THE MEMPHIS DAILY APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., FRIDAY, JUNE 6, 1879. VOL. XXXVIII---NUMBER 131

CLOSING RATES

Yesterday of cotton: Liverpool cotton, 7 1 8d; Memphis cotton, 12 3 4c; New Orleans cotton, 12 3-4c; New York cotton, 13 1 8c.

WEATHER INDICATIONS.

WAR DEPARTMENT, OFFICE CH. SIG. OFFICER, WASHINGTON, June 6, 1 a.m.

For Tennessee and the Ohio valley, slowly falling, followed by rising barometer, southerly winds, warmer and clearer weather, with probably local rains and lower temperature in the latter.

WEATHER OBSERVATIONS.

WAR DEP'T, SIGNAL SERVICE, U. S. ARMY, THURSDAY, June 5, 1879, 10:08 p.m.

Place of Observation.	Bar.	Ther.	Wind. Dir.	Wind. Force.	Weather.
Galveston	30.04	77	S.E.	Fresh.	Fair.
Indianola	30.02	77	E.	Fresh.	Clear.
Louisville	29.98	72	S.W.	Gentle.	Clear.
Memphis	30.03	74	S.W.	Light.	Clear.
Nashville	30.05	73	.....	Calm.	Clear.
New Orleans	30.08	74	E.	Gentle.	Cloudy.
Shreveport	30.05	72	S.	Fresh.	Cloud.
Vicksburg	30.11	73	.....	Calm.	Fair.
Chattanooga	30.05	70	.....	Calm.	Clear.

GEO. H. ROHE, Sergeant, Signal Corps, U. S. A.

CURRENT NEWS

That Burdened the Telegraphic Lines on Land and Sea Yesterday—An Old Lady Frightened to Death by a Villainous Tramp—The Michigan Episcopal Diocesan Convention.

Last Day of the National Brewers Association—Mexican Dollars Brought Into Prominence in London by the Inferiority of the European Silk Crop—Political News—Etc.

POUGHKEEPSIE, N. Y., June 5.—A tramp attacked the widow of Farmer Winegan, near Millertown, Dutchess county, yesterday. She was so frightened that she died instantly. She was between sixty and seventy years of age. A posse and a party are in pursuit.

Rumors of Garibaldi's Death Contradicted.

LONDON, June 5.—A Paris dispatch gives currency to the report that Garibaldi is dead, but Menotti Garibaldi, at Rome, telegraphs a contradiction of this report, and says that his father has completely recovered from his recent indisposition.

Massachusetts Greenbackers.

BOSTON, June 5.—The Greenbackers held a grand demonstration in Music hall this evening. Two thousand people were present. The platform was occupied by many greenback and labor reformers. An address by Peter Cooper was read, and speeches were made by Wendell Phillips and Solon Chase.

The Michigan Episcopal Diocesan Convention.

DETROIT, June 5.—In the Episcopal diocesan convention to-day, after prolonged discussion, it was decided that the lay order shall vote by parishes, and not as individuals, for the election of a bishop. Much diversity of faction was expressed at the decision by the laity. The question of admitting clergymen on the second list to seats remains undecided. Doubts are expressed about the convention electing a bishop, but if a choice is made it is thought it will fall on some one outside of the diocese.

Mexican Dollars in Demand.

LONDON, June 5.—The *Times*, in its financial article, discussing the price of silver, says: "It seems to be the pretty general expectation that the European silk crop will not only be backward, but inferior. Attention, therefore, is all the more directed to the probable progress and result of the Chinese and Japanese crops, and under these circumstances there is a very strong demand for Mexican dollars, which sold yesterday at 52¾d, while 50d was quoted as the closing price.

Hanged for Murder.

CHAMBERSBURG, PA., June 5.—Peter, *alias* Peachy, Singler, colored, who murdered John Anderson, colored, at a ball here on the night of December 17th last, was hanged in the jail yard to-day. Upon reaching the scaffold, Singler himself placed the rope around his neck, but the sheriff had him remove it to allow him make any remarks he wished. He then said that whisky and bad company had brought him there, and advised all to abstain from them. He thanked the sheriff and attendants for their kindness, said he was ready, and again placed the rope around his neck, which the sheriff again had removed. After a prayer, the cap was placed over his head and the rope adjusted. The trap was sprung at five minutes past eleven, and at fifteen minutes after eleven he was pronounced dead.

A Breeze in the California Workingmen's Convention.

SAN FRANCISCO, June 5.—The Workingmen's convention to-day rescinded the resolution to make the nominees for judicial offices take iron clad pledges. The pledge for congressmen as adopted is that they will not vote for any Presidential candidate other than the Workingmen's candidate unless otherwise instructed by the W. P. C. A. A resolution to abolish the office of president of the party, now held by Kearney, created a breeze in the convention, and some sharp talk passed between Kearney and the member making the motion. The latter, with two or three others, withdrew from the convention. The proposition was voted down by a large majority. Kearney was re-elected permanent president of the party. The convention then nominated the following: For governor, Wm. P. White, of Monterey county.

The National Brewers Convention.

ST. LOUIS, June 5.—The Brewers convention resumed its session this morning. President Rotter in the chair. The committee on resolutions reported in substance, that there is a marked difference between distilled and fermented liquors, in favor of the latter, from a temperance stan lpoint. That they will not support for delegates to legislative bodies any persons who do not recognize this difference, and who will not act accordingly in the warfare against the traffic in alcoholic beverages. Another resolution was adopted, that in view of the vital questions at issue, the association should extend its membership as far as possible, so that united action can be relied on in defense of the interests of the brewers. General Raum, internal revenue commissioner, made a speech, and General Reuter, the president, was presented with a fifteen hundred dollar silver epergne, weighing three hundred ounces. The association meets in Buffalo, New York, the first Monday in June next.

Miscellaneous.

New York, June 5: Arrived—Baltic, from Liverpool.

London, June 5: Rear-Admiral Mackillop, pasha of the Egyptian navy, is dead.

Melbourne, June 5: The Australian and European bank has stopped payment.

Paris, June 5: It is stated that the cabinet has decided to pardon Blanqui in a few days.

Newark, N. J., June 5: The German Catholic convention selected St. Louis for the next place of meeting.

Berlin, July 5: The Prussian government has offered to grant a site for a new imperial parliament house in Berlin.

London, June 5: The prince of Orange, heir apparent to the throne of Holland, is out of danger, and improving.

Paris, June 5: Two hundred and thirty-eight additional communists received amnesty. The law expires to-day.

Berlin, July 5: A report is current that a marriage is projected between the crown prince of Sweden and Princess Victoria, of Baden.

London, June 5: The bullion in the Bank of England decreased £76,000 last week. The proportion of the reserved to the liability is 52 15-16 per cent.

Concord, June 5: Governor Head was inaugurated to day with imposing ceremonies, and delivered an address which was devoted entirely to State affairs.

New York, June 5: Henry E. Dodge has been arrested on the charge of issuing forged checks, among them, on the Presbyterian book store, of Pittsburg.

Ottawa, June 5: The order of the council prohibiting the importation and introduction of American cattle has been extended to the sixth of September next.

London, June 5: Losses to the Russian insurance companies have been large. The fires in Grenburg last month aggregated two million and eighty-seven thousand roubles.

Florence, June 5: The internationalists who threw bombs at a crowd last November, have been sentenced, one to imprisonment for life, two for twenty, and four for nineteen years.

Lebanon, Pa., July 5: Nimrod Spattenhower, sentenced to be executed to-day, has been granted a reprieve of thirty days, that his case may be brought before the board of pardons.

Simla, June 5: The ameer of Afghanistan will start for Cabul on the eighth instant. After a tour of inspection throughout his kingdom, he will visit the viceroy of India at the end of next winter.

Concord, N. H., June 5: The Derry savings bank, at Derry, whose deposits were reduced by the supreme court to twenty-five per cent. in 1877, has submitted to another scaling, and is now paying only fifty cents on the dollar.

Baltimore, June 5: The Druid Duck mills, near this city, stopped work to-day, owing to the rise in the price of cotton and the approaching end of the cotton year. Between three and four hundred hands are thrown out of employment.

New York, June 5: DeBeigne M. Bennett, the editor convicted on the charge of sending obscene matter through the mails, has been sentenced to thirteen months at hard labor in the Albany penitentiary, and to pay a fine of three hundred dollars.

London, June 5: David Stuart & Co., merchants of Liverpool, engaged in eastern trade, failed. Their liabilities are believed to be between £100,000 and £200,000. The firm is largely indebted to the Presbyterian missionary agency in America, for whom they were agents.

Pittsburg, June 5: By the explosion of a boiler at Bryan's brick-yard, at Freedom, today, John Bryan and Frank Mathery were instantly killed. John Powell and Frank Bryan fatally, and D. Grim, A. W. Erwin and Joseph M'Dermott seriously injured. Low water caused the accident.

Milwaukee, June 5: A fire this evening in the wholesale tobacco establishment of Schuster & Fitz, Market square, caused damage to leaf-tobacco stored in the basement to the amount of thirty five hundred dollars; insured in the Allemania, of Pittsburg, for two thousand dollars.

St. Petersburg, June 5: It is stated in official circles here that England has joined Germany in a protest against the arbitrary manner in which the khedive decree of April 22d deals with the creditors of the Egyptian government. Although solicited by Germany to join in the protest, Russia holds aloof.

CUMBERLAND UNIVERSITY

Commencement Exercises Opened with an Eloquent Oration by Judge J. W. Clapp, of Memphis—A Glowing Tribute to the Memory of General Robert Hatton.

Special to the Appeal.]

LEBANON, TENN., June 5.—Judge J. W. Clapp delivered an eloquent oration at the commencement exercises of the Cumberland university to-day, and was loudly applauded. His first effort was warmly commended as concise, sensible and practical. Governor Marks followed, and was greeted with applause. He paid a glowing tribute to the memory of General Robert Hatton. Fifty students graduated.

THE MOONSHINER'S AMBUSCADE

Proves to be a Moonshine Story—Instead of the Revenue Officer and Six Men Killed, One Moonshiner is Put to Flight, his Musket Captured and Exploded.

Special to the Appeal.]

NASHVILLE, June 5.—Further information was received at M'Minnville yesterday, of the reported ambuscade of Special Deputy Collector James M. Davis and six men, at Bill and Welcome Cantrell's distillery, near Smithville, Decatur county. On approaching that distillery, Davis was informed that twenty-five armed wild-catters were awaiting him. Davis had five men with him, and two prisoners at the time, and thought it prudent to pass on to Peeled Chestnut, which they had left Monday evening, after having reported they intended going *via* Rockfisland to M'Minnville with the prisoners. They reached a point within six miles of Cantrell's distillery, slept there until early Tuesday morning, and made a forced ride to the distillery, which they found guarded by five men. At the approach of the revenue men the moonshiners fled to the bluffs. While Davis and his men were engaged in destroying the distillery the wild-catters continued to fire at them. The fire was returned, when a moonshiner dropped his gun and a keg of whisky, and fled. The gun was captured, and, on being fired, exploded. The distillery had been in operation for some time past.

SANITATION.

Meeting of the Auxiliary Sanitary Association—A Nuisance to be Immediately Abated—Other Business Disposed of—A Sanitary Sergeant to Be Appointed.

At the usual hour yesterday afternoon, the Auxiliary sanitary association met at the committee-rooms of the cotton exchange. The following members were present: Colonel Prestidge, president; General Colton Greene, R. Farnsworth, H. Furstenheim, J. R. Godwin and J. T. Willing.

Dr. Winn and Dr. Overall were also present.

The resignation of J. S. Wilkins as a member of the executive committee was received and accepted, and Mr. I. N. Snowden was selected to fill the vacancy in the executive committee.

A DEATH TRAP.

President Prestidge reported that he found the building No. 16 Causey street, which he, as a committee on sanitary affairs, inspected, in a horrible state of filth, a nuisance, and dangerous to the public health. He understood that it belonged to Mr. John Overton, jr. The building had been condemned. Other vile nuisances were found around the place—privies and cisterns—all emitting a sickly stench. He believed that the building should be torn down. President Prestidge was instructed to report the nuisance to Dr. Thornton, president of the board of health, and President Porter, of the city government, and request immediate action in the matter.

PURCHASE OF DISINFECTANTS.

Dr. Winn, as committee on disinfectants, reported that the zinc-iron disinfectant could be purchased at fifty cents per gallon for one hundred gallons, at the Stern chemical works, New Orleans, or forty cents per gallon for five hundred gallons, delivered at the steamboat landing. Any amount can be furnished in a short time by the manufacturers. Dr. Winn was instructed to order the zinc-iron disinfectant, two hundred dollars having been appropriated for that purpose.

General Greene reported on selecting a permanent office for the association. The committee was granted further time to make a report.

SANITARY SERGEANT.

On motion of General Greene, the president was instructed to employ as sanitary sergeant some competent man, at a salary not to exceed fifty dollars per month, and that a horse and equipments be purchased or hired for the use of said sergeant, by the executive committee.

COLLECTIONS.

Mr. Furstenheim, of the finance committee, made the following report of collections:

W. A. Goodman	$ 25
H. Weller & Co.	50
Porter, Taylor & Co.	100
Peter Tracy	5
Boyle Printing Co.	10
	$190

H. FURSTENHEIM, Chairman Finance Committee.

On motion the association adjourned till to-morrow (Saturday) afternoon at four o'clock.

FEDERAL AFFAIRS.

The Proceedings of the Fitz John Porter Investigation Laid Before Congress by the President—Features of the Atkins Appropriation Bill—The Cyclone to be Investigated.

The House Devotes the Day to Atkins's New Appropriation Bill—Bayard's Jurors Test-Oath Bill the Theme of a Long and Animated Discussion in the Senate.

WASHINGTON, May 5.—Subscriptions to the four per cent refunding certificates since yesterday, amount to three hundred and fifty-eight thousand four hundred and ten dollars.

ANOTHER TEN PER CENT. TAX.

The attorney-general decides that the obligations solvable in merchandise and used for circulation, come so evidently within the mischief intended to be remedied by the act of February 8, 1877, as to subject them to a tax of ten per cent. It also provides that every person, firm, association and every corporation, State bank or State banking association, shall pay a tax of ten per cent. on the amount of their own notes used for circulation and paid out by them.

THE PRESIDENT'S MESSAGE ON THE PORTER CASE.

The following message from the President was received by both houses to-day:

To the Senate and House of Representatives:

I transmit herewith the proceedings and report of the board of officers convened by special order No. 78:

HEADQUARTERS OF THE ARMY, WASHINGTON, April 12, 1878.

In the case of Fitz John Porter, the report of the board was made in March last, but an official record of the proceeding did not reach me until the third instant. I have given to this report such examination as satisfies me that I ought to lay the proceedings and the conclusions of the board before congress, as I am without power, in the absence of legislation, to act on the recommendations of the report further than by submitting the same to congress. The proceedings and conclusions of the board are transmitted for the information of congress and such action as, in your wisdom, shall seem expedient and just.

R. B. HAYES.

EXECUTIVE MANSION, June 5, 1879.

ATKINS'S APPROPRIATION BILL.

The legislative, executive and judicial appropriation bill which Mr. Atkins presented to-day in the house incorporates the bill known as the "M'Mahon amendment," providing for the repeal of certain laws regulating the payment of pensions and directing the secretary of the treasury to pay out for the arrearages of pensions the remainder of the ten million dollars which has been held as a special fund for the redemption of fractional currency. The bill also provides for salaries of office which have been created since the passage of the act of 1878, and includes the necessary appropriations for the different bureaus and other minor provisions. No general legislation, other than mentioned, is included.

THE KELLOGG-SPOFFORD INVESTIGATION.

The committee on privileges and elections this afternoon commenced the examination of witnesses in the contested election case of Spofford against Kellogg. R. T. Merrick appeared for Spofford and Judge Shellabarger for Senator Kellogg.

THE RECENT CYCLONE TO BE OFFICIALLY INVESTIGATED.

The signal bureau will make an inquiry into the origin, movement and effects of the recent tornado in Kansas, Nebraska and Missouri.

MISCELLANEOUS.

Mr. Atkins said this afternoon he would report back the legislative, executive and judicial appropriation bill to-morrow, and endeavor to secure its passage.

The appropriation committee will meet again to-morrow morning to continue the consideration of the remaining measures agreed upon by the joint Democratic caucus, namely: The bill making appropriations for the support of the army, and the bill making appropriations for judicial expenses for the fiscal year ending June 30, 1880.

Congressional Proceedings.

IN THE HOUSE.

More than an hour was consumed this morning in the consideration of a bill reported from the committee on printing for the election of a congressional printer. When the bill was reported, it was submitted, the point of order being raised that it was not such a bill as the committee was privileged to report at this session.

Mr. Atkins reported the legislative, executive and judicial appropriation bill, and moved that the bill be printed and committed.

Mr. Hawley offered an amendment to the motion, instructing the committee on appropriations to report a bill substantially in the form of the legislative appropriation bill last agreed to, but to exclude therefrom all general legislation and all appropriations for judicial expenses.

Mr. Atkins inquired if Mr. Hawley had obtained the floor.

The speaker replied that, since Mr. Atkins had not demanded the previous question, he had recognized Mr. Hawley.

Mr. Atkins—I had not surrendered the floor, but was in expectation of the question being put by the chair.

The Speaker—If the gentleman says that he demanded the previous question the chair of course will take his word.

Mr. Atkins asked if he could withdraw the bill.

The speaker replied that he could.

Mr. Atkins then withdrew the bill.

Mr. Conger inquired if that was in order.

The speaker said it was.

The bill was therefore withdrawn, and the house resumed consideration of the business of the morning hour, being the bill relating to the removal of causes from the State to the Federal courts.

The demand for the previous question being withdrawn, Mr. White proceeded to argue in opposition to the bill.

Mr. Thomas argued in favor of the amendment offered by the minority of the committee. He believed there ought to be some modification of the existing law, but to attempt to sweep it entirely from the statute-book was entirely unjustifiable. The United States was a nation with a great big "N," and every foot of territory in it was part and parcel of the nation. Every citizen had the right to go to the foot of the throne and demand protection, particularly when he had been acting by the authority of the United States and had come in conflict with some law of an inferior municipality. [Applause.]

The morning hour having expired, the speaker laid before the house the message of the President transmitting the proceedings and report of the board of officers in the case of General Fitz John Porter. Referred to the committee on military affairs and ordered printed with all the documents.

Mr. Atkins reported the legislative, executive and judicial appropriation bill, and moved that it be printed and recommitted, and demanded the previous question.

There was laughter on the Republican side at the rapidity with which the previous question was moved, and a member suggested in an audible tone to Mr. Hawley to make some movement, but he declined doing so, remarking in the same tone, that he did not wish to aggravate Mr. Atkins. Mr. Garfield remarked that he had been told by some members who had seen the bill, that it was in the main unobjectionable, but he suggested to Mr. Atkins whether it would not be best to have the bill show substantially, exactly what appropriations it made.

Mr. Atkins replied that a schoolboy of ten years of age, who could not understand the bill, should not be sent to school for another hour. Any executive officer could understand it in a day.

Mr. Garfield—It has to be codified.

Mr. Atkins—Well, it can be codified in a day.

The previous question was seconded, and the bill was ordered printed and recommitted.

The house then took up as the special order the bill reported by Mr. Hatch, from the committee on agriculture, to prevent the exportation of diseased cattle and the spread of infectious or contagious diseases among the domestic animals, and was addressed in support of the bill by Mr. Hatch and Mr. Covert, and by Mr. Morton, in opposition, without action.

The house then adjourned.

IN THE SENATE.

Senator Pendleton, from the committee on foreign affairs, reported back the house joint resolution appropriating money to enable the United States government to participate in the international exhibitions, to be held at Sydney and Melbourne, in 1879 and 1880, which was adopted.

On motion of Senator Kernan, the bill for the delivery to Samuel Lord, jr., receiver, of certain bonds now in the United States treasury, was taken up. It appeared from letters submitted by Senator Kernan that the bonds referred to came into the possession of the government during the war, nominally as captured property, and their ownership was afterward discovered. The bill was passed—yeas, 28; nays, 18.

The bill reported yesterday by Senator Bayard, from the judiciary committee, relating to juries and the repeal of sections 820 and 822 of the revised statutes, was taken up. Senator Hampton, after briefly supporting the bill, spoke on general political issues.

In the course of his speech, Senator Hampton said he would not, in any event, vote for any such necessary appropriations to support the army and the departments of the government. It was true, the southern members formed a majority in congress and were responsible for what they approved and supported, as well as for what they suggested. Senator Hampton could not claim to speak as a leader of his party; but, speaking for himself, he would never try to shield himself from the consequence of his action behind any man or party. If the policy supported by him was revolutionary and treasonable, he was a revolutionist and traitor. But what policy is before congress worthy of such a charge? Continuing, Senator Hampton said: By no vote of mine will the appropriations necessary for the efficient maintenance for the army be refused. It is competent for congress to declare under what limitations and upon what conditions, these appropriations shall be made. The form in which this is done I regard as immaterial. In my judgment it would have been best to adhere to the general form, but as it has been deemed advisable to make the necessary appropriations in another manner, I shall, in order to secure unanimity, acquiesce in the decision of the majority, but in no event can I consent to aid in disbanding the army or impairing its efficiency. It is the army of the south, as well as of the north; it is the army of the whole country. In its history, from the days of the revolution through its achievements of 1812 and the glories of the Mexican war, I have some reason, by right of my birth and blood, to be proud. In the late civil contest, on many a bloody field I tested its value, and no word or act of mine shall depreciate its value or lessen its usefulness. Because I so regard it, no act of mine shall tend to degrade it from its high rank. I will not so legislate that, against its own honorable instincts and traditions, it shall be an instrument of tyranny in the hands of any factious, party or executive who may be so unscrupulous as to destroy; nor shall I assent, because of any differences of opinion between the minority and majority, to close the courts of justice or embarrass the necessary and orderly life of the government. The constitution has provided a means by which an appeal to the country can be determined, and it is for the people to decide whether the Presidential veto has been wisely used to defeat the will of congress, which represents a majority of the people. Senator Hampton proceeded to say that he had no intention to embarrass the administration. While he himself considered the provisions of the bills as just, he recognized the difficult position in which the executive found himself. His [Hampton's] people remembered that in a critical period of their history, when any injudicious action would have been fatal, the President, by a conscientious construction of his duty, removed the United States troops from Louisiana and South Carolina, thus enabling the people to restore their local governments to those who represented the popular will, as well as the character, intelligence and property of the two States. For this wise and patriotic action he was grateful, and, while in the necessary party differences which must arise in a free country it would be his duty to oppose the policy of which the President was the representative, that opposition would not be captious, nor such as to drive the President into a coalition with those who would readily trample on the rights of the people in their struggle to retain power. Senator Hampton said that his party was now denounced for wishing to restrict the Federal use of troops, though men high in the Republican party, whose words he quoted, had also pointed out and denounced abuses and danger in their use. Continuing, he said: There was a widespread doctrine that the result of the war had been to increase the strength and functions of the general government, and that as a natural consequence it could rightly use the machinery of the government, including the army, to confirm its newly acquired power. Some had thought that the war had not changed in any way the relative powers of the states and the Union. One of the principal features of our success and growth has been the play of local government influences. It was not the immediate action of the war that he feared, but the ultimate effect of its use. It would be centralization and despotism, and he would oppose any legislation to give the general government power to interfere in any way with elections. It was better to have turbulence in one or two great cities than to have military despotism in the whole country. It had been complained that the Confederate officials were sent here as legislators. Nearly every man in the south had lost his name and nearly every man had for trusting his interests in the place to those who risked their lives and fortunes for her in war. He thought that the north had honored in a like manner those who fought her battles, the legislation of the country would not be enforced by renewals of sectional strife. When the north invited the southern States to return to the Union was she sincere, or did she only want them back to govern them as rotten boroughs? If sincere, she should be glad that they sent their best and most honored men to represent them. The south could not, in the future, expect to be long subordinated to the mass of ignorance and inexperience forced on them by the hasty action of the Republican party; the south had no apology to make for the past; in the heat of the contest hard blows were struck and hard words spoken, but to speak them now is not to the interest of that harmony for which the whole country longs; the south seeks to have stricken from the statute books laws which are a reproach to her as much as any one of the armies and navies; if you ask us to come back as states, treat us as states; join hands with us to establish national liberty as understood by our fathers. Senator Hampton's address aroused frequent applause in the galleries.

Senator Bayard supported the bill, and quoted from Hampton's writings to show that the theory of the veto power was to confer on the President the power to protect himself and to prevent the passage of bad laws, either through inadvertence or design. The bills recently vetoed were not so passed. They represent the sober second thought of the American people, in whose deliberate judgment the reforms contained in them should be made, and the people would judge the President and his party by their works. Senator Bayard remarked that the same people who elected the Democratic majority also elected a Republican President, and they rested their hope in the belief that truth and justice are omnipotent and must prevail. He appealed to the American people will be called upon to decide at a future election, but these facts only render the situation more difficult and trying for the moment. They are trying to execute their duty and shape legislation so that this country shall be free and prosperous; so that the Union shall be restored, public credit maintained and all the functions of government duly cared for. Their responsibility is to their sense of duty and their conscience; and every branch of the government shall be sustained. "Our first duty," said Senator Bayard, "is to supply everything necessary to the subsistence, honor and life of the force to be taught us by a harrassing, obstructive executive. Our measure of patriotic duty is not to be measured by him, but by what we took to support the government." Senator Bayard observed that the effort made to misrepresent the Democratic party as intending to refuse supplies and so cripple the government, would be futile; the people would not be thus deceived as to that party's intentions. For himself, he would not belong to a party adopting such a policy. "But shall it be said," he asked, "that a man, accidentally and wrongfully vested with enormous power which have accumulated and grown around the executive office, shall succeed in blasting his great party, with all its patriotic objects and interests, in a position of suspicion and doubt before their fellow countrymen? It will require time to make that issue. It is false, doubtful and untrothful at most to slander his neighbors. This government shall move on; it shall be supplied honestly; we shall stop all the jobs we may; we shall adopt the most careful for the strong, vigorous and just exercise of every constitutional power, and we do not mean that any obstructive executive, any President, shall overpower by coercing power against our belief of right, but to which we submit under forms of law, shall pervert the end and cause false issues to be made before our country. In conclusion Senator Bayard said he only asked a fair understanding between the executive and the majority in congress, and he was sure such an understanding would lead to renewed respect for, and confidence in the party whose motives have been so cruelly misrepresented.

The president *pro tem.* laid before the senate a message from the President of the United States, inclosing a report of the board of inquiry in the Fitz John Porter case. Referred to the committee on military affairs.

Senator Edmunds moved to strike out the clause of the pending bill that repeals section 821 of the revised statutes, so that only sections 801 and 821 should be repealed—yeas, 16; nays, 26.

Senator Edmunds then moved to amend, by adding the following: "That no citizen possessing all the qualifications which may be prescribed by law, shall be disqualified for service as a grand or petit juror in any court of the United States, or any State, on account of race, color or previous condition of servitude. Any officer or other person charged with any duty in the selection or examination of jurors, who shall exclude or fail to examine any citizen for such cause aforesaid, shall, on conviction thereof, be deemed guilty of a misdemeanor, and fined not more than five thousand dollars."

Senator Thurman—Inasmuch as the provision of the constitution does the senator from Vermont propose that congress shall regulate juries in the State courts?

Senator Edmunds—This senate has decided that we can regulate health, and I do not know why we cannot regulate justice.

Senator Thurman—If this comes under the commercial power of congress, I do not know what can come under it. If that is the only answer the senator has to give, I will say no more.

Senator Edmunds—The amendment of the committee comes under the trading clause.

Senator Thurman—The senator answers my question jokingly, but he leaves the amendment in such a shape as to excuse everybody who does not see the constitution through his spectacles to vote aga nst it.

Senator Hill—I would cordially vote for the amendment if it intends to accomplish what I suppose the senator proposes to accomplish, that is, that persons qualified by law to serve on juries shall not be rejected because of race, color, or previous condition of servitude. Very clearly they ought not to be rejected for any such cause. If his object is to insert something which he thinks will otherwise make it appear on record that we are voting against the race and color clause, I think it is in unfair. We do not think that congress has the right to prescribe the qualifications of jurors in a State, nor to prescribe a penalty for non compliance with the laws of a State in regard to summoning jurors. If the senator will strike out the words, "or any state," we will cheerfully vote for the amendment.

Senator Wayte and other Democratic senators—I won't.

Senator Hill—Well I will; you may not.

Senator Harris—Is not that the law now?

Senator Hill—I think it is. I think the amendment is a solecism, because it says "no person who is qualified shall be disqualified." If he means that nobody shall be rejected for these reasons, I can understand it; but, I think, we ought to deal fairly, and not interfere with the constitutional prerogatives of the States.

Senator Eaton—I would suggest that it is not quite worth while to perfect the amendment. I think the best thing we can do with it is to vote it down. [Laughter.]

Senator Hill—I will be willing to vote for it otherwise.

Senator Conkling—May I make an inquiry of the senator from Georgia?

Senator Hill—Yes, sir.

Senator Conkling—If he said, "or any other State," was stricken out, we would, etc., am I to understand—

Senator Hill (interrupting)—If I used the word "we" I did it for myself.

Senator Edmunds—Editorially. [Laughter.]

Senator Hill—Editorially. I did not intend to usurp any authority. As it stands, I shall vote against it. The amendment was rejected—yeas, 14; nays, 24.

Senator Conkling said he hoped Senator Hill would come forward with that enthusiasm for justice that often inspired him and vote for all and bring up his colleagues and followers to support his good intentions; he therefore renewed Senator Edmunds's amendment, with the words "or any State" stricken out. Senator Conkling spoke in a humorous vein for a few moments, saying that he was detaining the senate in the hope that the senator from Georgia would reappear—he having gone out to attend a meeting of the committee on privileges and elections—and redeem his pledge to vote for such amendment if the constitutional difficulty was removed. At this moment Senator Hill turned into the chamber, his appearance being greeted by laughter and applause. Senator Conkling repeated the substance of his remarks, whereupon Senator Hill said the persistency with which the amendment was pressed had caused him to suspect that there was something in it that he had overlooked; if it was the simple proposition it seemed to be there would have been no necessity for a long speech.

Senator Conkling—I was simply diverting and amusing the senate, to give the senator time to get back, as I knew he was wishing to do, to redeem his pledge.

Senator Hill—The gentleman is well capable of that. [Laughter.] I objected before to the constitutional difficulty. If the senator from Vermont [Edmunds] has indicated in any way that he would correct that, I would have looked to see if there was any other objection, but as he did not, I could not tell. Now, if the senator from New York [Conkling] will say that he thinks the laws as it stands excludes from United States juries a man, otherwise qualified, because of race, color, etc., I will vote for the first clause of this amendment with great pleasure. But there is no need of re-enacting what is now on the statute books.

Senator Conkling said Senator Edmunds offered an amendment to guarantee to black men their rights under the constitution. The Democratic vote would show that with all their professions of equality they did discriminate between the right of colored men and that of white men. The same constitution under which the senator from Georgia professed his willingness to vote for the equality of jurors in the national courts applies as well to States. The fourteenth amendment provides that "no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States," etc., but the senator wanted to make it appear that the Democrats proposed to do just what the Republicans wanted to except in crossing the line of the State. Senator Eaton, with his long head, had dropped a word of caution, and advised his colleagues to vote the amendment down without debate.

Senator Hill—I feel that I owe the senate an apology. When I heard the motion of the senator from Vermont [Edmunds] I thought there was something serious in the matter, and that he thought this provision needed some amendment. I supposed the gentleman meant it, but I discover that he is merely trifling or making fun for the galleries. I beg to wash my hands of it, and have nothing more to do with it.

Senator Thurman thought that Senator Conkling had read the celebrated English statesman who said he acquired eloquence by speaking on every day and everything for the first years of his career, and was imitating him in the determination to become a ready debater by speaking often and on every subject. Senator Thurman said that this was the first time that he had heard of the amendment, and why was it not proposed in the judiciary committee and considered there? This was not the way in which the business of the senate should be conducted. He was sorry to make these remarks, but he wanted fair play all around, and did not want anything sprung on him without time for proper consideration. He intimated that the amendment had been off-red in the senate because it thus became an amendment to the committee amendment, and could not be an ended again. They were, therefore, compelled to accept it as a whole, or else appear to be voting against the race, color, etc., part of it. He went on to show that the bill provides that members of both political parties shall be drawn in equal numbers. If the Republican drawer chooses he can place none but negroes' names in the box. This amendment looked like a smart move, he said, but in his judgment it was not smart at all, and its friends would live to regret it.

Senator Edmunds—We are almost scared out of it now.

Senator Thurman—I have no doubt the senator would withdraw it if he could. The amendment was rejected—yeas, 15; nays, 28.

Senator Edmunds moved to strike out the words requiring the commissioner appointed by the judge to put the names in the box, to be "a well-known member of the principal party opposing that to which the clerk may belong."

Senator Blaine asked the other side whether this was not the first appearance of a political description in the matter of the judiciary, and if it was not introducing into the jury system the principle of the caucus and the primary election. It was a great innovation and a backward step. It might be the basis of great fraud, a common and indecent cheat.

Senator Eaton—Suppose it has been a cheat heretofore?

Senator Blaine—Does the senator assume that it has been?

Senator Eaton—In some respects it has been too much so.

Senator Blaine—That is a tremendous modification. Now, if he will rise, I think he will take back the other half.

Senator Eaton—If my friend desires me to rise to make the effort, I will make it. There has been absolute and unqualified injustice practiced in many of the States in selecting jurors. I do not suppose I am not aware of it he ought to be. I am; and I believe every senator is, and therefore I think the committee did well in order to make this thing reasonably honest.

Senator Blaine—Do I understand the senator to impute those frauds and wrongs to one party, and that the Republican party?

Senator Eaton—Does it make any difference which party did it?

Senator Blaine—I want that we should understand each other.

Senator Eaton—I do mean that.

Senator Harris—Will the senator from Maine allow me to state a fact in point?

Senator Blaine—Certainly.

Senator Harris—Five or six years ago, in the United States circuit court in Memphis, it was found that every juror summoned by the marshal belonged to one political party. It was stated by many citizens that they had been approached, and asked if they would find for the government in all suits in which the government was a party. It selected the jurors; and, upon their stating that they would be governed by the evidence and the law, they were rejected. Upon a petition by the bar stating these facts, the judge discharged every juror, and made a panel himself, but this should want might occur under the present system.

Senator Blaine—That case illustrates that the correction must be made in the court where the wrong occurs. The court will correct it.

Senator Whyte (*votto voce*)—That depends upon who the court is.

Senator Hartle—If a point is that it would be better so have juries selected impartially than to leave it to attorneys to appeal to the court to correct an accomplished evil.

Senator Blaine—Now, the result of this bill will be to get the rankest partisans on both sides into juries.

Senator Dawes—What if there are three parties?

Senator Blaine—That is what I was going to speak of.

Senator Eaton—We can except Maine from this. [Laughter.]

Senator Blaine—That is the very trouble; I am. There are three parties there, and the principal opposing party is now the Greenback party; and this law would exclude the Democrats entirely from the panel. The last vote was: Republicans, fifty-seven thousand; Greenbackers, forty-three thousand; Democrats, twenty six thousand. That leaves the Democrats out in the cold entirely [laughter]; and if a man does not belong to any political organization he cannot get in the jury box at all. Several, Swensden and Halo could not get on a committee here in years gone by, because, in the opinion of such patriots as Jed Davis, Judah P. Benjamin and Kidell, they did not belong to any healthy political organization. [Laughter.] Now you propose to introduce politics into the jury-box. I object to it, because it is a great public indecency to put in the statutes a provision that two political partisans shall stand facing each other to draw jurors. What are the principal parties now in Georgia? I know what one is, but what is the other? What are the two principal parties in those districts where twenty-five hundred votes, all on one side, elect a member of congress? There is another great underlying fact. The conscientious man is not nominally of the opposite party, but really politically or corruptly in harmony with the clerk. Then you shall have a jury of rank partisans all on one side.

Senator Thurman, referring to Senator Blaine's assumption that there was no precedent for recognizing political differences in drawing juries, cited the practice in Pennsylvania since 1867, which is similar to that proposed. The amendment was rejected—yeas, 18; nays, 30.

Senator Edmunds moved to strike out the words "but nothing herein contained shall be construed to prevent any juror in any district or State from being in no use practice from ordering the names of jurors to be drawn from boxes used by the State authorities in selecting jurors in the highest courts of the state."

Senator Edmunds—My object is to get rid of the crossed-saw business—the pendulum way of selecting jurors. The resolution was rejected—yeas, 18; nays, 30.

Senator Edmunds moved to strike out the clause by which no person shall be compelled to serve more than two weeks at any term, unless it be necessary in order to complete the trial of the cause in which he is impaneled. Rejected.

The committee's amendment, being a substitute for the original bill, was then agreed to—yeas, 30; nays, 18.

Senator Edmunds moved to recommit the bill. Lost.

Senator Edmunds then spoke at some length on the bill in reply to Senator Thurman's intimation of sharp practice in offering the amendment in the senate instead of in the committee. He said the minority of the committee were not given sufficient notice of the proposed substitute, and were unable to investigate its full scope in the short time they had. The law of 1875 declares that no man shall be disqualified on account of race, color or previous condition of servitude to serve as jurors in either State or national courts. That is set aside and repealed by this bill. He said that section 820 had been been retained in the statute books by the Democratic house refusing to pass the senate bill repealing it. He intimated that perhaps this was done purposely to keep alive a good political grievance. Section 821 gives the court discretion as to whether persons are fit to serve in certain cases, just as common law used to allow him discretion as to a challenge for favor. Is it a part of our mission now, he was asked, to encourage rebellion, and say that hereafter when the next rebellion occurs we will take care beforehand that there shall be no law to keep a red-handed traitor off the jury when his fellow traitor is tried? undoubtedly that must be the object.

Senator Edmunds here yielded to the motion to adjourn.

SUNDAY-SCHOOL.

Convention of West Tennessee Teachers Proposed to Make Arrangements for the International Convention.

The committee appointed by the International Sunday-school convention at Atlanta have at length been able to call a meeting. The time set for it is Thurs