National Republican.

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CURRENT CAPITAL TOPICS.

DEMORALIZATION OF THE DEMOCRATS

JUDGE KELLEY WILL GIVE THEM A LIFT

LOUISVILLIANS AFTER THE CONVENTION

COST OF DISBURSING PENSION FUNDS

SILVER INFLATION ON PACIFIC COAST

TEST OF THE COINAGE OF 1875

Soldiers and Sailors Veterans' Committee.

The secretary of the Veterans' National Committee says the call for the meeting of the committee has the concurrence of more than a majority of its members, and that the meeting will certainly be held on the 23d inst. Senator Burnside was probably not aware of this when he gave his explanation.

Financial.

The balances in the Treasury at the close of business yesterday were as follows: Currency, $10,486,831; special deposit of legal tenders for redemption of certificates of deposit, $44,455,000; coin, $75,969,847; including coin certificates, $34,478,200; outstanding legal tenders, $371,273,140. The receipts from internal revenue yesterday were $360,566.70; and from customs, $392,001.77.

The Democratic Committee.

The New York *Tribune* of yesterday refers to a correspondence between Representatives Meade and Lamar in reference to the composition of the the Democratic Finance Committee. Mr. Meade charges that this publicity of a confidential correspondence has been instigated by Mr. Lamar, and promises to give it entire. It is understood to be very sanguine of a Tilden victory, and that the attempt to ignore the State of New York on that committee.

The Democracy Demoralized.

The Democrats in Congress are terribly demoralized on the currency question. They are waiting for the caucus committee to report, and yet, knowing that the committee is afraid to report, they are in a fix. There is great anxiety to hear from the demoralized and unauthorized committee. No matter how they report, they will disappoint everybody. It is said the caucus is indefinitely postponed. The Republicans do not need a caucus on the currency question.

Charges Preferred Against Judge Wylie.

Mr. Holman presented in the House yesterday the petition of Captain Albert Grant, who asks the Judiciary Committee to investigate the official conduct of Hon. Andrew Wylie, one of the judges of the Supreme Court of the District of Columbia. Grant has been a litigant here for years, and his cases came before Wylie as the judge of the Equity Court, and he charges the judge with having, through corrupt motives, and out of a spirit of malice and prejudice, for two years, followed a line of conduct which degraded him and finally drove him out of court. Fifteen charges and specifications, all charging corrupt motives, malice, prejudice and other unjudicial conduct.

Speaker Kerr's Condition.

It appears that Speaker Kerr is not strong, and that he has gone away for the purpose of recuperation in health. This fact is painfully true. He is different from most people, for he never had a single day's good health in his life. His ailments are dyspepsia, a slight touch of kidney disease and torpidity of the bowels. These troubles have been augmented by the fact that no one is a more ardent student than he, and the troubles of his canvass for the Speakership and the responsibilities of position did not care to see, have distressed him when he should have been let alone.

Young as he is, he finds that his physical strength is not great enough to support his brain. If he can once overcome his present affliction, there is no doubt that he will be the same Mr. Kerr who so ably advocated Democratic doctrines on the floor of the House for years. Mr. Kerr alone understands how sick he is, and is determined to get well. Such pluck as he has is always rewarded with success.

Mr. Whitthorne's Spies.

Several persons, principally residents of the eastern section of the city, who were discharged from the navy yard for incompetency, malfeasance in office and other reasons, feeling themselves aggrieved, have recently entered the service of the chairman of the House Committee on Naval Affairs, and are aiding to break up an establishment that once furnished them, and is now supplying many their fellow-citizens with a means of livelihood. Prominent among these characters are a few who figured in an investigation into the conduct of a certain foreman in the navy yard last spring.

The charges preferred against this foreman were not sustained by evidence, and the promoters of them, not having the pluck to sign the charges, put themselves smuggled in as witnesses, but their evidence before the boards of inquiry amounted to nothing, as will the information offered by them to Mr. Whitthorne. The chairman of the House committee should sift the statements of these disreputable characters before placing any weight upon them. It is the old story of sour grapes.

Supreme Court Business.

THE RULE AS TO SUITS IN ACTIONS ON OFFICIAL BONDS FOR A DEFICIT.

In the case of Haldeman and others against the United States, yesterday, heard before the Supreme Court of the United States, the question to be decided is whether in the case of a deficit in the accounts of an internal revenue collector he is entitled to plead as a set-off the pay of deputies and other expenses of collection, after they have been disallowed by the Department. The court below, in an action on the official bond, held that the decision of the Treasury Department is conclusive against the sureties, who contended that the court should have made such a decision as was just, without reference to the Department ruling, and that the decision was error.

FORMER ACTION ON OFFICIAL BOND.

In the case of Hall and others, also heard yesterday, which was a suit on an official bond for a deficit, the question is whether a previous action against the same defendants for the same cause of action, when discontinued by the Government on the payment of costs by the defendant, is a bar to further prosecution. It was held below that, the former action not being prosecuted, the cause of action was not barred.

A Silver Inflation on the Pacific Coast.

The people of the Pacific coast are at the present time greatly agitated by evils resulting from a plethora of silver currency, which has fallen to a heavy discount in brokers' sales. On the one hand are the bullion producers, who are trying to force silver into still greater circulation, and on the other hand are the workingmen and tradesmen, who are anxious to protect themselves against a depreciated currency. The Washington correspondent of the *Alta California* has made a decided hit by making a bold attack upon the "silver inflationists," as he calls them, and the sentiment of the community of San Francisco appears to support him. His special dispatches have aroused a lively discussion, which will probably arrest any attempt to legislate hastily upon the subject in Congress. The *Alta* of the 6th instant contains interesting interviews with leading bankers and experts called forth by the report that Mr. Sherman had recommended the repeal of the legal tender provision effecting trade dollars. All the bankers indorse this recommendation. Ex-Gov. Low, of the Anglo-California bank, says that Senator Jones' proposition to make silver a legal tender to all amounts would drive all the gold out of the United States. Governor Low was recently United States Minister to China. The following is a copy of Mr. Whetmore's special dispatch to the *Alta*, sent last night:

WASHINGTON, Feb. 18, 1876.—The silver inflationists are making a desperate effort to induce Secretary Bristow to commence the redemption of fractional currency at once by issuing the twelve millions of silver currency now on hand. Gen. LaGrange, superintendent of the San Francisco mint, is now assisting the inflationists. They do not deny the truth of the proposition made by your correspondent that the issuance of silver dollar for dollar in exchange for greenbacks will reduce the circulating value of silver to a par value with greenbacks. This would result in bringing the Pacific States within the reach of cap money, and drive gold out of circulation entirely. The subject was forced before the Cabinet to-day. San Francisco should send an appeal to prevent hasty action in this matter. The defeat of the bullion speculation in their effort to increase the legal-tender of trade dollars is making them more eager to head off any further popular opposition.

The Austin-Topolovampo Pacific Survey.

The House sub committee on Pacific Railroads having reported favorably, the House Committee, yesterday morning, heard A. K. Owen, chief engineer, in behalf of the Austin-Topolovampo Pacific. The argument was made exclusively by maps and tape, and sustained, by geometrical demonstration, the arguments made before the committees of the Forty-third and Forty-fourth Congresses, which have been published in full by special order of the War Department. The length of the line from Austin, Texas, to Topolovampo, at the mouth of the Gulf of California, is eight hundred miles. This line will put the entire railroad system of the United States and Canada, east of the Rocky Mountains, in the shortest, least interrupted and least expensive communication with the Pacific ocean. As Mexico has communicated her desire to assist in the said survey across Chihuahua and Sinaloa, and as the recommendation of the board of engineers has been approved by the Secretary of War, it is likely the survey will be authorized.

On the map showing the explorations and surveys from the Mississippi to the Pacific, published by order of the War Department, in 1855, there are fifty surveys recorded. These, together with as many more, particularly the surveys of the Ohio and Chesapeake, James and Kanawha, Coosa, Fort Saint Philip, and the numerous surveys of the Tehauntepec, Nicaragua, Panama and Darien canal and the mail routes, have been made under the direction of the War and Navy Departments, at the suggestion of some one or more individuals, to the end that information relative to their claims be officially reported to Congress and the people, and this, too, long before any organization was formed to construct the work.

The railroad routes to the Pacific were inaugurated in 1853, at the suggestion of Jefferson Davis, then Secretary of War. Since then Congress has ordered survey after survey to be made on the routes known as the 32d, 35th, 41st, 47th, 48th and 49th parallels, and these surveys were made in advance of their respective railroad organizations.

The survey of the 30th parallel route from Austin, Texas, to the Rio Grande, and thence across Mexico, as petitioned in Senate bill 92 and House bill 218, is a line heretofore unsuggested, and yet it is proven that it will give every port on the Atlantic coast, and every great centre of industry and population in the United States and Canada, east of the Rocky Mountains, their best and quickest route to the Pacific.

The arguments before the committee relative to this route claim for it great national and international importance, and therefore as Pacific routes are under consideration by Congress, and are urged by the people, it is hoped that the committee recommend the Austin-Topolovampo survey to the end that its advantages be officially reported, and an organization be encouraged to build the highway.

The National Democratic Convention.

The Louisville delegation, now here to advocate the claims of Louisville as the place of holding the next National Democratic Convention, are working actively in behalf of that city. It is claimed by them that, in point of centrality of location between the North and the South, as well as between the East and West, no other city in the country has equal advantages with Louisville. Besides, Kentucky and Maryland have been the only States in the country which have given consistent Democratic majorities since the war. Ministers have been busy in attending convention, while several have been held in Baltimore. The citizens of Louisville have pledged themselves to pay all the expenses of the convention, and the hotel-keepers have entered into an agreement to charge only the usual rates during its session. At least two halls are sufficiently large to amply accommodate the convention with committee-rooms, &c., while well known hospitality of her people will assure a warm welcome to the delegates. The Louisville delegation has its headquarters at the Ebbitt, and is composed of the following gentlemen: Hon. Charles D. Jacob, mayor of Louisville; Gen. William Preston, Hon. Robert Mallory, Dr. J. Lawrence Smith, the eminent scientist; Hon. E. D. Standiford, Mr. Owen Thomas, M. Hallard, the editor of the *Ledger*, and Judge W. B. Hoke. They have a parlor at the Ebbitt, where they will be glad to meet their friends.

Annual Report of the Coinage of 1875.

The commission appointed by the President to examine and test the fineness and weight of the coins reserved at the several mints during the year 1875 concluded their labors on the 17th instant. The commission weighed and assayed 20,295 pieces of gold and silver, aggregating in value $41,241.85, and the trial was considered and reported as satisfactory. Under the 40th section of the coinage act of 1873 it is provided "That at every delivery of coins made by the coiner to the superintendent of the mint, and now by the superintendent, in the presence of the assayer, to take indiscriminately a certain number of pieces of each variety for the annual trial of coins, the number to be not less than one piece for each one thousand pieces, or any fractional part of one thousand pieces delivered, and for silver coins, one piece for each two thousand pieces, or any fractional part of two thousand pieces."

The sealed parcels containing the reserved coins are deposited in a pyx, designated for that purpose at each mint, which is kept under the joint care of the superintendent and assayer, and so secured that neither can have access to its contents without the presence of the other. At the close of each year the reserved coins of the mints at San Francisco and Carson are forwarded to the mint at Philadelphia and retained there until the second Wednesday in February, when the reserved coins of the year, which have been counted, and their weight and fineness tested by a commission appointed by the President, consisting mainly of men eminent in chemistry and metallurgy, under the authority and order of the director of the mint, in order to throw around the coinage all networks possible to secure a rigid adherence to legal weight and fineness, it has been an established rule since 1873 to distribute indiscriminately from certain deliveries in each month sample pieces, which are assayed, and the result reported to him, and the officers whose work is under trial. This assay also embraces the testing of fine gold coins for silver and silver for gold, and in order that an impartial test may be made, the assay office at New York assays the coinage at the mint at Philadelphia, and that at San Francisco that of Carson, and Carson that of San Francisco. Under this system of test assays the fact is ascertained that no more silver passes off in the alloy of gold coins than is allowed by law, and gold contained in silver bullion and silver in gold bullion is separated as closely as can be at a profit. The process of assaying or ascertaining the fineness of metals is necessarily the ground work of all mint calculations and accounts, and is the Government stamp of value to the depositor. It commences when the deposit of gold or silver is first brought to the mint, is continued in the form of bullion bars, and now they are coined with copper for coinage, and ends with the coined work, in order to insure that in the various manipulations through which the metal has passed, from its entry into the mint as bullion until its issue as coin, it has suffered no debasement.

The trial by jury of the pyx originated in England, it is supposed, during the reign of Henry II. (1154-1189,) and was introduced in this country under the act of April 2, 1792, which required the examination to be made by the Chief Justice of the United States, Secretary and Comptroller of the Treasury, Secretary of the Department of State and the Attorney General.

Cost of Disbursing Pension Money.

To the Editor of the National Republican:

SIR: The *Tribune* of this city, of the 17th instant, in a editorial, says:

"The debate in the Senate of the pension appropriation bill has developed some suggestive facts. Senator Wallace presented the startling statement that whereas in 1867 it cost us but $1.70 per $100 to send money to the pensioner, it now costs us $4.20 per $100."

The following information is offered for the benefit of the Senator and his party, who are constantly finding mountains of corruption in the Republican party, which, on investigation, prove to be small mole hills, as the honorable member from Illinois discovered that there were thirteen pension agents in 1867, and now they have dwindled to four. In 1867 I, concurrence with the pension law, the pensioners were paid on the 4th of March and the 4th of September of each year, either in person or by attorney, and to compensate the pension agent for the labor of making out the voucher, twenty-five cents, and fifteen cents additional for the affidavit were allowed the agent. In 1868 the pensioner paid the pension agent forty cents for his services.

In time this law became much abused, to the injury of the pensioner. Those pensioners who resided in the interior of the States had to undergo the expense of visiting the agency in person or appoint an attorney to apply in person with the vouchers and obtain payment from the agent in currency. Very frequently the pensioner paid back five or ten dollars as their fees for collection. In some cases they failed to make any return for the half-yearly pension. Again, in New York and Philadelphia, especially, all sorts of establishments, from the rum-mill up, held the pensioners' certificates and power of attorney to collect the pension, and in most cases the pensioner was defrauded. Members of the Senate, disabled men and helpless widows could not wait six months for their miserable pension, which was all their support, in place of arms, legs and healthy limbs they sacrificed for the Union.

The mode of paying pensions, the defects of the system and suffering of the pensioners influenced the ladies of the Soldiers' and Sailors' Union, of New York, to address a petition to Congress on both houses in 1870, and urge the repeal of the old law and passage of the act of July 8, 1870, in which it is provided that it shall be the duty of the pension agent to fill out a voucher for the pensioner on or before March 4 June 4, September 4 and December 4 of each year, and forward the same to the pensioner's address, and when the voucher is executed and returned to the pension agent, a check for the full amount is returned to the pensioner, the Government paying the pension agent thirty cents for making out the voucher, in lieu of 40 or 70 cents, which he formerly received from the pensioner. In 1874, Mr. O'Neill, of Penn., on behalf of the Pension Committee, brought in a bill reducing the fees of the pension agents to twenty cents, which passed the House and was disagreed to in the Senate, and in conference committee was made twenty-five cents per voucher, as act of March, 1874.

Now, if the honorable Senator had examined the subject, the fact that it cost in 1867 only $1.70 per $100 to pay pensions, and now $4.20, would not have vexed his soul, because the largest agencies, where eight and ten clerks are constantly employed, and paid by the agent out of his compensation, only received $2,600 commission and $2,400 additional compensation from the Government, and that was all that could be charged as the expense of paying pensions, the pensioner paying 40 or 70 cents additional to the agent as his compensation.

Now, in accordance with the act of July 8, 1870, which provided that the pensioners shall be paid four times a year their half yearly pensions, the Government paying the expense of vouchers and postages—and not the pensioners out of their small pittance, as heretofore—he would have understood the cause of the increased expense; also, that these were efforts made in the direction of economy before his day of usefulness.

R. B. WALLACE,
Third Auditor's office.

Miscellaneous.

W. G. Tusentine was yesterday appointed internal revenue storekeeper for the Fifth district of North Carolina.

The President yesterday signed the act to change the location of the consulates at Aix-la-chapelle and at Omoa and Truxillo. Also, the act fixing the time of holding the circuit courts of the United States in the districts of California, Oregon and Nevada.

A letter was received at the Treasury Department yesterday from Philadelphia inclosing $100. The writer states that when he arrived in the United States from Europe his luggage was passed free of duty, but that duty should have been collected on some articles that were in his trunk and which had been purchased for presents, and thought the amount inclosed would cover the debt which his conscience told him he owed to the Government.

The Mexican Revolution.

SAN FRANCISCO, Feb. 18.—A dispatch from Tucson reports a battle on January 16, between the Sonora revolutionists and the State troops near Alamos. The latter were routed, pursuit resulting in a second fight, and another revolutionist victory. The latter have concentrated 500 cavalry near Conicari.

GENERAL BABCOCK'S TRIAL.

CLOSE OF THE EVIDENCE IN THE CASE

DEFENSE ASKS FOR AN ACQUITTAL

CONTENDS NO CASE IS MADE OUT

BROADHEAD DEMURS TO THIS RESULT

COURT DECLINES TO INSTRUCT THE JURY

ARGUMENT TO PROCEED TO-DAY

ST. LOUIS, Feb. 18.—Upon the conclusion of the session of the court last evening District Attorney Dyer announced that he would have some rebuttal evidence to offer this morning.

Upon opening to-day, George Gavin, the secretary of the board of police commissioners, was called for the purpose of showing the record of Magill, the letter-carrier, who testified to returning two letters to Joyce. The witness did not answer, and the District Attorney immediately announced that the Government would put in no rebuttal testimony. The case was then declared closed so far as evidence was concerned.

Judge Dillon asked if the counsel had arranged in what manner the closing arguments should be made.

Judge Porter arose and said the defense had intended to raise a question of law looking to the direction of a verdict, and asked permission to address the court.

It was granted.

JUDGE PORTER

spoke at considerable length, giving the grounds on which he asked the court at this stage of the trial to direct a verdict of acquittal. The right of trial by jury he held to be a right guaranteed by the Constitution, and one to be tenaciously held to its force. In this case, said Judge Porter, upon the undisputed facts, we submit that there is no question but for the court to acquit the defendant. The evidence was then passed in review very carefully and slowly, and after the review Judge Porter said: "We now ask for the acquittal of the defendant at the hands of the court."

After a brief pause, the Court asked the defense if they were prepared to present authorities.

Judge Porter replied in the affirmative, and proceeded to read cases from various reports, cases which he claimed were parallel, in point of law, to the case under consideration.

COL. BROADHEAD, IN REPLY

to Judge Porter, said, in order to sustain the motion of the defense, the Court must say there is no testimony for the jury to consider, or that the jury might be led to believe in the defendant's guilt. He cited the facts in the history of the case. The mailing of the letter by Joyce to Babcock, marked "in the Addition," and corresponding with one of the conspirators after he was indicted through a third party; the giving of valuable information at the same time he was protesting against being questioned; the 5 p'ph dispatch notifying the conspirators here of the abandonment of a raid before the agents who had been detailed to make that raid had been apprised of the fact; these all tended, he argued, to give in character that they must go to the jury for decision. Where there are disputed issues it is the province of the jury to determine.

The Court took the matter under advisement, and on reassembling in the afternoon

JUDGE DILLON DELIVERED THE FOLLOWING DECISION:

The testimony on both sides being closed, the defendant's counsel moved the court for a peremptory direction to the jury to acquit the defendant. The case which the Government seeks to make against the defendant is one which largely, perhaps exclusively, depends upon circumstantial evidence, which, it is claimed, shows the defendant had guilty knowledge of the conspiracy to defraud the revenues in St. Louis; that he participated in that conspiracy. The Government has sought to implicate him mainly by the testimony of witnesses who mailed a letter under circumstances, which the counsel for the Government maintains, would authorize the jury, not standing alone, but in connection with the other facts in evidence, to infer that it contained

A $500 BRIBE,

and that it was sent to and received by the defendant for guilty purposes, and by certain telegraphic dispatches to and from the defendant. The present motion involves a question as to the relative province of the court and the jury, which is of great importance. Undoubtedly the court is judge of the law in criminal as well as in civil cases, and the jury is bound to receive and apply the law as expounded by the court, as in one class of cases the same as in others. A motion of the character of the one here made is well known to the practice in Federal Courts. It is equivalent, says the Supreme Court of the United States, to a demurrer to the evidence. It answers the same purpose, and should be tried by the same rules as a demurrer to the evidence, and admits not only

THE FACTS THEREIN

stated, but also every conclusion which the jury might fairly and reasonably infer therefrom. In deciding upon the present motion it must be assumed that all the evidence is beyond dispute true, and that the witnesses are all credited, for if there are questions relating to the credibility of witnesses, or to the proper deduction to be drawn from the evidence, these are questions not for the court, but the jury under the advice and direction of the court.

The counsel have referred to cases in which some courts may have interfered with the province of the jury in a manner which it might be difficult to reconcile with the views above expressed. The principles which must govern us have been settled by the Supreme Court of the United States, whose judgments have in this court

THE FORCE OF AUTHORITY.

The doctrines of the Supreme Court of the United States is well shown in Hickman vs. Jones, 9 Wallace, 197. This was a case of malicious prosecution, in which the court peremptorily instructed the jury to acquit two of the defendants. In holding this to have been erroneous under the circumstances the Supreme Court of the United States says: "There was some evidence against both of them; whether it is sufficient to warrant a verdict of guilty was a question for the jury, under the instructions of the court. But the learned judge mingled the duty of the court and jury, leaving to the jury no discretion but to obey the direction of the court. Where there is no evidence nor such a defect in it that the law will not permit a verdict for the plaintiff to be given, a peremptory instruction may be properly demanded, and it is the duty of the court to give it. To refuse is an error. In this case the evidence was received with objection, and was

BEFORE THE JURY.

It tended to maintain on the part of the plaintiff the issue of which they were to try. Whether weak or strong it was their right to pass upon it. It was also proper for the court to weest this part of the case more than any other, subject to review of their judgment. The instruction given overlooked the line which separates the separate duty. Though correlative, they are distinct, and it is important to the right administration of justice that they should be kept so. It is as much within the province of the jury to decide questions of fact as it is the province of the court to decide questions of law. The jury should take the law as laid down by the court, and give it full effect. But its application to the facts and the facts themselves it is proper for them to determine. These are

THE CHECKS AND BALANCES

which give to the trial by jury its value. Experience has approved their importance. They are indispensable to the harmony and proper efficiency of the system. The Supreme Court, in cases where the facts are not controverted, and where the inference to be drawn from them is certain, necessary and undisputed, or where there is

UNDISPUTED FACTS,

where different men, equally sensible and equally impartial, would make different inferences, such cases the law commits to the decision of the jury under instructions from the court. The motion here must, in our judgment, be denied for two reasons:

1. There are facts which are not undisputed. For example, those relating to the letter testified to by Everest and McGill.

2. The proper inferences to be drawn from the witnesses and other facts are not so clear and certain that the court can declare their effect as a matter of law.

The doctrine contended for by the learned counsel for the defendant, if applied to this case, would require this court to disregard the well-settled rules laid down by the United States Supreme Court in the case of Hickman vs. Jones, above cited, in which that tribunal held that the constitutional province of the jury, under instructions from the court, extends to the right to decide upon questions of fact in

A WEAK CASE

as well as in a strong case; analyze the evidence before them, and determine the weight to be given to it and the several parts thereof.

Some discussion then took place as to the order in which arguments should be made. The rule of the court had been for the defense to open, and be followed by the prosecution, but Judge Porter and Mr. Storrs thought the opening should be by the prosecution. The case rested on circumstantial evidence, and it was but just that the defense be advised as to what portion of the great mass of testimony which had been adduced, and a large part of which had been rendered irrelevant since its introduction, would be relied upon by the prosecution. As the prosecution had the terrible advantage of the closing argument they should not complain of being required to disclose their case, so as to give the defense an idea as to what they would have to answer.

JUDGE DILLON

did not think the rule a good one, and, in view of the circumstances, it seemed to both himself and Judge Treat but just that the prosecution be required to open, in order that the defense might not waste time in guessing on what portion of the mass of testimony the prosecution relied. He would, therefore, suspend the rule as a matter of justice to the defendant.

Colonel Dyer said he had not expected this, and had not prepared his argument. He therefore asked for an adjournment until to-morrow.

Judge Porter joined in the request, as the defense was equally unprepared, and Judge Dillon acquiesced and the court adjourned.

ST. LOUIS, Feb. 19.—It has been decided by the counsel in the Babcock case that Colonel Broadhead shall open the argument to-morrow morning, and that Mr. Storrs shall follow him. Judge Porter will close for the defense, and District Attorney Dyer for the prosecution. The argument will probably continue till Monday evening, when the case will be given to the jury.

LOUISIANA.

Humors of the Impeachment Conspiracy.

(Special to the National Republican.)

NEW ORLEANS, Feb. 18.—A humorous feature has been added to the attempted impeachment of Governor Kellogg, for diverting public funds, by the discovery that would-be Speaker Wiltz, when mayor of New Orleans, and the present Democratic city council have systematically diverted funds. The law provides a penalty of not less than a thousand dollars and imprisonment of not less than three months for this offense. The grand jury have taken the matter in hand, and the Senate to-day ordered an investigation.

ATTEMPT AT BRIBERY.

An unsuccessful attempt was made yesterday to bribe three colored Senators to act with the Democrats. Should they disclose the propositions made to them, and it is said they will, some of the very oldest and best citizens will be implicated. Bribery having failed, the New Orleans *Democrat* of this morning advocates that if the Senate continues to hold out against the demands of the Democrats it should be incontinently swept out of existence without regard to possible consequences or contingencies.

[By Associated Press.]

NEW ORLEANS, Feb. 18.—The impeachment scheme seems to be getting weak. It is stated that a majority of the Conservative caucus oppose the impeachment of Governor Kellogg.

G. M. Bayly and B. M. Pond, of the commercial firm of Bayly & Pond, indicted by the grand jury, charged with rectifying and compounding spirit without the special tax, were arraigned, pleaded not guilty and were bailed.

NEW ORLEANS, Feb. 18.—Charges having been published in the press that the mayor and administrators of the police jury misapplied the consolidated interest fund, the Senate to-day passed a resolution instructing the finance committee to investigate the charges and report. Also instructing the Attorney General to institute criminal proceedings against the guilty parties.

TURKEY.

Amendment to the Note.

NEW YORK, Feb. 18.—A London special says the following is the text of the paragraph inserted by the Queen's Ministry in the articles of adhesion to the Austrian note to the Porte: "The Sultan to send a special commissioner to the insurgents. If the insurgents reject the proposals for peace the Austrian Government, at the Porte's expense, will make a military occupation of the whole territory of the insurrectionary provinces for six months, while the British Government will send a division of its fleet to Salonica, and the Turkish warships in the Adriatic also." The dispatch also says: "General Souvaroff had an interview with Prince Charles, of Roumania, at which it was agreed that the latter will proclaim Roumanian independence if they pay the Turkish tribute, and that upon the Porte taking steps to enforce its rights a Russian force of 150,000 men would occupy the province."

HERZEGOVINA WILL RESIST.

LONDON, Feb. 19—The *Times* correspondent telegraphs from Montenegro that Prince Nicholas and Prince Milan of Servia, have met the insurgent chiefs at Suttorina. They are unanimously determined to refuse all compromise with the Porte, no matter by what power recommended, to fight to the last for the complete freedom of the country."

LONDON, Feb. 19.—Austrian semi-official papers assert that the great powers will guarantee a loan for the indemnification of Turkish landholders for the cession of some landed property to the Christians.

MADRID, Feb. 18—King Alfonso reached Victoria yesterday. He starts to-day for Vergara, to assume the chief command of the army. General Quesado will be appointed chief of staff. In the Cortes yesterday Canovas Del Castillo read a telegram stating that General Tassara had advanced to Villa Tuerta, and that the Royalists had captured Arandiuyen.

The following official dispatch is published to-day:

The Carlists at Penaplata, having killed a French captain on French territory, General Pouncet, the French commander, has sent a battery in the direction of Penaplata. Don Carlos is stated to be in the neighborhood of Valcarlos.

Shells from the Royal batteries have destroyed a church at Estella. The Carlist Junta are preparing to seek refuge with the Carlist archives in the mountainous districts of Lazamercuz.

GREAT BRITAIN.

The Strath Clyde Disaster.

LONDON, Feb. 18.—Of the twenty-nine persons landed at Deal from the steamer Strath-Clyde, many were greatly exhausted and three have since died. The accounts of the number on board the Strath-Clyde are conflicting. The most reliable seems to be thirty crew and twenty-six passengers, of whom eleven were saved at Dover. The total number who perished is put at sixteen, in addition to the three who died at Deal. The steamer Franconia, which belongs to the Hamburg-American West India line, was outward bound for the West Indies. She anchored in the Downs, off Deal, last night, and steamed eastward at daylight, coming to London to repair. She has since been reported as passing Thameshaven.

The Strath Clyde lies in the fairway, about two miles off Dover. Her masts are standing twenty feet above the water.

Later.—Two ladies and three gentlemen are reported to have been picked up by a passing vessel bound for London.

Still later.—The lists published by the papers this afternoon show that the Strath Clyde had 22 passengers, and a crew numbering 47. Another person has died at Dover. Of the forty known to have been saved only six were passengers, one of whom is among the ladies who have since died.

LONDON, Feb. 19.—An inquest on the bodies of the victims of the Strath Clyde disaster was opened at Deal yesterday. The captain of the Strath Clyde testified that the Franconia, never attempted to assist his people. Not even a rope was thrown to save the drowning.

SPAIN.

Progress of the Carlist War.

LONDON, Feb. 18.—The *Times* has a special telegram from Vera, stating that the Alfonsists are attacking Estella to-day from Villa Tuerta and Oteiza. All is quiet at Vera. The Carlists have reoccupied Durango.

HONDA, Feb. 18.—Persons arriving here from Tolosa, assert that Gen. Lonza has entered the town, and Don Carlos has gone to Andoain. A telegram from St. Jean de Luz reports that Lizea, Morionez and Loma are threatening Andoain. Don Carlos and Generals Dorregaray and Caserta, were on Thursday night, at Sanestaban, to the northward of Andoain. Heavy firing near Pennplata has been heard.

The Alfonsists are advancing toward Echalar. Their troops are at Irun, and are still waiting for orders to advance on Endarlaza. The Carlist deputies are evacuating San Marcos and Santiagomendi.

MADRID, Feb. 18.—Official information has been received that General Primo Di Rivera has captured Arcoit and other towns, forming a complete line to the south of Estella. The bombardment from Villa Tuerta continues. It is thought the Carlists will be compelled to evacuate Estella almost immediately.

FRANCE.

The Punishment of the Press.

PARIS, Feb. 18.—The Correctional Tribunal has sentenced the editor of *La Republique Francaise* to a month's imprisonment, with fine, for attacking Minister Buffet.

M. Gambetta addressed a public meeting at Cavaillon. The proceedings were disturbed by the Bonapartists.

The Legitimists, Bonapartists and Radicals had arranged to hold meetings in Marseilles to-night. Gambetta proposed to speak at the Republican gathering, but the military authorities prohibited all the meetings.

PARIS, Feb. 19.—M. Lenoir is the responsible editor of *La Republique Francaise*, and will undergo the sentence of the Correctional Court.

Sectarian Appropriations in Baltimore.

BALTIMORE, Feb. 18.—In the Circuit Court today Judge Pinkney delivered his opinion in the case of George S. Brown et al. *vs.* The mayor and city council of Baltimore, better known as the sectarian or charitable appropriation case. The action was brought by the plaintiff to restrain the city from paying out money appropriated by the city council for the benefit of various benevolent, industrial and educational establishments, and the object of the suit was to test the validity of an ordinance passed by the mayor and city council of Baltimore making appropriations for the year 1876 so far as it appropriates money derived from taxation to the corporations which are made defendants. The case was upon the motion to dissolve the temporary injunction previously granted.

The opinion, which is lengthy, after deciding the question of jurisdiction, discusses the validity of the ordinance, saying: "It is an established principle that municipal corporations can exercise no powers but such as are expressly granted to them or such as are necessary to enable them to discharge their duties and carry into effect the objects and purposes of their creation; that the authority conferred upon them is to be fairly but strictly construed, and that all acts beyond the scope of the powers granted are void. (Glaring authorities.) They are not authorized to appropriate money raised by taxation to a person or private corporation as a gratuity or bounty. For these reasons I am of the opinion that the appropriations mentioned in the complainant's bill of complaint to St. Mary's Industrial School, Manual Labor School, Home of the Friendless, German Orphan Asylum, Maryland Agricultural Society, Boys' Home, Maryland Industrial School for Girls, St. Vincent's Male Asylum, House of the Good Shepherd, Little Sisters of the Poor, Maryland Institute, House for Fallen Women, Union Protestant Infirmary, St. Andrew's Hospital for Children, St. Mary's Asylum, Aged Men's Home, Aged Women's Home, Maryland Institution for the Instruction of the Blind, St. Joseph's Home of Industry, and Hebrew Hospital, private corporations, are unlawful, and the injunction continued."

PLYMOUTH COUNCIL.

OLIVER JOHNSON'S CONVERSION

HE HAS FOUND BOWEN AND TILTON OUT

NOW HE HAS FULL FAITH IN BEECHER

STORRS AND BUDDINGTON INVITED

BUT THEY BOTH FAIL TO APPEAR

Eloquent Answer of Mr. Beecher

NEW YORK, Feb. 18.—Oliver Johnson published a letter to-day explanatory of one he wrote to H. C. Bowen, January 7, 1871. He says it was written to rebuke what he thought a wrong done to an old friend in turning him out of employment without notice and in violation of a promise made to himself, thus leaving him without means of earning bread for his family. Mr. Johnson speaks to him by Bowen about Beecher, and says it was under these circumstances that I wrote the private letter which was published. I confess with regret and mortification that upon purely *ex parte* evidence I then thought that Mr. Beecher was guilty. Mr. Bowen and Mr. Tilton had not then been found to be what they are in their characters. The only written evidence I had seen was what Mr. Tilton said was a copy of his wife's confession, the terms of which I do not now remember. I am not sure whether it was before or after I wrote this letter that Mr. Tilton or Mr. Moulton showed me what has been called Mr. Beecher's letter of contrition. I was not then nor am I now in possession of any evidence beyond what was disclosed in court and

WEIGHED BY THE JURY.

My opinion rested solely on the affirmation of Mr. Bowen, Tilton and Moulton. I was so free from conversation with Beecher for a long time after this that I watched him closely, and found him acting always like a man innocent of the crime of which he was accused. On the other hand, I found Tilton involving himself in falsehood and treachery day by day, and I came slowly to the firm conviction that Beecher was the object of a foul conspiracy. After this I became managing editor of the *Christian Union*, in the full faith of Beecher's innocence, faith which my intimate relations with him during the last three years have certainly tended to confirm, insomuch that I now hold that I could not have committed the terrible mistake of giving credence to accusations against him on purely *ex parte* testimony.

THE ADVISORY COUNCIL.

NEW YORK, Feb. 18.—At the morning session of the Plymouth church advisory council Mr. Capen, of Boston, introduced a preamble and resolution setting forth that inasmuch as question 5 of the letter missive asked them to decide whether there were any reasons why Plymouth church had forfeited its claim to the confidence of fellowship of Congregational churches—

Resolved, That this council respectfully request the Rev. Richard S. Storrs, D. D., and Rev. Wm. J. Buddington, D.D., to appear before it and state such reasons, if there be any.

Discussion followed, which was interrupted by Professor Abbott, who said that the business committee desired to take the report in relation to Mr. Bowen's communication. He read the communication, and asked that the

COMMITTEE OF PLYMOUTH CHURCH

have opportunity then to make any further statement in regard to the subject. Dr. Bacon here stated that the information of Tuesday last, a communication had been received from Professor Egbert Smythe, of Andover, and would in general order of the council be referred to the business committee of inquiry. He then took up Mr. Capen's resolution lay on the table while the Bowen matter was being discussed.

Mr. Shearman made a statement in regard to the communication referring the words "adultery," "perjury" and "hypocrisy," and said that the committee demanded that Mr. Bowen should appear before the council.

Dr. Winslow seconded the motion and resolution setting forth that as Henry C. Bowen had sent a communication to the council he should be invited to lay his reasons before the council at once.

Mr. Shearman submitted a communication from Andover church, proposing a mutual council. The document provoked much debate, and was finally referred to a committee of three.

Mr. Shearman, in reply to a question relating to the further investigation of the charges against the pastor by the church, said the first reason why they had not opened the case again was because no charges had been presented.

R. W. Raymond stated that further investigation was not required by man, woman or child in Plymouth church.

Evening Session.

H. C. Bowen appeared on the platform. His letter of yesterday was read, and he was asked by Dr. Bacon who told him that he was not wanted by the investigating committee.

Mr. Bowen replied that he did not remember any special conversation on the subject of his being present with any one of the members.

Dr. Bacon asked him if he would have fully testified if he had been invited to do so by the investigating committee in 1874, and he replied that he would have testified, but to what extent he could not then state.

In response to the question as to how long a notice he would have required, he said he had frequently stated that he was always ready. Five minutes would do him. He was then asked if he had not kept the examining committee of Plymouth church waiting some weeks for him to get ready what he knew, and why the delay. His reply was that he was waiting to find out what they wanted of him.

Dr. Howe, assistant scribe, did not think the question was fair. It was entirely outside of the matter for which Mr. Bowen had been invited, and he hoped it would not be repeated, nor others of the same character.

Mr. Bowen said he was ready to answer any questions put to him in relation to his communication.

In reply to a question put by Dr. Bacon, as to whether he could not remember the conversation between himself and H. B. Claflin, during which the latter told him he was not wanted by the committee, he said that it seemed to him he had a right to know the communication had been contradicted. He did not appear on the list of witnesses summoned by the investigating committee, and Mr. Claflin had told him he did not think he would be called. Mr. Bowen read a memorandum, which was to the effect that Mr. Claflin had stated he was called by request; did not say who requested him, and asked him if he could not

ARRANGE WOODSTOCK'S LETTER,

so that it would appear to relate to business. Mr. Claflin asked him, if he would speak, could he crush any one, and he said no, he had no desire to crush any one.

He was not asked to appear before the committee.

Dr. Bacon