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## SUPREME COURT DECISIONS.

Reported for The Clarion by L. Brame, Attorney-at-Law, Jackson, Miss.

OCTOBER TERM, 1880.

Eldridge Dunham & Co. v. T. H. Philipson, et al. } No. 3567.

Appeal from the Circuit Court of Chickasaw County, Hon. J. A. Green, Judge.

Judgment was rendered in the court below in favor defendants in attachment. Plaintiffs appealed.

As the opinion of the Supreme Court is given in full, it is unnecessary to furnish any further statement of the case.

George, J.

The plaintiffs in error, sued out an attachment against the defendant upon the ground that the latter had disposed of his property, or some part of it, "with intent to give an unfair preference to some of his creditors," and the principal question presented for our consideration, is, as to the true construction of that portion of § 1420 of the Code of 1871, which authorized an attachment, when the creditor will make oath "that his debtor has assigned or disposed of, or is about to assign or dispose of, his property or rights in action, or some part thereof, with intent to defraud his creditors, or give an unfair preference to some of them." This provision so far as it related to "an unfair preference" was first introduced into the statutes of this State by the Code of 1857, Art. 2, p. 372. It has not as yet received a direct construction in this court; though it has, as we believe, been frequently construed in the circuit courts, and generally, if not uniformly, interpreted in accordance with the views which we here announce. We have given the question that careful examination which its importance demands.

The right of a debtor, though insolvent, or in failing circumstances, to give a preference to one or more of his creditors, if it be *bona fide*, and with no intent to secure a benefit to himself, is a firmly established rule, in the jurisprudence of this State. See *Farmers Bank* v. *Douglas*, 11 S. & M. 469; *Ingraham* v. *Gregg*, 13 Ib. 22; *Hunt* v. *Knox*, 34 Miss. 656; *Mangum* v. *Finucane*, 38 Miss. 354; *Wright* v. *Henderson*, 7 How. 539. All of which cases were decided in reference to transactions, prior in date to the Code of 1857. Since that time the rule has been also frequently recognized in this court. See *Savage* v. *Dowd*, 54 Miss. 728; *Surget* v. *Boyd*, 57 Miss. 485; *Kaufman* v. *Whitney*, 50 Miss. 103.

The provision under consideration must be construed with reference to the rule thus established, and recognized.

The attachment law of 1857, re-enacted in 1871, authorizes a seizure of the debtors estate before judgment for certain specified dispositions of his property, either consummated or threatened; but it does not undertake to lay down rules by which the validity of these dispositions is to be tested, nor to denounce as illegal dispositions which were theretofore valid; and unless an "unfair preference" be an exception, all of the dispositions of property, which are causes for an attachment are illegal, by the general law, independent of the statute. This should not be lost sight of in fixing the proper meaning to the clause in question. If it had been the intention of the Legislature by this clause to prohibit, under penalty of liability to attachment, all preferences whatever of creditors, the language used is singularly inappropriate to effect that purpose. The Legislature has, therefore, not prohibited the giving of preferences to debtors. It has only condemned to attachment proceedings those debtors who give an "unfair preference." What is an "unfair preference," the Legislature has not defined. This must be determined, either in accordance with the rules of law relating to preferences by debtors, or is solely a question to be determined by the jury. It can not be the true meaning of the statute that the question should be left solely to the jury, since there would then be no certain standard for adjudging the rightfulness of the attachment, or the contrary; and in every case this would depend upon the opinions of the members of the jury, formed from their own notions as to what is "unfair" in a moral sense. One jury would be of opinion, as is usually expressed in bankrupt laws, that all preferences would be "unfair," and that an insolvent had no right to make a disposition of his property, except to provide for an equal distribution of it among his creditors. Another jury would decide that any preference was fair, which was not condemned by law. And another would sustain, or condemn, a preference as the members of it might think the debtor, in view of his connections with and obligations to the preferred creditor, or other creditors not preferred, might be morally bound to prefer one or the other. We can not adopt a construction which would necessarily lead to such results. What is an "unfair preference" must, therefore, be a question of law, when the facts attending it are ascertained. It must be determined, like all other legal questions, by the law of the land, which is the only test by which to determine in a court the validity of any transaction. What the judge may think in a moral sense, cannot be the standard in any case, since that would be to make his will, and not the law of the land the rule of decision. The law does not denominate any transaction as unfair which it tolerates and enforces as valid, whatever may be its nature, when considered in a purely moral point of view. Courts know nothing of an "unfairness" which does not result from a rule of law condemning it on that account. Transactions when before a court for enforcement or annulment are either valid or invalid; and they are the one or the other, as they are in accordance with, or contrary to law. If a transaction be legally valid, it must be enforced; and the judge in decreeing its performance, has no right or power to say "it is unfair," or unjust. His sole duty is to ascertain the rights of the parties, as fixed by law, and, having ascertained, to enforce them.

It follows, therefore, that no preference is "unfair" which, tested by the rules of law, is legal. As the statute does not pretend to define these rules, we must necessarily resort to the rules which have been laid down by the courts and have received their sanction, as the law of the land. As has been shown, preferences to creditors are valid, if they be *bona fide* and reserve no benefit to the debtor. The right to make a preference results from the dominion which the owner has over his property; it is a part of his proprietorship. The law has not said he shall divide his estate ratably among his creditors. It has left to him the discretion to act as he wills, provided, only, he acts with the honest intent to pay a valid debt, and does not, under cover of such a disposition, stipulate for a benefit to himself. The reservation of such a benefit would make the assignment, different from what it professes to be. It would be contrary to the full dominion and ownership of the assignee over the property professed to be conveyed, because an interest is reserved to the debtor, and would, therefore, be a mere device to secure to the debtor the enjoyment of his property as against the just right of his creditors.

The reservation must be for the personal benefit of the debtor, or a volunteer under him. It must be expressed or implied from the circumstances that the preferred creditor cannot use the property at his will without a violation of this express or implied agreement. That the debtor may hope from his relationship to the assignee, or his wife, or near relative, or from the generosity and friendship of the preferred creditor, that he will be assisted in the future, will not vitiate the transaction. There must be reservation of an interest in the property itself, or in property to be furnished by the creditor, in lieu of, or in exchange for it. These principals are fully recognized in the cases above quoted.

In transactions taking place since the Code of 1857, assignments by the husband to prefer the wife as a creditor, were sustained in *Savage* v. *Dowd* 54 Miss., 728, and in *Kaufman* v. *Whitney*, 50 Miss., 103; and an assignment to prefer near relatives was sustained in *Surget* v. *Boyd*, 57 Miss., 485.

We conclude, therefore, that the word "unfair," as used in the statute, is the exact synonym with "fraudulent" or "illegal." The correctness of this view is conclusively demonstrated by the consideration hereinbefore alluded to, namely, that when the statute makes the debtors disposition of his property the ground of an attachment against his estate, it in every instance designates a disposition which the law prohibits ... It is the illegal conduct of the debtor, in making or attempting to make an assignment of his property prohibited by law, and therefore invalid, which subjects him to the harsh and summary proceeding.

Such assignments are also invalid and will be annulled, except only when the assignee can show he has parted with present value for it, in entire ignorance of the debtors illegal act, or illegal intent.

If "unfair" in the statute means less than "illegal," or "fraudulant," it would follow that an attachment would be justified on account of the preference, and yet the debtor would be guilty of no violation of law; and when the assignment itself is attacked, it must be held valid, and the parties to it entirely innocent. It would further follow from this construction that the Legislature, in its anxiety to discountenance the exercise of an acknowledged legal right to prefer one creditor to others, had provided that when such right was exercised, the preference thus given should not only remain unimpeachable, but should be the occasion by which another creditor could secure a like valid preference for his debt by first levying his attachment on the debtor's property not included in the assignment. A construction which would lead to this absurd and unjust result can not be the true one.

That the construction we adopt renders the clause in question, "with intent to give an unfair preference," surplusage, is true. Though this is a difficulty, it is less than the difficulties to be encountered by the opposite construction. It is not the first instance in which the framers of statutes, in order to make their intent clear, have obscured it by unnecessary repetitions or unmeaning additions. For this reason, this clause was omitted from the Code of 1880, which, with this omission, leaves the law on this subject exactly as it was before its adoption.

The charges given to the jury were in accordance with this view, and are correct.

The evidence was contradictory, and while the preponderance was probably in favor of sustaining the attachment, the jury believed the contrary, and we can not say their verdict was so clearly wrong as to authorize us to set it aside.

*Judgment affirmed.*

R. Davis, B. McFarland and Murphy, Sykes & Bristow, for appellants.

W. F. Tucker, and Buchanan & Houston, *contra*.

[To be reported.]

H. C. Childs, v. D. F. Rowell. } No. 3602.

Appeal from the Circuit Court of Tippah County, Hon. J. W. C. Watson, Judge.

The term of the Supreme Court commenced the 3d Monday in October, 1880. The 1st Monday in January, 1881, was the day fixed for taking up the docket of the 3d District. Tippah County, being in said District, this motion was made by appellee to dismiss the case, because no transcript was filed within the time required.

The opinion is given in full.

Chalmers, C. J.

The appeal was prayed before the circuit clerk of Tippah county on the 11th of November, 1880. No transcript of the record having been applied for, a certificate of that fact is presented to us by the appellee and we are asked to docket and dismiss the case in accordance with the provisions of § 1416 of the Code of 1880.

Under the act of 1874, (Session Acts, p 27) the appellant who sued out his appeal after a term of this court had commenced, or within less than ten days of its commencement, had the option to make his writ returnable to the day during the current term fixed by law or order of court for taking up the docket of his district, or to make it returnable to the first day of the term next ensuing therafter.

This is changed by the provisions of § 1402 of the Code of 1880, by which two return days of equal dignity are established for this court, to-wit: the first day of the term, and the day fixed for taking up the docket of the district from which the appeal comes. Inasmuch, therefore, as an appellant can not pass a return day, but must make his writ returnable to the next ensuing one that is prac ticable, it follows that if the appeal is prayed after a term of this court has commenced, or within ten days before it will commence, it must be returnable to the day for taking up the docket of the district, unless less than ten days will intervene before that day.

The appeal, therefore, in this case was returnable to the 1st Monday in January 1881, that being the day fixed by law for taking up the docket of the third district. No transcript of the record having been presented here at that time, and we being now advised that none was applied for below, the motion to docket and dismiss is sustained.

Where an appeal in a chancery proceeding is prayed and granted in open court, it is returnable to the first day of our term, even though less than ten days will elapse before the commencement of that term, because in such case no citation to the opposite party is necessary. *N. Y. Hospital* v. *Knox*, 57 Miss. 600. But, of course, if our term has already commenced, then, even in this class of cases, the appeal must be returnable to the day fixed for taking up the docket of the district.

*Motion sustained.*

L. Brame, for motion.

Thomas Spight, *contra*.

[To be reported.]

## SPEECH OF HON. J. R. CHALMERS, OF MISSISSIPPI,

**In the House of Representatives, Tuesday, January 18, 1881,**

On the bill (H. R. No. 4592) to facilitate the refunding of the national debt, as amended.

Mr. Chalmers said:

Mr. Chairman—A few days since I announced that I was opposed to the funding bill then and that I should vote against any proposition then pending to refund for the reasons then given; but so many of my objections have been removed by the circulation bill as now amended that I shall vote for it. The option of the Government to pay the debt is retained and the dangers of its perpetuation therefore removed. The new bonds and certificates are to be issued upon precisely the same terms as the bonds now outstanding and the right to pay in silver thereby preserved. Again, full provision is made for the use of the surplus coin in the Treasury in payment of the bonded debt, though this is not made as mandatory as I would have preferred it to be; and this I regard as a very important step in the right direction. But the new feature of the bill introduced by what is known as Mr. Carlisle's amendment is the one that commends it most to my approval.

Under the law as it now stands the national banks could, by a combination, withdraw all their bonds, almost in a day, by placing the same amount of greenbacks in the Treasury, and thus not only fearfully contract the currency but leave the United States Government alone responsible for the national bank circulation. It puts a stop also to the constant speculation that has been going on by the national banks in the bonds which they pretended to have deposited for the security of their circulation. When bonds went up they deposited greenbacks and drew out their bonds for sale. When bonds went down they deposited new bonds and drew a new issue of national bank circulation. Thus they have not only speculated in bonds, but while denouncing all attempts to increase the circulation by Treasury notes they have been increasing the number of national bank notes. The Treasurer's report shows that by this operation one bank had nearly doubled the amount of its notes in circulation that it was entitled to have by the original law. And with the law as it now stands it is clear that the national banks, which were created to assist the Government in disposing of its bonds, can defeat any scheme of refunding that does not suit them and dictate their own terms to the Government. The effect and importance of this amendment has been well described, by a leading New York paper, as follows:

The most important change made in the bill is the adoption of Mr. Carlisle's substitute for its fifth section. Without Mr. Carlisle's amendment it would be ... such a violent contraction of the currency as would have convulsed business and have brought swift ruin on many interests. The main lever for forcing a sale of the new bonds is a requirement that they alone shall be receivable as deposits for securing the circulation of the national banks. Without Mr. Carlisle's amendment this purpose could easily be defeated by the banks by a withdrawal of their circulation. The act of 1874, which Mr. Carlisle's substitute repeals, affords them facilities for the prompt and speedy retirement of their circulation in a way which might cause a disastrous contraction of the currency. They have only to deposit with the Treasurer an amount of legal tender notes equal to their circulation to be entitled to withdraw the bonds pledged for it, which they would be under a strong temptation to do in order to realize the premium on the present bonds. The new funding bill aims to forestall such action by repealing the fourth section of the act of 1874 and compelling the banks actually to redeem their circulation before they can recover the bonds deposited to secure it. Redemption of the bank notes by this method would necessarily be a slow process, which would prevent both a violent contraction of the currency and a sudden withdrawal of the deposited bonds.

Mr. Carlisle's substitute makes another great change. It re-enacts certain sections of the Revised Statutes which require all national banks to keep on deposit with the Treasurer an amount of Government bonds equal to one-third of their capital, whether they issue any circulating notes or not. By the law as it now stands they can withdraw nearly all their bonds by simply retiring their circulation. Under the new bill they cannot do business at all without a large amount af bonds kept on deposit with the Government. The bill also requires that only the new bonds shall be received as security of the public money deposited with the national banks. In virtue of these provisions it may be possible to create an artificial market for three per cent. bonds.

From this it will be seen that this is an amendment which must commend itself to all who do not desire to see the Government controlled by the banks. What Mr. Calhoun said of the war of General Jackson against the United States Bank is true to-day:

That extraordinary man, who had the power of imprinting his own feelings on the community, then commenced his hostile attacks, which have left such effects behind that the war then commenced against the banks, I clearly see, will not terminate unless there be a separation between them and the Government, until one or the other triumphs, till the Government becomes the bank or the banks the Government.

To produce this separation I introduced my amendment. As I had not opportunity fully to explain the amendment offered by me in the brief time allowed under the five-minute rule, I take advantage of the leave grantedby the House to explain it at greater length, and I propose especially to show that this amendment contains the old doctrine of the Democratic party.

Thomas Jefferson advocated the issuance of Treasury notes by the United States Government.

Mr. Calhoun, who was the greatest leader of Southern Democratic thought, said:

It is, then my impression that in the present condition of the world a paper currency, in some form, if not necessary, is almost indispensable in financial and commercial operations of civilized and extensive communities—Calhoun's Works, 3d volume, page 83.

Mr. Hunter, when the Democratic Chairman of the Finance Committee, in the Senate, said:

Perhaps no discovery in the whole machinery of commerce has been more important to the world than that of the bills of exchange.—Senate Report, first session Thirty-second Congress, page 104.

General Jackson overthrew the United States Bank, but recognizing the necessity for some kind of paper currency formed a league with State banks that was called the "pet bank system."

When the system failed, the Democratic party under Mr. Polk passed the law of 1846, declaring that nothing should be received into the Treasury of the United States as money except gold, silver, and Treasury notes, and that was the law when the last Democratic administration closed under Mr. Buchanan.

It is scarcely necessary to cite authority to show that the Democratic party has always opposed a union of the Government with banks, but it may be necessary to show what many seem not to understand, that the national banks of to-day are the fiscal agents of the United States, and that the notes of the national banks are by law made a legal tender for every debt except between individuals.

The United States is compelled by law to receive them for everything except custom dues, and every man to whom the Government is indebted is bound also to take these notes, which are but the debts of corporations, as legal tender money. The Government may to-morrow buy a thousand horses from its citizens to mount its cavalry, and they would be compelled to receive national bank notes as payment whether they wish to or not.

After providing for the issuance of these notes, the law says:

And the same shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States except duties on imports; and also for all salaries and other debts and demands owing by the United States to individuals, corporations, and associations within the United States, except interest on the public debt and in redemption of the national currency.—Revised Statutes United States, section 5182.

And yet the Republican party, which denies to the Government the constitutional power to give a legal tender quality to greenbacks in time of peace, maintains the constitutional power of the Government to give this legal tender quality to these notes which are but the debts of private bank corporations. And a Republican administration, indorsed, I regret to say, by some few Democrats, have proposed to take from greenbacks their legal tender quality and leave the national bank notes with their full legal tender quality as to everything except debt between individuals. As a strick-construction Democrat, I believed the original issuance of legal tender paper money unconstitutional, just as I believed the war itself unconstitutional to coerce a State. But those who believe a war of coercion against a State constitutional cannot logically deny the constitutionality of legal tender greenbacks. And those who acquiesce in the results of the war should not seek to disturb the greenbacks, which have proved the most beneficial of all those results.

But the advocates of national banks claim that the issuance of legal tender greenbacks was the exercise of a war power, and that while constitutional in time of war it is unconstitutional in time of peace, and that the Supreme Court of the United States so held in the case of Knox vs. Lee, 12 Wallace.

This is not true. The logic of that decision, stripped of its verbiage, is this: The Government has power to preserve its own life, and this gave the power to make war against States claimed to be in rebellion. The Government has power to borrow money, and if its existence depends on obtaining the money necessary to its existence, and no one is willing or able to lend this money thus to preserve its life it has power to force a loan from its citizens by the issuance of legal tender paper.

But the Supreme Court decided in the Mulligan case that there could be no such thing as a constitutional power in war which did not exist in time of peace. There are, of course, emergencies in war which do not arise in time of peace, which would induce Congress to exercise a power in war which it would not exert in peace. But at last, when a power is admitted to exist, it is left entirely to the law-making power to say when that power shall be exercised. The seceding States were conquered and coerced in war, and when the war was over they were forcibly reconstructed in peace. Emancipation was proclaimed in war, and forcibly accomplished in peace. So greenbacks were issued in war and their circulation, by their legal tender quality, forcibly maintained in peace. The injustice of their issuance was upon those who had contracted debts expecting payment in coin, and the withdrawal now of their legal tender quality would work injustice to those who have contracted debts expecting to be able to pay in greenbacks. I am opposed, therefore, to any interference with the greenback now in circulation. Again, while I am disposed to question now the constitutional power of this Government in an emergency to issue ... that emergency exists at this time. And further, I recognize the fact that a further issue of legal tender paper might inflate prices, and I agree to the fullest extent that the constant exercise of this great power by Congress would be dangerous to the business interests of the country and tend to further centralization of Federal authority.

I know that a great change has already come over the public spirit of the United States; and I fear that what General Garfield said in the last canvass is only too true: "The ideas of Thomas Jefferson are losing and the ideas of Alevander Hamilton are growing in popular favor." The youth of the country and the rapidly increasing foreign population are all taught to believe that State rights and slavery, strict construction and rebellion, are synonymous terms. The freedom of the individual is lost sight of in the splendor of a nation, and local liberty is sacrificed if it conflicts with the demands of national power. While the Queen of Great Britain must give up a favorite minister and appoint another distasteful to herself in obedience to the will of the House of Commons, American Presidents are growing so fast in power that they bid defiance to both branches of Congress For this reason I am opposed to any further issuance of legal tender money at this time, and I am equally opposed to a continuance of the national bank system.

But some kind of paper money is essential to commerce. What, then, shall this currency be? Let that question be answered by John C. Calhoun. No intellect was more able to penetrate truth, no hand more ready to strike in defense of the Constitution, and no heart more true to his people than his; and where he leads any Democrat may well follow without fear of infringing the Constitution or strengthening centralized power. He says:

On what, then, ought a paper currency to rest! I would say on demand and supply simply, which regulate the value of everything else, the constant demand which the Government has on the community for its necessary supplies. A medium resting on this demand which simply obligates the Government to receive it in all of its dues, to the exclusion of everything else except gold and silver, and which shall be optional with those who have demands on the Government to receive or not, would, it seems to me, be as stable in its value as these metals themselves, and be as little liable to abuse as the power of coining. It would contain within itself a self-regulating power. It could only be issued to those who had claims on the Government, and to those only with their consent.

Believing this to be the true financial theory to be adopted by our Government, I offered the following amendment as a separate section to the bill, and if it had been adopted I believe our bonded debt could have been paid without any refunding, and that national bank notes would have been easily and gradually retired and their place supplied by the best currency we could possibly have:

Sec. 6. That from and after the passage of this act, all notes of national banks which may be received by the Treasury Department, or by any office thereof, shall be retained and forwarded to the Secretary of the Treasury at Washington, who shall retain the same, and shall not pay them out again for any purpose whatever; but shall assort them, and whenever the notes of any one bank shall be received to the amount of $1,000 it shall the duty of the Secretary of the Treasury to immediately notify the officers of such bank and require them to come forward and witness, if they see fit, the destruction of said notes, and thereupon the bonds of the United States pledged for the redemption of said notes, to an amount equal, after computing the interest thereon, to the said national bank notes so held, and the notes so held shall be immediately canceled and destroyed by the Secretary, in accordance with the provision of existing laws.

It shall be the duty of the Secretary of the Treasury, whenever the notes of any national bank to the amount of $1,000 or more shall be canceled and destroyed under the provisions of this act, to cause to be printed and made ready for use an amount of Treasury notes, under the form provided by the law of 1862 and subsequent acts authorizing the issue of Treasury notes, exactly equal to the amount of national bank notes so canceled and destroyed; which said Treasury notes shall be issued and paid out, to all persons willing to receive the same, for any and all demands against the Government of the United States, as fast as may be by law authorized and permitted, and when so issued they shall not be held and esteemed a legel tender.

That the Secretary of the Treasury is hereby authorized and directed to purchase, without limit, all silver bullion, trade dollars, and foreign silver coins that may be offered for sale at the market value of silver, and such purchases shall be continued as long as 412½ grains of standard silver can be purchased for one dollar of Treasury notes. All such purchases shall be paid for with this new issue of Treasury notes. And all holders of any of the silver coins of the United States may present the same in any sum not less than $20 and receive therefor Treasury notes at par for the same. And the Secretary of the Treasury is hereby directed to have the silver bullion, trade dollars, and foreign silver pieces coined as fast as possible into American silver coins and to apply all silver coins of the United States that may come into the Treasury to the payment of the interest and principal of the public debt.

I did not press this amendment more, because many who were willing to support it as a separate measure were unwilling to place it as an amendment to this funding bill. But the time is coming and will soon be here when national banks will be applying for new charters, and then the question must come up again.

The great questions which are now troubling the minds of men, and upon which parties will soon be compelled to divide, are:

1. Shall we have a silver or a gold standard of value?

2. Shall the paper money of the country be furnished by the United States Government or by national banks?

Upon the first question I do not care to say more than I have. I do not think any sane man will say the old Democratic fathers did not favor the silver dollar of 412½ grains.

But men in high places have asserted that in order to return to the old Democratic faith we must advocate coinage by the Government of metallic money alone, and we must look to bank corporations for paper money necessary for the business of the country. The best way to settle this question is to turn to the record and see what the Democratic fathers have said and practiced.

Mr. Gallatin was Secretary of the Treasury from 1801 to 1813. He declared that Treasury notes were as good as coin, and appealed to Congress for power to issue them in small denominations. (See his reports, volume 1, pages 469–489 and 503.) Mr. Campbell succeeded Mr. Gallatin in the Treasury, and, in accordance with recommendations from him and Mr. Jefferson, $25,000,000 in Treasury notes were issued in 1813.

Mr. Jefferson was clear and emphatic in his declarations as to the power and duty of the Government to issue Treasury notes, and equally emphatic against what he called "the useless, usurious, and demoralizing practices of bank directors and their accomplices," and we call special attention to this declaration of his. "Bank paper must be suppressed and the circulating medium must be restored to the Government, where it belongs. It is the only fund on which they can rely for loans; it is the only recourse which can never fail them, and it is an abundant one for every purpose." But I give opinions at length on this subject, (Jefferson's Works, volume 4, pages 40 and 41:)

And so the nation may continue to issue its bills as far as its wants require and the limits of the circulation will admit. Those limits are understood to extend with us at present to two hundred millions of dollars, a greater sum than would be necessary for any war. But this, the only resource which the Government could command with certainty, the States have unfortunately fooled away, nay, corruptly alienated to swindlers and shavers, under the cover of private banks. Say, too, as an additional evil, that the disposal funds of individuals to this great amount have thus been withdrawn from improvement and useful enterprise, and employed in the useless, usurious, and demoralizing practices of bank directors and their accomplices. In the war of 1755 our State availed itself of this fund by ... cific tax for its redemption, and to insure its credit, bearing an interest of 5 per cent. Within a very short time not a bill of this emission was to be found in circulation. It was locked up in the chests of executors, guardians, widows, farmers, &c. We then issued bills bottomed on a redeeming tax, but bearing no interest. These were readily received and never depreciated a single farthing. In the revolutionary war the old Congress and the States issued bills without interest and without tax. They occupied the channels of circulation very freely till those channels were overflowed by an excess beyond all the calls of circulation. But although we have so improvidently suffered the field of circulating medium to be filched from us by private individuals, yet I think we may recover it in part, and even in the whole, if the States will co-operate with us.

If Treasury bills are emitted on a tax appropriated for their redemption in fifteen years, and (to insure preference in the first moments of competition) bearing an interest of 6 per cent., there is no one who would not take them in preference to the bank paper now afloat, on a principle of patriotism as well as interest; and they would be withdrawn from circulation into private hoards to a considerable amount. Their credit once established, others might be omitted, bottomed also on a tax, but not bearing interest; and if ever their credit faltered, open public loans, on which these bills alone should be received as specie. These, operating as a sinking fund, would reduce the quantity in circulation, so as to maintain that in an equilibrium with specie. It is not easy to estimate the obstacles which, in the beginning, we should encounter in ousting the banks from their possession of the circulation; but a steady and judicious alteration of emissions and loans would reduce them in time. But while this is going on, another measure should be pressed to recover ultitimely our right to the circulation. The States should be applied to transfer the right of issuing circulating paper to Congress exclusively, *in perpetuum*, if possible, but during the war at least, with a saving of charter rights. I believe that every State west and south of Connecticut River, except Delaware, would immediately do it, and the others would follow in time. Congress would, of course, begin by obliging unchartered banks to wind up their affairs within a short time, and the others as their charters expired, forbidding the subsequent circulation of their paper. This they would supply with their own, bottomed, every emission on an adequate tax, and bearing or not bearing interest, as the state of the public pulse may indicate. Even in the non-complying States, these bills would make their way, and supplant the unfounded paper of their banks by their solidity, by the universality of their currency, and by their receivability for customs and taxes. It would be in their power, too, to curtail those banks to the amount of their actual specie, by gathering up their paper and running it constantly on them. The national paper might thus take place even in the non-complying States. In this war, I am not without a hope that this great, this sole resource for loans in an agricultural country, might yet be recovered for the use of the nation during the war; and if obtained *in perpetuum*, it would always be sufficient to carry us through any war.—Jefferson's Works, volume 6, pages 40 and 41.

The question will be asked, and ought to be looked at, what is to be the resource if loans cannot be abtained? There is but one—"*Carthago delenda est.*" Bank paper must be suppressed, and the circulating medium must be restored to the nation, to whom it belongs. It is the only fund on which they can rely for loans; it is the only resource which can never fail them, and it is an abundant one for every necessary purpose. Treasury bills, bottomed on taxes, bearing or not bearing interest, as may be found necessary, thrown into circulation will take the place of so much gold and silver, which last, when crowded, will find an efflux into other countries, and thus keep the quantum of medium at its salutary level. Let banks continue, if they please, but let them discount for cash alone or for Treasury notes.

By comparing the first and the last of these articles, we see that if the United States were in possession of the circulating medium, as they ought to be, they could redeem what they could borrow from that, dollar for dollar, and in ten annual installments; whereas the usurpation of that fund by bank paper, obliging them to borrow elsewhere at 7½ per cent. $2 are required to reimburse $1. So that it is literally true that the toleration of banks of paper discount costs the United States one-half their war taxes; or, in other words, doubles the expenses of every war. Now think, but for a moment, what a change of condition that would be, which should save half our war expenses, require but half the taxes, and enthrall us in debt but half the time.—Ibid, page 201.

But we are in the midst of war, and the New England bankers—the fathers of the same money power in the East which refused in the late war to take Treasury notes until they were made legal-tenders, and which now seeks to substitute bank-notes for greenbacks—refused to receive the Treasury notes at par, and the United States Bank was chartered, against the advice of both Jefferson and Madison.

Mr. Madison has been called the father of the Constitution, and next to Mr. Jefferson was certaintainly the father of the Democratic party. He was in favor of issuing Treasury notes for circulation, and vetoed the first bank bills passed during his administration because it tended to withdraw Treasury notes from circulation.

Mr. Jefferson had said "bank paper must be suppressed," but he foresaw the difficulty of it when he said, "it is not easy to estimate the obstacles which in the beginning we should encounter in ousting the banks from their possession of the circulation." General Jackson felt the full force of thes difficulties, and after a desperate struggle, succeeded in doing what this great leader said should be done. But the descendants of Jefferson and Jackson are now called on to meet the hydra-headed monster of bank circulation again, and we must meet it as they did.

The importance of the principle involved in the inquiry whether it will be proper to recharter the Bank of the United States, requires that I should again call the attention of Congress to the subject. Nothing has occurred to lessen in any degree the danger which many of our citizens apprehend from that institution as at present organized. In the spirit of improvement and compromise which distinguished our country and its institutions it becomes us to inquire whether it be not possible to secure the advantages afforded by the present bank, through the agency of a bank of the United States so modified in its principles and structure as to obviate Constitutional and other objections.

It is thought practicable to organize such bank, with the necessary officers, as a branch of the Treasury Department, based on the public and individual deposits, without power to make loans or purchase property, which shall remit the funds of the Government, and the expenses of which may be paid, if thought advisable, by allowing its officers to sell bills of exchange to private individuals at a moderate premium. Not being a corporate body, having no stockholders, debtors, or property, and but few officers, it would not be obnoxious to the constitutional objections which are urged against the present bank; and having no means to operate on the hopes, fears, or interests of large masses of the community, it would be shorn of the influence which makes that bank so formidable.—Message of Andrew Jackson, December 7, 1830, (Statesman's Manual, volume 2, page 753.

But it was left for Mr. Calhoun, the clearest intellect our country has ever produced, to exhaust the argument on this, as on every other subject he touched.

Rejecting the idea of what is called "fiat money," he required "that it be left perfectly free to those who have claims on the Government to receive it or not."

OPINIONS OF JOHN C. CALHOUN.

We quote from the speech of Mr. Calhoun in the Senate of the United States, in October, 1837, as follows:

It is, then, my impression that in the present condition of the world a paper currency in some form * * * is almost indispensable in financial and commercial operations of civilized and extensive communities. In many respects it has a vast superiority over a metallic currency, especially in great and extended transactions, by its greater cheapness, lightness, and the facility of determining the amount.

It may throw some light on this subject to state that North Carolina, just after the Revolution, issued a large amount of paper, which was made receivable in dues to ... of course, was not made obligatory after the adoption of the Federal Constitution. A large amount—say between four and five hundred thousand dollars—remained in circulation after that period, and continued to circulate for more than twenty years at par with gold and silver during the whole time, with no other advantage than being received in the revenue of the State, which was much less than $100,000 per annum.

No one can doubt but that the Government credit is better than that of any bank—mose reliable, more safe. Why, then, should it mix it up with the less perfect credit of those institutions? Why not use its own credit to the amount of its own transactions? Why should it not be safe in its own hands while it shall be considered safe in the hands of eight hundred private institutions scattered all over the country, and which have no other object but their own private profit? to increase which they extend their business to the most dangerous extremes. And why should the community be compelled to give 6 per cent. discount for the government credit, blended with that of the bank, when the superior credit of the Government could be furnished separately without discount, to the mutual advantage of the Government and the community?

But whatever may be the amount that can be circulated, I hold it clear that to that amount it would be as stable in value as gold and silver itself, provided the Government be bound to receive it exclusively with those metals in all its dues and that it be left perfectly optional with those who have claims on the Government to receive it or not.—Appendix to Congressional Globe, first session, Twenty-fifth Congress, page 36, 1837.

Again I quote from Mr. Calhoun:

We are told the form I suggested is but a repetition of the "old continental money;" a ghost that is ever conjured up by all who wish to give the banks an exclusive monopoly of Government credit. The assertion is not true; there is not the least analogy between them. The one is a promise to pay when there is no revenue, and the other a promise to receive in the dues of the Government when there is abundant revenue.

We are told that that there is no instance of a government paper that did not depreciate. In reply, I affirm that there is none, assuming the form I propose, that ever did depreciate. Whenever a paper, receivable in dues of the Government, had anything like a fair trial, it has succeeded. The drafts of the Treasury at this moment, with all their incumbrances, are nearly at par with gold and silver. * * The case of Russia might also be mentioned. In 1827 she had a fixed paper circulation in the form of bank notes, but which were inconvertible, of upward of one hundred and twenty million dollars, estimated in the metallic ruble, and which had for years remained, without fluctuation, having nothing to sustain it but that it was received in dues of the government, and that, too, with a revenue of only about ninety million dollars annually. I speak on the authority of a respectable traveler. Other instances no doubt might be added, but it needs no such support.

It has another and striking advantage over bank circulation, in its superior cheapness as well as greater stability and safety. Bank paper is cheap to those who make it, but dear, very dear, to those who use it—fully as much as gold and silver. It is the little cost of its manufacture and the dear rates at which it is furnished to the community which gives the great profit to those who have a monopoly of the article. Some idea may be formed of the profit by the splendidid palaces which we see under the name of banking-houses and the vast fortunes which have been accumulated in this branch of business, all of which must ultimately be derived from the productive powers of the community, and of course adds so much to the cost of production. On the other hand, the credit of Government, while it would greatly facilitate its financial operations, would cost nothing, or next to nothing, both to it and to the people, and of course would add nothing to the cost of production, which would give to every branch of industry, agriculture, commerce, and manufactures, as far as circulation might extend, both at home and abroad.

Quotation from Mr. Calhoun, in 1838:

I now undertake to affirm positively, and without the least fear that I can be answered, what heretofore I have but suggested—that a paper issued by Government, with the simple promise to receive in all dues, leaving its creditors to take it or gold and silver, at their option, would, to the extent to which it would circulate, form a perfect paper circulation, which could not be abused by the Government, that would be as steady and uniform in value as the metals themselves. I shall not go into the discussion now, but on a suitable occasion I shall be able to make good every word I have uttered. I will be able to do more—to prove that it is within the constitutional power of Congress to use such a paper in the management of its finances according to the most rigid rule of construing the Constitution; and those at least who think that Congress can authorize the notes of private corporations to be received in the public dues are estopped from denying its right to receive its own paper.

Let those who talk about returning to the old Democratic doctrine study what the Democratic fathers taught. As Mr. Calhoun says, "paper currency is indispensable in commercial transactions," and the simple question now is, who shall furnish that paper money? No prudent man desires to return to the system of wild-cat banks. The paper money must be national in character, and it must be issued either by the Government itself or by national banks. To show that no Democrat can advocate its issuance by national banks I cite the following from Thomas H. Benton, who was for thirty years a leader in the Democratic party:

OPINION OF T. H. BENTON.

The Government ought not to delegate this power if it could. It was too great a power to be trusted to any banking company whatever, or to any authority but the highest and most responsible which was known to our form of government.

The Government itself ceases to be independent, it ceases to be safe, when the national currency is at the will of a company. The Government can undertake no great enterprise, neither of war nor peace, without the consent and co-operation of that company; it cannot count its revenues for six months ahead without referring to the action of that company—its friendship or its enmity, its concurrence or opposition—to see how far that company will permit money to be scarce or to be plenty; how far it will let the money go on regularly or throw it into disorder; how far it will suit the interest or policy of that company to create a tempest or suffer a calm in the moneyed ocean. The people are not safe when such a company has such a power. The temptation is too great, the opportunity too easy, to put up and down prices; to make and break fortunes; to bring the whole community upon its knees to the Neptunes who preside over the flux and reflux of paper. All property is at their mercy. The price of real estate, of every growing crop, of every staple article in the market, is at their command. Stocks are their playthings, their gambling theater, on which they gamble daily with as little secrecy and as little morality, and far more mischief to fortunes, than common gamblers carry on their operations.

These were the doctrines of our Democratic fathers, and the sooner we return to them the better for us. Banks, fundmongers, and corporations have no sympathy with the Democracy, and when their managers profess to be Democratic it is but to control that party for their own interest. The principles of Democracy are imbedded in the hearts of the people, and the sooner we learn to fight for principle without regard to success the sooner we will succeed and the more lasting our victory will be. When we fought boldly under what is now ridiculed as "the Ohio idea" we won State after State and filled both Houses of Congress with Democrats from the North and the South. When we changed to the Eastern platform at St. Louis in 1876 we began to lose members of Congress and continued to lose until we are now once more in a minority. I have no objection to forming alliances against the Republican party, either with Wall-street bankers or National Greenbackers or Pennsylvania Protectionists, but we should receive them simply as allies and not the controlling leaders of our own party. The Tories united with O'Donnell to defeat the Whigs; Beaconfield or Gladstone would either unite to-day with the Irish Home-rulers to defeat the other; the Republicans united with the Greenbackers in Tennessee, Alabama, Texas, and Missouri to defeat the Democrats, but none of these great parties surrendered any principle in so doing. ... sepulcher, and such combinations show practical wisdom either in politics or in war.

It is idle for us to denounce the Greenbackers of Missouri as Republicans in disguise, when we know a Democrat represents Indiana in the Senate by the aid of Greenback votes. If we had been governed more by common sense and less by passion and sentiment we would have preserved our combination made in Indiana in 1878, and to-day Hancock would be the President-elect of the United States.

## MASONIC DEPARTMENT.

### Masonic Mutual Benefit Association of Mississippi.

Secretary's Office, Jackson, January 6th, 1881.

The following Tabular Statement, prepared by Bro. L. B. Mosby, Assistant Secretary, is published not only for the satisfaction of members of the Association, but for information of the craft generally throughout the State. It is a grand exhibit of systematic relief, and needs no comment to explain or commend it. Another gratifying result of the organization of the Association is that the Returns of Lodges for 1880, will show less suspensions, and more affiliations and reinstatements than for many years past:

**Benefits Paid.**

| No. | 1880. Date. | Name. | Lodge. | Location. | To Whom Paid. | Am't Pd. Beneficiary. | Actual Cost to the Bro. |
|---|---|---|---|---|---|---|---|
| 1 | April 21 | W. F. Foote | Washington No. 3 | Port Gibson, Miss. | His Widow and Child | $ 442 50 | $ 6 00 |
| 2 | April 13 | J. S. Nelson | Greenville No. 96 | Greenville | His Widow | 449 25 | 3 00 |
| 3 | June 4 | A. McBryde | W. H. Stevens No. 121 | Vicksburg | His Widow | 913 25 | 3 00 |
| 4 | June 7 | J. D. Rimmer | Trinity No. 88 | Kosciusko | His Widow | 962 75 | 3 00 |
| 5 | July 8 | John Nelson | Pearl No. 23 | Jackson | His Children | 1,900 00 | 3 00 |
| 6 | July 9 | T. M. Sargent | Macon No. 40 | Macon | His Son, J. T. Sargent, adm | 1,897 50 | 9 00 |
| 7 | July 11 | R. D. Matthews | Holly Springs No. 35 | Holly Springs | His Son, Edw. J. Matthews | 1,883 25 | 9 00 |
| 8 | July 15 | J. A. Tibbs | Morton No. 254 | Morton | His Widow | 1,885 00 | 12 00 |
| 9 | Sept. 11 | Perry Criss | Bolivar No. 210 | Riverton | His Mother | 1,871 50 | 6 75 |
| 10 | October 2 | C. H. Bessonett | Verona No. 233 | Verona | His Widow | 1,750 00 | 9 00 |
| 11 | October 8 | W. B. Dyer | Bolivar No. 210 | Riverton | His Widow | 1,750 00 | 21 00 |
| 12 | October 12 | Thos. Newman | Rising Glory No. 215 | Osyka | His Dau'ter, Mrs. C. Carter | 1,750 00 | 19 00 |
| 13 | October 23 | T. A. Eakin | Tchula No. 122 | Tchula | His Widow | 1,750 00 | 10 50 |
| 14 | October 29 | Emile Cahn | Rising Glory No. 215 | Osyka | His Widow | 1,750 00 | 19 25 |
| | | Total | | | | $20,905 00 | $135 50 |

Note.—The last five were paid before all Assessments had been received as it was at the time of year the money was most needed. The yield will be over $1,800 on each, and the balance will be paid over to the beneficiaries.

### Extracts from Address of Grand Master Wm. French to the Masonic Grand Lodge.

LODGE MEETINGS ON THE SABBATH.

On the 23d of April last, I received a letter from Lodge "A," stating that all its members were farmers, and that it was very inconvenient for them to attend meetings on week days, and desired my opinion as to the legality and propriety of holding their regular meetings on the Sabbath. I replied, that while Masonry is in no sense a religious Institution, and makes no pretentions to save men's souls, yet Masonry is a great moral institution, and embraces in its membership good and pure men of every clime and creed, and the man that practices its teachings and precepts, must of necessity be a good man. It teaches a due reverence for the Deity and all His works, as well as our duty to God, our country, our neighbor and ourselves. The applicants for our mysteries are required to possess necessary qualifications; the principal one is a belief in God, and without which no man can be a Mason. Belief in God implies a future responsibility to Him, and obedience to His Divine laws. Masons accept the Holy Bible as a rule and guide to their faith and practice. It lies upon the altar in every Lodge room, and without its presence no Lodge can hold a legal meeting. Let us see what is written in the book: "Remember the Sabbath day to keep it holy. Six days shalt thou labor, and do all thy work: But the seventh day is the Sabbath of the Lord thy God: *in it* thou shalt not do any work." This command was written upon a table of stone, amidst the thunderings of Sinia, by the hand of the Almighty himself, and since then it has been obeyed and reverenced by the good and the pure of every age and clime. In this land of ours, the first day of the week is set apart and recognized as the Sabbath. The civil law enforces a due observance of that day, and God forbid that it may ever be said that Masons, in violation of Divine and human laws, should ever find it necessary to hold any meetings on the Sabbath—funeral occasions alone excepted. I am of the opinion that it would be *improper* and *illegal* to hold a regular communication on the Sabbath. It would be better for the honor and good name of Masonry, that the Lodge should cease to exist.

THE BURIAL OF SUSPENDED MASONS.

On the 22d of April last, I received a letter from Malone Lodge, No. 101, asking for a special dispensation to bury Bro. "B." with Masonic honors, in case of his death, which was imminent. This old brother had been a member of that Lodge for about twenty years, and half that time its Worshipful Master, but had dimitted from the Lodge, and moved into the jurisdiction of Jefferson Lodge, and affiliated with it, and was suspended by it for non-payment of dues, and was then under suspension.

Such an appeal was well calculated to, and did, arouse my sympathies. It was hard to refuse this dying request of the old brother, and of his family, but duty compelled me to refuse the dispensation, because I do not believe that it is in the power of your Grand Master to restore to good standing a Mason properly suspended. That power is vested alone in the Lodge that suspended him. In this case it required the action of the brother (by the payment of dues) to reinstate him, and unless his dues were paid or his Lodge remitted them, and reinstated him, there is no other power that can restore him, unless the laws of this Grand Lodge are trampled under foot.

It may be said that this is an exceptional case, and that the Grand Master might have granted the request. If your Grand Master had the right or power to restore this brother to good standing by special dispensation—and that would have been the effect of the dispensation—then he would have the power to restore to good standing every brother who stands suspended for non-payment of dues.

I received three similar applications, and one to hold a Lodge of Sorrow; all of which I refused, for the reasons above given. If a brother is unable to pay his dues because of his physical condition, and poverty, the Lodge ought to remit them, and should not drop him. I do not believe that a Lodge will refuse to remit a brother's dues upon a proper application to do so, when he is unable to pay them; and when a brother so circumstanced is suspended for non-payment, either he or the Lodge is at fault, and then the Grand Master or Grand Lodge ... tionable power. Grand Master Fearn announced, in my opinion, the true doctrine: "The brother died under suspension, and must so remain; reinstatement of one dead is an impossibility." The Grand Lodge of Texas announced the same doctrine in 1879.

DISTRICT DEPUTIES AND GRAND LECTURER.

I recommend that the reports of the Deputies be referred to a special committee to carefully consider the obstacles in the way of an efficient working of this plan of dispensing light. The present system makes it the duty of the Deputies to visit all the Lodges in the territory assigned him, and it is made the duty of the Lodges to compensate him. But if he goes uninvited, it often happens that there is no one to receive him, or he is looked upon more as an intruder than as an officer of this Grand Lodge, and the Lodge may be unwilling or unable to compensate him for his services.

Brethren, I commend this highly important subject to your most serious attention. My own opinion is, that the Deputy should not be required to visit at their personal expense, where they are not invited, and yet there should be some plan devised of reaching Lodges which need, but will not seek instruction. Would it not be well, for a few years, to test the system of District Schools, that have proven successful in several Grand Jurisdictions? Let the Districts remain as at present constituted, and let the Deputy appoint a suitable time and a central place for a School of Instruction in his District. Then make it the duty of the Master and Wardens, and the privilege of all Masons in good standing, to attend said school. A contribution of from five to ten dollars from each Lodge will compensate the Deputy for his time, and in addition let his actual and necessary expenses for travel and board be paid out of the Grand Lodge treasury.

The difficulties in the way of Deputies apply with greater force to the office of Grand Lecturer. No brother possessing the requisite capacity and skill for this highly important office, can afford to abandon his farm or his desk for any compensation that could possibly be expected under the present system. The office should either be abolished or made effective. We cannot expect any brother to devote his time and attention to its duties without adequate compensation. Experience has shown that the Lodges are not willing, separately, to do this. If the Grand Lodge is unwilling, then the office is one more of ornament than use. My opinion is, that it would be a wise thing in the Grand Lodge to guarantee your Grand Lecturer a certain sum annually, on condition that within a specified period he shall visit and instruct every Lodge in this Grand Jurisdiction. A per capita contribution of from ten to fifteen cents will provide the necessary funds. And thus the stronger and better informed Lodges would help to sustain and enlighten those which have had fewer opportunities of receiving instruction.

### Masonic Relief.

Bro. B. T. Kimbrough, of Ashland, Miss., in retiring from the office of Wor. Master of Salem Lodge, No. 45, which he had most acceptably filled for three years, delivered a capital address, which we find in the Ashland Register. It abounds in pertinent, practical suggestions. We make the following extract on the subject of relief:

"During my official term you have expended much more than all the income of the Lodge in relieving the distressed whom it was our special duty to aid. I believe no proper demand upon your Treasury has been denied, and I know of none of our brethren, their widows or orphans within our jurisdiction who needed our aid that have been passed by unnoticed. I hope our relief committees have been prompt and diligent to hunt out the needy, and I know you have been ready and willing to aid to the uttermost. And I trust we all have been friendly to each other. For these things I heartily congratulate you. Here lies the great cardinal tenets of our Order. When we neglect these prime duties let us surrender our charter and dissolve our organization; for no man or body of men should hold the name while failing to practice the most sublime and imparative duties taught by our ancient and honorable Order.

### A Romantic Wedding.

From the Sioux City Journal.]

A romantic wedding came off at Calliope on Tuesday evening. Wm. Reese, the village blacksmith, aged 50, advertised for a wife. Matilda McCliste, aged 40, of St. Cloud, Minn., answered the advertisement. On Tuesday she arrived with two trunks and other baggage, and at once proceeded to business. She insisted as a preliminary to the nuptial festivities, that her prospective husband should deed her his house and lot worth about $700. As an argument in favor of this marriage settlement, she made the winning suggestion, in her diffident, blushing way, that the old man might die soon, and in that case the property would pay her for her trouble. After the wedding the youth of the village serenaded the happy couple. The indignant bridegroom refused to stand treat until a horse-fiddle was added to the orchestra, and then the "old man" rolled out two barrels of apples to the boys.

### What Women Invent.

Some one who has taken the trouble to count the patents issued to women finds that the number for the year ending July, 1880, was seventy, or ten more than the average. Most of the inventions of women have to do with household appliances. Among the past year's are a jar-lifter, a bag-holder, a pillow-sham holder, a dress-protector, two dustpans, a washing-machine, a fluting-iron, a dress-chart, a fish-boner, a sleev-adjuster, a lap-table, a sewing-machine treadle, a wash-basin, an iron-heater, sadirons, a garment-stiffener, a folding-chair, a wardrobe-bed, a weather-strip, a churn, an invalid's bed, a strainer, a milk-cooler, a sofa-bed, a dipper, a paper-dish, and a plaiting device.

The Republic of Andorra has been governed from time immemorial by two "Viquiers" or Presidents, one elected by France, the other by the Spanish Bishop of Urgell. Being, however, on the southern slopes of the Pyrenees, the French nominee has long been held of small account. At length the revolutionary party has mustered up sufficient strength to drive away altogether this Frenchman. Napoleon I. condescended to display wonderful clemency once when passing by Andorra. "I recall," said he, "a miniature Republic, lost in a corner of the Pyrenees, which I respected as a political curiosity." Andorra has at last repaid this condescension.

Apropos of this subject, the Paris Continental Gazette remembers an American lady affected with kleptomania. The shopkeepers watched her, let her take the articles away, and then included them in the bills for the goods she had purchased. She always paid without question. On one occasion, however, she was seen to secrete a box of stockings. She was accordingly charged for a dozen stockings. To this she objected, saying there were but ten in the box. They knew that though she would steal she would not lie, and made the alteration in the account. It was found afterward that she had really spoken the truth.

### A New Feminine Scrap-book.

N. Y. Correspondence Indianapolis Journal.]

A new diversion among New York women of money and leisure is to save a piece of every kind of material used in their garments. These are handsomely bound in book form, each sample making one leaf. The volume forms a history of the owner's dress from season to season, and is of intense interest to herself at least. It is a story of the continued-in-our-next sort, and in too many cases tells of extravagance, vanity and ruin.

Let your zeal begin upon yourself.