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The Right of Petition Again.

The Senate proceedings of the 27th, a faithful report of which will be found in THE ERA, are of unusual interest. And the peculiar interest that attaches to them is the important principle involved in the sacred right of petition. The Senate, on that day, by a majority of one, rejected a petition from sundry citizens of New Hanover county, preferring charges against certain members of both Houses, and asking for their expulsion. Whether the charges are true or false, we do not know, and shall not enquire. Whether those who got up and presented these petitions acted wisely and judiciously we shall not undertake to say. It is a course we would not have advised, and we regret their personalities. But of one thing there can be no doubt, they acted clearly within their Constitutional rights and privileges. Nor can the fact that several members of the Houses were mentioned by name, be construed into disrespect to the body to which the petitions are addressed. If the charges made in the petition are false and scandalous, it is the duty of each House to vindicate its members from such charges by its action in the premises. Or if they do not wish to take any action, the petitions could easily have been disposed of by laying them on the table, as proposed by Senator Robbins, of Rowan. Such a course would, at least, have been an acknowledgement and vindication of the right of petition. And it is with especial pleasure that we record the fact that such Democratic Senators as Cook, Edwards, Linney, Love, Murphy, Norment, Robbins, of Rowan, and Worth, voted for the reception of the petition.

The views taken in the discussion by Senator Graham, of Orange, demand a brief notice. He displayed an ignorance of Parliamentary law and usages only equalled by that displayed by him in reference to the lease of the N. C. Railroad. He assumes that the Houses are asked to try the accused members for crimes, the conviction for which, under the Constitution, disqualify them from sitting as members. This he says, truly, is the province of the courts, and is not allowed to the General Assembly by the Constitution. But a Senator of his experience and reputed intelligence ought to know, if he does not, that these petitions proceed upon no such ground. They proceed upon the ground that it is the privilege, as well as the duty, of every legislative assembly to purge itself of unworthy members. This is a privilege held to be inherent in all such bodies from the earliest days of the English Parliament to the present time.

And each House is to judge for itself what constitutes a member unworthy of a place upon its floor. It may expel members for many offenses against propriety and decency that do not render them ineligible under the Constitution and the laws. This has often been done, both in England and this country. And the sovereign people, whose servant the Legislature is, have a right to demand that that body shall be kept pure. They have a right to petition it to purge itself by the expulsion of all unworthy members. This, it is presumed, will not be denied by any well informed man.

In England John Wilkes was expelled from Parliament for the publication of a libel in his own newspaper. The libellous publication was entitled "An Essay on Woman," and in no way assailed or reflected upon any member of the House of which he was a member. Yet Mr. Wilkes was subsequently a member of two Parliaments. Wm. Ennet, Senator from Onslow county, was expelled from his seat in our State Senate in 1811, for having forged, as was believed, his certificate of election. He was returned by his constituents and allowed to sit. Neither Wilkes nor Ennet was convicted of any disqualifying crime, as the Senator from Orange would have the people believe. That was not held to be necessary to their expulsion. The Houses of which they were members did not necessarily proceed upon legal and technical proofs of their guilt. The moral proof, which carries conviction to the minds of members, has always been held to be sufficient to justify expulsion. Wilkes was subsequently indicted and convicted in the courts; Ennet was not.

One Democratic Senator, Mr. Linney, of Iredell and Alexander, did himself immortal honor. He took the highest and most tenable grounds. He was not only for receiving the petition, but for considering it also. And he manfully declared his determination to vote for the expulsion of any member who may be proved to have belonged to any secret political organization, whether Ku Klux or League, since the passage of the act forbidding persons from going disguised, and making it a misdemeanor for persons to belong to secret political societies. We most heartily endorse this sentiment. We fully agree with Mr. Linney that men who live in constant and habitual violation of the laws of the land are unfit to legislate for the law-loving and law-abiding people of the State.

The country will learn with surprise that a Democratic Legislature in the South, has denied to any portion of its

citizens the simple right of petition.—That party has for some time past proclaimed itself the special champion of the personal rights of the citizen, as well as the rights of the States. Over such conduct by Republicans, we need not tell our readers, its presses would have raised a howl that would have reverberated from the mountains to the seaboard.

Since the above was in type we notice that Senator Robbins, of Rowan, changed his vote from the affirmative to the negative on Monday. The reasons he gave were, that upon "a candid investigation of the principles of parliamentary law applicable to such cases" he finds it to be "a well settled principle that no parliamentary body can receive a petition asking it to do that which it has no right to do." He says he finds that the Senate has no right to make the inquiry and take the action demanded by the petitioners. He says the Senate has "a right to enquire into the conduct and deportment of Senators in so far as pertains to the discharge of their duties as Senators," and no further.

It is to be regretted that Senator Robbins does not cite authorities for what he finds to be the "settled principles" to which he refers. If it has been "settled" that the Senate cannot go beyond an inquiry into the "conduct and deportment of Senators in so far as it pertains to the discharge of their duty as Senators," then it has been settled recently. In the case of Wilkes, given above, the British House of Commons did go beyond the limits designated by Senator Robbins. In the case of Wm. Blount, expelled from the Senate of the United States for an alleged attempt to incite certain Indian tribes to insurrection against the Spanish Government, that body went beyond the limits laid down by the Senator from Rowan.—We give these two cases from memory, having no time to look into history for further cases now; so if any such principle has been "settled," it has been since the expulsion of Gen. Blount from the Senate of the United States.

And it is further to be regretted that he did not cite the authorities for the "well settled principle that no parliamentary body can rightfully receive a petition asking it to do that which it has no right [power] to do." We feel confident, with all due respect, that the Senator is mistaken. Such a "principle" would strike a deadly blow, not only at the sacred right of petition, but at the great principle of free government itself. There may be grave doubts in the minds, not only of the common people, but of able lawyers also, as to power of the Legislature, under the constitution, to pass many wise, just and necessary acts. And if a respectful petition should be presented for the redress of some obvious grievance, numerous signed by the best people of the State, would the Legislature be justified in rejecting it, because they doubted their power under the constitution to grant the prayer of the petitioners? Certainly not, it seems to us. It would be the duty of the Legislature to receive and consider the petition. If they found that they had no power to grant the prayer of the petitioners, they should declare the fact, and inform the petitioners what course they ought to take to secure the redress sought. This would be due from their servants to the people, who are the masters. The fact seems plain that the principle claimed to be settled by the Senator from Rowan, outrages all the great principles of free government, among which is the most sacred of all rights—the right of petition. The idea seems to us to be perfectly monstrous and absurd. Will the Senator give us the authority upon which he bases his judgment? What law, rule or precedent can he quote to sustain his position that "no parliamentary body can rightfully receive a petition," &c.

A NAPOLEONIC ERUPTION IN PARIS.—A large number of Parisian sympathizers with ex-Emperor Napoleon, Saturday, made a demonstration in his honor. They traversed the Faubourg St. Germain, with shouts of "Vive Napoleon." No attempt was made by the police to interfere with the demonstration.

THE POPE WILL "STICK."—A special dispatch to The New York World from a London correspondent says: "A distinguished cardinal authorizes me to say positively that the Pope will not leave Rome unless he is compelled to do so by physical force or personal violence."

A New York Journalist who has interviewed George Q. Cannon, the possible successor of Brigham Young says, Mr. C. gave it as his opinion that the Mormons would submit to a decree of Congress giving them statehood on condition that while past polygamy and its fruits should be recognized the institution is prohibited in future.

MATRIMONY AND SUICIDE.—Charles Evets, a German milk peddler, living two miles North of Meriden, Conn., murdered his mother Saturday afternoon, by cutting her throat, and afterwards committed suicide by cutting his throat. Troubled on account of his mother's opposition to his marriage is supposed to be the cause.

Onward! The elections which took place on the 7th of last month, virtually decided the Presidential contest of 1872. Unless an overwhelming disaster, such as we do not expect, should overtake the Republican party, President Grant or some other Republican, will be triumphantly elected President in November, 1872.

The Democratic party is in the throes of dissolution. Defeat next year will be the signal for a general breaking up of that party. The unsettled condition of the country at present is such, that the Republican party has very little to fear from any new party that may be organized for the campaign of next year. The Democratic party must disband—vanish—die—before another political party of any significance or strength, can be organized.

Supposing that the Republican nominee is elected, with the expiration of the year, One Thousand Eight Hundred and Seventy-Six, the Republican party will have controlled and administered the affairs of the Nation for Sixteen Years. If we should be correct in prophesying the dissolution of the Democratic party after the next Presidential election, a new party organized upon its ruins, will be in trim for the National contest of 1876. It may be, that the Republican party will have something to fear from a new party in that contest. It is impossible to foretell what issues will arise within the next six-years; but there are great questions immediately in the future, which demand the earnest and early attention of the Republican party. If these questions are met upon the threshold and successfully dealt with, to that extent, the necessity for a new party will be done away with. If this be not done; if the Republican party remains inactive, clings to its past record, and endeavors to live upon tradition, it will be defeated in 1876, and ever afterwards.

The questions which the Republican party is called upon to deal with now—during the present session of Congress, are:— I. General Amnesty should be granted this Winter.

II. The war against corruption, fraud, and extravagance, commenced under such favorable auspices in New York, must be waged in every State until this crying evil is thoroughly eradicated.

III. The Civil Service must be overhauled and a new system—a radical reform—must be inaugurated.

IV. The tariff laws must be revised, to the end that the necessities of life may not be taxed; and that taxes may be retained on snuff, tobacco, liquor, and other luxuries.

V. A National system of public schools must be established, or the Federal Government must appropriate lands or money to be used by the States, for the purpose of establishing a system of public schools as thorough, if possible, as the Prussian system.

VI. Our shipping interest must be revived and made to equal any in the world.

VII. The laws regulating the distillation of brandy and whiskey, must be so amended that all men—not the rich alone—may distill their fruit and corn, if they see fit to do so.

These are the most important questions which demand immediate attention at the hands of the Congress. That the ability to deal successfully with these questions, resides in the Congress, we have no doubt. If this session of Congress, which met last Monday, will take hold of these questions, the entire session will be well spent, if nothing else is considered.

Circumstances which made the Republican party, in some instances, advocate harsh and extreme measures, are passing away;—and, but for the outrages of the Ku Klux in the Southern States, we might confidently expect the passage of an act of General Amnesty this winter. The believed necessity for, and the suspension of the writ of habeas corpus, may deter the Congress from relieving everybody.—If such should be the case, Democrats may blame themselves for it. However, we think, taking all things into consideration, that the time for General Amnesty has arrived. The Republican party of this State is pledged to it. Believing that it was a mistaken policy to disfranchise in the first place, that no good has resulted from it, that it will do no good in the future, we take occasion to ask the Congress to pass a General Amnesty act, this winter.

The other six questions are so necessary to the prosperity of the country, that the attention of the reader will be directed to them without further comment by us.

To conclude, if the seven questions we have marked out for the consideration of the Congress, should receive the attention which is due them, the talk of, and necessity for, a new party, will vanish with the solution of those questions.

We may refer to this subject again. Why must a line drawn by a pen always be on a slope? Because it's always an ink-line.

PROCEEDINGS OF THE North Carolina Legislature.

SENATE.

SEVENTH DAY.

MONDAY, NOV. 27, 1871.

The Senate met at 10 o'clock. President in the Chair. Prayer by Rev. Dr. Mason, of this city.

The Journal of Saturday was read and approved.

Messrs. Allen and McCotter were in their seats for the first time this session. Leave of absence was granted Messrs. Lehman and King to attend Craven court.

Leave of absence was granted Mr. Merrimon to attend his court.

Leave of absence was granted Mr. Flemming to attend Buncombe court.

Mr. Price presented a petition from the citizens of New Hanover, praying that the General Assembly will investigate charges made against certain officers and members of this General Assembly.

The Clerk proceeded to read the petition, when Mr. Robbins, of Davidson, objected to the further reading of the petition. He said that the petition was disrespectful to members of the Senate. That this body has a right to protect itself from these disrespectful petitions.

Mr. Graham, of Orange, said that the Senate had a right to protect its members from libel. It is well known that during the sessions of the Legislature of 1868-69 and in crime was a member of the House of Representatives in his seat every session, that an indictment for murder against him was pending during that time. He was not molested, and has since been promoted to a seat in Congress.

Mr. Price said that he had heard nothing of the meeting which passed the resolutions and from whom the petition comes, although he was in Wilmington on the day on which the meeting was held.

Mr. Price said that he did not understand the reading of the petition was objected to. The people have the right of petition granted to them in the Constitution, and this body has no right to refuse to receive this petition. No member of the General Assembly can be expelled from responsibility behind the action of a class of political associates who are as ignorant as they are irresponsible. And who, Mr. President, are these men? I have authority for saying, that these resolutions were prepared in Washington City, and sent to this city for distribution through the different counties. They are almost identical in language, and bear upon their face unmistakable evidence of having emanated from a common source. They are worthy of the sources from which they emanated, and received as they are in cowardice and malignity, and framed in falsehood.

They charge me, Mr. President, with complicity in the commission of crime, and I here say that I would not stoop even for a moment to notice them, did I not think the dignity of this body required it. I say that I would not notice these charges, for I thank God, that in the opinion of every good man in this State, every man whose good name and self-respect are at stake, I value myself as high as any man in the State, and I would not stoop to be degraded by a single scintilla of proof, would outweigh even the sworn oaths and death bed declarations of a hundred thousand such creatures as the base instigators of these resolutions. I am not a man—not a man—but base counterfeiters of men, devoid of every instinct of gentility or even of manhood, malignant enough to frame and to circulate a calumny, but too cowardly to face the responsibility of the act—steeped in infamy and leprous with crime themselves, they set themselves up as guardians of the purity and of the morality of this General Assembly—just as fit for the work, Mr. President, as Judas Iscariot would be for the Presidency of a National Bank, or Littlefield of the Senate of the United States. I know I have nothing to fear. They do not provoke me even to anger. I know they have the inclination to injure me, and that they have all the machinery and power of the Federal Government to do so. I am conscious of this, I here defy them to the proof of a single syllable of the charges, though they come with a whole legion of their perjured witnesses. I stand ready to meet them all. I say again, and in conclusion, that, whoever charges, directly or indirectly, or even intimates that I ever raised my arm or my voice otherwise than so protect and defend the soil, integrity, the peace and good order, or the laws of North Carolina, is a cowardly calumniator, a base, sneaking, black-hearted villain. Thus much for this pack of curs. At the proper time, if I have any influence with this body, they shall be required to make good, before a Committee of the Senate, the charges they have preferred. I desire investigation and shall demand it of the Senate.

Mr. Love, from the Committee on Grievance, reported a bill to fix the mileage and per diem of officers and members of the General Assembly, and recommended that it do not pass.

A message was received from the House of Representatives, transmitting the report of the Librarian, with a proposition to print three copies for the use of each member of the General Assembly. Concurred in.

A message was received from the House of Representatives, transmitting the following bills and resolutions, which were read and referred to the proper committees.

A bill to amend an act to incorporate the Flat Swamp, Locks' Creek, and Evans' Creek Canal Company.

A resolution concerning the moneys received by the State Treasurer under the Revenue act of 1871.

A bill to amend an act to change the time of holding the Superior Court of New Hanover county.

Mr. Graham, of Alamance, introduced a bill to allow the transfer of certain causes pending in the late Courts of Equity.

Mr. Edwards introduced a bill in "regard to costs in contested wills." Referred.

Mr. Edwards introduced a bill "concerning joint contracts." Referred.

Mr. Crowell introduced a bill to allow the Commissioners of Lincoln county to issue bonds. Referred.

Mr. Worth presented a memorial from the Swift Island Manufacturing Company. Referred.

Mr. Love introduced a bill to provide for the collection of arrears of taxes in the county of Jackson. Referred.

Mr. Battle introduced a resolution authorizing the Governor to offer a reward for the arrest of Luke Johnson.—Lies over.

A bill to amend the charter of the Raleigh & Gaston Railroad Company, passed third reading by the following vote:

YEAS.—Messrs. Albright, Cook, Edwards, Epps, Flythe, Hyman, King, Lehman, Linney, Love, McCotter, Murphy, Norment, Olds, Price, Robbins, of Rowan, and Worth—18.

NAYS.—Messrs. Allen, Battle, Beasley, Brown, Council, Currie, Dargan, Flemming, Graham of Alamance, Graham of Orange, Latham, Lehman, Linney, Love, Mauney, McCammy, Merrimon, Morhead, Robbins of Davidson, Skinner, Speed, Waddell, Worth—37.

Mr. Price gave notice of a bill to incorporate a lodge of I. O. E. F. in an early day.

A bill to incorporate the excelsior Fire, Bucket and Axe Company, passed third reading.

Mr. Speed introduced a resolution in favor of John L. Woods, Sheriff of Pasquotank county. Lies over.

A bill to change the time of holding the Superior Courts of Alamance county, passed third reading.

A bill to amend the charter of the city of Newberne and of the Newberne Academy, passed third reading.

A bill concerning the jurisdiction of the Superior Courts, passed third reading.

A bill concerning the probate of deeds and the privy examination of married women beyond the limits of the State, passed third reading.

Mr. Robbins, of Rowan, introduced a resolution, stating that it is published in the public prints that citizens of this State have been arrested within the limits of this State, carried out of the State and imprisoned without a hearing; that the Governor be requested to furnish the Senate any information on this subject, and also, whether he has taken any steps to put a stop to such unlawful arrests. Adopted.

A bill to amend the law of evidence, passed third reading.

Mr. Edwards introduced a bill to amend Title 19, Chap. 2, Sec. 429 of the Code of Civil Procedure. Calendar.

Mr. Flemming introduced a bill to "repeal the credit of the State by redeeming the State debt." Referred.

Mr. McCotter introduced a bill to "empower G. B. McCotter to collect arrears of taxes due him for the year 1870." Referred.

Mr. Norment introduced a bill to prevent the sale of intoxicating liquors within five miles of the Pole Baptist church, in Robeson county. Referred.

Mr. Speed introduced a resolution in favor of Wm. B. Anderson, of Raleigh. Referred.

Mr. Flemming introduced a resolution that the Senate proceed to the election of U. S. Senators at 12 m. to-day. He said that he had delayed a resolution of the kind to the last moment. The State of North Carolina is not represented in the upper House of the American Congress.

The President announced that the hour for the special order had arrived.

Mr. Flemming moved that the special order be postponed until the next day. The hour for the special order had arrived.

A bill to allow a mortgage deposit on personal security in lieu of a money deposit, was taken up.

An amendment offered by Mr. Linney was adopted.

The bill passed its second reading, and Mr. Flemming resumed the floor and advocated the passage of his resolution. He said that men are in this city now arrested for Ku Kluxing, who are treated as any man in the State. We should have a representative in the U. S. Senate. Shall it be said in that body, that Ku Klux outrages are being committed, and have no sympathy with these outrages, and are continually going about with blank warrants signed by a U. S. Commissioner. Men are arrested by these marshals, not because they have violated the law, but because they, the marshals, have some spite against them. When the arrest has been made, a species of black mailing is resorted to. Fifty or fifty dollars is demanded by these marshals, before they will release the men arrested and make return of the warrant. To remedy this great wrong, the Senate should elect another Senator—one who will be allowed to take his seat—and one who will truly represent North Carolina.

Mr. Jones introduced a bill to amend the law of evidence. The Senate had no right to elect another Senator. Gov. Vance has been commissioned by the Governor, and has not returned to the State. The Senate will still itself by electing another Senator.

Mr. Graham, of Orange, said that the Legislature had no right to go on. There is no vacancy at present. The admission of Gov. Vance in the U. S. Senate, would not help those who have been arrested or injured by the Ku Klux. It would sympathize with any man who has committed any of these outrages. Any man who has violated the Ku Klux bill, is entitled to no sympathy from any man in the State. A man who has been arrested and hauled around the country who are innocent, do not deserve sympathy. Men who have been tried for crimes, and are found guilty, do not deserve sympathy. But these men who have committed outrages since the passage of the Ku Klux bill, receive no sympathy. A man who was tried and convicted by a jury, alleged to have been packed, would receive sympathy. A guilty man should not receive sympathy from any one; but where there is a question of the legality as to the jury, and it is alleged that that jury was packed, there will be sympathy for the guilty. The idea of packing a jury, and controlling upon those attempted such an outrage. The Republican party of North Carolina would rather every man who is under indictment for a crime, should be set free, than to try and convict those men, as was done at the last term of the U. S. Court, which assembled in this city. It is probable that there will be no further prosecution of the Ku Klux cases. It would have been a great deal better for the prosecutors, and the result of the trials would have had a much better effect, if the same had been done as was done at the last term of the U. S. Court, which assembled in this city. It is probable that there will be no further prosecution of the Ku Klux cases. It would have been a great deal better for the prosecutors, and the result of the trials would have had a much better effect, if the same had been done as was done at the last term of the U. S. Court, which assembled in this city. 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