

# THE CLARION.

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## RAILROADS AND LEGISLATURES

### The Letters Right to Fix Rates.

WASHINGTON, May 8.—A decision was rendered by the Supreme Court today in the so-called Granger case of Neal Ruggles, plaintiff in error, against the people of the State of Illinois. This case arises out of the facts below set forth. On the 18th of March, 1873, Morgan A. Lewis, passenger on the train of the Chicago, Burlington and Quincy Railroad Company tendered Neal Ruggles, conductor of that company, 18 cents as fare for his transportation from Buda to Nepomet, a distance of six miles. This was at the maximum rate of 3 cents per mile, prescribed by the statute of Illinois then in force. The conductor demanded 20 cents, which was the fare fixed by the railroad company. Lewis refused to pay more than 18, and the conductor thereupon attempted to eject him from the car. For this act the conductor was prosecuted before a justice of the peace, upon the charge of assault and battery, and was fined \$10 and costs. The case was then carried up through the State Courts by successive appeals, the railroad company sustaining the conductor and raising the question of the right of the State to interfere with its business by fixing the rates of fare and transportation. The decision was finally rendered in favor of the State by its highest court, and the railroad company thereupon appealed to the Supreme Court of the United States, upon the ground that the act of the General Assembly of Illinois, of April 15, 1871, fixing the maximum rate of charges for the transportation of passengers on railroads in the State was unconstitutional and void, because it impaired the obligation of contract contained in the charters of the various companies which were merged into the Chicago, Burlington and Quincy Railroad Company by consolidation. This court holds:

1. That grants of immunity from legitimate governmental control are never to be presumed. On the contrary the presumptions are all the other way, and unless an exemption is clearly established the Legislature is free to act on all subjects within its general jurisdiction, as public interests may seem to require. The State may limit the amount of charges by a railroad company for fares and freights, unless restrained by some contract in the charter.

2. That in the present case there is no such restraint. The State, it is true, has given the Board of Directors of the Railroad Company the power to establish such rates of toll for the conveyance of persons and property as they shall from time to time, by their by-laws, determine, but such by-laws must not be repugnant to the Constitution and laws of the State. If the State had not legislative power to regulate the charges of carriers for hire the case would be different, but that question has been settled and the amended charter which this company has secured from the Legislature must be construed in the light of that established power.

The judgment of the Supreme Court of Illinois is affirmed with costs. Opinion by Chief Justice Waite. Justice Harlan concurs in the judgment, but not in the opinion. Justice Blatchford did not sit in the case.

A decision was also rendered by the court in the case of the Illinois Central Railroad Company, plaintiff in error, against the people of the State of Illinois, which involves precisely the same questions which were presented in the preceding case. For the reasons given by the court, in its opinion of that case, the judgment of the Supreme Court of Illinois is affirmed. Opinion by Chief Justice Waite. Justice Harlan concurs in the judgment but not in the opinion.

### A Trip on the "Little J" to Natchez—A Glimpse of the Historic City.

NATCHEZ, May 15, 1883.  
EDITORS CLARION: The N. J. & C. E. R. has opened up a rich, varied and beautiful agricultural country. Small towns and farm-houses dot the entire route. All bespeak a happy and prosperous people.

The road terminates near the mighty bluff at Natchez, one hundred and seventy-five feet above Natchez under the hill. Below is the river, freighted with steamers and other water crafts. Opposite, across the river Louisiana spreads out her fertile plantations and silver lakes. Natchez is the oldest place in the State, now teeming anew with busy life. Her citizens may well be proud of her factories and vast lumber yards, of her asylums and handsome homes.

The situation is one of beauty and grandeur. The scene is indeed gorgeous when the day is closing when the sun stands axle deep in the western waves when the ebbing rays of golden light quiver dazlingly upon Natchez, Lake Concordia and the mighty river that rolls between. The grass capped bluff with its parks of trees and inviting seats. The site of Fort Rosalie, bristling high above the surging water, lie glimmering in the flickering sunlight.

Down at the water's edge, nestling in a green flat, with the great bluff for a back ground, is Brown's Garden, the home of McLearned. The perfumed air breathes of myriads of flowers whose fragrant beauty greets the eye on every

side. The artistic mounds, tree capped, over looking the river; the terraced hill-sides, with their flowery burden; the clean clipped hedges of rose and box; the green house of bright exotics; the lawns of grasses and clover; the elm, cedar and oak towering above; the flower beds around with gravelled walks and drives between, bear evidences that the spirits of taste and energy abide there.

The wealth and refinement of the people here were far famed in days gone by, and tho' the war and its result swept most of the former from them the latter still holds its sway. The handsome homes and many of the inmates still remain to do honor to the heroic city.

A palatial residence, upon a terraced square in the heart of the city, attracts the attention of the visitor. It was built at an immense cost, by the late Frederick Stanton. The lofty columns, marble entrance and massive doors are of almost imperial magnificence. On the right of the spacious hall is a trio of grand saloons with archways between. A mantle of whitest marble adorns each chimney, the delicate carvings of which rise high on the walls above, coiling in graceful tracery toward the ceiling, showing to advantage, the work of the Italian chisel. The furniture is in keeping with the rooms, massive and antique. The carved mouldings which surround the upholstery, and unknown now except in these palaces of the past, are relics of those that are gone.

The large gilt framed mirror and thick velvet carpets, heavy curtain and quaint, grand old family portrait belong to the same period.

The library and furniture bear the same stamp. The carved cases with laden shelves and cabinets of curiosities, give it the appearance of the grand library of some great public institution. The immense mirror duplicates the handsome surroundings.

This is but one of the many homes of the classic city. Some are time stained and grey, all are antique and grand. Some are in the city, others around amid the hills and dales of forest trees and long hanging mosses.

There are Fair Oaks, Kenilworth, Melrose, Rutland, Devereux, Mammoth, Arlington, the Nutt, Suchet and Sargent places, and a host of others with all their legendary associations.

The cemetery is a quiet grove of forest trees, where the monuments of the dead stand in yards of green grass and flowers. John A. Quitman is buried here.

"In pomp or joy; the palace or the cot,  
His country's image never was forgot."

Just without the corporate limits is a private cemetery in which the remains of Mrs. Sarah A. Dorsey were interred; on a beautiful hill, in sight of her childhood's home—it is a fitting spot for the last resting place of so noble a woman.

In the glory of the past and the pride of the future, at the old Sargent place, sleeps S. S. Prentiss. He sleeps, such men do not die. The old remember him and the young imbibe those memories. Reflections come.

"Thick as the budding leaves, or rising flowers,  
Springs the land when spring descends  
In showers."

We stand beside the tree-canopied tomb, while memory murmurs.  
"Take from that proud banner the star that glitters to the name of Mississippi, but leave the stripe, fit emblem of her degradation."

No costly mausoleum encumbers his grave. He needs none. A more fitting monument is his country's heart. His name and worth are graven there, sheltered from the storms of time. A modest tomb marks his resting place, within the brick enclosure. The large trees draped with moss shelter the wild birds which sing his requiem.

Washington, six miles from Natchez, is perhaps the most historic place in Mississippi. In territorial days it was the capital, where the talent of the south-west so often gathered. Jefferson College is still flourishing—with a fine corps of professors and many students. It was founded in 1818, burned in 1831, and rebuilt in the same walls.

In the extensive library are many volumes dating far back into centuries past. This college sent forth some of our most distinguished men. Among them, Jefferson Davis. Col. J. F. H. Claiborne garnered much of his knowledge here, and here Audubon laid up the lore for which he is so renowned.

Near by is the bill on which the residence of Gov. Robt. Williams stood. About the town are the sites, but only the sites, of the public officers of that day. A mound of brick marks the spot where the Executive Mansion stood, which Winthrop, Holmes, Claiborne, Sargent and others occupied during their term of office. In the basement of an old frame house is the room in which the first Surveyor-General kept the records.

Within the college inclosures may be seen a mound of half buried bricks, which marks the site of the first Methodist church built in the southwest. It

was erected in 1811.

It was in that building that the great convention of 1817 assembled and framed the Constitution of Mississippi, David Holmes presiding. Of those talented men, not one is left. Joseph E. Davis, of Warren, being the last survivor.

A few of the old inhabitants remain. Among them in the grandeur of his years, is Judge Whitehurst, a gentleman and a scholar—well beloved by all who know him—and thoroughly versed in the traditional lore of the place.

Six miles from the ancient Capital is Dunbarton, the home of Col. J. F. H. Claiborne, the "Herodotus" of Mississippi. Beneath the stately trees the old mansion stands. It is one of the grand old homes of the past. Within, everything bears evidence of the scholar's occupancy and of the taste and culture of the genial lady who presided there. In the yard stands the office where S. S. Prentiss taught his little school and studied law—and from which, in later years, Col. Claiborne sent forth his History of Mississippi.

On the road from Dunbarton to Natchez stands the hill, famed in historic romance as the homes of the beautiful girl, upon whose queenly brow, Aaron Burr would have gladly placed a coronet.

These are a few of the many things of interest in and around your sister city.  
S. B. M.

### Levee Convention in Washington County.

To the Editor of Clarion:

A county convention was held here on Saturday last for the purpose of obtaining the sentiment of this people with regard to the contemplated Levee Convention to be held by all the Yazoo Delta counties at Jackson, on the 24th inst., at which the following resolutions were adopted and requested to be sent to THE CLARION for publication:

WHEREAS, We have noticed the call made by Tunica county for a meeting of the Yazoo-Mississippi Delta counties exclusive of those constituting Levee District No. 2; and,

WHEREAS, We believe that the Levee system is the only means by which the alluvial lands of this Delta can be protected from overflows; and,

WHEREAS, We are willing to contribute our just quota of the amount necessary to complete said Levee system; provided, it can be done without reaching the point where taxation becomes so onerous and burdensome that it becomes confiscation; therefore be it

Resolved, That we do not favor the convening of the Legislature in extra session, believing as we do, that it would result in expense to the State without any compensating advantage to the Yazoo Delta; that any relief sought to be effected by legislative enactment can be as efficiently accomplished at the next regular session of that body.

Resolved 2d, We are opposed to the formation of any organization with power to issue bonds for the construction of levees on the Mississippi river; and that while we favor levees, we desire that the money shall be collected and applied to the construction of the work, beginning at the hills in DeSoto county and continuing southwardly until the money collected is exhausted; and that work shall then be suspended until taxes are again collected; we believe the amount of bonds necessary to raise funds sufficient to complete the levees at one time would reach such an amount that it would bankrupt our people to pay them.

Resolved 3d, That viewing the present impoverished condition of the swamp counties, we favor a moderate tax for the purposes above set forth.

Resolved 4th, That we are unalterably opposed to the formation of the whole delta into one District, and that should it be deemed best that an organization of some kind be effected, that we favor a District separate and apart from what is commonly known as Levee District No. 2, composed of the counties of Bolivar, Washington, Sharkey and Issaquena.

Resolved 5th, That we favor an advantage rather than any specific tax.

Resolved 6th, That Leflore county will favor any arrangement that can be made with the Memphis & Vicksburg Railroad Company by which we will pay said company an annual amount, a specified reasonable sum, if they will take charge of the line of levees along the front of DeSoto, Tunica and Coahoma counties, and obligate themselves to maintain and keep said levees in good repair.

Resolved 7th, That a committee of fourteen be appointed by the chair to represent this county at the general Levee Convention to be held at Jackson on the 24th of this month.

J. K. ALLEN, Chairman.  
A. F. GARDNER, Sec'y.

Greenwood, Leflore Co., Miss., May 15, 1883.  
Early and provident fear is the mother of safety.—Burke.

### Taxation of Railroad Property in Cities and Towns.

EDITORS CLARION: By reference to the laws of 1880 Section 137, Chapter 6, and Section 606, Chapter 9, Code of 1880, we read as follows:

"The property of any Railroad Company lying, or being in any city or incorporated town, may be taxed for city or town purpose, upon a valuation thereof, made upon the same basis as the property belonging to individuals and no more and this section shall apply alike to the foregoing and following modes of taxation herein provided for." The law provides and points out two modes for the taxation of Railroads for State and county purposes, leaving it optional with the road which mode they may choose; but neither of these modes exempts them from the payment of taxes on property being in any city or incorporated town for city or town as shown by the statute above quoted.

This provision for the taxation of Railroads may have escaped the vigilant eyes of our city authorities and the Railroad taxes to which the city of Jackson is so justly due, and which she so badly needs, may be in the coffers of these roads which pass through her corporate limits instead of in our city treasury. The Vicksburg & Meridian, and the Chicago, St. Louis & New Orleans roads both run through our city, and both are subject to the payment of this tax since the passage of the act—say for the years 1880-1-2 and for all future years during the existence of this law; and if it has not already been paid which we learn has not been done, its collection now, for the past three years, at the present high rate of taxation will add considerably to our depleted city treasury. It is said these roads are always prompt in the payment of their privilege taxes into the State Treasury, which payment exempts them from all other State and county taxes; and we have no doubt would be as prompt in the payment of these city taxes when properly called upon.

### THE SEASHORE DEMOCRACY NEVER TIRE.

#### Harrison County in Convention.

Pursuant to a call of the Democratic Executive Committee of Harrison county, a meeting of the Democracy of the said county was held at the Courthouse thereof on Monday, the 14th day of May, 1883.

The meeting was called to order by Gen. Joseph R. Davis, Chairman of the Executive Committee, who stated the objects and purposes of the call, and nominated the Hon. Elliot Henderson as Chairman. The motion was carried, and Mr. Henderson took the chair.

Messrs. W. T. Walthall and E. B. Myers were nominated and elected Secretaries.

Mr. Seal moved that the choice of candidates for all county officers in the ensuing elections be determined by the Democratic voters of the county in primary elections. This motion was seconded and adopted.

Mr. Saffold moved that the first Monday in September next be appointed as the day for holding primary elections in the various beats. Carried.

Gen. Davis offered the following resolution, which was adopted:

Resolved, That we recommend that a convention be held at—, on some day to be fixed, for the purpose of nominating a candidate for the Democratic-Conservative party for office of district attorney.

On motion of Mr. Seal, Mississippi City was recommended as the place, and the first Wednesday in August next as the day for holding the aforesaid convention.

Mr. T. J. Stewart moved that two delegates to the convention be chosen by this meeting.

Mr. Saffold moved, as a substitute, that each beat be authorized to elect two delegates.

Mr. Stewart moved to lay the substitute on the table. Lost.

The substitute offered by Mr. Saffold was then adopted.

Gen. Davis offered the following, which was adopted:

Resolved, That the Democratic-Conservative party of Harrison county will meet delegates to a district convention, if only one county in the district should send delegates to such convention, and that our delegates be instructed, in such contingency, to nominate a candidate for the office of district attorney.

On motion of Mr. Elmer, the executive committee was instructed to give notice of the time, place and manner of electing delegates in the various beats.

Mr. Baldwin moved that the delegates from this county be instructed to vote for Judge Whitaker. After some discussion this motion was withdrawn.

The meeting then proceeded to consider the subject of the appointment of a new Executive Committee for the county. After various motions by Messrs. Salmen, Davis, Northrop and Saffold, respectively, all of which were either laid on the table, withdrawn, or otherwise lost, the following resolution was offered by General Davis and adopted:

Resolved, That the Chair be authorized and instructed to appoint a committee of five—one from each beat—to select an Executive Committee of two from each beat and five from the county-at-large, at their convenience, and

report the same to the Chairman of this meeting.

[The Chairman subsequently announced the following as the committee of selection appointed under this resolution: Messrs. Louis Holley, A. J. Ramsay, J. J. Thornton, George Walker and William Ramsay.]

On motion of Gen. Davis, it was ordered that the proceedings of the meeting be published in the newspapers of this county, the Democrat-Star of Pascagoula, and the Jackson Clarion.  
E. HENDERSON, Ch'n.

W. T. WALTHALL, } Secretaries.  
E. B. MYERS, }

### Fifth Judicial District.

At a meeting of the Democratic Executive Committee of the Fifth Judicial District in Durant on the 17th day of May, 1883, the following proceedings were had to-wit:

W. A. Haden, Chairman, called the meeting to order.

On motion of T. H. Somerville, S. R. Hughston was elected secretary.

On motion of L. P. Yerger the committee resolved itself into a committee of the whole for the purpose of considering the credentials of members present, and reported the following as entitled to seats in the committee, viz:

H. H. Wynn, of Holmes county, T. H. Somerville of Carroll county, S. R. Hughston of Choctaw proxy for S. B. Boyd, L. P. Yerger proxy for C. M. Erwin of Montgomery.

W. A. Haden of Attala county, S. S. Carter and L. P. Yerger for District at Large, which report was received and adopted by the committee.

The following places for holding a convention to nominate a candidate for District Attorney were placed in nomination, viz: Winona, Durant, Lexington.

After several ballots Lexington was selected.

On motion of T. H. Somerville, Wednesday the 25th day of July, 1883, at 2 o'clock p. m., was designated as the time for holding the convention.

On motion of S. S. Carter the Chair appointed the following committee to draft rules fixing the bases of representation in the Convention to nominate a District Attorney, and the mode of organizing the Convention, viz: S. S. Carter, L. P. Yerger and T. H. Somerville.

The Committee submitted the following report which was adopted, viz:

The undersigned committee appointed to draft such rules as may be deemed proper for the temporary organization of the Convention respectfully recommend:

1. That the Chairman of this committee or in his absence, some other member of the committee call the Convention to order.

2. That in effecting a temporary organization Holmes county shall be entitled to 5 votes; Attala 4 votes; Carroll 4 votes; Montgomery 2 votes; Webster 2 votes; Choctaw 2 votes, and Leflore 2 votes.

3. That in the organization, the vote of each county shall be cast by the regularly appointed or elected delegates or such one or more of them as may be present and that no proxy should be allowed except in cases where there is no regularly or elected delegate in attendance from the county.

4. That in case of a contest from any county as to who are entitled to seats in the Convention, if they cannot agree among themselves the county shall have no vote in the temporary organization until the contest is determined by the Committee on Credentials and vote of the Convention.

5. That the Committee on Credentials shall consist of one regular appointed delegate from each county except such county or counties in which there shall be an unsettled contest as to the whole delegation.

6. That the basis of representation in the District Convention of each county shall be twice the number of representatives which our county has in the House of Representatives under the present apportionment.

S. S. CARTER,  
L. P. YERGER,  
T. H. SOMERVILLE.

W. A. Haden tendered his resignation as Chairman which was accepted.

On motion of L. P. Yerger, the Chairman was authorized to fill by appointment any vacancy that has or may occur in the Executive Committee.

On motion of L. P. Yerger the Jackson Clarion, New Mississippian, and the papers in the District were requested to publish the proceedings of the committee.

On motion of W. A. Haden the thanks of the committee were tendered the citizens of Durant, and the Mayor, for the use of the Courthouse and other hospitalities shown.

On motion the committee adjourned to meet on call of the Chairman.  
S. S. CARTER, Ch'n.  
S. R. HUGHSTON, Sec'y.

### MARRIED.

WILSON—SUTTON—At Lexington, Mississippi the 15th of May, 1883, Mr. Baxter Wilson and Miss Lida Sutton, both of Lexington.

### REVEREND—CATELLETTE.

At the residence of Mrs. Hackley, on the evening of the 15th, by Rev. Chas. B. Galloway, Mr. Henry Ritchie and Miss Lillie Catelette.

### Fair Meeting.

All who are interested in the proposed fair to be held at Jackson next fall are requested to meet at the Senate Chamber Thursday (to-morrow) evening at 5 o'clock.

They who forgive most shall be most forgiven.—Bailey.

Mr. J. B. Enoch and Dr. J. M. have both declined calls upon to run for the Legislature in August and pledge their best efforts for the cratic ticket when nominated.

Memphis Avalanche is right in that the failure of the President to run for the National Board of Health tends to maintain quarantine regulations this summer shows that he is inexcessably ignorant of the wants of the people in the Mississippi valley or that he recklessly disregards their desires in this matter.

State of Illinois in the charter of railroad companies gave the Directors thereof the "power to fix such rates for the conveyance of persons or property as they shall think to time by their by-laws determine," but the Supreme Court of the States has decided that the power to fix freights and fares belongs to the State to be exercised at its option by law of the Legislature and by constituted agents of the State. settles a vexed question.

Brookhaven Leader pays a warm tribute to those who have been conspicuous in procuring and furnishing relief for the sufferers by the late Modesty forbids its reproduction THE CLARION, but we can bear testimony to the justice done to those names are selected for in that connection. Indeed, never has been a more cheerful response to the demands of humanity for the relief of the unfortunate victims of the cyclone.

Port Gibson Beveille announces the death of a venerable mother in Israel Eliza Hastings, at the advanced age of ninety-two years. She was the wife of the late Jonas Hastings, the father of Dr. John G. Hastings and brother of John G. Hastings, Jr. Her surviving son, himself aged (says the Beveille) is now 90 years of age, and Col. John G. Hastings, her only surviving grandchild, 40, and with them were several grand-children; and thus four generations including the deceased and spring—representing two centuries have passed.

Vicksburg Herald publishes a notice from Gov. B. F. Butler advising colored people of Mississippi to vote for themselves; to vote for the man, whose lives and conduct they well, and who have shown their desire that equal justice and equal shall come to all men under the No matter what promises are made by political orators, or what incentives are held out to obtain your look to what men have done and not to what they say they will do. If a candidate for office you can trust is in favor of the education of your children, the equal protection of your property and the protection of your persons by law, vote for whatever he may be called political.

FRANK BURETT, President of Mississippi Press Association, and S. D. Harper, vice-President; Jones and B. H. Henry, ex-President; Edgar S. Wilson, ex-secretary, and Jayne, Esq., held a conference in city on Friday, with reference to approaching Press Convention, C. Grand, of the Neshoba Democrat, elected to reply the address of welcome at Columbus, and a resolution inviting representatives of the Orleans, Memphis and Mobile and presidents of associations in Texas, Arkansas, Louisiana and Alabama, the four adjoining States, and the best of the Southern Press Association to be present.

OXFORD EAGLE is in mourning for the death of its late proprietor and Editor, Capt. Samuel M. Thompson. His widow, Mrs. Eliza A. Thompson, learned from him the art of writing, and publishing in which he was an expert, has taken charge of the paper, and from the initial member, we confident she will keep it up to its standard of excellence. There is reason why she should not. She has brains and capacity, and in her sad and brave undertaking, she receives the support of a generous public. Years ago in Mississippi, the of a distinguished journalist who leaving the paper on her hands, up his work, increased its usefulness and achieved fame for herself and glory for her family. The true knights of the quill in Mississippi, will gladly see the lady of the Oxford Eagle pursue her profession and bid her god-speed.

Thermometer (corrected by gallery) showed 46 degrees at six this morning, or just 14 degrees above zero.  
E. V. SEUTTER.  
May 22, 1883.