

The Louisianian.

Published Thursdays and Sundays.

OFFICE 114 CAROLLETT STREET, NEW ORLEANS LA.

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SUNDAY, OCTOBER 15, 1871.



OUR CHOICE FOR PRESIDENT, 1872.

U. S. GRANT.

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We have the gratification of acknowledging the receipt of complimentary tickets, from Mr. Wm. Thompson, to attend a grand dancing festival, to be given by the members of the "Eden Lodge, S. B.," for the benefit of their relief fund, at National Hall, on Saturday evening Oct. 28. We will endeavour to avail ourselves of the kindness shown us, and invite the practical exhibition of sympathy from the friends in general.

We had the pleasure of a call on Friday last from Hon. Richard Nelson of Texas. Mr. Nelson arrived in the city on Thursday accompanied by his wife, and leave immediately for Columbia, South Carolina, to join the Convention to meet there on the 18th inst.

Property in Terrebonne must have materially deteriorated in value since 1870 or something else must be wrong, if the following from the Banner be correct: "The total assessment of property in the Parish of Terrebonne as assessed by the board consisting of Messrs. Mushaway, Keys and R. W. Francis for the year 1871, is \$1,722,950. Last year (1870) the same property was assessed by Messrs. Mushaway, Marie and Lawson at \$2,952,694."

Among the passengers by steamship C. B., which arrived from New York via Havana, early on Friday morning, we have the pleasure of announcing the safe return of Mrs. C. C. Antoine from a visit to the North.

Disastrous fires are following each other in rapid succession. Not recovered from the Chicago calamity, we are startled to hear of a fire in Manistowic, Michigan on the 12th which destroyed two hundred buildings etc., valued at \$1,300,000.

NEW ORLEANS WATER SUPPLY.

The readers of the LOUISIANIAN are familiar with our oft repeated complaints of the utter insufficiency of water supply at fires in this city. The overwhelming calamity which has just befallen Chicago has roused up from lethargy many of the most interested classes in this community, and the condition of our water works, the capacity of reservoirs, the size and strength of pipes, the number of fire wells, the extent of the ramification of pipes through New Orleans, are all now on the tapis.

The Commercial Bulletin is entitled to much praise for the promptness with which it has seized an opportunity, and for the extensive and valuable information its reporter collected with reference to the whole subject.

The revelations made, exhibit a condition of things alarming in the extreme. The "Water Works" itself is declared to be in most imminent danger on account of being surrounded by cotton pickeries and other easily combustible building, and in the event of fire originating in that locality the possibility of cutting of the supply of water would soon be cut off by interference with the pumps is at once apparent. An examination into the various branches only serves to show a condition of things which may well excite the intensest interest and concern of every resident in New Orleans, and we hope that acting under the wholesome suggestions of prudence, and in the interest of the welfare of the people, the city authorities, from whom must emanate suitable measures, will not fail in the enactment of such reformatory and improvement ordinances as will place our water supply on a footing worthy the demands of our great and growing metropolis.

The Bulletin sympathizes with "our tax-ridden community" because "the police force of New Orleans numbers 604 men, involving an annual expense of \$724,600." Your sympathy is wasted, neighbor. The estimates you quote are for the whole Metropolitan Police District, including St. Bernard and Jefferson Parishes, the towns of Carrollton, Gretna, etc., and the proportion of New Orleans proper is less than during the last Democratic city government!

The Mississippi Weekly Leader of Oct. 12 says with reference to the discussion at Holly Springs between Gov. Alcorn and General Lowry:

"The debate between the Governor and General Lowry yesterday was a grand triumph for the Republican cause. There were three thousand people present, and the greatest enthusiasm prevailed. At night, General Lowry being sick, Colonel Lamar was pitted against the Governor, and got handsomely beaten in the discussion on every material point. Our side feel jubilant; the debate has done much good."

One of the members of the House of Representatives employed in the Customhouse, approached a country member whose seat is contested, and told him if he did not avow allegiance to the Carter clique he would be expelled, and his opponent installed. No better proof of the desperation to which the disruptionists are driven could be afforded that this resort to threats where they think a member is in a tight place. It also evidences the utter lack of principle among the members of the ring. They are making a record for themselves which the people will not be soon likely to forget or forgive.

In a bolting ward club the other night, the President announced that the last month's rent for the meeting room was due and called on members for subscriptions.—There were only eleven present and about all Customhouse employes; but few as they were, they raised a perfect storm of indignation about the ears of the truculent and martial president. One orator, apparently representing the general sentiment, said: "I pay no more, Mr. President. You stopped two dollars out of my wages before, and now I am made to pay twenty-five dollars more for a newspaper. I'm no fool to do all the work and let you bosses take all my pay. Settle the rent yourself," and down he sat amid approving shouts, which induced a speedy and not harmonious adjournment.

Washington dispatches mention the appointment of Frank J. Hatch, as Postmaster at Shreveport vice C. W. Keating, suspended.

THE CHICAGO CALAMITY.

The dreadful fire, which has laid a large portion of this beautiful city in ruins, and reduced to beggary so many thousands of people, has been extinguished; and without stopping for an instant moodily brooding over their misfortunes, we find her people bounding to their feet with a rare elasticity and firmness, determined to retrieve themselves and rebuild their beloved Chicago. The merchants and bankers have held meetings and are bringing to bear "the cool calm judgment, the unconquerable energy, the industry and brains of Chicago" in the adoption of such measures of accommodation as are best calculated to promote the interests of all.

Some of the newspapers have resumed publication, the Tribune's Editor who has lost the result of a life time of labor, makes his new start with these words of courage: "Cheer up!—In the midst of a calamity without parallel in the world's history, and looking upon the ashes of thirty years' accumulations, the people of this once beautiful city have resolved that Chicago shall rise again. With death in many strange places, with two or three hundred millions of our hard-earned prosperity swept away in a few hours, the hearts of our men and women are still brave, and they look into the future with undaunted hearts. As there has never been such a calamity, so has there never been such cheerful fortitude in the face of desolation and ruin. Already contracts have been made for the rebuilding of some of the burned blocks, and the clearing away of the debris will begin to-day, if the heat is found to be so far subsided that the charred material can be handled."

The Railroads are at work and the Companies are determined to help the people out of their affliction. The Insurance Companies, who must be heavy losers, are straining every nerve to meet their obligations.

While this is going on in Chicago the whole world outside is manifesting the intensest concern to alleviate the miseries of the homeless and the hungry. Immense sums of money are being raised all over the country, in British America and Europe, for the relief of the sufferers, and we are glad to find that very respectable installments have already been remitted.

Immense quantities of clothing have also been shipped. New Orleans is doing her best, and will contribute as rapidly and extensively as it is possible for her warm hearted people to do.

Several of the delegates elected by the Louisiana Convention to attend the South Carolina Convention leave here this morning, we understand, among whom are Hons. P. B. S. Pinchback, F. C. Antoine, W. G. Johnson, B. Geddes, and Dr. R. I. Cromwell.

President Grant is after the South Carolina Ku-Klux with a sharp stick. The condition of these United States is happily becoming such, that murderous bands will not be permitted to burn, destroy, and kill with impunity.

Appropos of this, we would rejoice to see some prompt and decisive steps taken to teach our own state Ku-Klux some valuable lesson, or else teach the people of communities where such outrages are committed, that they incur grave responsibility when they fail to use their influence to keep such gangs, out of their midst, as murdered Recorder White in Grant parish recently.

The Chicago sufferers are receiving all the relief from Southern communities that the straightened circumstances of the latter admit of. This, too, despite a dastardly attempt to create a prejudice against the unfortunate city by perverting the fact that Chicago illuminated on the occasion of Sherman's entry into Columbia, S. C., into a glorification over the destruction of that beautiful Southern capital. The merchants and citizens of New Orleans have well sustained their previous reputation for charity and kindly sympathy with suffering humanity.

The Mobile Republican, of October 7, says that four hundred colored children went to the Blue College recently, and found the doors closed against them; and further mentions that there are no colored schools in the county beats, but two or three in the city. The cause of all this proscription is, the Democracy are in power and their only hope of controlling the negro, is by keeping him ignorant.

LEET, ON ENVY AND JEALOUSY.

But the milk of the coconut is to come, and we ask Pinchback's thoughtful attention to it. We suggested the possibility of a union of the colored men to overthrow "us carpet-baggers." He (Conway) laughed at our simple-minded fear. We noted and remember that he said, word for word: "The colored men, especially the leaders, are so envious in their nature and jealous of one another, a union among them for any purpose is impossible." He furthermore stated that if such a programme was attempted, he would so play upon their jealousies as to set them fighting among themselves like a pack of Killenny cats.

As soon as this conversation was finished we noted down, among others, the points above, for the express purpose of using them in this "irrepressible conflict" between reform and corruption which we clearly foresaw.

When we soon after saw Pinchback's paper, we understood the "play" upon vanity and jealousy. When we heard he was Park Commissioner we knew an appeal had also been made to his cupidity. When we heard his attack upon Dunn at Turners' Hall we were first convinced that these appeals had not been made in vain!

We do like Pinchback as a man. That does not prevent us from thinking that if he was ten times blacker than he is, people would not take him for a white man, and he would be truer to the race to which he is erroneously supposed to belong.

The foregoing is from our kind friend, the "talkative blonde," and we thank him for calling our attention to it. The part in italics is too true to make a joke of, for it is well known that Mr. Pinchback was the choice of nine tenths of the colored people of Louisiana in the late Senatorial contest and in three several caucuses of the colored members of the Legislature he received three fourths of their votes. There was one whose envy and jealousy were so great that he could not unite with the others in supporting Mr. Pinchback, therefore we are forced to admit that this spirit does exist in some. But we are glad to be able to say that the course pursued by Mr. Pinchback ever since he has been in public life does not warrant the conclusions the "talkative blonde" seems to have arrived at, when he says "we were first convinced that these appeals had not been made in vain! Mr. Pinchback has on too many occasions made personal sacrifice for the advancement of his people to be open to the charge of envy and jealousy at this late day, and we deny emphatically that Mr. Pinchback attacked Lt. Gov. Dunn in the Turners' Hall or elsewhere. What he did there, and will do everywhere, was to defend himself from unjust accusation, and if in this defence he had to refer to Lt. Gov. Dunn in a manner not pleasing to his associates, we are sorry; but if we are not mistaken in our man, what he did say at the Turners' Hall was but a mere whispering of the breeze that precedes the storm compared to what he will say should occasion demand it.

It is a pity Mr. Leet can't succeed in making Mr. Pinchback a white man.

FOR THE CHICAGO SUFFERERS.

A Grand Concert and Dramatic Entertainment, for the benefit of the sufferers in the Chicago conflagration, will be given under the auspices of the LOUISIANA PROGRESSIVE CLUB, on Thursday evening, October 19, 1871, in the Lyceum Hall.

The musical department will be under the management of Messrs. A. P. Williams and H. A. Corbin. The dramatic performances will be under the direction of Mr. Alex. Kenner. Refreshment tables will be supplied. Dancing after the concert. Admission One Dollar. Gallery 50 cents.

Judge Cooley, in the "commencement exercise" of his decision on last Friday evening, referred to the lack of knowledge of the contents of Ray's Revised Statutes, which he exhibited some time since, but immediately got even by charging that the "book was compiled in a very hasty manner, and of which Mr. Ray knew less than anybody else;" therefore quite excusable in you, Judge.

The Mobile Republican, of October 7, says that four hundred colored children went to the Blue College recently, and found the doors closed against them; and further mentions that there are no colored schools in the county beats, but two or three in the city. The cause of all this proscription is, the Democracy are in power and their only hope of controlling the negro, is by keeping him ignorant.

THE NEW ORLEANS TIMES says:

The REPUBLICAN announces the appointment of Zuinglius McKay as Mayor of Carrollton, vice Gilbert J. Harrison resigned, and the question arises, Why is this? The recent election of Gilbert J. Harrison was looked upon as one of the great triumphs of that progressive Radical civilization through which Ethiopia claps her hands. Gil, though dark as the ace of spades, was singled out by his fellow citizens as the fit and proper person to grace the executive chair of the rising city to Carrollton, and to execute the honored functions of chief magistrate. During the progress of the election, when the paper ballot was executing the free-man's will, Gil glorified in his greatness. The shadowed livery of the burntish sun beamed upon his face, rivaling in brilliancy the polish of the bootblack's highest art.

Soon as the count was over and the result was announced, the African voters, greatly elevated in their altitude, shouted for joy, and greeted their dark but comely Chief Magistrate as if he were the honored fish of their tribe. A week passed, and lo, without the intervention of Kuklux rites, Gil glides as a shadow from his acquired chair, and those who knew him as its incumbent-elect, will know him no more forever. Hence the question above propounded—why is this?

In another column will be found a communication from a citizen of Carrollton which throws some light on this subject and answers the query "why is this thus," and it is about just what we expected, some colored men has been found who was willing to act as these men desired, and the result is they have used him to secure their end. Is not this a subject we may well reflect upon? Are there not other men in this community that may do the same thing? How about the cry of a colored man for Governor? Are there not men busily at work creating the impression that they want a colored man for Governor, merely to carry out their scheme and secure the place for themselves? It appears so to us. Now if this is not the case, come out squarely with your candidate and let the people have an opportunity to see whether he be (if he kin) elected in Carrollton, or a man that will discharge the duties of the office in the interest of the whole people.

A Grand Fancy Dress Ball is predicted on the possibility of Justice of the Peace having jurisdiction, but as the vacant act of 1869, in existence, they were endowed with that jurisdiction.

The article in the Code of Practice is passed with a view to give to justice of the peace the power to act in criminal and civil cases, when both were confined to his jurisdiction. I decided once before, that under Ray's Revised Statutes, justice of the peace in New Orleans had no jurisdiction.

A humiliating spectacle—Greely striking his colors to Conkling and Tom Murphy.—Times, Oct. 19.

Does it hurt you much, Mr. Times. If so, you had better prepare yourself for a much larger dose, for the Republican party will enter the contest of 72 a solid phalanx.

Judah P. Benjamin is on the high road to professional eminence at the English Bar. The London Ledger says that his income at present is £4,000 (\$19,200) per annum, with the near prospect of doubling that amount. He is classed as second only to Sir Roundell Palmer.

There is a growing impression prevalent that the Governor means shortly to make some important changes in the Municipal Council. The reasons which induce this change are not pretended to be given, but conjecture is multiplied and various. With some it has a political aspect, and is meant to subserve interests not in any way connected with the city government.

The present Council was organized in April, 1870, under Executive appointment. The amended charter provided for it. Since then we have had an election, and the Mayor and one Administrator have been inducted into office by the popular vote. Vacancies in both the departments of Commerce and Improvements have been supplied by the Governor under that provision of the amended charter which says:

All vacancies occurring by resignation, death, or any disability, at any other time than the general election, shall be filled by appointment of the Governor, by and with the consent of the Senate, when in session, or submitted for such advice and consent at its next session: PROVIDED, That should the number of vacancies, or other cause or reason, justify the expense of holding an election for that purpose. Vacancies may be temporarily filled, until action of the Governor, by the Administrator of Finance acting as Mayor pro tempore; and the Mayor may assign any Administrator to another department, or to another office, and the same course may be observed in case of temporary absence or sickness. And all officers herein provided for shall hold their offices until their successors are duly elected or appointed and qualified.

It will be perceived from this that in the absence of certain contingencies, the Governor has no right to create a vacancy or make an appointment. Possibly, for some gross violation of duty, the Executive might remove an Administrator. It would have to be, however, such a malversation in office as would appeal directly for redress, and

Justice Montamat, which reads as follows:

"Whenever any person shall be accused of any breach of the peace, crime or misdemeanor, by the oath of one or more credible witnesses, it shall be the duty of the justice of the peace or committing magistrate to bring before him the accused and cause the accused to be arrested, and if the offence for which the accused is so arrested be one that may subject the party to capital punishment or to imprisonment in the Penitentiary, the accused shall, when arrested, be brought either before the district judge of the parish, or the parish judge of the parish, in which the offence may be charged to have been committed, and be proceeded on and examined according to law.

It is clear from the foregoing that the Legislature never intended that Justices of the Peace in the city of New Orleans should come under the province of the section, for we have no parish Judge here, and we would have to accuse the Legislature of being a body of fools if we admit that they intended to say that an accused person should be sent before a tribunal which does not exist. But we make sense of it, and if the offence be what it is mentioned to be, we cannot send the man before a parish Judge, because there is no such person known here.

You cannot send him before Judge Abel, for there is no law which makes the Judge of the First District Court a committing magistrate; therefore he must go before some one who is a committing magistrate. This imperfect conception touching his section 1010, arose from the bad manner in which Ray's Revised Statutes were compiled.

It is said that the man, who compiled them, hastily caught up the manuscript, which was arranged without much regard to order, and sent it to Mr. Ray, who, thinking the copy prepared as it should have been, sent it in turn, without examination, to the printer, and lo! the result.

I believe the story to be quite true, for it is a badly mixed affair, as witness—in some sections touching criminal cases where reference is made to a foregoing section in the words "said" and "afore-said," when the foregoing section proves to have reference to divorce cases or other civil matters.

The acts of 1855 gave to the Justices of the Peace in the parish of Orleans criminal jurisdiction; and if that power had not been repealed it would have been kept in force by article 149 of the constitution, but I think that the act of 1855, giving the Justices criminal jurisdiction, has been repealed. In the year 1869 the Legislature passed an act which brought Ray's Digest into existence, and discarding everything which conflicted with it, it was thus adopted as containing this law.

Under this law Justices of the Peace in New Orleans have jurisdiction only in civil cases, but in other parts of the State, their jurisdiction extends to both criminal and civil cases. There is not one section of the chapter which grants to Justices of the Peace in New Orleans any more criminal jurisdiction than is granted to the man in the moon.

Article 100, C. C. gives Justices jurisdiction, but see 1010, Rev. Statutes, defines when and in what they shall have jurisdiction, and therefore act 1060 is of no effect, having been repealed by the latter section.

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be a misdemeanor of such a description that the Executive could not overlook it.

The rumors are therefore, most probably without foundation.

How now, what's the matter? It does make a difference whose ox is gored.

COMMUNICATED.

[FOR THE LOUISIANIAN.]

Mr. Editor:— Permit me through the columns of your valuable periodical to call the attention of your numerous readers, to the appointment of Zuinglius McKay as Mayor of the City of Carrollton, vice Gilbert Harrison resigned.

For the past six or seven weeks this usually quiet little city has been in scene of much turmoil and excitement owing to the announcement of one Gilbert Harrison (a colored man) having received the Republican nomination for Mayor of this city. Strenuous efforts were made by good Republicans to save the reputation of the Republicans within this vicinity, requesting that the name of Harrison be erased and that of another (colored man) inserted, as they knew of the incompetency of Harrison to fill the position even were he elected. But in this they failed; and the result was then when the people assembled en masse for the purpose of determining from the "indomitable three" (who have been having everything their own way) their rights as citizens, they were refused the privilege of having a voice in the assembly, and were informed by the President of the meeting their opposition would be in vain; that he knew that Harrison was qualified and that he would exert himself to elect him as Mayor of this city.

Upwards of fifty members of club Nos. 3 and 4 came out from that meeting vowing that they would not support the nomination with Gilbert Harrison's name at the head of the ticket for Mayor, even if advised to do so by their dearest friends. And thus stood the state of affairs in the municipality, up to the eve of the 28th of September when the people assembled again en masse, by a call from the President of Republican Club No. 3, to hear the same old story, that as Republicans, we must support and vote the regular republican ticket. This was a bitter "pill" to a great many among that concourse there assembled; but it was there and then for them to decide, and it was there and then that the Hon. Don E. Parde, Zuinglius McKay, R. G. Gardiner, Wm. Kern, and T. B. Stamps figured so conspicuously.

These are the men who disguised their nefarious plan of getting Zuinglius McKay appointed as Mayor, (for they knew he could never be fairly elected) by nominating Gilbert Harrison, and believing that the colored people would elect him, simply because he was a colored man.

Mr. McKay on that occasion made a very intelligent speech; a speech that was Republicans through out the same with one exception, meeting the approbation of all lovers of liberty who indorse a republican administration. The exception ran as follows: "My reason for supporting Mr. Harrison is because he is a Republican; and as to his qualifications I would say that I am confident that if after Mr. Harrison election he should find himself incompetent, he will resign his position in favor of a republican who he knows is competent to fill his vacancy."

This convinced a great many more in the community of the mock ceremony of placing this man Harrison at the head of the ticket to secure the appointment of McKay, knowing by an avowal of the latter named gentleman that there would soon be a vacancy in the Mayoralty. Judge Parde also in his remarks said that it mattered not who the man might be, so he was a republican it was better to vote for that man than a democrat. And so he was in favor of Harrison.

R. G. Gardiner opposed his nomination, and although being appointed by his club as one of the members of a committee who were authorized to nominate a man as a candidate for Mayor, and four others as Alderman for this municipality, to be elected in connection with a similar committee from club No. 3, on Monday, Oct. 2, 1871, he was refused to accept a seat in that convention on account of the scheming devices of those who were assembled there, yet he was in favor of Gilbert Harrison for Mayor; and even when on that eventful eve Sept. 28, 1871, he Gardiner in his efforts to secure