IN BOTH HOUSES.

MESSAGE OF THE PRESIDENT READ.

Introduction of Important Bills in the Senate—Drawing of Seats in the House—A Speech by the President Pro Tempore of the Senate.

Yesterday opened out business with a raw, foggy atmosphere. When the hour of the assembling of Congress came, however, Old Sol peeped out from behind the clouds and looked down with smiling approval upon the greatest legislative body in the world. As on Monday, the chief interest centered in the House, for the Territorial Delegates were yet to be sworn in and the choice of seats made. The members arrived somewhat earlier than on the day before, and by twelve the galleries, except the diplomatic were comfortably well filled. Quite a number of ladies again graced the scene with their bright appearance, while the colored people were more largely represented than on the previous day. The new House officers elected on Monday qualified yesterday and took possession of their respective offices. Committee rooms were opened for the session, and pages and messengers, quick-footed Mercuries, ran hither and thither on errands and messages. Congressmen gathered in groups and discussed politics, explained the situation, guessed at the chairmen of the various committees, wondered what the President's message would say, inquired when the Committees on Accounts and Mileage would be appointed, bored each other about their respective hobbies, smoked cigars, and generally killed time as best they could until the Speaker's gavel called them to the business in hand.

IN THE SENATE.

The Senate yesterday settled down to business, and the bills and petitions that were offered will furnish material for much discussion and considerable legislation. Mr. Windom signalized his return to his former field of action by introducing two bills, the passage of which will be of decided political importance, viz: That to enable the people of Dakota Territory to form a State government and for their admission as a State, and that establishing the Territory of North Dakota and providing a temporary government therefor. Mr. Ingalls, in accordance with precedent, introduced a bill granting the franking privilege to Lucretia R. Garfield. The recent exposures in regard to insecure banks were brought into notice by the resolution of Mr. Plumb directing the Secretary of the Treasury to furnish copies of all instructions given to bank examiners. After the reading of the President's message, which occupied nearly three hours, but little business was transacted save the passage of Senator Edmunds' resolution continuing the standing and select committees as they are now constituted.

In the Senate.

Petitions were presented by Messrs. Beck, Jonas, Sherman, and Plumb, to require railroads to conduct their business on terms just and equitable to the public.

By Mr. Miller of California: For a Territorial Government for southeastern Alaska.

Bills were introduced

By Mr. Cameron of Pennsylvania: For public buildings for courts and post-office at Erie, Penn.

By Mr. Saunders: For the admission of Dakota as a State.

By Mr. Kellogg: Various bills as follows: For establishment of United States Ocean mail service and the revival of foreign commerce in American steamships; authorizing mail steamship service in Gulf of Mexico between New Orleans and Mexican ports; for the establishment of steamship mail service between the United States and Brazil; for opening and keeping unobstructed the navigation of Red River, Louisiana; to authorize the Barrataria Ship Canal to construct and operate a ship canal from New Orleans to the Gulf of Mexico, over lands and waters of the United States.

By Mr. Ingalls: Granting the franking privilege to Lucretia R. Garfield.

Mr. Ingalls observed that the bill was strictly in accordance with the precedents established in similar cases heretofore, and he did not think a reference was necessary, but that if it was desired to have it referred he would ask to have it go to the Committee on Post-Offices. So ordered.

By Mr. Saulsbury: To prevent officers of the navy from being kept on the retired list after the disability for which they were placed there has ceased.

By Mr. Pendleton: To regulate and improve the civil service of the United States.

Also: A bill to prevent extortion from persons in the public service, and bribery and coercion by such persons.

By Mr. Windom: To enable the people of the Territory of Dakota to form a State government and for their admission as a State.

Also: A bill establishing the Territory of North Dakotah and providing a temporary government therefor.

By Mr. Sherman: Establishing courts of justice and record in the Territory of Alaska.

By Mr. Frye: To amend the act to incorporate the National Safe Deposit Company of Washington, D. C.

By Mr. Cameron of Pennsylvania: For the issue of fuel to officers of the army in accordance with former army regulations.

By Mr. Brown: For the settlement of accounts with certain railway companies. It authorizes the Secretary of War and Attorney-General to finally settle the accounts with such railway companies as received property from the United States in the years 1865 and 1866, and have made full payment for the same, and with other companies whose accounts may be adjusted under this act upon the basis of settlement adopted in the case of the Western and Atlantic Railroad of Georgia, under authority of the act of 1877.

The foregoing bills and petitions were laid on the table to await the formation of the committees.

Resolutions were introduced and disposed of as follows:

By Mr. Cameron of Pennsylvania: Declaring that, in the opinion of the Senate, it is inexpedient to reduce the revenue of the Government by abolishing all existing internal revenue taxes, except those imposed upon high wines and distilled spirits. Laid on the table informally.

By Mr. Plumb: Directing the Secretary of the Treasury to furnish to the Senate copies of general or special instructions issued for the guidance of persons appointed to examine and report upon the condition of national banks; also copies of all reports made by such examiners of all examinations of the following-named national banks, made within two years prior to the failure thereof, and the reports of the condition of said banks made by the receivers subsequent to the failure of each bank respectively, to wit: National Bank of the State of Missouri, German-American National Bank, of Washington, D. C.; First National Bank, of Newark, N. J.; Merchants' National Bank, of Newark, N. J., and whether any national bank has been permitted to reduce the amount of its bonds on deposit for circulation below the limit ($50,000) fixed by section 4 of the act of June 20, 1874; and also whether the articles of association of any national bank have been extended, and under what authority of law, if any, such extension has been made. Agreed to without objection.

Mr. Beck submitted the following:

Whereas, the Constitution of the United States provides that in case of the removal of the President from office, or of his death, resignation, or inability to discharge the duties of the said office, the same shall devolve on the Vice-President, and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

And whereas it greatly concerns the peace of the country, and perhaps the very existence of the Government that the laws enacted by Congress in pursuance of that provision of the Constitution should be so comprehensive as to provide for every vacancy that can possibly occur in the office of President, and so clear as to shut out all controversy or any question of disputed succession to that high office. To the end, therefore, that all doubts or defects which may exist in our present laws on this subject may be remedied and future controversy prevented.

Be it resolved by the Senate, That the Committee on the Judiciary be instructed to examine into said provisions of the Constitution and into the laws passed by Congress to carry them into effect, and inquire whether the provisions of said laws are constitutional, proper, and adequate in all respects to their purpose and end, or whether any further legislation be necessary or proper, and to report thereon by bill or otherwise.

Mr. Maxey forwarded to the Secretary and had read, a resolution he had prepared of similar import.

Mr. Garland said the subject was an important one and suggested that a day be fixed for its discussion.

Mr. Beck favored prompt action, and incidentally remarked that his resolution was almost identical with one prepared by Mr. Crittenden in 1856.

Mr. Morrill said he would to-morrow call up his tariff commission resolution and offer some remarks upon it.

Mr. Pendleton gave notice of his intention to speak on Monday next upon his civil-service reform propositions.

The pending resolutions were finally laid on the table with the understanding that they would be called up for discussion on Tuesday next.

At 12:50 p. m. Messrs. Anthony and Garland, of the joint committee to wait on the President, reported they had been informed by the President he would forthwith communicate with the two Houses in writing. At 1:05 p. m. the Executive communication was received from the hands of Mr. Pruden, one of the President's private secretaries, and a moment later the reading of the President's annual message was begun by the Acting Secretary of the Senate, Mr. Francis E. Shober.

The reading was concluded at a quarter to three o'clock, when, on motion of Mr. Edmunds, the message was tabled and ordered to be printed.

On motion of Mr. Sherman, his resolution to appoint six Senators, in conjunction with a like committee to be appointed by the House, to provide a means of expressing the deep sensibility of the Nation upon the decease of the late President Garfield, and referring to them so much of the President's message relating thereto, was taken up and passed.

On motion of Mr. Hoar, the Committee on Patents was instructed to consider and report what legislation is necessary to protect owners of American copyrights against the introduction, through the mails or otherwise, of foreign reprints of works copyrighted in this country.

The following measures were here introduced and laid over:

By Mr. Teller: The bill of last session for the relief of Ben Holladay.

By Mr. Cameron, of Pennsylvania: Joint resolution for a commission to consider what legislation is needed for the better regulation of commerce among the States.

By Mr. Blair: To aid in the establishment and temporary support of common schools in the United States. It appropriates in the aggregate $100,000,000, to be expended as follows: $15,000,000 in the first year, and thereafter this sum, to be diminished $1,000,000 yearly, until ten annual appropriations shall have been made. The annual appropriations are to be divided among the several States and Territories in that proportion which the whole number of persons in each State of ten years of age and upward who cannot read bears to the whole number of such persons in the United States.

By Mr. Teller: To establish a Board of Public Education and to aid in the support of public schools in the United States. It appropriates and apportions $10,000,000 annually among the several States and Territories, according to the number of their resident population over ten years of age who cannot read, the amount so apportioned to be applied to the education of children between the ages of six and eighteen, without distinction of sex or color, the appropriations to continue until January 1, 1894.

On motion of Mr. Edmunds, the Senate took up his resolution to revive and continue with all the powers and duties belonging to them respectively the standing committees of the Senate as they existed at the close of the last session of the Senate, and the select committees as they existed at the close of the session which began March 4, 1881.

Mr. Edmunds said that the select committees did not appear to have been revived by the resolution as he had submitted it, and he had perfected it to read as stated.

President pro tempore Davis (who temporarily occupied his former seat on the floor, having vacated the chair to Mr. Harris) then addressed the Senate.

Mr. Pugh, who had moved as a substitute for the resolution, a provision to authorize the President of the Senate to decide whether the committees shall be divided equally or otherwise between the two political parties in the Senate, stated he had thought such a division would be a fair and proper thing to do, but after hearing the speech of the President of the Senate, he believed it would be a useless consumption of time for him to press his proposition. He therefore withdrew it.

A vote being taken without further discussion, the resolution of Mr. Edmunds was adopted—ayes 32, noes 20—a party vote, except that President Davis voted with the majority and the support of Senator Mahone (who was absent) was made available for the Republican side by a transfer to him by Mr. Rollins of a pair between him and Mr. Gorman, who was absent. Mr. Rollins, who voted, stated that the pair, when made, carried with it the power to transfer.

The Senate then (at 3:45) adjourned.

House of Representatives.

The Chaplain opened the proceedings of the House with prayer yesterday morning. "We thank Thee, O Lord," he prayed, "for this gathering of the Representatives of the people. We praise Thy name for the favors Thou hast shown this Nation and these Thy servants during the day past. We give Thee thanks that though a cloud of sorrow has enveloped the hearts and homes of Thy people, that Thy Providence has preserved us, bringing joy out of sorrow, light out of darkness, and wisdom out of folly."

The reading of Monday's journal consumed half an hour.

Mr. Frost, of Missouri, objected to the approval of the journal on the ground that it failed to note a point of order raised by him yesterday against the resolution offered by Mr. Haskell, of Kansas, continuing in force the rules of the last House, and giving the Committee on Rules leave to report any revisions or amendments at any time. He, however, did not press his objection, and the journal was approved.

Mr. Haskell immediately took the floor, offered his resolution and demanded the previous question. He, however, yielded to allow Mr. Morse, of Massachusetts, and Mr. Scales, of North Carolina, to qualify as members.

Mr. Randall raised the point of order against Mr. Haskell's resolution and demanded that the Territorial delegates be sworn in.

The Speaker sustained the point of order, and all the delegates, except that from Utah, qualified.

The Speaker then said: There is a controversy on the matter of the Delegate from Utah. There are several certificates (or at least two) held by two different gentlemen and it is a matter, as the Chair understands it, that cannot be determined in advance, either by the old Clerk or the new Clerk, and the Chair does not understand that it has any power to determine which should go on the roll and be called for the purpose of being sworn in.

Mr. Cox—I ask whether the name of a Delegate from Utah is not on the roll.

The Speaker—The Chair has already stated that, as at present advised, and knows no law that authorizes any clerk to put a delegate on any roll.

Mr. Randall—There is a gentleman here claiming to be a delegate, and this House must take cognizance of this fact. It is a question of the highest privilege and must be now determined.

The Speaker—The Chair is of the same opinion.

Mr. Cox—Why did the Chair ask the gentleman to step aside?

The Speaker—His name has never been called. The inquiry is of the House as to whether he shall be sworn in. The Chair recognizes no roll as far as delegates are concerned.

Mr. Randall—Does the Chair decide that it is not the right of a member to ask that the certificates should be read?

The Speaker—Yes; until the question is properly before the House.

The Speaker then recognized Mr. Haskell, of Kansas, to offer a resolution.

Mr. Cox—By what right did the Speaker call the other names?

Mr. Haskell—He has not called any names. I am on the floor by recognition of the Speaker.

The Speaker—The Chair understands the law to be that the old Clerk is required to make up a roll of members, and not of Delegates.

Mr. Randall—Does the Chair decide that I, as a Representative, have no right to call for the reading of those certificates? Why did you call the other delegates?

The Speaker—Because the chair thought he had the right to call the names of those delegates, ascertaining that there was no challenge or controversy in those cases.

Mr. Cox—But the Speaker cannot make the roll; the Clerk does that.

Mr. Haskell, after a good deal of confusion and noise, managed to offer his resolution, as follows:

Resolved, That Allan G. Campbell, Delegate-elect from Utah Territory, is entitled to be sworn in as delegate to this House on a *prima facie* case.

Mr. Cox raised a point of order against the resolution that Mr. Cannon's name was on the roll and that the Chair was bound to recognize that fact.

Mr. Haskell called for the reading of Mr. Campbell's certificate.

Mr. Randall called for the reading of all the certificates and the Chair said they should be read.

Mr. Campbell's certificate was read. It is signed by the Governor of Utah, and is given to Mr. Campbell, because "he was the person, being a citizen of the United States over twenty-one years, who had the greatest number of votes."

Mr. Haskell claimed that this was the only certificate from Utah, and objected to the reading of any other paper.

Mr. McLane contended that the Chair, having stated that all the certificates were to be read, could not withdraw that ruling.

Mr. Cox argued in support of his point of order, contending that, under sections 31 and 38 Revised Statutes, the Clerk was required to prepare the list of Delegates, and in this opinion he was sustained by Mr. Herbert.

Messrs. Robeson of New Jersey and Reed took the opposite view, the latter quoting a decision by Speaker Colfax, that the Clerk could not put on the roll the names of Delegates.

The Speaker overruled the point of order.

The whole matter was then postponed until this morning, and the members proceeded to the drawing of seats.

Mr. Page asked that Mr. Kelley be allowed to choose his seat in advance; and Mr. Townsend, of Illinois, the same privilege for Mr. Cox.

Mr. Reed thought no preferred stock should be issued; and objection was made to every such request, except in the cases of Messrs. Stephens and Hawk.

Then all the members retired to the space behind the desks, and a blindfolded page drew from a box, one by one, numbered marbles which corresponded with numbers attached to the names of members. The first name called was that of Mr. Wheeler, who took a prominent seat on the Democratic side; Mr. Browne being the first fortunate member on the Republican side. At first the old members seemed out of luck, and the best seats seemed to fall to the lot of the new men; but on the Democratic side Messrs. Atkins, Carlisle, McLane, and Tucker managed to procure good seats; while Messrs. Kasson, Robeson, Hiscock, and Reed were equally fortunate. Messrs. Belmont and Robinson, of New York, the latter selecting his desk in the front row, directly opposite to the Speaker, and next to the seat assigned to Mr. Stephens; Mr. Hewitt of New York, Mr. Reagan, Mr. Springer, Mr. Calkins, and Mr. Townsend, of Ohio, were called in time to get pretty good seats; but it would have fared badly with Mr. Randall if Mr. Wheeler had not kindly tendered his seat, and taken a less prominent one himself. Mr. Young and Mr. Morrison had to be content with poor seats, and Mr. Blackburn with a worse. Mr. Cox was very low down on the list, and again Mr. Wheeler resigned his seat, and retired into the portion of the Chamber known as "Sleepy Hollow." Mr. Kelley was accorded his old seat by his political associates. When the Territory of Utah was called, Clerk McPherson was authorized to select a seat for its Delegate. He chose one on the Democratic side.

Messrs. Orth, Dunnell, Haskell, O'Neill, and Blount were among the last names called.

The work of selecting seats having been concluded, the Speaker laid before House the President's message, and it was read by Mr. McPherson.

The reading occupied two hours and a half. At first it was listened to attentively, but during the last hour attention flagged, and members entered into conversation with each other or retired to the cloak-rooms to smoke and read. The President's views on the Mormon question elicited some applause, which was repeated as the reading was concluded.

Mr. McKinley then offered the following resolution, which was unanimously adopted:

Resolved, That a committee of one member from each State represented in this House be appointed on the part of the House to join a committee which may be appointed on the part of the Senate to consider and report by what token of respect and affection it may be proper for the Congress of the United States to express the deep sensibility of the Nation at the decease of its late President, James Abram Garfield; and that so much of the message of the President as refers to that melancholy event be referred to that committee.

On motion of Mr. Kelley the President's message was ordered printed, and referred to the Committee on the Whole.

Mr. McLane asked leave to offer a resolution requesting the President to communicate to the House the instructions sent by the State Department to the Ministers at Chili and Peru in regard to the war between those countries.

Mr. Robeson objected on the ground that it would be time to go into that matter when the committees were appointed; and then, upon his motion, the House, at half-past five, adjourned until Friday, with the understanding that a further adjournment should then be taken until Tuesday.

In the course of the afternoon Mr. Robinson, of New York, attempted to get the floor to offer a resolution affecting the dignity of the House, but failed. The purport of the resolution could not be learned.

THE ASSASSIN.

TESTIMONY IN COURT YESTERDAY.

The Prisoner More Excited Than Ever—His Insolent Interruptions—Examination of Mr. George C. Gorham and Others—The President Wanted.

The spectators at the Guiteau trial yesterday were surfeited with the eccentricities of the assassin, for from the time he was brought into court until an adjournment was agreed upon he was unruly and persisted in interrupting the proceedings. Mr. Scoville vainly endeavored to have him remain quiet, but was rewarded for his pains by being called "a booby" and unable to defend a prisoner as high toned as the assassin. Every inch of room was occupied by interested spectators, and after the adjournment of the court a steady stream poured into the City Hall, anticipating that the usual recess would be taken. The ladies were out in large numbers as usual, Marshal Henry having taken precautions against a jam by passing a majority of them through his office.

When the court was called to order, shortly after ten o'clock,

JUDGE COX AND MR. SCOVILLE HELD A SHORT CONFERENCE,

after which Mr. Scoville returned to his seat and conversed for several minutes with the prisoner.

The prisoner then said quietly: "May it please your Honor, I have prepared an order for the witnesses suggested last evening. I will hand it to your Honor.

The following is a copy of the paper which was in the handwriting of the assassin and drawn up in proper legal form:

In the Supreme Court of the District of Columbia holding a criminal term of the June term, 1881.

THE UNITED STATES } Case No. 14,656. Indictment
vs. } for murder.
CHARLES J. GUITEAU. }

December 6, 1881.—On motion of Charles J. Guiteau, the defendant, who appears in this case in his own proper person, it is hereby

Ordered, That the defendant have subpœnas for the following named witnesses: U. S. Grant, Roscoe Conkling, Thomas C. Platt, —— Robertson, Marshall Jewell, S. W. Dorsey, Whitelaw Reid, James Gordon Bennett, William A. Stearns, Henry Hurlbert, Charles A. Dana, George Jones, William Penn Nixon, Hugh Hastings, and five additional witnesses, besides the witnesses as heretofore ordered, the fees thereof and costs of services to be paid in the same manner as Government witnesses are paid according to the statute in such cases made and provided.

Judge Cox received the document but paid no further attention to it.

Charles B. Farwell, a member of Congress, from Chicago, was the first witness to take the stand. Mr. Scoville called the witness' attention to the discussions in the Republican party last spring, and then inquired whether in witness' opinion those dissensions did not threaten

THE DISRUPTION OF THE REPUBLICAN PARTY.

To this question Mr. Davidge objected, and the Court held that the question was too leading.

The Prisoner—It is a rather abrupt way of putting it. You want to smooth the way, Mr. Scoville, with preliminary questions. That was the trouble you had with Mr. Davis. You ought to ask preliminary questions and not get up to the point at once.

Mr. Porter said that the prosecution had allowed the defense to go into this question of the political situation, but they must not forget that this was a court of justice and a prisoner is on trial for crime.

The Prisoner—That's the very point I want to discuss this morning.

Mr. Porter—If the Republican party was in a state of disruption it could not be sustained by the opinion of witnesses sane or insane. If there is any purpose in this line of inquiry, it is to show that

THE PRISONER ACTED ON THE REASONABLE CONDITION

of actual facts, and is not insane. If, on the other hand, counsel proposed to prove, even by the opinion of witnesses, that the Republican party was not in danger of disruption, and that it was not needful to save the Republic, we will save all trouble by admitting that fact in behalf of the Government. Under that view of the case, Your Honor will, I think, waste no more time in this irrelevant and wild inquiry.

Mr. Scoville—If the gentleman had made that speech two or three days ago we might have saved the time he talks about. I understand now that the prosecution admits that the differences in the Republican party

DID NOT THREATEN ITS EXISTENCE

or integrity. If that is admitted that is all I ask.

Mr. Porter—I have made an admission in terms intelligible to every gentleman in the court-room. I do not propose to adopt the terms my friend proposes. The Republican party was not in danger of disruption. It was not needful for the purpose of saving the American Republic that its President should be murdered. While we admit those facts, those facts by no means admit that there were not those so vile and revolutionary in spirit, and so desirous of notoriety that they entertained a different view, not from insanity, but depravity and desire of self-advancement.

The Prisoner (violently)—That is false.

I TELL YOU THAT TO YOUR FACE.

I say that the Republican party was breaking up, it was red hot about the 1st of July, and there was no telling what might have resulted from it. My inspiration was to remove the President. I do not pretend there was going to be a war, but it would have come in two or three years. Everything was tending in that direction. I want that pounded down.

Mr. Scoville (indignantly)—It is highly improper for counsel to make a speech to the jury in arguing a question of law to this Court.

Mr. Porter—I do not understand that I am bound to ask Your Honor to dismiss the jury every time I discuss a question of law.

Mr. Scoville—I merely make the suggestion. I shall not waste any more time. I have the admission I want.

The examination was then continued.

Witness stated that

HE KNEW THE PRISONER SLIGHTLY.

He came to witness' office in Chicago about six years ago; said his name was Guiteau, and handed him a roll of papers that he said were editorials for a newspaper he proposed to establish. He wanted witness to lend him $200,000 to start the paper and said he would make him President of the United States.

The Prisoner—I am very sorry to contradict you; but I never said so.

In that conversation did the prisoner appear to be addressing you sincerely, or jokingly? I never met him before. He said he would call again, and he did so a few days afterward. He asked me to read those leading editorials, and I did so.

The Prisoner—That part is correct; but that about the $200,000 is not.

I WANTED YOU TO LEND ME SOME MONEY

when I was trying to establish the *Inter-Ocean*. You went on to tell me about your affairs in a sympathetic way. You said you had put $10,000 in the *Inter-Ocean* and would not put in another cent.

The Witness—I examined the articles he had brought, and when he came back I said that I did not care to engage in the enterprise. I saw him twice since that at the Arlington Hotel, in March last. He came into my room with a paper in the form of a recommendation unsigned, and asked me to sign my name to it. It was asking the President

TO APPOINT HIM TO THE AUSTRIAN MISSION

or the Paris consulship, I do not know which. I rather think it was in the alternative. That conversation lasted a very few minutes.

Did you observe his actions particularly? Not specially.

Did you have any more interviews with him? No, sir.

Did you form any opinion as to his mental condition? I thought him a sane man in those two interviews.

Cross-examination—Did you have occasion to form any opinion as to the knowledge, on the part of the prisoner, of right and wrong?

Mr. Scoville objected.

The Prisoner (excitedly)—I did not have any option in the matter. That disposes of the question of right and wrong. I had to do it, and that is all there is about it.

The Court ruled that the capacity of

THE PRISONER TO DISTINGUISH BETWEEN RIGHT AND WRONG

might be inquired into.

The Prisoner—My mind was absolutely blank in regard to right and wrong. I had no conception of it as a wrong act. The pressure on me to do that act was so strong that I had to do it. I want to keep pounding that in.

Mr. Scoville accepted the ruling of the Court.

Mr. Davidge then repeated the question.

I met him on only three occasions. I had no occasion to act upon any opinion except as to the act of lending money and signing his paper. I refused in both those instances. I think there are grades in insanity.

Mr. Davidge—I think so.

The Witness—I think he knew the difference between right and wrong.

Mr. Scoville accepted the answer.

The Prisoner—That was about three months before the alleged shooting. This whole business rests on the simple question

WHETHER THE DEITY INSPIRED THE ACT.

Tiffe Court (severely)—What is the necessity of your making that statement so often? Keep quiet.

The Prisoner—It saves a good deal of foolish talk.

The Court—No; it does not.

The next witness was Mr. George C. Gorham, editor of the Washington NATIONAL REPUBLICAN. He stated that he had taken interest in politics ever since he had been able to read the newspapers; he had never read the speech of the prisoner, entitled "Garfield against Hancock."

Mr. Scoville handed the witness a copy of the speech, and asked him to read it.

Mr. Porter—I must insist that the trial shall proceed.

Mr. Scoville—It will proceed. I will go on reading the book, "Truth."

Mr. Gorham then glanced over the speech which had been handed him, and the prisoner, at Mr. Scoville's request, proceeded to read extracts from his book, and read such portions of it as referred to the Apostle Paul, and compared Paul's life to his own, ending with the remark that Paul had got his reward, and that he (Guiteau) would get his some day.

THE EXAMINATION OF MR. GORHAM

was then continued.

Mr. Scoville—Is there anything in that speech (alluding to the speech of Garfield against Hancock) that would entitle it to be considered as a remarkable production in a political campaign?

The Prisoner (violently)—I object to any such talk. I told you so yesterday (to Mr. Scoville). You are going to prove by Mr. Gorham, who did not read the speech when it was first published, that I am a fool. When that speech was first delivered to the best men of the country they said that it was a good speech, and you can't prove a year afterward that it was not.

Mr. Davidge suggested that if the prisoner said that that question ought not to be answered, the Court ought to rule it out.

The Prisoner (still addressing Mr. Scoville)—If you abandon your theory that I am a fool, we can go on harmoniously, but not before. I considered it a good speech then.

THOUGH IT IS A DEAD LETTER NOW.

The Witness—I think that different opinions may be entertained as to the speech.

Mr. Scoville—I ask you your own opinion.

The Prisoner—What would you have thought about it if you had read the speech on the 6th of August, when the Nation was heated up?

The Witness—It is a pretty well condensed statement of the situation as viewed by a good many people. It is neither remarkable on one hand nor ridiculous on the other.

The Prisoner—That is all I ever claimed for it.

Mr. Scoville—Is there any such political merit in that speech——

The Prisoner (interrupting)—I won't have you put that in.

Mr. Scoville (continuing)—as to entitle him to demand the Austrian mision as a reward for it?

The Prisoner—I did not claim anything of the kind. It is silly talk to put that in.

The Court—That is too wide a question.

Mr. Scoville—The jury can judge of that.

The Prisoner—(approvingly) Of course (to Mr. Scoville)

YOU ARE GETTING CRANKY ON THIS BUSINESS YOURSELF.

Then, assuming the role of counsel, the prisoner turned to the witness and asked: "Did you not write or inspire editorials last spring denouncing President Garfield?"

The Witness—The editorials will tell for themselves.

The Prisoner—Is not that a fact? Did you not inspire the writing of editorials denouncing Garfield in the bitterest terms for wrecking the Republican party?

The Witness—I will not answer that question until the court directs. The papers will show for themselves. The files are in existence.

The Court—The files can be produced.

The Prisoner—I ask an order to have the files produced.

The District Attorney—Mr. Gorham does not have control of the files.

The Prisoner—He is the editor, and the gentleman who does all the head work. If he did not actually write the articles he inspired them. The paper denounced Garfield in the bitterest terms in May and June for wrecking the Republican party. They could not say anything hard enough against him, and now they are defying him. (To Mr. Davidge)—Will you admit the fact that THE REPUBLICAN was denouncing Garfield in last May and June?

Mr. Davidge—I did not read THE REPUBLICAN.

I READ VERY FEW PAPERS.

The Prisoner (to Mr. Gorham)—I will have to recall you at a later period when the files are brought in. After a pause the prisoner broke out: "I would like to know if Your Honor has signed that order?"

The Court—I have not looked at it.

The Prisoner (excitedly)—What has become of that order? (To Mr. Scoville)—I suppose you have suppressed it. It looks as if you were sitting down upon it. I would like to ask the clerk of the court if he has an order to issue subpœnas for General Grant, Collector Robertson, Mr. Jewell and those kind of men?

Mr. Scoville said that last Friday a subpœna had been issued to President Arthur, as he could prove certain things which could not be proved by any other person. He had endeavored to treat the President with all due consideration. He went to see him yesterday, but the President was then very busy on his message. He went there again this morning and understood that the President had been up the greater part of last night. It might not be practicable for the President to come into court to-day. He therefore proposed that, at whatever stage of the case the President might find it convenient to come, his testimony should be taken.

Mr. Davidge called on Mr. Scoville to state

WHAT HE EXPECTED TO PROVE BY THE PRESIDENT.

Mr. Scoville—I expect to prove by him that the prisoner some time in October last (after I came here) wrote to the President a letter, which was sent to him, addressing him in very familiar terms, and requesting him, as one equal might request another, to do certain things of a public character. I expect to prove that the prisoner, in this letter applied to the President (apparently) with confidence that the President would heed his requests and comply with them. And I expect to show by the President that he had never given the prisoner any grounds for supposing that he ever knew him.

The prisoner fired up at the suggestion and exclaimed: That is false, sir; I considered General Arthur and all those men as on friendly relations with me. Whenever they met me on the street they treated me well. (To Mr. Scoville) I repudiate you and your theory. You had the impudence to get into this case at all, and you would not have got into it if you had not been my brother-in-law. You are not fit to try this case. You are trying it like a booby. You sneaked into this case.

I WAS ON GOOD FRIENDLY RELATIONS WITH GRANT

and Arthur and Conkling and Jewell, and all that kind of men. They always treated me in a friendly and kindly way. (Again turning on Mr. Scoville) Your idea that I am a fool I repudiate.

Mr. Scoville—I propose to show by President Arthur that all that the prisoner is now saying is false.

The Prisoner—It is not. These men were always very pleasant and glad to see me.

Mr. Scoville—And that the prisoner never had any reasonable grounds, any such grounds as a sane man would act upon——

The Prisoner (fiercely)—I repudiate that theory entirely.

Mr. Scoville (finishing his sentence)—to apply to President Arthur for any favor or position whatever. Those are some of the facts which I expect to show by the President.

The Prisoner—You cannot show it.

Mr. Scoville—I do not expect to question the President as to political affairs, or as to his public or private relations, but simply as to those personal matters connected with the prisoner as to which President Arthur is informed and which I cannot show by any other person.

The Prisoner (contemptuously to Mr. Scoville)—You never had anything to do with those high-toned men. You do not know how to act with them. Yoo have been always away down in the dirt.

YOU HAVE GOT NO POLITICAL RECORD.

You ought to have stayed in Chicago, and not come into this case. You have no capacity for this kind of business. What do you know about it? You will not "sit down on me" any more.

Mr. Porter, in solemn tones, suggested that this court, branch of the Judiciary Department of the Government, had no right to compel the attendance of the President, summoning him from the discharge of his duties to the Nation, to serve the purpose of a criminal; and he proposed that interrogations in writing should be submitted to the President and his answers to them received in evidence.

The Prisoner (with great irritability of manner)—I object to Mr. Scoville coming here and compromising my case. It is not just, and there is no sense in it. He came into the case merely because he is my brother-in-law. If Colonel Corkhill had not come to my cell a week after the President's death and asked me if he should not send for Mr. Scoville he would not have been here. He is no criminal lawyer and no politician.

I WANT A FIRST-CLASS ARTIST ON THIS CASE.

Mr. Scoville—I accept the offer of Mr. Porter. That is, I will propound written questions to the President and take his written answers as evidence.

The Prisoner (breaking in)—I do not care a single cent about President Arthur being in the case; but I do want to have Grant and Conkling and Jewell and this class of men.

Mr. Scoville—I consider it important and necessary that the defense in this case should have in some form the testimony of the President. I have done my best to obtain it. It is almost absurd for Mr. Porter to claim, in his solemn manner, that a branch of the judiciary cannot command the attendance of the Executive. The President may know a fact material to the defense of this man; and counsel has no right to say that the President shall not be called into court to vindicate a criminal. He is not a criminal until the verdict of the jury is rendered, and he is entitled to all the rights of every American citizen. He is entitled to the knowledge of every man in the country, whether President or laborer, that is necessary to his defense.

The Court—

REDUCE YOUR INTERROGATIONS TO WRITING,

and if the ruling of the Court is wanted I will rule upon them.

Mr. Scoville—I am willing to do that. I only want to get at this matter in the best way it can be done. I have stated fairly and candidly what I propose to show by the President, and I do not propose to go any further. But I cannot reduce my interrogatories to writing on the instant.

The Court—It can be done this afternoon.

The Prisoner—I wish to know whether Your Honor considers the defense as now closed. I want the chance to subpœna those prominent men whose names I have given to Your Honor, and I want a ruling on that.

Mr. Porter—That is a question of practice and discretion at the present stage of the trial—

The Prisoner (interrupting)——

YOU KEEP QUIET, JUDGE.

Mr. Porter (continuing)—And is not a proceeding that is subject to revision or appeal. Your Honor can best determine it out of court, and the progress of the trial should not be arrested by a full court.

The Court (to the prisoner)—I will look into that matter.

The Prisoner—I thank Your Honor. I want justice, and no more than justice, in the matter. We will be allowed to introduce these prominent gentlemen whenever we can get access to them. I wanted them subpœnaed several days ago, but Mr. Scoville and I do not agree on the theory of this defense. If Mr. Storrs were defending this case he and I would be in perfect harmony. He is an able man than Mr. Scoville in every way. I am very sorry that

I COULD NOT GET MR. STORRS IN THE CASE.

Mr. Storrs is a politician, and one of the most brilliant men at the American bar. Mr. Scoville is doing well enough on his theory, but his theory is too narrow on this kind of business. That is all the trouble. It requires a first-class artist to do this fine work.

Mr. John W. Guiteau was recalled to give the date at which he began to change his mind as to his brother's mental condition. He dated the change from the receipt of a bundle of his letters from his sister Flora, after the 21st of October last.

Mr. Scoville then proceeded to read some posters and hand-bills, advertising the book called "Truth," and the prisoner's lecture on the second coming of Christ. In the course of the reading the prisoner occasionally broke out with remarks, among them the following:

The people are beginning to understand that the Deity inspired this act, and they say: "Well, if the Deity inspired it, let it go."

Mr. Scoville—I believe this closes the case for the defense.

The Prisoner—I want a ruling on my application for subpœnas for these prominent men.

The Court—I do not think it necessary to issue them.

The Prisoner—

THEN THE REPORTER WILL NOTE AN EXCEPTION.

Let the record show that I applied in person for subpœnas for certain persons to show the political condition last spring and to show my connection with these prominent persons—Conkling, Grant, Arthur, Jewell, and that class of men. I want to show my relations with them personally and politically, and the Court refuses to allow it. Note an exception on that point.

Mr. Davidge asked Mr. Scoville what he proposed to do as to the portions of the book "Truth" which he intended to call to the attention of the jury.

Mr. Scoville proposed that he should mark those portions and then be at liberty to refer to them.

As counsel for the Government objected to that course, Mr. Scoville said he would only have to read the whole book, and he was beginning to do so, when the prisoner called out to him: "Do not read it like a school-boy; read it with some spirit!" Thereupon Mr. Scoville proposed that the prisoner himself should do the reading; and he proceeded to do so, with a rather poor effort at declamation, and with occasional illustrative remarks, such as "That is the way that Paul got in his work." When a slight disturbance was caused by some of the spectators trying to get out,

THE PRISONER COMMANDED ORDER, AND SAID:

Some of this book is interesting. It is good religious talk. It will do people good to hear it read.

After about three-quarters of an hour spent in this way, the District Attorney intervened, representing that this was a waste of the time of the court, and, as the result of some discussion, it was agreed that Mr. Scoville should to-morrow mark the portions of the book to which he proposed to call the attention of the jury. The question as to the Berean being in evidence also came up, and counsel for the prosecution intimated that they would adopt such course in regard to it as they might deem proper.

Mr. Scoville then announced that with the exception of the testimony of President Arthur (to be arranged for to-day) the testimony of Dr. Spitzka, of New York, whom he would telegraph to be in court to-morrow morning, and the extracts from the book called "Truth," which he would have marked by to-morrow, the case for the defense was closed. Then, at twelve o'clock, at the suggestion of the District Attorney, the court adjourned till this morning at ten o'clock.

Scenes and Incidents.

The necessity for a gag was never more apparent than yesterday.

Senator Kellogg and Representative Blount were among the spectators yesterday.

The quiet patience displayed by Mr. Scoville when abused by the wretch is remarked by all.

The assassin calls this a "high-toned trial, and Scoville has no business in it. He is not tony enough."

When anything ludicrous occurs in court Judge Cox conceals his amusement by vigorously stroking his nose.

The book is a mass of quotations and incoherencies. Its value, theologically considered, is about one cent a pound.

Guiteau's reading is very much like that of a border camp-meeting of twenty years ago—of the undiluted howling kind.

District Attorney Corkhill is of the opinion that the trial will be concluded next week. Evidence in rebuttal by the Government will be put in today.

A colored oyster vender, after viewing the removal of the assassin to the van, remarked, "Is that little man Guiteau? Why, he ain't worth hanging."

While reading his book the assassin forgot to use his eye-glasses. He stopped once to argue a point with one of the spectators, but Judge Cox sternly directed him to proceed with his reading.

A subpœna *duces tecum* has been issued for Mr. Lloyd, of the Mutual Life Insurance company of New York, instructing him to bring into court all papers relating to the policies taken out by Mr. J. W. Guiteau.

When it was decided that Guiteau's book should be read, and it was fairly begun, a large number of the audience left. The assassin was very much annoyed, and wanted them to keep quiet. He announced that the book