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QUEEN OF ANTILLES.

THE FAMOUS CIRCULAR NOTE

THE SPANISH-AMERICAN CORRESPONDENCE

PATIENCE OF THE UNITED STATES

CONFISCATION OF AMERICAN ESTATES

TRIALS OF AMERICAN CITIZENS

TREATY OBLIGATIONS AND CLAIMS

DILATORY ACTION OF SPANISH MINISTERS

THERE MUST SOON BE AN END TO IT

The President Thinks the Time Has Come

If Spain Cannot Restore Peace to Cuba

THE UNITED STATES MUST AID HER

GREAT BRITAIN INVITED TO CO-OPERATE

The President yesterday inclosed a letter of Mr. Fish and copies of correspondence to the House of Representatives in response to a resolution of that body calling for copies of correspondence in relation to the Cuban question. The documents are voluminous, and comprise much that has heretofore been published.

It appears that on the 5th of November last the Secretary of State addressed two lengthy letters to Minister Cushing, at Madrid, the first of which refers to the neglect of Spain to comply with the stipulations of the protocol of November, 1873, and particularly in relation to the trial of Burriel according to the terms of said protocol. It appears that no steps had been taken to that end by the Spanish Government, but that it was even then discussing certain abstract questions when it should be making the investigation without waiting for any communication from the United States.

The Secretary says it has been and is our desire to adjust this and every other question, and in this desire we have been pressed almost beyond the limit of endurance. In the same spirit you have again been instructed to represent to Spain the injury that her course in reference to General Burriel involves to both countries and its effects upon our relations, and therefore it is earnestly hoped these representations may be received and responded to in the same spirit. Whether this question shall precede or follow the treaty question or the confiscation case is left to your discretion.

On the 16th of November a telegram was sent by Mr. Cushing to Mr. Fish, stating that the Spanish note had come in. * * * It repeats the assurance of the trial of Burriel. * * *

On the same date (November 5, 1875) the Secretary of State also addressed another communication to Mr. Cushing, which is as follows:

DEPARTMENT OF STATE,
WASHINGTON, Nov. 5, 1875.

Caleb Cushing, esq., &c., &c.:

SIR: Pursuant to the intimation conveyed in my No. 242, I deem it necessary to recur to the general question of our relations with Spain, and to consider the progress which has been made in disposing of the outstanding questions, which for some time past have seriously threatened the relations of the two countries.

At the time of your departure for Madrid, apart from the general question of the unsatisfactory condition of affairs in Cuba, and the failure to suppress the revolution, several prominent questions remained unadjusted, the settlement of which was deemed necessary before any satisfactory relations with Spain could be established or maintained. Upon all of these you were instructed.

The most prominent among them were the questions arising from the embargo and confiscation of estates of American citizens in Cuba; those relating to the trial of American citizens in that island, in violation of treaty obligations, and the claims arising out of the capture of the Virginius, including the trial and punishment of General Burriel.

After the expiration of more than eighteen months, it seems advisable to examine what progress has been made, and to consider our present relations with Spain.

In reference to the arbitrary seizure and withholding of the estates and property of citizens of the United States in Cuba, under proceedings of confiscation or embargo, so-called, a separate instruction was addressed to you under date of February 6, prior to your departure for your post.

I referred therein to the general facts surrounding these cases, to the arbitrary action of the authorities, by which the property of American citizens had been seized in violation of treaty provisions, in the absence of judicial proceedings, without hearing, and under such circumstances as to call for vigorous protest and demands on behalf of this Government.

The general facts surrounding these cases are well known.

It is not pretended, so far as I am aware, that any legal justification for these wrongs has been attempted on the part of the authorities of Spain, or that these proceedings in Cuba are defended or upheld.

On the contrary, pursuant to the decree issued by the Government on the 12th of July, 1873, the illegality and indefensible character of these acts were admitted, and the embargoes were ordered to be removed and the property to be destroyed. This decree was at first received in Cuba with calm indifference, not even published or adverted to, and the proceedings of the authorities were in no notable respect changed thereby.

At the time of the visit of Senor Soler y Pla, Minister of Ultramar, the decree was in some instances recognized, and some insignificant steps taken, in individual cases, to comply therewith. In general, however, it was claimed either that incumbrances existed, making a compliance therewith impossible, or the delivery was offered, burdened by leases or incumbrances, and coupled with unfair conditions or demands, or delivery was avoided on the ground that particular property was confiscated, not embargoed. In fact, the decree was treated, in general, with supreme indifference.

You were informed that the President, while not disposed to question the willingness of the authorities in Spain to do justice to this Government and citizens, expected that means would be found to compel the agents in Cuba to obey the orders of the supreme government.

Such was the condition of the question at the date of your departure. Numbers of American citizens had at this time been deprived of their property, and were anxiously awaiting the performance of the promises and assurances which had been given by the Spanish Government. In spite of all the efforts which you have made, intelligent and energetic as they have been, no effectual result has been accomplished.

Immediately after you had entered on your duties, in your No. 24, under date of June 2, you reported a conversation with Mr. Ulloa, having reference to this question, and in your No. 39, of June 22, your advise the Department of a note addressed to the Minister of State, calling attention to the particular cases of Mr. Criado and Mrs. Farres de Mora, and to the general question.

Although orders of disembargo had been issued, and as early as January, 1873, the then Minister of State at Madrid had expressed surprise and regret at the continued delay in these particular cases, Mr. Ulloa informed you under date of July 7, 1874, that the Ministry was in want of information as to these cases, and that the information had been requested through the Minister of the Colonies. He added, however, that the Spanish Government proposed to adopt with all possible dispatch a general system with respect to pending embargoes, and that that important question would be set at rest, in conformity with the true interpretation of the treaty of 1795, and with that respect which the Spanish Government had for its obligations.

These assurances were repeated to you by Mr. Ulloa, (as reported in your No. 95, under date of September 7, 1874,) and in your No. 153, dated November 23, it appears that similar statements were again made.

Nevertheless, with all these cases long since brought to the attention of the Spanish Government, with the case of Mrs. Farres de Mora before the Minister of State, in connection with that of Mr. Criado, Mr. Ulloa took occasion to reply in the case of Mr. Criado alone, as reported in your No. 195, to the effect that he was not a *bona fide* citizen of the United States, and thus to avoid the decision of the issue before him.

So far as this case was concerned, Mr. Criado was but one individual jointly interested with others in the decision of a principle, and because some flaw was supposed to have been found as to his right to claim the benefit of the general principle when decided, opportunity was taken to decline to make any decision on the principle itself. It is ascertained, however, not only that the claim that Mr. Criado is not a citizen is not well founded, but a trial of his claim before the Mixed Commission is progressing and this question has not there been raised; but the advocate on the part of Spain is understood to have declared himself satisfied as to Mr. Criado's citizenship. The Spanish Government thus avoiding the issue, you again argued the question in the cases of Mrs. Farres de Mora and Mr. Delgado, as reported in your No. 322.

Subsequent to this date, in several dispatches, viz: in your Nos. 387, 442, 452 and 511, (the last being dated September 8th ultimo,) and in several telegrams, you have reported the progress of a scheme of settlement, which it was thought was about to be accomplished, when a change in the Cabinet suddenly displaced Mr. Castro. Whether had Mr. Castro remained in office, a general order or decree would have been issued of the character referred to in your No. 511, it is, of course, impossible to say: and whether, if issued, it would have received a more respectful obedience than the prior orders on this question must also remain unanswered.

However, you state that the question has been reopened, and, as you inform me, with some prospect of an adjustment. But no adjustment has yet been reached, and the general question has been pending for more than six years.

The kindred treaty question, in reference to the trial of citizens of the United States in Cuba by court martial, and the arrest and punishment of our citizens without trial in that island, in violation of the provisions of the treaty of 1795, is substantially in the same position. This Government, prior to your appointment, had, unfortunately, been compelled to interfere in behalf of its citizens on several occasions where the authorities in Cuba had entirely disregarded not only provisions of our treaty, but the rules of civilized warfare.

After your arrival at your post you addressed the Government in reference thereto on various occasions, both in connection with the confiscation and embargo cases, and separately.

The authorities of Spain have been loud in their denunciations of acts of cruelty when perpetrated by the Carlists, and while in some quarters martial law has been looked upon as the natural refuge of the mother country, or her colonial authorities, when deemed necessary and convenient, still the same difficulty has occurred in inducing any Minister of State to fairly meet the question, and either commit himself to a justification of such practices or to frankly admit that they were in violation of treaty obligations and public law, and to provide a remedy.

It is true that in isolated cases, where the Spanish Government has been shown that insistance on trial by courts-martial implied a state of war in Cuba, which might lead to logical consequences, the authorities have admitted the justice of our position, as in the orders sent to the Captain General in 1873, proposing the trial of the sailors of the bark Union by the ordinary tribunals, pursuant to the treaty of 1795, as referred to in my No. 246; but, in general, when these questions have been presented, the different Ministers of State have contented themselves with expressing their intention to fairly respond, and the intention of Spain to perform all her treaty obligations. Notably among them, you state in your No. 195, that, after having addressed Mr. Ulloa upon this question in Deckray's case, he promised to meet the issue.

That promise remains unperformed, and although the late negotiations, by which it was hoped some solution of these questions might be reached, would have applied also to this question, the matter remains undisposed of, and the authorities of Cuba are enabled, upon convenient occasion, in obedience to supposed necessity, to again resort to such military tribunals or to punish without a trial.

This simple narration of facts as to these two questions, the promises made and repeated, the assurances given from time to time that something should be done, the admission of the justice of the demands of this country, at least to the extent of expressing regret for these wrongs and promising redress, followed as they have been by absolutely no performance and no practical steps whatever towards performance, need no extended comment.

In the cases of embargo and confiscation not only have wrongs been long since done, but continuing and repeated wrongs are daily inflicted. The authorities of Spain in Cuba during all this time have been and are using the revenues of the confiscated or embarrassed estates, appropriating much of the property itself, and in some cases executing long leases or actually making sales, either on the allegation that taxes were due or without any excuse whatever.

In the cases of arrest and punishment citizens of the United States in like manner have undergone punishment because the authorities of Spain do not meet the issue and decide the question.

Turning to the questions which arose from the capture of the Virginius and the executions which followed no extended reference is required.

The particulars of the delivery of the vessel to this Government, and the payment to both Great Britain and the United States of considerable sums as compensation for the acts of the authorities in ordering the execution of fifty-three of the passengers and crew, under circumstances of peculiar brutality, have passed into history. So far as a payment of money can atone for the execution of these unprotected prisoners, that has been accomplished.

The higher and more imperative duty which the Government of Spain assumed by the protocol of November 29, 1873, namely, to bring to justice General Burriel and the other principal offenders in this tragedy, has been evaded and entirely neglected.

Having made this neglect the subject of a separate instruction under this date, I abstain from further reference thereto.

While I have no desire to detract from the settlement which was obtained, or to depreciate the action of Mr. Castro, the Minister of State, in the payment of the indemnity, particularly as he seemed from the first presentation of the question to be impressed with the justice of the complaint and to regard with natural aversion the acts which gave rise to it, it is but just, in considering the general course of the authorities in Spain toward this country, to refer to the long delay in reaching an adjustment, and principally to the fact that a basis of settlement was at last reached only after every delay had apparently been exhausted.

As you are aware, Mr. Ulloa, then Minister of State, under date of August 18, 1874, and, probably impelled by some pressing necessity, addressed the British charge d'affaires at Madrid, substantially agreeing to settle the claim of Great Britain for the execution of the British subjects on board that vessel.

The equally strong, if not stronger, claim of the United States continued to be discussed in Madrid after the promise of settlement with Great Britain had been made, and information of this adjustment reached this Government a considerable time after its conclusion, and not through the authorities of Spain. Our settlement was only accomplished in the month of March following.

In doing exact justice it is but proper, however, to give Mr. Castro due credit for the payment of the amount finally agreed upon without further controversy, and before the time stipulated for payment had expired.

In adverting to these delays and failures to meet our just demands on the part of the authorities, I must express satisfaction with your patience and energy under these adverse circumstances, and particularly in beginning anew with each rapidly succeeding Minister of State, and representing again and again these different questions. Progress in these matters has not been delayed from want of information from you, nor from lack of faithful and forcible presentation.

Having touched on these particular questions which have lately been prominent as disturbing causes with Spain, it is necessary to also refer to the general condition of affairs in Cuba as affecting our relations with the mother country.

In my No. 2, of February 6, 1874, (the first instruction addressed to you on general matters pertaining to your mission,) I referred at length to the views entertained by the President and to the position of this Government.

It was then more than five years since an organized insurrection had broken out which the Government of Spain had been entirely unable to suppress. At that time the firm conviction of the President was announced that whatever might be the vicissitudes of the struggle, and whatever efforts might be put forth by the Spanish power in Cuba, no doubt could be entertained that the final issue of the conflict would be to break the bonds which attached Cuba as a colony to Spain.

While remembering and observing the duties which this Government, as one of the family of nations, owes to another member, by public law, treaties or the particular statutes of the United States, it would be idle to attempt to conceal the interest and sympathy with which Americans in the United States regard any attempt of a numerous people on this continent to be relieved of ties which hold them in the position of colonial subjection to a distant power, and to assume the independence and right of self-control which natural rights and the spirit of the age accord to them.

When, moreover, this struggle, in progress on our very borders, from its commencement has involved the property and interests of citizens of the United States, has disturbed our tranquility and commerce, has called upon us not infrequently to witness barbarous violations of the rules of civilized warfare, and compelled us, for the sake of humanity, to raise our voice by way of protest; and when, more than all, we see in the contest the final struggle in this hemisphere between slavery and freedom, it would be strange, indeed, if the Government and people of this country failed at any time to take peculiar interest in the determination of such contest.

In this early instruction was expressed the sincere and unselfish hope of the President that the Government of Spain would seek some honorable and satisfactory adjustment, based upon emancipation and self-government, which would restore peace and afford a prospect of a return of prosperity to Cuba.

Almost two years have passed since those instructions were issued and those strong hopes expressed, and it would appear that the situation has in no respect improved.

The horrors of war have in no perceptible way abated; the inconveniences and injuries which we then suffered have remained, and others have been added; the ravages of war have touched new parts of the island, and well-nigh ruined its financial and agricultural system and its relations to the commerce of the world. No effective steps have been taken to establish reforms or remedy abuses, and the effort to suppress the insurrection by force alone has been a complete failure.

In the meantime the material interests of trade and of commerce are impaired to a degree which calls for remonstrance, if not for another line of conduct, on the part of all commercial nations. Whether it be from the severity and inhumanity with which the effort has been made to suppress the insurrection, and from a supposed justification of retaliation for violations of the rules of civilized warfare by other violations and by acts of barbarism, of incendiarism and outrage, the world is witnessing on the part of the insurgents, whom Spain still claims as subjects, and for whose acts, if subjects, Spain must be held accountable in the judgment of the world, a warfare, not of the legitimate strife of relative force and strength, but of pillage and incendiarism, the burning of estates and of sugar mills, the destruction of the means of production and of the wealth of the island.

The United States purchases more largely than any other people of the productions of the Island of Cuba, and, therefore, more than any other for this reason, and still more by reason of its immediate neighborhood, is interested in the arrest of a system of wanton destruction which disgraces the age and affects every commercial people on the face of the globe.

Under these circumstances, and in view of the fact that Spain has rejected all suggestions of reform or offers of mediation made by this Government, and has refused all measures looking to a reconciliation, except on terms which make reconciliation an impossibility, the difficulty of the situation becomes increased.

When, however, in addition to these general causes of difficulty, we find the Spanish Government neglectful also of the obligations of treaties and solemn compacts, and unwilling to afford any redress for long-continued and well-founded wrongs suffered by our citizens, it becomes a serious question how long such a condition of things can or should be allowed to exist, and compels us to inquire whether the point has not been reached where longer endurance ceases to be possible.

During all this time, and under these aggravated circumstances, this Government has not failed to perform her obligations to Spain as scrupulously as toward other nations.

In fact, it might be said that we have not only been long suffering because of the embarrassments surrounding the Spanish Government, but particularly careful to give no occasion for complaint, for the same reason.

I regret to say that the authorities of Spain have not at all times appreciated our intentions or our purposes in these respects, and, while insisting that a state of war does not exist in Cuba, and that no rights as belligerents should be accorded to the insurrectionists, have at the same time demanded for themselves all the rights and privileges which flow from actual and acknowledged war.

It will be apparent that such a state of things cannot continue. It is absolutely necessary to

[See Fourth Page.]

FORTY-FOURTH CONGRESS.

RETIREMENT OF JUDGE M'CANDLESS

REPUDIATION OF DISTRICT 3-65 BONDS

RETRENCHMENT OF PRINTING EXPENDITURES

DEATH OF THE LATE VICE PRESIDENT

ELOQUENT AND AFFECTING EULOGIES

BOUTWELL, ANTHONY, DAWES, WARREN.

SENATE.

FRIDAY, January 21, 1876.

Bills and memorials were presented and referred, among them the following:

By Mr. BOGY: That when the Senate adjourn to-day, it be till Monday next. Adopted.

By Mr. CRAGIN: Bill for the relief of Capt. Wm. Sandor, of the navy.

By Mr. LOGAN: Petition of Felthouser & Co., in relation to their patent.

By Mr. PADDOCK: Petitions of citizens of Nebraska in relation to the District Court in Nebraska.

Mr. SHERMAN, from the Committee on Finance, reported a substitute for the bill referred to that committee, appointing a commission in relation to alcoholic liquors.

By Mr. NORWOOD: Petition for the removal the disabilities of S. J. Colston.

By Mr. LOGAN: Bill to reduce the number and increase the efficiency of the medical corps of the army.

By Mr. HARVEY: For the relief of sufferers by Indian depredations.

By Mr. CRAGIN: Bill to amend chapter 256 of the statute laws. Judiciary.

By Mr. SHERMAN: Resolution asking the Committee on Printing to inquire into the expediency of printing papers of no value. Adopted.

ANNOUNCEMENT OF THE DEATH OF HENRY WILSON.

The morning hour having expired, Mr. BOUTWELL introduced resolutions setting forth that the Senate has heard with regret of the death of the Vice President of the United States and President of this body, and who was for more than eighteen years a member of the Senate. Also, that business be suspended and the Senate proceed to pay respect to his memory. Also, to transmit a copy to the House.

The PRESIDENT *pro tempore* laid before the Senate a copy of resolutions passed by American citizens residing in Berlin at a meeting held on Thanksgiving Day, in respect to the memory of the Vice President.

Mr. BOUTWELL. Mr. President, it is a satisfaction which the presence of death even cannot extinguish nor qualify that we may record the testimony which we are disposed to give concerning the character and virtues of those with whom we have been associated.

The late Vice President of the United States was a member of the Senate for the period of eighteen years, and for nearly three years he was its presiding officer. No man was better known to the Senate, and, of his cotemporaries, no one was better known to the country. For more than a third of a century he had been in the public service of the State of Massachusetts or of the United States. The nature of his service was always the same. He was, at various times and by repeated elections, a member of each branch of the Legislature of Massachusetts, and for two years he was President of its Senate. This training was the best preparation which our system furnishes for service in the legislative branch of the General Government. In this service and for twenty years he gained constantly in the good opinion of the people of the State and the country. Such a career was not an accident, nor was it due to what is called, usually, fortune or favoring circumstances. Indeed, there was no man of distinction among his cotemporaries to whom fortune had denied as much. His parentage was honorable, and his ancestry for many generations, and without interruption on either side, was of New Hampshire blood and lineage; but they possessed neither wealth nor careful culture. The training of a child born into a family of wealth and high culture, without pretension or pedantry, is of more value for the affairs of the world than the education of schools and colleges. Mr. Wilson had not the benefits of either, while many of his cotemporaries enjoyed the advantages of cultured homes, cultured society, and the training and discipline of school, college and university.

Others again, to whom these advantages were denied as to Mr. Wilson, were blessed with the tokens of genius, distinguishing them at once from the mass of men as worthy of eminence, and crowing them in anticipation without apparent effort for themselves. * * * * *

Above all and over all as the chief of his endowments was his fearless, conscientious devotion to duty in political public affairs. He came into public life as a member of the Whig party, but as the representative and exponent of the views and wishes of the workingmen.

The slavery question was soon forced upon us in the project for the annexation of Texas. The success of that project was followed by other measures designed to strengthen, protect or foster the institution of slavery. To all these schemes Mr. Wilson was always and everywhere opposed. He used parties, he destroyed parties, and he organized parties, and all to prevent, first, the spread of slavery, and then to overthrow it. From the year 1840, when I first met him, he was the unwavering opponent of slavery. If other men made larger contributions to the intellectual and moral forces engaged in the war against slavery, he was chief over all the chiefs in the work of combining and organizing those forces for the political contests of 1850, 1851 and 1852 in Massachusetts, and for the national contests of 1856 and 1860, which gave the welcome triumph of freedom to a slavery-accursed Republic. His power in this respect was due solely to his capacity to present to others the moral and political considerations which ought to guide them.

As a member of the Republican party, he was a strict party man. He believed in its principles, respected its opinions, exulted in its power for good, and gloried in its history. Ambitious personally, he never allowed his private interests or wishes to interfere with the prospects of his party. No man yielded more readily to the opinions of his friends or subordinated local and personal claims to the general welfare.

During the entire war he occupied one of the most important posts in the Senate, and in that post he was first of all in the character and value of the services rendered to the War Department and to the armies in the field. When the war ended he asked only that those who had been in arms should accept in good faith the new Constitution and the emancipated bondmen as citizens and equals in theory and in fact. * * *

He was a politician, a party man, and a statesman as well. Of the political anti-slavery men of this country he is of the very first and very small class, and history may, with justice to all, assign him a leading place even in that small class. When we consider the magnitude of the undertaking by which slavery was overthrown, the military operations attending it, in which he bore a conspicuous and honorable part in the public councils, the difficulties that waited upon every attempt to reorganize the Government, which he as much as any other man assisted in removing, and all crowned in his own life with full success, can his right to be counted among the statesmen of America be denied? * * *

While slavery existed our example was shunned by many who otherwise would have been the advocates of republican institutions in other countries. Slavery has disappeared, and no argument can be drawn from our Constitution, and I trust that hereafter no argument will be drawn from our conduct or policy, calculated to prevent the spread of republican ideas.

As men prefer truth to falsehood, so they will prefer freedom and equality to authority and subserviency, and therefore we may predict the spread of republican ideas and the advance of republican institutions in other lands.

For these results and ends Mr. Wilson labored, and these results and ends, when realized, will be a better eulogy upon his life, character and services than any pronounced in pulpit or Senate.

Mr. ANTHONY. Mr. President, the life of Henry Wilson forms a chapter of American history full of instruction, full of cheerful instruction, full of hope to languid patriotism, full of encouragement to ingenuous youth. In his desolate and unprotected childhood, in the early struggles, through which his faculties developed into strength and his virtues hardened into consistency, in the steady purpose and the great results of his manhood, we have an illustration and vindication of free institutions. With no advantages of birth or connection, he outstripped, in the career of life, those who started with him in the enjoyment of them all. * * * * *

Nor was the occasion of his death inappropriate to his life. It has been lamented that the inevitable hour found him away from his home, and without the tender ministrations of woman. In this regret I do not share. Where should the patriot warrior die rather than on the field of battle or on the slippery deck, with the flag of his country victorious over him? Where should the patriot statesman die, whose life has been devoted to freedom, rather than in the Capitol, whose uplifted dome bears aloft the statue of Liberty?

And home he had none. No man shared more largely in the affections of the American people; no man was more beloved by his immediate constituency; but those pleasures which the greatest of American orators placed above all the other immeasurable blessings of rational existence, above the treasures of science and the delights of learning, and the aspects of nature, even above good government and religious liberty, "the transcendent sweets of domestic life," were no more for him. Those relations which nature intended for the joy and the rapture of our youth, for the happiness and the embellishment of our maturer years, for the comfort and consolation of age, had been severed by the remorseless shears of fate. No eye grew brighter when he raised the latch that held his lonely dwelling; no outstretched arms of wife, no ringing laughter of children welcomed his returning footsteps when he crossed the threshold over which all that had given life, and joy, and beauty to that simple abode, and had lighted it up with a glory not of palaces, had been borne never to return. He had nothing left to love but his country. It was proper, then, that he should die here, here where his greatest work had been wrought, here where his greatest triumphs had been achieved, here where his voice had been raised, till the outer corridors had echoed back his words, for truth, for justice, for right.

From yonder Chamber, to which the suffrages of his fellow-citizens had carried him, he was borne to his final place of rest. He entered that town, for the first time, a friendless lad, all his possessions carried in a bundle which swung lightly in his hand. He entered it, for the last time, accompanied by the pageantry of a nation's woe, with muffled drums, and arms reversed, and banners draped in black; from a thousand heights the flag of his country drooped at half-mast; from fort and arsenal and dock-yard the booming of a single gun, at solemn intervals, announced the progress of the sad procession. Tender and loving hands received him; friends and neighbors loved him because he was good, even more than they admired him because he was great, stood tearfully around his open grave. The bleak winds of a New England winter came down from his native hills and moaned his requiem through the leafless trees, and there, with swelling hearts, but with unfaltering trust in the eternal promises of God, they laid his manly and stalwart form to mingle with the dust of his kindred.

Mr. DAWES. Mr. President, the life and work of the late Vice President were in all respects so remarkable that they challenge the study and admiration of the American people. The biography of distinguished men, the richest of a nation's treasures, will yield large space to the one, and the record of great and noble achievements, a nation's proudest monument, will comprehend the full measure of the other. * * *

He had not genius, but he had what is more certain of success, industry and fidelity, and their rewards crowned his endeavors. No one can understand or properly estimate his character or career except by a study of the elements which formed the one and furnished the instruments which wrought out the other. It was impossible that he should be like other men, because the very food which was his necessity the multitude of men shun or escape. And thus it is that only by a proper study of the school in which the heart and head of Henry Wilson were developed can be found the key to that remarkable life and noble work whose sublime termination we seek by these ceremonies this day to commemorate. * * *

When taste led him into politics in 1840 he was without education in public affairs, without experience as a speaker or any of the natural gifts of an orator. But he had convictions. He believed that, under a Government by and for all, it was the duty of all to study and to understand their relations to it and their duties and obligations under it, and in that sense to be politicians—honest, earnest, aggressive politicians. And in teaching others he taught himself, till he became one of the most efficient political teachers and leaders in his generation. The logic of the schools and the arts of the rhetorician he never studied and never knew, but of the logic of events and the eternal fitness of things he seemed to have intuitive knowledge, and in the enforcement of their lessons he was remarkably effective. He had the courage of his convictions, and he followed them, sometimes, though seldom, into the wrong, but still he followed them fearlessly, across party lines, into strange company, into seeming inconsistencies, and into danger, if need be. Wherever they led there he followed. * * *

The personal character of Mr. Wilson was full of noble qualities, endearing him to his friends while living and making his memory a constant delight. Kindness of heart seemed to mellow his whole nature. There was in him neither selfishness, nor envy, nor hate, and only generosity, charity and good-will. He would empty his pockets and borrow of his neighbor to relieve suffering humanity stretching out its hands at the corners of the streets. He would toil and travel, day and night, without recompense or hope of reward, if thereby he could contribute to lift the humble and the lowly to manhood and its opportunities. With physical strength and mental vigor was spent for others his substance also, and when he died he left in all less than the value of one year's salary. * * * * *

Mr. President, it is appointed unto all men once to die, and an untimely death overtakes no one, however inscrutable to mortal vision is the dispensation. But we seem to see clearly, even now, that this great change came to Mr. Wilson in the fullness of time. In the fierce battle of life he had won the victory. The work to which he had set apart that life was done; for his countrymen were all free, were all equal before the law, and were at peace with the world and with one another. He died full of years, of honors, and in the blessed hope of a glorious immortality. His mission here had indeed ended.

We cannot turn, however, from the contemplation of a life so humble and lowly in its beginning, so full of patriotic endeavor and noble achievement through all its progress, and so illustrious in its end, without reverently exclaiming, Surely the ways of man are fashioned of God!

Brief addresses were then made eulogistic of the late Vice President by Messrs. HAMLIN, CRAGIN, CAMERON, of Pa., MORRILL, of Vt., STEVENSON, INGALLS, BOGY and MORTON, after which the resolutions were adopted.

The Senate adjourned till Monday.

HOUSE OF REPRESENTATIVES.

A large number of bills which had been erroneously referred were reported back, and their reference was changed.

Mr. HALE, of Me., from the Committee on Appropriations, reported adversely upon the bill making appropriations to defray the expenses of the constitutional convention of Colorado Territory. Laid on the table.

RETIREMENT OF JUDGE M'CANDLESS.

Mr. KNOTT, of Ky., from the Committee on the Judiciary, reported a bill authorizing the retirement of Wilson McCandless, of the District Court for the Western district of Pennsylvania, with pay, on account of physical disability, although he had not attained the age of seventy years.

Mr. LAWRENCE, of Ohio, opposed the bill as establishing a dangerous precedent. A few years ago a bill was passed, virtually establishing a civil pension list by permitting judges to retire, with pay, at the age of seventy years, and after a service of ten years. This, he feared, would be the establishment of an immense civil list. Now it was proposed to go still further, and to retire a man who had not attained the age of seventy. It was the establishment of a dangerous precedent.

Messrs. KNOTT, of Ky., and FRYE, of Me., argued that this could not be a dangerous precedent. Judge McCandless had served his country on the bench for twenty-three years. He was now sixty-six years old, and he was disabled by a visitation of God in paralysis. They could conceive of no case that more earnestly demanded special legislation.

Mr. HOLMAN opposed the bill, on the ground of the establishment of a dangerous precedent.

On the passage of the bill the yeas and nays were demanded, and the bill passed—yeas 142, nays 100.

INTEREST ON DISTRICT BONDS.

Mr. RANDALL, of Pa., from Committee on Appropriations, reported adversely on the bill making appropriation for the payment of the interest on the 3.65 bonds of the District of Columbia. Mr. R. was about to make a statement in relation to the report, when

Mr. CONGER, of Mich., made the point that the bill should go to the Committee on the Whole.

Mr. HOAR, of Mass., suggested that the consideration of the report be postponed, as it would excite much discussion.

Mr. RANDALL then withdrew the report.

The SPEAKER laid before the House a report from the Secretary of War transmitting the report of Lieut. Col. C. E. Blunt in relation to the improvement of the harbor of Vermillion, Ohio. Referred. Also, a letter from the secretary of the Washington National Monument Society, enclosing a petition of 15,000 persons for the completion of the national monument. Referred. Also, a report from the president of the Washington and Georgetown Railroad Company, giving a report of the operations of the company for the year ending December 31, 1875. Referred. Also, a communication from the President of the United States transmitting the correspondence between the United States Government and the Government of Spain in relation to the Island of Cuba. Referred to the Committee on Foreign Affairs.

A message was received from the Senate officially announcing

THE DEATH OF THE LATE VICE PRESIDENT WILSON.

Mr. WARREN, of Mass., offered a series of resolutions, and announced the death of the deceased, and pronounced a eulogy upon his life and public services.

Mr. WARREN. Mr. Speaker, again, and seemingly all too soon, Massachusetts calls upon the Houses of Congress to pause in their customary labors and join her in paying tribute to the memory of one of her departed statesmen. This time she has to mourn the loss of him who had been honored by the highest office in the Federal Government attained by any of her citizens during the last half century, Henry Wilson, the eighteenth Vice President of the United States. * * * * *

After giving a sketch of the life and services of Mr. Wilson, already familiar to our citizens, Mr. WARREN continued: He must then have been possessed of some unusual qualities besides mere intellectual power, general knowledge, the gift of eloquence, or personal character. These were possessed in sufficient degree by hundreds of his compeers. True, he was not lacking in energy; he shrunk from no labor; his mind worked easily and he rarely failed to detect the vulnerable point in his adversary's position; he had no dearth of general information, and even in his early days his style of oratory was far above the average. But over and above all this he had, in a pre-eminent degree, two especial qualifications for political leadership. These were, first, an intimate acquaintance with all the facts of our past and current political history. A memory naturally tenacious had been trained and crammed to hold this knowledge of political facts always at command. This kind of knowledge has not of late been common in Massachusetts. One effect of the course of education in that State during the last third of a century, combined, doubtless, with other causes, has been to produce a distaste for political life among men of the highest education, and an aversion to any great familiarity with the details of American political history.

In the second place, Mr. Wilson had no superior as a party organizer. There may be some who will deem the possession of the faculty for organizing men into a compact and formidable body as not a subject for eulogy. Such is not my opinion. English and American history for centuries has been the history of parties. No other instrumentality has been, none is likely to be devised which will supplant them as the ready and necessary means for molding the policy of the State. In a country where new questions are constantly arising and older ones becoming obsolete the organizer is scarcely, if at all, less important than the thinker. The student will spend his life in the seclusion of his closet; the orator, be he ever so impassioned and eloquent, will arouse only discord and ill-temper, until he appears who can transform their speculations and declamation into a body of measures to the support of which he can bring a potent array of his fellow-men. It was only through the organizing skill of Henry Wilson that it became possible for Charles Sumner to pass from a private station to the Senate of the United States. If those who claim to be leaders of thought and to possess superiority in culture and knowledge in our community desire or expect hereafter to resume that guidance and control over our affairs which they have of late been wont to complain are not conceded to them, they must, first, in knowledge of and familiarity with national and local politics, and secondly, in learning how to organize and direct masses of men, take a lesson from the life of Henry Wilson, of Massachusetts. * * * *

It is the crowning glory of Vice President Wilson's life that while he never wavered in his hostility to an institution which in his view was a violation of human rights and a standing insult to the dignity of labor, he never permitted himself to cherish any bitterness of feeling toward his political antagonists, even after the angry conflict of arms had for a time almost obliterated all kindly feelings between the divided sections. Many and many are the men in all parts of the South who in their hour of distress have found in him a friend and benefactor, and here almost within reach of my hand are those who bear cheerful testimony to his efforts in their behalf, whereby their prison-doors were opened and they themselves returned to their homes and friends. * * * * *

A reunited nation in mourning sympathy followed his mortal part to its final resting-place, and to-day expresses a common grief in a common loss. He died on the 22d of November, within the walls of the Capitol—a most fitting place. Upon him, self-taught, self-trained, but who had attained nearly all the honors his native land could bestow, speaking, however unworthily, for the district in which he lived, and for the university which is its pride and boast, I can freely bestow that meed of praise which the greatest of Roman orators was constrained to render to the foremost of Roman soldiers, "*Fuit in illo ingenium, ratio, memoria, literatura, cogitatio, diligentia.*"

And speaking for no single district, nor yet for any single country, but in the name of our common humanity, I can with the common consent, place a still higher tribute, which Roman orator and Roman soldier knew not of, the crown of that Christian charity which "suffereth long and is kind, envieth not, vaunteth not itself, is not puffed up, doth not behave itself unseemly," which "thinketh no evil, rejoiceth not in iniquity but rejoiceth in the truth," charity which "never faileth," upon the tomb of Henry Wilson, of Massachusetts.

Mr. CLYMER. Mr. Speaker, during my brief service in this body the Commonwealth of Massachusetts has been chief mourner among the States. Her great Senator, Charles Sumner, was first summoned to his account, and then in quick succession Alvah Crocker, Samuel Hooper and James Buffinton, members of this House during the last Congress, each honored and distinguished and all beloved by those who knew them, entered the dread portal. Now again she is sorely stricken. One who had long and faithfully served her in her own councils and in those of the nation, one whom she had given to the Republic to occupy the position next first in dignity and power, has passed away, and her sister Commonwealths may not fail to assure her of their common sympathy in this hour of her new and sad bereavement.

It is my regret that the voice of Pennsylvania is not heard through one who knew him more intimately than myself, and if I fail to justly record his personal virtues, or to place a proper estimate on his public services, I pray it may be attributed to the absence of those intimate personal relations which alone enable us to thoroughly appreciate and understand the motives and actions of men. * * * * *

In contemplating his public life, the impulse is irresistible to contrast it with that of Charles Sumner, his colleague during the seventeen years of his Senatorial career. To him he was most unlike, and yet he was no less useful. The one a patrician, educated in the groves of the academy; the other a plebian, who, groping amid toil and penury, sought knowledge and found it by his own unaided efforts. Sumner was a man of books; Wilson, of men; Sumner, of ideas; Wilson, of deeds; Sumner, of theories; Wilson, of action; Sumner lived and moved in the unreal world of thought; Wilson moved and acted among men. Each had strong convictions. Sumner sought and would have his in paths chosen by himself; Wilson would accept results offered him by fortune or won in modes he did not prefer. As statesmen, Sumner acted in profound indifference, if not contempt, of the actual forces which existed, looking confidently to the end some time to come; Wilson labored in the light of and molded the influences which surrounded him, subordinating all minor matters to the object he desired to accomplish. As a result, Sumner theorized much, and left as memorials many splendid phrases; Wilson spoke much, and identified himself with all the distinguished measures of his speech. * * *

In seeking for the cause which so strongly bound these two men together, in spite of the obvious dissimilarity which existed, it may be found in that absolute and perfect personal integrity which so clearly marked the conduct of each. And if the late Vice President had no other claim to the respect and admiration of the age in which he lived, it would shed a halo of glory around his name in all time to come to have it said of him with truth that, having served State and nation for more than a quarter of a century, he died poor. The statement of the fact is its own commentary. Amid the license of civil war; with public conscience blunted; when cupidity was excited by opportunity; when unmeasured wealth might have been, and often was, wrung from the very necessities of a stricken land without challenge and without reproof, he, leading a life of almost Spartan simplicity, stainless and pure, died, as he had lived, an honest man.

There was, sir, something very touching and sad in the manner of his death. It did not come to him unheralded. Long before the final stroke the warning messenger was by his side, and for months it followed him silently as a shadow, relentlessly as fate! Ever afterward he went about the land deeply solicitous for the common welfare, bearing messages of fraternal love, of peace, of good-will to all of every section. Walking daily in the very presence of death, envy, hatred, malice, and all uncharitableness found no home in his breast; and as he ever prayed for mercy and forgiveness, so, too, would he have extended these rich blessings to every one everywhere.

Full of years and laden with honors, the most extravagant political dreams of his youth and manhood more than verified; with but one possible ambition unsatisfied—who may say he was not fortunate in his death?

Eulogies were also pronounced by Messrs. HARRIS, of Mass.; KELLEY, of Pa.; KNOTT, of Ky.; KASSON, of Iowa; BANKS, of Mass.; LYNCH, of Miss.; HURLBURT, of Ill.; REAGAN, of Texas; JOYCE, of Vt.; LAWRENCE, of Ohio; LAPHAM, of N. Y., and BLAIR, of N. Y.; after which the resolutions were adopted, and the House adjourned until 12 o'clock to-morrow.

PERSONAL.

Governor R. Pacheco, Colorado; W. Scranton, Pennsylvania, and Emrick Howard, Chicago, are at the National hotel.

PROVIDENCE, R. I., Jan. 21.—Hon. Chas. Jackson, Governor of the State in 1845, died this evening, in the seventy-ninth year of his age.

Mrs. Charles C. Weaver and Miss Sallie Weaver, of Providence, R. I., are in the city, and will be the guests of Mrs. D. C. Forney for some weeks.

S. Castener, jr., and wife, D. Longenecker, Philadelphia; Geo. W. Allen and W. H. Long and wife, New York, have rooms at the Metropolitan hotel.

J. N. O. S. Dumpfield, Baltimore; John A. Rodgers, U. S. N.; H. Ryder Moss, L. Snow, jr., New Bedford; Geo. M. Barnard, Geo. O. Shattuck, Boston, and J. Brevoort, New York, are stopping at Wormley's hotel.

George Dick, South Carolina; G. Wallace, Iowa; H. H. Willard, Virginia; Mrs. A. Cowell, London; David Negley, Kansas, and E. W. Scoville and wife, Connecticut, have taken rooms at the St. James hotel.

Geo. Arlington, Miss Sue Arlington, San Francisco; G. W. Shanklin, Indiana; Captain Albert Kautz, Wm. Kinney, Ohio; W. West Simmons, U. S. R. M.; A. N. Devereux and Captain Fred Rodgers, U. S. N., are at the Ebbitt house.

Hon. Geo. R. Dennis, Maryland; E. G. DeWolfe, Ohio; John C. Paul, Pittsburg; Mrs. R. S. Terry, Lynchburg; R. W. Hartwell, New York; R. C. Boughman and W. M. Hunter, U. S. N., have rooms at the Imperial hotel.

James Morrill, H. B. Beach, Geo. H. Houghton, New York; Hon. Joseph R. Hawley, Philadelphia; Wm. B. Baker, Boston; W. W. Dodge, San Francisco; C. K. Marshall, Vicksburg, and J. O. Spencer, Connecticut, are stopping at Willard's.

PITTSBURG, Jan. 21.—Mr. David L. Fleming, editor and part proprietor of the Pittsburg *Daily Gazette*, died at his residence in this city this morning of brain fever, after an illness of about two weeks. The deceased was a native of Chester county, and about forty years of age.

General Garfield lectures to-morrow afternoon at 4 o'clock before the Philosophical Club in Lyceum hall. The address will be full of interest, and as the admission is free to all, no doubt the hall will be crowded.

PHILADELPHIA, Jan. 21.—Mr. D. L. Moody, the evangelist, started for Florida this morning for the purpose of locating his son in a milder climate. Mr. Moody will return immediately, and commence his labors in New York on the 1st of February.

Obituary.

SAN FRANCISCO, Jan. 21.—Wm. Harlan, only son of Hon. James Harlan, ex-Secretary of the Interior, died here Wednesday night. His father and mother arrived, in response to a telegram, a few hours before his death.

To a very large circle of acquaintances in this city the above news will be very painful. He was a young man of much culture, generous impulses, refined in intercourse, and the pride of his family. For a long time he had been in delicate health, and in hopes of gaining renewed strength he had been on the Pacific coast for more than a year. His loss will be a terribly severe blow to his father, whose life has been, in a great measure, bound up in that of his gentle son. The sympathies of this community are most graciously extended to Mr. Harlan, and all Willie's friends will place on his bier some flower of a beautiful remembrance.

Another Horrible Lamp Accident.

SPRINGFIELD, ILL., Jan. 18.—A fearful accident occurred last evening a few miles from this city. Miss Dona Herndon, daughter of A. G. Herndon, a young lady some twenty-five years old, spilled upon her person some burning fluid from a lamp in her hand and became enveloped in flame, and was horribly burned over her entire person. Her parents were also somewhat burned in trying to extinguish the flames. She lived in great agony for three hours, when death closed the scene. She will be buried at Oak Ridge to-morrow.

Civil Rights.

PHILADELPHIA, Jan. 21.—A clerk of the Bingham House, of this city, had a hearing before a United States Commissioner this morning, charged with violating the Civil Rights bill. The complainant is Fields Cooke, pastor of the Third Baptist Church of Alexandria, Va.

Accident from Coal Oil.

DELPHOS, OHIO, Jan. 17.—A saloon keeper named George Sheeter was seriously burned this morning by throwing a lot of coal oil into a stove to start a fire. The skin was entirely burned off his face and hands, and every stitch of clothing was burned off and his body badly burned.

CURRENT CAPITAL TOPICS.

NOT REPUDIATION, BUT ONLY FAILURE

DISCUSS THE GUARANTY PRIOR TO PAYING

PRACTICAL INSTEAD OF AVOWED REPUDIATION

MALT BREWERS BREWING TROUBLE

Absence of Senators Jones and Sharon

The President and St. Louis Memorialists

The Brooklyn.

The Navy Department yesterday received information of the arrival at Key West, Florida, of the United States steamer Brooklyn. The Brooklyn signaled the Juniata on the 15th instant standing in to St. Thomas.

The Mississippi Levees.

The Committee on the Levees of the Mississippi has agreed unanimously to report in favor of a bill giving $5,000,000 for the building and maintenance of levees. The amount will be distributed as follows: To Louisiana, $1,500,000; Mississippi, $400,000; Arkansas, $700,000, and Missouri, $300,000.

Negotiations for a Postal Treaty.

Negotiations are progressing between the Japanese Minister and the United States postal authorities for a modified postal convention between this country and Japan, in which a reduction of the rate between the United States and Japan to that fixed by the general union postal treaty, namely, five cents, is proposed.

Financial.

The receipts from internal revenue yesterday were $385,435.70, and from customs $401,404 82. At the close of business yesterday the following were the balances in the Treasury: Currency, $8,710,612; special deposit of legal tenders for redemption of certificates of deposit, $43,155,000; coin, $72,682,167; including coin certificates, $34,421,100; outstanding legal tenders, $371,827,220.

Revenue Appointments.

The following appointments of internal revenue storekeepers were made yesterday: Aaron Seldner, Jacob B. Barwood and Michael Markwater, Fourth district Georgia; Wm. B. Barry, Wiley M. May and Thomas A. Fuqua, Second district Kentucky. The following are appointed gaugers for the Fourth district of Georgia: Thos. Johnson, Wm. H. McWharton, jr., Wm. F. B. Wilson and L. Shutenrate.

Ex-Commissioner Smith Going to Africa.

Hon. E. P. Smith, late Commissioner of Indian Affairs, has been invited by the American Missionary Association, of New York, to visit Africa for the inspection of the missions established in that country by that society and to inquire into the best method for enlarging its work, and to find the most hopeful field for engaging in further missionary work among the Africans. The trustees of Howard University have granted him a leave of absence for this purpose, without salary, and it is understood that Mr. Smith is to sail in a few days.

An Outrageous Rumor.

There was a rumor in lively circulation, about midnight last night, that Hon. Sam Randall had been foully assassinated by Senator Bruce, who was reported to have shot the honorable gentleman from Pennsylvania. For some time this report created the wildest sort of an excitement, and the residence of the distinguished Democratic leader was fairly besieged by newspaper representatives anxious to know whether he was dead or alive, or anything that could be learned regarding his personal comforts and happiness. He still lives, and unharmed by the Senator from Mississippi.

Counting the Electoral Vote.

The Senate Committee on Privileges and Elections held a meeting yesterday to discuss Mr. Morton's bill to provide for the counting of the vote for President and Vice President. No conclusion was reached, but it seemed to be the opinion of the majority of the committee that under the circumstances, and in view of the *status* of the question of abolishing the twenty-second rule joint now before the Senate, it was not essentially necessary to press Mr. Morton's bill at present. The members of the committee subsequently took up Mr. Morton's resolution relative to investigating the Mississippi election, and a long and somewhat general political discussion followed, but no conclusion was reached.

Coin Testers.

The President has designated the following gentlemen as commissioners to examine and test the fineness and weight of the coins reserved at the several mints during 1875: Robert E. Rogers, professor of chemistry at the University of Pennsylvania; F. A. R. Barnard, president of Columbian College, New York; V. R. Chandler, professor chemistry Lehigh University, Pennsylvania; Hon. Morton McMichael, Philadelphia; Prof. J. E. Hilyard, Washington, D. C.; Prof. J. R. McClintock, Pennsylvania; Prof. W. P. Blake, New Haven; John Sherman, jr., Washington D. C.; Dr. T. S. Bell, Louisville, Ky., and E. B. Elliott, Washington, D. C.

Where Are Senators Jones and Sharon?

Senators Jones and Sharon, of Nevada, are the subject of considerable comment around the Senate. They have not been wanted yet for any particular party purpose, but here is the 22d day of January and neither of them have reported, nor have they given any indication as to the time they will be here. The panic of last summer on the Pacific coast and the mining and banking operations into which they have entered may perhaps be some excuse, but if any vital question shall come up and the Republican party endangered through their absence, protracted as it has been, they will come in for their full share of the responsibility. Senator Jones has rented General Butler's house at $13,000 a year. He must have interests of some importance where he is or he would not pay over a thousand dollars a month for an empty house. It is rumored that Senator Sharon intends to resign.

The Columbus, Ohio, Donation for a Mint.

Mr. F. Michel, a wealthy nabob of Columbus, Ohio, has a splendid building there, with large grounds. It is known as the capitol university. He offers to give it to the United States Government for mint purposes, and to fit it up as a mint, grounds and all included. The Secretary of the Treasury has been ordered to investigate around through the Mississippi valley with a view of establishing the mint there, but has no appropriation to put up a mint with. Columbus is not in the Mississippi valley, but yesterday the Secretary ordered Dr. J. H. Linderman, director of the mint, to proceed at once to Columbus and see whether the property offered was adapted for mint purposes and report. If it is suitable there is very little doubt but that it will be accepted, notwithstanding the fact that it is not in the Mississippi valley.

The February Interest on the District Bonds.

The Committee on Appropriations yesterday morning agreed to report adversely upon the bill introduced by Mr. Wells appropriating $222,797.50 to pay the February interest on the District of Columbia 3.65 bonds. They took the ground that the interest must be paid, and did not propose any obstacle in the way of its payment. But the argument was that the Commissioners of the District have nearly $800,000 to their credit from the last year's appropriation and current revenues of the District in the Treasury, and that it could be paid from that pending the discussion in the House on the question of Government guarantee. As a matter of fact the Government guarantee is not doubted, but there is a disposition to limit the future issue of the bonds. Mr. Randall was authorized to report the bill adversely, and he did, but failing to secure an opportunity to explain the position of the committee he withdrew it in order to make clear at another time that repudiation or advice in that direction was farthest from the committee's advice or thought.

Supreme Court.

THE SALARIES AFFECTED BY THE ACT OF MARCH 1, 1869.

In the Supreme Court of the United States yesterday the case of the United States against Ashfield was submitted, the question being whether Ashfield, as a watchman in one of the public reservations in Washington, employed under the chief engineer in charge, was of the number whose salaries were affected by way of reduction by the act of March, 1869. The court below held that his pay was not affected by the statute, as he was under an Executive Department, and the Government insists that it is clear that the law was intended to apply to the position occupied by the claimant.

THE CORLISS CONTRACT.

The case of the United States against the Corliss Steam-Engine Company, in which the latter recovered in the Court of Claims $257,688, was yesterday taken under advisement by the United States Supreme Court. The question is whether, after the proper bureau had given the company a certificate for work done, the Government could demand the surrender of such certificate and compel the claimants to submit to a new examination of their claims. The court below held that this could not be done, and the Government insists that it could, and that the certificate issued did not bind the Department.

Taxation of Surplus Whisky.

W. S. Miller, of New York, was before the Commissioner of Internal Revenue yesterday to ask for a re-examination of fifty packages of spirits upon which there had been an assessment of tax on one hundred gallons for overrunning. It appears that the difference in gauge between the gaugers of the West and East has been a source of great trouble both to the revenue department and the commission merchants. Mr. Miller says that sometimes he is assessed for one hundred gallons where there is only twenty-five overrun, and sometimes, where there is a large amount overrun, is not assessed at all. The Commissioner ordered a re-examination, as requested, and said that he did not see how he could remedy this trouble; that if the gaugers were either incompetent or corrupt, he had no remedy unless in the presence of positive proof. Mr. Miller asked that some system of a fairer estimate than now be adopted, so that these continual annoyances would not be presented, and maintained that the Government should have its instruments and gaugers correct in indication of proof of spirits and character as men. As a matter of fact the different commissioners have been trying for ten years to get something like a uniform system of gauging, but so far have failed. Commissioner Pratt proposes to go as far as he can to collect the tax and secure honest and efficient gaugers.

The Brewers on the Rampage.

The Committee of Ways and Means yesterday held a special meeting for the purpose of hearing a delegation of brewers from different parts of the country on the question of the amount of malt allowed to be used for the production of a barrel of beer containing thirty-one gallons. Messrs. Holmes and Cushing, of the Internal Revenue Bureau, represented the Government, and the following named gentlemen represented the Brewers' Association: H. H. Rueter, Fred. Sauer, H. Clausen, Jac. Ahles, R. Katzenmeyer, J. Flintoff, Hon. Frank Jones, Wm. Massey, Gustavus Bergner, J. Gardner, R. Portner, L. Schade.

The whole of their case was presented in a nutshell by Mr. William Massey, of Philadelphia, the well-known ale brewer. He regarded the action of the Commissioner of Internal Revenue as unjust when he assumed to apportion off two bushels and a half of malt as the highest amount of that material to be allowed for the production of a barrel of beer, for the reason that there was no law bearing upon the case, and that this was merely a regulation. He further said that no regulation could be made that would be just to the brewing interest, because the amount of malt used to the barrel of beer depended entirely upon the skill of the brewer, the quality of the material and the season of the year.

Other gentlemen spoke to the effect that in their belief the Commissioner of Internal Revenue should make his averages by the year, and not by the month, because in some months they could make a smaller amount of material go a good ways further, while at other seasons they would have to use as much as four bushels of malt to the barrel. One prominent brewer said that his yearly average of malt for ale was two and three quarter bushels to the barrel. He said some smaller brewers, who made a poorer article, could get along in some seasons of the year with a bushel and a half to the barrel. They said that all they wanted was justice, and the committee and representatives of the Commissioner gave them every assurance that justice would be granted.

Texas and Pacific Railroad.

The memorial committee of thirteen, appointed by the recent National Railroad Convention held in St. Louis, waited upon President Grant yesterday afternoon. The committee was represented by the following gentlemen: Hon. R. W. Thompson, of Indiana; Hon. Stanley Mathews, of Ohio; Hon. J. M. Kennard, of Louisiana; Colonel William Johnson, of North Carolina; D. Felsenheld, of California; Hon. A. C. Klopton, of Texas; Hon. C. K. Marshall, of Mississippi, and D. H. MacAdam, of St. Louis, representing Colonel Broadhead, chairman of the committee, who was unavoidably absent. On behalf of the committee, Mr. Thompson, of Indiana, made the following address to the President:

Mr. President: You are aware, sir, that a convention was recently held in St. Louis favoring the construction of a railroad to the Pacific on or near the 32d parallel of latitude. It was the largest convention ever held in the United States outside the political organizations, and was composed of representative men from nearly all the States, entirely familiar with the necessities of the great interests with which they were identified. A series of resolutions were unanimously adopted, and a committee was appointed by the convention to lay its proceedings before the President of the United States, the President of the Senate and the Speaker of the House of Representatives, with a view to invoke the national aid in the construction of this great work. And we are now here, sir, as that committee, to discharge the duty thus assigned to us.

We think, Mr. President, that this is a great national measure, having in no sense any merely sectional aspects, and that if this road shall be constructed by means of the aid now asked from the General Government, it will prove to be of incalculable value to the nation. It will, undoubtedly, open up for settlement and agricultural cultivation a very large section of country hitherto unoccupied, in a climate as delightful as any in the world. It will be the means of developing immense mineral wealth, thereby adding to the material prosperity of the whole country. It will give employment during the process of construction to many thousands of people upon whom the heavy pressure of financial embarrassment is now resting. It will do more than can be done by any other measure of public policy to settle the difficult problems arising out of our relations with the Indian tribes upon our exposed frontier.

It will prove a measure of economy to the Government in the saving of many millions of dollars in the cost of supplying our military posts and the Indian tribes along its line. And last, but not least, sir, it will be hailed by the great body of the American people, and especially those of the Southern States, as a peace offering upon the national altar, from which such consequences must inevitably grow as shall convince the world that nothing hereafter can even arise which can weaken the foundations of a restored and reinvigorated union.

In obedience, therefore, to the duty assigned me, I have, sir, the honor to place in your hands a copy of the proceedings of the convention to which I have referred.

The President replied that he had seen the proceedings of the convention, and as the matter was in the hands of Congress he did not desire to express any opinion on the pending measure.

The building of a railroad across the continent by the route proposed was a work of great importance, particularly as affording a competing line to the road now in existence, and so secure to the country cheap rates. He did not know what Congress would do, but he hoped the road would be built.

Mr. Thompson then presented the President with a handsome engrossed copy of the resolutions and a printed copy of the proceedings, and the committee withdrew, much pleased with their reception by the President and the great importance he attached to the enterprise.

Father Gerdemann's Debts.

PHILADELPHIA, Jan. 21.—Counsel for the creditors of St. Bonifacius' church (formerly Father Gerdemann's) have issued a circular announcing that Archbishop Wood has agreed to the following plan for settling the debts of that church. All depositors who had less than one hundred dollars shall be paid immediately, and all having over three hundred shall get fifteen per cent. at once and the balance in installments, the money meanwhile drawing four per cent. interest. The counsel recommend the settlement on these terms.

Sandwich Islands.

SAN FRANCISCO, Jan. 21.—The steamship City of Melborne, from Sydney via Honolulu, arrived at this port to-day. She brought dispatches from the Hawaiian Government, which have been transmitted to Washington, granting protection to Capt. James J. Waddell, of the Pacific Mail service, who had been threatened with arrest, on arriving at Honolulu in command of the company's steamer, for piratically destroying a Hawaiian ship while in command of the rebel cruiser Shenandoah.

BRIEF TELEGRAMS.

BRIDGETON, Jan. 22.—In the Landis trial testimony was introduced going to prove his insanity.

COLUMBUS, OHIO, Jan. 21.—The Ohio Republican State convention will meet in Columbus March 29.

RICHMOND, Jan. 22.—The Boston committee have been in charge of the Knights Templar for two days, and have visited many places of interest.

BRIDGEPORT, CONN., Jan. 21.—The strike of the female employees in the Goodyear Glove Company's works, at Naugatuck, is ended, nearly all having resumed work at the reduced rate.

NEW YORK, Jan. 21.—Rev. Henry Ward Beecher made another defense of himself and criticism on the taste and conduct of Mrs. Moulton last night at the Friday evening meeting.

COLUMBUS, OHIO, Jan. 21.—In the House to-day the bill to repeal the well-known Geghan law was passed by a party vote, the Republicans, with one exception, favoring it, and the Democrats, with no exception, opposing it.

CINCINNATI, Jan. 21.—At the India Block Coal Company's mines, near Covington, Indiana, last night, a shed was burned containing one hundred and ninety-four kegs of powder. Seven mules and one horse were killed by the explosion. No human lives lost.

RECORD OF CRIME.

JOLIET, ILL., Jan. 21.—Jacobs, the wife murderer, was hanged here to-day.

CAIRO, ILL., Jan. 21.—Marshall J. Crain was hanged at Marion, Williamson county, to-day. He addressed a crowd of twenty-five hundred people, confessing that he murdered Sysney and Spence, and acknowledged the justice of his sentence.

WILMINGTON, DEL., Jan. 21.—On Wednesday William Williams and Andrew Baker were arrested at Lewes, Del., by Special United States Agent Major Norris, charged with smuggling. They are said to be members of an organized band in that vicinity.

CINCINNATI, Jan. 21.—A special to the *Commercial* says near Big Rapids, Mich., last night, Fayette McClure was mobbed and ridden on a rail, sustaining a fractured skull and broken back. The mob took from him $150 in money and $1,500 in pension papers, and left him in the woods, where he was found this morning. Eight participants are jailed.

CLEVELAND, Jan. 21.—The body of Elizabeth Trembacher, a German girl, aged fourteen, was found in a thicket near Youngstown to-day, with her veil tied around her throat. She had evidently been strangled. The verdict of the coroner's inquest was that she had been ravished and murdered. Charles Sterling, a tramp, was arrested on suspicion.

RECORD OF FIRE.

ST. JOHNSBURY, VT., Jan. 21.—The scales shop of E. & T. Fairbanks & Co., at this place, was destroyed by fire this evening. Loss not known; covered by insurance.

NASHVILLE, Jan. 21.—A fire on Market street to-night, which commenced in the hardware store of O. M. Johnson, destroyed five buildings, occupied by the Western Union telegraph branch office, R. F. Adams, Cline & Bernheim, Hart & Heasley, Moorman, Hightower & Co., all wholesale houses.

TRIAL OF WILLIAM M'KEE

ALLEGED TO BE THE "HEAD DEVIL"

OF THE ST. LOUIS WHISKY RING

BOLD OPENING OF ATTORNEY DYER

EVIDENCE OF CONDUCE MEGRUE

HOW HE SEDUCED THE INNOCENTS

WHO GOT THE MOST OF THE MONEY

ST. LOUIS, Jan. 21.—The United States Circuit Court room was crowded by spectators eager to see and hear everything in connection with the McKee whisky trial. A jury was empanneled with but little trouble, there being but few challenges. The jurors are all from the interior counties of the State and consist of merchants, mechanics and farmers. District Attorney Dyer opened the case with a statement of what the prosecution expected to prove, the material points being that he would show that McKee was not only a member of the ring but the cause which led to his being taken into it. He was a man of influence at Washington, and in the palmy days of the ring he controlled one of the principal party organs here.

It would be shown that each week while the ring flourished money obtained from the distillers was, after the gaugers and store-keepers had been paid, divided into five parts, one of which went to McDonald, one to Joyce & McGrue and two to McKee, he to divide with the collector. It may be shown that during the time from September, 1871, to November, 1873, each of the beneficiaries realized about $40,000 from stealings. As a new feature of the details of carrying on the frauds, he would show that on one occasion four books, containing 1,600 rectifier's stamps, worth 25 cents each, were sold from the collector's office to the rectifying firm of Bevis & Frazer for the large price of $4 each or $6,400 for all.

The stamps were not regularly accounted for to the Government, but were charged against the account of one of the clerks of the collector's office as though he had spoiled them. Why this was done, and why Bevis & Frazer were willing to pay $6,400 for $400 worth of stamps would seem when it was explained that the affixing of one of the stamps to a package of rectified spirits is a certificate that such spirits had been properly tax paid before rectifying. The advanced price of $6,400 for $400 of such stamps enabled the collector's office to realize a neat little $6,000 profit. The possession of 1,600 stamps enabled Bevis & Frazer to place upon the market properly certified 1,600 packages of spirits on which no taxes had been paid before rectification, each stamp thus saving them anywhere from $30 to $60.

The stubs, it would be shown, were thrown into the furnace at Bevis & Frazer's establishment and burned, and no inquiry by the Department resulted because of the explanation of the collector's books. We will show you also that the defendant now under trial was one of the parties interested in the suppression of evidence before the grand jury; that the conspiracy was not only a combination to defraud the Government, but also became a combination to keep evidence from the grand jury. We will also show that, when Conduce Megrue was brought here upon a *capias*, McKee had three interviews with Megrue, and plead with that gentleman to save him, for a disclosure would ruin him, and that when these proved unsuccessful a proposition was made by members of the ring, McKee being one of them, to buy off Megrue, and that this was not accomplished because the money could not be raised.

C. G. Megrue was then put on the witness stand, and gave pretty much the same evidence given by him on the McDonald and Avery cases; that is, the history of the whisky ring, of whom it was composed, the amounts of money paid by the distillers, who received this money, &c.

The defense objected to several questions asked the witness, and insisted that the prosecution should establish the fact of a conspiracy, and that the defendant was connected with it before hearing the testimony as to the acts of the co-conspirators.

After considerable argument the witness was withdrawn, with the understanding that he would be recalled later in the trial.

Joseph M. Fitzroy, who served as deputy collector under Chas. W. Ford and Constantine Maguire, was then called, and testified that he had charge of the distilleries, and knew that they made crooked whisky. Much of his testimony was a repetition of what he testified to in previous trials.

The following is only part of it, bearing directly upon the defendant: I collected from these distilleries between June, 1873, and August, 1874, from one to five thousand dollars per week; that is, I returned that much after taking out sums for gaugers and storekeepers. This money was taken to the supervisor's office, where it was divided into five parts up to the death of Mr. Ford by Colonel Joyce and myself. Then the money was left there for Joyce to distribute. Met the defendant at the office once; it was after Ford's death. It was between the time of Ford's death and Mr. Maguire's appointment. General McDonald and Joyce were present at the time. It was on Saturday evening. I had taken the money there which I had collected from the distillers. I had been there half an hour when McKee came in. I was in the back room when I saw McKee. The money had been divided by Joyce, and as Joyce handed McKee one of the money packages, McKee said: "Fitzroy is here." McDonald replied, "Fitzroy is all right." Then McKee turned to me, in a funny way, and said, "Fitzroy, this is a sacred thing; keep it secret." Fitzroy was asked if McKee said anything more, and added he remarked that amount was more than usual. Joyce explained it by saying Ford was dead. The money had just been divided into four parts, one for Joyce, one for McDonald, one for McKee and one for myself. This was in October, 1873. About the last of October or the beginning of November I had a conversation with Joyce and McDonald with reference to who composed the ring, and they told me—

Mr. Clover objected.

Colonel Dyer said they had established now sufficiently Mr. McKee's connection with the conspiracy to make relevant the acts of conspirators.

Judge Dillon ruled that the witness might be cross-examined as to what he had testified, and then the prosecution could withdraw him for the present to further establish McKee's connection with the conspiracy.

The cross-examination was then conducted by Judge Clover. Witness could not recollect what day he met McKee in the supervisor's office. He made a memorandum of the amount contained in the package given to McKee at the request of Joyce, but could not remember when or where Joyce was when he made the request, nor why he thought it important a memorandum should be made. The memorandum was produced and read, "McK., $480." Witness further stated: I have no recollection of ever seeing a dollar handed to McKee other than the amount referred to, and I never saw McKee at the supervisor's office before. I did not know that he was coming on that occasion, nor did I know he was expected. The package handed to McKee by Joyce contained $480. After McKee said to me, "Fitzroy, this is a sacred thing; you must keep it secret," I replied, "I will not do anything or say anything that will injure myself." I told Mr. Bevis this after I had been before the grand jury in June. I have not sworn to the contrary of what I have sworn here. I have not sworn that I knew nothing of any connection between McKee and the whisky ring. I stand indicted for perjury and for connection with the whisky frauds.

Judge Clover was here asked if he intended to impeach witness by testimony as to what he said before the grand jury, and he replied that he did.

Witness continued: I do not think I denied to the grand jury all knowledge of the ring. I don't recollect that I said I knew nothing of the removal of spirits from Busby's distillery. I think I said I had no actual knowledge of the removal. I was indicted for perjury for having testified to this effect. Do not recollect ever having told any one that I intended getting even with McKee. I did say, however, to a gentleman that I was not very sorry for McKee, because I believed McKee had caused the publication, in the St. Louis *Times*, of several articles against me. I never received letters advising me to testify against any one to save myself.

Here the cross-examination closed, and the jury was placed in charge of the United States marshal, with instructions from the court to keep them secluded from all outside influence.

Centennial Notes.

NEW YORK, Jan. 21.—Geo. P. Rowell, of New York city, has been authorized to construct a building upon the Centennial grounds for the exhibition of files of American newspapers. If carried out on the plan proposed, it will be an extensive building, sufficient not only to exhibit files of 8,000 publications, but arranged to serve as a journalists' headquarters, with desks and the requisites for a gigantic reading-room.

THE INTERNATIONAL RIFLE AND BOATING MATCHES.

LONDON, Jan. 21.—The *Globe* says that at a meeting of the National Rifle Association to-day it was resolved that the association should accept the invitation of the National Association at New York to organize a team to represent the United Kingdom in a match for the championship of the world, provided that no other independent team sent from England, Scotland or Ireland be included in the match. Cambridge will not decide its connection with the American boating regatta until the general assembly of the students takes place, when the matter will be considered by the captains of the various boat clubs.

ST. PAUL, MINN., Jan. 21.—The Senate yesterday, by a vote of 23 to 24, agreed to limit all possible appropriations to $10,000. It is alleged that the Centennial Commissioners for this State have neglected to apply for the space to which the State was entitled, expecting to carry through an appropriation of $30,000 or $40,000, for the erection of a splendid building and for contingent expenses. Only a very small appropriation, if any, will be made, notwithstanding the recommendations of both ex-Gov. Davis and Gov. Pillsbury.

NEW SOUTH WALES AT THE CENTENNIAL.

SYDNEY, N. S. W., Jan. 18, (via London, Jan. 21.)—Roderick William Cameron and Dr. R. Forbes, of New York; Sir David Cooper, of London; Geo. Russell, of Scotland, has been appointed commissioners for New South Wales to the Philadelphia Exhibition.

LOUISVILLE, Jan. 21.—There was a lively discussion regarding an appropriation from Kentucky to the Centennial to-day in the State Legislature. The bill met with some opposition, but the sentiment of the majority appears to be in favor of contributing Kentucky's share to the national jubilee.