

THE CLARION.

CHALMERS—MANNING.

Chalmer's Challenge—Manning's Defense.

A Roland for His Oliver.

CHALMER'S NOTICE.

WASHINGTON, D. C., Dec., 1882.

HON. VAN H. MANNING—Sir: You will take notice that I will contest your pretended claim to a seat in the Forty-eighth Congress of the United States as the member-elect from the Second District of Mississippi, to which I was elected and you were not, and shall insist that you have not even a prima facie right thereto.

I charge 1st. That the pretended credentials you hold are illegal and void because not such credentials as are authorized by the laws of Mississippi.

2d. The certificates, which I have filed with the Clerk of the House of Representatives, from the Secretary of State of Mississippi, show that I have the prima facie right to said seat.

3d. That the pretended credentials which you hold are not only informal, but issued illegally and fraudulently, in pursuance of a conspiracy originated by you and your immediate partisans in charge of your canvass.

And in this connection I charge that you and your friends gave instructions to the inspectors and clerk of elections to sign and certify the returns where you supposed I would receive majorities, and that these instructions were carried out at five precincts in Marshall county, and various precincts in other counties.

I charge that your friends attempted to make fraudulent changes in the registration books and that at various precincts, notably Holly Springs and Byhalia, in Marshall county, and Olive Branch, in DeSoto county, your partisans in charge thereof refused to allow the United States Supervisors to scrutinize the registration books.

That when the election was over, your friends at Chulahoma, in Marshall county, at night blew out the lights, tore up the tally sheets, and were only prevented from stealing the ballot-box by the courage and coolness of the United States Supervisor.

That at the Lauderdale box, in DeSoto county, one of your partisan inspectors was caught in the act of changing the ballots as they were put in the box, and that at Eudora and Lake Cormorant, in said county, the boxes were secretly stuffed, thus changing the result in DeSoto county from a majority of several hundred for me to a majority of 135 for you.

That at the three precincts in Tallahatchie county, to-wit: Grabball, Hybernia, and Bufords, where I would have obtained 500 or more majority, and at Nesbitt precinct, in DeSoto county, where I would have received 100 majority or more, your partisan inspectors refused to hold any election, and dissuaded others from so doing, and I charge that this was done under interventions from you and your political managers.

That when the election returns had been sent by the inspectors at each precinct to the commissioners for canvass, and when the results had been published showing a majority of over 1,300 votes for me, you and your friends wrote letters and sent messengers and telegrams to leading Democrats in other counties stating that you could have five boxes in Marshall county thrown out for irregularities, thus reducing my majority in that county to 450 from 1,660, and urging your party managers in the other counties, to so change the returns in their counties as to give you a majority.

That the Democratic leaders in other counties, and especially DeSoto county, refused to obey your instructions and thus frustrated this conspiracy.

That the commissioners in Panola county declined to certify the returns from Pleasant Grove and Pleasant Mount precincts, which gave me 202 majority, because in one, seventeen more votes were found than voters and in the other one, less votes than voters, and on this flimsy pretext these boxes were thrown out of the count by the Secretary of State, thus depriving me of 202 majority.

That the commissioner of Marshall county threw out the Hudsonville box, which gave me 67 majority, for want of a tally sheet accompanying the returns, and counted the East Holly Springs box which gave 36 majority for you, although there was no tally sheet with the returns therefrom.

That the commissioner of election of Marshall county made out returns of election and certified the same, and directed the clerk in my presence to seal up these returns and forward them to the Secretary of State on Monday, the 14th of November and then adjourned, making no protest of any kind with their returns.

That the Secretary of State pretended that the returns from Marshall county did not reach him until Friday, the 17th of November, though if sent as directed, they should have reached him on the 15th.

That when opened a protest against their own returns was found in the papers, and said to be in the hand of W. M. Strickland, chairman of the Democratic executive committee of Marshall county, and signed by two Democratic commissioners which protest contained false statements of pretended facts.

That the Secretary of State fraudulently concealed from the inspection of myself and my friends the returns from the second Congressional district, while he permitted the returns from other districts to be inspected and published, and while he gave notice in advance to your attorney of an ambiguity in the returns from Tate county.

And I charge specifically that Price Porter, the deputy Secretary of State, has said that the returns from Tate

county were open Sunday before the canvass was made by the Secretary of State, and when the ambiguity was discovered it was communicated to Gov. Lowry, and that after consultation with and upon the advice of Gov. Lowry, the returns from the second Congressional district were locked up and concealed until they were taken up to be canvassed. That when the Secretary of State canvassed the returns, in contempt of a writ of prohibition from the judge of the ninth judicial district of Mississippi, he illegally and fraudulently counted the 1,472 votes from Tate county for "J. R. Chambliss," that were certified to have been cast for James R. Chalmers, under pretense that the tally sheet was the essential part of the return, although the returns from Union, Tippah, and DeSoto counties, where you have majorities certified, have no tally sheets accompanying the certificate.

4th. That the holding of an election at the Grabball precinct, Tallahatchie county, where I would have received a large majority, was openly resisted by your partisans, armed with Winchester rifles under pretense of fear of small-pox, although the voting precinct was some distance from the region infected by small-pox, and although the infected region was then and had been for a long time previously safely quarantined and guarded so that no one could go in or come out therefrom.

5th. That in spite of the frauds attempted and practiced by your friends, I received a majority of 1,332 votes, as member of the Forty-eighth Congress of the United States for the second district of Mississippi, as certified and returned by the inspectors and clerk of the several election precincts to the commissioner of elections in their respective counties, and but for the fraudulent and illegal practice of your friends my majority would have exceeded 3,000 votes.

JAS. R. CHALMERS.

WASHINGTON, Dec. 30, 1882.—Hon. J. R. Chalmers: Sir—I have received your notice that you contest my right to represent the Second Congressional District of Mississippi in the Forty-eighth Congress, and answer the same as follows:

I deny that any certificates, or pretended certificates, which you may have filed with the Clerk of the House of Representatives, show that you have the prima facie right to said seat.

It is untrue that my friends either attempted to make fraudulent changes in the registration books of any precinct of said district, or refused to allow the United States supervisors of elections to scrutinize them, or "after the election was over at Chulahoma, in Marshall county, blew out the lights, tore up the tally sheets and attempted to steal the ballot boxes, or that there were no tally sheets accompanying the returns from the East Holly Springs box," which gave me a majority; or that at Lauderdale, in DeSoto county, one of my partisan inspectors was caught "in the act of changing ballots as they were put in the box;" or that at Eudora and Lake Cormorant, in said county, the boxes were stuffed; or that at Grabball, Hybernia and Buford's, in Tallahatchie county, and at Nesbitt, in DeSoto county, my partisan inspectors refused to hold any election under instructions from myself or my political managers, and I charge that if any exhibition of force (as to which I am not advised) was made at Grabball to prevent the holding of an election, it was made by the citizens generally, without regard to party, and in the interest of the health of the community; and I deny that you would have received the majority of the votes claimed at each or any of the aforesaid boxes had an election been held.

It is untrue, as I am advised, that the Commissioner of Election for Marshall county directed the clerk, in or out of your presence, upon Monday, Nov. 13, 1882, or at any other time, to seal up election returns and forward them to the Secretary of State. The return was made up on that day, and retained by direction of the Board of Commissioners until Thursday, Nov. 16, for preparation of protest, forwarded by express on that day with protest to the Secretary of State, and you were notified by him on Friday, Nov. 17th, of the receipt of the election returns from Marshall county within thirty minutes after they came to his hands. The protest was not in the handwriting of Major Wm. Strickland, chairman of the Democratic Executive Committee of Marshall county, and no one acquainted with the facts of his handwriting said that it was, and the statement of facts in said protest is substantially true.

It is untrue that the Secretary of State fraudulently concealed from the inspection of yourself and your friends the returns of election from the said Second District, and the statement which you allege that Price Porter made as to consultation between the Secretary of State and Robt. Lowry, the Governor of Mississippi, is untrue in whole and in every part, as I am informed and believe.

The charge that I and my friends gave instructions to the inspectors and clerks of election not to sign and certify the returns where I supposed you would receive a majority of votes, is utterly false and groundless, and your further charge that when the election returns had been sent by the inspectors at each precinct to the county commissioners for canvass, I and my friends sent messages and telegrams to leading Democrats in other counties, stating that I could have five boxes in Marshall county thrown out for irregularities, thus reducing my majority largely in that county, and urging my party managers to so change the returns in their counties as to give me a majority, is a slander, conceived and uttered in pure wantonness, without any justification or excuse, and your statement that the Democratic leaders in other counties, and especially in DeSoto, defeated such alleged conspiracy by refusing to obey such imaginary instructions is a fiction without foundation in fact.

I deny that the credentials issued to me were illegal or fraudulent, and the charge that they were issued in pursuance of a conspiracy originated by myself or my immediate partisans in charge of my canvass, is slanderous and false. The facts are these:

On Saturday, November 18, 1882, the

Secretary of State, as required by law, proceeded in your presence to canvass the return of the vote for Congressman from the Second District of Mississippi. When the return of the vote of Marshall county was reached my counsel objected to its being counted or recognized by the Secretary of State, because the protest accompanying it set forth that it was not correct according to the judgment of the commissioners of election for said county, who had exclusive jurisdiction over it; but that the return was made to meet your views, formally expressed to the board, seconded by the implied threats of the United States District Attorney Green C. Chandler, residing beyond said Congressional district, who appeared at said board at your instance, that if it was not so made, the election officials, clerks and inspectors of Marshall county would be prosecuted in the Federal court. This objection was overruled by the Secretary of State, after argument, in which you took the position that it was his duty to count the return as made, although other facts appearing in the protest accompanying the returns demonstrated its incorrectness.

When the return from Tate county was reached and examined, it did not show that you received any votes, but did show that J. R. Chambliss received 1472 votes. Upon the reverse side of the paper containing said return, in a certificate not required by law, and therefore unofficial, it was stated that you received 1472 votes, as appeared from the return upon the other side. Counsel in my behalf insisted that the vote which the return gave to Chambliss could not be counted for you. You asked the Secretary of State for time to secure the assistance of counsel. Your request was granted, your counsel appeared, but the argument had but commenced, when an order was served upon the Secretary, issued by the Judge of the Circuit Court for the Ninth Judicial District of said State, prohibiting him proceeding farther in the performance of duty which the law enjoined upon him.

This order was treated as void for many reasons. It was secured by the statement in your petition that the Secretary "refuses to count the returns from Tate county for me" (meaning yourself), which was false, as the Secretary had taken no action up to that time, but was hearing argument, and properly disregarding said order, at the conclusion of the argument held, for the same reason, that he had declined to notice protest from Commissioners of Marshall county, that the vote must be counted for Chambliss, as it was so returned. Thereupon he delivered to the Governor of Mississippi a statement of the number of votes cast for each candidate for Congress in said Congressional District, which statement showed that I received a majority of such votes.

Upon this statement the Governor, as required by law, issued to me the certificate of election. In this whole matter the Secretary and Governor but complied with the mandate of the law.

I deny that any frauds were attempted or practiced by my friends, or that they were guilty of fraudulent or illegal practices, or that you received a majority of 1332 votes as member of the Forty-eighth Congress from said Congressional District, though I admit that the inspectors and clerks of the several election precincts did certify to the county commissioners of election in their respective counties that you received a majority of the votes cast; and I further admit that fourteen hundred and seventy-two votes which the commissioners of Tate county returned as cast for J. R. Chambliss, were in fact cast for you, and that the name Chambliss was in the return by clerical error instead of your name.

And in this connection I state, that because of said error to your prejudice, I will not take a seat in said Congress, or ask the clerk to enroll my name as a member thereof until I have vindicated, and the House shall have affirmed, my right thereto.

I charge, upon information and belief, that many votes given you, at every precinct aggregating at least one-third of all you received, were gained by you in modes wholly illegal and subversive of a fair and free ballot, and should not be counted.

Having pretended for many years to be in full accord with the Democratic party, you on the day of —, 1882, entered into a corrupt bargain with some of the members of the Republican Congressional Executive Committee of which Jay A. Hubbell was Chairman, and D. B. Henderson, Secretary, whereby you were to be a candidate for Congress at said election, and if elected to vote with their party, or as desired by the Federal Administration, on certain important party questions, in consideration for which, it was agreed that said Administration should use its power, and make its appointments in said Congressional District, in such manner as best to promote your election, and that money should be collected from Federal employees and used as a corruption fund in said district.

In pursuance to this corrupt understanding, many Government officials and employees in said district diligently worked for your election, lest any lack of zeal in that respect might result in the loss of their respective positions. Federal appointments were made during the campaign with reference to your election rather than the public service, and appointees were sent to that district on the false pretense of public service, but in reality to coax and drive the voters of that district to your support.

I charge that part of the consideration for the support of you, by one Geo. M. Buchanan, and one John S. Burton, of Marshall county, was the appointment of one John Mahon, Postmaster at Holly Springs, in said county, and that one A. T. Wimberly, of Yalobusha county, and one Edgar A. West, of Marshall county, were appointed by the Commissioner of Internal Revenue as Special Revenue Agents, at large salaries, to secure their active support for you, and to act as emissaries from the Government during said campaign, and that they did give nearly their entire time to political work in your interest.

A large amount of money assessed and

collected from Federal officials and employees, under fear of dismissal, with the knowledge and approval of the Executive Department of the Government, was sent to said district and used by you and those who co-operated with you, to induce voters by corrupt considerations to use their influence, by public speaking and otherwise, to vote for you at said election.

In said district there are over 15,000 colored voters, and a large proportion of them were raised as slaves, and are so ignorant as to be easily misled or cheated. Very many of them are instructed and believe that they are the wards of the Federal Government, and suppose that they are in duty bound to vote as desired by the Administration or its officials, and many were induced to vote for you because of the instructions given by revenue and postal agents, deputy marshals, supervisors and others.

Many colored voters, unable to read, were induced by protestations of special regard and care for them, by a few of more intelligence of their race, to give their suffrages into the keeping of the latter, supposing that they would receive disinterested advice, but I charge that with the money corruptly used in said district by you and others in your behalf, these advisers or "bosses" were bribed and debauched into using their influence and securing many of said voters to vote for you.

These illegal methods were resorted to in all the counties in said district, excepting Union, perhaps, and notably the case as I am advised and believe, and so charge the fact to be, in the counties of Benton, Marshall and Panola.

By this corrupt means you secured at least one-third of all the votes cast for you.

As said briberies and bargains with "bosses" were effected secretly, I am unable to specify names at present, but aver all the facts aforesaid, which are all known to you.

By these corrupt means you secured at least one-third of all the votes cast for you.

I charge that the United States Marshal for the Northern District of Mississippi, in gross violation of law at your solicitation, and in opposition to the opinion of the Federal Judge of that district, as expressed to the Governor of Mississippi when in conference with him upon that subject a short time before election day, appointed numerous special deputies with the knowledge of the Department of Justice, ostensibly to maintain the peace, but in reality for the purpose of intimidating those who favored me and prevent their going to the polls by fear of arrest and prosecution in the Federal Courts.

I charge that such special deputies, at your instance, were instructed to obey the United States Supervisors of Elections who, under instructions from their chief, one Orlando Davis, usurped the functions of overseeing the elections and of determining how they should be held, and of compelling obedience to their unlawful orders; and they, thus armed with apparent Federal authority, assumed the right to arrest all who might choose to disobey both State officials and voters, rendering an election impossible at Bynold, in Marshall county, by the arrest of a State official, thus interfering with and preventing the due and lawful exercise of State authority.

I charge that you wrote and had one Orlando Davis, Chief Federal Supervisor of Elections for the Northern District of Mississippi to publish and distribute throughout said district to Federal Precinct Supervisors, instructions which were in violation of law, and intended by you to aid in intimidating my supporters.

A copy of said instructions together with a copy of the instructions of the Governor of Mississippi to State officials in answer thereto, is hereto attached, marked exhibits Nos. 1 and 2, and made part of this answer. And I further charge that by these corrupt and fraudulent proceedings that you succeeded in your purpose and deterred from coming to the polls, as many as 2000 voters who would otherwise have voted for me.

I charge that during the campaign you frequently in public speeches menaced voters with the infliction of your vengeance as a volunteer prosecutor, and with severe punishment by the Federal Court—whose purpose in this regard you professed to know—should acts at the time ensuing election be committed against your interest by officials or others, deemed by you to be illegal or fraudulent, and that with a view of giving additional weight to your professed ability to enforce your threats, you often appropriated your own familiarity with and participation in criminal acts in previous elections, and your own menacing speech to the Marshall County Election Board, and that of the District Attorney, made at your instance, were to compel obedience to your wish without regard to law.

I also charge that you have recently obtained for yourself the appointment of Assistant United States District Attorney for the Northern District of Mississippi, for the purpose of having indicted and prosecuting such persons, residing in the Second Congressional District, as you think proper, for acts committed at the late Congressional election; in other words, that you have been detailed by your own solicitation, at the expense of the Government, by the Department of Justice, to prosecute your own election contest by the prosecution of your adversaries in the United States Court for said district.

Respectfully, VAN H. MANNING.

Advertisement for S.S.S. (Serravallo's Skin Specific) for Rheumatism, featuring a circular logo with 'S.S.S.' in the center and 'TRADE MARK' around it.

Have never handled anything which gave better satisfaction for Blood or Skin Diseases than S. S. S. CLARK & SCLATER, Danville, Va.

Have heard the highest expressions of appreciation from parties who have taken S. S. S. for Skin and Blood Diseases. Wm. LITTERER & CO., Nashville, Tenn.

Has given better satisfaction than any remedy for Blood Diseases we have ever handled. SCHILLER & STEVENS, Washington, D. C.

Fair-minded physicians now recommend it as a positive specific. S. MANSFIELD & CO., Memphis, Tenn.

S. S. S. has given better satisfaction than any medicine I ever sold. J. A. FLEXNER, Louisville, Ky.

Every purchaser speaks in the highest terms of S. S. S. L. MESSITER, Denver, Col.

Advertisement for Blood Disease medicine, featuring a circular logo with 'BLOOD DISEASE' and 'CATARRH, ECZEMA, &c.' around it.

MILL & FACTORY SUPPLIES OF ALL KINDS. BELTING, HOSE AND PACKING, OILS, PUMPS ALL KINDS, IRON PIPE, FITTINGS, BRASS GOODS, STEAM GAUGES, ENGINE GOVERNORS, &c. Send for Price-list. W. H. DILLINGHAM & CO., 421 Main Street, LOUISVILLE, KY.

Advertisement for G. D. BUSTAMANTE, Agent for Mississippi, featuring an illustration of a steam engine.

Fruit Trees! Fruit Trees! Fruit and Ornamental Trees! A large Stock of the new Chinese Hybrid Pears. G. D. BUSTAMANTE, Agent for Mississippi.

Advertisement for J. M. FERRY & CO'S SEEDS, featuring an illustration of a person holding a large sack of seeds.

J. M. FERRY & CO'S SEEDS. Improved COTTON, GRAIN, LEGUMES, & VEGETABLES. We are the largest seed farmers and growers and seed dealers in the South.

Advertisement for J. W. BLACKMAN'S BUSINESS COLLEGE, featuring an illustration of a building.

J. W. BLACKMAN'S BUSINESS COLLEGE, 131 Carondelet St., New Orleans, La. FULL BUSINESS COURSE \$20. THREE MONTHS COURSE \$10.

Advertisement for Union School Agency, featuring an illustration of a school building.

Union School Agency. W. H. Clark, Manager. - H. Mayers, Sec'y. BRANDON, MISS.

THE UNION SCHOOL AGENCY WORK to promote the Educational Interest of Mississippi and other States, by 1. Procuring Competent Teachers for Schools, Families, etc.

Dr. Geo. K. Harrington. Dr. Jno. F. Hunter. Drs. Harrington & Hunter, OFFER THEIR PROFESSIONAL SERVICES to the people of JACKSON and vicinity, OFFICE AT THEIR DRUG STORE, ON STATE STREET, OPPOSITE CAPITOL SQUARE.

THE sentiment of justice is so natural, so universally acquired by all mankind, that it seems to me independent of all law, all party, all religion.—Voltaire.

New Advertisements. EXCELSIOR FOUNDRY! MACHINE

Advertisement for Excelsior Foundry Machine, featuring an illustration of a large industrial machine.

PLANTER PLOW, an implement that has received the hearty approval of all practical farmers who have tried it. THE PLANTER PLOW claims to be superior to any in the market.

STATIONARY AND PORTABLE ENGINES AND BOILERS always in shop, new or second-hand. Agent for CORN MILLS, COTTON PRESSES and GINS.

FOR SALE—A valuable PLANTATION, half mile east of the town of Bolton, 200 acres in tract, 200 cleared land, balance wooded; good dwelling, with outbuildings, garden and live orchard; seven pool frame cabins, with brick chimneys; larding implements and much stock can be bought on the place at reasonable prices.

DISSOLUTION NOTICE. THE PARTNERSHIP HERETOFORE CARRIED ON BY J. T. & G. L. Stapleton, under the name and style of Stapleton & Co., in the City of Jackson, Miss., is dissolved, and we are no longer partners in business.

CONSUMPTION. I have a positive remedy for the above disease, by its use thousands of cases of the worst kind, and long standing have been cured. Indeed, so strong is my faith in the efficacy, that I will send FREE OF CHARGE, a full course of my "CURE FOR CONSUMPTION" to any sufferer, who will send me his name and address.

CHANCERY SUMMONS. THE STATE OF MISSISSIPPI, } TO JACOB STRAUSS, } YOU ARE COMMANDED TO APPEAR BEFORE the Chancery Court of the County of Hinds, First District, in said State, on the FIRST MONDAY OF FEBRUARY, 1883, at Rules, to defend the suit in said Court of Jane L. Brown, wherein you are a defendant.

PROCLAMATION. \$200 00 REWARD. WHEREAS, It appears by information received by me, that on or about the 11th day of December, 1882, JOHN ELLIS, a peaceable citizen of Calhoun county, was brutally murdered in the county of Jefferson, by one GEO. W. ROAN, and that he afterwards made his escape and is still at large;

PROCLAMATION. \$200 00 REWARD. WHEREAS, It appears by information received by me, that on or about the 11th day of December, 1882, BEATRICE HAYES, a peaceable citizen of Calhoun county, was brutally murdered in the county of Jefferson, by one GEO. W. ROAN, and that he afterwards made his escape and is still at large;

PROCLAMATION. \$200 00 REWARD. WHEREAS, It appears by information received by me, that on or about the 11th day of December, 1882, JOHN ELLIS, a peaceable citizen of Calhoun county, was brutally murdered in the county of Jefferson, by one GEO. W. ROAN, and that he afterwards made his escape and is still at large;

CHANCERY SUMMONS. THE STATE OF MISSISSIPPI, } TO SOPHIA BROOKS, } YOU ARE COMMANDED TO APPEAR BEFORE the Chancery Court, First District, of the County of Hinds, in said State, on the FIRST MONDAY OF FEBRUARY, 1883, at Rules, to defend the suit in said Court of Adam Brooks, wherein you are a defendant.

CHANCERY SUMMONS. THE STATE OF MISSISSIPPI, } TO SOPHIA BROOKS, } YOU ARE COMMANDED TO APPEAR BEFORE the Chancery Court, First District, of the County of Hinds, in said State, on the FIRST MONDAY OF FEBRUARY, 1883, at Rules, to defend the suit in said Court of Adam Brooks, wherein you are a defendant.

ATTORNEY-AT-LAW. JACKSON and Hazlehurst, Miss. PROMPT ATTENTION GIVEN TO ALL BUSINESS entrusted to me. Special attention paid to business in Supreme, Federal and United States Courts, and to business in adjoining Counties. Special attention given to the Collection of Claims. Address either of the above places. Jan. 5, '83-6m.