NEW ORLEANS REPUBLICAN.

NGLE COPIES: TEN CENTS. OFFICIAL ORGAN OF THE REPUBLICAN PARTY OF LOUISIANA. TERMS: $16 00 PER ANNUM.

VOLUME II—NO. 127. NEW ORLEANS, FRIDAY MORNING, SEPTEMBER 4, 1868. WHOLE NUMBER 437.

Y TELEGRAPH.

Associated Press Dispatches.

FROM WASHINGTON

he Case of Commissioner Rollins

ebel Insurrection in Arkansas.

HE ORIGIN OF THE DIFFICULTY.

TION OF THE GEORGIA LEGISLATURE.

LORED MEMBERS DECLARED INELIGIBLE

portant from Mexico and Havana.

ATEST NEWS FROM EUROPE.

NTERESTING MISCELLANEOUS NEWS.

ARKETS, RIVER NEWS, ETC.

WASHINGTON.

inkley's Affdavit Against Rollins—Rollins Disinclined to go to New York, and Binkley does not Press it.

WASHINGTON, September 3.—Revenue Sotor Binkley's affidavit says:

"Deponent is informed and believes that id E. A. Rollins, he being then and re Commissioner of Internal Revenue, d the said Thomas Ha'an'l, he being n and there Deputy Commissioner of Inal Revenue, and the said Thomas E. ith, he being then and there Collector of ternal Revenue, with divers other officers the United States, and other persons to ponent unknown, did combine and conre for the purpose of procuring themves to be bribed in their said offices, and the purpose of levying black mail upon sons engaged in the business of distilling d rectifying spirits."

No further developments here to-day. he investigation progresses in New York. Internal revenue receipts to-day, $800,000. Rollins is still here with no intention of ing present at New York. The District ttorney will prosecute the case. Binckly structed the deputy marshal who holds the arrant to make no arrests at present.

LITTLE ROCK, ARK.

he Rebel Insurrection—Origin of the Difficulty—Quiet Restored.

[Special Dispatch to the Missouri Democrat.]

LITTLE ROCK, August 31.—Governor Clayn has returned from Lewisburg. The nsurrection is quieted. The court is reinsted, and trials have been resumed.

The difficulty commenced by the rebels eaking up the court with an armed force, d at the same time disarming Union men. he latter soon collected, and, one hundred strong, took position in a cotton field, and pped three hundred rebels. Several rebels were shot, and some are missing.

Governor Clayton on arriving addressed e insurgents, ordering them to disperse, hereupon while the Sheriff arriving with a posse ree hundred strong, quiet was restored.

GEORGIA.

wo Sessions Daily of the Legislature—A Colored Member Defends His Eligibility, and Carries the War into Democratic Ranks—Colored Men Declared Ineligible by a Vote of 80 to 23, and are No Longer Members of the House.

ATLANTA, September 3.—Yesterday the ouse passed a resolution to hold two essions daily during the eligibility disussion. This morning — Turner, negro, ose. He held the floor during the morn session. Maintaining that he was enled to his seat: he did not ask it through ourtesy, and he would not cringe or beg t. There was no parellel in history for the roposed action: never before was man arraigned before a Legislative body for an offense committed by God himself. He did not know until within the past three weeks he imbecility of the Anglo-Saxon race.

This momentous question could not be settled in a day, but would be handed down to coming generations as long as the sun continues to rise and set. Who first took up reconstruction under Congress? was the brawny black man—this is our legislature. The great question is, am I a man? If so, I claim the rights of man. Democratic principles will never find their level till they find them in the negroes of Pluto and Proserpine. Democratic leaders advised the people to remain away from the polls—blame them for negroes holding seats on this floor. Every State was reconstructed under the act that no discrimination be made on account of color, race or previous condition.

If every scalawag carpet-bagger rides into power on the backs of black men, ask Congress to take away the ballot; submit the question to Congress or the Convention which made it: I will abide their decision. The Constitution of the United States does not recognize a God; his name is not in it. This measure is carried I will call a convention of my people and send for carpetbaggers, scalawags, Yankees, any body, for the Legislature, except Georgians. You may drive us out of this house, but you will, in doing so, light a torch never to be put out. You will make us your foes, and we will do all we can to poison our race against the Democracy. This thing means revolution. Look out, carpet-baggers, when we do they will turn you out, impeach Bullock and upset the constitution.

In the afternoon session several members participated. On the vote being taken, the negroes were declared ineligible by a vote of eighty to twenty-three, which unseats twenty-five negroes. Four remain, claiming to be white men. Their cases will be investigated. Turner walked out and brushed the dust from his feet. The other negroes bowed to the Speaker and waved their hats to the white members.

There has been heavy rains for the past two days.

HAVANA.

Peace Probable in Venezuela—Battle at Cape Haytien and Repulse of Rebels—Drought at Ponce and St. Thomas.

HAVANA, September 3.—General Burzual, who was wounded at Puerto Caballo, died at Duracos.

A speedy peace is probable in Venezuela.

A battle was fought at Cape Haytien in which the rebels were repulsed, losing one hundred and many killed and wounded.

It is reported that Salnave had stormed Miragoone.

Porto Rico advices report a drought at Ponce, and it is feared that the new crop will be lost.

St. Thomas is reported suffering from the same cause.

MEXICO.

Interesting Details via San Francisco—Alarm about Fillbusters—Destruction of Juarez Government Determined on by Santa Anna and Others.

SAN FRANCISCO, September 3.—Mazatlan advices have been received. General Patoni had been ordered by General Canto to report to headquarters, at Durango. Patoni disobeyed, and was assassinated by Canto's staff. The event had caused much feeling against General Canto. General Corrona ordered General Gueron to take command at Durango, and to arrest the officers implicated in the assassination, including Canto. It is feared Canto will pronounce against Corrona and the general government rather than submit.

Much alarm is felt about filibusters. Santa Anna, Lazeda and Marquez understand each others movements, and are determined to destroy the Juarez government. Lazeda has immense stores of corn and war materials, and it is believed the government dare not attack him.

Several silver mines have stopped on account of the heavy export duty.

FOREIGN.

The London Times on the Chinese Treaty and its Advantages to the United States—A Bishop Sent to Siberia from Russia—Italian Government Increasing its Military Posts—Unsuccessful Attempt to Launch.

LONDON, September 3.—The *Times* has a long criticism on the Chinese treaty, terming it a retrograde and exclusive measure calculated to stop progress in China and put a monopoly of advantages there into the hands of the United States.

ST. PETERSBURG, September 3.—Bishop Platzk, for refusing to send a delegate to the Catholic Synod, which is about convening under the Emperor's direction, has been sent to Siberia.

PARIS, September 3.—The Emperor has gone to Chalons.

BERLIN, September 3.—Recruiting for the Prussian army has been postponed for three months.

FLORENCE, September 3.—The Italian Government is increasing its military posts on the Papal frontier.

LONDON, September 3.—An unsuccessful attempt was made to launch the Bermuda from the dry dock on the Thames yesterday. Except the Great Eastern, the Bermuda is the largest floating structure in the world.

MISCELLANEOUS.

Massachusetts Democrats Rampant—Job Printers not Liable to Manufacturer's Tax—Discussion in South Carolina on the Discriminating Bill—The New York Democratic Resolutions.

BOSTON, September 3.—Resolutions adopted by the Democratic Convention demand a return to the limitation requirements of the constitution, denounces Congress for usurpation and characterize the reconstruction acts as preposterous, contemptible, dangerous, unconstitutional, and revolutionary.

An official letter from Washington states that unless a job printer produces a work which is sold by himself or by others on his account, he is not liable to the manufacturer's tax.

COLUMBIA, S. C., September 2.—A angry discussion of the discrimination bill occurred in the Senate to-day. The negroes insist on the right to enter hotels, etc.

MOBILE, September 3.—It has been raining since yesterday morning.

ALBANY, September 3.—The convention resolutions reaffirm the National Democratic platform; demand immediate restoration of all the States to their rights in the Union; amnesty for all past political offenses; franchise to be regulated by the people of the States, without Federal interference; payment of public obligations in strict accordance with the times—in gold only when gold is nominated in the bonds—in lawful money of the country when gold is not specified; equal taxation of every species of property, including bonds; reduction of the standing army and navy; abolition of the Freedmen's Bureau, and all political instrumentalities designed to secure negro supremacy; equal rights for naturalized and native citizens; and encouragement of the people struggling for national integrity and constitutional liberty.

ST. LOUIS, September 3.—The first bale of new cotton received here to-day, and sold for 55c.

NEW YORK, September 3.—Examination of the internal revenue officials has been postponed till to-morrow.

River Intelligence.

SOUTHWEST PASS, September 3—11 A. M.—Barometer 29.80; wind northwest and fresh. Weather stormy. No arrivals. No departures.

6 P. M.—Barometer 29.75. Weather calm.

LOUISVILLE, September 3.—Weather clear and warm. River falling with three and a half feet water in the canal.

ST. LOUIS, September 3.—River navigable to Cairo.

VICKSBURG, September 3.—Passed down R. E. Lee at 6 P. M. River falling.

MARKETS.

Domestic Markets.

NEW YORK, September 3.—Cotton less active and a shade lower. Sales 930 bales: middling 30@30¼. Flour—spring steady; winter dull at noon's, decline. Wheat quiet. Corn lower. Lard, kettle rendered, 19¼@19½. Provisions unchanged. Whisky heavy in bond at 65c. Rice dull—Carolina 9¼@10¼. Others groceries quiet and steady. Turpentine quiet at 44c. Rosin steady—strained common at 85 80. Tallow firm at 12½@13c. Freights quiet and unchanged.

Money easy at 3@4. Gold closed heavy at 143¼. Sterling firmer, 109¼. Southern bonds firm.

5-20s of 1862 113¼; of 1864 109½; of 1865 111¼; new issue 108¾; of 1867 108¼; 10 40s, 105.

IMPORTANT FROM GEORGIA.

Expulsion of Colored Men from the Legislature.

Our dispatches this morning brings us astounding news from the Georgia House of Representatives. By a vote of eighty to twenty-three "the negroes were declared ineligible." Thereupon twenty-five colored members were unseated. An eloquent and earnest appeal was made by Mr. Turner to the Democrats against the injustice of the proceeding, but without avail. What will be the final result of this action it is difficult to surmise, but that it will have a damaging effect on the tranquility of the State there can be no doubt.

The Empire Grant Club.

By a notice which is published in our political column it will be seen that a meeting of this club will be held at Mechanics' Institute this evening, at half-past seven o'clock. An invitation to attend and unite with the organization is extended to all voters who are favorable to the election of Grant and Colfax.

The city finances of New Orleans are not much worse than of Shreveport, as the following from the *Gazette* indicates:

The Controller will be prepared to bond the Shreveport change notes and script on and after Wednesday next. Eight per cent per annum interest will be paid semi-annually in United States currency, and a premium of ten per cent will be paid on all money bonded. The wharfage fund has been reserved for meeting the interest accruing on these bonds. This is a good investment, as the money can be bought at sixty cents on the dollar, and is uncurrent. The city is perfectly solvent, as her entire indebtedness does not amount to $50,000.

The Tecumseh (Mich.) *Record*, heretofore neutral, is out for Grant. Recruits are coming in battalions.

LOUISIANA GENERAL ASSEMBLY.

METROPOLITAN DISTRICT POLICE BILL.

Senate Non-Concurs in House Amendments.

Million City Loan Bill Passed the House.

Registration Bill Reconsidered and Amended.

SENATE.

Fifty-Seventh Day's Session,

THURSDAY, September 3, 1868.

The Senate was called to order by the President at twelve o'clock M.

The roll was called; the following members present:

Anderson, Bacon, Blackman, Braughn, Campbell, Coupland, Darrall, Day, Egan, François, Kelso, Lewis, Monette, O'Hara, Pinchback, Packard, Pollard, Ray, Smith, Thompson, Todd, Whitney, Wilcox, Williams, and Wittgenstein—25.

Prayer by the Chaplain, Rev. Mr. Turner.

On motion of Mr. Ray the reading of the minutes was dispensed with.

REPORTS OF STANDING COMMITTEES.

Mr. Ray, from the Judiciary Committee, reported as follows:

Substitute for an act to amend and reenact the sixteenth section of an act entitled "an act relative to criminal proceedings," approved March 14, 1855, and providing the manner of drawing for jurors in criminal cases.

Favorably upon Senate bill No. 187, an act defining more particularly the duties of Sheriffs, Coroners, Constables and Clerks of Courts, and providing penalties for their failure to perform their duties and for contempt of Court, and the powers of Judges over such officers.

Favorably upon Senate bill 180, an act further defining the jurisdiction of the Parish Courts in succession cases.

Favorably upon Senate bill No. 183, an act relative to the expenses of criminal prosecutions.

Favorably upon Senate bill No. 60, an act to amend and re-enact article 354 of the Code of Practice.

Mr. Darrall, from the Committee on Enrollment, reported as duly enrolled:

Senate bill No. 160, an act to exempt parties from giving security in certain injunction cases.

Senate bill No. 158, an act making an appropriation to carry into effect the first, second and third sections of an act entitled an act to provide for the more effectual assessment of lands belonging to non-residents.

Senate bill No. 156, an act to amend and re-enact the forty-eighth section of an act entitled an act relative to criminal proceedings.

At his own request, Mr. Braughn was relieved from duty on the Election Committee.

Several committees reported progress.

Mr. Pinchback arose to a question of privilege and personal explanation, and spoke at length in relation to the imputations made against him by the press of New Orleans.

A message from the Governor was received.

Mr. O'Hara: I ask for a suspension of the rules to introduce a bill.

Rules suspended.

An act for the relief of Mrs. Young Burke was read.

Mr. O'Hara: I ask for a suspension of the rules to put the bill on its second reading.

Mr. Smith: I second the motion and call for the yeas and nays.

The yeas and nays were ordered, resulting:

Yeas: Anderson, Bacon, Braughn, Campbell, Day, François, Kelso, Lewis, Monette, O'Hara, Packard, Pinchback, Poindexter, Pollard, Ray, Smith—16.

Nays: Blackman, Whitney, Wilcox—3.

The rules were suspended and the bill read.

Under a suspension of the rules the bill was read a third time, and finally adopted with its title.

BILLS ACCORDING TO PREVIOUS NOTICE.

By Mr. Campbell: An act relative to and requiring the inspection of beef and pork, was read twice under a suspension of the rules.

Mr. Campbell: I move that the bill be referred to a committee of the city delegation.

Mr. Bacon: I ask a suspension of the rules to introduce a memorial from merchants of the city of New Orleans, protesting against the above bill.

Rules suspended, and the memorial received and referred to a committee of the city delegation.

Mr. Todd: I ask for a suspension of the rules to introduce a bill.

Rules suspended.

An act to authorize the collection of back taxes in the city of Carrollton, read twice, under a suspension of the rules, and referred to the Committee on Judiciary.

BILLS ON FIRST READING.

House bill No. 105, an act to provide means for the relief of the Treasury of the State was taken up.

Read twice under a suspension of the rules and referred to the Finance Committee.

House bill No. 111, an act levying a special tax to provide for the payment of the past due interest on the bonds of the State, outstanding warrants, certificates of indebtedness and convention warrants, was taken up:

Read twice under a suspension of the rules and referred to the Committee on Finance.

Senate bill No. 70, substitute by Joint Committee of Senate and House of Representatives, an act to establish a Metropolitan Police District, and to provide for the government thereof.

Returned from House with the following amendments:

HOUSE AMENDMENTS TO POLICE BILL.

Section two—Fifteenth line, strike out "inspectors," and insert "police surgeons."

Section five—Fifth and sixth lines, strike out "three inspectors," and insert "two police surgeons."

Section seven—Fourth line, strike out "inspectors." and insert "police surgeons."

Section ten—Eighth line, after the word "officers," insert "subject to approval by the Auditor of Public Accounts and Treasurer of the State."

Section eleven—Strike out all after the word "follows," fourth line, to "Captain," sixth line.

Section fourteen—Strike out the entire section.

Section sixteen—Strike out the entire section.

Section twenty-eight—Third line, after the word "Court," insert the "First District Court of Orleans."

Section thirty-five—Strike all from word "premises," thirty-third line, to the end of the section.

Section thirty-seven—Thirty-third line, strike out "Controller," and insert "Treasurer."

Section forty-nine—Sixteenth line, strike out the words "of the State."

Section fifty-two—Ninth line, strike out $3500, and insert $2500.

Tenth line, strike out $3500, and insert $2500.

Twelfth line, strike out $4500, and insert $3000.

Thirteenth line, strike out $2500, and insert $2000.

Fourteenth line, strike out $2000 and insert $1600.

Fifteenth line, strike out $1800, and insert $1200.

Sixteenth line, strike out $1800, and insert $1200.

Seventeenth line, strike out "Inspectors," and insert "Police Surgeons." Strike out "$2000," and insert "1600."

Eighteenth line, strike out "$2000," and insert "$1800."

Section fifty-four—Eighteenth line, after word "fire," insert "alarm."

Section fifty-five—Fifth line, after word "of," insert "fire alarm and."

After the second word "and," insert "a Superintendent of Fire Alarm and Police Telegraph shall appoint three telegraph operators, one lineman, one batteryman, subject, in all cases, to the approval of the Board of Commissioners."

Section fifty-six—Fifth line, after word "of," insert "fire alarm and."

Eighth line, after word "of," insert "fire alarm and."

Tenth line, strike out "$1200," and insert "$1400."

Tenth line, after word "annum," insert "lineman $1800, batteryman $800."

Section fifty-seven—Strike out the entire section, and insert, "Be it enacted, etc., That there shall be appointed by the Board of Police Commissioners two Surgeons, who shall perform the duty now performed by the City Physicians, and such other duties as the Commissioners may from time to time prescribe. The Police Surgeons shall also act as experts for the Coroners, making post mortem examinations whenever called upon by the Coroners of the districts. The salary of these Surgeons shall be $2500 per annum."

Section fifty-eight, substituted for section fifty-nine.

Section fifty-nine, substituted for section fifty-eight.

House amendments to sections two, five, seven, ten, eleven, sixteen, thirty-five, thirty-seven, forty-nine, fifty-two, and fifty-four, were concurred in.

The amendment included in lines one and two of section fifty-five were concurred in.

The amendments to sections fifty-six, fifty-seven, fifty-eight, and fifty-nine were concurred in.

The Senate refused to concur as follows:

In the House amendments to sections fourteen and twenty-eight.

The Senate also refused to concur in House amendment to section fifty-five, from the commencement of line three to line ten.

Mr. Campbell: I move that the action of the House be reported immediately to that body.

Adopted.

A message from the Governor was received.

House bill No. 25, an act providing a remedy against usurpation, intrusion into, or the unlawful holding or exercising of public office or franchise in the State, was read.

Mr. Ray: I ask for a suspension of the rules to put the bill on its second reading.

Rules suspended and the bill read.

On a suspension of the rules, the bill was read a third time and finally adopted with its title.

BILLS ON SECOND READING.

Senate bill No. 81, an act relative to the Supreme Court, and to regulate the terms thereof, the proceedings therein, etc., was read.

Mr. Ray: I move that this bill be made the special order of the day, on Tuesday next.

Adopted.

Senate bill No. 99, an act to suppress and prevent the stealing of fruit, grain, etc., and providing punishment for the same, was read.

Mr. Lewis: I move the adoption of the following amendment:

Provided the owner or representative of the property shall be the only person having the right to prosecute for taking fruit from the trees or melons from the vines.

Mr. Day: I move the adoption of the following amendment to Mr. Lewis' amendment:

To strike out all after the word "person" and insert "entitled to prosecute under the act."

Accepted by Mr. Lewis.

Mr. Lewis' amendment was then adopted.

Mr. Poindexter: I move to indefinitely postpone the bill.

The question being put, resulted in a refusal of the Senate to postpone by a rising vote of nine yeas to twelve nays.

The President moved a call of the House.

The following members answered to their names:

Anderson, Bacon, Blackman, Campbell, Coupland, Day, Egan, François, Kelso, Lewis, Monette, Pinchback, Packard, Poindexter, Pollard, Ray, Smith, Wilcox, Wittgenstein—19.

Mr. Ray: I move that the bill be made the special order of the day on Saturday.

Mr. Wittgenstein: I move to amend by making the bill the special order of the day on Thursday next.

The yeas and nays were ordered by the President, resulting:

Yeas: Campbell, François, Monette, O'Hara, Poindexter, Smith—6.

Nays: Anderson, Bacon, Blackman, Coupland, Day, Egan, Kelso, Lewis, Packard, Pinchback, Pollard, Ray, Wilcox, Wittgenstein—14.

Mr. Wittgenstein's motion was lost.

Mr. Ray's motion was then adopted and the bill made the special order of the day on Saturday next.

Mr. Bacon: I ask for a suspension of the rules to take up Senate bill No. 167, an act additional to and amendatory of the acts now in force relative to and regulating the collection of municipal taxes in the city of New Orleans.

Rules suspended, and the bill read and referred to a special committee composed of the city delegation.

The President announced Messrs. Ray and Blackman, on the part of the Senate, on the joint committee to revise the statutes of the State generally.

The Senate then went into executive session, and adjourned thereafter without transacting business.

In the Senate on Monday, August 31, Mr. O'Hara offered the following resolution:

Resolved, That in view of the vacancy occurring in the Senate in consequence of the election of Mr. Harris to the Senate of the United States, eighteen members shall hereafter constitute a quorum of the Senate.

Mr. Blackman: Mr. President, a resolution of that kind, sir, I hope, will not be entertained by the Senate. At a time like this, when the seat of an honorable Senator is contested, and many of his friends are absent from the Senate; when we find ourselves almost forced without a fair and impartial investigation into these cases. At a time when we should adhere strictly to the constitution, and not violate it, gentlemen would have Senators vote for a resolution which is palpably unconstitutional. A quorum is a mere majority of the members of the Senate. The constitution tells us that the Senate is composed of thirty-six members, whether absent or present. Whether there are vacancies or resignations, the Senate is composed of thirty-six, and a majority of that number constitutes a quorum of the Senate.

Now, Mr. President, there is a right way and a wrong way of doing things, and I do hope that Senators will be governed by the plain letter of the constitution. And if they openly violate it their action can only be considered a nullity and a usurpation of power.

Mr. Bacon: Mr. President, I do not wish to speak upon this resolution as a political resolution, nor to oppose it upon political grounds. It is certainly a question of constitutional law—that and nothing else: and it is also a question which it is your province as an officer under the constitution to decide. The constitution says the Senate shall be composed of thirty-six members, a majority of which shall constitute a quorum. A majority of what? A majority of thirty-six. Suppose, sir, there should be a resignation, leaving eighteen members, would the residue eighteen be a quorum? Would you so decide? You would not. Although every man in office might be here, and yet you could not fail to decide in your chair that these eighteen Senators could not proceed with business. It is precisely the same thing when one Senator has resigned. There is not a Legislative quorum if there be less than nineteen present. It required thirty-one members of the House when it was first organized to constitute a quorum. Now, sir, it requires a majority of those who are elected, or those who should have been elected, although there are a great many seats vacant. I think it is too clear a case for doubt upon the supposition that eighteen Senators resigned that you could not permit the residue, the eighteen remaining Senators to go on and transact business, and that you would not be willing to sign the laws they might pass. And it such would be your decision in that case, you must certainly decide so in this case.

I move to refer the resolution to the Committee on Judiciary.

Mr. O'Hara: I move to lay that motion on the table.

The President: The chair will refer Senators to Article 33 of the constitution which says, "not less than a majority of each House of the General Assembly shall form a quorum to transact business; but a smaller number may adjourn from day to day, and shall have full power to compel the attendance of absent members." Such being the case the chair is compelled to rule the resolution out of order.

Mr. Lewis: I move that the doors be closed, and that the members of the Senate be not allowed to leave the Senate chamber during the session of to-day. If we can compel the attendance of absent members, we can compel the attendance of those we have.

Mr. Ray: Mr. President, I hope the Senators will not press that motion. The power of the Senate to pass such a rule as that is too doubtful to be acted upon. The fact is, I don't think that that rule has been adopted in any of the higher legislative branches of the country—in either branch of Congress, and I have been unable to find anything in the constitution to authorize it. In my judgment it will be bad policy to adopt such a rule.

The President: The Chair will have to inform Mr. Lewis that his motion is not in order at present. It would only be in order under a suspension of the rules.

Mr. Lewis: I do not suppose I could get a suspension of the rules, and so I will have to withdraw.

Mr. Campbell: Am I to understand the Chair that no motions are in order.

The President: The order of the day has been called. The time for motions has passed, except motions with reference.

Mr. Campbell: I understand that motions to compel absent members to attend are always in order. Does the Chair decide otherwise?

The President: The Chair has not ruled it out of order, but that it requires a suspension of the rules. The Chair would like to have the members remain here, but he finds nothing in the constitution to justify him in entertaining a motion to compel them to do so. There is an article in the constitution to require the attendance of absent members.

Mr. Lewis: That is even when there is not a quorum. Now, sir, am I to understand that I may not at any time make a motion that the Sergeant-at-Arms be instructed to compel any absent members to come here whether there is a quorum or not? Members being absent may endanger the passage of important laws.

The President: The Senate will decide on that question. The Chair is not prepared to do so. I have stated the law.

Mr. O'Hara: Mr. President, I will call the attention of the Chair to rule twenty-five, i.e. "No member shall vote on any question in the result of which he is immediately interested, or in any case where he was not present when the question was put. Upon a division and count of the House on any question, no member without the bar shall be counted."

The President: That has no bearing on this question at all. If the gentleman will show that it has, I am willing to be governed by it. I am willing to be governed by a majority of the Senators present.

Mr. Smith: I move the rules be suspended to allow Senator Lewis to make his motion.

The motion was lost.

Mr. Braughn: Mr. President, I move that the report of the committee in the case of Pinchback vs. Jewell, be postponed and made the special order of the day for Wednesday; and in making this motion I will say that if adopted, I think the breach that has been made for several days past will be healed. Mr. Jewell asks that it be postponed simply in order that several Senators now absent from the Democratic side of the House may be present.

Mr. Bacon: Mr. President, I desire to say to the gentlemen composing the majority of the Senate that I am exceedingly anxious that there should be harmony in this body, and that whatever the action of the majority may be, that it should not be such as to call for a censure for its want of fairness and full investigation.

The Republican members of this branch have a full and clear majority, and in the decision of contested election cases there can be no appeal. They can do as they please, and whatever their sentence may be it must be executed.

They lose nothing by giving a member of the minority full opportunity to present his case in a full Senate. Nothing can be done by the majority by a postponement to the nearest day, which will give an opportunity to the interested members, who is of the minority, to bring forward the absentees who have voted heretofore with him, and that members in the majority may also be present who are now absent. In a full Senate that has a clear majority, there is no danger of their losing any of their strength by giving a few days further time for reflection, and for obtaining the presence of absent members. And should this result in a change of what would now appear to be the vote of the Senate as to the decision they will make, it will only be a decision by a majority composed in part of Republicans as well as Democrats. I do not expect, sir, in urging the Senate to adopt the proposition of Mr. Braughn, to change the result in the end; but I make the motion that fairness and a full opportunity of procuring a full Senate may be attained. I wish to see every Senator present, if possible, who is now absent, Republican as well as Democrat. If we could have to-day a full Senate, although that Senate, although the Republicans would be largely in the majority, I, sir, for one, would vote against the postponement. I desire to see this matter so fairly considered and settled that none of us shall suffer or have just cause of complaint. There can be no harm or injustice done by giving time, but there may be harm and injustice done in refusing to give it. I think if Senators will reflect upon the greater credit they will have for doing every practicable and reasonable justice to the sitting members, they cannot refuse to give them the time they desire.

I am not speaking for Democrats alone. I wish to see the Senator from Carroll here with his clear head and honest convictions, but whose judgment was strongly against the sitting members.

I understand, Mr. Lynch will be here, and I should like to see him here, whatever may be his conclusions upon the subject, and I should like to see other members present. Republicans as well as Democrats, that we might have a fair decision by a full Senate upon this question, which is fraught with such interest to us all.

Mr. Smith: Mr. President, I differ with the gentleman in some respects. I contend that a postponement of this case is an injustice to the people of the Second Senatorial District, from the fact that it is keeping out the Representative of their choice, and keeping in a man who is bitterly opposed to the interests of the majority of that district. It is an injustice to every man in that district who voted for Mr. Pinchback. I move to lay the resolution to postpone on the table.

The President: The Chair would like to state just here that he is very anxious to see the whole of these contested cases decided. The Chair has learned from Saturday, that it is impossible to decide them unless we can harmonize the matter as much as possible. The resolution of postponement offered by Senator Braughn certainly pledges the presence of all the Democratic members on Wednesday, and I should think it would be no more than justice that the resolution should be adopted to postpone, for the purpose of securing a full attendance of the members, if nothing else. The adoption of that resolution certainly assures this Senate of a full quorum to transact business. I regret this apparent necessity for delay as much as any one can. From the fact that the resolution comes from Senator Braughn, a prominent member of the Democratic party, I regard it as a certainty that the Senate will have a quorum; that the members will stay in and see the case decided.

Mr. Coupland: Mr. President, being a member of the Committee on Contested Election Cases, and having examined the majority report, I know the difficulties attending all cases of contested elections. I know that injustice may be done, not intentionally, but sometimes unintentionally. But I do not believe in this case, so far as we have gone, that we have permitted injustice to any one. If Mr. Jewell himself, and his friends—and I must assure him that I have the kindest feelings toward them—if they think we can secure, as the President has well said, a quorum and final action upon this subject on Wednesday next, the day proposed—I, for one, am willing to yield to the proposition for a postponement.

The way in which we are getting along is clogging the ordinary legislation, and I am perfectly willing to believe that no one will be outraged or revenged, provided the opposite party will say that upon Wednesday of this week we can have a decision of this case.

I am perfectly willing to wait until Wednesday, and I think every member should be provided we can have a full and fair decision of the case on that day. What I have done, I have done from my convictions of right, as I believe. I have read the matter as carefully and as conscientiously as any man with my ability can read it, and the conclusions I have subscribed to are my conscientious convictions, and I here to-day assert that I will stand by them, believing them right and just. Yet if it is desirable to wait until Wednesday, in order to promote harmony, and if Senators will do what they were elected for, in being here where duty calls, and not break the quorum on that day, if they will then come together and weigh this matter, I am willing it should be postponed until then. But we must have no more of this filibustering—this breaking of quorums. Let us come together as men, as Senators, and sensible beings, and transact this business as becomes Senators.

Mr. Lewis: Mr. President, I would like to ask Judge Braughn one question. Will you pledge yourself and others to be present to vote upon the case on Wednesday? If so, I am willing to have it postponed.

Mr. Braughn: Mr. President, I have had no conversation upon this subject with any member. I cannot speak for my colleagues. But when I offered the motion it was for the purpose of giving the time that Senator Jewell asks, in order that absent Senators may reoccupy their seats; and I shall consider myself bound to be present here on Wednesday next. I have no authority or right to make such a pledge for anybody else.

Mr. Smith: Mr. President, If the resolution had been introduced by Senator Braughn on Saturday, coming as it does from a gentleman that I have all respect for, I should have heartily supported it; but after such reprehensible proceedings as were had on Saturday, I do not feel disposed to do so. As circumstances are and have been, I cannot support that resolution. The rabble have crowed over the action of Saturday last as a game in which they have checkmated the majority of this Senate.

Mr. Campbell: Mr. President, I wish to say that if the conduct of gentlemen on Saturday had been in consonance with their professions to-day, I would vote for this resolution. And I wish, also, in the most dispassionate manner to call the attention of the Chair to the conduct of members who are now asking us to proceed with such care, caution, dignity, and circumspection. I ask Senators if they do not remember that when time was asked for on another occasion—when even the most prominent member on this floor—the Senator from Ouachita—stated distinctly it was a matter of doubt, and he should have to vote with that doubt on his mind—in the face of that pleading every motion to postpone was inexorably voted down. But every one of these three cases were put through without any display of that generosity for which members are now asking. And, sir, without any request, for a reasonable postponement such as is asked for to-day, these members who have been considered the most moderate and conservative, to a man left the Senate and broke a quorum on Saturday. And now these men ask us to postpone this case until Wednesday under duress—under an implied threat that unless we comply we shall have no quorum. I, sir, so far as I am concerned, propose to do nothing—especially to grant no favors—under a threat.

If the proposition had been made without any threats being held out, I should have cheerfully yielded a reasonable time. But after withholding, in a body, in the reprehensible manner they did, I, sir, am willing to let the responsibility of blocking the legislation rest where it belongs. If a quorum is broken the legislation is blocked, and let the responsibility rest where it properly belongs. I, therefore, renew the motion to lay the resolution on the table.

M. Blackman—Mr. President, I will state this: I have sat here in my seat and heard gentlemen talking of the conduct of Senators, on last Saturday. I will state that I did not desire then to break the quorum. It was the object of the Democratic Senators to ask the Senate to postpone the case until we could get a full House. Now, Mr. President, so far as my conduct on that occasion, and that of my colleagues, being reprehensible, I will state this—that I am perfectly responsible to the people of the State for my conduct. I hold myself personally responsible for my act then, as I do on all occasions. I shall hold myself responsible to that people who sent me here as a Senator, for my action to-day. We simply ask a full House; and I believe I could pledge, on the part of the Democratic members, that if the Senate would but grant us time to telegraph to members who are absent in the country and do not know that this case is being considered, I believe I could pledge on behalf of my colleagues that we will be present and not break the quorum. But, sir, when we simply ask you to grant us time until these men can come, the power is with you. The power is with you, but we do say to you that if in the exercise of that power you force gentlemen to take their hats and leave the Senate chamber in order that they may protect themselves or their colleagues from injustice, they must do so. In such cases we will break the quorum so long as we are able to break it until the presence of absent members can be secured. And this is no threat; I do not in the least intend it as such; but I say this, that a minority must sometimes resort to measures of this kind for their own protection. If we are forced to do it, we of course must take the responsibility if we clog legislation from now to the end of time, when we simply ask this justice on the part of the majority to procure the absent members.

We want this case fully and fairly investigated and decided by a full Senate, and nothing more. And unless this privilege is granted we will take the responsibility of absenting ourselves from the Senate and let the legislation be clogged from this time forward.

We are held responsible to a constituency that we know will sustain us in our course. It is a simple question of justice. Delay the case until we are prepared and until both parties can take their seats in the Senate chamber, and we pledge you our word and honor that a quorum will not be broken.

Mr. Lewis: Mr. President, I feel fully satisfied that no member of the Democratic party would attempt to break the quorum if he did not have it in his power. Now I have heard a great deal said about courtesy by Democratic members, but I have never seen them extend it to the Republican side when a political question was under consideration. I have the first time to hear the first dissenting voice from the whole number of Democrats in this house. They have voted together as a unit in every instance of this kind. I have known Radical members to stand upon a principle of right and vote in opposition to their party. But such a thing has never come from the Democratic side in this Senate. And to-day, sir, if they believed that we had a quorum, you could not get one of them out of here. Give them time and they will break the quorum every time, unless they believe they can carry their point. Of course they know that the men who elected them here elected them in opposition to Radical principles, and hence anything they can do to thwart a Republican member or clog Republican legislation will be sanctioned and applauded by their constituents, and they will be lauded for it. I do not pretend to doubt the gentleman's word that he will be lauded for this action. And I pretend to say that if they had pledged themselves to-day to be present on Wednesday I would have voted for the postponement.

But, sir, they say they are not responsible for the action of these absent members, and have no right or authority to make pledges for any but themselves.

And so, sir, when the question comes up on Wednesday, if we should postpone it till then, we have no assurance that we shall be any better off than we are now. If there are enough Republican members here to make a quorum without them, and it is so determined by the adoption of this resolution, we shall have no further trouble of this kind.

Mr. Bacon: Mr. President, I believe that my course in this Senate has been as fair as that of any member present.

I think that I may fairly claim that, without exception, I have been as mild in my political course and as just toward my political opponents, and in the expression of my political opinions as any Senator here. And I asked that Senators should agree to a postponement, not from any desire to catch the Republican party in a minority, but that Republicans absent and Republicans present, as well as Democrats, may have a fair opportunity to be present when this very important measure shall come up for a decision.

That is all. I desired that they might all have an opportunity of so arranging their business affairs as to come here and be present on that day. If I supposed there would be a Democratic majority on that day, gentlemen might say that I proposed it with factious motives; but the majority on that day will certainly be a Republican majority. And, sir, it is only that this case may have about it all the opportunities of fairness, which can fairly be afforded, that I desire to have a full Senate when it is disposed of. The course we now ask in this case was substantially pursued in a former case, which was fixed a number of days ahead; and on that day it was decided, not in accordance with the desire of a number of Senators, it is true, but we took pains to fix it at a day when all Senators then absent could come in.

Mr. Smith: Mr. President, I rise to a point of order. I believe the question is not on postponement.

The President: The question is now on the adoption of the majority report.

Mr. Campbell: I rise to a point of order. The line of argument the Senator is pursuing has no bearing on the question which is on the adoption of the majority report.

Mr. Bacon: Mr. President, The gentleman who has just sat down has accused the majority who voted on a former occasion of unfairness in pressing the question on that day. But the time had been previously fixed for taking up the case. And it was after the contestants had been fully heard upon it, that a majority determined the question having been fully argued, that they would take a vote upon it. It is true, sir, that at that time the gentleman was cut off from debate by the previous question, and I, sir, tried my best to get him a hearing, but the majority would not accord it to him at the time, but he afterwards did obtain it. Now, sir, I desire to see this matter completely tested. The Senator who opposed it so strongly, the Senator from Natchitoches and De Soto, said that if there had been a pledge that the Senator would be present he would not object to it. I, sir, am authorized to pledge for the sitting member and myself, and for a sufficient number to create a quorum. And I think, sir, I may pledge the presence of all the Democratic members on next Monday. I say Monday, because I wish to have the Senator from Carroll and the Senator from St. Landry here. They are men of intelligence and strong sense, and we want such men here. I think gentlemen will not say that my course has been factious, or that I have ever attempted to take an unfair advantage in this house.

This report was made on Friday when a large number were absent. The next day it was sought to be brought up and acted upon in their absence. It was unfair to bring it up in the absence of Republican Senators, as it was in the absence of Democratic Senators. Why should gentlemen press this matter? If these gentlemen, who state that they want nothing but what is fair, and who are sure of a full and large majority, if they will defer it until Monday next when absent members may be present, I, sir, will pledge myself that there shall be enough Democrats present to constitute a quorum with the Republican members; at least, I will be