THE DEADLOCK IN THE ASSEMBLY.

The Republicans Pledged to Defeat Partisan Legislation.

A Written Compact Signed by All of Them.

The Registry, Election, New York Charter and Two Per Cent Tax Levy Bills All Proscribed.

The Doom of Political Outlawry Awaiting Recreant Republicans.

THE DEMOCRATS IN EARNEST COUNCIL.

Discussion on the Subject in the Evening Sessions of Both Houses.

A Bill for a Special Election to Fill Irving's Place to be Introduced.

Intense Excitement Among the People.

ALBANY, April 13, 1871.

THE SUPPLY BILL

was passed to-day in the lower House by a vote of 87 to 35, and it is expected that by to-morrow night the Senate will not have done its part in adorning it with all sorts of items, which the House will have to take a peep at before it goes to the Governor. It is generally believed, however, even if in the long run a conference committee has to be appointed to harmonize conflicting views about what individual jobs ought to be allowed to stand and what to be given the cold shoulder, that only a few hours will be spent in the wrangle. If this should turn out to be the case the tax levy and the amendments to the city charter will be brought before the Assembly before the week is over. But will they pass? That is the question. Up to to-day the democrats have been

SANGUINE OF SUCCESS

and willing to bet their bottom dollar that not only the levy, but even the Registration and Election bills could be put through at any time the Boss gave the word "go." But a change has suddenly come over the spirit of their dreams. It was all very well for a few republicans, who are certain never again to be sent back to Albany to represent a miserable constituency of backwoods ignoramuses, to make it known to the "Boss," in an underground fashion, that all they wanted was to be well and comfortably "seen" before the bills would be moved. They had not then been forced by their more honest fellows to sign a paper which placed them on the record beforehand; but to-day they fell heavily into the trap set for them by the leaders of their party at the suggestion of a venerable agriculturist in New York city, who, according to Nelson, the Rocklander, cultivates cabbages on the sidewalks and ploughs adamantine rock with a pewter spoon. The fact is that the republicans of both houses

HAD A CAUCUS THIS MORNING,

at which they promised each other by all the spoils that the republican party is heir to, by right of birth or eminent domain, to go dead against the tax levy, the Registration bill, the Election bill, the Buffalo Police bill, the Buffalo charter and the amendments to the charter of New York city whenever they should be called up in the Assembly, no matter how modified, how changed in their provisions—so long as the modifications or changes were not made by an honest member of the party of great moral ideas. Now, I know quite well, as eve y one here at Albany who has taken the pains to watch the movements and the manœuvring of the minority during the session so far must know, that republican caucuses have been the

WORST KIND OF FARCES

the whole winter round. The minority held a caucus on the Water Supply bill. It will be remembered, at which more than one of them preferred whiskey to water, pure and unwholesome, and at which all of them pledged their word of honor to make the "Boss" take water on the bill, even though they should be compelled themselves to sacrifice every local bill upon which their political future depended. Double-leaded editorial guns were fired off in the republican journals the next day, and yet a few nights afterward, although not a republican vote was necessary to its success, the bill was passed by a heavy majority—only twenty-two republicans voting for it! Will any one dare say after this that a republican caucus amounts to anything? In a caucus words are plentiful; out of it, in the lobby, dollars are not scarce. Still, the wirepullers of this morning's caucus doubtless felt that a mere promise was not sufficient to guarantee a solid republican front against the wily vassals of his "Bossship," when the battle will be to the strong, aye when pledges, promises and infinitin spececies of the past will be light as air. Something more was necessary, and so the resolution to oppose the "Boss'" bills was not only adopted, but every "good republican" was called upon to sign it. Of course there was

NO CHANCE FOR THE "STRIKERS"

to go out of the trap, and down went every name. Thus, you see, if any one should in the end prove traitor his autograph will be made a handle for his future political ruin, which will be circulated about like a patent medicine, and with ten times more of a flourish. To give you an idea of what a high old time the caucus had, and how the leaders threaten excommunication to any backslider, I herewith append the resolution, which was signed by every republican, even by—well, never mind whom; when the tax levy comes along we shall see:—

Resolved, That we regard the following bills now pending before the Legislature as party measures, viz:—
The bill known as the registry law for New York city.
The bill to amend the election law.
The bill commonly known as the Two Per Cent Tax bill.
Buffalo Police bill, and the bill amending the charter of Buffalo.
And that no republican can, consistently with his party obligation, support either.
Resolved, That in case any member of the party shall desert it in acting upon the measures mentioned in the foregoing resolutions we will regard it as our duty to denounce such deserter as a traitor to the party, in a writing to be signed by us and published in the republican papers of the State.
We, the undersigned, do hereby agree to abide by the foregoing resolutions, and do hereby pledge ourselves solemnly as members of the republican party to support the same.

Now, under the circumstances it is but natural that the rank and file of the democrats in the lower House who desire the success of the tax levy—and they would be found few and far between if they would only unbosom themselves—should feel

SCARED AT THE SITUATION.

They know what a paltry thing a republican promise made in caucus is; but this getting each one of the minority squarely down on the record in black and white does not go down so easily. It is, in fact, just as bad as though a vote had been taken in the House on the thing and that every one of the minority had voted no. An individual promise made in caucus is generally an airy nothing, even if the man who makes it does see fit to go back on it. A caucus is a secret consistory, and if a member chooses to vote just the other way from that which his promise in caucus led his fellows to believe he would vote who knows the difference outside? One man's word is as good as another's in politics. If somebody breaks

THE SECRECY OF THE CAUCUS

proceedings and opens upon the delinquent he has a facile remedy. Being as willing to lie out of caucus as to let his word go for nothing outside of it, he has no compunction about sticking to it that he didn't bind himself one way or the other. This brings the thing down to a question of veracity, and one side in the assembly very seldom believes much that the other side has to say about its own backsliders. They may resort to abuse to bring him into line; but abuse is too often used as a whip to drive the weak-kneed within one fold or the other when a crisis is at hand, and so the whip often cracks without the lashing being able to reach the victim. No one understands this better than the "Boss," and, although his followers may

QUAIL BEFORE THE BLAST

they dread, he remains as confident as ever. Yet the situation, I must confess, looks more dangerous to-day than it has at any time heretofore.

The Excitement in the Assembly—Tom Fields' Fiery Speech—Denunciation of the Action of the Republicans—Threatened Collision Between Hitchman and Goodrich—The Democratic Caucuses—The Proposed Effect to the Republican Action—An Election Bill to Fill Irving's Place to be Introduced at Once—The Discussions in the Senate and Assembly—Great Excitement All Over the Capital—Probable Immediate Adjournment.

ALBANY, April 13—Evening.

THE CRISIS

has come at last. The first rumble of the storm was heard this morning, when the proceedings of the republican caucus were made public, and now the cry of both parties is, "War to the knife!" When the Assembly met this evening but few persons not in the secrets of the democratic leaders had any idea that the majority intended then and there to take so decisive a stand as they ultimately did; but for all that there was a general feeling of uneasiness upon all sides. The republicans and democrats were every one, to a man, in their seats when the house was called to order. There was no prayer said, and when perfect quiet had been obtained Mr. Fields rose to

A QUESTION OF PRIVILEGE

and was at once recognized by the Speaker. Then for the first time did the republicans begin to feel that something not in the ordinary routine was about to happen. They were not disappointed. As soon as Fields made mention of the republican caucus a grand rush for seats in the front part of the House took place among the members, while the crowds in the lobbies pushed eagerly forward into the aisles between the members' seats. It was with great difficulty the Speaker was enabled to restore order, and he only succeeded in doing so, finally, by threatening to clear the galleries. It will be seen that Fields only acted as the mouthpiece of his party, and that through him the democrats take up

THE GAUNTLET

thrown down by the republicans in the caucus. Mr. Fields said:—

Mr. Speaker, I rise to a question of privilege. For the first time in the history of the Legislature of this State there is an attempt on the part of a minority of the representatives in the House to block the wheels of legislation, and I desire to say to these gentlemen, that while I recognize the possibilities of the extreme action which they have taken, I doubt very much whether they are to gain by the accident which places them in a position to prevent the passage of bills in this house. I see by the public press that they have held a caucus and have decreed that certain bills shall not be passed by this Assembly. Sir, I am not unmindful of the fact that but a few niches ago, in the heat of their excitement, perhaps, when their manhood rose above party lines, they said, "Do justice in this case." I refer to the difficulty between Messrs. Irving and Wood. No hair of your heads as a party shall be injured. The excitement has scarcely passed away when we see this party—so magnificently liberal then—now again contracted in its ideas and planning to block the wheels of legislation. Sir, I desire to say to these gentlemen that I stand here as one of the representatives of the great State of New York; but, while I hold that position, I recognize the fealty which I owe to my party. Sir, my experience in public life, passing back for twenty years, has taught me that all public positions have in a greater or less degree relations to party. Sir, I charge here, openly and above board, that this magnificent and liberal minority told our friends that if justice should be made to fall upon one belonging to our party nothing should happen to prejudice the interests of that party. I see the public press of this city freely acknowledging the pledge made by these gentlemen by tantalizing them and asking them if they dare to carry out the obligations they have entered into. Sir, I say here, in the name of the party to which I belong—the great democratic party of the country—and I think I can appeal with confidence to those members of the opposition who once belonged to the democratic party to sustain me in what I say, that never, never, sir, did our party make a solemn pledge, either when in the majority or when in the minority, that they did not faithfully and fairly executed their obligation and agreement. Now, sir, what is the position? The minority of this House have met in caucus, in secret conclave—and I use that phrase in no offensive sense—have decreed that certain bills now before the Legislature shall not pass. One of these is the bill in relation to the Buffalo city charter—a bill, sir, which every member of the delegation from the county of Erie, with the exception of one, is in favor of; but, sir, because these gentlemen imagine that there is lurking beneath some line or letter of that bill something they choose to consider a party measure, therefore they are resolved to make use of a party advantage to defeat it. A bill purely local in its character—purely local in its effects—its passage should be solely controlled by the delegation from the county of Erie. Not satisfied with that, they, sir, go on to say that other bills entirely local in their character, having received general application, having no general effect, shall not be allowed to pass. And now I appeal to the magnanimity of gentlemen upon this floor, representing constituencies other than in the city of New York. You have your local laws; you have your local regulations. Now, would you think it became us, if we stepped in and said that you must conform these laws and regulations to our views. Sir, I am perfectly willing, so far as I am concerned, to except from this catalogue two bills which this caucus has named as bills not to be passed, to wit:—The bill known as the bill to amend the Registry law for New York city; and the bill to amend the Election law of the State, which does not apply to New York city. Grant, if you please, Mr. Speaker, that these are political measures, still I ask you what position are the minority of the House in when they say, that whatever be the consequences, they will block the wheels of legislation and prevent the passage of these laws? Sir, I say, as a representative of the democracy of the great State of New York, and on my responsibility as a representative of a portion of its people, knowing, as I think I do, the sentiments of the people of this State, as well as any man of my years within its limits—I say here that if the minority presume to attempt to stop the legislation of this State they must take the responsibility. And, sir, I believe that I speak but the sentiments of every man within the sound of my voice. I believe that I speak the sentiments of the people of this State when I say that above all other things they desire fair play. And, sir, if in vindication of the high privileges of this House, if in vindication of its dignity and prosperity, we, as the majority of the House, have suffered by one of the members of that majority resigning, thus depriving us of the constitutional number required to pass bills, and the minority under the whip and spur of party discipline, with the necessity of galvanizing into life a decayed and decaying party, have called their forces together and decreed that no bill, except such as they may designate shall pass this House, I repeat they must take the responsibility. (Hear, hear and applause.) Now, sir, I am not unmindful of the responsibility of the position which I assume; but, sir, I appeal to the judgment of the people of this great State—I appeal to the judgment, not only of those who are associated with me in the same party, but to the members of the opposition; I appeal to the ordinary experience of every man in his individual life, if it is not the mean action, if it is not the most cowardly thing in the face of the earth to take advantage of the adversity of others, to take advantage of the misfortune of others? Sir, I do not, in what I say to-night, regret our action of Tuesday evening. My judgment upon that matter stands recorded in the archives of this great State, and there let it stand. There I abide—as the expression of my judgment in regard to the manner in which a violation of the high privileges of this House should be treated. One of the proudest hours of my life, sir, was when I gave that judgment. But, sir, feeling as I do in this respect, yet looking over the whole matter, and taking it, as I think I do, within the scope of my vision, the conduct on the part of the opposition is an unheard of meanness. It is a meanness utterly beneath the contemplation of noble and generous men. When, after such an occurrence, the whole body of this House was equally concerned to maintain its honor and dignity, the party occupying the position of the minority in this House should take advantage of an accident or infirmity and a power gained in such a manner, not only to get together and pass a resolution that only such bills as they please shall receive the approbation of the Assembly. They have whipped and dragooned its members into signing a paper, and published it to the world that they will vote for none of the bills named above their signatures. I wish to say, and I mean what I say, that if this thing is persevered in, whatever the consequence may be, this House must not adjourn until the vacancy in its numbers can be filled, and I call upon every man within the sound of my voice, be he democrat or republican, to sustain me in that position. I listened with admiration and hung with delight upon the eloquence of the gentleman from Onondaga and the gentleman from Oswego when they have upheld the dignity and integrity of this House. I have alluded to a high breach of privilege which was committed upon the floor of this House. The gentleman from Oswego, with his towering form, with his full sound voice—which echoed and reverberated in every corner of this chamber—told you that that was a high moral question; that this House must pass upon it; that until it was passed upon no business should be transacted within its walls until the question was settled. That, sir, has passed away. The resounding voice of the gentleman from Oswego (Mr. Littlejohn) has died away, as the wind dieth after it passes over our faces; and, sir, the brief, terse argument of the gentleman from Onondaga (Mr. Alvord) still lingers in my ears, and finds a resting place in my mind, and therefore I say, taking the law as he gave it, taking the law from the great philosopher and patriot and sage of the party to which he belongs, standing prominent as he does in his party, I appeal to his fairness, I appeal to his judgment, I appeal to his magnanimity, I appeal to his conscience, as a member of this House I appeal to him in his character as a representative of the people. I ask him if he does not believe that fairness, and justice, and propriety and decorum require that we should have proceeded with the ordinary business of this House in the ordinary way, letting each measure take its chance, letting each bill have an opportunity to be discussed on its merits, letting each act receive the scrutiny of the members of this House, rather than that a secret caucus, so secret the poor old gentleman who, by appointment of the Court of Appeals, is required as custodian of the papers in the Court of Appeals to see that they are preserved from all harm, so secret that they would not allow this gentleman to remain in the room.

Mr. SELKRIG—You are after the wrong chap. It was another fellow I was after. It was the deaf man who stayed out of doors, and the man who could hear stayed in.

Mr. FIELDS—I have seen both parties since, and the deaf man told me that since his deafness occurred he has been extremely happy in the world, and he suggested to his hearing friends that he should remain in the republican caucus because there would be sure to be so much wrangling, confusion and noise, and that he would soon be as deaf as himself and as happy. (Laughter.) Now, sir, this shall not divert me from the statement I desire to make, which is this:—That it is human nature to resist aggression, and I say, we one and the representatives of my party on this floor, I shall be opposed to my party voting for any measure whatever until our opponents shall stand upon the same footing as ourselves in respect to their freedom of judgment and action. If, sir, the proposed amendments to the charter of the city of Buffalo are political, then, sir, the bill in relation to the Onondaga salt springs is political. If the amendments to the charter of the city of Buffalo are political, then, sir, every local bill which changes a fixed law is political. I desire the gentlemen to understand the position which I occupy. I do not wish to place anything before the wheels of legislation; but I propose that legislation shall be fair, and just and honorable. I propose, if these gentlemen of the opposition see fit to avail themselves of the temporary absence by resignation of the one who made up the majority of this House, and the constitutional vote necessary to pass any bill, I propose that if they do this that they shall take the responsibility of delaying the business of this Legislature until the place of the absent member can be filled. (Applause.) Then, sir, I say that this is right—I say that this is just—and upon that issue I am willing to go to the people of this State. No man more than myself can regret the unfortunate occurrence which has produced the absence of the gentleman to whom I allude. No man more than myself can regret the circumstances which induced the minority of this House to get together, and by a pledge, held by all honorable men as sacred as an oath, as high as any obligation that can be taken, because it is individual in its character, bind themselves deliberately to block the wheels of legislation. I say deliberate, because the gentleman who participated in that caucus would not have taken such action except upon due deliberation. But I say, sir, that since they have thus deliberately determined to retard legislation, I think it is due to the gentlemen who belong to the same party with myself, and who still have a numerical majority in this House, notwithstanding the resignation of one of its members, I think it is due to them, sir, that they should have an opportunity to deliberate, and for that reason I move that this House do now adjourn until half-past nine o'clock to-morrow morning.

The moment Mr. Fields took his seat the galleries and the crowds upon the floor broke out into the most uproarious applause, which the Speaker in vain attempted to suppress. The speech fell like

A BOMBSHELL

among the republicans. For a second or so not one of them rose from his seat even to attempt to make a reply. Loud cries were heard upon all sides for "Littlejohn," but he was nowhere to be found at the moment. It was felt that he alone could face the storm boldly for the sake of his colleague, and as messenger after messenger who had been sent in search of him while Fields was speaking, rushed in out of breath and announced that he could not be found, the excitement on the republican side became intense. Fields, however, lost no time after he had taken his seat, and, just as Littlejohn hurriedly entered the chamber and Alvord was about to rise to speak, made a motion that the House should then and there adjourn until ten o'clock the next morning, and at once followed this up by a motion that the democrats should go into caucus. These motions were carried with a perfect yell by the democrats, and then there ensued a scene of the

MOST INDESCRIBABLE CONFUSION.

The democrats crowded about Fields to congratulate him upon the stand he had taken, while several republicans, excited to the highest pitch, jumped upon the desks near where he stood and endeavored by loud calls of order to attract the attention of their colleagues.

ANOTHER "BILL" IMMINENT.

Hitchman, meanwhile, had left the chair, and, in attempting to find his way through the crowd toward Fields, caught sight of Goodrich standing on one of the desks gesticulating in a violent manner and crying out something about justice, the meaning of which, owing to the hubbub which prevailed, could not be understood. Hitchman made some remark as to what the republicans had done to create trouble, when Goodrich cried out

"What kind of a caucus are you going to have—a secret one?" with a sneering emphasis upon the word secret.

Hitchman retorted—"We are to have a caucus that will not be like that of the republicans."

The members now began to press thickly about Hitchman, possibly anticipating that the general excitement might in the end wind up in a row, and to add to the confusion the crowds in the galleries came tumbling down the stairways, and rushing pell-mell into the body of the House despite the efforts of the doorkeepers to keep them out.

Goodrich from his perch finally managed to make his voice heard above the din, and yelled out, "Why, whenever you folks want to pass a just bill, you can always find votes on our side of the House, but not otherwise."

Hitchman at this time stood immediately beneath Goodrich, on the floor, and excitedly exclaimed, "What have you to say upon the subject? You are a demagogue."

"That is only your opinion," replied Goodrich, "and it is entitled to but little weight."

How this scene would have ended it would be hard to tell had the Sergeant-at-Arms not succeeded in getting his posse together and clearing the floors, leaving only the democratic members remaining.

THE CAUCUS

was then called to order, and Mr. Frear was selected as chairman.

Mr. Jacobs, who had not been present before the adjournment, opened the proceedings by asking for information as to why the caucus had been called.

Mr. FIELDS, after explaining what had happened in the House, stated that he held in his hand a draft of a law providing for the election of a person to represent the Sixteenth Assembly district in place of Mr. Irving, which he would present for their consideration. The bill, which reads as follows, was then read by the clerk:—

AN ACT to provide for a special election to fill the vacancy in the Sixteenth district of the county of New York, caused by the resignation of James Irving.

The people of the State of New York, represented in Senate and Assembly, do enact as follows:—

SECTION 1. An election shall forthwith be held in the Sixteenth Assembly district of the county of New York to fill the vacancy caused by the resignation of James Irving. The Secretary of State shall immediately direct the Sheriff of the city and county of New York to give notice and fix the day on which such election shall take place, which shall not exceed five days after he shall have been so directed by the Secretary of State.

SEC. 2. The said election shall take place on the day so fixed by said Sheriff, and shall be held under the direction of the inspectors and canvassers for said district, duly elected or appointed. Immediately upon the closing of the polls the several canvassers shall proceed to canvass the votes received at said election and make return thereof to the county clerk of said county, and he shall forthwith transmit the said canvass and return to the Secretary of State. On the receipt of such canvass and return the Secretary of State shall forthwith proceed to ascertain who has received the greatest number of votes at such special election, and shall issue a certificate setting forth the fact of the election of the persons who have received the greatest number of votes and shall transmit the same to the Speaker of the Assembly and the person so elected shall take the oath of office as required by law.

SEC. 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed so far as the same apply to the special election herein provided for.

SEC. 4. This act shall take effect immediately.

Mr. FIELDS, at the close of the reading, then said that there was no provision of law to fill a vacancy during the session, and that the bill was meant to meet the defect in the statutes.

Mr. JACOBS—What will we do if we cannot pass this bill? Is it to be presented to throw the responsibility of its defeat upon the republicans, or is it simply to fill the vacancy?

Mr. FIELDS—My desire is to have a vote taken on the bill and then offer a resolution to adjourn until the vacancy shall be filled. If the minority set themselves against it, then no other bill shall be passed with the aid of a democratic vote, and an adjournment *sine die* will be had. We will let the minority take the responsibility of the defeat of the bill and its consequences.

Here the resolutions passed by the republican caucus were read for the information of the members.

Mr. JACOBS then remarked:—I have been for thirteen years connected in some way or other with the Legislature of this State, and I assert here that I never before heard of a more outrageous proposition than this—a proposition which is unbecoming a great party and the men who belong to it. No man can say that I ever by act or word placed myself in hostility to the just policy of my party. I have often had occasion to differ with my colleagues, and when I have I never flinched from what I considered my duty, no matter whether republicans were interested or not. But when the representatives of the party which is in a minority in this State attempt to dictate to the legal majority elected to this House, then, sir, I feel it to be my duty to stand shoulder to shoulder with every man who opposes the outrage. But we should not, on the spur of the moment, in the heat of the hour, go too far. Let us reflect upon the consequences; consider, calmly and deliberately, the results that may flow from whatever action we may take here to-night. So far, the proposition of the minority is against us. If they come here after a caucus had bound them to one single political measure, I would have nothing to say; but owing to our misfortune, caused by no fault of our own, they come and cry out, "We now have you in our power, and we will exercise that power." Did you ever hear of a victor submitting to the vanquished after his victory? We here represent a majority of from thirty to forty thousand in this State, and now by an accident we are without a proper majority. Now, I say here that, responsible as my trusts have been, as anxious as I am that bills of importance now in a transiting state should pass, I say rather than submit to this outrage of the minority let us sink our Supply and our Appropriation bills and stand by our party with respect and dignity. This plot is not a question of New York city against the country. We represent not ourselves, not the county of Kings, of New York or any other special county in this emergency, but we represent the great democratic party of this State, and we owe to that party respect and duty. It is the representative party which is to lead the van in the great Presidential contest near at hand—the party toward which all eyes are now turned in every part of the nation. If we falter now where shall we stand when the great struggle begins? Go to those States where the democrats are in a minority, where they are not represented, and you will find them standing firmly against all odds. What would they think of us if we give way here, and, because of a lessening of our strength in the Legislature, we cry out that we cannot stand firm? We have a duty to perform which should be performed without hesitation. We owe it to the respect we have for ourselves and the justice which our constituents expect at our hands that we should not give way an inch in this struggle. Representing our party faithfully, let us so act that while we do justice to ourselves we also do justice to the people of the entire State. Let us pass this bill to-morrow. Let us have a vote upon it. We have a Speaker of nerve, who will not fail to do his duty with firmness. It is a privileged bill, and as such it must be offered. Let the minority appeal if they like against this, and we will sustain the Speaker. Let them vote against it if they dare, and we will adjourn until, under the law, we can fill the vacancy.

Mr. FIELDS—If the bill is ordered to a third reading and does not pass we will adjourn until the election is filled. By that means we will place the minority on the record before the people. We can take hold of it the first thing in the morning, consider it in Committee of the Whole, if need be, then we can order it to a third reading, and if the minority defeat it let them take the consequences. Let us give them a fair opportunity to meet the question, and do it in a way that will be honorable to ourselves. There is a vacancy in the Sixteenth district. There is no law on the Statute book which prescribes how it can be filled, and yet it is but right that every constituency should be represented. If this case was in England the Crown would issue its warrant, and special election would have to be held. We propose to make a law by which the vacancy can be filled; let us give the minority an opportunity to do it, and if they fail ours will not be the blame.

Mr. HITCHMAN—There is one thing which concerns us of which I must speak. I regard the introduction of this bill as a question of privilege, and I desire to say that, standing on an equal footing with all as a representative of the people, I will hold that no constituency will be deprived of representation here while it is in my power to aid in letting them be represented. My party shall not suffer, the constituency of the Sixteenth district shall not suffer, the interests of this State shall not suffer by my action, and I give it here, to be understood by all, that as far as in me lies I will exert my power that no constituency shall suffer by my action. There will be to-morrow no such thing as snap judgments, but justice must and shall prevail, be the consequences what they may.

Mr. WOOD—I did not know, as I believe but few persons did know, before I came to this house to-night, that this caucus was to be held; nor did I intend, once it had been called to order, to take any other part in its deliberations than to vote on whatever proposition might be made. I will state that I cordially agree with all that has been said by the gentleman from New York and the gentleman from Kings county. The law as to the filling of the vacancy is defective, and no representative of the Sixteenth district can be obtained but by a special election. I believe that when this bill is presented it should be stripped of all delay and at once put upon its final passage. The question of adjournment is naturally involved in this matter. The more cautiously we go the more certain we will be not to make a blunder, as I think the minority have done in the action they saw fit to take in their caucus to-day. If the bill should not pass a joint resolution to adjourn until the vacancy can be filled will cover the whole ground.

Mr. NACHTMANN then make a few remarks, claiming that the defeat of the bill would be the best campaign document the democrats could carry into the next campaign.

Mr. FIELDS then stated that the democratic Senators would heartily concur in any action taken by their friends in the Assembly. The statement was received with rousing cheers. A motion was then made that the bill should be considered in the House to-morrow as a privileged one and that the democrats should vote as a body through all the necessary stages to put the bill on its third reading.

Messrs. Weed, Jacobs, Fields, Teneyck, Nicholas, Hill and Wiley were then appointed to examine the laws on the subject of filling vacancies. A committee was then appointed to wait upon the democratic Senators, who were in caucus, and returned and stated that they had no communication to make, but that they would stand by their friends in the lower House in the position they had taken. The caucus then adjourned.

THE ROW IN THE SENATE

began in a more quiet way than that in the House. The Senate, while the House was in such an uproar, happened to be in Committee of the Whole on a bill for extraordinary repairs to the canals, when Tweed opened the ball by moving to rise and report progress. In doing so he said:—

Mr. Chairman, I make this motion for the purpose of making another motion when we get into the Senate. I see by the *Evening Journal* that our friends on the other side have decided that we shall do no more business here until certain matters are fixed to their satisfaction. In view of that decision on their part we, the democrats, have made up our minds that until we know whether legislation is going to be impeded by the united action of the gentlemen upon the other side we do not care to pass this or any other bill. Therefore we propose to adjourn, in order that we may get together to decide what course of action it is best for us to pursue under the circumstances.

The CLERK proceeded to call the roll. The Chairman directed those who were in favor of reporting progress in the bill to rise and stand till counted.

Mr. PARKER stood up, whereupon Mr. Kennedy said to him, "Sit down; you are not in favor of reporting progress."

Mr. PARKER—I have no objection. I am ready to meet the issue now.

Messrs. TWEED and BRADLEY—This is the time and place to meet it.

The motion was carried by a vote of 16 to 11.

The chairman of the committee reported progress in the bill and the President resumed the chair.

Mr. HUBBARD—Unless the senator from the Fourteenth desires to make that motion, I desire to move that the Senate disagree with the report of the committee and that this bill be ordered to a third reading.

Mr. KENNEDY—Oh, that is not fair. There are other gentlemen here who desire to offer amendments.

Mr. HUBBARD—I withdraw the motion. I was out of the Chamber and did not understand what was going on.

Mr. HARDENBERGH—I move to disagree with the report of the committee and to order the bill to a third reading.

Mr. BRADLEY—Don't do that.

Mr. TWEED—I would not do it.

Several REPUBLICAN SENATORS—Don't—don't press that motion.

Mr. HARDENBERGH—I withdraw the motion. My friends on both sides (and I have friends on both sides) require me to do it, and I do so.

Mr. LOUNSBERY—I renew the motion, and upon it I wish to say a word. I propose to proceed with legislation until we adjourn finally, notwithstanding the *Evening Journal* or any other republican paper, or any republican. I care not what they say or what they do. I propose to stay here and put the republicans of this Legislature on record. I do not propose to adjourn this Legislature because the *Evening Journal* says we must adjourn. I propose to stand here as a democrat, to proceed with legislation and put my republican brethren on record upon every question.

Mr. KENNEDY—And we propose to stand by you in that.

Mr. WOODIN—I hope that the Senator from the Twenty-eighth will not insist upon his motion, because there are several amendments to the bill yet to be offered—two of which I have in my possession, and which have been drawn or recommended by the Canal Commissioners.

Mr. LORD—There will be no objection to putting in any amendment on the third reading of the bill.

Mr. WOODIN—The Senator can answer for himself as to that, but not for others who have not yet had an opportunity to offer these amendments, and I desire to offer them. The Senator from the Twenty-eighth says he proposes to stand here as a democrat and go on with legislation. I propose to stand here with him, not as a democrat, not as a republican, but as a Senator representing a district in this State, and to do my duty calmly and coolly, without the slightest degree of bad temper or bad blood. If anything has been done that is indiscreet or wrong, let those who have done it bear the responsibility. I propose to stay here and do my duty until the majority see fit to adjourn this Legislature; and if they see fit to do it prematurely the responsibility will rest upon their shoulders. I propose to do my duty here, not only upon this bill, but upon every bill, every motion, every resolution, every question that comes before us, whether it come from our side of the house or from the other side. Further I say that I disdain here and now recognizing any such thing as "this side" or "the other side" of this body. I stand here as a citizen and as a public officer, ready to do my duty fearlessly upon all measures that come before us; and I believe that after a night's rest and reflection my brother Senators will all come here prepared to do the same thing.

Mr. LORD—I congratulate my friend from the Twenty-fifth (Mr. Woodin) upon his decision, announced in his determined, quiet, honorable and fair way, to continue legislation here until the end, and he will find me ready to meet him half way upon all questions. I am glad that he for one repudiates what the *Evening Journal* says to-night. I hope there will be more republicans of the same stamp.

Mr. WOODIN—I repudiate, of course, I have not repudiated or approved or endorsed anything that the *Evening Journal* has said or done this evening, or heretofore, or that it may hereafter say or do, nor have I said anything at all upon that subject. Those who control the *Evening Journal* publish what they please, and I suppose that they have seen fit to publish the resolutions which the Senator refers to.

Mr. GENET—I wish to ask the Senator from the Twenty-fifth (Mr. Woodin), whether they publish documents with his name signed to them without his consent?

Mr. WOODIN—I never gave my consent to publish anything.

Mr. GENET—Did you attach your name to the resolution that they published this evening?

Mr. WOODIN—I did attach my name to the resolution which you have seen published, but I had no idea of seeing it published.

Mr. TWEED—Mr. President, it is in order that we may do exactly what the Senator from the Twenty-fifth (Mr. Woodin) suggests, in order that we may sit down and reflect calmly upon the course we ought to pursue, in view of the extraordinary action of our republican friends, that we propose to adjourn. We wish to get together and consult with each other and ascertain, if we can, what course our friends, the republicans, mean. They have acted in a way never before seen or heard of in a legislative body. They get together and decide that certain bills are to be considered as political measures, and that because they are political bills they are to be ignored. When the parties in a legislative body differ in their views of certain measures the usual way is to take those measures up and consider and amend them and try to come to an agreement about them; but here is a point blank declaration that the republicans consider certain bills political, and that therefore they cannot consider them or touch them at all. Imagination could hardly have conceived such action possible by a great political party. Here are bills pending involving great interests and great responsibilities—bills that it is necessary to pass in some form in order to carry on the government of great cities in our State; yet our republican friends get together and sign a paper stating that these are political bills, and that therefore they cannot be considered. It is in order that the democrats of this Legislature may reflect and consult calmly, in order that they may not be blinded by passion or prejudice, as I fear some of the gentlemen upon the other side have allowed themselves to be, that we propose to adjourn now. We propose to meet these gentlemen halfway. The Senator from the Seventeenth (Mr. Parker) says he is ready to meet the issue. Now is the time to meet it. The thing is in its infancy. It has just been brought forth. Let us sit down at once and consider what course we ought to pursue. It is a matter for grave consideration. While we are willing to admit that the gentlemen upon the other side are governed in their extraordinary action by what they consider pure and proper motives, we desire to have the same motives attributed to us, and we desire to have an opportunity to do what they have done—to sit down together and consult and decide what we ought to do under the circumstances. If certain bills are to be marked out by these gentlemen as political bills, and if they decree that, because they are political bills, they are not to be discussed, amended or considered at all, why that is a novel species of political action, and it will probably have to be met in a novel manner. Now, we want to consult calmly, quietly and cautiously about the course we are to pursue. We cannot do it here. In the excitement of debate something might be said on one side or the other that would be regretted afterwards. I have no doubt that our friends upon the other side have carefully and cautiously considered their action and we desire to consider ours in the same way. I desire to meet their action in the most amicable way possible, but at the same time I desire that the interests of my constituents shall not suffer, and I intend that they shall be protected and maintained in a careful, discreet and proper manner.

Mr. LEWIS—Mr. President, I am surprised at this temper. Being somewhat of a novice in political life I do not understand what the trouble is or why our distinguished friends upon the other side are excited over this matter.

Mr. TWEED—We are not excited at all.

Mr. LEWIS—I have been here two winters, and I have attended some caucuses and I have heard of some caucuses upon the other side. I have heard after those caucuses that in them our friends had determined upon their course of action upon certain subjects, and I have observed that afterwards when those subjects had been under discussion here the Senators upon the other side have very frankly stated what they considered political and what they considered non-political bills, and I have found them, without a single exception that I can now call to mind, voting solidly in a body in favor of their political bills. There have been cases when individual members upon the republican side of the House have not voted with their party upon questions that some of them considered partisan questions. I have done it myself, and the Senator from the Twelfth district (Mr. Thayer) has done it within a few days past. I see by the evening papers that the republican members have met together and decided that they will consider certain bills to be partisan bills. Among these are two which apply to my own city—bills that have been announced upon the other side as partisan bills. One of these bills was under discussion here last evening, and upon it we were arrayed, republicans against republicans; yet we find these gentlemen upon the other side getting into a rage simply because the republicans, in the minority in both branches of this Legislature, have announced over their signatures that they consider these bills partisan measures. What of it? Haven't we a right to announce what we consider partisan bills? Haven't we a right to pledge ourselves each to the other that we will oppose these bills? I certainly think we have, and that is all we have done. But the action of the republicans in this case has been published. Well, the action of caucuses generally has been known shortly after they have adjourned. We have announced our action in this case, and it is said that our friends upon the other side propose to adjourn because we have announced that we will not sit down with them and consult in reference to these measures. We have made no such announcement; but the fact is they will not consult with us. They have fixed up a bill for my own city, without asking a single elector in that city, and against the two-thirds vote of the Common Council of that city. They have fixed up that bill to suit themselves, and have brought it here before the Senate and voted unitedly in support of it. We supposed that one of the members upon that side of the House might relent on that bill; but all the democratic Senators here by their united action, insisted upon forcing it upon my constituents, who do not want it. It is surprising, then, that it is a matter of which we should get excited—that we who are in the minority here should stand together to protect the interests of our constituents? We do not refuse to consult with you, gentlemen. We wish to consult with you, but you fix up your bills as you please, and will not allow us to cross a t or dot an i and seek to force them upon our constituents against their wishes, and say that we will not consult with you. You have measures here in reference to the city of New York which the public press of that city say ought not to pass. Hence we oppose these measures as a body. That is all. We have announced, and, as I have said, you, have yourselves repeatedly announced how what you consider party measures and what not. Now, gentlemen, go on quietly with your legislation, and if you are not able to force these bills upon people who do not desire them, why go on and pass such bills as they do desire, and you will find republican Senators meeting you half way.

Mr. TWEED—If the Senator will brush his memory a little he will remember that the proposition was made in order to prevent our getting excited, and now, to prevent the possibility of it, I move that we adjourn.

Mr. PARKER—If the Senator will withdraw his motion—

Mr. TWEED—I cannot withdraw it.

Several Senators demanded yeas and nays and the Clerk proceeded to call the roll. When the name of Mr. Parker was called he asked to be excused from voting and said:—

Mr. President—The Senator from the Fourth (Mr. Tweed) says that the republican members of this Legislature have refused to consider certain bills; that they have refused to act upon them or to have anything to do with them. I think he says that without serious consideration. I suppose the Senator refers to the resolutions signed by the republican members of the Legislature and published this evening. The language there used, after referring to these bills, which have been squarely voted for by the democrats, and squarely voted against by the republicans whenever a vote has been taken, is this, and what no republican can consistently with his party obligations support either. Now, gentlemen, this is our business. If we, as republicans, consider that you present bills and try as a party to pass them, we have a right which is always exercised by all parties to say that we regard them as party measures. Not that we will take any factious action in regard to them, not that we refuse to sit and consider them, but that we consider them party measures, and that we will not support them, as we say in these resolutions. I submit to you, gentlemen, in fairness, yet in earnestness, that that is our business as a political party. We, as a party, have this right. We have exercised it, and, so far as I am concerned—and I believe that every republican stands in the same position—I will stand by it, not that we will be factious, not that we will make any improper legislative attack upon any bill; not that we will take any extraordinary or dishonorable course; but as to these bills, which we believe to be contrary to the public interests, and which are pressed solely in the democratic interest, we, as republicans, will not support them. That is our position. Parties have always assumed the right to take that position. I have never heard that any party has presumed heretofore to dictate the course of the party in opposition, and I do not believe that it can be done successfully in this case. The democrats would not submit to such dictation for a moment. I have too much respect for that old party discipline which was organized by Martin Van Buren and which carried the democratic party to the heights of its career to believe that they would for a moment submit to have their cause d