**The New North-West.**

JAMES H. MILLS. PUBLISHER.

THE San Francisco *Chronicle* is fighting Sargent artfully, artistically and awfully.

The *Independent* states that on Monday evening of this week the Mullan tunnel was in eighty-seven feet. Electric lighting apparatus for the tunnel has reached Dillon.

WE NOTICE the eastern papers generally chime in with the Democratic as against Keifer's composition of the committees. It may be mentioned in this connection that the East is growing continually more jealous and apprehensive of the West and that New York confidently expected the Speakership. Sores do not heal in a day.

ALTHOUGH the telegraph line has been silent on the subject the past day or two it is evident the Guiteau case has gone to the jury as late dispatches say the star route cases had been taken up. The verdict of the American people is that Guiteau is guilty of murder in the first degree and should be hung by the neck until he is dead, at the earliest practicable moment. We trust the verdict of the jury will be to the same effect.

WE PUBLISHED a week or two ago what purported to be an opinion of the Attorney-General on the respective rights of mine owners and town lot owners in town sites. The telegraph report was badly mixed up. We now find in the New York *Herald* of December 31st the following from Washington City respecting the same matter, which puts a different phase on the matter: "Acting Attorney General Phillips, on the 24th inst., submitted to the President an opinion in regard to the Tombstone, Arizona, cases, which was to-day referred to the Interior Department. The opinion is, in substance, that the location of town sites cannot deprive persons of mineral rights previously acquired to the same ground; that the parties having previously pre-empted mineral lands have lawfully the right to go ahead and take out mineral in the ground of the town site, but they must not destroy any of the town improvements or streets—that is, the surface may be preserved for the town, but the mineral underneath the surface belongs to the parties who have pre-empted mineral land there, but that mineral must be taken out without detriment or injury to the town."

SOME ten years ago the Northern Pacific railroad was located from Missoula to near Silver Bow, along the stream that flows from the latter to the former. The map was filed in the Interior Department and the lands were withdrawn accordingly. That filing and withdrawal stands, and we have never yet noticed any action of the railroad directory or the United States Government changing such location. There have even been a number of recent surveys on the old line, and some grading has been done, and is now being done, between Mouth of Blackfoot and Silver Bow. And now, forsooth, we notice by the Helena papers that certain parties have taken possession of a mountain some twenty-five miles north of this line, and are punching a three-quarter mile tunnel through it, ostensibly for the uses and purposes of the Northern Pacific railroad. It has not transpired that the Northern Pacific company has two lines through mid-Montana. Will somebody, well informed, be kind enough to state where the real Northern Pacific road is between Mouth of Little Blackfoot and Three Forks? Some of these days the question will be of importance.

"POOR'S MANUEL" reports 93,000 miles of railway in operation in the United States in 1881. In 1880 the English system embraced 18,000 miles. The capital invested in railroads in this country is $4,900,000,000. In Great Britain, $3,530,000,000. The gross earnings of all our roads in 1881 were $615,400,000; in Great Britain (1880), $318,000,000. Net earnings in the United States, $255,000,000; Great Britain, $156,000,000. Our roads earned net per mile $2,742; the British, $8,666. The relative freight and passenger business was:

| | Freight. | Passenger. |
|---|---|---|
| American roads..... | $468,000,000 | $147,000,000 |
| British roads........ | 185,000,000 | 133,000,000 |

The average cost of the American system was $52,700 per mile of road; British, $196,000. The cost of operating the American roads was 58 per cent. of the gross earnings; British, 51 per cent; and the American roads returning 5.20 per cent. on the capital invested, against 4.36 per cent. for the British system. The chief item of cost in the British system is land and right of way, which is but an insignificant item in the American system, especially west of the Mississippi.

WE NOTICE the question of securing representation from Silver Bow county in the Legislature is being agitated. It will be remembered the Eleventh Session failed to apportion the Territory, as did also the extra session succeding it. Then Congress passed an Act empowering the Governor of the Territory, the President of the Council and the Speaker of the House to apportion the Territory. This the latter two did, Governor Potts properly refusing to sign an apportionment manifestly at variance with the letter and spirit of the law. The Twelfth Session members were elected on this apportionment, and then the Twelfth Session failed to pass an Apportionment Act. The result is that Silver Bow county, erected after the apportionment was made, has no representation accorded it for any future Legislative assembly, and we believe it not less a fact that it was represented in the latter part of the Twelfth Session by members who were disqualified from representation by the terms of the Division bill However, this may be it will require an Act of Congress to give Silver Bow county representation in the Legislature to be convened January, 1883, and to elect members thereto in November, 1882. It would be well for Delegate Maginnis to give early attention to this matter.

WE HOPE that Congress will arrange to have the remains of General Kilpatrick brought back to his native country. He was a brave, dashing soldier and made a brilliant army record. The memory of that should be kept fresh in the hearts of American boys. His body should be buried where the place would be conspicuous. And when children pause and ask who was thus honored, they should be thus answered: "It was the soldier who led the cavalry of the Grand Army that marched from Atlanta to the Sea." This would not be lost in the hearts of childhood. It might lay dormant until some supreme moment in their lives came, and then the recollection would nerve their hearts and make their sinews steel. Wherever a patriot soldier's grave is made, that spot is holy ground; as the years unwind those graves become shrines, and as they accumulate they give a benediction to the country, and make it more and more impossible for the soldiers of that country to falter when in the face of a wrong or an enemy. Again, the attention paid to the dead heroes of a country is a measure of that country's civilization. The dead heroes in Westminster Abbey are a tower of strength to England; the memory of that old Abbey has nerved many an English heart on doubtful fighting field and when English ships have been struggling in a contest with tempest and wave. When a nation begins to neglect to honor the soldiers who have died in its cause, it is a sure sign of the [illegible] of the decay of [illegible]

## THE PORTER CASE AGAIN.

There has never been a sentence by American court-martial productive of so much interest, creating so divided and strong sentiment and so persistently sought to be reversed as that which cashiered General Fitz-John Porter and forever disqualified him from holding any office of trust or profit under the government of the United States. This sentence was passed January 10, 1863, and approved by President Lincoln January 23, 1863. Brigadier-General James A. Garfield was one of the court. Reverdy Johnson defended Porter. After many efforts in the same direction a military commission met in 1878, by order of the President, to reinvestigate the case and after a full hearing unanimously reported in favor of Porter's restoration to the army from the date of his dismissal. This involved the payment to him of about $60,000 back pay. A bill to that effect was introduced in the Senate soon after, and on March 2, 3, 4, and 5, 1880, Senator John A. Logan made his memorable speech on the question and the bill was defeated. Among those who entertained strong opinions adverse to Porter was General Grant who, as President, declined to reopen the case. After a lapse of nearly two years Porter again appeals to President Arthur, in terms almost identical with those in which he applied before, asking removal of his sentence and restoration to the service, and the most remarkable incident of the application is its accompaniment of a letter from General Grant saying he had been in error in his judgment of Porter and recommending President Arthur to have the case reinvestigated. Thus, a ghost of the rebellion that was believed was down forever has reappeared in a more formidable form than ever. The President has power, and exclusive power, to annul the action of the court-martial by pardoning Porter. After that, restoration to rank must be made by nomination of the President and confirmation by the Senate, while the voting of back pay involves the approval of the House, Senate and President. Owing to the fact that Grant's name is before Congress for a measure that will require support which Porter's friends could give, his conversion to Porter's interest is open to animadversions of which his enemies have been quick to avail themselves. We believe, however, that it is one of the strongest evidences of Grant's integrity in the matter and his honest change of sentiment, that at an important crisis in his own case he risks all in atoning an error and writing a letter that may alienate his strongest friends and especially Logan, who is the author of the Grant measure. It is his avowed opinion that he has done Porter a wrong and seeks, so far as he is concerned, to make speedy reparation. The human heart inspires no nobler impulse than confession of error and atonement of wrong, and Grant is entitled to all the credit of such an act until it is made evident the motive was ulterior and selfish. We believe Grant is honest—and mistaken. Porter was a splendid General. We had the honor to serve in his corps in front of Richmond and even subalterns can read the signs of well handled commands. But we believe Porter was too deeply devoted to McClellan to give Pope that zealous co-operation so essential in the campaign he made to enable McClellan's army to leave the Peninsula and reunite the Union forces in front of Washington. Pope's campaign was planned at Washington. It was intended as a daring piece of bravado and Pope has since rested under the obloquy of bluster and expressions that really emanated from his superior officers. He had an important and perilous work to do in an exigency that threatened great evil to the Union. In those latter August days when he had been joined by the bulk of the Peninsular army and victory was in his grasp, when a hard fought battle was in progress, Porter's corps of 12,000 or 15,000 veterans were within easy distance of the field. They were not put in the action notwithstanding the most positive and urgent orders of Pope to that effect, and Pope's army was overwhelmed with disaster. Even the commission that recommended Porter's reinstatement condemned him for having made indefensible remarks about Pope, and Pope's aid on the field returned from Porter and told Pope then and there Porter would fail him, as he did. Porter's defense was that there were obstacles in the way, but the sum of the evidence brought out in all the investigations so far appears to lead to but one conclusion: that the great obstacle was Porter's indisposition to overcome the lesser ones and fight his command under Pope as he would have done under McClellan. If General Grant has been led to other conclusions the country will be glad to hear his reasons therefor and if they prove correct make all atonement possible to Porter; but it will not carelessly reverse a verdict reached after thorough investigation or condone defection on the field merely because time has elapsed and powerful political influences are invoked.

## ANOTHER WAY TO REACH IT.

Incidental to the present agitation of the Mormon, or Utah, question Delegate Maginnis has been interviwed by a representative of the New York *Herald* and reiterates as his remedy for the evil the old suggestion of breaking up the Territory of Utah and dividing it between Nevada, Colorado, Idaho and Wyoming. This meets with no favor anywhere and is not a good plan. There is a Territory of Utah organized. Certain people there persistently violate a certain law of the United States. Yet the United States with a Congress to enact laws, a Judiciary to expound and officials to execute them, seems all at sea about the method of treating the case. If one man kills another the way is clear to punish him. If a brewer neglects to paste a certain stamp on a keg of beer, there is a law and a method to reach him, and all the forces of the government can be used if necessary to assert the sovereignty of the Republic on the beer stamp matter. But because a few hundreds or thousands of beastly bigamists in Utah defy the law against bigamy we go beating about the bush and talk of dividing up the Territory, or disestablishing the Legislature and putting a "Council" in Utah to run the government. Why are not the United States as able to cope with polygamy as with rebellion? Why cannot it enforce its laws as well in Utah as in Montana? If a Montanian has two wives he is declared a felon and imprisoned. If the Utah man does the same thing, or a number of them do, our government puts on spectacles, kid gloves and dilettante airs and regards it as a very different and a very delicate and important and too too matter, and ends by doing nothing to punish the offender or offenders. Why does not the government grapple the infamous institution and summarily suppress it by whatever means are necessary? It has been toying and playing and fooling with polygamous Mormonism until the disgraceful monster has assumed power and proportions it should never have been allowed to attain. Polygamy is no religion. It is a lecherous, lustful crime, not tolerated by any other enlightened nation and is a foul blot on the fair fame of the Republic, condemned by the very Bible the Mormons accept as the inspired Word of God, and "revealed" to one of their bovine bishops who was not satisfied with one wife. It seems preposterous that the United States should trifle with this issue longer, or that Governor Murray or Delegate Maginnis or others should seek eccentric methods for treating it. A law of Congress making subsequent bigamous marriages a felony; making it a requisite [illegible] Clerk of a United States Court; making all cases of bigamy triable in a United States Court before jurors to be summoned by a United States Marshal; admitting the testimony of plural wives against ostensible husbands, with the imprisonment of convicts at hard labor for a ion, term in a prison outside the Territory; and a sufficient United States force present in Utah to enforce the authority of the courts would, with vigorous, capable and honest officials, reach the true inwardness of the polygamy bugbear better than these doubtful political measures. By the time a few hundred violators of the law were pounding rock in a State prison there would be a collapse of faith in the necessity for plural marriages and a great deal more and deserved respect for the government which has tolerated Mormon defiance too long already. It is not wise to make such a measure retroactive, except that plural wives should be allowed divorce and alimony when applied for, but it is full time the Republic should stop the commission of the crime, and it can be done in the way suggested. The fact that laws hitherto enacted have failed but points the way to avoid their defects. Let the Territory remain intact and allow the Legislature at least what little law making power is vested in it for local government; but see that United States law is enforced there too. If there is a will to do this the way will be found.

## AN OLD CASE REOPENED.

### General Fitz-John Porter Asks a Rehearing and Grant a Convert.

WASHINGTON, January 5.—The following correspondence has been submitted to the President:

MORRISTOWN, N. J., December 23, 1881.

*Wm. J. Sewell:* DEAR SENATOR—You have kindly offered your services in the matter of my vindication, and I am grateful to you for your outspoken friendship. As an active participant in the struggle on the second Manasses field of action, as well as a Senator from my State, I beg of you to present to the President my appeal and the accompanying documents and ask of him in the name of long-delayed justice early consideration and earnest action on its merits. With my appeal is a letter from General Grant to the President, and I have his assurance of further personal appeal in the near future, he feeling deeply interested in the result, having through a misunderstanding of the facts failed to act when the matter was before him as General of the Army and as President of the United States. There are also several petitions from officers of high rank, and indeed from soldiers of all grades generally cognizant of the events, from New York City and other cities of New York, from Maine, New Hampshire, Massachusetts, Pennsylvania, and also from numerous citizens of Philadelphia. Numerous other petitions from officers and soldiers from several States were presented at the last session, and there were many in the hands of President Hayes when he appointed an Advisory Board, including appeals from the Legislatures of New Hampshire, New Jersey, and Pennsylvania, and also an argument. (See note following signature.) The few of these that I have been able to recover I have appended to my appeal, that it may be seen how much longer a class of our citizens have been ill-treated in the administration of this case; and last, but not least, I take that which under the circumstances will be sanctioned, the liberty of sending a private letter to me from General Terry, whose manly utterances are only equalled by those of General Grant. F.-J. PORTER.

NOTE.—See pages 486 to 490 and 534 to 540 of Volume 1 of the proceedings of the Advisory Board, as published by the Senate.

A LETTER TO PRESIDENT ARTHUR.

NEW YORK, December 23, 1881.

*Mr. President:* SIR—I respectfully represent that in January, 1863, by court martial, I was most unjustly declared guilty of charges against me and sentenced to be cashiered and forever disqualified from holding any office of trust or profit under the Government of the United States. From the promulgation of the verdict of that court I have protested my innocence of all wrong done and asserted the injustice of the sentence, and have presented sustaining evidence. I have from time to time asked a rehearing. In 1878 the President, in order to be informed of the facts of the case and to be enabled to act advisedly upon my application for relief, appointed a Board of army officers to examine into my case and report what action, if any, in their opinion, justice required should be taken on my application. That Board, after a thorough examination into the facts of the case, vindicated me in every respect and reported that in their opinion justice required at the hands of the President such action as might be necessary to annul and set aside the findings and sentence of the court-martial and restore me to the position of which that sentence deprived me, the restoration to take effect from the date of my dismissal from the service; and I now respectfully urge and represent that the sentence is continuing to exist, and so long as it exists it is within the reach and under the control of executive power; that, harsh and burdensome originally, and lasting through many years, it is for stronger reasons a subject for the consideration and action of the Executive now that it is proved to be founded on error and to be unjust. I respectfully ask you, if convinced of the justice of the recommendation of the Advisory Board, to annul and set aside the findings and sentence of the court-martial, and nominate me to the Senate for restoration to my rank in the army, under the Act of Congress of 1868, allowing that mode of redress of wrong committed by a court-martial; and this I ask, not merely in justice to me and those most near to me, but in justice to the army to which I belonged, and which has ever believed in me, and the Government which honored and trusted me.

FITZ JOHN PORTER.

GENERAL GRANT'S REQUEST.

NEW YORK, December 23, 1881.

*Mr. President, Washington, D. C:* DEAR SIR—At the request of General Fitz John Porter I have recently reviewed his trial and the testimony furnished before the Schofield Court of Inquiry held in 1879, giving to the subject three full days of careful reading and consideration, and much thought in the intervening time. The reading of the whole of this record has thoroughly convinced me that for seventeen years I have been doing a gallant and efficient soldier very great injustice in thought and sometimes in speech. I feel it incumbent upon me now to do whatever lies in my power to remove from him and his family the stain upon his good name. I feel this more incumbent upon me than if I had been a corps commander only, or occupying any other command in the army than the one which I did; but as I had it possibly in my power to have obtained for him the hearing which he only got at a later day, and as President I certainly had the power to have ordered the hearing.

In justification for my injustice to General Porter, I can only say that shortly after the war closed his defense was brought to my attention, but I read it in connection with a sketch of the field where his offenses were said to have been committed, which I now see, since a perfect map has been made of the whole field by the Engineers' Department, was incorrect as showing the positions of the [illegible] armies. I have read it, in connection with the statement made on the other side against General Porter, and, I am afraid, possibly with some little prejudice in the case, although General Porter was a man whom I personally knew and liked before, [illegible] that there was a half-hearted support of General Pope in his campaign, and that General Porter, while possibly not more guilty than others, happened to be placed in a position where he could be made responsible for his indifference, and that the punishment was not severe enough for such offense. I am now convinced that he rendered faithful, efficient, and intelligent service, and the fact that he was retained in command of a corps for months after his offenses were said to have been committed, is in his favor. What I would ask in General Porter's behalf from you is that, if you can possibly give the time to this important subject, the same study and thought I have given it, and then act as your judgment may dictate; but, feeling that you will not have time for such investigation (for it would take several days), I would ask that the whole matter be laid before the Attorney General for his examination and opinion. Hoping you will be able to do this much for an officer who has suffered for nineteen years a punishment that never should have been inflicted upon any but the most guilty. Very respectfully,

U. S. GRANT.

CHICAGO, January 7.—The *Tribune's* Washington special gives the following: "I propose to fight it in a military way," said General Logan to-night, referring to General Grant's unexpected attitude in the Fitz-John Porter matter. "I shall permit the enemy to develop himself, and then I shall strike; but I am not prepared to say anything about the matter. The time has not yet come. I wish to see what General Grant's reasons are. He has stated in his interview that he will soon have some reasons to give the public for his unexpected change of position. He has not yet given any. This conversion of Grant has not changed a single vote in the Senate, and you may be entirely sure that the President is not going to reopen the case." General Logan, whose speech in the Porter case is now so very much in demand as a complete history of the battle, is evidently not going to change his mind on this important military question, to which he has given so much study, on account of Grant's views. Being asked whether Grant could possibly have had new evidence or any new map, or have had any knowledge as to different dispositions of the enemy's forces from that in the possession of the Senate committee at the time Logan made his speech, Logan answered: "Certainly not; there is no new evidence and there is no new map. The map that is mentioned in the interview is the map of the engineer officers which is printed in my speech. It is the identical map which Grant spoke about."

NEW YORK, January 7.—The conclusions of General Grant in regard to the Fitz-John Porter case seem to have more weight among military men than among Congressmen. The weight of opinion seems to be that the letters of Generals Grant and Terry will prove almost decisive in securing the passage of a bill for the relief of General Porter. Members of the two Houses, however, who were prominent in their opposition to such a measure in the last Congress, appear to be still holding very decidedly to their former views. The friends of General Logan, for instance, declare that he does not intend to yield, notwithstanding his great personal friendship for Grant.

## THE ASSASSIN'S CASE.

### Law Points of the Defense Discussed.

WASHINGTON, January 6.—Scoville and Reed have finished the preparation of prayers to be offered by the defense to the Court for instruction to the jury. There are fourteen prayers. The main points raised are, that legal testimony is whether the act was done as the result of insane delusion, or committed under an influence or power which the accused could not resist by reason of his unsoundness of mind; that if the accused would not have done the act but for such insane delusions, he is not guilty of the crime charged against him; that if the jury has reasonable doubts as to the insanity of the accused, they should give him the benefits of the doubt; that the jury may take into account the manifestations of feeling on the part of witnesses; that the jury have a right to consider the suppression of evidence by the prosecution as raising the presumption that such evidence, if produced, would be unfavorable to the prosecution; that if the jury believed the prisoner of sound mind, but without malice in the commission of the act, they should render a verdict of manslaughter; that the jury should find a verdict of not guilty upon the counts of the indictment representing the death of the President in the District of Columbia; and that a knowledge of his act was contrary to law would not make the accused liable if he did it under the insane delusion that it was commanded by God.

There has been no new developments in the Guiteau case. Judge Cox is engaged in the preparation of his rulings upon law points. Davidge will then be ready to proceed at once with the opening argument for the prosecution, but it is thought an adjournment will be taken until Monday. The prayers of the defense have been the subject of general discussion with the legal fraternity, particularly the twelfth, which sets forth "if the jury shall believe from the evidence that the prisoner was of unsound mind, or not so insane as to be irresponsible for the act at the time of the shooting of the President, on the 2d of July, 1881, and that he then unlawfully and wilfully, but without malice in fact, in the District of Columbia, shot at and thereby injured the President, of which shooting and injury the person so injured died in the State of New Jersey, and within the United States, then the prisoner is guilty of the crime of manslaughter, and the jury should so find." This is looked upon as the last resort of the defense, the claim that, as the shooting occurred in the District of Columbia, and the death in New Jersey, the crime is one of manslaughter. In section 5339: Any one who unlawfully and wilfully, but without malice, strikes, stabs wounds or shoots at or otherwise injures another, of which striking, stabbing, wounding, shooting, or other injuries, such other person dies, either within or without the United States, he is guilty of manslaughter. As the absence of malice must be shown to remove Guiteau's crime from the murder class, it is not believed Judge Cox can rule favorably upon this prayer.

### Star Route Prosecutions.

WASHINGTON, January 7.—A special to the western press says: The chief offenders in the Star route ring will be proceeded against before the grand jury and witnesses have been subpœnaed to appear by the 21st. The prosecution are as confident as ever of their ability to obtain indictment, and say further, that all who were implicated in the frauds, from the highest to the lowest, will be punished. Civil suits will be brought in different parts of the country to recover the money paid the Star route contractors under Brady's administration where service was never performed. It is stated that some of the contractors got their routes upon affidavits containing exaggerated statements of the number of men and horses employed, that some never really performed service, though they received increased pay, and the Government can prove these facts. Where evidence to these facts can be obtained, suits will be brought against the contractors, or if they are insolvent against their sureties, to recover the money illegally paid, or what was obtained by fraud and misrepresentation, or for service represented to have been [illegible]

## DAKOTA AT THE DOOR.

### Why They Are Opposed to Admission.

WASHINGTON, January 3.—A correspondent interviewed Springer as follows:

I suppose you Democrats will oppose the admission of Dakota as a State?

"Yes," replied Springer, "I shall oppose it anyway. Utah is more fit and better equipped every way than Dakota, but I shall object to the admission of any Territory as a State until the boundaries and population become fixed. I should oppose the admission of Utah, Arizona and New Mexico just as seriously, although we would get Democratic Senators from those States. I think we ought to wait until this Western country is sufficiently developed for us to determine what will be the probable character and density of population, and can tell better where to put the boundaries and how much territory they ought to contain. We made a mistake, you see, in admitting both Colorado and Nevada. Nevada is too small, and should never have been made a State. Still in order to take population enough, we made the boundaries of Colorado too extensive. Now, the trouble with Dakota is, we don't know yet what she is going to amount to, and so we can as well wait, and the people are just as well off under the present form of government. I do not think she will be admitted."

SIOUX City, January 6.—Governor Ordway, of Dakota, is in this city to-day on his way east. He said, regarding the subject of the statements in a Washington special: You may say Governor Ordway has written no letters opposing either division or admission, but has recommended both. Neither has he maligned the people of Dakota. All his criticisms have been upon the methods of Pettigrew and his thirty-nine pals, whom he regards as lineal descendants of the original forty thieves. He would consider it an honor to be displaced for thwarting the schemes of those who inspired the late specials from Washington.

### Senator Miller's Chinese Bill.

WASHINGTON, January 4.—It is learned from private letters received here that one of the main objections urged against Senator Miller's Chinese bill by members of the San Francisco Trades Assembly is that it proposes to permit the Chinese now in this country to remain here, and to return to the United States if they so desire after they leave the land and reside temporarily elsewhere. The bill provides that all Chinese who were residents of the United States on the 19th day of last July, when the treaty was ratified, shall have the right to go and come at their pleasure if they are properly registered and furnished with specified certificates from our collectors of customs, but granting this exemption from its proprietary clause, the bill simply conforms to the express stipulations of the treaty, and it is perfectly clear, therefore, that this objection is made either in ignorance or defiance of the treaty provisions under which every bill for the restriction of Chinese immigration must necessarily be framed. It is stated Miller remarks with reference to other and more intelligent criticisms of his measure and also its method of determining what individual Chinese are entitled to admission as merchants, travelers, or members of other exempted class, that while he will be very glad to receive suggestions he does not yet see how any better system can be devised than that which his bill proposes. After speaking of the very marked division of classes in China and the low estimate in which the laboring class is there held by all those who are socially above it, and especially by the governing class, he calls attention to the fact that his bill provides that no Chinese subject shall be allowed to enter our jurisdiction without an individual certificate to be specially obtained in each case from the Chinese government, fully identifying the holder and setting forth minutely that he belongs to a certain one of the exempted classes. The certificate will not be accepted, however, as sufficient permission for the Chinese to land in the United States, unless its genuineness and the truth of the facts therein stated and identity of persons named shall be attested after due examination of witnesses or otherwise by our consul at the port of departure. Moreover, if any Chinaman gains admission to the United States by false or fraudulent certificate, he is to be expelled, and all persons aiding or abetting his entry are subject to heavy fine and imprisonment. Now Miller believes that these very provisions which have been most criticized are in fact the strongest features of the bill. In the first place it is to be noted that each permission and certificate must be obtained from the Imperial Government, the term Chinese Government being purposely employed in order to make the certificate to issue from a foreign office like an American passport which can be obtained only from the State Department at Washington, and in view of the difficulty and expense of gaining access to or attention from the Pekin authorities, it is believed that very few Chinese of the better class, and probably no coolies whatever, will be able to obtain the prescribed permission. The Senator also remarks in this connection that the Chinese government in all such cases will be put upon its honor to see that no certificate is issued to any one who does not belong to one of the exempted classes, and this may properly be considered an additional guard. He calls attention in the next place to the absolute veto power which the bill confers upon our consuls in regard to these certificates of the Chinese government and says in reply to the suggestion of the corrupt or careless use of this power, that it is evident some such responsibility must be placed upon some class of officers, and if the consuls do not perform their duty they can most readily be removed by instantaneous recall, or kept in check by the simple methods of supervisory inspection.

### A Jeannette Searcher Returns.

ST. PETERSBURG, January 4.—General Anoutchina, Governor of Eastern Siberia, who is here at present, has received a telegram from Irkutska, dated January 2d, announcing the return to that town of M. Soulkowsky who left in search of the Jeannette at the beginning of 1881. M. Soulkowsky states that after traveling overland to Behring's Strait, he went on board the clipper Chasseur and went as far as Commander Isles, a government beaver and seal fishing station, where he noticed a number of American whaling ships unceremoniously pursuing their operations in Russian waters, and making a splendid catch. In St. Lawrence bay the Chasseur met the Rodgers, which was sent out in relief of the Jeannette. The two vessels sailed together to East Cape in Behring's Strait. On the 18th of September, M. Soulkowsky went ashore at Vladevostock where he halted a short time and traveling by way of China and Mongolia, he eventually reached Irkutska on December 30th.

### Small-Pox and the Mails.

WASHINGTON, January 6.—The superintendent of the railway mail service has issued a circular to division superintendents in which he says: In view of the prevalence of small-pox throughout the country at the present time, you are instructed in every case where a report is made to you in regard to the matter, with regard to mail communication, to order that it be suspended between the infected localities and others, and to take necessary action at once without waiting to consult this office, but report your action immediately to this office. This is necessary in order that the department shall not in any way be responsible for spreading any [illegible]

### The Committee Assignments.

NEW YORK, January 7.—The *Post* prints the following Washington special:

One finds surprising bitterness of feeling about committee assignments among the members of both parties, and the dissatisfaction is shared by those whose influence in shaping party action and legislation is very strong. The spirit of resentment and revolt may die away with time, but it is more likely to grow. Said a Republican Representative last night: The Speaker's appointments have demoralized the party, and I fear we shall have serious trouble. Important committees as now constituted do not have the confidence of the House, and everything will have to be fought out over again on the floor. They are all at a disadvantage, for the Democrats are exceptionally strong in this Congress in debate. Our leaders like Kasson and Robeson will find themselves opposed by such parliamentarians as Randall, Hewitt, Cox, Carlyle and others of scarcely less inferior merit. Neither Kelly nor his clique, who, by committee position, are ex-officio leaders of the party, has the record or personal qualities to command on the floor, while Keifer himself has no following. In the light of these facts the Representative felt that little could be done this winter. He thought the apportionment bill would be drawn on a basis of 319 members. Owing to the delay in announcing the committees, and the further delay of getting to work, general legislation would not be ready for the House for some time. In the meantime, they had nothing to do. Robeson's predominating influence in the organization of the House is daily becoming more manifest. It is the subject of general remark. It is noted that his position, as relates to legislation about the navy, is as advantageous as it could well be made. He is on the Committee on Naval Affairs, is a member of the Appropriation Committee, is assigned to the Sub-committee on Naval Appropriations, and is Chairman of the Committee on Expenditures of the Navy Department. As a member of the first committee he proposes, as a member of the second he disposes, and as a member of the third he approves of expenditures for naval purposes.

## IMPERIAL GRAVE ROBBERS.

### Attempt to Steal the Bodies of the Napoleons.

LONDON, January 6.—It is reported an attempt was made yesterday to enter the vault at Chiselhurst for the purpose, it is believed, of stealing the bodies of Napoleon and the Prince Imperial.

PARIS, January 6.—There is good reason to believe that an attempt to steal the bodies of Napoleon III. and the Prince Imperial has just been discovered at Chiselhurst. Howard Vincent has sent down several special detectives from London to watch the imperial mortuary chapel and hopes are entertained that the person who has planned the attempt will shortly be apprehended. It is believed that the person in question is a woman, a personal enemy of the Empress, but nothing certain is yet known on this point. The affair has been carefully kept quiet, lest the criminal or criminals concerned should take alarm and escape.

### Washington Notes.

NEW YORK, January 9.—The *Commercial Advertiser's* Washington special says: The movement to defeat the selection of Sargent as Secretary of the Interior has come to naught, and the persons engaged in it appear to have retired discomfited and discouraged at their failure to satisfy the President that their judgment, as to the members fitted to enter his Cabinet, is superior to his own. The time for Kirkwood's retirement has been fixed for February first. Meantime, Sargent's nomination will be sent to the Senate to be disposed of.

The *Post's* Washington special says: Postmaster General Howe begins office with a peremptory refusal to listen to applications for office. He says the Department is more than full, and that the list must be cut down. Secretary Folger has taken substantially the same ground.

It seems as though woman suffrage was to become a live issue in American politics. Bayard's amendment to Hoar's resolution to create a standing committee on woman suffrage was referred to the Judiciary committee. The Republicans voted no. The Woman's Right advocates are much encouraged at this, and say conferring woman's rights will be one of the most important issues hereafter, and the Republicans have assured themselves control of the country for twenty years to come. Some of the Republicans, however, voted for the committee as a way of giving the women a fair hearing, and not as favoring their franchise.

### Sargent to be Appointed.

WASHINGTON, January 7.—President Arthur's purpose to make ex-Senator Sargent Secretary of the Interior has not in the least been shaken by the various newspaper attacks on him, and his nomination will be sent to the Senate on or before the first day of February. That day was agreed upon some time ago as the one when Secretary Kirkwood's resignation and Sargent's appointment would be most convenient and agreeable for all concerned; and there is unquestionable authority for stating that although it may now possibly be hastened it will certainly not be postponed.

### Miners Murdered by Apaches.

SAN FRANCISCO, January 6.—A Tombstone dispatch says advices from Campas, Sonora, state that renegade Apaches attacked the Gavillan mine, sixty miles from here, on December 23d, killing one American, supposed to be Newton Noble, former sheriff of San Bernardino county, Cal.; Charles Woberling, superintendent of the mine; two Mexicans, and carried a little girl into captivity. Many Americans are prospecting in that part of Sonora and more murders are feared.

Cow boys are raiding cattle ranches in the vicinity of Tombstone.

### A Faith Preacher.

LOUISVILLE, January 4.—Rev. George O. Barnes, the mountain evangelist of Kentucky, a modern Lorenzo Dow, has been creating a sensation in this city during the week by his services at the Chestnut-street Baptist Church. He claims God never damns or removes friends but the devil does. Barnes preaches what is termed the faith cure, and at the conclusion of his services calls up the afflicted, annoints them, prays for their recovery and assures them all will be well if they have faith. He has not had much success yet.

### Freaks of a Pardoned Murderer.

WALLA WALLA, January 6.—McAllister, recently pardoned by Governor Newell on condition that he never return to the Territory, has returned and is now on his ranch, riding around in good health. He was pardoned on the assertion of doctors and others that he could not live through the winter in confinement. He was sentenced to seventeen years in the penitentiary for murder and is a dangerous man. He has threatened in the past to kill several citizens, and it would not be surprising if he were waited upon shortly by the vigilantes.

### Death of an ex-Minister.

NEW YORK, January 7.—E. Stoughton, ex-United States Minister to Russia, died this evening. His physician said that no disease in particular caused his death, but that it was due to the general breaking down of the system; not an organ in his body was [illegible]

## TELEGRAMS IN BRIEF.

NEW YORK, January 4.—The Hudson river is frozen solid from Hudson north to Albany.

WASHINGTON, January 4.—Postmaster-General James believes the department will be self-sustaining next year. For the quarter ending September 30, 1880, there was $1,386,000 less receipts than expenditures. In the same quarter of 1881 the excess for expenditures was only $196,403. The quarter including January of this year will be self-sustaining.

ST. LOUIS, January 6.—D. D. Richards, convicted of land frauds, was sentenced to five years in the Penitentiary.

The pork packing establishment of F. W. Whitaker & Son, East St. Louis, burned this morning. Loss, $40,000.

CHICAGO, January 6.—Rates were again cut to-day on Colorado business, some roads making a rate of eight cents on freight from Chicago to the Missouri river.

KEOKUK, January 6.—Two more deaths from small-pox to-day, making five in all.

LONDON, January 6.—The *United Ireland* denounces the publication, purporting to come from America, recommending assassination and the use of dynamite.

J. R. Keene's Foxhall and Lorillard's Iroquois, and Gerald Aranzea are among the entries for the Ascott and Suburly handicap. Foxhall and Iroquois are also entered for the Epsom and Ascott gold cups.

SAN FRANCISCO, January 6.—Rev. James Cameron, pastor of the Second Presbyterian Church, Oakland, died yesterday evening from the effects of poison. His wife gave him a dose of carbolic acid by mistake for medicine.

PROVIDENCE, R. I., January 7.—The Sprague divorce case is postponed until the 16th. It is understood that negotiations are being made for an adjustment.

CHICAGO, January 7.—There were 118 cases that were fatal of small-pox during December in Chicago and 360 other deaths from zymotic diseases. Total number of deaths, 1,030.

BALTIMORE, January 5.—Thirty-two Pullman palace and sleeping cars were sold to-day under a decree of Court. The sale is one of the results of the suit between the Baltimore & Ohio Railroad Company and the Pullman Palace Car Company. There was considerable competition, the proceeds of the sale aggregating $160,000.

LONDON, January 7.—Intelligence from Accra confirms the report from Cape Coast Castle, of November last, of the massacre of 200 young girls by order of the King of Ashante. The girls were purposely captured for the massacre in raids on the neighboring tribes.

WASHINGTON, January 7.—I. Perringer, of the committee on the bills for attendance on the late President, says the committee will allow just about such amounts as a court would award if the claims were made against an estate. It will require receipts in full from the claimants upon payment.

WASHINGTON, January 5.—Estimated amounts so far distributed for witness fees and mileage by the Marshal places the cost to the Government in Guiteau trial at $4,500, and witnesses for the defense at $2,294. The bills of many witnesses have not yet been paid.

NEW ORLEANS, January 7.—Orders have been received here to-day to provide freight room in March and April for 180,000 bushels of wheat to Great Britain, to be shipped from California to New Orleans by the Southern Pacific, thence by steamer to its destination.

### Maginnis' Solution of Utah.

NEW YORK, January 6.—The *Herald's* Washington special says:

Delegate Maginnis, of Montana, proposes an excellent way to put a stop to the political power of Utah—polygamy—and to place the polygamous Mormons under proper control of the law. His proposition is to divide the Territory of Utah, incorporating the western part with the State of Nevada, the southeastern part with the State of Colorado, and the small northern part with Idaho and Wyoming. Congress has abundant power to do this, and it is evident that when it is done part of the Mormon population will be citizens of Nevada, and will be only a minority of the whole State, and part will become citizens of Colorado, and in the minority there. The main portion of the Mormon population would thus become citizens of States which already have established constitutions and laws, to which the Mormons would, of course, be amenable. Maginnis remarks that such a division of Utah and distribution of its parts would not only be perfectly legal and proper, but would have the advantage that the new boundaries would be natural instead of artifical.

### Legislative Deadlock.

ALBANY, (N. Y.,) January 4.—The Legislative deadlock is likely to continue until Wednesday next, when, it is said to-night, it will be broken by the Senate; that the Senate programme of the Democrats is to have a Democratic member offer a resolution appointing committees on which Republicans are to have a fair representation, and a number of them will vote for the resolution. Tammany leaders scout the idea of such a combination, and say Senator Jacobs called upon the Democrats this evening and proposed to accede to their demands in every instance, which proposition they say they decline unless he withdraws as a candidate for the Presidency pro tem. The New York county Democrecy left this afternoon, feeling convinced no organization can be perfected before next week.

### A Stiff Doctor's Bill.

CHICAGO, January 9.—A special from Washington says Dr. Bliss has returned from New York where he had a consultation with the other Garfield surgeons with the view of presenting their claims for services to Congress. It is understood that Bliss will ask $50,000 for himself, $25,000 for Agnew, $25,000 for Hamilton, $5,000 for Reyburn, and $1,000 for Boynton and Edson each, as nurses. Woodward and Barnes being officers of the United States cannot receive a direct recompense and will be promoted. It is believed that Bliss discriminating against Boynton will cause a row in his favor by Mrs. Garfield, Colonel Rockwell and General Swaim.

### All for Love.

ST. LOUIS, January 6.—The *Post's* special from Marshall, Mo., says John R. Phelps was hanged there about noon to-day for the murder of Elijah Keyton, a wealthy farmer, who lived near Brownsville in Saline county, on the night of the 23d of last April. He confessed. Phelps loved Keyton's daughter and the old man opposed their union. Several thousand people witnessed the execution, including Miss Keyton, who wept bitterly. Phelps made a brief speech, alluding to his sweetheart, whom he saw in the crowd. He died in eight minutes after the drop fell.

### Contested Election Cases.

WASHINGTON, January 3.—Testimony in the following contested election cases has been prepared and sent to the printer by the Clerk of the House Committee on Elections: Gillett vs. Herndon, Lirobach vs. Herbert, Matson vs. Oates, Smith vs. Shelly, Bisbee vs. Finley, Anderson vs. Reed, Buchanan vs. Manning, Lynch vs. Chalmers, Lee vs. Richardson, Mackay vs. O'Conner, and Smalls vs. Tilman. The papers in the case of Low vs. Wheeler will be ready for the printer to-[illegible]

## GUITEAU'S BODY.

### More Than It is Worth Offered for It.

WASHINGTON, January 6.—Scoville has received a bona fide proposition from a medical gentleman for the body of Charles J. Guiteau. The party offers to pay $1,000 immediately on condition that he have the body as soon as the law is executed, and dispose of it as he sees fit; and agreeing to take his chances of waiting a month or twenty years. Guiteau seemed favorably impressed by the proposition, but after reflection suggested: "I ought to bring more than that. Perhaps some one will offer $2,000 and then pay my debts; and if I get a new trial, that miserable Corkhill can't bring on a lot of fellows just to swear how much I owe them." Guiteau's brother to-day had a conference regarding the argument to the jury. Guiteau insists upon making the closing argument in his own defense. He says he can't jeopardize the case by permitting Scoville to close it.

### A Terrible Fight.

NEW YORK, January 6.—The *Herald's* New Orleans special gives details of a terrible Southern difficulty which occurred in a country store in the village of Westport recently over a horse race dispute. After every revolver had been emptied, a survey of the field gave the following result: Killed—Robert Perkins, James Dykes, Simon Mercle. The wounded were as follows: Hiram Mercle, injuries supposed to be mortal; George Musgrove and Jesse Davis slightly wounded. Deputy Sheriff Smith, who visited the scene immediately after the affray, says the store presented the appearance of a protracted siege, one window being entirely destroyed, and the walls of the building showing no less than fifty bullet holes.

### Garfield Memorial Hospital.

WASHINGTON, January 6.—Many House committees organized to-day and arranged days of meeting. The District of Columbia committee decides to report favorably on the bill to incorporate the Garfield Memorial Hospital. Garrison was instructed to take charge of the bill and prepare reports. The bill provides for the establishment of the Garfield Memorial Hospital, to be located in the District. It is to be supported by voluntary contributions and is to be managed by a Board of Corporators. Among the incorporators named in the bill are J. G. Blaine, Wm. Windom, David G. Swaim, James Gilfillan, and Judge McArthur.

### Blaine's Circular.

LONDON, January 6.—The *Daily News*, discussing Blaine's circular to the Republics of Central and South America, proposing a conference at Washington, says the meaning of the project is the establishment of an American protectorate over both Central and South America. Blaine's pretentions are novel and extravagant. They were never contemplated by the originator of the Monroe doctrine, under which an attempt will probably be made to shelter them. Now that Frelinghuysen has succeeded Blaine, there is at least hope that some rational basis of negotiation can be arrived at.

### Didn't Cut Off His Own Ears.

NEW YORK, January 4.—The *Tribune's* Washington special says. Apropos of the recent Court-martial case, a Western Congressman recently met in St. Louis a classmate of cadet Whittaker at West Point, but who is now in the army. "Now," said the Congressman, "you are no longer in the service, and have no interest in concealing the facts, I want you to answer the question, 'Did Whittaker cut off his own ears?'" "No, he did not," was the reply, "but he had to be got rid of in some way that would prevent sending any more niggers to West Point."

### Star Route Cases.

WASHINGTON, January 7.—On motion of counsel for the Government the hearing of the cases of sureties for mail contractors has been postponed until Wednesday next. Bail ranging from $1,500 to $15,000 has been suggested by Colonel Bliss. Information has been obtained from reliable authority that a number of civil suits will be instituted soon against several parties connected with the star route schemes to recover large sums of money alleged to have been illegally and improperly obtained from the Government.

### Kilpatrick's Remains.

WASHINGTON, January 5.—Many of the friends of General Kilpatrick are discussing the project of taking his remains back to his native country, and the Department of State has been consulted by General W. T. Sherman and Rev. Mr. Hamilton, pastor of the Presbyterian Church at Deckertown, N. J., where General Kilpatrick worshiped, concerning the procurement of Government aid in transferring the body there. It is probable Congress will be appealed to for this purpose, as a tribute to the memory of a brave officer and trusted representative.

### Brown's Bad Break.

SIOUX CITY, January 6.—Walter H. Brown, late of Emmet county, this State, and in 1878 Democratic candidate for Congress in this district, was the man who organized Douglass county, Dakota, where the recent bogus warrants and bonds were issued. He was the county government, and his name appears on all the worthless paper so far discovered. It is reported here that Brown has left the country.

### Scandinavians to Work on N. P. R. R.

SAN FRANCISCO, January 7.—Charles A. Henry, formerly editor of the *Valkgrien*, a Scandinavian journal published in this city, has been engaged by Henry Villard to bring from 5,000 to 10,000 Scandinavians to engage in the construction of the Northern Pacific railroad. Inducements will be offered these immigrants to settle along the line of the road.

### Denouncing Kelly.

NEW YORK, January 6.—At Tammany Hall the anti-Kelly association issued a call to the Democrats of the city who believe Tammany Hall is a true political organization, but who desire that John Kelly be removed from power. The association also denounced Tammany Hall as led by Kelly for preventing the organization of the Senate and Assembly.

### A Town Burning Up.

OWENSBORO, Ky., January 7.—The city is burning. The fire caught from a furnace in the Opera House building and is rapidly spreading. There is no chance to save this block, and probably the whole western part of the city will burn. We cannot estimate the damage now; the water works are a failure and the town is at the mercy of the flames.

### The Nihilists Bestirring Themselves.

ST. PETERSBURG, January 7.—Many arrests were made at night at the beginning of January. The police seized a secret printing press. It is thought the Nihilists are preparing for fresh violence, as they are reassembling in the capital, and have renewed the circulation of their proclamation.

### Congress and the Small-pox.

WASHINGTON, January 4.—The President said to-day that he would probably send a special message to Congress, calling attention to the alarming increase of small-pox and advising immediate legislation looking to its suppression.

A young man named Holdran, living in the Prickly Pear valley, had a leg broken the other day by the fall of the horse he was riding while attempting to jump a ditch.