecting committees entitled to clerks, the house adjourned.

The Geneva Award.

WASHINGTON, Jan. 24.—At the meeting of the house committee on the judiciary, the question of distributing the remainder of the Geneva award was disposed of as follows: On the proposition to refer the question to the court of claims the vote was—yeas 5, nays 9. On the proposition to pay the claims of insurance companies the vote was unanimous in the negative. On the proposition to pay the loss of exculpated cruisers, and to pay war premiums, the vote was—ayes 8, nays 4. The sub-committee then announced to perfect the bill by a committee consisting of the following members: Reed, Robinson, Converse, Patterson, Knott, Hammond and Willett.

Dividing Dakota.

WASHINGTON, Jan. 24.—The delegation now here from northern and southern Dakota in relation to a division of that territory, comprises many of the most prominent men of the territory, both Democrats and Republicans. With regard to a division of the territory into two new territories, the delegates represent that there is no difference of opinion among the people, and all political parties favor it. As to the admission of the southern portion into the union as a state is another question, and the Democrats are not inclined to favor it. The conflict inaugurated between Gov. Ordway on one side, and the legislature and citizens of Dakota on the other, last winter, enters into the matter of dividing the territory. Parties are here urging division and admission of the southern portion of the territory as a state be incorporated in one bill. The delegates insists it shall be two separate bills, and charge Ordway with taking this plan to kill the scheme, knowing the democrats in congress will oppose the admission of anew state. The indications at present are the bill to divide will pass congress without much opposition. It is conceded, now that the territory shall retain the name of Dakota.

National Aid to Education.

[Special to the Western Associated Press.]

WASHINGTON, Jan. 24.—Senator Blair says he has received numerous letters from men prominently identified with public education in the South, indorsing his bill to appropriate money from the national treasury to aid the cause of general education. The bill proposes to appropriate $15,000,000 the first year, $14,000,000 the second year, and so on for ten years, the sum to be diminished $1,000,000 for each year, the money to be distributed to the states and territories in proportion to the illiteracy of the population. An effort is being made to induce the legislatures of Southern states now in session to pass joint resolutions commending the bill and requesting their representatives and directing their senators from those states to support it. This movement originated with men in the South who believe national aid necessary to provide that section with a common school system adequate to its needs.

Army Details.

WASHINGTON, Jan. 24.—At a recent meeting the senate military committee ordered a favorable report on the bill entitled, "Concerning Details from the Army" and providing that no regiment or company officer shall be detached from duty with his regiment or company for more than three years consecutively, and any officer heretofore or hereafter detailed who shall be returned to duty with his company or regiment under the provisions of this bill, shall not be again detailed except temporarily and not then for a period of more than sixty days until expiration of three years from his return to his company or regiment. The bill was reported and went upon the senate calendar. It created a great commotion among army officers on detail here in Washington, and elsewhere, and immediate opposition to it was organized. So much pressure was brought that the senate military committee, at its meeting to-day, directed the chairman to move to recommit the bill with the view of modifying it, but the opponents of the bill hope and expect to smother it in the committee if they can get it back there. Senator Plumb, who is the author of the bill, is opposed to its recommittal. There are army officers who have been on detached service for eighteen years, and it is understood the secretary of war is desirous of getting some of them back to their commands, and of somewhat revolutionizing the lists of details. Indeed, it is said the secretary of war advised the introduction of the bill, which it is now proposed to recommit.

General Capital News.

INDIAN GOVERNMENT.

[Special to Western Associated Press.]

WASHINGTON, Jan. 24.—The senate committee on Indian affairs will to-morrow give a hearing to Secretary Kirkwood on the subject of allotting lands in severalty to Indians. Several bills having this object in view, and among them the one recently prepared by Secretary Kirkwood, are now pending before the Indian affairs committees of both houses. Secretary Kirkwood will explain in detail the provisions of his bill, and, in so doing, express his views fully upon the whole subject of Indian government.

DIVISION OF DAKOTA.

Delegations of citizens of Dakota Territory will appear before the senate committee on territories next Friday and submit arguments in favor of the proposed division of that territory.

CONFIRMED.

Senate confirmations: Nathan Webber, United States district judge for the district of Maine: D. T. Boynton, pension agent, Knoxville; Indian agent, C. P. Luce, Illinois, White Earth agency, Minn.; register of land offices, John S. Fisher, Topeka, Kas.; B. J. F. Hanna, Wakeenny, Kas.; M. J. Selter, Independence, Kas.; receivers of public moneys, Henry Booth, Larned, Kas.; Henry M. Waters, Independence, Kas.; postmasters, W. H. D. Noyes, Carthage, Ills.; G. D. Jacques, Helena, Ark.

BREVITIES.

The president will within the next two weeks send in a large majority of all important nominations now claiming attention. It is understood no public reception will be held by the president until after the Lenten season. A series of state dinners is in contemplation.

The house committee on commerce will report favorably the bill appropriating $100,000 for the purpose of obtaining iron and other material immediately needed in the construction of a dam at Davis Island.

Passage of the bill will soon be moved relative to the acceptance by the government of certain property in Erie, Pennsylvania. Representive McCord's bill providing for apportionment on the basis of the distribution of additional representatives according to the new method. Col. Seaton, superintendent of census, changes the number of representatives allotted the several states, as follows: California five, instead of six, (provided for in other bills; Florida one, instead of two; Rhode Island one, instead of two; Pennsylvania, twenty-nine, instead of twenty-eight; New York, thirty-four, instead of thirty-three;

In the stra