THE WILMINGTON JOURNAL
DAILY AND WEEKLY.

TERMS OF SUBSCRIPTION

THE DAILY JOURNAL is mailed to subscribers at EIGHT DOLLARS per annum; FOUR DOLLARS for six months; SEVENTY-FIVE CENTS per month for a shorter period.

The Weekly Journal at two dollars per annum, one dollar for six months. No subscription received to the Weekly for less than six months.

Wilmington Journal.

VOL. 32. WILMINGTON, N. C., FRIDAY, APRIL 21, 1876. NO. 16

A Communion Service Two Hundred Years Old.

The *Southern Churchman* says that an interesting event took place on Sunday morning, March 25, after divine service, in St. John's church, Washington. The silver communion service, which for sixty years had been used in this parish, was presented by Colonel Tayloe, of Mount Airy, Va., who purchased it under the following circumstances: On the sacred vessels is the inscription, "Farnham and Luenburg parish, Virginia." Two hundred years ago they were given by Queen Anne to this feeble colonial church in a secluded parish of the Old Dominion. In later years, when much of the church property was confiscated, the globe and silver of Farnham parish shared the fate of other colonial property, but this communion service was afterward redeemed and presented to St. John's by Colonel Tayloe. Here for sixty years it has been used. It having been recently decided by the rector and vestry of St. John's that Farnham and Lunburg parish had a prior claim in equity, though no legal claim to this communion plate, it was resolved by them to restore it to this ancient parish, and, last Sunday, after the regular morning services, the formal restoration of the pious mementoes was made by the rector and wardens o St. John's to Farnham parish, through its Rector and vestrymen, who were present to receive them.

A North Carolina Centennial.

The history of North Carolina is so rich in the record of patriotic movements, and her people in these days of centennial celebrations have been called upon to recur to so many hundredth anniversaries of glorious deeds of their ancestors, that they may be pardoned for having omitted that of the twelfth of April, which was the centennial of the resolution passed by the Provincial Congress of North Carolina, empowering her delegates in the Continental Congress to vote for the Philadelphia Declaration of Independence. The Philadelphia *North American* acknowledges that it tried in vain to find documentary evidence to disprove the fact of the Mecklenburg declaration. But whilst looking for this proof, the editor of that paper seems to have been agreeably surprisrd at finding the record of the resolution above alluded to. The *American* thus comments on the subject of its discovery:

Forced by a very careful examination of all the documents to discredit the patriotic claim North Carolina long insisted upon, of having anticipated the Declaration made at Philadelphia one hundred years ago by an earlier one at Mecklenburg, there is especial satisfaction in recognizing one act of that old North State patriotic movement, that was original, and formulated the result finally attained. The action was not directly related to similar ones in other States as cause and effect. The causes operating were common; the spirit they awakened or exhibited was one, and it was the union of sentiment in all the colonies that created the independence through which the Union had its genesis. North Carolina has the honor of first formulating this sentiment in an official manner, and she did so in her Provincial Congress, April twelfth.

The situation then was critical and anxious. Lexington had been followed by Bunker's Hill. The Continental Congress had been elected, and appointed Washington commander-in-chief. Independence had been debated and advocated and opposed. There was a more general conviction in all the colonies and among all classes that the only redress of grievances possible was to be sought by independence; and this conviction was accompanied by a livelier sense of the expenses and difficulties of the act. The newspapers, the correspondence, the debates and the memoirs of that period show this clearly. It is to the honor of North Carolina that on the 12th day of April her provincial Congress unanimously "*Resolved*, that the delegates from this colony in the Continental Congress be empowered to concur with the delegates of the other colonies in declaring independence and forming foreign alliances." Before the month had closed two Virginia counties instructed their delegates in the provincial Convention to do all that they could to dissolve the connection between the colonies and Great Britain "totally, finally and irrevocably."

We celebrate the anniversary of that Carolina heroism, and give it full weight and honor. The act itself was small. Its influence fell upon the Congress assembled and deliberating in this city, and encouraged the resolute and invigorated the doubting. And it contributed its share to the great decision expressed three months later, and armed the south to join with the north in the attempt whose mighty success is now soon to be commemorated. May the memory of this early concert bind closer the bonds that reunite all the States.

Meeting of the Executive Committee of the 7th Congressional District.

The Democratic Executive Committee of the 7th Congressional District met at the call of Gen. S. H. Walkup, chairman, in Monroe, on the 11th of April, 1876, at 12 o'clock M., and was duly organized by requesting B. C. Cobb, Esq., to act as secretary.

Upon calling the roll of counties it was found that the following counties were represented by the gentlemen named below:

Union, Gen. S. H. Walkup, chairman; Anson, Col. R. P. Bennett; Gaston, Col. W. A. Stowe; Lincoln, B. C. Cobb, proxy; Mecklenburg, W. J. Yates; Richmond, Col. W. L. Steele.

From the proceedings of the committee as published in the Charlotte *Observer*, we learn that the object of the committee was to agree on time and place for holding the District Democratic Convention to nominate a candidate for Congress. Wadesboro was selected as the place, and the 7th day of June as the time for holding the convention, after which the committee adjourned subject to call of the chairman, Gen. S. H. Walkup.

More Boarders.

The Raleigh *Sentinel* says: Sheriff Griffith, of Caswell, is in the city with three more boarders for the republican Lotel. Daniel Vaughn 5 years, Henry Brandon, sr., 5 years, and Henry Brandon, jr., 5 years. All darkies and for larceny.

Venerable Cherokees.

"We learn," says the Ashville *Citizen*, "there is an aged couple of Cherokees in Cheowah, Graham county, who propose going to the Centennial. The husband, Chee Squich, is aged 125 years, and the squaw, Nahlib, 130 years. Both are in vigorous health, possess all their faculties intact, and are full of ancient reminiscences. They are Cherokees, and were born within four miles of the place of their present residence. The man recollects perfectly the declaration of the revolutionary war and the proclamation of peace. They will form a valuable addition to the collection of antique human curiosities."

The Democrats of Brunswick.

The Democrats of Brunswick are beginning to make preliminary preparation for the campaign. The Executive committee not long since held a meeting the proceeding of which we published, appointing delegates to the District Convention, &c. One of these delegates having declined, the vacancy in the delegation thus created, has been filled by the appointment of D. S. Cowan Esq., as will be seen by the following letter of appointment:

OFFICE OF EX. COM. DEM.
CON. PARTY OF BRUNSWICK
CO., April 11, 1876.

To D. S. Cowan, Esq.:

You are hereby appointed a delegate to the next congressional district convention to fill a vacancy caused by the declination of Samuel A. King.

W. G. CURTIS,
Com'n. Ex. Com.

Our Railroad

Whatever changes may be made in its management, we hope, for the sake of peace that the present corps of conductors will be retained, for they are to our people in their capacity, what Capt. Wootten was as Express owner, and the people among the lines, don't fancy the manner in which he was swallowed up, and we don't think they are trying to like it.—*Polkton Ansonian.*

We endorse this very cordially and feel satisfied that the public at large does. No railroad has a more gentlemanly or efficient corps of conductors, and with the *Ansonian* we express the hope that, whatever other changes may be made, these will be retained.—*Charlotte Observer.*

And to these flattering testimonials we beg to add our hearty amen.

A Gentle Mother.

The following barbarous deed, related by the Raleigh *Sentinel*, reminds us of some of the acts of cruelty which were perpetrated by many of the negro mothers who were camp followers of Sherman's army on its march through North Carolina. The *Sentinel* says: "A nigger woman in Chatham county, name unknown, got mad the other day with her fretting infant, seized it by the heels and dashed its brains out against a stove. The she-devil then tried to conceal her crime by hiding the body in an old outhouse, but the act had been seen by a little nigger boy, who at once gave the alarm. The woman was arrested, carried to Pittsboro and jailed."

For the Journal.

Greenville, S. C.

In the Southern Baptist Theological Seminary, located here, we have at present four North Carolinians studying for the ministry. Two others spent a part of the session, but they have recently entered upon the work of preaching in North Carolina. Rev. S. F. Conrad, of Yadkin county, has entered the pastorate, and Rev. A. C. Dixon, of Cleveland county, is preaching very acceptably as an evangelist. Mr. Dixon was an uncommonly promising young man and we were sorry to lose him from our corps of students, though there is good reason for thinking that he and Mr. Conrad will both do good work in the field.

The North Carolina students now here are Messrs. A. B. Alderman, of Pender county; Thomas Carrick, of Davidson; J. T. Harris, of Wake; and R. T. Vann, of Hertford.

Mr. Alderman has relatives in Wilming on; and his quiet, unassuming worth and his mild, gentle manners, remind at least *one* person here of a family in Wilmington whose kindness to their pastor during his six and a half years of labor in that city, will not soon be forgotten. Mr. Alderman is studying Old Testament Interpretation, Biblical Introduction, New Testament Interpretation, and Church Government and Pastoral Duties.

Mr. Carrick studies Old Testament interpretation, Biblical introduction, junior Greek and junior Hebrew. He has recently recovered from an attack of measles, which disease has been prevailing here for some weeks.

Mr. Harris studies old Testament interpretation, New Testament interpretation and junior Greek.

Mr. R. T. Vann is one of the very best students in the seminary. He has senior Greek, junior Hebrew and homiletics. All his work is done carefully and with marked ability. Mr. Vann has lost both his arms, and yet he writes his own sermons, essays, etc., and writes uncommonly good ones. His general health seems to be quite good and his spirits exuberant. If he lives, he is sure to make his mark.

The seminary examinations are being ushering now, and hard work is at a premium. When the examinations are over, and the results are made known, the JOURNAL shall hear how the Old North State comes out of the ordeal.

J. C. H.

A Question of Figures.

Lucy Hooper, from Paris.

Were I not a peculiarly moral person, I should say, for my own part, "Drat the fashions!" For I am not a Venus, and the incoming modes will, unless I am much mistaken, be pitiless to those who are anything else. The old Princess or Gabrielle cut for dresses is to be revived—nay, is revived—and threatens to become the rage. New, in old days, with hoops and full skirts, these gored, all in-one dresses were not so bad; but now, what with the tie back skirts and glove fitting dresses, women who are either too thin or too stout have a hard time of it. Of course, such a figure as that of Croizette looks simply divine in such attire, but how many women have a figure like that of Croizette, I should like to know? Not one form in a hundred can stand the total absence of drapery. And so, fat and forty, or thin and thirty, must be turned into guys in order that the sweet and shapely may have a chance to stun the world with a revelation of loveliness.

The house of John Maffert in Germantown (Mason county, Ky.,) was blown down, killing Maffert and his son and injuring six others.

THE BLAINE BRIBERY.

An Interview With Harrison, the Author of the Charges.

The Indianapolis Sentinel, of the 12th instant, prints the following interview between Mr. Harrison and one of its representatives in conference to the charges against Mr. Blaine.

Mr. Harrison, said the reporter, you have no doubt been bored to death to-day by interviewers about this business?

Oh, no, he replied; I have simply refused one and all of them any extended statement about the matter, for I think it the best policy on my part to hold fire till the committee asks for my testimony. If they order me to speak, I am ready, and shall certainly tell all I know.

Well, sir, the charges made are just now of national interest and importance, and the people won'd be glad to know in general, if not in detail, if you substantiate them.

I don't want any newspaper notoriety, he blandly replied.

But about the dates given, must any change be made in them?

No, he quickly answered, and then, seeing he had, perhaps, committed himself, he said, I was a first-class guess.

You have been one of the government directors of the road for some time, Mr. Harrison?

Yes, for sixty years.

How many are there?

Five, and three then serving are still on the board; Mr. Wilson of Iowa, Mr. Mallard, and myself.

It was not Mr. Wilson that urged you to withdraw that resolution about the money?

Oh, no; it was Rollins, the Secretary; and then he remarked confidentially: He came to me and said it would never do to press that invitation. Easy enough to show that when the time comes, though. I'd rather not go into details at present.

Well, Blaine certainly must have had some connections with the Pacific road in some legal capacity?

Not a bit of it. He never was employed that I know of, and I would have some knowledge about it if he had been. He was Speaker of the House at that time—1871.

Of course you know nothing of his services to the road?

I can't say that I do, but I feel convinced the money went into his pockets.

Go It, "Heathen Chinee"

And now the cry comes from the Pacific States, "Save us from an inferior race!" It was all very well to foist over the people of the South the lately emancipated negro—a greatly inferior race to the Chinese or Japanese. No State took greater pleasure in this than California. And now when the presence of the "heathen Chinee" brings this conflict of races home to them, they ask Congress to come to their aid. Radical Senators and Representatives who, only a few months ago, advocated the Civil Right Bill, giving the negroes not only civil and social rights, now have the impudence to ask for legislation by Congress to protect their constituents from "Chinese cheap labor." The law says there shall be no distinction on account of race, color or previous condition of servitude. If we were a Southern member of Congress we would sit there until the Gulf of Mexico rose over before we should vote them any relief till they consented to some such relief for ourselves and our Southern States. So far from it, we should vote for the establishment of a "bureau for their protection against extortionate landed proprietors. And we should vote them a bank, too, in which to deposit their savings, to be entitled "The Emancipated Mongolians' Savings Bank." And we should vote to give them the ballot without naturalization, and make them vote whether they wanted to or not. Go it, heathen Chinee; we are betting on you. *Morganton Blade.*

Kindness Worthily Bestowed.

The Sumter *True Southron* says:

We have been pleased to learn from Mr. Wm. Cuttino, of our town, who has interested himself in behalf of Miss Fanny Peck, a blind orphan of a worthy Confederate soldier of Clarendon county, who has been desirous of going to Baltimore for the purpose of having her eyes operated on by Dr. Chisolm, of the Baltimore Eye and Ear Infirmary, that arrangements have been completed for her to go on at an early day.

Dr. Chisholm agreed to perform the operation free and Mr. Jas Woods of Baltimore has kindly offered her a home in his house while it shall be necessary for her to stay in that city. At the request of Mr. Cuttino Messrs. Kerchner & Calder Bros., of Wilmington, N. C., have secured her passage on one of the steamers of the Baltimore and Wilmighton Line, of which Mr. A. D. Cazaux is the popular agent at the latter place.

Miss Peck was educated at the State Institute for the blind and dumb, at Cedar Springs, Spartanburg county. For some time past she has been staying with friends in this town where she has won the esteem of all who have made her acquaintance, and many of our citizens feel an interest in the operation to be performed for her.

Vance's Great Grandfather

We learn from Col. Tate that the great grandfather on his mother's side of Z. B. Vance whose name was Brank, once killed a Tory named Warlick, in a hand to hand duel at Ranseur's mill, near Lincolnton, just after the fight at that place. Brank was a mountaineer of great prowess, and as bold and brave as a lion, and was the most uncompromising of all the rebels. He and a man named Murphy had come from the battle of King's mountain, and were walking over this hill, near Lincolnton, looking if they could pick up any of the wayside wounded, when just at the crest of the hill Brank met a Tory neighbor, a man named Warlick—and himself a brave and desperate man—coming towards him. Each one knew, as he eyed the other, that one or both had to die. Both men were armed with flint and lock guns and both their guns were empty. They stopped, facing each other, and each commenced loading his gun. Murphy stood off and looked on in silence. It was just a question of time which could load his gun the quickest. Both rammed their guns together. Now they prime together, coolly and deliberately, the muzzles of their guns nearly touching. But as Brank primed his gun he closed the pan and cocked it at the same time, and drew a dead bead on Warlick and killed him just as he was raising his gun to his shoulder. Murphy often talked over the whole thing to the neighbors and described the scene just as it happened, and it is as familiar as an old song in the mountains. Warlick's grave is fenced around with a stone wall on the hill just outside of Lincolnton. Descendants of all the families are now living.—*Raleigh News.*

Her Majesty's ship Serapis with the Prince of Wales and suite on board arrived at Gibraltar to-day on her way from India to England.

WASHINGTON.

WASHINGTON, April 14.—Night.—There was no congressional or committee business transacted to-day.

A grand procession of colored people and appropriate proceedings at Lincoln Park, where the statue was unveiled, occupied the day. The President, some of the cabinet officers, the diplomatic corps, many members of Congress and a vast crowd were in attendance. Professor Langston, presided and Fred Douglass delivered an oration.

The Treasury Department purchased a ten months supply of silver bullion a few weeks ago at three cents per ounce below the present ratio. This, with the bullion fund, will, it is believed, be sufficient for coinage until the annual settlement at the mints in June next.

The speakers made no allusion to current politics at Lincoln Square today.

WASHINGTON, April 15—Noon—In the case of journal clerk Smith, charged with issuing circulars for business in bounty claims were refered to the committee on rules.

In the Putman case it appears that the condition upon which Dr. Simpkins' son should be appointed was that Simpkins should contribute $300 to a fund to elect Witherspoon to the legislature.

The House is considering the report of the judiciary committee in favor of the refusal to obey the writ of habeas corpus in the Kilbourne case.

The full judiciary committee decided not to surrender Kilbourn.

The resolution giving the real estate pool committee power to investigate the crooked actions of all government officers and members of the present House, covers Blaine's case.

Director Harrison of the Union Pacific railroad will tell that committee about it.

Detectives A. P. Wood and Samuel Felker are working against Whitley in the safe burglary. J. Russell Jones' accounts are in question.

Sergeant-at-Arms Thompson appeared before Chief Justice Carleton this morning and stated that the House of Representatives would to-day act on the matter of *habeas corpus* in the case of Hallett Kilbourne. The Judge, in consideration of this and other circumstances, adjourned further proceedings in the case until Tuesday morning at 10 o'clock.

There seems to be no doubt that Babcock, Harrington and others will be indicted to-day for alleged participation in the safe burglary conspiracy. It is understood that Harrington has left the country.

WASHINGTON, April 15.—Night.—Orville E Babcock, Richard Harrington, Hiram C. Whiteley, Ichabod C. Nettleship, Thos. P. Somerville, Geo. E. Miles and Walter Brown have been indicted for conspiracy to injure and oppress Columbus Alexander and that in pursuance of said conspiracy they did procure said Brown and said Miles to work and enter the office of the Attorney General of the United States and take therefrom certain books to carry them to the residence of said Alexander. Gen. Babcock who seemed to know what was going to happen, was in court with his bondsman R. R. Shepherd, and gave bail in the sum of $10,000. Bench warrants were issued for the other.

HOUSE.—Bill authorizing the President of the Senate to administer oaths in cases of impeachment was passed.

The diplomatic appropriation bill was reported with a motion that the House nonconcur in the Senate amendments; but without action it was ordered printed and recommitted. A dead lock over the bill is apprehended.

A resolution reported by the judiciary committee directs the Sergeant-at-Arms to make a careful return to the writs, setting out the cause of the detention of Kilbourn, and to return custody of his body and not to produce it before the Judge or Court without further orders of the House. In support of the resolutions, Mr. Hurd intimated that the testimony of Kilbourn might implicate high officials of the government and require their impeachment, but all efforts in the direction of the investigation would be thwarted if he were allowed to be taken out of the control and power of the House by a Court which was the creature of Congress. He cited various authorities, both in this country and England, in support of the position taken by the judiciary committee.

Hurd—It can't; and that is the proposition which I have been maintaining all the time; that where a Court possesses appellate and revisory jurisdiction and the facts can be brought before it by a writ of certiorari it can judge of the contempt.

Frye of Maine, asked Hurd whether he claimed that the House had power to punish for contempt regardless of the fact whether the question which Kilbourn refused to answer was lawful or unlawful.

Hurd replied that the subject of the matter was entirely within the discretion of the House, and that the adjudication of the House was final and conclusive on every other authority.

Frye—So that practically you assert that the House may punish for contempt, and may disregard entirely the legality or illegality of the question asked; is there any limit to the time of punishment except the life of the House?

Hurd—That is a matter in dispute and which has not been settled.

Frye—In your opinion, is there any limit to the time of punishment except the life of the House?

Hurd—In my judgment the power to punish expires with the House.

Garfield suggested that the court might punish the sergeant-at-arms for contempt of its authority in not obeying its orders, and asked what relief the House could give him? Could not the court imprison in succession every sergeant-at-arms and every deputy sergeant-at-arms who would answer the writ without producing the body? Would his colleagues say how the House and the court would get out of that involvement?

Hurd thought the remedy would be very easy; it would be for the sergeant-at-arms to apply to the Supreme Court of the United States, which had an appellate and revisory jurisdiction, and thus the question would be settled peacefully and conclusively.

Garfield—Can the Supreme Court of the United States revise a matter of contempt in the Court below?

Frye—If that power inheres to the House of Representatives does it not not also inhere in the Senate?

Garfield—Which never dies.

Hand—Unquestionable it does.

Frye—Then this result would follow that the Senate may punish a recussant witness for contempt regardless entirely of whether the question which the witness refused to answer was lawful or unlawful and might hold that citizen in jail during his life.

Hamilton of New Jersey—Cannot any court do the same?

Frye—No. No court in Christendom can do it or any other power.

Lynde of Wisconsin—A member of the Judiciary committee, offered on behalf of the minority, a substitute for the resolution, directing the sergeant-at-arms to make a careful return to the unit of *habeas corpus*, that the prisoner is duly held by authority of the House of Representatives on proceedings against him for contempt and to take with him the body of Kilbourn before the court when making such return. He proceeded to argue in support of the substitute. The discussion continued until 5 o'clock, when Hand gave notice that he would call the previous question at 3 o'clock on Monday. Adjourned

It is understood that all the parties indicted except Babcock and Harrington will be used as witnesses in the safe burglary trial. Harrington's whereabouts is still unknown.

In the matter of the dismissal of William on from office and discontinuance of proceeding against Judge Wright for forgery, Geo. Dyer, assistant district attorney for New York, testified that a criminal case was pending in New York against Wright, which he considered strong, and which should be prosecuted. He had intended to try the case in March last but having depended in a great measure on the evidence to be furnished by Williamson, his dismissal had prevented the trial.

Judge Fisher summoned Lawrence of Ohio and Hoar of Massachusetts, who made strong speeches in favor of the majority resolution in the *habeas corpus* case. It is not treated as a party question.

WASHINGTON, April 17.—SENATE.—This body transacted legislative business until 12:30, when it organized into a high court of impeachment for the trial of Belknap.

The committee on privileges and elections introduced a resolution paying Pinchback regular salary from the commencement of the time for which he was elected to the time of his rejection. Calendar.

After further unimportant business the impeachment court resumed its session and the usual proclamation was made. Carpenter, Black and Blair attended Belknap as counsel. The minutes of the former session were read and after other preliminaries the sergeant-at-arms made proclamation as follows: "Wm. W. Belknap! Wm. W. Belknap! Wm. W. Belknap! Appear and answer the articles of impeachment exhibited against you by the House of Representatives of the United States."

Mr. Carpenter arose and said: Mr. President: Wm. W. Belknap, a private citizen of the United States of the State of Iowa, in obedience to the summons of the Senate sitting as a court of impeachment to try the articles presented against him by the House of Representatives of the United States, appears at the bar of the Senate sitting as a court of impeachment and interposes the following plea, which I will ask the secretary to read and ask that it be filed. The secretary then read as follows:

"In the Senate of the United States sitting as a court of impeachment, the United States of America vs. William W. Belknap. Upon articles of impeachment by the House of Representatives of the United States of America of high crimes and misdemeanors. And the said Wm. W. Belknap named in the said articles of impeachment comes here before the honorable, the Senate of the United States sitting as a court of impeachment in his own proper person, and says that this honorable court ought not to have or take further cognizance of the said articles of impeachment exhibited and presented against him by the House of Representatives of the United States because he says that before and at the time when the said House of Representatives ordered and directed that he, the said Belknap, should be impeached at the bar of the Senate, and at the time when the said articles of impeachment were exhibited and presented against him, the said Belknap, by the said House of Representatives he, the said Belknap, was not, nor hath he since been, nor is he now an officer of the United States, but at the said time was ever since, hath been and now is a private citizen of the United States, and of the State of Iowa, and this he, the said Belknap, is ready to verify. Wherefore, he prays judgment whether this court can or will take further cognizance of the said articles of impeachment.

[Signed] Wm. W. Belknap."

The managers were granted until Wednesday to consider what replication they should make to the plea. The court then adjourned to 1 o'clock Wednesday.

HOUSE—The Kilbourn habeas corpus case was resumed, but the proceedings were very soon interrupted by the members of the House proceeding to the Senate chamber in a body to make formal impeachment of General Belknap. Upon their return the habeas corpus case was resumed.

McCravy of Iowa argued that if the court exceeded its authority the House had the remedy in its own hands and could present articles of impeachment against the judge, but if the House trampled on the rights of the court and of citizens there was no power anywhere to call the House to account.

Tucker of Virginia proposed an amendment to the resolution reported by the majority of the judiciary committee, directing the sergeant-at-arms to appear by counsel before the court, and to make a motion to quash or dismiss the suit or to take such other proceeding as he should be advised, to raise the question of legality and propriety of the issue of the suit on the facts stated in the petition and complaint as preliminary to any return to the same, and that in the meantime he retain the custody of Kilbourn's body and not produce it without further order of the House. He declared himself satisfied with the legality of the question asked of Kilbourn by the committee and of the action taken by the House on the subject, and he was satisfied that any court which respected law and precedent would remand the custody of Kilbourn to the House, and he was so well satisfied that the American and English precedents sustained that position that if any judge should decide otherwise he would bring himself very nearly within the alternative or dilemma of either knowing nothing about law or of completely defying it.

Garfield of Ohio suggested that in the Irwin habeas corpus case last session, where the same course was resorted to as the gentleman from Virginia now suggested, a motion to quash the writ, the judge would not hear the motion unless the body of the prisoner was produced.

Tucker—If he refuses to hear the motion it will show that corruption has spread from the real estate pool so as even to taint the ermine of the judiciary of the District. [Applause on the democratic side of the House.]

Garfield—There would be just as good a right to say that the statement which the gentleman has made would only have been made in case corruption has reached clear to the House [counter applause on the republican side] and caused it to strike at the judiciary. I would not say that.

Tucker—I did not hear the gentleman's remark but I suppose there was nothing in it personal to myself?

Garfield—Oh! no.

Tucker—The judge should be made to heed the House by his conscience if he has one and by a superior to it if he has not.

Blaine of Maine, who was occupying a chair in the area on the democratic side, inquired how a judge could be made to do anything by the House of Representatives.

Tucker—The gentleman is no lawyer, as he has often shown in this House. (Laughter on the democratic side.) And the gentleman is, perhaps, unaware that when a judge does not execute his duty, he may be made to do so.

Blaine—By order of the House?

Tucker—No, sir, not by order of the House—that shows again that the gentleman is no lawyer—but by a *mandamus* from a higher court, which will compel him to exercise the jurisdiction which he is reluctant to do. I never knew a man to disturb a nest but there was a great ruffling about it. If my amendment is adopted it will present the question to the court in such a manner that the judge cannot avoid deciding the question on the facts appearing in the petition.

Blaine said that he did not know why the gentleman from Virginia (Tucker) should have manifested so much asperity in the remarks addressed to him. He (Blaine) thanked God that he was not a lawyer trained in the school that the gentleman was; he thanked God that he was not a lawyer who, as attorney general of Virginia, had given an opinion that the local authorities of that State might invade the post office and compel the postmaster to give up the contents of the mail; he thanked God—and this he said with great vehemence of manner—that he was not this kind of a lawyer. [Applause and encouragement on the republican side of the House.] Blaine, who was still occupying a position on the democratic side of the House, proceeded in the midst of considerable excitement: The gentleman represents, and with great ability, that which is known as the great State's rights school which received its chief inspiration from Mr. Jefferson and other great leaders of Virginia, and yet he stands here to plead that this House preserves a power of which there is no review anywhere except in itself. Mr. Jefferson said expressly in a letter that this government was constructed so that absolute power ruled nowhere, and he defied any body to show that there was absolute power in any department of the government. The ultimate judgment of the Supreme Court of the United States may seem absolute but if the power of that court is abused the power of impeachment resides in the House to punish it. But the gentleman from Virginia professing to represent the spirit of Jefferson, says that this House may take anybody on any pretense and imprison him at his pleasure, and that there does not exist in the land a day the slightest power of relief or review. I thank God again that I have not read law in that school. [Renewed plaudits on the republican side.]

Tucker—I have no hesitation in saying in reply to the gentleman from Maine that what he took as a fling at him in reply to a conventional and undertone interruption was not intended to be in any degree offensive. I thought that the gentleman from Maine had clearly to his own consciousness some weeks ago in a discussion between himself and the distinguished gentleman from Mississippi (Lamar) shown that whatever else he may be fitted to be; whatever other position he may be fitted to fill by the suffrage of his countrymen, there was one thing he had never been trained to and that was to be a lawyer. I merely meant to say that I thought the gentleman had demonstrated again to-day, as he did on that occasion very signally, that he was not a lawyer, but there is one thing he is, if not a lawyer, and that is he is a pharisee. [Applause on the democratic side.] I thank God——

Blaine, finishing the quotation, "that I am not like other men."

Tucker—The gentleman says he thanks God that he is not as I am. I thank my Heavenly Father that there is no resemblance between us. [Plaudits on the democratic side.] I say amen to that with all my heart. He thanks God that he is not as other men are, even as this poor publican. [Laughter and applause.]

Tucker—Adding to the quotation: The late Attorney General of Virginia.

Tucker—Accepting the addition, the late Attorney General of Virginia, am proud to have represented the old commonwealth in that position. I am proud to represent the old commonwealth on this floor. I remember the opinion to which the gentleman refers. It seems to me that instead of studying the laws of his country the gentleman has been studying up to see if he cannot get points on his colleagues in the committee on ways and means, and on members of the House, with which he may twit and taunt them when occasion arises. I really did not suppose that that opinion which I gave *pendente bello*—

Blaine—Oh, no; it was before the war.

Tucker—Very well. It was good wherever it was.

Blaine—Please state what it was.

Tucker—I have no objection to state what it was. It was this: that the question of what mail matter a citizen of a State can reserve was a question of State law.

Blaine (eagerly and triumphantly)—That is it, and the gentleman holds that doctrine to-day I understand.

Tucker (defiantly)—I hold it to-day.

Blaine (endeavoaing to clinch the point)—That the Post office Department can be arrested and interrupted in Virginia by a country justice of the peace. [Republican plaudits.] That is my opinion.

Tucker—I hold that opinion yet, and the gentleman has shown that he is no constitutional lawyer when he does not recognize the distinction; which is as old as the decision of Chief Justice Marshall: that the commercial power of the federal government and the police power of the States, the distinction is as wide as the poles, and so wide that even the undisciplined mind of the gentleman from Maine might have recognized it. [Applause on the democratic side.]

Blaine—Where does the power of the general government and of the Postoffice Department end? and where does the powers of the States begin?

Tucker—There is an old adage that "a child may ask questions which a wise man cannot answer," yet, if the gentleman had read the great case of Brown vs. the State of Maryland he would have found that the distinction as to when goods ceased to be imports and become commodities within State jurisdictions was taken by Chief Justice Marshall with so much nicety that Chief Justice Taney, who opposed it at the time he was at the bar, approved it afterwards.

Blaine—And therefore the gentleman treats postoffice matter as goods?

Tucker, conclusively—I thought the gentleman was no lawyer, but I supposed he had read some books on logic, but now I do not believe that he is either a lawyer or a logician. [Democratic applause.]

Blaine—According to the Virginia standard, no.

Tucker—The gentleman says he thanks God he was not brought up in the school of State's rights as I was. He certainly was brought up in a very different school. The differences between us in our views on the federal constitution are very wide, but I will not go into that matter. I am not to be betrayed into it. State's rights is the great bugaboo that is to go along with the "bloody shirt" in the coming political contest. I suppose the gentleman from Maine will bring it up on all occasions to flaunt it in the face of the multitude. The hero of the "bloody shirt" is at the other end of this capital and the hero of the States' rights bugaboo is at this end. I do not know where the "great unknown" stands. [Laughter and applause.] Blaine here arose and walked to his own side of the House as if he took no further interest in the argument, which Tucker then proceeded to make in the support of his amendment. The debate was further continued by Jones of Kentucky against the resolution of the judiciary committee, and by Lord of New York and Lawrence and Hurd of Ohio in favor of it. The question was then taken on Tucker's amendment and it was rejected by a vote of 86 to 149. The substitute offered by Lynde of Wisconsin directing the sergeant-at-arms to make returns to the writs and to produce Kilbourn before the court was adopted—yeas 165, nays 75. Adjourned.

The President has signed the silver currency bill.

Many letters, with money, have been received at the Treasury, to be exchanged for silver. It is not generally known that silver will be given only for fractional currency, not for legal tenders or national bank notes.

Oliver A. Goyn testified in the Emma mine investigation, and generally corroborated Parker's testimony; and he thought it hard that Parker should be denounced because Lyons had quarreled with Stewart.

In the Supreme Court, Taylor, collector, vs. Seon, et al., from the Northin District of Illinois: This case involves several others, known as the railroad tax cases. Decree below reversed, with instructions to dissolve the injunction and dismiss the bill. The decision is against the railroads. Phillips vs. Payne: This was a suit brought to determine the validity of the retrocession of Alexandria to the State of Virginia. Decree below affirmed and retrocession sustained.

A delegation headed by Senator Bogart called on the President with a petition for Maguire's pardon. The President referred the papers to the Attorney General with instructions to telegraph to St. Louis a stay of the proceedings until the application for pardon went through the regular course. The plea is that Maguire's offence was technical and he derived no money from frauds.

The elections committee heard further argument in the case of Buttz vs. Mackey.

NEW YORK.

NEW YORK, April 14—Night—There is little or no hing doing on Wall street to-day. The Exchanges are closed and the banks and private bankers offices are only open for such business as the law compels them to attend to on all except legal holidays.

The will of A. T. Stewart was filed in the surrogate's office this afternoon. He bequeathes all his property and estate to his wife, Caroline M. Stewart and her heirs forever, and appoints Judge Henry Hilton to act in behalf of his estate and managing his affairs. As a mark of regard Mr. Stewart bequeaths to Mr. Hilton the sum of $1,000,000. He appoints his wife, Judge Hilton and Wm. Libby his executors. The subscribing witnesses of the will are Wm. P. Smith, W. H. White and E. E. Marcey, M. D. The will bears the date of March 27th, 1873.

He directs his executors to pay out the following gifts as legacies: To Geo. B. Butler $20,000; to John M. Hopkins $10,000; to A. K. P. Cooper $10,000; to Edwin James Denning $10,000; to John J. Green $10,000; to Geo. H. Huggins $10,000; to Henry H. Rice $5,000; to John DeBrot $5,0000; to R. Prather Roe $5,000; to Dadga $5,000; to Hugh Conner $5,000; to Wm. Armstrong $5,000; to Wm. P. Smith $5,000; to Sarah and Rebecca Morrow $12 000 annuity in quarterly installments during their joint lives, also the house No. 30 East 39th street and furniture therein; to Ellen B. Hilton $5,000.

In codicil he makes the following bequests to be paid from his estate:

To Chas. P. Clinch $10,000; to Anna Clinch $10,000; to Julia Clinch; $10,000; to Emma Clinch $10,000; to Sarah Smith, wife of J. Lawrence Smith $10,000; to her daughter Cornelias Smith $10; also to Anna, Emma and Julia Clinch the house and lot No. 115 East 35th streeth, and the furniture.

To all employes who have been in his service over 20 years he leaves $1,000 and those over 10 years $500.

He hopes that all his plans for the welfare of his fellow-men will be faithfully carried out by his executors.

NEW YORK, April 15—Noon.—The steamship Develius, with the Emperor of Brazil on board, has been signaled off Sandy Hook and is expected to arrive up about 2 p. m., unless detained at quarantine.

The Alert proceeded down the bay with the Secretaries, Admiral Rowan and the Portuguese minister. The steamtug Catawba, tendered the Brazilian minister by Gen. Rowan, also went down.

The New York bank statement shows loans decrease 3¼ millions; specie decrease 1 million; legal tenders increase ¼ million; deposits decrease 2¼ millions; reserve decrease 2¼ millions.

NEW YORK, April 16—It appears that in addition to the power of attorney given to Judge Hilton to manage her estate Mrs. Stewart yesterday filed in the register's office a transfer and assignment of all her late husband's share in the business of A. T. Stewart & Co., as well as all his property, real and personal, except the real estate included in the city of New York, to Judge Hilton for $1,000,000.

NEW YORK, April 17—Noon—This morning a carriage containing the Emperor of Brazil and party while being rapidly driven down Sixth avenue was run into by a heavy ice wagon and badly wrecked. The Emperor and party escaped without injury.

ALBANY, April 17—Noon—The barge Keystone of the Philadelphia Transportation Company's line yesterday came in collision with an abutment of the bridge here and sunk. A large quantity of centennial goods belonging to the business men of this city were ruined by the accident. The loss is estimated at $10,000.

NEW YORK, April 17—Night.—P. Sumerville, a lawyer of this city, has been arrested on an indictment from Wasington, for complicity in the safe burglary, and bailed in the sum of one thousand dollars.

Several roads leading east from St. Louis have agreed to pool their gross receipts on a basis of their earnings for the past three years. The arrangement is similar to that from Chicago east.

PENNSYLVANIA.

PITTSBURG, April 17—Night.—The national labor convention, composed of delegates from different labor organizations throughout the United States, met in convention here to-day. The convention was called to order by George Murcott of Philadelphia, and J. L. Wright, a tailor of Philadelphia, was made temporary chairman. After the reading of a telegram from Detroit the chairman made a short speech explanatory of the telegram, or rather of the organization of a body called social democrats, who, he said, were in session in Detroit, and whatever were their views on the political questions of the day, it was understood that they were right on the labor question and would act with this convention. He then went on to remark that this convention had no political significance and was called simply to promote the interests of the working men and to improve their condition.

CALIFORNIA.

SAN FRANCISCO, April 16—The steamship Crocous arrived here to-day from Hong Kong via Yokohama with a cargo of rice and 882 Chinese passengers. The intention was that the steamship should mail direct to this port, but when two days out from Hong Kong the Chinese mutinied, complaining of the food and water. The mutiny was quelled without loss of life, but in consequence of the trouble the ship put into Yokohama where an extra crew of 40 men were obtained. It had been given out here that on the arrival of the Crocous the anti-coolie societies would mob the passengers, and a strong police force was stationed at the landing. The Chinamen were, however, undisturbed on their way to China town.

TEXAS.

GALVESTON, April 17—Night.—The News' special from Brownsville says a government force has occupied Victoria, the capital of Tamautipas, and demanded of Gov. Corales whether he has pronounced for Diaz. He is at San Fernando together with the State Legislatrne. Gen. Escapedo reached Monter