'fhe Coast Mail. MARSHFIELD, OREGON : Thurnday, restaurt February 26, 188

Has the Governor Power to Appoint?

The legislature having adjourned without electing a United States senawhether the state shall be represented senator only during the next six years. The constitution of the United States provides that "if vacancies happen, by resignation or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointment until the next meeting of down nearer to the level where he prop the legislature, which shall then fill erly belongs. During a brief period of such vacancies." Congress passed an act in 1866 providing that the legislature of any state chosen next preceding the expiration of the term for which any senator is elected shall elect such senator's successor. Thus it is plain that unless Goy. Moody has the power to appoint we can have no senator to succeed Slater, for the act above referred to clearly makes it the duty of the legislature chosen preceding the vacancy to elect. There seems to be but one way out of the difficulty, and that is for the governor to appoint until the next meetfill the vacancy. This vacancy will possesses the metal of which good than the same distance, the latter being that if a steamer should be found there happen on the 3d of next month, and soldiers are made. ing of the legislature, which can then the legislature having adjourned, it will certainly happen during a recess of the legislature, and in such case the power is plainly given the governor to make a temporary appointment. It is questioned whether a vacancy occurring by the expiration of a senatorial term is such a vacancy as the framers of the its service. constitution intended should be filled by Grant is entitled to the same place temporary appointment. As before quoted, the constitution says: "If vacancies happen' by resignation or other wise," etc., the executive of the state may appoint. It would seem that by the use of the words "or otherwise" in was intended to include all vacancies Grant can afford to wait; his friends that could possibly happen, and it is will take care of him while he lives ; but unreasonable to give any other condemocratic representatives cannot afstruction to those words. They mean ford to stand between him and justice that or nothing. There is nothing in in the halls of congress. the section that would indicate that the words "or otherwise" mean a vacancy by death or removal. The language used is sweeping, and is, in our opinion Why the Victor of Tel-el-Kebir Was susceptible of but one construction The governor has not only the power Gen. C. P. Stone, an American, late but it is his duty to appoint. Under the chief of staff of the Egyptian army, writact of congress above referred to, the only legislature that has the power to out some errors on the part of Gen. to us in the midst of our calamities of the startling news arrived at headquarelect is the one meeting next preceding the expiration of the senatorial term, and the only case in which the legisla-SAVS: ture is empowered to fill a vacancy is

after the governor has made a tempo rary appointment. The constitution of this state says: "When, during a recess of the legislative assembly, a vacancy shall happen in any office, the appointment of which is vested in the legislative assembly, or when at any time a ing the British forces in Egypt : vacancy shall have occurred in any

of any court, the governor shall fill snel

& Ward. Some could afford to avoid from advancing as far as Khartoum. that investigation and deceive the pub-lic mind; he could not. The motion to suspend the rules and Gordon and Col. Stewart, you should select a m pass the bill was lost; yeas 158, nays bear in mind that her majesty's gov-103-not the requisite two-thirds in the ernment is desirons to limit the sphere

WOLSELEY'S CAMPAIGN.

Sent to the Rescue of Gordon.

affirmative. The negative vote was of your operations as much as possible cast by democrats who were opposed to They rely on you, therefore, not to adtor to succeed Slater, it is questioned Gen. Grant's retirement, reinforced by vance further southward than is abso whether the governor has the power to a number of republicans who, though in jutely necessary in order to attain the fill the vacancy that will occur, or favor of the purport of the bill, were op- primary object of the expedition. posed to its form, believing it would will endeavor to place yourself in comin the upper branch of congress by one place the president under necessity of munication with Gen. Gordon and Col vetoing a measure which he strongly ap- Stewart as soon as possible." proved.

That is, in few words: "Go as far As a soldier, Grant was a grand succuss and Rosecrans was a perfect failure, and any attempt of his to dim the bring them back." luster of Grant's star only makes it shine the brighter and brings Rosecrans

and forwarded October 8, 1884. LORD WOLSELEY'S TASK.

At the date of the letter of instructhe war Rosecrans gained a reputation for good generalship through the effitions the position in the Soudan was very serious. All Kordolan was in the ciency of some of his subordinates, but it was not founded upon merit, possession of the mahdi. So was the and of course could not last. When province of Sensar; the district of Gal-Grant became lieutenant general be had the power to remove such stum- ber and Abu Hamad had recently fallen. the courage to do it. That's what's Digna in the name of the mahdi, Kharthe matter with Rosecrans now, who toum was seriously threatened, and mounted infantry as a rear guard. Gen. keep an orderly house, and that he will democrats since the war than he made friends outside the town nearer than of himself in the war. McClellan Dongola to the northwest (more than 200 No matter what Gen. Grant has done ; ish troops were at Suakim, more than

no matter what his friends have done 350 miles away to the northeast. for him, his country is still indebted to The situation in Khartoum itself him. The United States government clearly protrayed by a telegram from 24 by the desert route, Gen. Earle was has never done anything more for Gen. field officers and 18 civil functionaries. Grant than to pay him the salary that dated Augut 19, 1884, which was receiv-The was entitled to by law, and this ed in Cairo on the 20th of September, the much it is supposed to do for any one in day before the date of the "letter of in- Berber by the left." structions" to Lord Wolseley. It is as follows: "We, the military, the civilians, officer, who was to take charge of any

on the retired list of the army that he the Ulema and the inhabitants steamer which might be found at Metwould have occupied had the people not and settlers in Khartoum, submit for emneh. On the 10th of January Col the consideration of the khedive that for Burnaby left Korti with a large supply failure on the part of congress to place six months we have been unceasing in of maize to overtake Gen. Stewart at him there will be properly rebuked by our defense of the capital, of our lives Gakdul. As far as we may judge from and those of our children, and of our the meager telegrams respecting force property, day and night, till our misfor- there could hardly have been 5000 men, tunes and dangers have assumed stu- that is to say, one-half the expeditionary

pendous proportions, which threaten our corps, at Korti or within reach of Korti ruin. We are completely cut off from when the force was divided. Fully onethe outer world, and have in vain look- half must have been yet struggling up ed for reinforcements and succor from the river in the boats, occupying relay our government. We have been allow- stations. ed to delude ourselves with vain hopes

from hour to hour, while the government shows indifference and delays, was, on the spot, ready for action or dis-Weakened and reduced to extremities, patch at Korti, no considerable force ing for the Philadelphia Press, points God in His mercy sent Gordon Pacha disposable on the 20th of January, when Wolseley that will probably cost him the siege; and we should all have per- ters that the detachment of Gen. Stew his reputation as a soldier. Gen. Stone ished from hunger and been destroyed, art had been attacked at the Abu-Klea

and our fate have been like that of most wells, and in a severe action had lost The Soudan campaign of Gen. Lord of the other garrisons in the Soudan, 4 field officers, 5 line officers and 65 rank Wolseley may be said to have been in- such as Berber and Kordosan. But and file killed, 9 officers and 85 rank itiated by the British government on we, sustained by his intelligence and and file wounded out of a force of not August 26, 1884, when the following great military skill, have been preserv- exceeding 1500 men. In predicting on telegram was sent by the Marquis of ed in Khartoum up to now, nor does he the 8th of January that he expected Gen. Hartington from the war office to Lient. in the arduous task of the defense omit Stewart to leave Korti on the 8th and Gen. Sir F. Stephenson, then command- his benevolent care for the people. We arrive without difficulty at Metemneh are penniless and without resources, on the 16th, Lord Wolseley calculated

"After anxious consideration, her and our patience is exhausted. The everything well but one-that one eleother state office, or in the office of judge majesty's government have come to the government neither succors us, nor does ment of the problem was an important elusion that it is unjust to you to ask it regard God's law, nor its own politione, namely, his enemy. Gen. Stewart you to be responsible for directing an cal duties. It makes no effort to sup- arrived within one day's march of Metoperation which, after full knowledge of press anarchy or to prevent the effusion emneh on the 15th, and, had the road the plan, you consider to be impractica- of blood; nor yet does it try to mainble. They have, therefore, decided to tain its own and our honor, though we gramme, have reached his objective send Lord Wolseley to take temporarily are its people, its own subjects and core- point on the 16th. But the march of ligionists. ment highly appreciate the manner in This statement must have been read front, rear and both flanks open to at which you have carried out the imporby Lord Wolseley before his departure tack. According to the official reports tant and difficult duties of your comfrom Cairo. He hastened to Wady the gallant band was attacked front. halfa, where he arrived October 5, 1884, rear and on both flanks by a force of at mand, and earnestly hope that you may to organize his advance. Sad news met least five times its own numbers, but while Lord Wolscley is there and assist him there. Half of his prescribed work, succeeded by means of admirable pluck him with your advice. Lord Wolseley the succor of Col. Stewart, was no long- and discipline in repulsing the attack; goes out with Lord Northbrook." er possible of accomplishment, for he suffering heavy and severe losses, but The explanation of the above telegram learned that that admirable officer had inflicting also severe punishment on can be found in a dispatch dated "War perished at Meraweh about 10 days be- their rash enemies. Office, August 8, 1884, addressed to One would think that if the instruc-Lient, Gen. Stephenson by the Marquis tions given to Lord Wolseley were a and in parts is apparently contradictory. of Hartington, detailing the plan adoptstatement of the real object of the ex- According to this report, the little corps ed for the expedition up the Nile for pedition, this news of the fate of one of the relief of Gen. Gordon, which plan the two officers it was sent to save therefore, had no protection of flanking was evidently drawn up by Gen. Lord would have been a spur to rapid ad- fire; while in the accounts received of Wolseley. This plan proposed the use vance, more especially as that news was the previous march to Gakdul, it was of small boats for transportation beyond quickly followed by information that stated that the corps marched in such Wady halfa (second cataract), "such as Gordon was closely besieged in Kharwere employed in the Red river expeditoum, but the forces of the mahdi were in echelon could be formed, giving nattion." To this plan Lieut. Gen. Stephenson weakening. The ease with which Donhad replied by telegraph : "Small boats gola, 300 miles up the river, could be his duty to say he could not vote for it. proposed not suitable. Can procure reached by land was proved by Wolselarge amount water transport locally." ley himself making the distance twice is not easy to comprehend why the This curt condemnation by Lieut. on camel and back in 81/2 days. Yet force of Gen Earle should have been Grant's reputation had been exaggerated Gen. Stephenson of Lord Wolseley's the serious advance of troops and suppet idea of Canadian boats such as he plies was made to await the arrival of had used in the Red river expedition the small boats, not one of which had down to very different dimensions. He doubtless cost the lieutenant general the arrived at Dongola on the 20th of Nocommand of the Nile expedition, and vember. At that date there were 16,000 been to the interest of a great political caused the sending to Egypt of the orig- British troops in Egypt, of which number only 3000 had got beyond Wady halfa and only about one-third of these LORD WOLSELEY IN COMMAND. as far south as Dongola. This third had of Gordon's person. It is, therefore Lieut, Gen. Stephenson promptly repared the first two volumes of a life of plied to the war minister's telegram of reached that point without the aid of Grant, upon which students of history August 26: "Will willingly remain the small boats. November 23 the Egyptian telegraph was rather for the public ear, while sub-Lord Wolseley arrived in Egypt about up the Nile was leased by the British the 12th September, 1884 [the second military authorities, and since that time the telegrams forwarded have properly tional policy which led him to sacrifice been under military surveillance, so that sound military principles and take risks all information has the conservative which he would not otherwise have value of semi-official approval, while it taken, of the movements that his "letter of in- is naturally more meager in details. On the 26th of November there were 10,000 British troops south of Assouan (first cataract). On the 3d of December there were 10,000 south of Korosko. It was not until the 6th of December, Friday morning by shooting himself in by Gen. Grant which were false, which promptly accorded by telegraph, which two months after the arrival of the geninstructions were, as tar as military op- eral-in-chief at Wady halfa, that an advance was made from Dongola for the "Before you leave Cairo, her majesthat Gen. Grant was poor, that there ty's government think it desirable that This advance was made under the comoccupation of Ambukol as an outpost. was nothing between him and the poor- you should receive general instructions mand of Col. Herbert Stewart, whose house except an income from \$250,000, as to the course which you are to pursue force consisted of a portion of the 19th and it had been circulated around by his in connection with the affairs of the Hussars and 400 infantry of the Guards, family that the \$250,000 was substan- Soudan. The primary object of the ex- the latter mounted on camels. tially lost. That was not true. There pedition up the valley of the Nile is to December 13 Lord Wolseley and staff tially lost. That was not true. There pedition up the valley of the Kne is to becember is Loft in backet in the second present wound is dangerous, but not be advance under Sir Herbert Stewart becessarily fatal. by solemn act, was asked to arrest the has been secured no further offensive op- at Korti. On the 21st Gen. Stewart's Warren Truitt has been confirmed as progress of public opinion for investiga-tion in that confidence mill called Grant en. Although you are not precluded of the South Staffordshire regiment. this state.

und at Korti, and Daily areivals Bruckenburg, adof spirituous, r in this state was ernor on the

GEN. STEWART MOVES ON TO METEMNEH. On the 30th of December, while a large portion of Lord Wolseley's force was still below Dongola, Brig. Gen. Sir. H. Stewart was pushed forward from than one gallon without having first ob-You Korti on the road to Shendy, with about 1000 men, and on the 3d of January he occupied Gakdul after a march of 97 miles. There he found abundance of license to sell spirituous, malt or vinous

water, and forming intrenchments, he liquors shall pay into the treasury of as may be necessary to get Gen. Gor- left the guards there and returned to the county granting such license, the don and Col. Stewart. Get them and Korti for more men and supplies, with sum of \$300 per annum, and in the same which he marched again toward Metem-The above instructions were approved neh (opposite Shendy) on the Sth January. His force consisted of detach- a less period, for a license to sell malt ments of the following corps, and march- liquors only ; provided, taat no license ed in the following order : First, detachment 19th Hussars ; second, a detachof the Camel corps; third, the Royal Sussex regiment; fourth, a half battery license to sell spiritnous, malt or vinous Royal artillery; fifth, half of the Naval liquors, before receiving the same, shall labab; the whole of Darfour; and Ber- brigade, with a Gardner machine gun, all mounted on camels; sixth; a detachbling blocks as Rosecrans, and he had Nearly all Nubia was ruled by Osman ment of the Essex regiment; then the sufficient sureties, to be approved by Field hospital, and last a detachment of

has been made a greater hero by the Gordon and Stewart there had no Lord Wolseley, in reporting the departure, telegraphed that he hoped Gen. Stewart would occupy Metemneh withis in the same boat. Neither one miles) and Kassala to the east, more out difficulty on the 16th of January, and be opened, his place of business, for the Gen. Gordon without delay.

THE FIGHT.

that he will not give, sell or supply spir-While Gen. Stewart was thus ituous, malt or vinous liquors to minors spatched toward the Nile at Metemneh or habitual drunkards, nor to any person at the time in a drunken or intoxisent up the river to Hamdal, there to cated condition ; and in case of a violaconcentrate a force for operating toward tion of the foregoing conditions by any Abou Hamad with a view to turning person giving such bond, he shall be liable to pay a fine of not less than \$50

nor more than \$200 for any such violation, to be recovered in a civil action, as hereinaiter prescribed, and the bond so given as aforesaid by such person shall also be liable to be prosecuted, as hereinafter prescribed, for any violation of its conditions. Sec. 4. Any person wishing to sell

The following act to regu

effect in 90 days from that date :

It and

approve

Section:1, No person shall be permi

tained a license from the county court

Sec. 2, Every person obtaining a

proportion for a less period; or \$200 per

annum, and in the same proportion for

shall be granted for a less period than

Sec. 3. Every person applying for a

execute to such county a bond, in the

penal sum of \$1000, with two or more

such court, conditioned that he will

not permit any unlawful gaming or no-

torious conduct in or about his house,

six months.

of the proper county for that purpose.

sell spirituens, malt or vinous

spirituous, malt or vinous liquors, before obtaining a license, as hereinafter provided, shall at his own trouble and expense obtain the eignatures of an actual majority of the whole number of legal voters of the precinct in which he may wish to sell spirituous, malt or vinous liquors to a petition to said county court praying that said license be grant-As far as we are able to see, there ed; and no applicant shall be deemed to have a majority of the legal voters of voters of such precinct equal to a magreater than the whole number of names upright manner that will build up a per of legal voters of such precinct which manent business strengthens my hoper may be signed to any remonstrance to receive your patronage in the future.

against the granting of any such license. Sec. 5. When the signatures of an spare no pains to please you by strict actual majority of the whole number of attention. In solicitation of your valued legal voters have been obtained, to be favors, please give me a call. Yours re determined as provided in the preceding spectfully, F. P. Nouron, section, the applicant shall at his own

expense cause the said petition to be published for four consecutive weeks in



and that he will not open, or permit to purpose of traffic, on the first day of the week, commonly called Sunday, and

vacancy by appointment, which shall expire when a successor shall have been elected and qualified." The appointment of a United States senator rests primarily in the legislature, and the section just quoted says the governor shall the chief command in Egypt. Governfill such vacancy by appointment. The legislature, by failing to elect, has made it the duty of the governor to make the appointment, and we fail to see wherein he lacks the power to perform such feel yourself able to remain in Egypt duty. The laws were not framed with a view to depriving any state of its just representation in congress, and when such a construction can be placed upon them as to secure that representation and it be not in conflict with other sec tions, it seems to us that that construct tion is the correct one, and it is cer-tainly just.

Rosecrans After Grant.

When a motion was made in the house of representatives last week to suspend the rules and pass the senate bill for the retirement of Gen. Grant, Rosecrans said he regarded the bill as a plain proposition to reward Gen. Grant for dis-

tinguished military services, and it was It was not his intention to recount historical reasons why he thought Gen. and misrepresented, and when history came to be written it would be pared did not propose to go into that. It had party to make Gen. Grant's service ap- inator of the plan himself. pear as large as possible, for he was

their servant. Grant himself had prehad placed the stamp of untrustworthihere, as you wish."

ness. The public had been told that Gen. Rosecrans would not vote for the Gen. Grant bill because of personal ill anniversary of his victory at Tel-el-Kewill. He did not think any of his col- bir], and immediately assumed comleagues would believe that he was cap- mand of all operations concerning the able of descending to the depth of being expedition. So fully was he left master governed in public duty by personal dislikes. He did not oppose the passage structions" was drawn up in Cairo by of this bill on account of any of these himself in consultation with Lord Norththings, to which he had alluded, or brook and Sir Evelyn Baring, and the other things to which he had not allud- draft telegraphed to the war office in ed, namely, statements made officially London for an approval, which was Gen. Grant knew to be false, and which he (Rosecrans) had stated in his official erations were concerned, as follows : reports to be false. It had been said

been clear, would, according to the prohis column was "in the air," leaving

The official report we have received through the telegraph is not very clear was formed in a single square and, order that at any moment three squares ural protection by flanking fire. If the simple recovery of Gen. Gordon

sent off in such haste toward Abou Hamad before the success of the movement in the direction of Khartoum was an established fact and before a proper supporting force of the main column had arrived at the new base of operations. Officially the objective point was Khartoum and the primary object the safety quite possible that the published letter

of instructions given to Lord Wolseley another nature, covering matters of na-

Isaac L. Lang, under indictment on a charge of defalcation while secretary of the order of Chosen Friends, attempted to commit suicide at San Francisco last the breast, a few inches below the heart. He has been guarded in his house, where he has been lying dangerously ill, by deputy sheriffs, as he was unable to give \$5000 bail. Sheriff Hopkins had decided to remove Lang to the county iail, where a bed would be fixed up for him. This decision is believed to have prompted Lang to the rash act. When

Rgs.

any daily or weekly newspaper published in such county, together with notice of the day upon which he will apply to the county court for such license to sell spirituous, malt or vinous liquors; provided, that if there be no daily or weekly newspaper published in such county, then the petition, signatures and notice herein specified shall be plainly written and posted in three of the most public places in such precinct. and proof of such posting shall be made by the affidavit of one of the petitioners and two resident householders of the precinct. Sec. 6. On the applicant producing to

the county court the receipt of the county treasurer for the payment of the sum hereinbefore prescribed and proof of compliance with all of the preceding provisions of this act the county court shall give him a license of the character and for the term his receipt may call for. Sec. 7. It is hereby made the duty of the prosecuting attorney, sheriffs, constables and justices of the peace, knowing of any violations of the provisions of this act, to make complaint to the grand jury at the next term of the circuit court of the county in which the offense has was the real object of the campaign, it been committed, after said violation; and the moneys collected on such judgment, except taxable to costs, shall be paid to the treasurer of the proper county, for the use of the common schools therein. It shall also be the duty of the county clerk to prosecute the bond given by such applicant, under the provisions of this act, for any violations of its conditions.

Sec. 8. Every county clerk shall, on the first day of the term of each circuit court, deliver to the grand jury an accurate list of all persons holding license under the provisions of this act within sequent instructions may have been of the county, which list shall show the date and time of expiration of each license

Sec. 9. It shall be the duty of the grand jury at each and every term of the circuit court in any county of this state to make a strict inquiry and return bills of indictment against every person violating any of the provisions of this Sec. 10. Title 1 of chapter 31 of the

miscellaneous laws of Oregon and all other acts and parts of acts luconsistent with this act are hereby repealed.

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invited to call upon me and inspect the "Wh pronas," the newest, neatest and most durat substance of which they are now manufacture fera FRED SCHETTER, Empire City, 136 014 4 50 50 cts each

NOTICE IS HEREBY GIVEN THAT my wife, Lina THELIN, has left my bed my w board all p without my knowledge or i mons are hereby cautioned in trusting her on my accou o debts contracted by her a my no debts contracted by her after this JOHN THELIN. way, Coos county, Or., January 27, 1885.