

THE CONVENTION WILL PLEASE COME TO ORDER.

The promise to redeem Louisiana is not as yet redeemed.

We are reminded of this failure both by the proceedings of the Constitutional Convention and by the fact that at this time only a twelve-months ago the State was in agitation over the selection of delegates to parish nominating conventions, the point in dispute being whether, or not, Louisiana should have an organic law supplanting the fraudulent Constitution of 1868, and by the further fact that the Democratic State legislature subsequently chosen, with reference to that issue, decided that the voice of the people, demanding an organic reform should be respected.

The Convention now in session, born of this demand, has been in session since the 21st of April—59 days (Sundays included)—and the members have, no doubt, been earnestly engaged in solving the difficulties presented for their deliberation. It has been, we can understand, no light or trivial undertaking. For, since the best friends of a new Constitution may have gone to the Capital with settled convictions, or have gone there even with grave doubts, as to their duty, they have, we know, met with men of no convictions, or still graver doubts, and have found obstructions and obstructionists whose purposes, we must infer, meant and only mean defeat of a new Constitution and of the great Reform to which the Democracy of Louisiana is sacredly pledged. It is on this account, no doubt, that the Convention has made such slow progress.

Among the obstructions referred to, is the "sacred" obligations of the State, which, judged by the time consumed in considering the claim, have entirely overshadowed the sacred obligations due by the members of the Convention to the people. The Convention will pardon us for saying—since we say it in kindness, though with bluntness, perhaps—that the Convention has mistaken the purposes for which it was called into being. Its deliberations have assumed too much in reality the character of discussions in a broker's shop. Or, in law, it might be said that it bears a strong resemblance to a meeting of the creditors and the few surviving friends of a vacant and insolvent succession. The Debt question has taken precedence over all others, when in law and in fact that question is the last question to be considered. And it would have been better in the case in hand, perhaps, had the Convention exhausted its delegated powers on the great question first, which created it: namely, the question of the political and intellectual redemption of the State,—before arousing the virtuous and patriotic indignation of the holders of fraudulent bonds. This would have kept these fiery patriots in the reserve, where the bravest and best-disciplined troops are always kept, except in a charge, and here there was no charge needed. Albeit, the Debt discussion, as a "discussion" in law, or in the Convention, has done no great amount of injury, even though it has served no better purpose than to exhume the rotten, mouldy corpse of Radical misrule and present it in its hideousness to the people who have so long manfully protested and fought against "official" wrongs, extravagance and corruption. And in none of the speeches made on the Debt question has this corpse been so vividly placed before us, closely as we watched its birth and earnestly as we sought to strangle it, than in the fine specimens of forensic rhetoric delivered by Mr. Semmes, ex-Gov. Warmoth, Mr. Caffrey, ex-Gov. Pinchback and others. They have stirred up our Democratic blood as it has not been for years. In this view of the Debt discussion, we acknowledge a debt of many thanks to these delegates. They have reminded us of the fact—almost forgotten—that we have been a forced, protesting debtor to the State so-called ever since 1868, and that we have never had a claim against it that has been paid. They call to mind the fact that we stand higher than a bond-payer, since we interposed between the impoverished, helpless people of the State and the grasping bond-speculator who was warned of the want of honest consideration and of the ability to contract by the legislature, and yet deliberately took his chances. They remind us of the fact that even now we would urge the payment of all the fraudulent bonds, rather than we would "repudi-

ate" our honor and manhood by saying these obligations are sacred and honest. They would be repudiated in the manliest sense of that much-abused word!

But, gentlemen of the Convention, dismissing this question of dollars and cents, and admitting that the people ought to pay all dishonest debts, or ought not to pay their honest debts—and, construed honestly, we are unable to say which is the more dishonorable—let us meet the Obstructionists on their chosen ground. It will not be denied by the most stupid lawyer in your body, that, supposing the people did sell and bind themselves over to the holders of fraudulent bonds, and solemnly agreed to pay those bonds, they reserved in the sale the RIGHT OF REDEMPTION. Neither the delegate from Orleans, (Mr. Semmes,) nor the delegate from Plaquemine, (Mr. Warmoth,) nor the delegate from St. Mary, (Mr. Caffrey,) nor the delegate from Richland, (Mr. Wells,) nor the learned counsellor from Madison, (Mr. Pinchback,) will, or can deny, as lawyers, that, when this sale was made by the people, of themselves to the brokers in State credit, the people made the sale with a COUNTER LETTER. This, gentlemen of the Convention, cannot be denied by these able and learned counsellors, because it is both law and fact, two things that seldom travel in this life *pari passu*. If there is an African in your body, or a member of African descent, even though his mask-box be wide open, who will say that the white people of Louisiana sold out, without the Right of Redemption, this office may be considered a bank and he may call and get value received. It is this Right of Redemption, gentlemen, upon which the TELEGRAPH insists. You, who are Democrats, will remember that the only debt discussed in your election was the debt the people owed themselves—their wives and their children. It was a debt of human rights; a debt inherited from a glorious ancestry of intelligent beings—a debt due posterity. It was not a debt to be computed in dollars and cents, but a debt purchased, if you please, with toil and blood. We cannot think, cannot believe, you have so soon forgotten this sacred debt, or the responsibilities you voluntarily assumed in satisfying it. Give these men their shakels; give these Shylocks their pound of flesh; satisfy all the vultures and cormorants, if that be the price of CONSTITUTIONAL LIBERTY! Two more priceless words were never spoken, written, or printed! Buy Liberty and a Home, gentlemen, if there be no other means to secure them. Our children may be left impoverished by the purchase, but they will have a heritage invaluable, nevertheless, and, we are bold enough to say, they will bless you for it—and the more, because you had to purchase it with money!

Let this bargain and sale be understood, gentlemen. The Right of Redemption remains. Upon that right, the hopes of the people were built. Did they build wisely? Shall they go back to the treacherous sands of Reconstruction? Live and die under the so-called Constitution of 1868? Probably, gentlemen, you have noticed that the National Democracy is not "an anchor sure and steadfast." Have you thought that of all the eleven Confederate States, Louisiana is the only State yet unredeemed? We have noticed your resolutions, amendments and dilutions, and tried to keep up with their spirit and intent, and still it strikes us, that, with a demoralized National Democracy and with a State worse than we-be-gone, you are failing in your duty to a long-suffering people. We have said we would trust you to redeem the State and would ratify your acts in advance. We repeat it. With this expression of the fullest confidence, we now demand, as one of the first who gave you existence, that you redeem your State forever, before it is too late, from even the possibility of Radical misrule, cost what it may!

NOT RESPONSIBLE.

A wealthy, talented, truthful and influential citizen of this State writes a letter from New Orleans to a country paper, in which the following language is used:

A great many members have been in New Orleans so long that they forget they represent poor constituents at home. You cannot get an article in opposition to the bondholders in a New Orleans paper. The country press have a heavy responsibility upon them.

In the words of Senator Lamar, this language is harsh, it is severe, and such as no good journal would deserve and no brave journal would wear. Can it be true?

And can it be true that the small country press has all the heavy responsibility to bear? They are not responsible for the New Orleans great

dailies, for fraudulent debts, for recreant delegates, or for manly resistance to Radical misrule. They are responsible only for what they have hitherto held and for what they now hold. That is all.

In one of John Hooper's sketches of life in Alabama, it is told of a member of the Church in Chambers county that a committee of his Church waited upon him to remonstrate against his habits of intemperance. He was a hard drinker. He admitted that he did have an "appetite" for whisky, and had struggled hard against it. It was given to him, he said in explanation, and he had prayed to the Lord fervently and sincerely to take the appetite away from him. And the Lord, brethren, he said, has not answered my prayer!

Hooper said that this was shifting the responsibility upon the Lord.

In this case the responsibility cannot be shifted. Delegates and newspapers, alike, are free moral agents.

AN IMPORTANT DECISION.

Yule & Bowling vs. John T. Cole. This suit, for \$3,287 07, with 8 per cent interest from 15th June, 1878, on \$800, and on the residue from 1st December, 1878, was commenced by attachment. The order required plaintiffs "to give bond in the sum and conditioned as the law directs." Bond was given in the sum of \$5,000.

Defendant moved to set aside the attachment, as there was no sufficient bond executed by plaintiffs. The amount of the bond lacks \$67 of exceeding the sum claimed and one-half more. That was the construction given to Article 245, C. P., up to the time of its revision in 1870. The language of the article as it now stands is just the same as it was when written in 1825. In all editions subsequent to that of 1825, the word "by" was inserted between "exceeding" and "one-half," to make it conform to judicial interpretation.

The Article of the Code reads thus:

Art. 245. A creditor, his agent or attorney in fact, praying such attachment, must, besides, annex to his petition his obligation in favor of the defendant for a sum exceeding one-half that which he claims, with the surety of one good and solvent person residing within the jurisdiction of the court to which the petition is presented, as a security for the payment of such damages as such defendant may recover against him in case it should be decided that the attachment was wrongfully obtained.

The Court hold that "by" was no part of the original law and not necessary to express its meaning—"exceeding that which he claims one-half."

"Besides, it is settled and has become axiomatic," say the Court, "that when laws are re-enacted in the same words of the original act, the judicial construction of those words is a part of the re-enactment."

The lower court sustained the motion to set aside the attachment, and that judgment is affirmed.

Judge Spencer dissented, because he thought the language of the article free from ambiguity; that damages are seldom awarded in excess of one-half the debt claimed, and to exact more was onerous and unnecessary. Further, that many Districts of the State interpret the article, as it now stands, to mean one-half of the debt, and that construction would prejudice no one, while that now adopted will be ruinous in its effect upon the rights of many litigants in pending suits.

Chief Justice Manning delivered the opinion of the Court.

Richardson & McEnery for plaintiffs; Cobb & Gunby for defendant.

A PICTURE.

As a matter of serious contemplation we desire to call attention to a few of the points in the constitution of 1868 which are disloyal to republican government. Article 1, Bill of Rights, is a plagiarism of the Declaration of Independence, and declares that "governments among men derive their just powers from the consent of the governed;" Article 2 enunciates the boldest paradox thereon, when it declares that we as citizens owe paramount allegiance to the United States. Allegiance implies loyalty to govern when used in the sense indicated, and the government spoken of by the framers of the constitution under consideration implied a power directly foreign to the people; i. e., according to the expression in the first instanced article, are the derivative power from which governments are drawn. In other words, the constitution of 1868 contends that the Creator establishes a creature and that that creature the Creator owes allegiance.

Here is a vital principle of democracy which the constitution directly assails and which the amendments are silent upon. Article 151 contains an opposite, not only to the high sounding declaration of the Bill of Rights, Art. 1, but to the very theory of republican liberty. It says that this constitution shall be submitted for ratifica-

tion to the "registered voters" of the State (meaning that every man who was engaged in the defence of his State and cause were not included among those to whom this precious instrument should be submitted) in accordance with an act of Congress for the "better government of the rebel States." The very idea that a constitution was necessary, not for the happiness and welfare of the people; not because the citizens demanded it, but simply to govern them according as the ideas of an implied greater power might desire, is so utterly repugnant to the very essence of democracy that it is appalling that men should contend longer to retain it. That in the beginning this constitution should declare that all power, all government, must spring from the consent of the governed and then to say that this very instrument, intended as a restriction upon the rulers, should assume being, have legalized form, should be adopted, submitted and ratified in accordance with the demands of the Congress of the United States, stamps the whole instrument with the indelible mark of its creation. It is not our purpose to follow this constitution through and point out those defects which are apparent and which are repugnant to civilization—those infamous caricatures which attempt to assume Deity and would force a commingling of races in places of common resort and in public schools which the amendments shirk, and by that shirking endorse, in a most contemptible and cowardly manner—but we only call attention to where the very spirit of the whole is violative of every principle of true democracy and subversive of liberty. And to cap all we conclude with the following resolution, among the last acts of a convention that will stand out in history as an instrument of despotism, which is even more conclusive of the facts we are attempting to illustrate than the instrument of 1868 is anti-republican.

By Mr. Bolden: Resolved, That a committee of three be appointed by the Chair to wait on Major General Hancock and inform him that the Constitutional Convention has completed its labors, and that the Constitution is now ready to be submitted for ratification to the qualified electors of the State.

The above article appeared in the Natchitoches Vindicator of June, or July, last year—the precise date we failed to note on the clipping at the time.

It is re-produced now to say that we endorse the sentiments of the article fully; and to ask the Vindicator whether, or not, it considers itself bound by the bonds issued under the Constitution of 1868, or by the just and eloquent denunciations of that iniquitous fraud above re-produced?

KELLOGG A CARPET-BAGGER.

And Brought "Oodles" of Money to Louisiana.

WASHINGTON, June 26.—Senate.—Ingalls' reference to the exodus from Louisiana, and an extract read by him from the New Orleans Times, led to a long colloquy between Senators Kellogg and Jonas, touching the right of the latter to speak with authority for Louisiana Democrats. Kellogg said Jonas published a card ten days ago, denying that there was any repudiating element in Louisiana worth considering and stating that the Committee of Eighteen in the Constitutional Convention were his friends and represented his views; since that time, said Kellogg, twelve of that committee have signed a report repudiating the entire debt except four or five millions held in New Orleans. All the debt held abroad is repudiated in favor of a few men who hold warrants fraudulent on their face and for which the State received no consideration whatever. Every one of the twelve signers of that report was a Democrat and all who signed the minority report were Republicans or Independents. Now who is the best authority on Democratic policy in Louisiana?

Jonas replied that the State debt was increased from six to twenty millions during the Warmoth and Kellogg administrations, with the approval of the gentleman, who professed to be the Governor of that State, though he never was chosen by her people. Not one dollar was expended for the public welfare but was spent by carpet-baggers which the gentleman (Kellogg) represented, and went into the pockets of individuals without doing any good to the people. He did not, however, believe the debt would be repudiated. He also said that the New Orleans Times was no representative of public opinion in Louisiana. If Auditor Clinton, counted in on the Kellogg ticket, is part owner of that paper he was extremely fortunate in acquiring wealth during the few years he was Auditor, to enable him to purchase it. He is no representative of the Democrats of Louisiana; neither is the gentleman (Kellogg).

Kellogg—During my administration the State debt was reduced one-third. No bond was issued save under law and to a limited extent. As to my identification with Louisiana, I was not born there, neither was my colleague. I am a carpet-bagger and so is he. I paid more taxes there in five years than he did in fifteen.

Jonas—Where did you get the money?

Kellogg—I took it there and I lost a good deal of it there, and my interests are as great in the State as yours and greater.

No rain has fallen in many parts of Texas since the first week in May.

SUMMARY OF HAYES'S LAST VETO MESSAGE.

WASHINGTON, June 23.—The following is a summary of the President's message returning the judicial expense bill to the House without his signature:

The President begins by reciting the passage of the original legislative bill repealing title 26 of Revised Statutes, and its return to the House without his approval. The object of the present bill, he says, is not to repeal the election laws, but to defeat their enforcement under existing laws. The failure of Congress to make the appropriations required for the execution of the provisions of election laws would not prevent their enforcement. The right and duty to appoint general and special Deputy Marshals which they provide for would still remain, and the Executive Department of the Government would also be empowered to incur the requisite liability for their compensation. But the second section of this bill contains provisions not found in any previous legislation. Its design is to render the election laws inoperative by refusing to appropriate money for their enforcement, and by prohibiting any officer of the Government from incurring liability under title twenty-six of Revised Statutes authorizing the appointment of Deputy Marshals for service on election day. The appointment of special Deputy Marshals is not, he says, a spontaneous act on the part of the Government, but is made by section 202 of Revised Statutes, a popular right of cities and towns having 20,000 inhabitants or upwards. The present bill neither revokes this popular right nor relieves the Marshal of the duty imposed by law, nor the President of his duty to see that this law is faithfully executed. He declines to discuss again the wisdom and necessity of the election laws, or what he regards the dangerous and unconstitutional principles of this bill—that the power vested in Congress to originate appropriations involves the right to compel the Executive to approve any legislation which Congress may see fit to attach to such bills under penalty of refusing the means necessary to carry on the essential functions of the Government. His views on these points were, he says, presented in previous messages, and he regards them conclusive. As to his duty in respect to the present bill, this measure leaves the powers and duties of Supervisors of Elections untouched, but deprives the National Government of the power to protect them in the discharge of their duty at the polls. The States may employ both civil and military power at elections, but by this bill even civil authority to protect Congressional elections is denied to the United States. There are two lawful ways to overturn legislative enactments—one is their repeal, the other is the decision of a competent tribunal against their validity. The effect of this bill is to deprive the Executive Department of the Government of means to execute the laws which are not repealed, which have not been declared invalid, and it is therefore the duty of the Executive and of every other department of the Government to obey and enforce them. He closes by saying he is willing to concur in suitable amendments for the improvement of the election laws, but cannot consent to their repeal, or approve legislation which seeks to prevent their enforcement.

INTERNATIONAL WALKING MATCH.

LONDON, June 21, 1879. Weston made the unprecedented score of 550 miles in 141 hours and 55 minutes.

Although the result of the race was a foregone conclusion, thousands flocked to Agricultural Hall to-night to witness the concluding scenes. Weston appeared as fresh as at the start, and spurred around the track with a quick and vigorous stride when walking, and an easy lope when running, giving evidence of great powers of endurance. His performance was loudly applauded, and his fresh appearance much commented upon. His pedestrian abilities were acknowledged to be wonderful. Brown appeared on the track during the evening, and kept there perseveringly until near the close, when he retired for good.

Shortly after 8 o'clock the band began to play popular American airs in honor of the victor, and Weston increased his speed and rolled up miles very fast. During the next ninety minutes Weston's miles averaged twelve minutes.

At 10 p. m., 141 hours from the start, he had completed 546 miles, and was fourteen miles ahead of the record. At 10:50 p. m. he had added two miles to the score, and had 35 minutes in which to cover 550 miles and win the Astley wager. At 10:55 p. m. a mile was finished and the band played "Hail Columbia." At 10:59 he had one lap to make, and he ran like a deer around the track and the race was won.

Weston made a speech, in which he said the people in America would not believe he could walk, but he had now won the belt and was ready to defend it.

Rowell has challenged him, and the contest will take place in New York in September.

SHAD IN ARKANSAS.

Seven years ago a lot of little shad were placed in the Ouachita river, which rises in Arkansas, flows into Louisiana, and empties into Red river in the latter State. Nothing was seen of them for a long while, and most people had forgotten the experiment, when two years ago two or three stray shad, the first that had ever been known in that region, were caught. Last year between thirty and forty

were taken, and this spring they have been caught in immense quantities in Arkansas, in the vicinity of Hot Springs. This shows that there is no reason why the fish should not be domesticated in the far South, and the New Orleans papers call upon the people along the rivers in that region to stock them with young shad.

DEATH OF THE PRINCE IMPERIAL.

(Mobile Register.)

The death of the Prince Imperial, Louis Napoleon, at an outpost in Zululand, is a sad termination of a career which was being watched with deep interest all over Christendom. The young Prince had received a military education at the British school and was actuated in his African venture by the double purpose of gratitude towards the Queen who had befriended his family, and of winning that notoriety and military prestige which is expected of pretenders to a throne.

Doubtless in his anxiety to see actual service and to win military applause he failed to exercise that precaution which should be observed by a reconnoitering party. It appears that while he and his attendants were dismounted they were surprised and the Prince and two of the soldiers were cut to pieces by the enemy. The opportunity that permitted Lieut. Cary and the rest of the party to escape should have permitted them to defend and aid the escape of the Prince. Thus perished at the early age of twenty-three one of the most amiable and promising of European Princes.

And thus ends for many years to come the hopes of the Napoleonic dynasty. The terrible catastrophe of Sedan and the blunders of the Imperial Government which led to that result had destroyed the prestige of the family. Even around the name of the young Prince hung the absurdity of Saarbruck and the "baptism of fire." To this succeeded the new Republic which has laid deep its foundations and shows no sign of weakness. If the Prince had lived it is improbable that he would ever have been called to the throne of France. His only chance was in the retention over the army of the old commanders who had followed the fortunes of his father. The removal of those commanders and their replacement with officers true to the Republic destroyed his last prospect of success. The end of his hopes must have been reached when MacMahon yielded up the reins of government.

The next of the Napoleons in the line of succession is that Prince Napoleon, nicknamed Pion-pion, now far advanced in years—a man of great oratorical power, a profound thinker, and bearing a striking resemblance to the great Napoleon—but unfortunately resting under the popular belief that he is a physical coward. Commanding a division at the Crimea he is said to have shown the white flag. High in official position during the reign of his cousin, and the son-in-law of the Italian King, he declined to accept a challenge from the son of Louis Philippe. The Imperial party can never rally around Prince Napoleon. He was a thorn in the side of Louis Napoleon, ever leaning towards Republicanism and distracting the Councils of the second Empire. So obnoxious had he become to the Empress that the influence of the family was brought successfully to bear against his recent candidacy for the Corps Legislatif. But it is probable that the French Republic will in any event survive Prince Napoleon. The succession would then devolve upon the oldest son of the Prince by the Princess Clothilde, the grandson of Victor Emmanuel and the grand nephew of the great Napoleon, a young Prince whose Napoleonic lineage is beyond question and in whose veins flows the gallant blood of the royal family of Savoy.

The sympathies of all the world go out towards the sad-faced woman who amidst the desolation of Chislehurst mourns over the idol of her heart who lies dead on the dark Continent.

It has been given as a reason for paying debts contracted in the name of the State of Louisiana, although against the will of her people, that we shall be rich in ten years, and will not then think \$12,000,000 so great a sum as we do now. This logic, the Bee remarks, is like telling a man crushed under a weight which he cannot move to get up, because once he gets up he will not feel the weight as he did before.

It is rather difficult, however, to perceive how we shall be rich in ten years unless the nightmare of fraudulent bonds be lifted from the breast of Louisiana.

It has drained our resources for years. Like a sieve the volume of our annual income has passed through it into unfruitful ground, leaving but dross behind. Like a dragon of medieval legend, it has long extorted a terrible annual tribute of flesh and blood; and the people hailed the prospect of a convention as the coming of a St. George who should deliver them of the monster. We may become rich in ten years, but not with the present enormous ball-and-chain of taxation fettered to the ankles of agriculture and commerce. Sooner shall the Customhouse be finished than the State become fattened while this dysentery of indebtedness exhausts her vitality.—N. O. City Item.

All the gulf cities show clean health reports, and all the towns on the sea-coast are thoroughly cleansed in order to prevent any yellow fever outbreak during the ensuing summer. There is now every indication of a healthy season.

Ayer's Hair Vigor prevents the hair from falling out.