THE OMAHA DAILY BEE.

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CONGRESSIONAL PROCEEDINGS

The Senate Judiciary Committee's Report On the Removal Question.

THEY CONDEMN MR. GARLAND.

Advise Refusal of Consent to Appointees Where Demanded Papers Are Withheld—The Fitz John Porter Bill Passes the House.

Senate.

WASHINGTON, Feb. 18.—Among the petitions presented in the senate and appropriately referred was one by Mr. Hoar from "citizens of the United States," citizens whose names, Mr. Hoar said, seemed to indicate they were foreign born, praying for submission by congress to the several states of a proposed constitutional amendment abolishing the presidency.

When the reports of committees were announced to be in order, Mr. Edmunds arose and said:

MR. PRESIDENT—I am instructed by the committee on judiciary, to whom was referred the letter of the attorney general, with authority to report with open doors, to make a report with sundry resolutions which I ask may be placed on the calendar.

The President pro tempore—Does the senator desire to have them read?

Mr. Edmunds—No, sir, but the senator from Alabama (Pugh) desires to make a remark.

Mr. Pugh—From the minority of the committee on judiciary, as to the report just made, I desire to state that they knew nothing of the contents of that report until it was read to the committee this morning. The minority desire to prepare a report in which they will present their views, and to enable them to do so they ask to have until Monday week to prepare such report, and it is desired that the majority report and resolutions accompanying will not be called up for consideration until we get leave to file a minority report. The time given us to do so is not to extend beyond next Monday week.

Mr. Dawes—Can we not have the resolutions read?

The chief clerk read the resolutions:

Resolved, That the foregoing report of the committee on judiciary be agreed to and adopted.

Resolved, That the senate hereby expresses its condemnation of the refusal of the attorney general, under whatever influence, to send to the senate copies of papers called for by its resolution of January 25, and set forth in the reports of the committee on judiciary, as a violation of his duty and subversive of the fundamental principles of the government and good administration thereof.

Resolved, That it is under these circumstances the duty of the senate to refuse its advice and consent to the proposed removals of officers, the documents and papers with reference to the official or personal conduct of whom are withheld by the executive or any heads of departments when deemed necessary by the senate and called for in considering the matter.

Resolved, That the provision of section 1,754 of the revised statutes declaring: "That persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in line of duty, shall be preferred for appointments to civil offices: provided, they are found to possess the business capacity necessary for the proper discharge of the duties of such office," ought to be faithfully and fully put in execution, and that to remove or to propose to remove any such soldier whose faithfulness, competency and character are above reproach, and to give place to another who has not rendered such service, is a violation of the spirit of the law and of the practical gratitude that the people and the government of the United States owe to the defenders of constitutional liberty and the integrity of the government. All of which is respectfully submitted.

GEORGE F. EDMUNDS.
JOHN J. INGALLS.
S. J. R. MCMILLAN.
GEORGE F. HOAR.
JAS. F. WILSON.
WM. M. EVARTS.

Mr. Butler—Is there any report accompanying these resolutions?

The President pro tempore—Yes.

Mr. Butler—Is it to be printed?

Mr. Edmunds—Certainly it will be printed under the rules. I ask that the report of the committee as well as the resolutions be printed in the Record also.

The President pro tempore—If there be no objection that order will be made.

The report recites the fact and circumstances of the removal of Dustyn and the appointment of his successor as United States attorney for the southern district of Alabama. It declares that it has been the uniform practice of the judiciary committee since the tenure of office act to call upon the heads of departments for all papers and information in possession of the department touching the conduct and administration of the officer proposed to be removed, and the character and conduct of the person proposed to be appointed. This has been done with the unanimous approval of all the members, although the composition of the committee has been during a period sometimes of one political character, and sometimes of another. In no instance until this time has the committee met with any delay or denials in furnishing such papers and information, with a single exception lasting only two or three days.

The report quotes the resolution adopted by the senate calling upon the attorney general for the papers in the above mentioned case, and his reply thereto, and continues: This letter, although in response to the direction of the senate that copies of any papers bearing on the subject within the given period of time be transmitted, assumes that the attorney general of the United States is the servant of the president, and is to give or withhold copies of documents in his office according to the will of the executive, and not otherwise. Your committee is unable to discover either in the original act of 1789, creating the office of attorney general, or in the act of 1870, creating the department of justice, any provision which makes the attorney general of the United States in any sense the servant, or controlled by, the executive in the performance of the duties imputed to him by law or the nature of his office. The executive is bound by the constitution and by his oath to take care that the laws be faithfully executed, and he is himself as much bound by the regulations of law as the humblest officer in the service of the United States, and he cannot have authority to undertake to faithfully execute the laws, whether applied to his own special functions or those of the departments created by law, otherwise than by causing, so far as he lawfully may and by lawful methods, the departments and other officers of the United States to do the duties which the law and not his will has imputed to them.

The important question is, then, whether it is within the constitutional competence of either house of congress to have access to official papers and documents in the various public offices of the United States created by laws enacted by themselves. It may be fully admitted that except in respect of the department of the treasury there is not a statute which commands the head of any department to transmit to either house of congress on its demand, any information whatever concerning the administration of his department, but the committee believes it to be clear that from the very nature of the powers entrusted by the constitution to the houses of congress it is a necessary incident that either house must have at all times the right to know all that officially exists or takes place in any of the departments of the government. The committee feels authorized to state, after a somewhat careful research, that within the foregoing limits there is scarcely, until now, any instance of refusal by the head of a department, or even of the president himself, to communicate official facts and information as distinguished from private and unofficial papers, motives, views, reasons or opinions to either house of congress when unconditionally demanded. Indeed, the early journals of the senate show great numbers of instances of directions to heads of departments, to furnish papers and reports upon all sorts of affairs, both legislative and executive.

Instances of requests to presidents and demands of heads of departments by each house of congress from the early days till now for papers and information on every conceivable subject of public affairs are almost innumerable, for it appears to have been thought by all presidents who have carried on the government now for almost a century, that even in respect of a request to them by an independent and co-ordinate branch of the government they were under constitutional duty and obligation to furnish to either house the papers called for unless, as has happened in very rare instances, when the request was coupled with an appeal to the discretion of the president in respect of the danger of publicity, to send the papers, if in his judgment it should not be incompatible with public welfare.

Precedents establishing this proposition, many of which have been made public, are cited and discussed at great length, and the report continues: The committee feels safe in stating from the researches it has made that the course of the government has been constant and continuous and unchanged from the beginning until now, and that in its belief no instances within the principles and limitations before stated have occurred in which cases for official papers and files, addressed either to the president in the form of requests, or to the heads of departments in the form of commands, have not been complied with, but it has sometimes happened where requests to the president, not merely conditional on leaving it to his discretion whether the papers be communicated or not, that they would not be communicated. The constitution of the United States was adopted in the light of well known history, that even ministers of the crown were bound to lay before parliament all papers when demanded on pain of the instant dismissal of said ministers on refusal, at the thorough rapid and effectual instrumentality of a vote of want of confidence, and the constitutional congress had for more than ten years itself governed the country and had control of all papers and records, not by reason of anything expressed in the archives of the confederation, but by reason of the intrinsic nature of the government. The jurisdiction of the house of congress to legislate and the power to advise or withhold advice concerning treaties and appointments necessarily involves the jurisdiction to officially know every step and action of the officers of law, and all facts touching their conduct in the possession of any department—of even the possession of the president himself. There was no need to express such power, for it was necessarily an inherent incident to the exercise of the power granted.

It will be observed that in this instance the call for papers covered a period for more than six months, during which the regular incumbent of the office had been discharging its duties, and also a further period of more than six months during which the person designated to discharge these duties on the suspension of the officer had been acting, and that that person is the one now proposed to be appointed to the place. It will also be observed that the president has not undertaken to remove the incumbent of the office, but has only, in expressed and stated perpetuance of the statute on the subject, suspended that officer, and that the same statute also provides that such officer shall not be removed without the advice and consent of the senate, and if that advice and consent be not given, the incumbent would, unless his regular term of office should have previously expired, at the close of this session of the senate be restored to the lawful right to exercise its duties. The senate then, by this nomination, is asked to advise and consent to the removal of an incumbent and to the appointment of a candidate proposed for his place. In exercising its duty in respect to these questions, it is plain that the conduct and management of the incumbent is a matter absolutely essential to be known to the senate in order that it may determine whether it can rightly advise his removal or rightly leave him to resume the functions of his office at the end of its session, as well as whether the candidate proposed has, in exercise of the office under his designation, conducted himself so as to show that he is competent and faithful.

Indeed, it may be stated with entire accuracy that even in case of vacancy in office and the proposed filling of such vacancy, it is important for the senate to know the previous condition and management of the office, the state of its affairs, whether there have been cases of misconduct or abuse of power, embezzlement of moneys, and, indeed, all the irregularities bearing on its administration, in order that it may judge of the suitableness of appointing a party or person to take up its duties with reference to the difficulties that may exist in its affairs, the state of its accounts, and everything concerning its administration, so as to measure the fitness and competency of the particular candidate to the emergencies of the case.

A table is presented, showing a large number of persons appointed in place of officers suspended, and the quirey is made—have these suspended officers, or any considerable number of them, been guilty of misconduct in office, or any personal conduct making them unworthy to be longer trusted with the performance of the duties imposed upon them. If they have, it would seem to be clear that every consideration of public interest and public duty would require that the facts should be made known in order that the senate may understandingly and promptly advise their removal, and that most careful scrutiny should be had in respect of selecting their successors, as well as in respect of providing better means and sober legislation for administering the laws of the United states. Such information, it would seem, the executive is determined the senate shall not possess for the alleged reason that it might enable the senate to understand what circumstances connected with the faithful execution of the laws induced the president to exercise the discretion the statute confers upon him to suspend them and ask the senate to unite with him in their removal from office.

The report quotes a passage on civil service contained in the president's annual message, and says: "This highly important and valuable official communication, in the presence of 643 suspensions from office, would seem to lead to the conclusion that this number of civil officers of the United States, elected to be suspended and removed, had been so derelict in the performance of their functions or guilty of such personal misconduct, as to put them in the category of unfaithful public servants, deserving dismissal by the president and senate, and the condemnation of their countrymen. In such a state of things, we think that the common sense justice and fair play that is so much prized, we believe, by the people of the United States would require that in some way this large body of men should have the opportunity to know the substance of their alleged misdeeds in order that they may either admit their guilt, or denying it, explain their conduct, or show that the accusations against them were selfish and wicked pretexts, and set up for the mere purpose of obtaining their suspension and ultimate dismissal from office in order that others less capable and worthy might receive the honors and emoluments of their place.

It is known to every senator that so far as the senate has had to do, both with removals and appointments, it has for a great number of years been the practice when an officer or person was before it for removal or appointment against whom any serious accusation has been made which would, if true, influence the action of the senate in the case, to cause the person concerned to be informed of the substance of the complaint against him and give him opportunity to defend himself; and it is also known that at this very session a very considerable number of instances of that kind have occurred, and are of daily occurrence. If the senate is proceeding upon a false principle in such instances it is high time that its course in these respects should be reversed, and that hereafter it should act upon such accusations without any knowledge other than that derived from the accusers, and leave the victims of such injustice to console themselves with the reflection that all parties are now engaged in an effort to reform the government. Why should the facts as they may appear from the papers on file be suppressed? Because, that being brought to light it would appear that malice, misrepresentation and perjury are somewhat abundant, or merely that faithful and competent and honorable officers have been suspended, and are proposed to be removed under the advice and consent of the senate in order that places may be found for party men because they are party men or are special objects of party favor? How does it happen, in this time of suggested reform and purer methods in government, for the first time it is thought important that the historic and administrative facts relating to the official and personal conduct of officers of the United States should be withheld, and that the administration of the government should proceed with secrecy and mystery as great as in the days of the Star-chamber? The high respect and consideration that the senate must always have for the executive office would make it reluctant to adopt either theory, but at present the impenetrable veil remains, and as the committee is unable to suggest any other solution of the riddle it must leave until this veil is lifted and the operations of the government shall again be known. In this state of things the committee feels it to be its clear duty to report for the consideration of the senate, and for adoption, the following resolutions. [The resolutions are given above.]

Among the bills introduced was one by Mr. Bowen to provide for a new basis for the circulation of national banks. Mr. Bowen said he would take occasion to make an address to the senate on the subject of this bill at an early day. At his request the bill was, for the present, laid on the table.

On motion of Mr. Maxey, the bill passed to grant the right of way for a railroad and telegraph line through the lands of the Choctaw and Chickasaw nations of Indians to the St. Louis & San Francisco railroad company.

Mr. Van Wyck entered a motion to reconsider the vote by which the senate passed the bill granting right of way for a railroad through the lands of the Choctow and Chickasaw Indians.

The education bill was then taken up.

Mr. Plumb offered an amendment to it, providing that as to territories not the secretary of the interior, but the legislatures of the several territories shall have the administration of the money.

Agreed to.

Mr. Coke addressed the senate in opposition to the bill. He entered an earnest protest against its passage, declaring it to be the most pernicous measure introduced into either house of congress since the war. He prophesied that as a precedent it would be destructive of the limitations imposed on congress by the constitution. The bill, he said, was a measure of despotism. It would result, he said, in stirring up endless strife between the north and south.

Mr. Evarts took the floor. He remarked that he was heartily in favor of the bill, but would not speak on it if the senate desired to come to a vote.

Mr. Blair said that if Mr. Evarts was going to make a speech somebody would be sure to move an adjournment.

This remark was greeted with loud laughter, in which Evarts himself heartily joined, and the senate went into executive session and soon after adjourned.

House.

WASHINGTON, Feb. 18.—The speaker announced the appointment of Mr. Findlay of Maryland as a member of the committee on banking and currency to fill the vacancy occasioned by the resignation of Mr. Curtin of Pennsylvania.

Mr. Crisp, from the committee on Pacific railroads, reported a bill amending the Pacific railroad acts so as to compel the railroads to pay to the United States the amount paid by it for surveying lands to which they are entitled. Placed on the house calendar.

In the morning hour the house resumed consideration of the bill forfeiting the Atlantic & Pacific land grant.

The bill was discussed without any result being reached until the expiration of the morning hour, and then the house went into committee of the whole, Mr. Springer in the chair, on the Fitz John Porter bill.

Mr. Bragg closed the debate in support of the bill.

Mr. Everhart moved to recommit the bill with instructions to strike out the words "prior to his appointment under this act," so as to make the proviso read, "Said Fitz John Porter shall receive no pay, compensation or allowance whatever," suggesting that this gave an opportunity for vindicating Porter from any question of money consideration.

He demanded the yeas and noes.

The motion to recommit was lost—yeas 112, noes 173.

Mr. Bragg, who had demanded the previous question, withdrew the demand and again took the floor in support of the bill. After speaking some time, he said that the gentleman from Michigan (Cutcheon) had taken the report of the second battle of Bull Run and read the number of killed and wounded on the 29th of August for the purpose of showing that there had been a general battle. If the gentleman had been disposed to be ingenious he would have stated that the heading of these reports was, "Casualities between August 16 and September 2." Mr. Cutcheon declared he had so stated in his speech.

Mr. Bragg—You took the table of figures from a heading that covered almost the month, and you have published in your speech as evidence of losses on the 29th, and your republican constituents, who do not read anything but your speech in a republican newspaper, will think that historical evidence of the war.

Mr. Cutcheon declared that the heading of the table showed precisely what it was.

Mr. Bragg declined to yield, and Mr. Cutcheon asserted his right to reply, as he had been misquoted.

Mr. Bragg advancing to the bar of the house—I state what you said. I state what the figures——

"Now," exclaimed Mr. Cutcheon, also advancing into the space in front of the speaker's desk, "you are trying to ram a falsehood down the throat of this house." [Applause on the republican side.]

"I draw my own inference as to your purpose," cried Mr. Bragg, "and (defiantly) will repeat them if you desire." [Applause on the democratic side.]

At this time there was a good deal of confusion and excitement in the house, and it was with difficulty that the voice of either gentleman could be heard, but as the speaker rapped the house to order and stated to Mr. Cutcheon that he must not interrupt Mr. Bragg without permission, the former indignantly exclaimed: "Then the gentleman must not falsify facts."

"Ah," was Mr. Bragg's retort, "I am glad I have driven that radical from under Stanton's petticoats so that he has come to the front."

Mr. Cutcheon then stated that the table was under the head of the return of casualties in the union forces commanded by General Pope, from August 26 to September 2, aggregating 14,462. He also quoted from other portions of his speech to show that he had made no attempt to mislead the house in this matter.

"That is the printed speech; it is not the written speech," was Bragg's comment.

The bill was then passed—yeas 171, noes 113.

The following is the vote in detail:

Yeas—Adams of New York, Allen of Mississippi, Anderson of Ohio, Baker, Ballentine, Barnes, Barry, Bayne, Beach, Belmont, Bennett, Blanchard, Bland, Bliss, Blount, Bragg, Breckenridge of Arkansas, Breckenridge of Kentucky, Burleigh, Burns, Bynum, Cabell, Felix Campbell of New York, Campbellof Ohio, T. J. Campbell of New York, Candler, Carlson, Cuthings, Clardy, Clements, Cobb, Collins, Compton, Comstock, Combs, Crane, Crisp, Culbertson, Curtin, Daniel, Dargan, Davidson of Florida, Davidson of Alabama, Dibble, Dockery, Dougherty, Dowdney, Dunn, Eden, Eldredge, Ellsberry, Ely, Ermentrout, Findlay, Fisher, Foran, Ford, Forney, Frederick, Gay, Geddes, Gibson of Maryland, Green of North Carolina, Green of New Jersey, Hahn, Hale, Hall, Halsell, Hammond, Harmer, Harris Hatch, Hayden, Haynes, Heard, Hemphill, Henderson of North Carolina, Henley, Herbert, Hewitt, Holman, Howard, Hutton, Irion, James, Johnston of North Carolina, Jones of Alabama, Jones of Texas, Kleiner, Laffoon, Laird, Lanham, Lawler, La Fevre, Lore, Lovering, Lowry, Mahoney, Martin, Matson, Maybury, McCreary, McMillan, McRae, Merriman, Miller, Mills, Mitchell, Morgan, Morrison, Muller, Murphy, Neal Norwood, Oates, O'Ferrall, O'Hara, O'Neil of Missouri, Outhwaite, Peel, Perry, Phelps, Pidcock, Pindar, Reagan, Reed of North Carolina, Richards, Riggs, Robertson, Rockwell, Rogers, Sadler, Sayers, Seney, Singleton, Seymour, Skinner, Snyder, Snowden, Springer, Stahlney, Stewart of Texas, Martin, Stone of Kentucky, Stone of Maryland, Storm, Swinburne, Swope, Tarsney, Taulbee, John M. Taylor of Tennessee, Throckmorton, Tillman, Tucker, Van Eaton, Vaile, Wadsworth, Ward of Indiana, Ward of Illinois, Warner of Ohio, Weaver of Iowa, Weber, Wellborn, Wheeler, Wilkins, Willis, Wilson, Winans, Wise, Wolford and Worthington.

Noes—Adams of Illinois, Allen of Massachusetts, Anderson of Kansas, Atchison, Bingham, Bound, Boutelle, Brown of Pennsylvania, Brown of Ohio, Brumm, Buchanan, Buck, Bunnell, Burrows, Butterworth, Campbell of Pennsylvania, Cannon, Caswell, Conger, Cooper, Catcheon, Davenport, Davis, Dingley, Dorsey, Dunham, Evans, Everhart, Farquhar, Fiesner, Foller, Funston, Gallinger, Gilfillan, Grosvenor, Grant, Guenther, Hanback, Henderson of Iowa, Henderson of Illinois, Hepburn, Herman, Hiestland, Hires, Hiscock, Hitt, Holmes, Hopkins, Houk, Jackson, Johnson of New York, Johnston of Indiana, Kelly, Ketchum, LaFollette, Lehlbach, Lindsley, Little, Louttitt, Lyman, Markham, McComas, McKenna, McKinley, Millard, Milliken, Moffitt, Morrill, Morrow, Negley, Nelson, O'Donnell, O'Neil of Pennsylvania, Osborn, Owen, Parker, Payne, Payson, Perkins, Peters, Pierce, Price, Reed of Maine, Rice, Rowell, Ryan, Sawyer, Scranton, Sessions, Smalls, Spooner, Steele, Stephenson, Stewart of Vermont, Stone of Massachusetts, Stralte, Struble, Symns, E. B. Taylor, and Ike Taylor of Ohio, Zach Taylor of Tennessee, Thomas of Illinois, Thomas of Wisconsin, Thompson, Van Schaick, Wakefield, Warner of Missouri, Weaver of Nebraska, West, White of Minnesota, Whiting, and Woodburn.

The house then adjourned.

GRAND ARMY COMMOTION.

A Delegation in Illinois Denounces Fitz John Porter.

SPRINGFIELD, Ill., Feb. 18.—At the session of the Grand Army to-day, a delegate from Vandalia precipitated a commotion in the encampment by offering the following resolution:

Resolved, That it is the sense of the delegates of the Grand Army represented here that Fitz John Porter should not be restored to the army, and that our senators and representatives in congress are instructed to oppose said proposition.

Thereupon the most exciting and stormy scene ensued. After the hot blood had cooled down a resolution was almost unanimously adopted protesting against the morbid sentimentality which claims that the tearing down of the loyal memorials of the war is demanded by the spirit of patriotism. Another resolution in condemnation of halft masting the state department flags to honor Jacob Thompson was also adopted.

Rock Island was selected as the next place of meeting.

The following were elected as the council of administration: C. R. E. of Chicago, A. Cantwell of Robinson, J. W. Goudy of Arcola, W. H. Derthick of Belvedere, F. M. Pickett of Harrisburg.

There was no choice for department commander on the first ballot, but the withdrawal of Thomas W. Scott after the announcement of the result gave the election to General Phillip Sydney Post of Galesburg. Colonel Thomas C. Fullerton of Ottawa was elected senior vice commander, and the colored troops were recognized and honored in the person of Enos Bond of Chicago, who was selected for junior vice commander by acclamation. E. D. Wilkin of Danville was made chaplain, and A. T. Barnes of Bloomington surgeon.

In the public installment of the newly elected officers to-night, General Post announced as his assistant adjutant general H. P. Thompson of Chicago, who succeeds to the office held for the last four years by J. L. Bennett of Chicago.

JOHN B. GOUGH DEAD.

The Noted Temperance Worker Gone to His Eternal Rest.

PHILADELPHIA, Feb. 18.—John B. Gough, the eloquent temperance lecturer, died at 4:40 this afternoon at the residence of Dr. R. Bruce Burns, in Frankfort, where he was taken on Monday night when stricken with paralysis while lecturing at the Frankfort Presbyterian church. His wife was at the bedside when he died. It was recalled to-day that the last words spoken by Gough were, "Young men, make your record clean."

[John B. Gough was born at Sandgate, Kent, England, August 22, 1817. He came to America at the age of 12 years, in 1829, and was apprenticed to learn the bookbinders' trade. He pursued that occupation for a number of years, but was always in want and poverty by reason of intemperance. He finally reformed, and in 1843 became a temperance lecturer. His succes, in that avocation was remarkable. For ten years he labored in the cause of temperance in the United States, and in 1853 went to England where his work in redeeming men from the habit of strong drink was a repetition of his successful labors in America. Returning to this country he was to be found always in the front rank of temperance workers, his services being in eager demand as a lecturer upon that and kindred subjects. His reputation as an orator was not alone confined to that which might be termed his life object, for he was equally pleasing and well informed as a public speaker on various topics. His age was 69 years. His residence was West Boylston (Mass.). Of late years, on account of age, he was not seen much in public, making but few lecture engagements.]

THE CHINESE WON'T GO.

They Hold the Fort In the Face of Very Positive Orders.

SEATTLE, W. T., Feb. 18.—When the Chinamen were driven out of Snohomish City last week, those who had property interests were allowed to remain, but were notified that they must leave by Monday last. On Monday, when told to go, they refused and said they intended to remain. Last Monday night a dynamite cartridge was exploded under their house, wrecking the building but not injuring the Chinamen. The latter pluckily moved into the part of the building that was not destroyed and reiterated their determination to stay. This morning a number of shots were fired into the house, but none of the Chinamen were injured, and at last accounts they were still holding the fort and declaring that they would not leave.

More Anti-Chinese Mob Work.

NICOLAUS, Cala., Feb. 18.—Early this morning a body of masked men compelled the Chinese, numbering forty-four, to leave. They were put on the steamer D. E. Knight, and, notwithstanding the protest of the captain of the vessel, he was compelled to take them as passengers to Sacramento.

BIG CUT IN RATES.

The Tariff Rate to the Coast Down One-Third to One-Half.

CHICAGO, Feb. 18.—Following the dissolution of the Transcontinental association, the Union Pacific railroad to-day promptly reduced passenger rates from the Missouri river to the Pacific coast one-third to one-half the tariff rates, making the schedule as follows: First class, unlimited, Omaha to San Francisco, $60; old rate $84. First class, limited, $50; old rate $75; second class, $25; old rate $45. The B & M., for the Denver & Rio Grande, and the Atchison, Topeka & Santa Fe for itself at once met the cut, but no move has yet been made by the Northern Pacific. Freights are in a demoralized condition, and 20 to 25 per cent off.

A LUNATIC'S CRIME.

Shoots His Brother and Wife and Fires Their Property.

BLOOMINGTON, Ill., Feb. 18.—In an attempt to capture David Sholty, insane, near Shirley, McLean county, this evening, Levi Sholty, a brother, was fatally shot in the breast by the lunatic, who also shot Mrs. Levi Sholty in the neck, breast and leg, and her daugher in the wrist. The insane man then fired the barn with a match, totally destroying it, involving a loss of about $1,000. The whole neighborhood is aroused and searching the woods. Three deputy sheriffs from Bloomington have started to join the posse.

Going to Uphold Rates.

CHICAGO, Feb. 18.—The lines interested in the passenger traffic from Kansas City, Atchison, Topeka and St. Joseph to St. Paul and other northern points, held another meeting to-day and adopted a $100 penalty agreement to maintain the schedule rates.

The general passenger agents of the Iowa lines also met and organized a rate upholding the association.

Weather for To-day.

MISSOURI VALLEY—Fair weather; northerly winds, slightly colder in southern portion; followed by slowly rising temperature; slowly rising temperature in northern portion.

THE BANKRUPT LAW LINGERS

Hard Work Required to Secure Its Passage the Present Session.

THE DES MOINES RIVER LANDS.

The Three Important Questions for Congressional Action—Portage Lake Canal Land Grant—Fitz John Porter's Case.

The Bankruptcy Bill's Prospects.

WASHINGTON, Feb. 18.—[Special.]—At the opening of the present congress the advocates of the bankruptcy bill were confident of an early report from the house judiciary committee and were sanguine that at last they would be able to secure the passage of the bill for which they have been working so industriously for years. Mr. Collins, of Boston, who has the bill in charge, was certain that it had a clear majority in the house of at least twenty-five, and with Randall's power of obstruction curtailed, it would be possible to secure a vote on the bill early in the session. Up to the present time, however, although nearly three months have passed since the house met, the judiciary committee has not acted upon the bill, and its friends are not as confident to-day as they were three months ago that it will ever become a law. It has been the custom for years of New York commercial organizations, aided by other eastern bodies of a similar character, to send delegates here to look after this, to them, very important bill. One of these gentlemen, who has spent the last six months in Washington, arrived here a day or two ago, and when asked by your correspondent what the prospects of the bill were, replied: "Two weeks ago the New York and Boston boards of trade had given up all hopes of the passage of a bankruptcy bill. Their advices from Washington were such as to convince them that there was no chance whatever of its enactment at this session. I have been among the members, however, for several days, and have made up my mind that the situation is not so bad as it was made out, but the bill will not go through without very strong efforts on the part of its supporters. If we secure a bankrupt law at all through this congress it will only be by the hardest and most emphatic work on the part of members on the floor and parties in interest outside. "There is no doubt," he continued, "a majority of the house is in favor of the passage of a bankrupt bill, but whether the majority will support the Lowell measure is another question."

THE DES MOINES RIVER LANDS.

At an early day Mr. Payson of Illinois will call up in the house the bill to quiet title to settlers on the Des Moines river lands in the state of Iowa. This bill has already passed the senate and will, without doubt, be finally passed in the house as soon as the period for discussion has passed. The Des Moines river lands have been the subject of unlimited litigation and annoyance to the people of Iowa for the past thirty years. The controversy grows out of a grant of land made to a navigation company back in the '50s, and the subsequent action of the land office in regard to those lands. The passage of this bill will give the courts an opportunity to finally decide a question which has been in dispute for many years, and which has affected the title to thousands of farms in this prosperous state.

THE SILVER QUESTION.

There is now not the slightest chance that congress will do anything towards carrying out the president's recommendation in regard to the coinage of the standard silver dollar. The southern men who advocate unlimited coinage are very emphatic in their denunciation of the course of the administration towards this metal, and openly avow their resolution of electing some one two years hence who will carry out their ideas on this subject. Even those eastern members of congress who have been most hopeful ever since last winter the silver coinage law would be suspended, have given up hope at last, and are now confident that nothing will come of their efforts. In fact, one of them, Mr. Darwin R. James, of New York, who is the secretary of the national board of trade and transportation, which organization has done more than any other towards the education of the people in the anti-silver interest, said to your correspondent in conversation on this subject: "I am satisfied that between the two questions—shall the coinage of silver be suspended; or, shall we have unlimited coinage?—that a majority of the house would vote for the latter. There is now practically little doubt that a bill to provide for free coinage could be passed by the house but it is not likely that it would meet a like fate in the senate where the anti-silver feeling is much stronger."

THE HORSE ALREADY STOLEN.

Senator Plumb recently introduced in the senate a bill to forfeit or to declare void all the certification lists of lands selected by the Portage Lake and Lake Superior canal in the upper peninsula which do not lie contiguous to the line of the canal. This Portage Lake canal company was granted something like a half million acres of land to aid in the construction of a canal, which, in continuation of the Portage river on the upper peninsula of Michigan, cuts off nearly 300 miles of the distance between Duluth and Buffalo. The company chose the best lands in northern Michigan and paid no attention to the line of the canal in making their selections. It is scarcely probable that Mr. Plumb's bill will go through, or that the courts would sustain it if it did, but it is a just measure. Unfortunately, like too many other just measures, it is a case of locking the barn door after the horse is stolen.

THREE IMPORTANT QUESTIONS.

The three most important questions now before the house are the tariff, the silver and the bankruptcy bills. Morrison's tariff bill has antagonized the rice and sugar interests of the south, the iron men of Pennsylvania and the few democratic lumber merchants from Michigan who have seats in congress. The democratic majority in the forty-ninth congress is about thirty less than it was in the last congress. Of the loss to the party a great proportion has been from the ranks of those who supported Morrison in his horizontal reduction bill of two years ago. Hence it is more than probable that Randall's strength to-day is greater than it was then, and that the Morrison tariff bill of 1886 will meet with no better success, in spite of the fact that there is a democratic majority of upwards of forty, than it did in 1884. It is not settled beyond dispute that nothing will be done with the silver question. The various votes in the house coinage committee have shown conclusively: first, that a majority of the members of the committee do not favor unlimited coinage; second, that a majority of the committee do not believe in the negotiation of treaties which would bring about the demonitization of silver through a bi-metallic agreement between the commercial nations of the earth, and third, that a majority of the committee do not propose to favor the suspension of the coinage of the standard silver dollar even for a day. The other important business question which awaits the action of congress, and upon which there may be some legislation, is—shall we have a national bankrupt law? As on silver, party lines are obliterated on the bankruptcy question. As a rule the eastern men favor a bankrupt law similar to the Lowell bill, Randall and a few of his staunch followers being the great exception, while the western men, fearing that the agriculturalists would be placed at a disadvantage, are opposed to even a consideration of the question in the house.

FITZ JOHN PORTER'S CASE.

One of the most attentive listeners to the debates over the Fitz John Porter bill, which have been occupying the attention of the house for a week past, was Congressman John B. Weber, of the Niagara county district of New York. When seen by your correspondent on Wednesday and asked, "Will you vote for the bill to restore Fitz John Porter?" Colonel Weber replied: "I have not yet made up my mind. I entered this congress prejudiced against Fitz John Porter. He was my old commander and McClellan's right-hand man. I am inclined to think, strange as it may seem, that both sides of this question are right; that is to say, that the court-martial which convicted him did right at the time, because it was necessary to kill McClellanism if our arms were ever to be successful. The worship of McClellan was so great among the boys that it absorbed love of country and everything else. Still, I believe that Porter has been punished enough, for I cannot bring myself to think that he was a traitor. A man who led us as he did in the seven days' fight could never have had a traitorous thought towards his country. In those army days the most intense and bitter jealousies existed, and I am inclined to think that I shall now vote to restore him [and he did so vote] on the principle that if there is any doubt the benefit of it should be given to the accused."

Mr. Weber is one of those few men in congress who have paid close and rigid attention to every debate which has come up thus far, and in this he gives promise of making an extremely valuable member in the future, it his district takes a notion to return him again.

BRITISH POLITICS.

The Tories Meet and Talk Over the Condition of Affairs.

LONDON, Feb. 18.—Leading members of conservative party met at the Carlton club at noon to-day to confer upon the course the party shall pursue in regard to Irish affairs on the reassembling of parliament.

Lord Salisbury, late prime minister, presided. Lord Randolph Churchill and one hundred and fifty other prominent tories present. The meeting was very enthusiastic. The speeches made indicate an intention on the part of the conservatives to offer the most strenuous opposition to any measure presented conceding home rule in Ireland.

Salisbury predicted a union with the conservative section of the liberals which follows Hartington and Gosschen. He encouraged the conservatives to do all that was possible to bring such a union into effect. Some of the speakers commented severely upon Churchill's attack upon the Catholics, and his intimacy with the Parnellite party. The meeting resolved to make home rule a test question in the commons, and for that purpose will support the Parnellites in their demand to have it precede land reform in the house.

The impression is gaining ground that the present cabinet will prove unworkable, and that it will be impossible to hold it together. The Pall Mall Gazette states that the resignation of Chamberlain, president of the local government board, from Gladstone's cabinet is but a question of a few hours. The resignation will be made, the Gazette says, ostensibly because Chamberlain cannot bring himself to acquiesce in the government's policy of coercion towards Greece, but in reality because he is unwilling to submit to what he believes to be his political future death by identifying himself just now with the home rule policy decided on by a majority of his colleagues.

Parliament in Session.

LONDON, Feb. 18.—Parliament reassembled to-day. Gladstone stated in the commons that after the government had concluded the business they had to place before the house they would be able to state a part if not the whole of the Irish measure they intended to introduce. He expected, he said, to be through the financial business about the 2d of March. Gladstone announced further that the government had no intentiou of renewing coercion in Ireland.

In the house of lords, Granville, secretary of state for the colonies, announced that the government would not introduce any Irish measures into parliament before March 1.

Alluding to the foreign policy of the new government in the commons Gladstone said he would follow the eastern policy inaugurated by his predecessor, Salisbury.

In the house of commons Mr. Gladstone said the desire of the government was to propose to the house measures of a positive and substantial character dealing with Ireland respecting social order and the questions of land and the future government of Ireland, including a method for such government. He said that a further statement on the subject would be made on the 22d of March.

Passed the Bundesrath.

BERLIN, Feb. 18.—The bundesrath to-day voted unanimously in favor of Bismarck's spirit monopoly bill.

THE AGRICULTURISTS.

Proceedings of the Third Day's Session of the Association.

NEW YORK, Feb. 18.—The third day's session of the American Agricultural association was opened this morning. At the afternoon session a paper on "Food Adulterations" by Hon. George P. Lord of Elgin (Ill.) was read by the secretary. A. C. Tupper of Osage (Iowa) held that oleomargarine should be subjected to a stamp tax of one cent per pound, and that the manufacturer and retail dealers should be compelled to take out licenses and display them in conspicuous places in their establishments.

It was decided to petition congress to pass a law placing the control, manufacture and sale of imitation butter in the hands of United States internal revenue commissioners, with a view of placing a tax on each pound of butter sold, the tax to be not less than ten cents per pound.

Opposed to the Foregoing.

PITTSBURG, Feb. 18.—Representatives of twenty-two butterine and oleomargarine manufacturing establishments of the United States met here to-day and formed a national association for the purpose of protection. It is the intention to test the legality of the law recently passed in New York, Pennsylvania, and other states, prohibiting the manufacture of their product.

Watterson's Condition.

LOUISVILLE, Feb. 18.—Hon. Henry Watter had rather a bad night and is pronounced not so well this morning. His temperature has risen again to 102½, the pulse remaining about 114 to 116. Physicians express no alarm, but say they hope for a favorable change in the course of the next twenty-four hours.

Apaches Kill Eight Sheep Herders.

DENVER, Feb. 18.—Tribune-Republican Santa Fe special: Eight sheep herders on the ranch of Solomon Luna, Valencia county, New Mexico, near the Arizona line, had a fight with Apaches. All the herders were killed. The Luna brothers, with two forces mounted, have gone to the scene of the fight.

Business Failure.

CHICAGO, Ill., Feb. 18.—The Daily News' Paris (Ill.) special says: Jonathan Ogden, county treasurer of Edgar county, made an assignment to-day. Liabilities, $45,000, with assets of an equal amount.

THE HENNEPIN PEOPLE HAPPY

The More They Sound the Members, the Greater Assurances of Success.

A GREAT NATIONAL WATERWAY.

A Gentleman From Iowa Who Wants Legislation Governing Bank Directors—Morrison's Tariff Measure—Capital Notes.

The Chances for the Hennepin.

WASHINGTON, Feb. 18.—[Special Telegram.]—Representative Murphy of Iowa, and one or two other members are casting about in the house for the general drift of sentiment existing on the subject of the Hennepin canal bill, and expect by the latter part of next week to have a pretty accurate conclusion as to the probable fate of that measure when it is voted upon. Judge Murphy stated to your correspondent to-night that the opinions which had been gleaned so far were of the most encouraging character, and the friends of the projected improvement were confident of its success. "There has been a vast change of sentiment," said he, "in favor of the Hennepin canal within the past four years. In the Forty-seventh congress there were outspoken views against it. Now almost every one speaks of it in favorable terms. If there is anything in surface indications I should say the bill will be passed and at this session. The senate has for many years been favorable to the proposition. We have overcome the old objection