FRIDAY, APRIL 4, 1879. THE TEST OATH IN EQUITM CARCLINA.

Quite a number of the Democratic citizens of South Carolina, as is quite well known, are under indictment in the United States Court of that State for frauds alleged to have been comal election. The cases are soon to be required of the jurors who are to sit upon the cases. As a natural result there is much feeling and much apprehension throughout the State, and night before last a number of the citizens of Columbia, pursuant to a call, met at the opera house and entered a respectful but a decided protest against the proceeding said to be in contemplation. The proceedings of this meeting appear in the Columbia Register, of yesterday. Dr. A. N. Tally introduced a preamble and resolutions reciting the apprehensions of the citizens that the best men in the State were in danger of being excluded from the jury box in the hearing of the cases, and setting forth that while the people have no desire to interfere with the just administration of the laws, they deem it their duty to protest against this proposed unholy perversion of the machinery of justice. The following are the closing resolutions:

Resolved, That those who are sought to be made the victims of such persecution should be the especial care of all good citizens who cherish their liber-

Resolved, That a committee of ten citi zens be appointed by the chairman of this meeting to make such provision as these resolutions.

The resolutions were adopted as a whole, and the committee authorized under them was appointed by the chair-

called out and delivered a brief and in the sentiments embodied in the prefew sentences of his remarks:

protect criminals: we are here simply a weariness to the flesh. to vindicate the good name of the people of South Carolina. The great fun-damental principle of English liberty-loving people has been always that jury of his peers and by a jury of the vicinage. This trial in Charleston, if conducted as is proposed to be now, Congress. it will simply be a trial before a packed jury. Our citizens can meet with no justice, and it is right that we, their fellow-citizens, should aid them in every way possible; that we shall contribute to the means of their defense; that we shall look upon them, as the law looks upon all who are tried, and say they are innocent until they are proved to be

NORTH CAROLINA IN THE SENATE-In the Senate, last Monday, Mr. Vance presented the memorial of certain citizens of North Carolina in favor of an appropriation for the improvement of was accordingly read and referred to

the committee on commerce. On the same day "Mr. Vance asked, and by unanimous consent obtainedleave to introduce a bill (S. No. 279) to provide for the purchase of a building at Newberne, North Carolina, to be used as a postoffice and United States court house, and for the accommodation of the United States internal revenue offiwas read twice by its title, and, with tive. the papers on file relating to the subject, referred to the committee on public buildings and grounds."

The same day, "Mr. Ransom (by request) asked, and by unanimous consent obtained, leave to introduce a bill (3. No. 284) authorizing Wm. J. Wilson, assistant surgeon United States army, to receive from the Khedive of Egypt a decoration for gallantry in battle in the action near Gura, Abyssinia, March 7, 1876; which was read twice by its title. and referred to the committee on foreign relations."

TUESDAY'S DEBATE IN THE HOUSE,-The speech made by Mr. Hurd, of Ohio, during the fierce partisan debate in the House, Tuesday, is pronounced not only the speech of the day but the speech of the session. Chalmers kept his temper and bore himself remarkably well, and as to the general result of the discussion the Washington correspondent of the New York Sun says "the Democrats more than held their own." The Sun editorially summarizes the debate thus

tersely: In the House the legislative, executive, and judicial bill was reported with the sections providing for intelligent juries and free elections, to which the Republicans object. Then the House further debated the army bill. After a Colorado member had warned the South to beware, Mr. Chalmers of Mississippi made a fiery speech, which excited ap-plause on the Democratic side and laughter on the Republican side. After | ceeding slowly, Mr. Chalmers had called Mr. Conger of Michigan a jester, and Mr. Conger had virtually called Mr. Chalmers a monkey, Mr. Frye of Maine made a defiant speech, and Mr. Hurd of Ohio made a speech.

Bills Which Passed and Bills

WHICH FAMED.—In view of the discovery, just after the Legislature adjourned, that the school bill was not a journed, that the fact that the presigned it; and in view of the further fact that it has just been learned from Senator Henderson, of Rowan, that the bill prescribing a shorter form for deeds and abolishing private seals, and for other purposes, is not a law, having failed to pass though it was enrolled and signed; in consideration of these facts we say, it would be interesting to know just what bills did pass into laws and what failed through the slip-shod methods of doing business which seemed to prevail about the capitol during the latter part of the session. It begins to look now as if the captions will have to be re-published, with revisions and corrections. . 25-31-501

COL. STEELE AND THE SPEAKERSHIP.

Just after the contest over the speakership of the House had come to an end, a Washington correspondent of a North Carolina newspaper wrote that Hon. Walter L. Steele was the only member who in the caucus voted against making the nomination of Mr. Randall unanimous. We felt satisfied that Col. Steele had east no such vote and hence did not re-produce the state-

ment; and now we are in receipt of a private letter from Col. Steele denying it, as we had expected he would. In the course of his letter he says: "I did not so vote, nor did any one else to my mitted by them in the last congression- knowledge. I voted for Mr. Blackal election. The cases are soon to be called for trial in the United States Court at Charleston, and the understanding is that the test oath will be protest, and cheerfully reted in the House to carry out the will of the party."

This brief statement will serve to correct any false impression on the minds of those who may have seen the article in question, though it is hardly to be supposed that the original statement found a moment's lodgment in the minds of those who are acquainted with Col. Steele or who are at all familiar with his record. He is independent in standing by his convictions but he never kicks out of the party traces nor brings himself in conflict with the declared party will.

COMPLEXION OF THE HOUSES.-The national Senate now stands: Democrats 43, Republicans 33; a Democratic majority of 10; this counts David Davis as a Democrat, and it is perfectly proper that he should be so counted since he always votes with the Democrats on party questions. The House, when full, has 293 members. There are 6 vacancies -two caused by death and four from California, where the election has not vet been held. In the House there are 147 Democrats, 127 Republicans, and 18 may be necessary to carry into effect Greenbackers. Democratic majority over all 7, which is quite enough.

THE FITZ JOHN PORTER CASE.-A great many people who believe that Gen. Fitz John Porter has been very Senator Hampton being present was unfairly dealt with, will be pleased to know that the court martial sitting temperate address, cordially concurring upon his case has exonerated him entirely, and a still greater number, readamble and resolutions. We append a ers of the associated press reports, will I agree with the gentlemen who have to an end. The reading of so many addressed you that we are not here to dispatches about this matter had become

The latest from Gov. Hampton is that he has returned to Columbia from every man is entitled to be tried by a his fishing and deer hunting, and that he will not attend the extra session of

Brief News Items.

Gov. Simpson, of South Carolina, fers a reward of \$100 for the arrest of . E. Kingsley alias Kinly, the man who swindled a Columbia bank out of \$500 on the 20th ult.

The celebrated trotter Goldsmith Maid was delivered of a fine bay horse colt at Fashion Stud Farm, near Trenton, N. J., on Tuesday evening. The sire is George Washington. Mr. Smith yesterday refused an offer of \$20,000 for it. A stable in Third avenue, Brooklyn,

was burned Monday night, and Tues-Beaufort harbor. He asked that, as it day morning the body of David R. Pulwas short, the memorial be read, and it | ver was found under the charred ruins. It is supposed he lost his life while trying to save the four horses that were in

During March the United States mint at Philadelphia coined \$1,123,200 in gold, \$900,370 in silver and \$7,816 in base metal; a total of 1,745,520 pieces of the value of \$203,386.

Rather than make a reduction of force Commissioner Paine, of the patent office, has reduced all clerical salaries in his the United States internal revenue offi-cials, and for other purposes; which 30. The clerks preferred this alterna-

> Prof. C. V. Riley, entomologist of the He will continue the work already under his charge in the grasshopper re-gion of the West, he being chief of the grasshopper commission, appointed some time ago.

The Cotton Traffic in England and Ger-

MANCHESTER, April /3,-The Guardian, in its commercial article, says: "Wednesday the market was exceedingly firm. Some producers asked a slight further advance, while others held very steadfly at Tuesday's prices. Private advices from Germany report that the spinners there, having taken large stocks of cotton when prices were low, are now supplying yarn at such rates that Manchester exporters are quite unable to compete. At Blackburn the market on Wednesday was strong, but a recent decided advance of prices checks business considerably."

A Mysterious Interview. LONDON, April 3.-A Berlin dispatch but the fact that nothing has been repatch scouts the idea that the interview had any bearing on the negotiations

Southern Cases in the Supreme Court.

WASHINGTON, April 3.—The following Southern cases were argued in the United States Supreme court to day, all from the United States circuit court for the district of Louisiana: David N. Barrow, adm'r, vs. Logan Hunton;

Priests Being Disciplined.

Rome, April 3.—The Pope has summoned to the Vatican several ecclesiasts who had been punished in Germany for infractions of the May laws. His Holiness desires by inquiry into various cases to find a line of conduct calculated to avoid any conflict with the law.

The Widow Moves for a New Trial. WASHINGTON, April 3.-Widow Oliver has already, through her counsel, moved for a new trial.

"Does your mother know you're out," said a boy to his brother who did not go to school because he had caught a bad cold. "Yes, she does," was the reply, "for Dr. Bull's Cough Syrup has knocked my cold into a cocked hat. He bought a 25c. bottle,

THIS COUNCE.

LONG AND EXHAUSTIVE DEBATE.

WASHINGTON, April 3.-SENATE.-The Senate, soon after meeting, proceeded to the consideration of the report of the committee on privileges and elections on the gredentials of Charles, H. Bell, claiming a seat as Senator from New Hampshire.
Without final action the Senate ad-

journed till Monday. House.—The debate on the army appropriation bill was opened by Knott, of Kentucky. He spoke of the great and historical importance of the principle involved in the question. He characterized it as a great fundamental principle of republican liberty that the ballot box should be protected from the slightest approach of military power, and that the yoter shall be left absolutely free in exercising at the polls the highest prerogative of a citizen. He quoted the English statute of George II for the removal of troops from the place where an election is to be held, and cited Blackstone as writing that it is essential that elections shall be absolutely free and that therefore all undue influences are illegal and are prohibited. He had expected that such question would have been discussed on the other side with calmness and dignity; but in this he had been grievous-ly disappointed, particularly in connec-tion with the speech of the gentleman from Maine (Frye). That speech, while it might have been appropriate in "the small Frye" of his party, at a crossroads or village bar-room, was unjust to that gentleman's genial and generous

Hauk, of Tennessee, followed. He was Southern born and sympathized with that section, but he said when the President had offered peace and conciliation he had been answered with bloodshed and riot. To-day it was well known that a majority of the Southern States were Republican if an honest election could be had, and yet he looked around him and saw but three Republicans from the Southern States. He placed his opposition to the present measure on the broad ground of its merits. If permitted to stand on the statute books, there would be free elections in the South and Republicans would be returned to Congress by the voice of a free people, unawed by bull-dozers and rifle clubs. Others might do as they pleased but never while he had a vote on this floor would be vote to repeal those statutes until every man in the South, whether white or black, whether a carpet bagger from the North or a scalawag from the South, should have a free and equal chance at the ballot box. [Applause on the Republican side.] He was not authorized

Representative Robeson, ex-secretary of the navy, then addressed the House. He intended to confine himself to the question of law involved in the discussion. It is proposed, he said, to restrain the civil officers of the United States from keeping the peace at any election in any State. By what means? By civil means, not by military means, for the right of the civil officer, the marshal of the district, if you please, to summon the posse comitatus, is a right to summon ordinary military companies that may be within the body of his bailiwick. The right to summon armed troops if they be within the body of the bailiwick is a civil, not a military right, and is the interest of the indivisibility and the strength of the civil

There was considerable controversy between the Speaker and Mr. McLane. of Maryland, as to whether there had ever been any ruling of the Supreme Court recognizing the right of the United States to keep the peace. Robeson said he had never known that question to arise in that form but there have been rulings of the Supreme Court to the effect that wherever there was power given and guaranteed or secured by the constitution of the United States, there the power resided -in the United States to enforce and

Continuing at considerable length in a legal argument upon the points now involved, Mr. Robeson said: My friend from Ohio, [Mr. Hurd,] had said that it becomes us to look sharply and keenly as to the use of military power, for that by it republics have always died. I take issue with him there.
The last final blow at the liberties of republics has come from the sword, but it has not been until some branch department of agriculture, has resigned. of the government has usurped to itself rights which it did not enjoy under the constitution and laws of the country. It has not been until some branch of the government, usually a branch claiming more specially to represent the popular will, has usurped to itself powers that did not belong to it. It was only after the Long Parliament of England had disgusted the country by its disregard of civil and personal rights, and by its assumption of everything that belenged to the government, that the stern soldier, Oliver Cromwell, dared to go to that House and dissolve it with military power. It was only after the French assembly had made France, its fair fields and its vine-clad hills, run red with the blood of its best citizens, not until Europe was appalled at the scenes of murder perpetrated there, not until the world itself stood aghast at the crimes that were committed in the name of liberty, that the young Napoleon, with his armed force, with co-ordinate and limited powers, all bearing relation to each other, each to the Times says; "Herr Windhort's ed with its natural duties, each having rogative; it was the employment of that (elerical) interview with Prince Bis- its special attractions and restraints, veto power for which the House voted marck is the principal subject of con- each, like the solar system in the heav- articles of impeachment. Fourth, in versation and newspaper comment, and ens, dependent on the other. Let one has given rise to numerous surmises, of those spheres be stricken down, let public property. That was a mere it be let loose from the proper law of formal count in the indictment. vealed concerning its subject seems to show that no tangible result has been reached." The Standard's Berlin disstruction of the system of which it was which it was proposed to impeach the a member, but an object of terror to executive. One was the exercise of the between Germany and the Vatican, and the universe. Here we are co-ordinate veto power and the other his interferdenies that these negotiations are prospectively systems of this government all held together by the attractions, privileges, powers and restrictions of the constitution of the United States. If one mem- upon more than once, and the gentleber of this system breaks loose from men from Ohio was on the record every those attractions, when the old land- time as voting in their favor; and he marks are swept away and the old tra- had been supported in his action and ditions wiped out, when the old safe- had been standing by him, voting guards are all broken down, it riots side by side with him to im-through the system an object of terror peach the President for the exerand of dismay, and, more terrible than cise of the veto power, one then commajestic, it becomes a mighty instru-ment of evil. My friends," (addressing combination of accidents would have the Democratic side of the House,) it is remained to this day and until his dyfrom a disrupted system of government | ing day in that obscurity for which nathat military power arises; it is in the confusion of disorder, the lack of right signed him. Side by side with the gento be executed by the civil officers of tleman from Ohio had stood and voted the law, it is within the smoke of such Mr. Hayes, of the same State. [Apa contest that the man on horseback, plause on the Democratic side and in rides in and liberty is sacrificed to or-der. So long as the civil process of the sort of authority had the gentleman law may be properly executed by the from Ohio come to threaten the House? civil officers in this country, there is no | For the first time in eighteen years the

CONGRESS'S EXTRA SESSION with the hope that he would in no way depart from the plain of fairness in debate; that no utterance of his would give call to the charge that any sectional question was involved in the issue under consideration. Nobody had been surprised at the speech of the gentlemen from New Jersey [Robeson]. The performance would not have been complete would not have been fairly plete, would not have been fairly rounded off, unless some member of the privy council of that imperialistic dynasty under whose administration the very vicious practice had grown up to what it was now sought to repeal, had testified on the floor on its behalf. bridge. All experts believe this race will be a mere walk-over. protect every State from invasion, but domestic violence when the Legisla-

It had been argued by various gentle-men on the other side that this repeal was revolutionary in its character; that it had no place upon an appropriation bill; that it was out of line and should be considered as an independent proposition. He was but a poor student of his country's history who was not able to satisfy himself that from the foundation of the constitution down to the present time it had ever been held, and that by the highest authorities in the land, that it was in the power of the House to control the employment of the army by the withholding of supplies. In the very nature of things the proposed repeal could not be revolutionary. Negative legislation was never revolutionary; affirmative legislation might be but not negative legislation. There was no one who would assert that previous to 1865 the executive had held the Power of which this bill proposed to deprive him. The constitution did not give the right to the President to send armed forces into any State, even to suppress domestic violence. By no means. It required the President to only conferred upon him the right to send soldiers to that State to suppress ture of the State or the Governor should make a requisition upon him. He was not permitted to anticipate domestic violence-neither he, nor the Legislature nor the Governor. Domestic violence must have been in existence, and that fact must have been certified to him by the Legistature. There was no prerogative which the President held that was not clearly defined and limited by law, but the constitution had made Congress, in express terms, the grand reservoir into which all powers of implication flowed. This bill could not comprehend revolution; but it was said that it was not in the proper place when it was engrafted upon an appropriation bill. He said if lectures were to be read to the Democrats, let them come from some quarter and some member not conicted on the record. The gentlemen from Ohio [Garfield] had told the House that this was an effort and an unmanly effort to starve the government to death, and had contrasted it with what he termed the bolder and braver action of certain members of to speak for the President but he knew | Congress in 1861 who had left their be gladder still that his trial has come that if the President was a good Republes seats and had carried their issue to the field of carnage. That gentleman had said that this was revolution, and had denied the effort which the Democrats were making to adopt it. Far better would it have been for the people of the country if the power of the gentleman from Ohio had been applied at an earlier period of his political history in denouncing and opposing revolution-ary legislation. Did the gentleman remember the record that he had made n 1868 on an amendment offered by Mr. Wilson, of Iowa, to an appropriation bill, proposing to revolutionize the judicial system of the country? proposing to rob the co-ordinate branches of the government? proposing to strip the Supreme Court of the prerogatives and the powers that the federal constitu-

tion had clothed it with? That amendment had provided that if any criminal or district court should declare any act of Congress to be unconstitutional, the judgment should be

carried up to the Supreme Court, and if two-thirds of the members of that court should not affirm the judgment the same should be held reversed; and on the call of the yeas and nays the gentleman from Ohio is found voting "aye." The Supreme Court at that time had consisted of eight members, and by that amendment six were required to overrule the opinion of a district court declaring unconstitu-tional any of the ill-advised, hasty, crude and partisan measures of the Republican party. Revolution! What was there that the party the gentleman so ably led had not done in that catalogue of crimes? In his speech of Saturday the gentleman from Ohio had challenged all comers to show a single instance in the history of the country, where the executive had ever been coerced! He (Blackburn) accepted the gage of battle which the gentleman had thrown down. He would read from the record and show him an instance on the 2d of March, 1867. Andrew Johnson had signed an army appropriation bill under protest, feeling, as he said, constrained to return the bill with his signature, but accompanied it with his protest. Was there no coercion? Why, the record was full of instances. He found that in the Thirty-sixth Congress that that had occurred which would never fade from the minds of the people. He referred to the effort which was made, and which came so near resulting in the successful impeachment of the chief executive of the country. The executive had been impeached of high crimes and misdemeanors, and of usurpation and violation of the law: First, in that he has corruptly used the appointing power. Had the gentleman from Ohio intended to impeach him for that? The gentleman knew that he had not. Second, in that he has corruptly used the pardoning power. Had was able to seize upon the government, the gentleman intended to impeach him We belong to a system of government for that? Everybody knew he had not. Third, in that he has corruptly used the veto power. There was where the sting having its appointed sphere, each cloth- came in. It was the exercise of this pre-

missed by a large circle of friends.

a million strong unless it became ab- grading resolutions on free men, and by

justified in employing equal candor, and in assuring that gentleman and his asin assuring that gentleman and his associates that the dominant power in this Congress, the ruling element in this body, is also equally determined that until its just demands are complied with this side of the chamber, which has demonstrated its power, never means to yield or surrender until this Congress shall have died by virtue. this Congress shall have died by virtue of its limitation. [Wild applause on the Democratic side.

At the conclusion of Blackburn's remarks his colleagues crowded around him and congratulated him warmly.

The President nominated Isaac W Roberts be postmaster at Montgomery, Five to one on Cambridge.

LONDON, April 3.-The betting on the race between the Cambridge and Oxford crews, which takes place on Saturday, is now five to one on the Cam-

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danger of military power. The strong arms, the clear heads, the brave hearts branches of Congress. We propose to And Metropolitan Fashion sheets for April, just of our people, North and South, would never yield to a standing army were it ing from the statute book these degra-TIDDY'S BOOK STORK. March 28, 1879.

Professional.

solutely necessary under the pressure of the usurped and arbitrary power of some irresponsible member of the system to sacrifice liberty to order. That time will never come in this country unless you, my friends, disregard the plain teaching of history.

Blackburn, of Kentucky, was the next speaker. He premised his speech FEE W. BATTLE, M. D.,

Having removed his office to the first floor over the Traders' National Bank, can be found there all hours during the day, and at his residence cor-ner Seventh and College streets, at night, feb7 3m

Periodicals.

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"HALF A DOZEN HOUSEKEEPERS," By Katharine D. Smith, with illustrations by Frederick Dielman, begins in the same number; and a fresh serial by Susan Coolidge, entitled "Eyebright," with pienty of pictures, will be commenced early in the volume. There will also be a continued fairy-tale called.

"RUMPTE DODGET'S TOWER,"

Written by Julian Hawthorne, and illustrated by written by Julian Hawthorne, and Illustrated by Alfred Fredericks. About the other familiar fentures of St. Nicholias, the editor preserves a good-humored silence, content, perhaps, to let her five volumes already issued, prophesy concerning the sixth, in respect to short stories, pictures, poems, humor, instructive sketches, and the fure and lore of "Jack-in-the-Pulpit," the "Very Little Folks" department, and the "Letter-obx," and "Biddle-box." department, and the "Letter-obx," and "Riddle-box."

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