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The Evening Star.

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RACING LAWS VOID.

Guttenberg, Gloucester and Clifton Doomed.

BLOW TO NEW JERSEY TURFMEN.

Important Decision by the Supreme Court.

REASONS OF THE JUSTICES.

TRENTON, N. J., Jan. 8.—Justice Lippincott of the supreme court has filed his opinion in the case brought against the City of Elizabeth and the New Jersey Jockey Club, to test the soundness of the race track laws, passed last winter, and he decides that they are unconstitutional.

Justices Depue and Abbett concur in the opinion and it will not be necessary for the legislature to take the trouble to repeal the acts.

The court holds that the laws are special, regulating the internal affairs of towns and counties and also granting to corporations, associations or individuals, exclusive privileges, immunities or franchises and are therefore unconstitutional and void.

Referring to the statute empowering governing bodies of municipalities to license race courses, the court says: "This act undoubtedly confers power upon the municipalities named in the first and fourth sections, in a direction in which it has not been heretofore exercised. It may be that primarily racing within this state is not a question which concerns the internal affairs of towns or counties, but it cannot be well contended that a statute which confers power upon these municipalities to restrict, limit or extend racing is a statute which does not demonstratably affect the internal affairs of such municipalities within the meaning of the express inhibition of the constitution forbidding the enactment of a certain character of statutes regulating such affairs. The statute on its face and by its express conditions renders racing of certain character unlawful, unless the powers of these municipalities are exercised to permit it.

The third section of the act expressly declares that racing of the character mentioned in the act shall be unlawful, unless it be legalized by a license, which can only be granted by the governing body having general charge of the affairs of such municipalities, and certainly the statute in this respect is dealing with a question of municipal government and whether it be one of police, revenue or some other power of municipal government is quite immaterial.

"Municipal government is a creation of statute and the powers of municipal government may extend to almost every feature of regulation not inhibited by the constitution, within the area over which it extends. It becomes a matter of the internal regulation of the affairs of the municipality by force of the statute, and it cannot be claimed, so far as the statute is concerned, to be a question any longer of state policy, but a matter relating to the internal affairs of the municipality to which it applies. It becomes the power of the municipality. If the general subject matter here, as contained in this statute, be one over which the legislature has power and jurisdiction then it cannot be contended when its power is conferred upon any municipality, aside from the question whether the statute be invalid or not, that such matter does not become an internal affair of such municipality. It may be superfluous to pursue this subject further, but on decided authority there can exist no question that this statute is one regulating the internal affairs of towns and counties."

In conclusion the opinion shows how these laws grant special provisions which are unlawful. Indeed, nearly all the provisions of the acts are declared invalid.

New legislation on the same subject is scarcely possible now, and racing at Gloucester, Guttenberg and Clifton is probably over forever.

"Gloucester" Wiped Out.

CAMDEN, N. J., Jan. 8.—The decision of the supreme court with regard to the constitutionality of the race track law passed by the legislature last winter was made known for the first time this morning. The opinion declares that the legalizing act was unconstitutional, as it interfered with the internal affairs of the several municipalities.

This decision wipes out the race tracks at Gloucester and Guttenberg, as well as every other track in the state. It is well known that the legislature that meets tomorrow intends repealing the race track acts, so that besides being declared unconstitutional, they will be taken off the statute books.

GEAR IN THE LEAD.

Assembling of the General Assembly of Iowa.

DES MOINES, Iowa, Jan. 8.—The regular biennial session of the twenty-fifth general assembly began at 2 o'clock, when the senate was called to order by Lieutenant Governor Bestow and the house by Oliver E. Doubleday, senior member from Polk county. S. J. Van Gilder of Warren county was chosen temporary speaker of the house and J. S. Crawford of Cass temporary clerk. After the appointment of committees on credentials both houses adjourned until tomorrow.

At the republican caucus this afternoon Henry Stone of Marshall will be nominated for speaker without opposition, all opposition having been withdrawn several days ago. The republicans have overwhelming majorities in both houses.

They will modify the prohibitory law in the direction of local option or a penalty tax on saloons in localities where prohibition is not enforced.

Congressman Gear still leads in the senatorial contest, with probability that the six other candidates will be unable to combine their votes on any one without releasing enough votes to Gear to nominate him.

FIELD TO BE TRIED.

Having Regained His Sanity He Must Face the Charges Against Him.

NEW YORK, Jan. 8.—Judge Van Brunt of the supreme court today signed the order committing Edward M. Field to the custody of the sheriff of this county. This virtually means that he will be tried for forgery.

The gist of Judge Van Brunt's order is to the effect that Field having been of unsound mind and not understanding the nature of the proceedings brought against him in March, 1892, when he was indicted for forgery, he was then committed to the Buffalo Insane Asylum. Now, upon certification of the superintendent of the asylum that Field has regained his reason, he will have to stand trial.

FORCED TO APOLOGIZE.

Peixoto's Troops Fire on a German Vessel.

NEW YORK, Jan. 8.—A Herald special from Rio says: A German boat from the warship Alexandrina was fired on by government troops at the coal depot on Mocangue Island on December 22. The commander of the Alexandrina, after consultation with the German minister at Rio, demanded an apology from the government and a salute to the German flag.

This apology was given on December 26 and a salute was fired by Fort Santa Cruz. The officer in charge of the troops who did the original firing was dismissed. This action of the Germans is considered in Rio to be a proof of their present neutrality and of their determination to let neither side take liberties with the German flag.

SURPRISED MEMBERS.

Caught in the Drag Net of the Sergeant-at-Arms.

Deputies Swarm Through the Country—Forty-Four Members Return.

"I arrest you in the name of the House of Representatives; will you accept service or shall I read the warrant to you?"

The speaker was a deputy sergeant-at-arms and the person addressed was a somewhat surprised and startled member of the House, whose presence was very much desired at the Capitol. The Congressman said he reckoned he would accept service, and then to avoid being carried back to Washington under arrest and surveillance like a malefactor, he asked to be paroled, giving his word that he would be present at the Capitol at the time specified.

Last Saturday evening the sergeant-at-arms of the House started out with warrants for the arrest of forty-four members of the House, whose apprehension had been ordered by a resolution adopted by the House. They were guilty of being absent from their seats and the House had authority to cause their forcible return to the Capitol if they should refuse to come any other way. In execution of the order, as provided in the resolution, forty-four members of Congress were placed under arrest by deputies and paroled after pledging to present themselves at the proper time. The arrests were made by seven deputy sergeants-at-arms, who left Washington Saturday night for various sections of the country. Some went to the southern states, some to New York, one to Chicago, and others to other sections. Each deputy had a list of absentees in his bailiwick and he was charged to apprehend the persons named and serve a warrant of arrest upon them.

Under the Great Seal.

The warrant is a formidable document, with the great seal of the House of Representatives upon it. It is addressed to the sergeant-at-arms, and recites the resolution of arrest adopted by the House, closing as follows:

"Now, therefore, I, Charles F. Crisp, Speaker of the House of Representatives, by virtue of the power vested in me by the House, hereby command you to execute said order of the House; hereof fail not, and make due return in what manner you execute the same."

Some of the members were found in Washington and others apprehended in New York and in the outlying states. In several cases they promised to come within a day or two, having cogent reasons for delay, but in the majority of cases they agreed to come immediately.

The office of the sergeant-at-arms this morning was visited by the members who had been arrested and had given their parole to return. They were compelled to "walk up to the captain's desk" in due form and give account of their presence. They were then informed by the sergeant-at-arms that they would be presented before the bar of the House for the House to dispose of them as it should see fit.

Republicans were arrested as well as democrats, for while the presence of republicans would not be of any service to the majority in this emergency the sergeant-at-arms' office was not authorized to make any distinction between parties, and could not under the terms of the resolution. Some of the democratic and republican members arrested were in a state of trepidation, for fear that the news of their being absent from their post would reach their constituents and cause unfavorable comment. Many members were inclined to be angry, because their presence in Washington upon public business would interfere with their private business or pleasure just at this time.

The Members Seen.

Fifteen members were actually arrested. The others replied that they were on their way to Washington or would start as soon as possible. Messrs. Cadmus (dem., N. J.), Cooper (dem., Texas), Fielder (dem., N. J.), Geissenhainer (dem., N. J.), Magner (dem., N. Y.), Randall (rep., Mass.), Taylor (rep., Tenn.), White (rep., Ohio), Post (rep., Ill.), Boatner (dem., La.), Cornish (dem., N. J.), Fithian (dem., Ill.), Lockwood (dem., N. Y.), McLaurin (dem., S. C.), Turple (dem., Ala.), Pickler (rep., S. D.), Belden (rep., N. Y.), Broderick (rep., Kan.), Davey (dem., La.), Gardner (rep., N. J.), Heiner (rep., Pa.), Loudenslager (rep., N. J.), Wever (rep., N. Y.), Tawney (rep., Minn.), Woomer (rep., Pa.) and Adams (rep., Ky.) replied that they were on their way to Washington.

Mr. Barnes (dem., Wis.) replied that he would be here Tuesday. Mr. Dunn (dem., N. C.) replied that his family was sick and asked to be excused. Mr. Cobb (dem., Ala.) replied that his daughter was about to be married and he would leave for Washington Tuesday. Mr. LeFever (rep., N. Y.) was detained on account of sickness and would start as soon as possible. Mr. Sickles (dem., N. Y.) replied that his family was sick. Mr. Grout (rep., Vt.) will be here Monday or Tuesday. Messrs. Bingham (rep., Pa.), Childs (rep., Ill.), Stockdale (dem., Miss.), Newlands (pop., Nev.), Sherman (rep., N. Y.) and Ray (rep., N. Y.) were not located by the deputies.

Delay in Presenting Them.

The arrested members were not brought before the bar of the House upon the assembling of the House, obviously for the reason that this act would furnish opportunity for unlimited filibustering, as members could demand a roll call upon a motion to excuse each person. After the vote was taken, upon ordering the previous question, Mr. Reed made the point of order that arrested members being in the custody of the House could not vote, and that in fact a number of such members had voted. The point was ruled out, however, by the Speaker upon the ground that the House had not received any official information as to the arrest of such members. It is probable that after the adoption of the resolution providing for the consideration of the tariff bill late this afternoon the arrested members will be brought before the House and their cases disposed of.

IMPORTANT NAVAL CHANGES

Issued Today by the Department in Tours of Duty.

A number of important naval changes are announced at the Navy Department. Capt. Montgomery Sicard, recently relieved from command of the monitor Miantonomoh, has been assigned to the command of the naval station at Portsmouth, N. H., relieving Capt. Charles C. Carpenter, who is placed on waiting orders.

Commander Wm. M. Folger, late chief of the naval ordnance bureau, has been detached from special duty at the Navy Department and ordered to command the gunboat Yorktown, now lying at Callao, Peru, relieving Commander P. F. Harrington, who is ordered home and granted leave of absence for one month. Commander Folger will sail from New York on the 10th instant for Callao by way of the Isthmus of Panama.

A Clerk Wanted.

The United States civil service commission will hold an examination on January 26 to fill a vacancy in the position of ornithological clerk, with a knowledge of mammalogy, in the Department of Agriculture, at a salary of $660 per annum. The subjects in the examination will be orthography, penmanship, letter writing, geography, ornithology and mammalogy.

To Test a Cruiser.

Arrangements have been made at the Navy Department for the official trial of the cruiser Montgomery over the Long Island course on the 15th instant. The Montgomery has just returned to Baltimore from a preliminary run down Chesapeake bay and is reported to be all ready for her official inspection and trial.

TO BE THE MARSHAL.

Mr. Albert A. Wilson Nominated by the President Today.

FILLING THE DISTRICT OFFICES.

Henry E. Davis Said to Be Selected to Succeed Mr. Birney

AT THE WHITE HOUSE

The President today brought to an end the long season of expectancy which the District democracy has gone through in relation to District appointments. At least, so far as one office is concerned, there is no longer any doubt, for the President today nominated Mr. Albert A. Wilson to succeed Mr. Ransdell as United States marshal for the District of Columbia.

This nomination is taken by the District democracy as an indication that the President has taken up for consideration the matter of District appointments, and that they can expect other appointments soon.

Mr. Albert A. Wilson.

Mr. A. A. Wilson is a native Washingtonian. He was born in this city April 1, 1840. He was one of the first students to attend the Emerson Institute. Later he attended school in Alexandria, Va., under that well-remembered instructor, Benjamin Hallowell, and then graduated from Gallagher's Business College in Baltimore at the age of twenty years. He first imbarked in the shoe business, but soon afterward went into real estate.

In 1885 Mr. Wilson was called to the United States marshalship for the District, and made a good record during Mr. Cleveland's first administration. He has been president of the Firemen's Insurance Company for the past sixteen years, vice president of the Metropolitan Railroad Company, vice president of the National Bank of the Republic and director in the Washington Loan and Trust Company.

He was treasurer of the democratic congressional committee of the District of Columbia during the campaign of 1884; was president of the Columbia Democratic Club for several years, and was appointed a world's fair commissioner by ex-President Harrison.

Mr. Wilson was married in 1862 to Miss Virginia Entwistle, daughter of Mr. Thos. B. Entwistle, the present inspector of buildings. Their only child (by adoption) married Lieut. Geo. B. Davis of the United States army.

Generally Expected.

Although there has been considerable doubt as to who was to be appointed marshal, within the last two or three days it has been pretty well understood that Mr. Wilson would be appointed. It has been generally believed that he was Mr. Cleveland's choice for the office at this time, but some doubt had been raised by the President's general policy not to reappoint men who held office under him before.

The marshal of the District comes into close relationship with the President, however, so it is a case where the President would be likely to consult his personal preferences more than he would in filling other offices.

Marshal Ransdell Ready to Go.

A few days after Mr. Cleveland entered upon his second term, it is known that Marshal Ransdell called upon him to assure him that he was prepared at any time to hand in his resignation. The President, it is said, informed Mr. Ransdell that he had not then given the matter any attention, and requested him to continue in office until he should be told that the President found time to consider the matter. It was stated today that not until one day last week did Marshal Ransdell receive an intimation that he might soon expect the nomination of his successor. Then, it is said, the marshal was sent for by the President, and upon calling at the White House saw Private Secretary Thurber, the President being absent, and was informed that he might expect the nomination of his successor in a few days.

It was also stated today that in that conversation Marshal Ransdell received an intimation that the man whom he succeeded four years ago the 1st of July last, would succeed him.

Marshal Ransdell, when seen by a Star reporter this afternoon, before the nominations went to the Senate, said:

"If Mr. Wilson should succeed me I feel sure that not only would I be much pleased, but also, I believe, the people of the District, for Mr. Wilson is not only an excellent man, but also made an excellent reputation as marshal for the District. When I relinquish the office my greatest regret will be that my relations with the people of the District will cease. I came here a stranger, but I have been accorded such uniform kindness and consideration that I shall return to my home in Indianapolis feeling that I have really two homes."

A New District Attorney.

It was also said today that the President had considered the matter of appointing a successor to District Attorney Birney and had decided to appoint Mr. Henry E. Davis. This nomination, according to the report, is also about ready to go to the Senate.

There will be some surprise at the nomination of a new district attorney, inasmuch as the incumbent, Mr. Birney, has served only about a year of his four years' term. The early change contemplated in this office, it is said, involves no reflection on the action of President Harrison in making the appointment so near the end of his administration. Mr. Davis was summoned to the White House this morning and had a conference with the President. It is said that the position of district attorney was then tendered Mr. Davis.

Death of Admiral Paulding's Widow.

HUNTINGTON, L. I., Jan. 8.—Mrs. Hiram Paulding, widow of the late Rear Admiral Paulding of the United States navy, died at her home at West Neck, Huntington, yesterday evening. She was eighty-seven years of age and had been in poor health for some time. Her husband was a son of the Paulding who figured conspicuously in the capture of Major Andre. Two sons and two daughters survive her. The funeral services will take place at the Paulding homestead on Wednesday, at 1:30 p. m.

Burnett of Cincinnati Surrenders.

CINCINNATI, Ohio, Jan. 8.—Ex-District Attorney W. B. Burnett, who was indicted in the Old Men and Widow's Home mortgage scandal, arrived from New York this morning to face the charge. He proceeded at once to the court house and gave bond for his appearance.

Louise Michel's book, "Misere," has been suppressed in Alsace and Lorraine.

FORD'S THEATER DISASTER

First Meeting of the Select Senate Investigating Committee.

The Government to Pay Damages for Death and Injury—Col. Ainsworth to Be Examined.

The select committee of the Senate for the investigation of the Ford's Theater disaster, composed of Senators Harris, White of California, Faulkner, McMillan and Manderson, met at 10:30 this morning in the office of the District committee and continued in session for an hour. The meeting, which was held behind closed doors, was attended by all of the members of the committee except Senator Faulkner, who is now on his wedding tour. Little was done beyond formal organization, with Mr. Millikan as clerk. It was without debate agreed that the committee should recommend to the Senate that the sufferers from the disaster and the heirs of those who were killed should in equity and justice receive compensation for damages from the government. There was no dissent from this proposition, which was first suggested by Senator Manderson.

Col. Ainsworth to Be Examined.

A resolution was passed calling upon Col. Ainsworth, chief of the record and pension division, War Department, to appear before the committee at its next meeting, on Monday next at 10:30 o'clock. He will then be examined as to the details of the accident, the number of persons employed in the building at the time of the disaster and the number, names and conditions of those who were injured and the names of those who were killed. In short the subcommittee intends first to secure an accurate official statement that will cover the entire ground to establish the fact of the accident and its results.

It is not probable, in view of the understanding expressed this morning that the government should pay damages, that inquiry will be made at length into the matter of responsibility for the disaster beyond the official assurance that the clerks who were killed and injured were in no way liable by their own negligence.

The Inquiry Simplified.

This understanding or agreement will greatly simplify the inquiry, which can thus be confined to an investigation of the particular and individual cases. As soon as Col. Ainsworth has furnished the committee with an accurate and official list of the names of the dead and injured, as well as the uninjured survivors, witnesses will be rapidly called to establish the exact amount of injury sustained by those who were affected by the disaster. Of course this testimony will have to be supplemented by considerable medical evidence and in all a good many witnesses will probably appear before the committee first and last. Then, after all this information is collated it will be the duty of the committee—and in reality its most difficult duty—to determine the exact measure of damages and to adopt a scale which will be applicable to each case.

CAN'T SHAKE HANDS

Three Times a Week and Attend to Public Business, Too.

It is said at the White House that no arrangements have been made for a resumption of the tri-weekly afternoon receptions to the public, and so far as known the idea has now been abandoned by the President, even if it had been entertained by him, as reported a few weeks ago. These receptions were inaugurated by President Cleveland during his first term, and were continued by President Harrison throughout his term. President Cleveland held afternoon receptions for several days after the 4th of March last for the special benefit of the many strangers who had come to the city to attend the inauguration.

Since the President's return from Gray Gables at the assembling of the extra session of Congress the White House has witnessed none of the ordinary afternoon receptions to the public. The President has received visitors in the east room during that time on two or three occasions, such as the call of delegates of some scientific or religious convention, but the only real free-for-all reception at the White House since early last spring was that on New Year day. Under the old regime the President would spend from five to fifteen minutes in the east room at 1 o'clock on Mondays, Wednesdays and Saturdays, and the visiting public found it a great convenience in paying their respects to the chief magistrate of their country. It is now said that his regular official duties take up all the President's time, and that he finds he will have to discontinue his afternoon receptions, no matter how short they may be.

MAJ. TROCKMORTON'S CASE.

The Question of His Right to Salary Still Undetermined.

It is said at the War Department today that the question of the right of Maj. C. B. Throckmorton, second artillery, to draw a salary from the government out of the appropriation for the army, while he is drawing a salary from the city of New York as assistant superintendent of the street cleaning department, is still unsettled. It will be passed upon in the first instance by the pay department of the army, and if payment is made to him as usual by the army paymaster, the question as to its legality will subsequently be considered by the accounting officers of the treasury in settling the accounts of the paymaster. In the event of their holding that the payment was improperly made, the amount will be checked against the paymaster and will have to be made good by him unless he should be subsequently relieved therefrom by act of Congress. The only question involved in this case is whether the civil position now held by Maj. Throckmorton is an "office" within the meaning of the statute which provides that an officer of the army, accepting an office outside of the military service, thereby vacates his commission in the army. There are many officers at the War Department who say that Maj. Throckmorton has violated this statute, but there are many others who have doubts on the subject, based mainly on the theory that as he is under suspension his status, in regard to outside employment, is different from that of an officer on active service. The action of the reviewing authorities will be awaited with interest in army circles.

Personal Mention.

Mr. Henry R. Elliot, who was for a number of years a well-known newspaper man in this city, has severed his connection with the Dry Goods Economist of New York, and accepted a prominent position on the Evangelist, Dr. Field's paper.

Lieut. Com. Isaac Hazlett, U. S. N., J. S. Sherman of New York and C. E. Hayes of San Francisco, Cal., are at the Hamilton.

The Rev. Dr. W. C. Alexander, pastor of West Street Presbyterian Church, has been confined to his house for over a week with the grip, but is able to go out again.

Mr. Comstock, chief of the customs division, Treasury Department, who has been ill of the grip, has recovered sufficiently to be able to return to his desk.

Lafe Pence, Representative from Colorado, left yesterday for Indiana, to attend the funeral of Mrs. George Pence of Columbus.

The Cruiser New York Accepted.

The last act necessary to give the United States absolute ownership and control of the cruiser New York was performed today when Secretary Herbert signed a letter to her builders notifying them of the final acceptance of the vessel by the government. He also made preliminary acceptance of the cruiser Marblehead. Her final acceptance depends on her performances during the ensuing four months, while she serves the government on probation.

THE CORWIN'S NEWS.

She Not Only Brought Mr. Willis' Demand for Surrender,

BUT PRESIDENT DOLE'S REFUSAL.

The Administration Filled With the Gravest Anxiety.

TALK OF IMPEACHMENT.

The statement that the dispatches from Willis brought by the Corwin confirm the Auckland dispatches as to Willis' demand upon the provisional government to retire is not a matter of speculation, but is absolutely accurate. The situation as disclosed by the Corwin dispatches is even more grave than has been stated, and there is the keenest anxiety on the part of the administration. There is no satisfactory explanation given for the action of the administration in not permitting any communication with the revenue cutter, except that Mr. Cleveland desires to keep from the public as long as possible knowledge of the real gravity of the situation in the hope that the mail steamer leaving Honolulu after the departure of the Corwin may bring more favorable news, which can be put out at the same time with the Willis dispatches, if they are given to the public at all. While it is possible that there may be some one on board the revenue cutter whose presence the administration wished to conceal, there is no information which warrants this statement and it is a mere matter of conjecture.

President Dole's Refusal.

The dispatches from Mr. Willis, besides stating that the queen had accepted the terms of the United States, and that he, Willis, had notified the provisional government "of the decision of the United States" and demanded the surrender of authority to Liliuokalani, also convey to the State Department the reply of President Dole to this demand, which is a very vigorous and emphatic refusal to comply. The department is further informed of the probability of a royalist uprising, under the encouragement of the action of Mr. Willis, for the purpose of overthrowing the provisional government. That uprising had not occurred at the time of the departure of the Corwin, but it was expected, and the greatest anxiety of Mr. Cleveland now is lest there should be a revolution and bloodshed before anything can be done on the part of this country to prevent it. If the Corwin has coal sufficient for the trip she may be sent back immediately with dispatches to Willis, or, what is more probable, the Mohican, which is practically ready, may be dispatched at once for Honolulu. It is acknowledged by the administration that if the uprising of the royalists has occurred the administration will be placed in a position from which it will be difficult to extricate it.

Talk of Impeachment.

Talk of impeachment is heard in a good many quarters and it is entirely probable that if the royalist uprising occurs articles of impeachment against Mr. Cleveland will be introduced in the House. The responsible foreign affairs authorities in the House, who have been holding back the Hawaiian matter, in the hope of being able to smother it, confess now that action must be taken. Under the decision, however, that the resolution fixing the time for the consideration of the tariff question has precedence over everything else, the Hawaiian matter cannot be taken up, but it is stated on the highest authority that action must be taken, and that as soon as this tariff fight is out of the way the whole question will be taken up and disposed of. It is hoped that by that time complete information will be had.

Reticence at the Department.

It is asserted at the State Department that no official news concerning the situation at Honolulu will be made public until after the arrival of the packet sent by Minister Willis on the Corwin. This packet is expected to reach Secretary Gresham by mail Wednesday next, and the likelihood is that publicity will then be given only through the medium of the President's expected message to Congress. The arrival of steamers from Honolulu will throw light on the situation long before that. It is said at the State and Navy Departments that it is by no means certain that the City of Pekin, due in San Francisco tomorrow, stopped at Honolulu.

During the summer she made that point a stopping place on account of the world's fair traffic, but this schedule was merely temporary. As for the Monowai, it is likely that she will bring the next batch of news. She is expected today or tomorrow.

Reticence on the subject of Hawaiian matters is consistently maintained at the State Department. Secretary Gresham will not talk and it is said that even those who would ordinarily have his confidence are as much in the dark as the general public on what the Willis telegram contained.

FIGHTING AND BLOODSHED.

American Troops Reported to Have Been Landed at Honolulu.

It is stated on what appears to be excellent authority that the dispatches brought from Hawaii by the Corwin disclose that American troops were landed and that there was fighting and bloodshed.

THE REPORT NOT CREDITED.

That Minister Willis Returned on the Corwin.

San Francisco, Jan. 8.—All attempts to get information from those on board the revenue cutter Corwin as the situation in the Hawaiian islands when she left there, presumably on December 24, have proved futile.

The report that prevailed last night to the effect that Minister Willis had returned from Honolulu and was on board the Corwin is not credited, although Capt. Munger of the cutter has repeatedly refused to affirm or deny it. It is the general opinion, however, that if Minister Willis had come up on the Corwin he would not have remained in confinement, but would have at once hurried to Washington to communicate in propria persona all information he was in possession of.

P. C. Jones, formerly minister of finance at Honolulu under Queen Liliuokalani, and for a time held the same position under the provisional government, has arrived here on his way home, the recent news from Honolulu making him anxious to be with the members of his family, who are at the islands. He states that when he reaches Honolulu he will advise the provisional government that additional affidavits be prepared and forwarded to Washington, showing further misrepresentations in Blount's report. Mr. Jones is satisfied that if the queen be placed on the throne she will not be able to hold her own for an hour after the support of the United States is withdrawn. Jones returns to Honolulu on the next steamer.

Removal of Derelicts.

The recent discussion in the British house of commons concerning an international agreement for the removal of derelict vessels, especially from the established lanes of transatlantic travel, has been followed by a communication from the British ambassador here inquiring whether the government of the United States has taken, or will take any definite steps for the removal of these menaces to ocean trade and travel. Commissioner of Navigation Chamberlain states that the subject matter of the British ambassador's letter has been referred to the Navy Department, where it properly belongs.

BLOUNT'S EXPENSES.

Mr. Hoar's Resolution Discussed in the Senate Today.

He is Attacked and Explains Why the Information is Desired.

In the absence of the Vice President the Senate was presided over today by its president pro tempore, Mr. Harris (Tenn.). The death of Mrs. Cockrell, wife of the Senator from Missouri, was feelingly referred to in the chaplain's opening prayer. "Sorrowful and thrilling with sympathy," said the chaplain, "we bring to Thy love our honored friend and brother, who, with his children, has been smitten by an overwhelming sorrow. As they pursue their sad journey to their home to lay the sacred dust near the dust of kindred, and as they deposit their beloved dead in the grave, grant that He who spake by Bethany's tomb may speak to them, 'I am the resurrection and the life.' And so may the calm of Thy consolation and the unutterable peace of faith and trust come to their hearts and abide there."

Mr. Davis (Minn.) gave notice that on Wednesday next he would address the Senate on Mr. Frye's resolution respecting Hawaii. Numerous petitions were presented and referred to the committee on finance in regard to the Wilson tariff bill. They were remonstrances against the proposed reductions of duty on barley, cigars, horseshoe nails, lead ores, wool and other articles.

House bill for the relief of purchasers of timber and stone lands (allowing affidavits to be taken before any officer qualified to take proof in homestead cases) was reported from the committee on public lands and passed.

Mr. Chandler's Resolution.

Mr. Chandler (N. H.) offered a resolution directing the judiciary committee to inquire and report its opinion as to the cases in which the President may, constitutionally, send to foreign countries agents, representatives or commissioners, without the advice and consent of the Senate, and whether there was constitutional authority for the appointment, in March last—without the advice and consent of the Senate—of Mr. Blount as commissioner to the Hawaiian Islands.

Mr. Gorman (Md.).—Let that resolution lie over.

The resolution went over till tomorrow.

The resolution offered last week by Mr. Hoar (Mass.), calling on the Secretary of the Treasury for a statement of the payments to Mr. Blount as commissioner to Hawaiia, and the authority for such payments, was laid before the Senate.

Mr. Gorman moved its reference to the committee on foreign relations, and submitted that the proposed inquiry was very extraordinary. The disposition of the fund granted to the State Department in the nature of a secret service fund was a matter which ought not to be inquired into with great particularity.

"Does the Senator from Maryland," Mr. Hoar asked, "understand that this money was paid to Mr. Blount out of the secret service fund?"

Out of the Secret Service Fund.

"I take it for granted that it has been," Mr. Gorman replied, "although I know nothing about it. I know that in the last administration and in every administration a sufficient amount of money is appropriated by Congress to conduct the business of the State Department and that it has been always expended at the discretion of the President and without further inquiry."

"All that I ask," said Mr. Hoar, "is to know whether Mr. Blount has been paid out of this secret fund or not."

"I would consider it a great misfortune under the peculiar circumstances," Mr. Gorman added, "for the Senate to enter on an inquiry as to whether the secret service fund has been properly expended by the last administration or by the present one."

Two years ago we placed a fund at the disposal of Mr. Harrison to enable him to protect the interests of this great country, and I have no doubt that it has been expended conscientiously and for the interests of the country. But no inquiry into it has been attempted or suggested. If it were, I should take the same position against it that I take now.

Mr. Hoar—If the President desires not to disclose the details of the expenditures, he will direct the Secretary of State to place on record a certificate that such a sum has been expended, and that it is not expedient to make the details known.

Mr. Gray (Del.) asked Mr. Hoar what his object was in offering the resolution.

Mr. Hoar's Explanation.

"I want to know," Mr. Hoar replied, "and I want the country to know, whether this gentleman, whose mission was conferred upon him and who exercised his authority and reported his action without the advice and consent of the Senate, was treated in all other respects as a public minister of the United States. I want to have light thrown on the question whether Mr. Blount was, in fact, a private agent of the President or whether he was treated as a public agent. And the question of the method in which his compensation was paid to him bears very strongly on that question. That is what I want the information for.

Mr. Gray (Del.) characterized the resolution as unusual, out of the ordinary course and (so far as he knew) without precedent. Its adoption would be a direct reflection on the estimable and honorable gentleman who had filled, conscientiously, and to the best of his ability (whatever might be the judgment of Senators as to his conclusions) the trust which had been reposed in him by the President of the United States. He had no doubt that there had not been a cent of public money expended by Mr. Blount that was not reasonably necessary and reasonably just and pertinent to the matter in hand. But he did not care to have the Senate add up the items of Mr. Blount's board bill and hack hire and inquire whether he stopped at a first-class hotel or a cheap boarding house.

The Resolution Referred.

Mr. Hoar's resolution was referred to the committee on foreign relations.

Then Mr. Turpie (Ind.) offered a resolution, which went over until tomorrow, declaring, among other things, that foreign intervention in the political affairs of the Hawaiian Islands will be regarded as an act unfriendly to the government of the United States.

The Frye resolution as to Hawaii was laid before the Senate, and went over until Wednesday.

After disposing of a few unimportant bills on the calendar the Senate, on motion of Mr. Vest (Mo.), proceeded to the consideration of executive business.

ADMIRAL STANTON'S FLAG

Will Soon Again Be Hoisted, as He Takes Command of a Station.

The Navy Department is informed that the U. S. S. Kearsarge sailed from St. Thomas yesterday for Port au Prince, Hayti, to meet Acting Rear Admiral Stanton, the new commander of the North Atlantic station. Admiral Stanton left New York on the 3d instant, and is due at Port au Prince Wednesday. He will hoist his flag on the Kearsarge, and will remain in the West Indies on the Kearsarge until next April, when he will relieve Admiral Benham of command of the South Atlantic station. He was detached from this latter command because he saluted the insurgent admiral, Mello. The change in command of the South Atlantic station is due to the fact that Admiral Benham goes on the retired list in April.

His Condition Serious.

The condition of the father of Judge Miller is considered very serious by his physician, Dr. W. F. Luckett, on account of his extreme age.

PREVIOUS QUESTION

On the Tariff Bill Ordered in the House.

MR. BOUTELLE MAKES SOME TROUBLE.

Ex-Speaker Reed Takes a Hand in the Debate.

THE SPEAKER'S RULING.

The proceedings of the House opened briskly this morning. At the very outset the struggle between Mr. Boutelle and the tariff bill resolution began. This time, however, Mr. Boutelle adopted a new line of tactics. Instead of renewing his request for consideration of the privileged resolution he made a point of order that the Speaker had transgressed the dignity of the House in preferring the report of the committee on rules to his own privileged motion and that this point of order should be submitted to the House.

The Speaker's Ruling.

Speaker Crisp accorded Mr. Boutelle very courteous consideration to make his statement and then ruled that he could not recognize Mr. Boutelle to raise the point of order. He explained that a motion to amend the rules of the House is now before the House and that under the rules no other motion save one to adjourn can be in order. He said by way of illustration, "Suppose a motion to amend a rule were pending and a gentleman should invoke the very rule which it was intended to amend, and invoke it in order to prevent its amendment, then the House would be bound hand and foot. It is clear," he said, "that the chair has no choice but to obey the rule which says that no motion except to adjourn can be entertained pending the consideration of a report from the committee on rules." Therefore, he declined to recognize Mr. Boutelle.

Mr. Reed's Inquiry.

At this point Mr. Reed arose to a parliamentary inquiry.

Mr. Reed said: "The chair has stated to the House that it would be in the power of the House to control this matter by direct action, namely, by opposing the adoption of the rule now presented. Would it be in order to raise the question of consideration against this, in order to test this very question? That the House should have control of its own proceedings would seem to be beyond dispute, but it cannot have control of its own proceedings under the rules, as gentlemen upon the democratic side are called upon to vote against a rule which otherwise they might desire retained.

They might be willing to vote against consideration upon the ground that as soon as they had disposed of this Hawaiian matter, either by laying it on the table or refusing to consider it, they could then proceed under this rule. But if they defeat the rule, they deprive tehmselves of that right; and I take this occasion to suggest to the chair that perhaps there ought to be a revision of the former ruling of the chair that the House could not raise the question of consideration against a report of the committee on ruled. This is one of the bad consequences to which that ruling has led. That ruling, I think, was made under a mistaken idea that there was some analogy between the present situation and a motion for the suspension of the rules. Of course if the chair believed that my colleague (Mr. Boutelle) was presenting this matter for purposes of delay, or anything of that sort, then, under the general parliamentary law of every civilized body, the chair would have the right to rule it out, subject to future corrective action by the House, if there were any abuse; but surely we ought not to be put in a position where the House may not take up a question relating to its own dignity, by disposing temporarily of a proposition to change the rules without being obliged to dispose of it permanently.

Allow me in this connection, in order to show the importance of this situation and of the course of action that ought to be taken in regard to it, to suggest to the chair a possibility. Suppose it were within the knowledge of any member of the House at this moment that some body, some band of undisciplined or of disciplined people were marching upon this body and the House might desire to call for proper aid in order to preserve its existence; suppose a member should rise in his place and say that he desired to present that as a question of the highest privilege, and to ask for action on the part of the House in order to preserve its own existence, nobody would for an instant dispute the superior right of that question over the present proposition which the Speaker is about to lay before the House. The chair will please observe that this point does not depend upon the importance of the question presented. I put an extreme case because it is only by putting an extreme case that we can see the full extent of the ruling. The principle is precisely the same whenever any question of privilege is presented to the House, and the House alone can determine whether the question is of sufficient importance to justify the interruption of its present business.

A Question of Privilege.

Now, let me say that a question of privilege is not dependent upon a rule of this House. Without any rule it is inherent in the nature of a legislative body that it shall have the right to interrupt temporary business for the purpose of preserving its own existence, and what is necessary in order to preserve its own existence can only be determined by the House itself. I think that possibly the Speaker may have been led into error in regard to this—if he is in error, and I mean to speak with perfect respect upon this subject, because I understand somewhat of the difficulties of ruling upon questions which spring up suddenly and even of ruling upon questions as to which one has plenty of time for deliberation. But the question, I say, must be determined by the House, either primarily by the Speaker, with an appeal from his decision, or by submission to the House itself. Now, this being the case, ought there not to be a series of rulings which will allow the House to remain in this position? It is perfectly true that the House has the right to change its rules, not merely under the Constitution, for, in my judgment, the Constitution is only declaratory of an inherent power which exists in every parliamentary body.

It undoubtedly has the right to change its rules, and if this were a direct proposition to change this rule alone in order to get rid of this question as the House might desire, why then the intimation of the Speaker would seem to be entirely correct. But here is a general proposition,