Nebraska Herald.

"If any man attempts to haul down the American Flag, shoot him on the spot."

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TO THE PEOPLE OF NEBRASKA.

FELLOW CITIZENS:—The undersigned, Republican members of the Legislature of the Territory of Nebraska, feel impelled by a sense of duty to you, and justice to ourselves, to make this plain statement of the facts, as connected with the disgraceful, revolutionary scene, enacted in the House of Representatives, on the night of the 16th, and during a portion of Monday, the 18th inst.

In consequence of leave of absence granted to some, and the failure of others to claim their seats, the House of Representative consisted of but thirty four members, on the 16th inst.—At that time Mr. Rolfe appeared and claimed a seat as a Representative from the county of Otoe, it being his first appearance during the session, and it being the thirty-eighth day of the same. He desired that his credentials should be referred to the regular standing Committee, "Privileges and Elections," according to the established rules of the House. This reasonable request was refused by a tie vote; the opposition insisting in a most insulting manner that the credentials of Mr. Rolfe should simply be read to the House, and Mr. Rolfe admitted to his seat. To this *demand*, we felt impelled by a sense of duty to our constituents, to refuse. The House being equally divided upon this question, of course no further progress could be made. Seeing that such was the case, and determined that the blame should not rest upon us of defeating necessary legislation, Mr. Wiles, of Cass offered a resolution that we would pass by the Apportionment Bill and some measures for the benefit of Omaha, which had given rise to some feeling, and take up the general "Appropriation Bill" for the current expenses of the Territory. This was refused, thereby leaving the insane and other worthy objects without the necessary appropriation for their support. We endeavored to adjourn, but failed by the same vote.—Such was the condition of affairs until about 10 o'clock p. m. After inflammatory appeals from G. W. Frost and E. P. Child, of Omaha, and A. F. Harvey, of Nebraska City, advocating resistance to the legally constituted authorities of the House, A F. Harvey, of Otoe, rose, and after a few incendiary remarks moved that the Speaker be deposed, and moved that a person by the name of Abbott be called to the Chair, calling upon those who favored the motion to say "aye." Many, if not all the opposition said "aye;" but we, as promptly said "no." But without waiting for a division, in order that the true sense of the House might be known, the mob made a rush to the Speaker's chair. Thereupon the Speaker rose and commanded order. This not being heeded, and many revolvers being drawn, both upon the floor and in the lobby, the Speaker drew from his breast a pistol and leveling the same upon D. S. Parmlee, of Omaha, who was foremost in the crowd, told them to stand back, which order they obeyed.

In the meantime, Howard, the Sergeant-at-Arms, with a drawn sword, crawled upon the Speaker's stand, protesting that he was the Speaker's friend, assuring Messrs. Wiles, Fuller and Daily and Messrs. Doom and Majors (members of the Council, who happened to be in the House at the time) who had sprung to the support of the Speaker, thereby deceiving them as to his true intentions. The Speaker finding it impossible to maintain order, declared the House adjourned until 10 a. m. on Monday, and descended from the chair, deliberately, and walked from the room, followed by 16 members, leaving the rabble in possession of the Hall.

On Sabbath morning, at a meeting in the Council chamber, the following statememt was delivered to the Hon. Alvin Saunders, who was present.

To the Hon. Alvin Saunders
Governor of the Territory of Nebraska,

The undersigned, members of the House of Representatives of this Territory, would respectfully represent that on Saturday, the 16th day of February, 1867, the said House of Representatives consisted of thirty-four members. That while said House of Representatives was under a "call" of the House, and according to the rules of said House and all the precedents established by the House, being incompetent to transact any business except to adjourn, while under said "call" of the House—that during said call, several efforts were made to adjourn said House, which the undersigned supported, but did not succeed, being a tie vote; while in the above stated condition, at about 10 o'clock p. m., of the said 16th day of February, 1867, a portion of the members of the said House of Representatives, but not a majority of the members of the same, headed by the Sergeant-at-Arms of said House, and aided and abetted by a mob of persons, did in a tumultuous manner and with force of arms assail the Speaker of the said House, and deprive said Speaker of his seat.

The said Speaker, not being able to maintain order, declared said House of Representatives to be adjourned until the hour of 10 o'clock, a. m., on Monday, the 18th day of the present month.

We would further represent to your Excellency, that after the Speaker had declared the said House of Representatives to be adjourned, that a portion of the members of said House, but not a majority of the members of the same, did pretend to organize the said House of Representatives in the following manner, to wit:

The Sergeant at Arms of said House declared the Speaker's chair and the office of the Speaker of the House of Representatives vacant, and immediately thereon some person nominated a man by the name of Abbott for the Speaker of said House. The said Sergeant at Arms thereupon ordered an election, and declared the said Abbott elected to said office.

Thereupon the said Abbott took the Chair, and the so organized House, as the undersigned are informed, and do verily believe, proceeded to the transaction of business by admitting to a seat in said House of Representatives, a person who had been refused a seat in said House on the same day, and pretending to pass bills which were then pending in said House, and defeat certain other bills which were awaiting action in said House.

We would further represent to your Excellency, that on the first day of the present session of the Legislature, the Hon. W. F. Chapin was duly elected and qualified as Speaker of said House of Representatives, and has continued to discharge the duties of the same up to the present time. And further that the said House of Representatives consists of thirty nine members, as provided by law. That during said session, two members of said House of Representatives, to-wit: The Hon. Messrs. Deweese and Dorsey had been granted leave of absence, and were not present during any of the proceedings on the said 16th inst.; and that two seats in the said House of Representatives were vacant, no person having appeared to claim the same up to the present time. Therefore a quorum was not present, and did not participate in any of the revolutionary proceedings of the 16th inst. Therefore, in consideration of the premises, we the undersigned, respectfully but earnestly protest against your Excellency recognizing any action of said body of men who presumed to act as the House of Representatives of this Territory, as having any binding force in law, and approving any acts purporting to have been passed at the present session of the Legislature, unless the same be signed by the Hon. W. F. Chapin as Speaker of the said House of Representatives, and the Hon. E. H. Rogers as President of the Council.

We would represent to your Excellency, that in view of the violent and revolutionary proceedings of the night of the 16th inst, we deem it unsafe and hazardous to proceed with the deliberations of the House of which we are members, with the protection as now provided by law, without having recourse to your Excellency. Therefore, we respectfully demand that your Excellency apply to the military authorities of this department, for a sufficient force to protect us in the undisturbed discharge of our official duties, and that the same be sent to the Capitol at as early an hour as possible; and that the same be directed to obey and enforce the orders of the presiding officers of this legislative body. And in the event that it be impossible to procure United States troops, we earnestly demand that your Excellency call upon the U. S. Marshal to summon a "posse" for our protection.

W. F. Chapin, Speaker, Cass County
A B. Fuller, Cass county.
J. E. Kelley, Platte county.
George Crow, Nemaha county.
C T. Haywood, Nemaha county.
J. R. Butler, Pawnee county.
A W. Gray, Johnson county.
Lewis Waldter, Nemaha county.
Gustavus Duerfeldt, Richardson Co.
H. M. Ross, Jones county.
E H. Hardenbergh, Lancaster county.
Demmet Cole, Cass county.
Wm Daily, Nemaha county.
Isaac Wiles, Cass county.
E. L. Clark, Seward county.
Thos. J. Collins, Richardson county.
J. T. Hoile, Richardson county.

TERRITORY OF NEBRASKA, } ss
County of Douglas }

Sworn and subscribed to before me, by the above named members of the House of Representatives

E S. DUNDY,
Associate Judge of Nebraska.

Gov. Saunders, (who was a witness of the proceedings of the House on the preceding night,) after hearing the statement read and receiving the same, assured the members that he would take the necessary steps for our protection, and desired to know upon what *terms* we would consent to proceed with the business. To this we unanimously replied that we had *no terms to offer*; that duty to our constituents, and respect for ourselves, precluded the idea of any *compromise* on the great principle involved, viz: we claimed the right to meet in peace and deliberate undisturbed upon such questions as might come before us, unawed by mob violence; and in view of the recent disgraceful proceedings, we demanded of him, as the Executive of this Territory, sufficient force to protect us in our rights as a legislative body. His Excellency assured us that he did not approve the course of the faction in the House, and should not attempt to legalize their proceedings, and that we would be perfectly satisfied with his course. With this we parted.

At the proper hour on Monday morning, the Speaker waited upon the Governor, and inquired whether he had provided a sufficient force to preserve order. (The Hall being then in possession of the mob.) The Governor replied that the U. S. Marshal had been directed to summon a posse for that purpose. The Speaker turned to the Marshal, (who was present,) and asked him, if he was able to protect the Legislature; he replied that he would do so to the best of his ability, but would not answer for the result.

Under the circumstances, we declined to proceed to the Hall until the Governor had complied with his promise, who, instead of doing his duty promptly, permitted the day to be frittered away in endeavoring to induce us to agree to a disgraceful compromise. To all such proposals we unanimously returned an indignant refusal. Finding all efforts to move us from our determination, not to compromise the rights of our constituents, the faction unconditionally surrendered their pretensions, and authorized a distinguished citizen of Omaha, who, to his honor be it said, had supported us throughout, to ask that the Speaker would take the chair, relying on the personal influence of this citizen and the U. S. Marshal. The Speaker at about 4 o'clock p. m., took the chair, and business proceeded without the least reference to the infamous proceedings of Saturday night. Mr. Rolfe appeared, complied with the rules of the House, and was sworn in as a member, the House paying no regard to the illegal oath administered by Gov. Saunders on Saturday night.

Such, fellow-citizens, is a very brief statement of the facts as they transpired, which so far from being exaggerated, does not refer to many disgraceful circumstances, such for instance, as bringing bottled liquors and barrels of beer into the hall, and when we proposed to exclude the same, our opponents by a tie vote refused to permit us; but inasmuch as a newspaper of this place has seen proper to publish a statement of the affair, which we assure you is false in every particular where it conflicts with this, we deem it due to you and ourselves, that the truth should be known — leaving you to decide whether we have acted correctly in defending rights which in our opinion were too sacred to be compromised.

W. F. Chapin,	Wm. Daily,
John E. Kelley,	George Crow,
J. R. Butler,	C. F. Haywood,
I. Wiles,	A. B. Fuller,
E. L. Clarke,	E.H Hardenbergh.
D. Cole.	

The undersigned, members of the Council, were witness to and cognizant of the facts set forth in the above address.

J. E. Doom,	W. A. Presson,
T. J Majors,	A S. Stewart,
Lawson Sheldon.	

CASTLE THUNDER.

The Richmond (Va.) *Despatch* indulges in the following bit of reminiscence: "This famous old prison for Confederate deserters, etc., is rapidly fitting up by Capt. John H. Greanor, for the manufacture of tobacco—the same purpose for which it was used before the war. It is an immense building, and Capt. Greanor is preparing machinery and other arrangements which will enable him, if necessary, to turn out one thousand pounds of manufactured tobacco per day. A walk over the old factory brings to mind many recollections of Confederate times. Here, in the fourth story, is the gable window from which leaped the spy, Webster, with his irons on; there, the steps down which he was borne on his way to execution; there, on the lower floor, are the apartments of his wife and Dr. Mary Walker and other females, whose names became notorious during the war. The dungeons, which used to be tobacco sweat-houses before the war, remain as they were left by the authorities, and one of them still has a hole which was cut through the eighteen inch wall by some enterprising Confederate. Every part of the building has some incident connected with it. At this window a prisoner was shot dead for putting his head out of it against orders; in this alley, a petty officer of the Confederate navy was instantly killed by the guard for "foolin" with him; and in that dark, underground place, the prisoners used to tunnel themselves out into the open air, or into a close dungeon if they were caught. Lying dismantled in a loft, formerly used as a hospital, is the old flag staff from which floated the colors that were followed by so many brave men during the four long years, and which are now furled forever.

☞ It is expected that the bill for the admission of Colorado will be taken up this week, but not much hope is entertained of its passage over the veto. It is understood that seven or eight Republican Senators will vote against it.

ONE REASON.

We find the following letter from Senator Fowler, of Tenn., in the Brownville *Advertiser*. It is addressed to Hon. T. W. Tipton, and dated Jan. 15th, 1867:

DEAR SIR:—The present is an interesting and important period in the history of your young and prosperous commonwealth. Your Legislature is asked by Congress to adopt the condition of the non-exclusion of races from the elective franchise on account or race or color. This is an advance that I doubt not your patriotic people will gladly sanction on account of its intrinsic merit; but when they reflect that it is a condition demanded by the loyal men of the rebellious districts for their own salvation and defence, they will eagerly embrace the opportunity of pressing upon Congress the importance of engrafting the same just principle upon the districts lately in rebellion against the Federal Government

The State of Tennessee is at this time making a noble effort to establish the principle of loyal suffrage. It is absolutely necessary for the safety and protection of the Union men of the State. Your prompt adoption will greatly encourage the patriotic Legisture of Tennessee, and do much to enable them to effect the same noble object. With them it is a question of deep solicitude, and must be regarded as a measure of self defence; with you it is but the assertion and maintenance of a glorious principle. That declaration made by your body will do much toward the restoration of the Union on a basis that will secure peace, justice and permanency. I hope you will press upon your Legislature the importance of their action to the safety and happiness of the Union men throughout the entire South. Without the principle of suffrage as laid down in the condition of the admission of Nebraska, the Union men of the South can hope for no adequate protection.

I hope for your effort to the achievement of a success at this time so much desired by the friends of the Union in every Southern State.

Yours Truly,
J. S. FOWLER.

POSITION OF GEN GRANT.

The Washington correspondent of the New York *Herald* writes as follows:

General Grant was to-day on the floor of the House in conversation with Mr. Wilson, of Iowa, Chairman of the Judiciary Committee. In conversation with some of the Radical members, he stated, with reference to the subject of his going to the Paris Exposition, that, "he would not be found ten hours away from this city for a year to come." He spoke of the President's late trip as a mistake, and said, in substance, that no man, however distinguished or venerated, could depart from the right track and carry the people with him. In reply to one of the members that (General Grant) would be dropped quicker than a hot potato by the people if he should deviate from the right track, he said, "I do not doubt it." Members speak of his conversation as unequivocally in favor of the congressional policy. He favored the confirmation of General Dix, as he was less objectionable than the next nominee would be, who would be a military man, and that the Senate would be forced into the position of appearing unfriendly to soldier's interests. He said that General Dix was not wholly averse to Congress.—General Grant occupied the seat of Mr. Boutwell, of Massachusetts, and for some time was engaged in conversation with Mr. Hooper, of the same State. The report that a bill was to be introduced to-day, providing that he should be appointed Acting President in the case of the impeachment and removal of the President, and the revival of Mr. Kelso's resolution, declaring that the impeachment and removal of the President were necessary, are supposed to be among the reasons why he was present. These may also account for the fact that not a single Democratic member was seen to pay his respects to him.

☞ A Washington letter-writer, who attended a recent Colfax reception, gives us the following sketch: "That Spanish looking woman yonder, with the jet black hair and eyes, dimpled cheeks, the incisive and willful yet pretty mouth—the one wearing a maroon colored satin, trimmed with white—is Phœbe Cary. She is the wittiest woman in America, and one of our best poets. Within the past ten years she has more than fulfilled the early promise of her youth. Some of the very best lyrics of the language, written within that time are from her heart and pen. That tall, graceful woman by her side, dressed in black, with a white lace shawl, is Alice Cary. For face and presence she would be singled out in any company. Her face is sad and sweet, her eyes the gentlest brown. One of the most distinguished of American portrait painters said of her, 'She is beautiful; I find myself constantly turning to her face.' This is not over praise. The eyes that discern it trace on her countenance that imperishable beauty of the spirit which survives and surpasses the beauty of youth."

CHICAGO, Feb. 17.—Senate is still sitting at midnight with a determination to remain through Sunday, if necessary, to pass the reconstruction bill, which, as reported by the committee at the caucus yesterday morning embraces the House military bill, with Blaine's amendment, that when any State has framed a Constitution acceptable to Congress, and given impartial suffrage, and its Legislature has ratified the pending Constitutional Amendment, then such State is entitled to representation.

It is said by Trumbull and others that the President will sign this bill.

Saulsbury, Davis, Cowan and McDougal occupied last evening's session until midnight, up to which hour the above compromise bill was not introduced.

Washington specials say that the compromise conferences with the President were brought about by mediators not holding official positions.

At their urgent request an informal meeting of 20 or 30 members was held, and a committee appointed to see the President, who expressed willingness to urge the ratification of the Constitutional Amendment, and impartial suffrage, which answer was communicated to 60 or 70 Republican members.

Messrs. Banks, Blaine, Bingham, Dodge, Delano, Hubbell and Kelcham have been prominent in these negotiations.

LONDON, Feb. 15.—A terrible earthquake occurred on the island of Cephalonia. Every town is in ruins. The loss of life and property is very great. The King of Greece has gone there.

NEW YORK, Feb 16.—The Tribune's special says that hopes of a compromise between the President and Congress will be effected.

The World's special learned from the Republican Congressmen, who had a conference last night with the President, that the latter seems inclined to favor Blaine's amendment as a compromise on the reconstruction question, but with the modification that it shall demand impartial suffrage from the South in the place of universal suffrage.

WASHINGTON, Feb. 17. Sherman's substitute for Stevens' bill as passed by the Senate declares that no legal State governments or adequate protection to life or property exists in the rebel States; therefore, it is necessary that peace and good order be enforced until loyal Republican governments are legally established.

The first section creates five military districts as in the original.

The second section is that the President shall assign to each a Brigadier General with an adequate military force.

The third section makes it the duty of such officer to protect all person's rights, to suppress insurrections, disorder, violence and to punish disturbers of the peace.

He may allow local civil tribunals or committees to try and punish offenders; but all interferance by the State authorities is declared null and void.

The fourth section requires trial without delay. No cruel or unusual punishment shall be inflicted. No sentence affecting life or liberty, shall be executed until approved by the district commander.

Section fifth of Blaine's amendment, so called, provides, that when the people have framed a Constitution, ratified by a popular vote, without regard to race or color, except such as are disfranchised for rebellion, and when that Constitution is approved by Congress, and the Legislature under it have ratified the Constitutional Amendment declared a part of the Constitution of the United States, then said State is entitled to representation upon the members taking the test oath.

WASHINGTON, Feb. 18.—A caucus of the Republican members of the House will be held this morning to consider whether to accept the military reconstruction bill as passed by the Senate.

If it is not passed before Wednesday the President may pocket it and thus dodge the late private negotiations for a compromise.

Doolittle's bitter speech against the bill in the Senate on Saturday night, and his offering an amendment that not even a sentence of death should be subject to the approval of the President is taken to indicate that the President repudiates it and washes his hands of the whole affair.

The Sherman substitute was drawn by a committee consisting of Fessenden, Trumbull, Sumner, Howard, Sherman, Harris and Freelinghuysen.

Its chief difference from the House bill, except section 5th, is that the President appoints the military commanders, and striking out the provision prohibiting United States Judges issuing writs of habeas corpus.

The House will probably accept it as the best that can now be got.

Elliott's bill sleeps in the Senate.

The Ways and Means committee report the tariff bill in the House today.

The rumors are again current of Cabinet changes, naming Randall to go out and Horace Greeley to come in.

The opinion strengthens that the whole thing on Johnson's part is a trick to secure a delay of any reconstruction measure.

There is not the slightest probability of Collector Smythe of New York resigning.

LONDON, Feb. 15.—About 800 Fenians, commanded by Col. O'Connor have retreated to the hills near Killarney.

British troops have been posted at Mallow Junction in the county of Cork, commanding the hill district.

The excitement in the neighborhood is intense. Many are precipitately leaving.

An ex-United States Captain was arrested at Killarney on suspicion of being a Fenian.

A large number of the marines at Plymouth are ordered to proceed to Ireland immediately.

THE SUFFRAGE CLAUSE.

The following is the material portion of the act passed by Congress, which the President suffered to become a law without his signature, establishing negro suffrage in the Territories: "That from and after the passage of this act, there shall be no denial of the elective franchise in any of the Territories of the United States, now or hereafter to be organized to any citizen thereof, on account of race, color or previous condition of servitude, and all acts or parts of acts, either of Congress or the Legislative Assemblies of said Territories, inconsistent with the provisions of this act, are hereby declared null and void."

☞ The radical majority of the House recognized Mr. Morton as Governor, by inviting that gentleman, under a resolution introduced by Hon. S. M. Curran, within the bar of the House, and designating him as "ex-Secretary and present Governor of Nebraska." *Herald.*

A pretty cool statement, that. Mr. Curran introduced such a resolution, but the House promptly took the gubernatorial wind out of it and invited Mr. Morton to a seat within the bar as the "ex Secretary of Nebraska."

Dr. Miller was invited within by the same resolution, we wonder what it was for. Was it as ex-candidate for Congress, or bottle holder to the "present Governor of Nebraska."—*Republican.*

☞ The Legislature closed its session about 2 o'clock this morning. A large number of bills were passed, and among them was the one exempting agricultural lands within city limits from taxation for city purposes. This bill was promptly vetoed by the Governor when it came to him, and so failed to become a law.—*Republican.*

A HOUSE DIVIDED.—The Louisville *Journal* gives a graphic account of two spiritualists betraying each other. One was arrested on the information of the other, and on his person was found about $10,000 of counterfeit money. No proof that he had offered to pass any of it being made, he was discharged. Wonder if the spirits gave him the money?

☞ About twenty years ago a Mrs. Brier died at Brighton, Iowa. A few days ago her friends opened the grave for the purpose of removing the remains to another place, when it was found the body had become perfectly petrified.

☞ A couple of young men at Albany, Iowa, married but a few weeks ago, and each soon became sick of his wife and prepared to trade, one giving the other $30 to boot. Failing to pay the amount, the other brings a suit for it.

☞ A man advertised lately to forward, on receipt of postage stamps, "sound practical advice, that would be applicable at any time and to all persons and conditions of life." On receipt of the stamps he sent his victim the following: "Never give a boy a penny to watch your shadow while you climb a tree to look into the middle of next week."

☞ Wiggins was one day with a friend, when he observed a poor dog that had been killed, lying in the gutter. Wiggins paused, gazed at the dead animal, and at last said: "Here's another shipwreck." Shipwreck. Where?" "Why, there's a bark that's lost forever." His companion growled and passed on.

☞ The Lebanon (Tennessee) *Herald* states that farmers in that vicinity find little difficulty in hiring negro laborers at $125 and $150 for the current year. The supply is fully equal to the demand.

☞ Report from Washington says that the Republican Senators will hold a caucus this week to nominate a President of the Senate, and the opinion is general that Senator Wade will be nominated.

☞ Ten bushels of snakes' bones were found in a ledge of rocks a few days ago, near Cedar Rapids, Iowa.—That is where the copperheads were last fall.