

HOUSE OF REPRESENTATIVES.

MR. HEWITT AND THE POST OFFICE.

MR. PLATT, of New-York, offered a resolution, reciting that Abram S. Hewitt has asserted on this floor, in a speech, that his letters passing through the Post Office at New-York have been illegally opened before delivery, and while in charge of the Postal officers or employes of the United States, and providing for a committee of five to investigate such charge, and whether the same be true or false, and by whom, if by any person, said criminal acts were committed. In connection with it, he sent to the Clerk's desk and had read a telegram received to-day from Postmaster James, at New-York, pronouncing Mr. Hewitt's accusation utterly and absolutely false, and requesting an investigation.

MR. HEWITT objected to the preamble, as suggesting language which he had not used, and asked that his actual language be quoted.

MR. PLATT modified the preamble accordingly, quoting in it the following sentence from Mr. Hewitt's remarks yesterday: "I wish to say that during the last month my attention has been called to my own letters passing through the New-York Post Office, and according to the best judgment I can form, and the best judgment of gentlemen I have submitted my letters to, they are apparently not infrequently opened in the Post Office, and reclosed by the use of muckilage, which is so effected that the steam used is shown on the envelope, which has a puckered appearance."

MR. HEWITT proceeded to state the circumstance under which he made the charge. He said about a month ago he received an anonymous letter stating that the writer was an employe in the New-York Post Office, and that he felt bound to communicate the fact that "Slade's little Kettle" was at work on his letters. The only attention which he had felt called upon to pay to this communication was to observe closely the letters which he received. He had found that a considerable number presented an appearance of having been opened—the flaps of the envelopes presenting a puckered or corrugated appearance. He called the attention of gentlemen in his office to the fact, and they had been able to pick out two classes of letters, those which had been apparently opened and those that had not been. When he had come to Washington he was struck with the fact that letters received from Boston, Chicago, and other points had a perfectly smooth surface on the flap of the envelope, while frequently letters from New-York presented that corrugated appearance. He had happened to show to Mr. Parke Godwin, a friend of the Postmaster, one of these envelopes and asked, him if it had not been opened. Mr. Godwin looked at it, and said that it looked so: He had then asked Mr. Godwin to show Mr. James—in whose integrity he [Mr. Hewitt] had entire confidence, and whose valuable services should be retained through all mutations in politics—and to mention the matter to him. He [Mr. Hewitt] wished the House to understand that he did not think Mr. James would be or could be a party to any tampering with letters. He had shown two letters one morning to the gentleman from Maine, [Mr. Hale,] and had pointed out the corrugated appearance of the envelopes, and Mr. Hale had told him that he ought to call the attention of the House to the matter if he thought his letters were tampered with. But it would be readily seen that it would be hardly possible to bring forward any other evidence than the fact that the letters had this appearance. He had, therefore, not stated it as a fact, nor did he now state it as a fact, but he had that suspicion which amounted to a belief that his letters had been opened, and he had acted on that belief by sending by express special letters, and requesting gentlemen who had such special letters to forward them by express. It may be that in doing so he was taking unnecessary precaution. It might be that his eyes deceived him, or it might be that a committee of investigation would be able to get at facts of which he had no knowledge. He had no objection, of course, to a committee of investigation, but he thought it probable that no good would come of it, and that no important facts would be discovered. Hence, he had not been willing to put the country to the expense of an investigation: but if it was the wish of the House or of the gentleman on the other side to have one, he should cheerfully assent. Unfortunately he had thrown in the wastebasket the anonymous letter, as he did all anonymous letters—he received from ten to twenty a week. Therefore its handwriting could not be identified. So too with the envelopes; they had been thrown away, and it was a remarkable fact that none of the letters received by him to-day presented any appearance of having been tampered with.

MR. KASSON, of Iowa, said he had favored the introduction of the resolution not merely because it concerned the administration of an officer of the highest reputation, but especially because the public confidence in the Post Office Department should not be destroyed without cause. During his own connection with that department at the opening of the late war, so sacred was the rule of inviolability of correspondence that, although repeated representations were made by local Postmasters as to the importance of ascertaining hostile proceedings through letters deposited in the Post Office, an order was issued from the department prohibiting the tampering in any way with such letters. The only alternative to the investigation suggested was that the Postmaster General should make it. But that official had not the power which the House had to make a thorough investigation. He might send special agents, but the power to summon witnesses and to take testimony did not exist in him as it did in a committee of the House. Unless therefore, the gentleman [Mr. Hewitt] would satisfy the public mind by stating that he had no sufficient ground for his charge, he did not see that the House could withhold its assent to the resolution.

MR. HALE said it was very clear to him that this was a matter which the House should not let drop. The inviolability of the Post Office Department was a thing that should be maintained and upheld by every power of the Government. It was all the more important now that that department should be undisturbed and un molested, since yesterday the House had taken from another branch of communication between man and man all that it had ever had of inviolability. The Post Office still remains, and the House could do nothing better in the exercise of its highest power than to ferret and probe such a matter to the bottom. Let the investigation be made most searching and complete, and let the House know whether there had been any interference with the correspondence of any gentleman, especially of the gentleman from

New-York, [Mr. Hewitt,] who held a foremost place in one of the political parties of the country.

THE WESTERN UNION TELEGRAPH CASE.

THE SPEAKER laid before the House a telegraphic communication from W. R. Morrison, Chairman of the Louisiana Investigating Committee, transmitting a record of the proceedings before the committee in the case of E. W. Barnes, Manager of the Western Union Telegraph Company at New-Orleans, who refused to obey the subpoena *duces tecum*, and produce the telegrams which he had been ordered to bring with him. The order of the committee was that the Chairman should communicate to the House for its information the refusal of Barnes to produce the telegrams.

The reading of the papers having been concluded Mr. GARFIELD, of Ohio, called attention to the fact that the report did not bear the signature of Mr. MORRISON, but was in the handwriting of the telegraph operator.

MR. KNOTT, of Kentucky, then offered a resolution directing the Speaker to issue a warrant for the arrest and bringing to the bar of the House without delay E. W. Barnes, to answer for a contempt of the authority of the House and a breach of its privileges in refusing to produce the telegraphic dispatches, that he may be dealt with as the law under the facts may require.

Further objection was made to taking action on a telegraphic communication as if it were an official report, but the Speaker overruled it.

MR. KNOTT moved the previous question on his resolution, and refused to accede to Mr. Garfield's request to allow some time for discussion.

When the vote came to be taken on seconding the previous question, the Republicans resorted to the plan of withholding their votes, so that there should be no quorum voting.

Again Mr. GARFIELD suggested that some time should be allowed for discussion, but Mr. Knott's reply to it was a motion for a call of the House.

The first roll-call showed the presence of 196 members.

MR. WOOD, of New-York, then rose and said that his side of the House had no disposition to prevent discussion, and he suggested that the previous question should be considered seconded, and that the hour to which Mr. Knott would then be entitled should be divided equally between both sides of the House.

MR. GARFIELD—That is all we have been insisting on.

The suggestion was agreed to.

MR. KASSON, of Iowa, then submitted in writing a point of order that the report being without verifications and in the hand-writing of telegraph operators, presented no legal parliamentary ground for adopting an order of arrest of an American citizen.

THE SPEAKER overruled the point of order, and stated that the report came to him through the usual channel of telegraphic communication. It was for the House, however, not for the Chair, to determine as to the arrest of a recalcitrant witness.

MR. GARFIELD, of Ohio, declared that there was on his side of the House no purpose or willingness to resist any thorough and complete investigation touching the late election; the deeper that subject was gone into the more he should be pleased, for he had looked far enough into the question in Louisiana to know that an honest and thorough investigation would be valuable to the cause of truth. He thought, however, that the question before the House should be referred to the Judiciary Committee, and careful inquiry made whether the paper read could be properly and rightfully treated as an authentic report of a committee. He also begged the House to look at the other side of the question, and imagine a committee calling for the telegraphic correspondence of the Democratic magnates of the country for the last nine months. If the telegrams of seven citizens could be called for, why, he asked, should not those of 700; and if 700, why not those of all of the adult population of America. It was, he said, a naked, foundationless demand, made without proof of the existence of the dispatches called for.

MR. MCCREARY, of Iowa, said he would take for granted that the telegraphic communication was genuine, and he would not question it. He desired to meet fairly and squarely the other important question: whether telegraph companies can be required to produce the correspondence of citizens, without the committee having before it any testimony that any dispatches material to the inquiry are in the hands of the telegraph company? If an affirmative decision on that question was made by the House, there was no sacredness for any private papers, and the provision of the Constitution which declares that citizens shall be secure against unreasonable searches would be rendered nugatory.

MR. WOOD, of New-York, expressed his regret that the whole question was not under some statutory regulation, for he was opposed to either legislation or Congressional action as a mere matter of expediency to meet a particular emergency. He believed there should be general laws on the subject passed at a time when there was no public excitement like the present. He differed, however, with the gentleman as to the sacred character of telegraphic correspondence. Letters passing through the mails were known only to the writer and the receiver, but it was not so with telegraphic dispatches, which were not only known to the writer and receiver, but to the operator at each end of the line. Telegraphic dispatches had lost all privacy and secrecy, so much so that all important communications in commerce and trade were conducted in cipher. He believed, however, that it would be very difficult to trace in any political dispatches anything to criminate any body. He, therefore, did not take the position which he did because of any belief that the committee could procure anything of substantial importance from the telegraph offices; but if the House would carry out the rule adopted by it yesterday, this recalcitrant witness would have to be brought before the House to answer for contempt.

MR. HOAR, of Massachusetts, suggested that inasmuch as Mr. Orton had expressed his willingness to be governed by the order of the House, a peremptory order of arrest should not be issued until this witness had an opportunity to go again before the committee and say that, after the adoption of the resolution yesterday, he is willing to obey the order of the committee.

MR. WOOD replied that there was no difficulty about that, because if the witness should now obey the order of the committee the warrant of arrest would not be executed.

MR. KASSON, of Iowa, concurred with Mr. Garfield in the belief that it would be better to ask the Judiciary Committee to examine the report and ascertain whether there was any legal ground for the issue of a warrant of arrest. The House could not be too careful in the business of arresting citizens. He thought that all the members of the House would feel better if the Judiciary Committee would make a more careful examination of the subject.

MR. KNOTT, of Kentucky, fortified the position taken by the House yesterday in declaring that telegraphic communications were no more privileged than oral or other communications, and quoted a decision made by the Supreme Court of Pennsylvania sustaining that idea. That decision he said should dispel forever the spurious and new sentiment that there was something about a telegraphic dispatch which made it more sacred than the holy name of the deity, which formerly could only be pronounced once a year, and that by the High Priest in the sanctum sanctorum of the Temple. The order of the Superintendent of the company to this manager not to produce the dispatches did not excuse him. Who had made the Superintendent his master? Who had given the Superintendent the right to abrogate the law of the land? So far from that prohibition being binding on the witness, it only rendered the Superintendent himself liable to be arrested and brought up for contempt of the privileges of the House.

The vote was then taken, and the resolution adopted without a division.

THE LATE SENATOR CAPERTON.

THE SPEAKER then laid before the House the action of the Senate in regard to the death of late Senator Caperton, of West Virginia, when remarks appropriate to the occasion were made by Messrs. HEREFORD, FAULKNER, and WILSON, of West Virginia; GOODE and LUCKER, of Virginia; KASSON, of Iowa; and HARDENBERGH, of New-Jersey.

The customary resolutions were adopted, and the House at 5:30 P. M. adjourned.