# THE FALL OF SLAVERY.

## RECOLLECTIONS OF AN ABOLITIONIST.

BY OLIVER JOHNSON.

### XV.

### GARRISON'S FIRST VISIT TO ENGLAND.

Soon after the formation of the New-England Anti-Slavery Society it became known to its managers that the American Colonization Society had sent an agent to England, who, under the false pretence that that society favored or was calculated to promote the abolition of American slavery, was collecting considerable sums of money for its treasury from the too credulous Abolitionists of that country. To counteract the efforts of this agent, and to establish coöperative relations between British and American Abolitionists, Mr. Garrison, in the Spring of 1833, was commissioned to visit England. It was not without difficulty that the funds to defray the expenses of this mission were obtained. The resources of the new society were hardly adequate to such an enterprise, but by persevering effort the object was achieved, and Mr. Garrison took his departure for the Old World with high hopes, followed by the prayers and sympathies of his devoted associates, and by the execrations of the pro-slavery party. He arrived in England at an opportune moment. The anti-slavery struggle in that country was approaching its consummation. The leaders of the cause, from all parts of the United Kingdom, were holding a conference in London to prepare for their anticipated triumph in the passage of the Act of Emancipation. Mr. Garrison on presenting his credentials was received with open arms and invited to an honorary seat in a conference embracing such men as Clarkson, Wilberforce, Brougham, Macaulay, Buxton and O'Connell. He was then but twenty-eight years of age, but his modest bearing, combined with his grave earnestness and sound judgment, won the confidence of these eminent men, who were cheered by the hope that America, under the influence of so wise a leader, would be speedily redeemed from the curse of slavery. Every desired facility was offered him for fulfilling the objects of his mission. He put his work, "Thoughts on African Colonization," into the hands of eminent men, some of whom had been misled by the agent of the Colonization Society, and in public and private diligently explained the origin, purpose and spirit of the colonization scheme, citing official documents in proof of his charges against it. The anti-slavery feeling of Great Britain was then at a white heat, and the Abolitionists were indignant in view of the attempt to dupe them into the support of a society controlled by slaveholders in the interest of slavery. The agent of the colonization scheme found his position far from enviable; his occupation was soon gone, and not long afterward he returned to the United States. Mr. Garrison brought home with him a "Protest" against the colonization scheme, signed by Wilberforce, Macaulay, Buxton, O'Connell, and others of scarcely less weight, in which they declared that its claims to anti-slavery support were "wholly groundless," and expressed their "deliberate judgment and conviction" that its professions were "delusive," its "real effects of the most dangerous nature." This protest, as well it might, had great weight with all sincere opponents of slavery in America, while it enraged the colonizationists, who charged Mr. Garrison with deceiving the signers, though he had done no more than to call their attention to the utterances of the prominent advocates of the scheme.

Mr. Garrison's intercourse with the Abolitionists of Great Britain, and his studies of the work in which they were engaged, filled him with new hope and courage, and taught him some valuable lessons as to the ways and means of abolishing slavery at home. His faith in the potency of immediate emancipation as a working principle was confirmed by the experience of his British friends, and he saw more clearly than ever the danger and folly of compromises, and the delusive character of all partial and half-way measures. It was while he was in England that Wilberforce died, and it was his sad privilege to participate in the funeral obsequies of that great and good man, and to follow his remains to Westminster Abbey. Whether the Act of West India Emancipation was passed before or after his return I am not sure; but the measure was under discussion in Parliament while he was there, and he had the satisfaction of listening to the eloquence of some of its noblest champions in public meetings, if not in that body. The exhilarating effect of such scenes upon the mind of a young American, consecrated to the work of emancipation in his own country, may be more easily imagined than described.

One incident of Mr. Garrison's first visit to England is worthy of special notice here. Sir Thomas Fowell Buxton, before meeting him, desiring to do him honor, invited him to breakfast. Mr. Garrison presented himself at the appointed time at Mr. Buxton's house. When his name was announced, Mr. Buxton, instead of coming forward promptly to take him by the hand, scrutinized him from head to foot, and then inquired, somewhat dubiously, "Have I the pleasure of addressing Mr. Garrison, of Boston, in the United States?" "Yes," said Mr. Garrison, "I am he; and I am here in accordance with your invitation." Lifting up both hands, Mr. Buxton exclaimed: "Why, my dear sir, I thought you were a black man, and I have consequently invited this company of ladies and gentlemen to be present to welcome Mr. Garrison, the black advocate of emancipation from the United States of America!" Mr. Buxton had seen some numbers of *The Liberator*, and, supposing that no white American could plead for those in bondage as Mr. Garrison did, inferred that he was a black man. Mr. Garrison used to say that of all the compliments ever paid to him this was the one that pleased him most, because it was a testimonial of his unqualified recognition of the humanity of the negro.

Among the British Abolitionists with whom Mr. Garrison formed a close acquaintance was Mr. George Thompson, a man but little older than himself, and who had taken a conspicuous part in the struggle for West India emancipation. He was a man of surpassing force, eloquence and wit, who had vanquished the champions of slavery in England on many a field, and led the friends of emancipation to the victory that was just then crowning this grand struggle. He was for years the only lecturing agent of the London Anti-Slavery Society, and in this capacity performed an incredible amount of labor. He was in request in all parts of the kingdom, and everywhere his lectures were attended by crowds of the most intelligent people, who were enchanted by his eloquence and deeply moved by his appeals. He was a religious man, a Methodist, and in his youth had been the humble assistant of the Rev. Richard Watson, the great Methodist theologian. The greatest men in the kingdom—Brougham, Buxton, Wilberforce, O'Connell, and scores of others that might be named—always listened to him with wonder and delight; and in the House of Lords, at the time of the passage of the Act of Emancipation, Lord Brougham said: "I rise to take the crown of this most glorious victory from every other head, and place it upon George Thompson's. He has done more than any other man to achieve it."

What wonder that Mr. Garrison, after listening to the magic eloquence of this man, and hearing him commended by the greatest men in England for the purity of his character and his unselfish devotion to the cause of the oppressed, conceived the idea, now that the freedom of the slaves in the West Indies had been secured, of inviting him to come to the United States and devote his masterly powers to the work of emancipation here. How could he imagine that his fellow-countrymen would greet such a man—a Christian, a friend and admirer of republican institutions and a philanthropist of world-wide sympathies—with malignant hisses as a "British emissary," with "pockets full of British gold," and bent upon destroying the Union? He knew, of course, that there were prejudices here against England and Englishmen; but how could he, an American, loving his country, believe that this prejudice would degenerate into utter violence and brutality, and that such a man, inspired by a holy purpose and seeking only to aid us in breaking the fetters of our slaves, would be hunted by Americans as a wild beast is hunted, and compelled to flee from our shores to save his life? Thirty-four years afterward Mr. Garrison said: "I had nothing to offer him—no money—no reward of any kind, except that which ever comes from well-doing. I supposed he would meet with a good deal of opposition, but I did not invite him to martyrdom. I did not imagine he would be subjected to such diabolical treatment as was afterward shown to him. I only felt sure that if he would but obtain a fair hearing it would ere long be all over with slavery. I was confident that no audience would be able to withstand the power of his eloquence and the force of his arguments." But it was the knowledge of his great power that maddened the champions and apologists of slavery; and from the time that he landed in New-York, in the Fall of 1834, until his departure a year later, he was denounced in the press, and not infrequently in the pulpit, as an enemy of the country, an emissary of the British Government, sent hither to destroy our institutions. The Abolitionists, of course, received him with open arms, and found in him all and more than had been promised. Invitations poured in upon him from every quarter, and he was heard in Boston, Portland, Providence, Concord, N. H., and in many other places in Massachusetts, Connecticut, New-York, Pennsylvania and Ohio. In some instances he was even admitted to pulpits on Sunday. In every place where he spoke there are to this day undying traditions of his matchless eloquence and power. In many instances men who went to scoff, or perhaps meditating violence against him, were completely subdued and won to the cause. But all this only made the supporters of slavery the madder, until at length his appearance in almost any place became the signal for a mob. An announcement, unauthorized and false, that he would address the Female Anti-Slavery Society of Boston, October 21, 1835, threw that city into a fearful state of excitement. He had been secreted by his friends some time before, and had no intention of being present at the meeting in question. On the morning of the day, October 21, the streets of the city were placarded with the announcement that "that infamous foreign scoundrel, Thompson," would speak in the afternoon at No. 46 Washington-st., and "the friends of the Union" were reminded that there would be "a fair opportunity to snake him out." It was announced that "a purse of one hundred dollars" would "reward the individual" who should "first lay violent hands on Thompson, so that he may be brought to the tar-kettle before dark." This was the incitement to that famous Boston mob of "gentlemen of property and standing," which crowded the principal streets of the city in broad daylight, demolished the sign of the Anti-Slavery office, broke up a meeting of women, and dragged Mr. Garrison through the streets, with a rope around his body and denuded of most of his clothing. The Mayor, whose pusillanimity had first encouraged the mob, contrived to save Mr. Garrison's life by putting him in jail! A month later Mr. Thompson embarked privately in a small English brig bound from Boston to St. Johns, from which port he sailed for England.

I have told the story of Mr. Thompson's first visit to this country a little out of the chronological order, because it seemed naturally to connect itself with the account of Mr. Garrison's first visit to England, and having gone thus far, I may as well complete here what I have to say of this distinguished champion of the anti-slavery cause. After his return to England he took an active part in the movement for the abolition of the wretched apprenticeship system in the West Indies, and was engaged with Cobden and Bright in the great Corn law agitation which revolutionized the commercial policy of Great Britain. He was also enlisted in the defence of the people of India from the tyrannous practices of the East India Company, and in pursuit of that object passed several years in the East, returning home in broken health. He was elected to Parliament from the Tower Hamlets of London, but does not seem to have found the situation altogether congenial to his tastes and habits. In 1850, during the Fugitive Slave law excitement, he came to this country again, and remained, I think, more than a year. Fifteen years had not sufficed wholly to remove the prejudices awakened by his first visit, but his life was no longer in danger. He was received with high honors in many places, and cheered by the mighty change wrought in public sentiment since the time when he was constrained to flee in secret from our shores. He was still a powerful speaker, and was heard in many places with delight. When the slaveholders' rebellion broke out in 1861, he devoted himself to the championship of the Northern cause among his countrymen. It was by his labors and those of a few kindred spirits that the laboring people as well as the middle class of the English population were kept informed of the nature and progress of our war, and a public opinion developed there that deterred the British Government from openly espousing the rebel cause. His labors in this direction were highly appreciated by President Lincoln and Secretary Stanton, and when, before the end of the war, he came again to the United States, the hall of the House of Representatives was opened for his reception, and thronged by such an assembly of people from the loyal States as is rarely seen within those walls. The Vice-President of the United States was in the chair, and President Lincoln, with most of the members of his cabinet, was present. On this occasion, though in feeble health and suffering from some of the infirmities of age, he spoke with not a little of his old fire, calling forth the universal applause of his great audience. The President invited him to the Executive Mansion, and showed him every mark of respect. In many of the cities and towns of the country he was welcomed and honored with equal heartiness and enthusiasm. By invitation of the Secretary of War, he and Mr. Garrison accompanied Major Anderson and his party, on board of the Arago, in April, 1865, to see the star-spangled banner once more unfurled on the walls of Sumter. He marched in the procession, more than a mile long, extemporized by the Freedmen, which escorted the visitors from the North through the principal streets of Charleston, singing the while,

"John Brown's body lies mouldering in the grave,
But his soul is marching on,"

and giving cheer after cheer for Abraham Lincoln and others of their Northern friends. Thus did America, "redeemed, regenerated and disenthralled" from the polluted system of slavery, atone in part for the insults and persecutions inflicted at an early day by so many of her deluded citizens upon this noble champion of universal liberty.

Mr. Thompson was a genuine lover of republican institutions, and had the courage to avow that love under the shadow of the British throne, and in the presence of the British aristocracy. America never found in any foreign land a truer or a more disinterested friend. The motives of Lafayette and Steuben and Kosciusko, in coming over the Atlantic to help us in our Revolutionary struggle, were not purer than those of Mr. Thompson in coming hither to take part in the movement for the overthrow of the system of slavery, and his name deserves to be handed down to posterity on both sides of the Atlantic, among those of the noblest benefactors of mankind. The attachment between him and Mr. Garrison was as warm as that between Saul and Jonathan. Their souls were knit together by common purposes, hopes and aspirations, and they were not far divided in their death. Mr. Thompson's departure occurring only a few months before that of his devoted friend.

# HIGHER EDUCATION.

## THE VIEWS OF GOVERNOR ROBINSON.

SCHOOL TAXES "LEGALIZED ROBBERY"—SENTIMENTS EXPRESSED IN THREE MESSAGES THAT SHOULD NOT BE LOST SIGHT OF—HORATIO SEYMOUR'S TIMELY ANSWER—SHALL THERE BE CLASS EDUCATION IN A FREE COUNTRY?

*To the Editor of The Tribune.*

SIR: Governor Robinson says he desires the political battle of this year to be fought out on "State issues." In view of this fact, and for other good and sufficient reasons, would it not be well for the friends of education—the vast army of young men who owe what they have and are to an education derived from the common schools—and the masses of the people to consider thoughtfully the policy of this Governor of Spartan virtues, with reference to the educational interests of the State, before finally recording their judgment at the ballot-box upon the man and his methods.

The deep-seated hostility of Governor Robinson to the common schools, or to certain of their essential features, has long been an open secret among those who have lived near him at Albany. So completely has he succumbed to this baleful infatuation that he finds it impossible to refrain from betraying its true nature, either in his speech or in his State papers. His messages to the Legislature have abounded in hints of its ominous and growing character. A comparison of the Governor's expressions in respect to the common schools, in his three annual messages, reveals the fact that his opinions have undergone a marked change within two years. The first message makes no attack upon the principle which underlies the system, but does set forth this doctrine: "It seems to me to be a clear violation of personal rights for the State to go beyond this (primary education) and levy taxes to support free academies, high schools and colleges." In this document was also foreshadowed the attack on the normal schools which Governor Robinson is acknowledged to have inspired. Early in the legislative session of 1877, Mr. Ruggles, now Deputy Attorney-General, in the Assembly arraigned the normal schools as costly excrescences on and useless appendages of the common school system. The heated debate which ensued demonstrated that the gentleman was largely in error in his statements of fact and figures, and conspicuously so in regard to the deductions made from them. So thoroughly alarmed did several of Mr. Ruggles's colleagues become that they took unequivocal and aggressive grounds against both him and the Governor. One notable speech of this nature was made by Mr. Childs, of Seneca County, a graduate of Hamilton College and at present editor of a Democratic newspaper in the district which he then represented. The Governor's partisans in the Legislature went so far as to favor cutting off the appropriations for the maintenance of most of the normal schools. In this act of sheerest folly they overshot the mark and their designs met with ignominious defeat. The second annual message is more pronounced in tone than the first. It says:

> In my judgment, a very great wrong has already grown up in connection with our otherwise excellent system. It lies in the principle of applying large amounts of the money raised by taxation to the support of high schools and instruction in all the sciences and high branches of study required in the learned professions.

After elaborating reasons for this assertion, the Governor proceeds:

> Instead of educating the masses of children so as to prepare them for the pursuits and industries upon which they must depend for a living, we educate them in such a way as to make them discontented with their condition, unfit to discharge its duties in a manner most beneficial to their own interests, and take away the strong incentives which compel those who are really able and worthy to win for themselves high position in learning and usefulness.

Mark how plainly this points in the direction of class education. The third message caps the climax. Alluding to former messages in which he has stated his views in regard to "the proper scope and extent of the schools that should be maintained by general taxation," etc., the Governor proceeds:

> To levy taxes upon the people for such purposes (for academic or high school education) is a species of legalized robbery, and even the recipients come to know it; it lowers their standard of morality and helps to debauch, instead of purify, public opinion. It also breeds discontent on the part of those who are educated, or attempted to be educated, to something above that for which they are fitted. It really disqualifies them for those duties and labors to which alone they are by nature adapted, so that not only great injustice but great demoralization is the result. The argument sometimes advanced, that this system is a benefit to the poor, is an utter fallacy.

He subsequently adds: "These views are so manifestly just I have no doubt they will ultimately prevail." In this same official communication to the Legislature of this State—a State that is willing to expend above $11,000,000 annually for the education of its children—as a fitting accompaniment to the sentiments just indicated, the attack upon the normal schools is renewed with a bitterness as inexcusable as it is unwarranted. Evidently the Governor is riding a hobby here, and one that the recent report of the Legislative Committee designated in 1878 to investigate the normal schools completely upsets. A glance at the report of this committee, at whose head was Mr. John J. Gilbert, of Franklin County, a conscientious, scholarly gentleman, who has had large experience as an instructor in these institutions, cannot fail to convince any intelligent, unbiassed person of the urgent necessity which exists for the development and maintenance of those sources of supply of properly disciplined and equipped teachers for the numerous and rapidly multiplying common schools of the State. Moreover, Governor Robinson cannot have read as carefully as he ought the messages of Governors of other States, in which particular emphasis is placed upon the well-nigh insuperable difficulties encountered in the management of school matters in Commonwealths having no adequate normal facilities.

The Governor may be an economist par excellence, but he is not an educator or a philanthropist; such benefactors of the human race are made of different stuff. I regret to be compelled to add that the Governor's unesthetic of opinion and want of sympathy with the progressive spirit of the age, which does not seem to have penetrated to and warmed "the cockles of his heart," have carried him to extremer lengths than have yet been enumerated. I am authorized by the principal of a public school in this city, who is politically a Democrat, but whose name is for personal reasons withheld, to make the following statement of fact: The gentleman in question attended the State Teachers' Institute which convened at Buffalo last Summer. Governor Robinson's attitude toward the schools was much remarked and universally and unsparingly denounced by members of the Institute, some of whom had talked with him on the subject, and were astonished to find that he overstepped the extreme limits reached in his written messages, and freely advocated class education. That is, in conversation with these persons he had approved of a system of education which should, in the main, insure the rearing of a child in its father's or parents' avocation and station in life. This is the complexion to which he must of necessity come at length. This is his plan to prevent children of lowly degree from becoming "discontented with their condition." Is not this enough to dislodge the shades of George Clinton, John Jay, Gideon Hawley and Horace Mann, those sturdy champions of the American system of popular education? It is economy gone mad. It is economy of the sort that "saves at the spigot and wastes at the bung."

It is a fact susceptible of proof that since the publication of Governor Robinson's first message to the Legislature in 1877, containing the sentiments above specified, no person has been more keenly alive to the magnitude and enormity of the mistake involved than Horatio Seymour, who has a grand, fatherly regard for the common schools, and will not allow them to be menaced with impunity. On the 19th of June, 1878, Mr. Seymour delivered an address before the Alumni of Madison University, at Hamilton, N. Y., selecting as a theme "The Relations of the State to its Educational Interests," in the course of which he made the following observations:

> A controversy has grown up about the schools, academies and colleges of our country; and it has gone so far as to excite in the minds of some a hostility to the support by the public of any but what is called primary education. * * * Both of these extreme parties are wrong. One, because they look at the subject solely in the light of the influence of learning upon the man who gains it; the other, because they disregard the genius of our Government. * * * There is still in the public mind an impression that colleges and academies are in some way mainly for the advantage of particular professions and not for the general good. It is true that this is the case in Europe, but it is not true here. * * * The feeling that education in its highest forms gives advantages to some at times to the cost of others, is unfriendly and hurtful. * * * I wish to show what education does for all classes of men engaged in the active duties of life, and to repel the charge that the higher institutions of learning can in any way be hurtful to elementary education. While this idea is not distinctly stated, nevertheless, in a covert way, it runs through the arguments. * * * Men are who look upon learning as the sole property of him who has it, or who hold that giving a man education by public aid is like giving him material things at the cost of others. The laws of political economy, of supply and demand, do not apply to it, and it is madness to trust to these alone to give our people the knowledge that we need. * * * Strip from our workshops all that learning has devised or discovered, and you will stop the wheels of profitable industry. Strike out of existence all that our higher schools have done to aid all pursuits, and a dark cloud would overshadow our land. Destroy the intelligence they have diffused among all classes, and all forms of property would sink in value. In view of these facts, we become aware of the absurd error that wrong is done to labor or to property when diffusive learning is upheld in some degree at the public cost! We protest in behalf of those who in early life could not gain education, in behalf of labor, in behalf of taxpayers, against the teachings of those who would subject knowledge to the rules which govern dealings in material things. Nothing can be more hurtful than the feeling that learning helps men of one condition more than another. It may grow up if the value of knowledge to all is not kept alive in the public mind. * * * It is alleged that the public may not rightfully be charged with the cost of any education save that which fits for the duty of citizenship, and that all other branches are to be cut off, it is to be said in reply that all kinds of learning are knit together and give mutual strength. * * * What are the rights of labor? Not only equal laws to give them a fair chance to gain wealth, but a system of education which will place them on a level mentally and morally as high as that held by any.

Contrasted with the utterances of Horatio Seymour, how do those of Lucius Robinson appear? Should Governor Robinson be reëlected, would it be unreasonable to expect that, before the close of his second term, he might be found holding, with another friend of education, of whom Washington Irving tells us, old Hans Van Ripper, that he "never knew any good to come of this same reading and writing." Said an eloquent defender of the schools in the Summer of 1878: "Troy had her palladium. It was the statue of Minerva. When the Greeks laid unholy hands on the statue of Pallas, its eyes flashed fire and its bosom heaved with almost ungovernable rage. And so in our country would our souls swell and our eyes flash if any desecrating hand should be laid on our schools, let that hand come from what quarter it may." Very respectfully,

JOHN R. VAN WORMER.

*New-York*, Oct. 20, 1879.

# THE COURTS.

## A YOUNG GIRL'S FALSE CHARGES.

In September last Jennie Rigney, a young girl, accused G. W. Weld, a dentist in Twenty-sixth-st., of betraying her at his office, and also lodged a complaint of malpractice against Ernest D. Pape, M. D., of Twenty-ninth-st. Both Drs. Pape and Weld were arrested, but the Police Justice before whom they were examined refused to hold Dr. Weld, and honorably discharged him. Dr. Pape was required to furnish bonds to await the action of the Grand Jury. The cases of both men were considered by the Grand Jury on Wednesday last, and on Thursday certificates were furnished them setting forth that in the opinion of the jurors the evidence against them was wholly insufficient to warrant any indictment. They were therefore honorably discharged.

## CIVIL NOTES.

John Lee Smith, of Long Island City, guardian of the minor son of the late Edward S. C. Sequin, the opera singer, was appointed yesterday administrator of the latter's personal estate by Surrogate Calvin. Mr. Sequin died at Rochester, October 9, 1879; his personality was worth $20,000.

Writs of certiorari in the cases of Michael Nolan, Herman L. Palmer, Stephen Sneed, Robert Bonner, Charles Flood, John Hogan, Robert Murphy, Patrick Gilmore and G. Mattonay, discharged policemen, against the Police Commissioners, were referred to the Corporation Counsel at yesterday's Police Board meeting.

General William F. Smith, William R. Grace and James D. Fish were named by Judge Donohue yesterday, in Supreme Court, Chambers, as the commissioners to appraise the value of land to be taken under recent acts of the Legislature, for the construction of channels through Harlem River and Manhattan Island to connect the East and North Rivers.

General G. W. Wingate applied to Justice Donohue, in Supreme Court, Chambers, on Wednesday, for a writ of mandamus compelling the inspectors in the Third Election District of the XVIIth Assembly to register as voters the names of twenty-eight attendants at Bellevue Hospital. The inspectors had refused to register their names on the ground that as they received their board and lodging in the hospital only in return for their labor and were not paid salaries, they were to be considered as "paupers." Judge Donohue yesterday decided that these persons did not come within the prohibitions of the State Constitution, and that they were therefore entitled to the writ.

## UNITED STATES SUPREME COURT.

WASHINGTON, Oct. 24.—The following business was transacted in the Supreme Court of the United States to-day:

No. 413.—The Memphis and Charleston Railroad Company, plaintiff in error, agt. Lizzie Copeland, admr. trustee, etc.—The motion of counsel for defendant in error to dismiss for plaintiff in error, cite back. No. 135.—Samuel Kahn, plaintiff in error, agt. the Old Telegraph Mining Company, et al.; and No. 751.—John L. Lorraine, plaintiff in error, agt. Alonzo McKenzie.—Motion of Alexander P. Morse, in behalf of counsel, to dismiss. No. 56.—Originals, partition of Stephen F. Clarke, petitioner, appellant, agt. Thomas Hoadley for petitioner. No. 7.—Original ex parte, Albert Sinbold et al. petitioners; argued by Bradley F. Johnson for petitioners and by Attorney-General Pearson in opposition to the petitioners. The petitioners in this case, five election judges duly appointed under the laws of Maryland, were indicted in November, 1878, upon the charge of violating the Federal Election law. They were tried in November, convicted, and sentenced to various terms of imprisonment in the city jail of Baltimore. They now pray this court for writs of habeas corpus and to discharge upon the ground that the statutes are unconstitutional and void. The case is analogous in many respects to that of Augustus F. Clarke, petitioner, reported yesterday. The following is an outline of the argument of petitioner's counsel: The power to enact such laws as those in question can be claimed only from the Constitution. The Congress of the United States can exercise that power only by making laws to regulate the manner of holding elections for members in the several States. The laws making such regulations must be appropriate to the object in view and consistent with the Constitution. In regard to the principle as follows: first, the power thus granted is an exclusive and entire power, and must be exercised over the whole subject of regulating the manner of holding elections; otherwise it will produce collision with State regulations, and being paramount, will supersede them and leave a part of the subject unprovided for. Second, if this power is not exclusive and entire, and may be exercised over a part of the subject, then such part as it does regulate must be beyond the control of the States. Third, the power must be exercised by appropriate and constitutional law, which law must set forth the regulations made, and not delegate the power of making such regulations to other parties. Fourth, the laws when so made must be enforced by Federal power, acting through Federal officers constitutionally appointed. From the establishment of these propositions it follows that the act of Congress is unconstitutional. The argument of the Attorney-General in opposition to the present petitions is substantially identical with that against the petition of Augustus F. Clarke in the analogous case yesterday, the points of which have been given. No. 1.—W. W. Farmer administrator, etc., plaintiff in error, agt. Porter J. Larkin, State Tax Collector, etc.—Dismissed with costs, under the Practice. No. 35.—Samuel F. Craig, appellant, agt. Jacob Smith and George D. Hine.—Appeal from the United States Circuit Court for the District of Kansas.—Argument begun by C. S. Whitman for the appellant.

Adjourned until Monday at 12 o'clock.

## DECISIONS—OCT. 23.

*Supreme Court—Chambers*—By Judge Westbrook.—Goodenough agt. De Groot.—Sufficient is shown to continue the injunction until a trial has been had; there is no occasion for a receiver. Pitch agt. Vanderbilt, Nos. 1 and 2.—Motion granted; see memorandum of motion No. 1; referred to Erastus Cooke. Cavanagh agt. Roderick.—Injunction continued; see memorandum. Livingston agt. White.—See memorandum; order signed. Worder agt. Worder.—Denied; see memorandum. In the matter of Weber.—See memorandum. Howe Machine Company agt. Decroot.—Motion denied.

By Judge Donohue.—Tappen, etc., agt. Young; Mutual Life Insurance Company agt. Livingston.—Granted. German agt. Taylor.—On a careful examination of the provisions of the Constitution and the evidence contained in the papers not denied, I do not think the parties come within the prohibition of the Constitution; I therefore grant the motion.

By Judge Barrett.—In the matter of Kingman.—All the questions whether of law or fact can be appropriately raised and settled by proceedings on an alternative writ, and such a writ may accordingly issue. Farrington agt. Walsh.—An informal memorandum must stand. Reeve agt. the Prospect Park and Coney Island Railroad Company.—The motion denied with costs to abide the event.

By Judge Lawrence.—Hoope agt. Bliss.—Give notice of settlement.

*Special Term.*—By Judge Donohue.—Dunham agt. Cudlipp.—Findings settled and signed.

By Judge Van Vorst.—Marshall and another agt. Foley et al.—Decree signed. Importers' and Traders' National Bank agt. Rogers et al.—Findings signed; extra allowance of $250 to plaintiff.

*Superior Court—Special Term.*—By Judge Sedgwick.—Von Beil agt. Prescott.—The stenographer's minutes have not been handed in and the case cannot be settled without them. Levy et al. agt. Loeb et al.—See memorandum. Levy et al. agt. Loeb et al.—See memorandum.

By Judge Van Vorst.—Egan agt. Walsh et al.—Order signed.

By Judge Freedman.—Gilkison agt. Taggart.—Order setting aside inquest and opening default. Herman agt. the Merchants' Insurance Company.—Order releasing judgment. Holsender agt. Sand.—Ordered on Special Term calendar. Neville agt. Christie.—Order of substitution. Hess agt. Schwarz.—Order granted and undertaking approved. Hess agt. Briggs.—Order signed. The Broadway National Bank agt. Bassett.—Order of discontinuance. Whitnell agt. Rosenthal.—Order appointing William R. Benson receiver, etc. Hovey agt. McDonald.—Order dismissing motion. An Association for the Relief of Respectable Aged and Indigent Females, etc., agt. Tompkins, et al.—Reference ordered. Manning agt. Cohen et al.—Order to continue action as against executors, etc. White et al. agt. Higginson et al.—Order of discontinuance. Armour et al. agt. the Transatlantic Fire Insurance Company of Hamburg, Germany.—Commission ordered. Carman agt. Buckle et al.—Order of discontinuance. In the matter of Oakley; Manning agt. Rowland.—Bonds approved.

By Judge Speir.—Wright, etc., agt. Nostrand et al.—The counsel will appear before me on the first day of November next at 12 o'clock to settle the terms of damages at the times for accounting of rents in this case. Potts agt. Mayer, etc.—Motion for resettlement of case denied without costs.

## NOT DAUNTED BY A LITTLE RAIN.

PENN YAN, N. Y., Oct. 23.—Notwithstanding the storm, A. W. Tenney, of Brooklyn, is addressing a large audience here. His speech is very strong and pointed.

# THE MONEY MARKET.

*SALES—GOVERNMENT STOCK DEPARTMENT.*

FIRST CALL—10½ O'CLOCK A. M.

| | |
|---|---|
| U S 4s Reg 1907 6,500.....102¾ | U S 4s Coup 1907 10,000.....102¼ |

FOURTH CALL—2½ O'CLOCK P. M.

| | |
|---|---|
| U S 6s Coup '81 20,000.....105¾ | U S 5s Registered 1881 10,000.....102¾ 2,150.....96...102¼ |
| U S 4s Coup 1901 25,000.....102¼ | U S 5s Coupon 1881 10,000.....103¼ 10,000.....103¾ |
| U S 4s Coup 1907 25,000.....Seld.....102 | |

*SALES—RAILROAD AND OTHER SECURITIES.*

FIRST BOARD—10½ O'CLOCK A. M.

| | | |
|---|---|---|
| Georgia 7s New 20M...110¾ | Ill C W Con sn X C 5M...94¾ | Wabash Railway 500...50¾ 100...50⅝ |
| Tennessee 6s old 10M...35¾ | Spring V W W 1st 17M...99¼ | 100...50⅞ 100...50⅝ |
| Tenn 6s new 2M...33¾ | M & O Pref Deben 2M...42¾ | 200...50⅝ 100...50⅝ |
| Tenn 6s New Series 34M...33¾ | St Louis & I M 2d Preferred Income 10M...71 | 500...50⅝ 100...50⅝ |
| Virginia 6s Old 5M...30 | Chi & Springfld 1st Gtd by C U C & I 9M...97 | Del Lack and West 500...83⅝ 200...84 |
| Louisiana 7s Con 1M...41¼ | Tex Pac In L G 10M...54¾ | 200...83⅝ 300...83⅝ |
| Mur Clay R & N 1t 2M...95¼ | Merchants' Bank 10...127 | 1200...83⅝ 300...83⅞ |
| Chic & Ohio 1st Series B 500...96 10M...96⅞ | Bank of Republic 10...158 | Boston A Line pfd 100...96 |
| Chic & O Cin In del 10M...30 5M...29¾ | Manhattan Bank 50...140 | Chic Bur & Quincy 300...122 |
| C R I & P 6s 1917 Coupons 1M...114 | Phenix Bank 63...94 | Canada Southern 10...77¼ |
| Mil & St P Con S F 1M...98 | Consolidation Coal 60...35 200...42 | Chic & O 1st Pref 15...34 |
| Mil & St P 7s gold 5M...113 | 300...41½ 400...41¾ | Chic & O 2d Pref 200...15¾ |
| Ch & Northwest sn 3M...118⅞ 7...111⅞ | Standard Min Co 150...29 | Louisville & Nash 100...72¾ |
| 8M...118⅞ | Boston W Power 900...12 200...11¾ | Brooklyn & Ko 100...101¼ |
| Chic & Northwest Income Bonds 1M...100 | Del & Hudson C 200...75¾ 100...74¾ | Houston & Tx Cnt 400...55 100...54 |
| Morris & E 1st con 5M...106 10M...105¾ | Quicksilver Min's 100...9 | Ind Cin & Lafayett 400...10 100...10½ |
| Del & H Reg '84 2M...105 | Quicksilver Pfd 100...57 100...57¼ | Keokuk & D M 400...21 |
| Long Dock Bonds 2M...114¾ | Western Union 100...101½ 100...101¾ | Keokuk & De M pf 5...12 |
| Han & St Jo 8s Con 1M...106¾ | 200...101¾ 300...101¾ | L Erie & Western 100...24¾ |
| Erie New 2d 5s Fn 1M...92 | 300...101¾ 100...101¾ | Manhattan S R 25...91 20...90¾ |
| Erie 1st new bonds 2M...111 | 500...101¼ | Mobile & Ohio Asn 100...20 100...19¾ |
| Metropolitan E 1st 4M...103¾ 6M...103¼ | New Central Coal 800...42¾ 300...42 | 45...19 100...21¼ |
| Mo K & T Con As 10M...70 | 1M...41 | 200...18¾ 200...21 |
| Mo Kan & Tex 2d 10M...42¾ | Leadville Min Co 100...3¾ | Mo Kan & Texas 300...27 900...27¼ |
| Canada So 1st G'td 10M...99¼ | Pulpro Tunnel Co 100...3¾ | 500...28¾ 300...27¾ |
| N Y L E 1st M 6M...97 | Atlantic & Pac Tel 100...42¾ 400...42 | 400...27 300...27¾ |
| Ohio & Miss 2d 143...17 | Pacific M S S 500...55 600...54¾ | 100...26¾ 100...26¾ |
| St L & Iron M 2d 1946...37 | Michigan Central 100...90¾ 200...90¾ | 800...26 |
| Rensselaer & Saratoga 100...150 | Lake Shore & M S 400...96 100...97¼ | Metropolitan E 100...134 |
| Union Pac 1st M 10M...97¾ | Illinois Central 100...97 25...97¼ | N Y Elevated 40...131 |
| Kan Pac Ext Sn 16 20M...67¾ | Union Pacific 50...92¾ 100...91¾ | Nash Chat & St L 400...57 300...58 |
| C C & I Central 1st 6M...79¾ | 200...92 | N J Southern 300...8 |
| Trust Co Certfs 7M...70 10M...70¾ | Ohio St P & Min 200...52 | Northern Pacific 500...34¾ 200...36¾ |
| Rome W & Ogden Consol 1st M 1M...67¾ | Chic St P & Min 100...49 200...49¾ | 400...36¾ |
| St Land I M 1st 200...114 | Chic & Northwest 100...80 100...80¾ | St Louis I M & S A 600...46 |
| St L & I Mountain Cur & Fulton 1st 17M...100 | Chic & Northwest pref 200...80 200...80¾ | North Pac Pref 100...60¼ 100...60¾ |
| Cairo A & Tex 1st 5M...90 | Pacific Mail 100...50¾ 200...50¾ | St Louis K C & N 300...39 |
| St L, K C & N Real Es 7s 1895 2M...95¾ | Western 100...84¾ 300...84¾ | St L K C & N pref 300...65 200...65¾ |
| North Missouri 1st 88...114 | Chic & Northwest 100...86¾ 200...86¾ | St Louis and S F 100...24 100...22¼ |
| C C C & Indianap Consols 8M...106 | Chic R I & Pacific 400...96¾ 100...95¾ | 700...24 50...22¾ |
| Tol & Wab 1st 2M...90 | Chic Mil & St Paul 1M...104¾ | 100...23¾ |
| St L D & M comp 10M...100 | Chic & N W 1M...99 | St L & San F Pref 100...2 100...2 |
| Gt W 8s Ex Coup 15M...98¼ 6M...98 | Milw & St P 100...72 400...72¼ | 200...24¾ 100...27¾ |
| Tol & Wab 2d exc 11M...95¾ | Alton & T Haute 500...17 | 100...28 100...28 |
| | | 200...27 500...28¾ |
| | | Hannibal & St Jo 100...23¾ 100...23¾ |
| | | Ohio & Miss 100...23¾ 200...23¾ |
| | | 100...52 38...51 |
| | | Col & Tol Cent 400...17 25...17¼ |
| | | 35...17¾ |

SECOND BOARD—1 O'CLOCK P. M.

| | | |
|---|---|---|
| N J Cent Adj R 500...67 2M...67¾ | Toledo P & War 1st Western Div 1M...110 | Chic & Ohio 1st pf 400...34 |
| D L & W Roc bds '84 2M...95 | La Salle Mining 100...4½ 200...4¾ | Chic Mil & St Paul 1M...116 |
| Erie 1st 2d 5s Fun 5M...89 | Homestake Min Co 25...40 | Chicago & N W 800...72¾ 400...71¾ |
| Bal N Y & Erie 1M...110 | Standard Min Co 150...29 | Wabash pref 500...50¾ 700...50¾ |
| Chic & Milwaukee div b 2M...11¾ | Boston W Power 900...12 200...11¾ | 100...50¾ 100...50¾ |
| Chic & N W 1st 2M...109 | Del & Hudson C 200...75¾ 100...74¾ | Chicago & West 500...10 100...10¼ |
| Mot & R 1st 1M...102 | Quicksilver Min's 100...9 | Erie Railway 500...19¾ 100...19¾ |
| N Y & Harlem 7s C A 594...96¾ | Quicksilver Pfd 100...57 100...57¼ | Rensselaer & Saratoga 100...150 |
| Mo K & Tex 2d 10M...42¾ | Western Union 100...101¼ 100...101¼ | Union Pacific 100...97¼ |
| Canada So 1st G'td 10M...99¼ | 200...101