Weekly Clarion.

BY POWER & BARKSDALE

E. Barksdale, J. L. Power, Harris Barksdale.

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THE WEEKLY CLARION.

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ROCK OF AGES.

New York Journal of Commerce.

CHARLESTON, S. C., May 7, 1878.

Editor of the Journal of Commerce:

Please tell me who wrote the hymn beginning

"Rock of Ages, cleft for me,"

and give the original version. It has been so garbled and mutilated, I would like to see it as it was written. Yours,

W. B. B.

REPLY.—The hymn was written by Augustus Montague Toplady, and first appeared in his "Collection of Hymns for Public and Private Worship," in 1776. The original is a copy:

Rock of Ages, cleft for me,
Let me hide myself in Thee!
Let the water and blood,
From Thy riven side which flowed,
Be of sin the double cure,
Cleanse me from its guilt and power.

Not the labors of my hands
Can fulfil Thy law's demands;
Could my zeal no respite know,
Could my tears forever flow,
All for sin could not atone;
Thou must save and Thou alone.

Nothing in my hand I bring;
Simply to Thy Cross I cling;
Naked, come to Thee for dress;
Helpless, look to Thee for grace;
Foul, I to the Fountain fly;
Wash me, Saviour, or I die!

While I draw this fleeting breath,
When my eyestrings break in death,
When I soar to worlds unknown,
See Thee on Thy judgment throne;
Rock of Ages, cleft for me,
Let me hide myself in Thee!

THE DAVIS CASE.

Decision of the Supreme Court Securing to President Davis His Ownership of the Brierfield Plantation.

JEFFERSON DAVIS, vs. J. H. D. BOWMAN, EXR., et al.

Chalmers J. delivered the opinion of the court on re-argument.

After laying down the legal rules governing the acquisition of title by adverse possession, and stating that ten years' under parol will afford a perfect title, the opinion proceeds to recapitulate the facts in the testimony to show the character of Jefferson Davis' possession of the plantation known as "Brierfield," as follows:

Joseph E. and Jefferson Davis were brothers. The former was twenty years the senior of the latter, and, in many respects, stood *in loco parentis* to him. He was already a middle aged man of large wealth—a retired lawyer, living at "Hurricane," when, in 1833, Jefferson, who had resigned a commission as lieutenant in the United States army came to reside here. Jefferson was possessed of no other property save one negro man, but he had an unsettled claim upon the estate of his father, or an interest in the paternal estate, which had been appropriated by Joseph E. The amount of this claim is not known, but it was not large. "Hurricane," at that time, consisted of four thousand acres. In 1835 Jefferson took possession of the portion which, from that period, received the name of "Brierfield." It embraced eight or nine hundred acres, and, from its first occupation by him, was segregated from "Hurricane" by boundaries distinctly marked and frequently pointed out by the two brothers to various persons. When Jefferson took possession it was a jungle and a wilderness. He held it by the *possessio pedis* for forty-seven years, and converted it into one of the most highly improved and productive plantations in the State.

In favor of the theory that this occupation was in subordination to the paramount title of his brother, the following facts are relied on: 1st. No written evidence of title was ever delivered, though both the brothers were men of high intelligence, and must have known the necessity of such a writing. 2d. The quasi-parental and filial relations which existed between the brothers is eminently suggestive of a permissive enjoyment of the possession of the usufruct only; and is consistent, it is said, with all the subsequent acts of the parties. 3d. Joseph's slaves assisted largely in the early clearing of the land, and building of houses. He also aided with his money in the erection of the more costly residence which was afterwards built; and this house, as originally planned, was designed to form a double tenement, so as to afford a home for the widowed sister of the two brothers. This scheme was abandoned during the erection of the house and the sister never resided there. 4th. Though Joseph usually spoke of "Brierfield," as Jefferson's property, he told his friend, Hon. John Perkins, in a private conversation in 1855, that it belonged to him, Joseph, and not Jefferson, he was the owner of the property. He expressed a repugnance to its ever falling into the hands of Mrs. Jefferson Davis, or any member of her family. The two brothers were not friendly at this time on account of a misunderstanding originating through Jefferson's wife. 5th. Mrs. White, a niece of the two brothers, testifies, that though the place was always known in the family, to be the property of Joseph. In 1852 she heard the wife of Joseph, at a time when he was quite ill, urge him to make a deed to Jefferson, which he refused to do. Neither Jefferson, nor his wife was present at the time, and there existed at the time, no unfriendliness between the brothers. This witness also testifies, that in 1870, a short time before the death of Joseph E., she urged Jefferson to apply to him for a deed, which he declined to do, through motives of delicacy as he said; but, after her advice, in 1847, Joseph E. had been sued by a third party, and he expressed to her 6th. In 1847, Joseph E. filed an entire, though corrected bill, in the Chancery Court of Warren county, enjoining the collection of a levee tax which had been assessed against "Hurricane" and "Brierfield," in which he set forth the lands composing both, as being his property. Jefferson was at the time in Mexico; though he returned before the conclusion of the suit. Joseph was acting during his absence as his general agent, and there was annexed to the bill, an exhibit showing that the tax on "Brierfield" was assessed against Jefferson. These, we believe, comprise all the facts occurring previous to the seizure of "Brierfield" by the Federal authorities, which tend to show continued ownership in Joseph. It is at once apparent that several of them, however pertinent to other questions in the case, are not admissible on an issue of title; since nothing is better settled, than that title can not be affected by the acts or declarations of a party not in possession, when such acts were done in his own interests, and not in the presence of the adverse party. All testimony in relation to them was on this ground objected to in the lower court.

The facts which indicate that Jefferson held in his own right, and not as tenant of his brother, are as follows: 1st. During his long occupation he had no other home. The land when received was wholly wild, subject to inundation, and differing in no respect from government lands to be secured readily at $1.25 per acre. It constituted, as Joseph E. said many years afterwards, a gift of but little value until improved by Jefferson. He devoted the best years of his manhood to it; and expended twenty times its value in clearing, and fencing, and draining, and levying, and building upon it. He assessed and paid taxes on it as his own, and he always so spoke of it, both to Joseph E. and to others. By a will prepared in 1846 he devised it. Indeed no act of ownership higher than those habitually exercised by him can be conceived of, save a sale of it; and his right to do this seems to have been conceded by his brother, as will be hereafter seen. 2d. Nineteen witnesses testify to the general repute within and without the family, that he was owner, and that he was always so spoken of by Joseph E., and by the world at large. These witnesses embrace former slaves of both brothers, the overseers; commission merchants; and mutual friends of both: a daughter and son-in-law of Joseph E.; a brother-in-law; and four nephews and nieces. Outside the family it was not known that no deed had been made. Within the family a knowledge of this fact does not seem to have affected the general understanding that Jefferson was owner. Mrs. Stamps, a niece by marriage of the two brothers, expresses what seems to have been the general understanding in the family. After stating that Jefferson held as owner, and not as tenant, she says: "My answers are derived from my connection with the Davis family; among all of whom, it was a matter of common repute, universally conceded, that Mr. Jefferson Davis was the owner of 'Brierfield:' and I never heard that fact called in question or doubted by any one. So that I may say, the repute of ownership was a general one, both in and out of the family." It was understood and reputed among the family, that Jefferson Davis was the real and actual owner of 'Brierfield,' though the title was nominally in Joseph E. Davis." The testimony of other relatives, except Mrs. White, is substantially the same. 3d. Joseph E. Davis habitually spoke of "Brierfield" as "Jefferson's place," both in ordinary conversation and upon occasions calling for accurate language. During Jefferson's frequent and protracted absence in the public service, Joseph sometimes acted as agent for his brother, and at other times the agency was devolved upon others. While acting as agent for his brother, his letters, draft and orders, relative to "Brierfield," were always signed "Jefferson Davis by J. E. Davis." Many such are in the record. He gave it in to the tax assessor as Jefferson's property, and paid taxes on it in Jefferson's name. When other persons were acting as agents, he explicitly refused to interfere in any manner with the plantation. Soon after Jefferson's marriage, which occurred in 1845, and while Joseph was in Mexico, one of the daughters of Joseph E. twitted Mrs. Jefferson Davis with the taunt that her husband owned nothing, and was dependent on his brother. Stung by the remark, Mrs. Davis sought her brother-in-law, and demanded to know explicitly and distinctly, whether he or her husband was the owner of "Brierfield." He assured her that Jefferson was owner, saying that he had given it to him. He prepared the will in 1846, by which Jefferson devised "Brierfield." Many years after this will had been destroyed, Mrs. Jefferson Davis, who regarded it as unjust towards herself, taxed her brother-in-law with having instigated it. He resented the charge with warmth; declared that he had only put it in legal shape at his brother's request; and said that it was proper for Jefferson to be held responsible for the disposition Jefferson had seen fit to make of his own property. In 1852, when a temporary alienation existed between the brothers, Joseph E. made a written proposition to purchase "Brierfield" from Jefferson, which the latter, in writing, declined. 4th. Besides the habitual declarations of Joseph to the effect that he had given "Brierfield" to Jefferson, he so stated, with great particularity, to William Stamps, who had married a sister of the two brothers. When Jefferson left the army in 1833, Stamps, Jefferson wished to purchase a plantation, proposed to advance him ten thousand dollars with which to buy a plantation. Joseph E. objected and broke off the negotiation, saying that "he intended to do better by Jefferson than that." Two years afterwards Jefferson took possession of "Brierfield." A little later Stamps applied to purchase a portion of "Hurricane." Joseph E. replied, that having given "Brierfield" to Jefferson, he had no land to spare. He said that he had given "Brierfield" in consideration that Jefferson would leave the army and settle near him; because he loved him as a son. This witness also establishes the fact that Joseph E. was, before the gift, indebted to Jefferson, but does not fix the amount. It seems impossible to resist the conclusion from this testimony that Jefferson Davis held "Brierfield" in his own right, and acquired a perfect title by limitation.

Stress is laid by appellees upon the fact that Joseph E. Davis assisted to build the residence; and that it was designed to give shelter to a widowed sister. It is proven that this arrangement was proposed because of the fact that Jefferson at the time had no children, and was much away from home. The plan did not originate with Joseph E., nor was he consulted when it was abandoned, at the mutual instance of the sister and Mrs. Jefferson Davis. It is said that Jefferson should have intervened in the suit for the injunction of taxes against "Brierfield," and should have asserted his own title. It is impossible to see what principle sanctions such an idea. The suit did not involve title; and could be as well prosecuted by his brother as by himself. This brother chose to state the title as shown by the records, rather than as it really existed between the brothers could not possibly affect Jefferson's rights. It is urged with much more force, that it is incredible that men so intelligent should have undertaken to convey title by parol. The suggestion loses, perhaps, some of its strength, from a consideration of the fact that though Joseph E. Davis had entered the land as early as 1812, he himself obtained no patent for it until after the close of the civil war, in 1865. This shows at least great carelessness and indifference about paper evidences of title. But apart from this the books abound with cases of parol gifts of lands, ripened into perfect titles by occupation; in all of which written conveyances had, by negligence or otherwise, failed to be delivered, and we have seen no case which strikes us as more satisfactory upon the facts than this.

If Jefferson Davis had remained poor and dependent upon his brother, we could, perhaps, understand a willingness on his part to remain a pensioner upon that brother's bounty or caprice. But the record shows that he rose as rapidly in fortune as in fame. While successively a Colonel in the Mexican war, member of Congress, United States Senator, and Secretary of War, and filling all these high places with distinguished ability, his increase in wealth was not less marked. In 1860 there were largely more than a hundred slaves on "Brierfield," which, with other personal property there, must have been worth a hundred thousand dollars. The annual cotton crop was from four hundred to four hundred and fifty bales, worth more than $20,000 per annum. Many years before this he had been able, at one time, to allow his brother the use of $10,000 of surplus cash lying in the hands of his commission merchant. The residence at Brierfield was expensive; and fitted up with marble mantels—a thing unusual in country houses in this State. The grounds were adorned with shrubs and trees imported from foreign lands. That such a man should have cleared and lived in such a home for more than a quarter of a century without claim of right, and wholly at the mercy of a brother with whom despite a mutual affection, unusually devoted and tender, there was not wanting more than one period of coldness and estrangement, seems to us far more remarkable than the carelessness which omitted to have the parol gift evidenced by a deed. We pass to a consideration of the facts occurring after the seizure of "Brierfield," by the Federal Government.

In 1863, both "Brierfield" and "Hurricane" were taken possession of by the officers of the "Freedman's Bureau;" Jefferson Davis, being at the time in Virginia as President of the Confederate States, and Joseph E., a refugee in Alabama. Both plantations remained in the occupation of the "Bureau" during the war. On the 20th of October, 1865, Jefferson Davis, then confined on a charge of treason in Fortress Monroe, wrote a letter to his wife, strongly advising against the return of Joseph E., who was still in Alabama, to "the river place." He says: "All is changed. He (Joseph) will be confused by his strength by the confusion which must exist. An agent will suit the new regime much better than the old one. If he goes back, why not take the Brierfield house. He can claim possession as the owner of the land. But my decided conviction is, that in the existing condition of things, neither he nor Lize, (his granddaughter), should stay there."

Why Jefferson suggested that Joseph E. should occupy "Brierfield" rather than "Hurricane," does not appear. Whether he meant by Joseph's claiming possession of "Brierfield" as owner of the land, that he was entitled to possession, as owner, against himself, or only that he could assert the claim in order to obtain possession from the Federal Government, is left to conjecture. It is clear that this, like all his other letters while in prison, was subject to the inspection and strictest scrutiny of his captors. Mrs. Davis forwarded a copy of this letter to Joseph E. No action was at the time taken by him in relation to the suggestion contained in it, for the reason that he was then unpardoned for his own participation in the rebellion. Not until the 8th of September, 1866, did he receive his pardon; upon the same day he made application in writing for the restoration to himself as owner of all the lands embraced both in "Hurricane" and "Brierfield." The application was carried to Washington and laid before President Johnson, by appellee Bowmar, as the agent of Joseph E. Davis. While the application was being prepared, Dr. Bowmar said to Joseph E. Davis: "How about 'Brierfield?'" Bowmar thus relates what followed: "He simply answered: 'The title is in me.' I had told him before that it would be necessary to show title. He said that the title was in him; that he had never conveyed it. I said nothing more about it. I supposed that all that he wanted was to get possession of the land.

There was reason to conceal from the Federals any right that Jefferson Davis had to the land. Mr. Davis was in prison, and it was generally believed that his property would be confiscated, if nothing worse happened. * * * My impression was that he, (Joseph E. Davis), wanted to protect his brother from loss." Being asked if he meant loss by confiscation, the witness answered: "Yes." We think that Dr. Bowmar's theory was the true one, and that Joseph E. Davis simply took advantage of the outstanding record title in himself to recover the land for his brother.

It is insisted, with an earnestness that excites surprise, that such a suggestion is dishonorable to the parties concerned, and is inconsistent with the lofty integrity which the record establishes for Joseph E. Davis, and which history attests for Jefferson. We have no right to assume that Dr. Bowmar's sense of honor was less acute than that of his friend and testator. He was the active agent in carrying out the scheme, and he tells us quite distinctly what he supposed its object was. The truth doubtless is, that in the eyes of Joseph E. Davis and Dr. Bowmar, as in those of millions of their countrymen, Jefferson Davis' person and property were alike held in custody for the commission of deeds which lacked nothing save success, to crown his name with immortality; and if so, they probably thought it no more dishonorable to save his property, than it would have been to rescue his person. Fictitious claims and conveyances of property, among the adherents of unsuccessful rebellions, in order to save it from confiscation, have marked the history of all ages and countries. We are not aware that the sternest historians, or the most austere moralists, have ever regarded them as indicative of personal dishonor.

Joseph E. Davis obtained possession of "Hurricane" and "Brierfield," in January 1867; but in June preceding, he had consulted Mrs. Jefferson Davis about selling "Brierfield" to Montgomery and sons, giving as a reason, that her husband would never be released from prison, and that she could not occupy it in the changed relation of things, without the aid of her husband's brother to her. She opposed the sale, but said that the Federal authorities had promised to allow her to visit her husband in a short time, and that she would consult him on the subject. It appears by subsequent developments that she did consult him, and received his assent to the sale. In November, following, the sale of the two places jointly, was made. The bond and notes in controversy were taken payable to Joseph E. Davis, who executed a deed in his own name to both places, and received a mortgage back to protect the payments. Either at the time of the sale, or soon afterwards, (Montgomery makes the two statements,) Joseph E. Davis stipulated with the vendees, that if Jefferson should desire to reoccupy "Brierfield," the sale, as to it, should be rescinded. Mrs. Mary Stamps, who had nursed Joseph E. in his last illness, and by whom much of the correspondence was conducted, states that she learned from him that he had secured this stipulation and permission a few weeks after the sale to visit her imprisoned uncle. Joseph E. Davis wrote her in his own language, "to tell Jefferson, that as the duration of his then imprisonment was uncertain, he had sold for him in the sale of 'Brierfield,' what he considered his best interest; that the sale was made subject to his (Jefferson's) approval, and he expressed an earnest desire that his brother should communicate with him on the subject." Mrs. Stamps delivered the message to Jefferson Davis, and he then wrote out and handed to Joseph E. an unsigned written memorandum from Jefferson. In this, after alluding to the fact that all correspondence was prohibited, he states that he had already sent word by his wife, "that any arrangement which you, (he) made with Ben (Montgomery,) would be agreeable to me" (him.) He alludes to the malignity of his enemies, and suggests that the sale "be closed soon and tightly." He expresses the opinion that Montgomery will never be able to pay, and that the land will revert. "Then," says he, "it may be that a better state of affairs will have arrived for us; if not the high price of cotton" (of the high price of cotton) "will be upon the paper." It is insisted that the words, "valuable to your heirs," show a disavowal of title. We think, that in the circumstances under which they were written seem to suggest a sufficient reply.

Extracts from two letters written by Jefferson after his release will be found in the record in both of which he reiterates the belief that Montgomery will never complete his payments. In one of them he suggests that it is in event "some man of capital could be found (to Joseph) with a view to secure the (Joseph) a revenue free from vexatious attention to your (his) part." This sentence is immediately preceded by one which declares: "I have thought of it (the high price of cotton) as bearing on your prospects *at the Hurricane*." No special reference is made to Brierfield. The other letter, written in 1868, seems to have been in response to one communicating the fact that Montgomery desired to abandon his entire contract; a proposition which Jefferson styles "preposterous after having enjoyed so long all of its advantages without having met its obligations." He adds: "I did expect that Montgomery would be unable to pay. * * * It is also within his (Montgomery's), ability to see that he shall not retire with the means he had acquired by it. It is insisted the expression "your property" shows that the writer claimed no interest, and that the letter is one which cannot be construed as an assertion of title by Jefferson. The letter seemed to be a reply to one which communicated Montgomery's wish to abandon the contract, and would imply that he was regularly advised and consulted in relation to the matter. The bill and the answer admits, in his bill, that he had received a portion of the money. * * * Joseph E. Davis lived, Jefferson's proportion of the annual payments made by Montgomery was regularly paid to himself by his brother. In the face of facts like these we need not recognize the isolated expression in the letter, as important. Indeed the letters show, as does every other fact proven, that from the time when Montgomery first proposed to purchase in June, 1866, up to Joseph's death in 1870, no step was taken, no proposition submitted in reference to "Brierfield," which was not promptly communicated to Jefferson. It is impossible to see how his rights could have been more clearly recognized.

Our opinion is, that Jefferson Davis held "Brierfield" as owner, and that there is no competent legal evidence in the record showing that time Joseph E. ever questioned or impugned his title, as such, up to 1865. From that time until his death, to the world at large, he asserted the outstanding record title, which was in him; but as to his brother Jefferson, by seeking his consent to the sale in advance, by promptly communicating information of it when made, by asking his approval, and by regularly remitting his proportion of the annual payments received, he continued to recognize his brother's rights up to the making of his will in 1869.

The opinion then proceeds to a consideration of the question whether Jefferson Davis' conduct has been such as to work a forfeiture of his rights, or whether his position as executor of his brother's will, will preclude him from asserting them. It answers both questions in the negative, and directs a decree to be entered declaring him the owner of so much of the notes (about $70,000) as represents the value of "Brierfield."

THE FLORIDA FRAUD.

Some of Chandler's Dispatches from the Land of Flowers.

The Interest He Felt in Cotton.

New York Herald.]

WASHINGTON, May 16, 1878.

In connection with the proposed Florida investigation there are some telegraphic dispatches sent during the period immediately after the election, the meaning of which puzzled a good many innocent souls when they were brought out in the investigation of last year, and which will be well now to have explained, merely to satisfy an idle curiosity, if nothing more. Here, for instance, is one sent on election day by Mr. Purman, candidate for Congress, to Govin, then election manager for Florida and now United States Consul:

TALLAHASSEE, Nov. 6, 1876.

To Col. Manuel Govin, Key West:

Draw on Gov. Stearns and myself for two hundred more. W. J. PURMAN.

Here is another, from the chairman of the Republican State Committee, two days after the election:

November 8, 1876.

Judge J. M. Edmunds, Chairman Rep. Nat. Ex. Committee, Washington, D. C.:

In order to prevent frauds in Florida we must have money. If Florida is important, authorize me to draw on you for $2000. Answer. M. MARTIN,
Chairman Rep. Camp. Committee.
W. J. PURMAN.

Here are several mysterious cipher dispatches from Mr. W. E. Chandler:

TALLAHASSEE, Nov. 12, 1876.

M. A. Clancy, Fifth Avenue Hotel, New York:

Doctors plenty; rainy weather. Is son smooth? Have Jones ready.

W. E. CHANDLER.

Clancy was the stenographer of the Republican National Committee. But who or what was Jones? Chandler appears to have been anxious about him or it, for he telegraphed again the next day.

TALLA, 13.

W. A. Clancy, Fifth Avenue Hotel, New York:

Florida swarming with prominent Democrats. Send some Republican lawyers and eminent men. Send Jones to E. A. Rollins, Philadelphia. Have Arthur William warm. Men acting cold.

W. E. CHANDLER.

Chandler's mind was set at rest about Jones the same day by this dispatch from Z. Chandler:

WASHINGTON, D. C., 13.

Hon. W. E. Chandler, Tallahassee, Fla.:

Dispatch received. Jones gone to Philada harney all along the line—sea safe cotton high stolen oranges men coming. Z. CHANDLER, Ch'mn.

The price of cotton seems to be interested most of the Republican managers, for on the same day Mr. W. E. Chandler, at Tallahassee, was anxious about the price, and telegraphed to that eminent cotton factor, S. B. Packard, now consul to Liverpool:

TALLA, 13.

S. B. Packard, New Orleans:

Has Kellogg my letter? Must know positively about cotton.

W. E. CHANDLER.

Mr. Chandler got satisfactory assurances the same day thus:

NEW ORLEANS, 13.

Everett Chase, care Gov. Stearns, Tallahassee Fla.:

Have received your letter. Think cotton high, four there? K.

NEW ORLEANS, Nov. 15.

Everett Chase, care Gov. Stearns:

Confident cotton high, only keep it firm. K.

There is also the following assurance about money, a week after the election, it will be observed:

Nov. 13, 1876.

To Col. Manuel Govin, Key West, Fla.:

Will have funds from Washington in ten days. Draw only fifteen days' sight. Our success certain. W. J. PURMAN.

On the same day the following to somebody in Columbus:

TALLAHASSEE, Fla., 13.

A. E. Gee, Columbus, O.:

William S. Matthews and myself think cotton high, though character rainy.

W. E. CHANDLER.

On the fifteenth of November another mysterious character is added by the following dispatch:

WASHINGTON, D. C., Nov. 15.

Hon W. E. Chandler:

Cook and others leave to-night Robinson will accompany them if necessary. Cotton high. Doctors plenty. You must not leave. Z. CHANDLER, Ch'mn.

Nine days later Robinson and Jones have Smith added to them, to increase the mystery:

WASHINGTON, Nov. 24.

Hon. W. E. Chandler:

Cotton high. Robinson in Philadelphia. Smith went with Jones to Florida.

Z. CHANDLER.

Finally, on the twenty-seventh we find that Robinson's first name is William otherwise Bill we suppose .... need of Bill in "small currencies," he no doubt ......

TALLAHASSEE, Nov. 27, 1878.

Z. Chandler, Washington, D. C.:

William Robinson in small cherries; enough. Have several; can use about twenty; best to be ready for any emergency. W. E. CHANDLER.

The day before Mr. Chandler described to his friend Gov. Kellogg a new kind of fever:

TALLAHASSEE, Nov. 26, 1878.

Gov. W. P. Kellogg, New Orleans:

Cold reports here; doctors scarce; cotton fever spreading; raining here. Answer. W. E. CHANDLER.

All this is very mysterious and eminently calculated to excite curiosity. Will not Mr. Chandler tell a mystery-hating American public what it all means? Who was Jones? and why should Mr. Chandler at Tallahassee, with his hands full of election business, have been so anxious that Jones should go to Philadelphia to see E. A. Rollins? And who was Smith who was added to Jones and with him went to Florida! And who was Robinson, surnamed William, who, after sojourning in Philadelphia, was finally wanted in Florida in the shape of "small cherries," and with "apples," apparently of the "twenty" kind, added to him, to be ready for any emergency?

It is tantalizing to read so much and know so little. When he was examined before the House Committee Mr. Chandler refused to testify on the ground that he was the attorney for nearly all the Republican politicians in Florida. Was it as their attorney that he demanded Jones, Smith and Robinson, surnamed William? By the way, Mr. Chandler ought really to tell us whether his instructions to "have Arthur William warm," were obeyed? Did they set him on a gridiron? or put him in the oven? or what?

LOST AND FOUND.

I lost the brook as it wound its way
Like a thread of silver line;
Through green-wood and valley, through meadows gay,
'Twas hidden away from view;
But I found it again a noble river,
Sparkling and broad and free,
Where sail and steamer were moving ever,
Till it reached the boundless sea.

I lost the tiny seed that I sowed
With many a sigh and tear,
For 'twas watered through sunshine and cold
For the young green to appear;
But surely after many long days
The blossom and fruit was borne,
And the reapers on high the sheaves will raise
For a joyful harvest-home.

I lost the life that grew by my own,
For one short summer day;
But then it left me to wander alone,
And quickly passed away;
But I know I shall find it further on,
Though not as it left me here;
For the shadows and mists will have passed and gone,
I shall see it fair and clear.

I lost the notes of the heavenly chime
That once came floating by;
I have listened as I waited many a time
For the echo, though distantly;
But I hear them in the halls of glory it thrills,
Ever by day and night;
I shall hear it complete when its harmony fills
My soul with great delight.

I lost the love that made my life,
Lovely as a dream;
Oh! vainly I sought it amid the strife
Of the stormy, raging sea;
But deeper and purer I knew it waits
Beyond my wistful eyes;
And I shall find it again within the gates
Of the garden of paradise.

I shall lose this life! It will disappear,
With all its treasures of gold,
Some day it will move my soul no more,
But I know I shall see it again once more,
In a beauty no song hath told;
If will meet with me at the golden door,
And remind me forever fold.

ORIGINAL ANECDOTES OF TOM MARSHALL AND GEO. D. PRENTICE.

Marshall and the Mirror—Prentice and Tinker—Loding with Swine—The Patron of Miss Welby.

From New York Star.]

The stories of Tom Marshall, the Congressional wit from Kentucky, are numerous and some of them have been so often told that they would be a bold man who should attempt to retail them for a newspaper. Attention having recently been called to an incident of the old Batterton House, at Danville, it may be well to give one story in reference to events that occurred. If these events had not occurred, Tom would not have been in such a flurry to drink over it, that he should mention them. (Tom Marshall is dead, and all kind men who can speak of it will remember the temperance story that Christ, who died for sinners, and whom he went to the judge, and found means to give his heart and his pride as to tumble in his hand. How often has Marshall, faultless in dress, calm, and perfectly sober, stood on the platform before hundreds of the beauty, wit, virtue, chivalry, fashion and best manhood of Kentucky, and, with every nerve of his being strained for the supreme effort, his eyes flashing and his form towering, told how he had been before a magistrate and sworn on the holy evangelists never to taste intoxicating drink.

I seem to see him now, pale with growing excitement and unusual abstinence, with his hands lifted, as in thanksgiving and prayer, apparently willing to die rather than go to a coffee, while his audience was thrilled as he closed with the shout that he was now a freeman, that he had won his emancipation, and thanked God—now with streaming eyes—that he was once free from a drunkard's life; free, and free forever, from the horror of a drunkard's grave. It seemed to me that the poem of N. P. Willis was written expressly for Marshall, the victor over self, as he quoted it, and acted it:

Not in the glittering brimming cup aside,
And spill its purple wine;
Take not its madness to thy lip,
Let not its curse be thine.
'Tis red and rich, but grief and woe
Are hid in those rosy deeps;
Its sparkles, and its joys, at both, poison, &c.

Or, again, in said emphasis:

Within the goblet's crystal deeps
A stinging serpent unseen sleeps;
Its glancing eyes are on the brim,
That dost not carry food for him.
Or, in very rage and scorn:
I hate, abhor, detest the smell
Of this dark beverage of hell.

Sometimes for three months this ecstacy and inspiration would last, and then the fickle artificial stimulation for so overwrought condition would prove too much, and "Tom," "Old Tom," "Poor Tom," etc., would be on the town again.

Once Henry Bascomb, LL.D., the able and eloquent bishop of the Methodist Church, was in a few room at the hotel whose the outer walls of a Methodist chapel at night, and said in bitter jest, Methodist from your house. "I suppose you are... [illegible]

"I mean that way, bishop," said Tom, in his best congressional manner; (hic) "give me your arm and I'll see you at my house for you," and the bishop did.

Professor Shannon, since president of the Kentucky University, and now of St. Louis, once thought to reprove him as he lay at his feet in the Harrodsburg courthouse, "Oh, dear Mr. Marshall," he expostulated, "Never mind," said Tom, "so am I," and leaning on him, and holding himself by a table made a speech that saved a man from the gallows.

Like Daniel Webster, who once soaked up a pint of brandy in a loaf of bread and ate the bread, his being retained in a case during the trial of which he had promised not to drink anything. Tom Marshall was brilliant in his cups, and only at the heel of a week's "constitutional" did he ever get so oblivious of facts as to make the following story of the Batterton house a possibility. It has been, told in many ways, but Mr. Talbot, of Boyle county, who was his friend, says that this is the true one:

Tom had gone to his room, after leaving a group of medical students on the vice of drinking, but soon came out, partly dressed, and called loudly for the landlord. That large gentleman responded, and Tom said: "Ain't I respectable enough to have a private room. What d'ye put that feller in there with me?"

"It is a strictly private room, Mr. Marshall," said mine host.

"Taint so—feller's there," Tom persisted.

The landlord went to see, and Tom, holding his arm, soon followed. In the middle of the room, opposite a large and handsome mirror. "There," said Tom, "told you so; see him yourself don't you! Don't think I am drunk now, do you? Two of 'em by George! One of 'em nough like you to be your brother, and 'tother one the drunkest, silliest looking fool I ever did see!"

Marshall, when sober, said the whole thing was made up to tease him, which was not improbable, save that his tendency to shoot made jokes about him very like torpedo warfare, i. e., dangerous to the holder.

A good story is told of George D. Prentice, of the Louisville Courier Journal, of which Henry Watterson, the Kentucky Congressman, "with one eye and a new baby," as his servant once described him, is now the lineal descendant, and which has made fame by saying on the silver bill debate, "Universal suffrage can make soft soap a legal tender if it has a mind to."

When George D. Prentice arrived in Louisville, it was his position as a brilliant young journalist, looking for a position in which to sleep, and as drunken as a boot, er, utterly uncertain about a place in which to sleep. In this condition he met and made friends with a fellow who was more or less a tramp as any that existed in that day, and who was known as a "strolling tinker," or a traveling mender of tin pots. They made a day of it, to the extent of the funds they both had, and such credit as they could get at the risk of boots applied to their coat tails. Night came on, and George D. Prentice bestowed his lavish and open hand upon the tinker, and he with the solemnity and fellowship of a very tipsy man, "You shall go home with me."

George assented to his "Comerlongerme," and arm in arm they started for the tinker's home. He did not know where he was going, and soon reached an obscure street, not far from the Ohio river. He paused at a shed, let down a bar, and again mumbled the same word, which could be divided in "come 'er long 'er me." Then a lot of piled the bar, and left him on some straw, and, Prentice following, lay down. Soon, he heard at some small squeals and some loud and angry grunts, as of a disturbed swine.

Prentice shook his friend, who was already asleep, and said: "See here, is this your home?"

"Yes, sir-ee," said the sleepy tinker.

"It sounds and smells like a hog pen," said the half-sobered Prentice.

"What of that—they'll have to stand it," said the tinker.

Prentice was still too drunk to know how to get out again, but he lay and thought. His thoughts were: "Here am I, a man of good education, and of good parents and well brought up. I have been enjoying myself and loving my friends, and I am out of clothes, out of money and out of character—that's three outs; and I have arisen to be the companion of a strolling tinker. That's a sorry lookout, and I have found that I am going to sleep with swine. That's what I have got in—and where I am to be? Oh, I see, or rather smell—into a hog pen. If I ever get out, I'll quit and serve God for better wages."

He did quit, and became the first journalist and wit of the Southwest. A man once said to Prentice, as an excuse for his dishonesty in trade, "I can't help it, you know you must live, you know." The latter adopted Dean Swift's famous reply, "I don't see that at all, sir," but gave it with greater and sharper emphasis, "What for? I'll let you off." An elderly, but rather unsound contemporary of the press once spoke of him as "the green editor." Prentice replied, "Better green than rotten." To another who was in bad odor as to politics, and who sent him a box of disinfectants, marked, "for green one," etc.

All things considered, vulgar and dullest as he was, George D. Prentice was the truest friend that ever, with an intimate acquaintance, the kindest man that ever kicked a bore down stairs, and the sweetest poet who ever wrote editorials and the best men Western men knew. He gave to Amelia B. Welby, the sweet poetess of the West, her opportunity for fame, and her compensation when she reached it, as her pet name, that gave His worshipper who first printed her "Rainbow."

How wide was the sweep of its beautiful wings,
How brilliant its circles, how radiant it rings.
If I looked on the sky 'twas suspended in air.
If I looked on the ocean, the rainbow was there;
Thus forming a girdle as brilliant and whole
As the thoughts of the rainbow encircling my soul.

As a matter of fact, Amelia Welby never did "look on the ocean," for her inspiration was obtained wholly from viewing the Ohio river. Thus in her poem on the stars of night she wrote so beautifully:

Ten thousand stars were in the sky,
Ten thousand on the sea;
For every wave, with dimpled face,
That leaped up in the air,
Had caught a star in its embrace,
And held it trembling there.

A Significant Reply.

A fine example of courteous rebuke was the answer of a distinguished English naval officer to a hasty friend. The late Commodore Hollins was once talking with an American commodore who used often to insult his inferior officers, and apologize to them afterward. After such an insult to some, Hollins was called to the cabin of the commodore, who said:

"Hollins, I am sorry if I have treated you as I should not have done to you, I may have been passionate man, but I notice, I am a passionate man, but I notice, commodore, that I never get into a passion with my superior officers, always with those beneath me."

A grain of prudence is worth a pound of craft.

BEAUTY'S PRICE.

At the sea-side I first saw her
Mid the frothy foam of the summer,
Undulating as the water
O'er the crested billow glances—
Bronze-brown hair and rosebud features;
Perfect throat and pure complexion,
Features chiseled to completeness,
Tones attuned to sweetness.

"Fresh, from a royal cloister,
Violet-tinted, draped with lashes
Cosily hiding from the gaze,
Winged chasing, thirst and dashes;
White the flashing of her bosom,
That beneath the white as sea-foam
Are a poetry or motion
Soul-enthralling to beholders.

"Pray, who is the lovely creature?"
(Twas the woman asked the question;)
"With an ease in her cup
"That's the lovely Mrs. Boswell,
"Yes—and the old man at the elder,
"He is very rich"—the bookeeper—
Bald and bent and very ancient:
"That's the husband," said the waiter,
"Quite that! the happy man."

Edison's Phonograph.

In these days, one invention very often leads to another, and it not unfrequently happens that an offspring not less wonderful than itself. It is called the speaking phonograph. It was invented by Mr. Edison.

Evidently, Mr. Edison said to himself: "The telephone hears and speaks; why not make it write in its own way; perhaps even be able to reproduce it in its own writing." Like a great genius as he is, Mr. Edison went to work in the right direction, and wrote its own writing. You know how the diaphragm of the telephone vibrates when spoken to. Mr. Edison took away from the telephone all except the mouth-piece and the diaphragm, fastened a point of metal, which he called a "style," to the center of the diaphragm, and then contrived a simple arrangement for making a sheet of tin foil pass in front of the style. When the diaphragm is still and silent, the style scratches a straight line along the foil. When a sound is made, however, and the diaphragm set to vibrating, the mark of the style is not a straight line, but a line of points varying in depth according to the diaphragm's vibrations. And that is how the phonograph writes.

To the naked eye, the record of the sound appears to be simply a row of pin points or dots, more or less close to each other, but, under a magnifier, the dots are seen to be a delicate but exceedingly complicated series of marks.

Now for the reading. The impression on the foil exactly recorded the vibrations of the diaphragm, and the sound waves which caused the vibrations. The reading simply reverses all this process. The strip of foil is passed again in front of the style, which follows the track made at first, and the diaphragm follows the style in all its motions. The original vibrations are thus reproduced in the air precisely like those which set the machine in motion. Consequently, the listener hears from the instrument, an exact reproduction of the sound which was first spoken to the instrument, a minute, or a day, or a year, or a hundred years after the phonograph heard it.

What a wonderful result is that! As yet, the phonograph has not been put to any practical use; indeed, it is scarcely in operation yet, and a great deal must be done to increase the delicacy of its hearing and the strength of its voice. Yet it has already set our own ear with marvelous fidelity, but weakly. Its speech is like that of a person heard at a distance, or over the telephone. But an entirely invented is the phonograph.—M. E. St. Nicholas for June.

Uncle Pete Objects to the 'Possum Hunt.

Told by Martin Hotskill.

"Now look-a-here, Mahsr Tom and you, 'Mahsr Pete,' you all wouldn't a-kotched yer fo' you wuz a gwine to hunt 'possum—I was too luck to hunt 'possums; ebery body knows dat. De debbil gits after a man dat goes fo' huntin' 'possums after God laid him down. I knows how dey is. I bin got scared fo' sho'—a man fer to kotch 'em dey'll be kotch dey in a trap. 'Taint so much diffrence 'bout 'coons, but 'possum is de debbil's own. De debbil gits him fo' he see bolt—you 'member dat—yere gwine to git de debbil hisself a-chawin' greasy, backer! 'Green terbacker!' says I, 'Why, Uncle Pete, ain't dat bin de debbil, Mahsr Martin,' says I. 'Dey debbil knows what dey is a gwine of green terbacker, but de ole man say we's bin 'Uncle Pete, been a huntin' any 'possum, 'tell when dey had anything 'bout dat?' 'As any I, 'No, Mahsr, I was chasin' a 'possum,' and dey said, 'Nor, for I seed he debbil cum an' all a-comin' a sottin dar, a shinen as if he had his pair of boots, and his shoes blackin', an' a-fixin' dem polish boots. Uncle Pete, cum down dis yere Baptis' church at de Cross-roads, a-gwine to de churchin' 'tween ole single word in his ever lived hunt. Den he jes wanted a 'possum. An' I like 'possum, an' he say, 'Dem brudders in dat church kum up an' tuk my 'possums,' dey is a-hunt-in' his de debbil dat is a-fo de 'possum. I sot dat church. Tote for de Baptis church or a-chicken 'fore nesef. D'y hear dat, Uncle Pete?' An' I was gwine down to see de preacher man, dat I sot dat church, Yeller Joe an' dat is a-gwine to git a mose tole it fer his 'tented trustees; but I tell my debts mean dat in' de pocket of dey dont blame it all dat; 'Dey berry good I tuk down to de rock spring, a-gwine 'long to de spring an' mouf dat 'possum an' de chicken. An' it don't do no good to git a nebber mind nothin', 'cept a white man's church dat gwine to de kinder de 'Coon, 'dat 'Dat Same Old 'Coon,'" by F. R. Stockton; Scribner for June.

The Bible on Fraud.

Knowest not thou this of old, since man was placed on earth,

That the triumphing of the wicked is short, and the joy of the hypocrite but for a moment?

Though his Excellency mount up to the heavens, and his head reach unto the clouds;

Yet he shall perish forever like his own dung: they which have seen him shall say, Where is he?

He shall fly away as a dream: yea he shall be chased away as a vision of the night.

That which he labored for shall he restore, and shall not swallow it down: according to his substance shall the restitution be, and he shall not rejoice therein.

Because he hath oppressed and hath forsaken the poor; because he hath violently taken away an house which he builded not;

Surely he shall not feel quietness in his belly; he shall not save of that which he desired. JOB XX., 4-8, 18-20.

An Onondaga county man has had his teeth pulled, to help him to stop chewing tobacco. That is, in the principle in vogue among the Chinese, who when anybody has the thieving propensity, cut off a boy's head to cure him of swearing.

A WOMAN quarreling with her husband, told him she believed if she was to die he would marry the devil's eldest daughter. "The law does not allow a man to marry two sisters," replied the husband.