DAILY APPEAL.

MEMPHIS.

SATURDAY MORNING, NOVEMBER 28, 1857.

PAPER AND METALLIC CURRENCY.

Our neighbor of the *Bulletin* enters a bill of exceptions against "our bank policy," which we can not, with due respect, but regard as extremely devoid of strength and reason.

So farras the first suggestion of the *Bulletin* is concerned, as to the propriety of beginning the work of abolishing banks of issue immediately, we have only to answer that it would not be wise and prudent, and therefore not statesmanlike, to change the whole policy of our currency at once and violently. The habits of the people are thoroughly indentified with banking facilities. The present credit system has engendered speculation, debt and wide extended liability.

If the bank circulation of the State were suddenly withdrawn, it would be many months before a specie currency could replace it. The community would thus be left with an inadequate circulating medium, and an indebtedness to cancel, which bank expansions had encouraged and produced, without the means to meet this indebtedness. A terrible revulsion would probably be the consequence. All species of property would decline in value. Forced sales of real and personal estate would be inevitable. A terrible sacrifice of property and general bankruptcy would ensue. The *Bulletin* would not surely advocate a measure which would superinduce such a condition of things as this. And it must be apparent to every reflecting man that such would be the effect of a sudden and violent withdrawal of bank circulation, without giving time for the natural, but gradual influx of a metallic currency into the State.

The remedy which we propose, however, is no gradual a nature, that the withdrawal of bank circulation would not be felt, in the least, injuriously. We propose to prohibit the circulation of bank notes, of a less denomination than five dollars at first. Cota would gradually flow in, to seek the channels of circulation, hitherto occupied by five dollar notes. In all small transactions, we should see nothing but coin, so soon as these small notes shall have been returned to the banks, which would require several months. After a specified period, it is proposed to prohibit the circulation of notes of a less denomination than ten dollars. This would diminish still farther the paper issues, and enlarge in a corresponding proportion, a metallic currency.

So we would continue to do, until it should be discovered that we have a metallic basis sufficiently safe to prevent expansions of bank issue, and the terrible periodical revulsions which prostrate trade and make bankrupts of thousands.

It is one of the anomalies of the age, that intelligent men will continue to advocate the high pressure system, which has spread such wide-spread ruin throughout the land.

We shall hereafter review and comment upon some other assertions of our neighbor which deserve an especial notice, because the *Bulletin* is the representative of a numerous class that are imbued with these errors.

GEN. JOHN A. QUITMAN.—We learn that this distinguished soldier and statesman, accompanied by two of his daughters, will take Memphis in his route to Washington City. He is expected up on the *John Simonds*.

MISSISSIPPI INTELLIGENCE.

STATE AGRICULTURAL BUREAU.—In pursuance of the act passed by the late Legislature, constituting a State Agricultural Bureau, the following officers were elected:

Gov. McWillie, Hon. J. J. Pettus, of Kemper; Hon. J. B. Herring, of Pontotoc; Hon. W. P. Anderson, of Hinds; Hon. E. J. Hudson, of Marshall; Hon. R. Brown, Copiah, constitute the Bureau, such, excepting the Governor, having been chosen by the members of the Congressional District in which they severally reside.

On motion of Gov. McWillie, T. J. Hudson was unanimously elected President of the Bureau.

On motion of J. J. Pettus, J. J. Williams was chosen Secretary of the same.

Gov. McWillie and W. P. Anderson were appointed a committee to prepare and address a circular to the farmers and mechanics of Mississippi, urging the importance of organizing throughout the State, Agricultural and Mechanical Associations. The President of the Association was authorized to draft a Constitution and By-Laws for its government. It was determined to hold the first annual Fair in the city of Jackson, beginning on the second Monday of November next. Gov. McWillie and W. P. Anderson, Esq., were appointed a committee to prepare a list of premiums for the Annual Fair of 1858, which are to be published in the papers of the State.

PORTOTOC EXAMINER.—In the issue of the 20th inst., it is formally announced that Mr. R. W. Bell has withdrawn from the editorial management of the *Examiner*, to be succeeded by Mr. John Topp. Mr. Bell conducted the paper with ability and civility, and in a manner to promote the interests of the Democracy. With Mr. Topp we have no personal acquaintance, but we are well assured that he will gallantly uphold the Democratic standard.

EXTRA SESSION OF THE LEGISLATURE.—The Vicksburg *Southron* learns that Governor McWillie designs to call an extra session of the Legislature. The time is not mentioned nor is the object specified. The *Southron* thinks it would be difficult to justify such a measure, and expresses the hope that the Governor will long hesitate before deciding to subject the people to the heavy expense of a special session—an expense which at this time, they are ill-able to bear and for which there is no necessity."

LEGISLATURE — KANSAS-WALKER QUESTION.—On the 14th inst. the Senate resumed the consideration of the unfinished business pending the adjournment, being the resolutions offered by Mr. Pettus in regard to Gov. R. J. Walker, the question being on the adoption of the amendments offered by Mr. West.

The question was taken on the adoption of the first amendment and decided in the negative by yeas and nays, as follows:

Yeas—Messrs. Banks, Neill, Pegues and West—4.

Nays—Mr. President, Messrs. Beene, Bradford, Brane, Ellett, Guy, Jordan, Koger, Miller, McCaughan, Oliver, Reynolds, of Tishomingo, and Webb—12.

The element of the Senate was given to Mr. West to withdraw his amendments.

Mr. Ellett offered the following amendment to the last original resolution of Mr. Pettus, which was accepted by the latter.

Amend by striking out all after the word "resolved," and inserting—

That this Legislature, adopting the policy pursued by said Convention, and which has been approved by the people of the State, are unwilling to involve the Administration of Mr. Buchanan in the course the same expresses in relation to the course of Gov. Walker, until officially informed how far that conduct meets with the approval of the President. But if it shall appear that the course pursued by Gov. Walker is endorsed and sustained by the President, then the resolutions of censure expressed in reference to the administrative officer, will be justly applicable to the Administration itself.

On the following day, the consideration of the subject was resumed.

On motion of Mr. Pettus, the Senate resumed the consideration of the unfinished business, being the joint resolutions in relation to R. J. Walker and the Administration.

A motion of Mr. Guy to lay the resolutions on the table, was negatived by yeas 3, and nays 19.

The question was then taken on the adoption of the amendment offered by Mr. Ellett, which was decided in the affirmative.

The question was then taken on the adoption of the resolutions, and decided in the affirmative by yeas and nays as follows:

Yeas.—Mr. President, Messrs. Beene, Banks, Bradford, Drane, Dowson, Ellett, Hough, Jordan, Koger, Miller, Neill, Oliver, Pegues, Reynolds of Smith, and Webb—15.

Nays.—Messrs. Catchings, Guy, Reynolds of Tishomingo, and Wilkerson.—4.

On the same day, the subject came up in the House.

Mr. Cushman moved a division of the question, taking first Senate resolutions, so as to take the vote first upon the resolutions in relation to Walker, and secondly, the resolution in relation to Buchanan.

The question was first taken upon the adoption of the resolutions relative to Governor Walker, which were adopted unanimously.

Before coming to a vote on the adoption of the resolution relative to Mr. Buchanan,

On motion of Mr. Ho se, the House adjourned until 3 o'clock.

House met at 3 o'clock.

The unfinished business being Senate resolutions in relation to Kansas, Gov. Walker and President Buchanan, was taken up.

The resolutions conferring Governor Walker, were unanimously adopted.

The question then occurred on the second resolution relative to Mr. Buchanan, which was decided in the affirmative by yeas and nays as follows:

Yeas—Mr. Speaker, Messrs. Autry, Armistead, Buckner, Burney, Bourland, Berry, Carter, Corley, Clayton, Downs, Davis, of Morgan, Evans, Hoy, Hemphill, Hudson, of Marshall, Johnson, of Carroll, Johnson, of DeSoto, Jones, Keith, Liddell, Scott, Metis, Merriwether, McDonald, Martin, Newman, Parks, Roberts, Smyth, of Winston, Sebald, Steele, Thompson, of Chickasaw, and Thigpen—34.

Nays.—Messrs. Cochran, Cooper, Hill, Lindsey, Matthews, Mostatt, Merrill, McCord, Patterson, Penn, Smith, of Washington, Southworth, Sumrall, Surratt, Sankey and Tankersley—10.

ARKANSAS INTELLIGENCE.

The Circuit Court is still in session and the following is the summary of its business on going to press: State vs. E. D. Green, continued by the State; State vs. Newton Boyd for the murder of L. B. Lurkie, bill for murder found by the grand jury. He was remanded to jail. Two riot cases from Drew continued for defects in record and remanded with instructions to Drew to amend record of proceedings. B. F. Davis sent to the penitentiary two years for killing James Reed. Several small State cases disposed of. A great number of important cases tried. Court still in session.—*Pine Bluff Enterprise, 12th inst.*

BYRD W. M. WARREN, Esq.—The Hempstead *Democrat* publishes a communication from "many citizens of Columbus county," calling out Mr. Warren of that county as a candidate for State Senator. The *Democrat* approves most heartily of the suggestion made.

ADVANTAGES OF WHITE COUNTY—TIDE OF EMIGRATION.—The Searcy *Eagle* has the following:

"We have often said, and we say now, and we mean to keep saying, that White county possesses more real, genuine, tangible inducements to persons seeking a home in the West than any county in Arkansas. We can accommodate the most fastidious in the article of land, from the beggarly elements of a pine hill to the rich loamy cotton land in the 'valley.' And then we have any quantity of it, at any price, on any given terms, from cash to to the longest credit, with or without security. We are not alone in the opinions we have expressed. The tide of emigration is fairly setting in. Never after mover is daily arriving. Now is the time to move to White county. Provisions—everything is cheap—let them come—plenty of room."

LARGE PARSNIP.—Who ever heard of a parsnip eighteen inches in circumference, forty-seven inches long, and weighing five or six pounds? Not we, until Mr. Ruddell made a deposit of such an one on our table the other day. Would it not have taken a premium at Agricultural fair?—*Batesville Balance.*

ALABAMA INTELLIGENCE.

ALABAMA LEGISLATURE.—The Huntsville *Advocate* of the 20th inst., has the following:

"Bills for almost every conceivable purpose have been introduced. The most important measures are, to raise the State taxes; to require the Governor to reside at Montgomery and his salary to be $4,000; to burn the old State bank bills; to repeal the rotating Judges law; to suppress the circulation of bills under five dollars; to add the sixteenth section fund over to the Trustees of each Township; to amend the school law; bills without number to amend the Code, and to alter laws as to estates; to regulate banks, banking, suspensions, charter a new bank, &c. Every thing as yet is in an incomplete condition, and what the result will be is of course unknown. The Legislature adjourned for two days to attend the State Fair in Montgomery last week. We do not think it will adjourn by Christmas."

The same paper says of the policy of suppressing small bank notes:

SMALL NOTES.—There is a very general move in the country in favor of suppressing the issue and circulation of bank notes under five dollars. The Alabama Legislature will, we are confident, deprive our own banks of the privilege of issuing them, and will impose penalties against the circulation of those issued by banks out of the State. Bills to this effect are in progress of enactment by the Legislature. We are rather inclined to favor them: But think they should be prospective in their operation. Foreign bank notes prohibited, say, after 1st of next May: and our own banks deprived of the privilege of issuing under five dollars after 1st of November next. Then, to supply the vacuum, the Legislature should memorialize Congress to authorize the coinage of five and four dollar gold pieces, which would give the country gold currency from one up to five dollars, as we already have one, two and a-half, and three dollar pieces.

For the Memphis Appeal.]

Political Judges in Mississippi.

NUMBER II.

In my last communication I undertook to show that the opponents of Democracy have in this State, pretended to exclude political considerations from their minds when selecting officers for judicial and ministerial stations, but that they have invariably supported their political friends even when they were opposed by men of superior merit and qualification, and that the Democratic candidates have thereby been most usually defeated. I proposed as a remedy for this that the Democratic party should hold district and county conventions for the purpose of making suitable nominations for all the offices to be filled at the next election, and I promised to show that this was not only right upon principle but that it was sanctioned by the practice of both England and America. I shall not go into any lengthened historical dissertation for the purpose of proving this proposition, but content myself with a statement of a few, simple and well known facts and illustrations.

It is well known to every one at all familiar with English history, that the Lord Chancellor, the highest legal dignitary of the realm who held the great seal of the kingdom, is not only selected on account of his political opinions, but that he is in fact a member of the Cabinet and expected to lay down his seals and retire from office whenever the political party to which he belongs is defeated on any test question in parliament. For many years the Lord Chancellor of England was considered the leader of the administration in the House of Lords, and expected to defend all of its measures in that body. And it is well known that Lord Chancellor Thurlow governed the whole nation for years with almost despotic power, and that Lord Eldon was "the power behind the throne greater than the throne itself" for a period of twenty-five years, and that he even set the seal to commission and carried on the government when the King was an idiot, and the throne consequently vacant. And yet who will question the impartiality of the decisions of these great Chancery Judges whose names have become almost synonymous with equity itself. Lord Mansfield, too, was a politician and owed his promotion to his political views. When the matchless eloquence of Pitt was inflaming the nation against the Hanoverian connexions of George II., Lord Mansfield was placed in the House of Commons to defend the Administration against him. He struggled manfully against his great rival, and claimed and received, as his reward, the Chief Justiceship of England. But when he had once put on the ermine of justice, no one will dare to say that it was ever soiled, or even tarnished by political prejudice. So unimpeachable was his character, and so great was the confidence which all men had in his integrity, that when his house had been burned to the ground and all his books and manuscripts which he had been collecting from boyhood—the loss of which "ages yet to come shall mourn,"—were utterly destroyed, by the mob in the Gordon riots, and when he was called upon to preside at the trial of their leader for high treason, "neither the prisoner, nor his counsel, nor his friends, were at all alarmed at his fate being placed in the hands of one, who had suffered so deeply from the consequences of the acts to be investigated." And not only are the Chancellors, Chief Justices and Prisoe Judge of England selected with a view to their political opinions, but the Attorney and Solicitor Generals also, and it is even carried so far, that the silk gown, which gives precedence in court, is seldom, if ever conferred upon one opposed in politics to the administration. Hence, it was that Lord John Campbell, the present able Chief Justice of England, was not permitted to put on a silk gown until he was forty years of age, and had long been the leader of his circuit. Lord Chancellor Brougham, and the late most eminent Chief Justice Denman, are also striking examples of men of the highest qualifications and merit, who were long kept down on account of their political opinions, and only rose into eminence when their party succeeded to power. Sir James Scarlet was one of England's greatest lawyers, and yet from his political principles he was never permitted to touch the great prize of the English lawyer's highest ambition—and yet no Englishman ever thought all this wrong.

There are always men of ability in every party capable of filling all the offices of the Government with credit to themselves and honor to their country, and it is looked upon as a matter of course that the party in power shall select its officers from the ranks of its political friends. And not only is this true of England, but it has been the practice of our own country, also, in respect to the highest judicial stations. When Chief Justice Ellsworth resigned, there were among the Associate Justices then upon the bench, men of the highest legal learning and ability, and yet in the appointment of his successor, President Adams overlooked their claims and appointed John Marshall, who was then a member of his Cabinet, and who up to that time had been distinguished in the Virginia Legislature and in the Halls of Congress as one of the greatest leaders of the Federal party, and yet as an Imparsial Judge, Marshall is now considered the American Mansfield. And when Marshall died, although the Supreme Bench then contained such men as Joseph Story, President Jackson appointed Roger B. Taney, who had lately been a member of the Cabinet, and it was thought, in reward for the services there rendered, and yet none but the most reckless partisan would dare to assert that he has not always poised the scales of justice with the most rigid impartiality. And not only has the President been thus influenced, but the Senate also, which hold the power to reject or confirm his appointment.

When Washington appointed John Rutledge Chief Justice, he was rejected by a Federal majority in the Senate, because he differed with them in political principles. And when Gabriel Duval, of Maryland, resigned his place as Associate Justice of the Supreme Court, Roger B. Taney was nominated in his place and virtually rejected by the Senate, which was then greatly enraged against him on account of his late report as Secretary of the Treasury. And but recently when Mr. Badger was appointed an Associate Justice by Mr. Fillmore, a Democratic Senate refused to confirm him, not because they doubted his integrity or ability, but because they differed with him in politics, and because they knew that there were men in their own party equally as capable, and that they might soon have an opportunity of being appointed.

All this was done without serious complaint, because all men felt that it was right and proper, when there were men in both parties equally competent to fill the station, that the party in power should select from the ranks of its political friends. In addition to this, it is well known that in many of the States of our Union, the judicial elections are beginning to be made party tests as much as any other, and it is right.

If two men were placed before you, equally learned in the law, and apparently equally intelligent, and you were compelled to select one as your counsellor and adviser in regard to your rights, you would select that one whose judgment, upon examination, coincided with your own upon questions and principles that you understood and about which you believed your own judgment correct; and this is all that is meant by preferring a party friend for judicial station. I would not vote for a Democrat because I believed he would favor me more than a political opponent in the administration of justice, for such a man would be beneath my contempt, but because I believe his judgment more sound on political questions than his opponent, and this to me is *prima facie evidence* that his judgment will be more sound on all other questions. With the expression of these views, which have been spun out to a much greater length than I anticipated, I will leave the question, hoping that some abler hand will take it up, and that the Mississippi papers will press it until the Democracy are aroused to a sense of their rights, and a determination to make nominations hereafter for all offices—political, judicial and ministerial.

A NORTH MISSISSIPPI DEMOCRAT.

To the General Assembly and People of Tennessee.

For the Memphis Appeal.]

Generally, as the mind is correctly trained philosophically and morally, as the enlightened and properly educated predominate over the opposite, is there a disposition to be governed by the principles of *justice*, rather than *power* or *right*, rather than might. In the feudal ages, woman was considered very little above animals; her position was that of a *serf*, and scarcely known to the law, so little were her rights regarded. Perhaps a great many persons of the present age, who claim to be enlightened, will be surprised on review to see what little advancement has been made in this proclaimed to be progressive and enlightened age. Especially is this true in the State of Tennessee. When a woman marries, the legal title to her property passes to her husband, and her right to, or control over it, ceases. He can immediately dispose of it without consulting her, as though it was the product of his own toil. Is this right? Is she not a human being as well as he, and entitled to be regarded as such? Man assumes to legislate and make laws for the government of himself and also of woman. She acquiesces, according to the custom of the times, believing he will do what is right and proper. Is it then right and proper for him to abuse that trust, and legislate for his own interest to the detriment of hers? to divert what properly belongs to her, to his own legal right and control, with absolute power to dispose of the same?

Suppose Mr. A. and Miss B. are born and educated in the same neighborhood. Do not each possess the same natural rights to labor and acquire property? If so, in case of their marriage, why seek by legislation, on the part of the former, to *rob her legally*, of what by nature and justice she is entitled? Each should be regarded on an equality with the other, and their legal rights to property either may have, should not be affected by the marriage ceremony. I believe this is very nearly the view taken by the civil law, but the common law, following up the feudal system, has made but few ameliorations or modifications. It is time the people of Tennessee were sweeping from their statute book these relics of feudal ages, still recognized by the common law, and adopted in this State. Be it said to the honor of the State of Louisiana, her people have adopted the civil code. Mississippi, Alabama and other States, still recognize the common law, in many respects, but have engrafted into their statute books legislative enactments, which set at naught the common law principles, and specially recognize the civil law principle—that which is right and just to woman, to allow her to own and possess her own property, free from the creditors of her husband, allowing her, of course, the privilege of appropriating it to the same, if she chooses to do so, or of making other disposition of it.

Some worthy members of our Legislature have been trying for many years to restore to the women of this State a portion of their natural and civil rights, but have been unable to effect it, there still being too much of the *feudal idea*, that man is *lord*, and woman a secondary being or servant. I notice that some member of our Legislature, now in session, has introduced a Bill to protect married women in their rights to slave property. I hope the Legislature will go further, and recognize the civil law principle; that of protecting their rights to all property, of whatever kind or quality. The law should not advocate, encourage or recognize the principle of making or acquiring money or property by marriage. So revolting is this to human nature, that when one is deemed to be guilty of it, there is an almost universal and involuntary expression, that the mercenary one may be disappointed.

When reason and justice are opposed to the existing law, why should we still retain it, out of respect to an ancient custom, founded in error, in a less enlightened age of the world, when power was more a governing principle?

Our Legislature should take hold of the subject in an enlightened and manly manner, laying aside preconceived opinions or prejudices, and establish the principle that *men and women are equal*, as regards property at least, and to the honor of Tennessee, let the present, and future enlightened ages see, that she has relieved herself from the thraldom, superstition and ignorance of bygone ages, and that her laws are founded on the principles of justice.

Respectfully,

A CONSTITUENT.

The Cotton Crop.

For the Memphis Appeal.]

COAHOMA COUNTY, MISS., November 24, 1857.

MESSRS. EDITORS: Being visited every week by your widely circulated and ably conducted journal, keeping me posted in regard to every department of news, which I would not dispense with for three times the subscription price, as I regard it one of the best news journals in the South or West—and this I have heard many Know-Nothings admit; but my object in writing is to inform your numerous readers of the prospects in the Mississippi bottom of the cotton crop, as I think a great many are deceived in the amount that will probably be made this year. Having traveled over a large portion of the following counties, viz: Tunica, Coahoma, Bolivar and Washington, and as I have for many years been engaged in raising cotton, and a close observer of the crop, I feel prepared to state the thing very near correctly, which opinions are endorsed by a great many of the best planters; and from all that I have seen and heard, there cannot possibly be more than two-thirds, and, in many instances, more than half a crop made the present year, owing to the fact that the cotton crop has been three or four weeks later than usual, and we commenced gathering at least three weeks later than usual, and then it has rained very much this fall, wetting a large portion of the under bolls; and then add to this the frost, which destroyed a large proportion of the top crop, and, in consequence of these injuries, I think you will find I am very near correct. But though the planters are all shipping their cotton to market, (mostly to New Orleans,) as fast as they can get it ready, I do not think a great many are selling—only such as have liabilities to be met immediately.

I have paid some attention to the reports from other portions of the cotton growing regions, and I now estimate this year's yield at from 2,500,000 to 2,800,000 bales, and much of this will be very late getting to market, and of inferior quality—from Ordinary to Low Middling.

It is to be hoped that confidence will be restored soon in regard to money matters, and the price of cotton advanced.

I will forward my subscription in due time, and probably some new subscribers.

The health of our county has been remarkably good this year. Scarcely a death in the county. Your friend and obt. serv't,

OLD ACQUAINTANCE.

☞ The career of speculation in which the French, led by the Emperor, have indulged for the last few years, will greatly increase their financial troubles. A general revulsion, similar to that which has affected the United States, is not at all unlikely.

TENNESSEE LEGISLATURE.

HOUSE OF REPRESENTATIVES, NOVEMBER 17.

PAY OF JURORS.

The Senate bill (28) to increase the pay of jurors, [to $1 50 a day] coming up for consideration on the third reading—

Mr. Bulloch moved to strike out the word "five" in the mileage section.

Mr. Bayless thought mileage should not be allowed for travel less than ten miles. He proposed to amend by allowing mileage for over ten miles.

Mr. Davidson supported the amendment and the views of Mr. Bulloch.

Mr. Estes was for retaining the mileage provision, upon the principle of justice. He did not insist upon mileage for talisman jurors.

Mr. Blackburn should oppose mileage because it included the talisman jurors. He thought the increase of pay of jurors fifty per cent. (as in the bill) was sufficient.

Mr. Bulloch's amendment prevailed, and the mileage was stricken out.

Mr. Bayless' amendment was rejected.

Mr. Johnson proposed mileage for travel over seven miles. Mileage was as appropriate to jurors as it was to witnesses.

Mr. Bulloch alleged that witness mileage was wrong in principle, although there was no similarity in these cases—the juror getting twice the per diem of a witness.

Mr. Bayless supported the amendment.

Mr. Johnson's amendment was rejected.

Mr. Bulloch moved now to strike out the entire section relative to mileage.

Mr. Bayless spoke. The section is now virtually destroyed.

Mr. Cooper proposed to amend the section so that the juror shall have four cents a mile in all cases.

Mr. Bulloch's motion to strike out the entire section was carried.

Mr. Davidson made an ineffectual motion to reconsider this vote.

Mr. Bradford proposed to amend by adding a section, as follows:

Be it further enacted, That all jurors summoned in criminal cases, and who do actually attend court, shall receive the same compensation for the time they attend that other jurors receive.

Mr. Bradford said:

Mr. Speaker: I offer this amendment because I believe it contains a principle of equity and justice which cannot be violated by any community or body politic with impunity. It has ever been held to be a sound principle that the burthens of Government should rest equally upon the shoulders of every individual constituting the Government, and likewise the emoluments or benefits of Government should be equally distributed. But, what, I ask, has been the course pursued by the Legislature? It seems to have been directed against individuals who are called upon to serve the public in the capacity of jurors? It is unnecessary for me to say to honorable gentlemen on this floor, that this is so. There is no one who has attended the periodical terms of the Circuit Court who has not heard the murmurings of the people under the infliction of this wrong. What is the law as it now stands? Suits at law are divided into two classes, "civil" and "criminal." To hear and decide civil cases, the law provides that a regular panuel should be summoned, under penalty of a fine. To hear and decide criminal cases, the law provides that the sheriff shall summon indiscriminately, the without limit as to number, also under penalty of a fine. But there is this remarkable difference: those who decide civil cases get a compensation of one dollar and fifty cents per day, while those who are summoned to decide criminal cases do not get a single cent, unless they happen to be taken on the jury. Why, I ask, is this discrimination? Is not the penalty for non-attendance the same? Are they not the same people? And is the object not the common protection of all? It cannot be that the criminal jury are better able to bear the loss of time and neglect of business than the civil jury. Every gentleman present knows it to be just the contrary. The regular panuel are almost invariably selected from those in town and country, who are most able, in a pecuniary sense, to bear the burthen, while the criminal jurors are selected from the most distant portions of the county and are least able to bear the burthen. And why? Because the law disqualifies a man who has "formed or expressed an opinion" from hearing the testimony of the facts in the case, and these deeds of crime almost always occur about your county towns. It becomes necessary, therefore, in order to get a jury, to go to distant points, where the facts are not known, and in so doing, it falls upon that class of persons whose means are limited; for those who work for a living have not time to waste in loitering about county towns, or riding through the neighborhood to gather up news. They are, therefore, sought for, exclusively, to try criminal cases; thus it is they are summoned to leave their families and their crops, frequently at the busiest season of the year, (under penalty of a fine,) to attend day after day, and court after court, to try scoundrels in which they have no more interested than other members of society. Added to this, he has to feed himself and horse at his own expense. Now, sir, if they are forced to sacrifice their time and business for the public good, ought not the public, which receives protection through them, be willing to pay at least a portion of these expenses? Yet all the while the regular panuel, who make no greater sacrifice, gets ample compensation. Is it right? Is it just that such discrimination be made, or partiality shown? Nor can any good reason be shown when we come to contrast the relative importance of maintaining the civil or the criminal laws. The civil law is intended to cause contra-distinguished from criminal cases. The criminal laws shield your life from the assassin, your property from thieves, and the fair name of your daughters from the unvirtuous. This, sir, is another reason why I think this class of jurors should not be made an exception to the general law of compensation which applies to all other servants of the public except these. Then, sir, if they are men of more humble fortune, and are less able to be the guardians of the law which protects your life, your property, and your virtue, why should they, under penalty of a fine, be forced from their homes at their own expense, while other jurors of more ample means are fully compensated? This, sir, seems to me, is not the equality of which our American people boast. What excuse is offered for it?

Honorable gentlemen say it would bankrupt the State. To admit that, is to acknowledge the Government to be only partially self-sustaining. It is to admit that we are in favor of class legislation. Here are two juries divided into two classes. Each man is invested with equal sovereignty, and entitled to equal protection; each summoned under penalty of a fine, one class has his expenses paid, the other pays its own expenses. Is this not favoritism? Is it not class legislation? Then, Mr. Speaker, if the wealth of the county cannot afford to pay this class of jurors, I say it would be a more equitable tax to create a public fund, and distribute it, giving each juror of all classes, his "pro-rata" share, and thereby maintain the great American characteristic—equal benefits and equal burthens. But we are told again, that the patriotism of this class of jurors should prompt them to serve the public. Sir, while I am prepared to admit that genuine patriotism is to be found alone among the tillers of the soil and the workshops of the country, I doubt the wisdom of laying a tax upon it to support the government. If this principle is to be the basis of compensation, why not apply it to all public functionaries? Do not credit one class with dollars and cents and another with love of country. Love of country wont feed a hungry man; nor shelter his wife and children. Abolish all consideration of money from your Governor down to constable; put all upon an equality; let the country see in which class the patriotism of the men lies to be found. I, for one, think it would soon be without an Executive, the Capitol without a Legislature, and your counties without sheriffs or magistrates. Yes, sir, gentlemen say that these officials should be compensated in money, but criminal jurors, who in this sovereign capacity are peers of the highest dignity of the land, should work from patriotism. The practical effect of the whole system is to bring labor and wealth in antagonism.

Why, sir, I will tell you why. Honorable gentlemen with whom I have conversed say that to pay this class of jurors would require a tax which the country could not bear. This, sir, is the argument which has kept us back. Here is an amount of service rendered, which, if paid for, even at a low price, would be more than the whole community could bear; yet, by just paying for it, you force one-third of the same community to bear it alone. Should these men leave the plough-handle and workbench, pay it all, as they now do, or should not the wealth of the land which receives protection according to value, help to pay. Thus we have wealth and labor at war. It will ever be so until all are taxed equally only to protect property according to their means, but to bear the burthens of government according to protection. But do not gentlemen exaggerate as to the increased expense it will bring? Let us examine.

In the first place, the sheriff, getting a fee, goes to work to make a fortune by summoning twice as many as he ought to. In the next place, the judge being careless or indifferent, will have three men at the Court House two or three days before the case is reached on the docket, and then upon some mere pretext by those who wish to evade the end of the law, he will permit these cases to be deferred from court to court, year to year. But, sir, I propose to put an end to all this laxity and indifference. Make all classes of the community feel the burthen of these expenses, and you get up a public sentiment which would read these careless officials a lesson that would bring them within a strict and economical exercise of their powers, which would save the country from much anxiety and expense.

Moreover, let the wealth and virtue of the land in this way feel the weight of the crime in their midst, and they will *hunt it down*, for crime whether under an aroused public indignation. This being accomplished, society would become more virtuous and the burthens of government rest alike upon all. It was never intended by the framers of our Constitution, either State or Federal, that the machinery of this government should be worked for nothing. The President gets twenty-five thousand dollars; members of Congress three thousand; your Governor three thousand per annum. The members of this body get four dollars per day, the clerks of this House six dollars per day, and there stands two fine looking door-keepers at four dollars per day, yet the criminal jury which stands to guard, as sentinels, the lives, the property, and the fair names of your daughters, are required under penalty of a fine, to lose their time and to pay their own expenses, for the public good. Every class of interest seems to be protected but the laboring class. High wages paid to public officers; charters granted to banks and incorporations, which hang like an incubus upon the community, extracting from the laboring class million after million, all under the sanction of law, while the honest jurymen who lays the foundation of good society, is denied the poor alliance of money enough to pay for a night's lodging. He alone must expiate his wants upon the altar of his country.

☞ Equality and justice crushed to earth will rise again. The eternal scales of God are true.

Mr. Richardson suggested that the bill before the House provided for the pay of criminal jurors, alike with jurors in civil cases.

Mr. Bulloch referred the law on the subject. By the bill, the talisman juror was allowed the pay of the juror on the regular panuel, if detained over night. Sometimes these talisman jurors were summoned to the extent of 200 or 300 men. Did the gentlemen propose to pay those out on the panuel?

Mr. Bradford. That was the object.

Mr. Bulloch. Then I tell the gentleman that his bill would bankrupt any county in the State.

Mr. Newman said: I fully concur in the views and opinions expressed by the gentleman from Haywood (Mr. Bradford) in regard to the pay of jurors, summoned to attend our courts in criminal cases. Various persons are summoned, and that by the order of the court. Those summoned are generally unable to lose the time from home. Their daily avocation requires that they should lose but little time, but your courts require them to stop everything and come into court, to be asked the question, "whether they have formed or expressed an opinion in regard to the guilt or innocence" of some scoundrel. Now, sir, my opinion is they should be rewarded, and the property of our counties should pay for their time, as justly remarked by my friend from Haywood. Gentlemen opposed to this amendment contend that the cost will be too great. But, sir, this argument of cost says, in effect, that the laboring men of the country shall bear all the burthens—and the wealthy none in these particular cases. Therefore, believing that this amendment is right in principle, and demanded by the law of common justice to those persons who have to leave their homes, to "dare attendance around our courts," I shall, for one, most cheerfully give it my support.

Mr. Richardson alleged that these men were not jurors, till they were brought into the panel to state the question; and he would say how much more sound on political questions than his opponent, and this to me is *prima facie evidence* that his judgment will be more sound on all other questions. With the expression of these views, which have been spun out to a much greater length than I anticipated, I will leave the question, hoping that some abler hand will take it up, and that the Mississippi papers will press it until the Democracy are aroused to a sense of their rights, and a determination to make nominations hereafter for all offices—political, judicial and ministerial.

A NORTH MISSISSIPPI DEMOCRAT.

To the General Assembly and People of Tennessee.

For the Memphis Appeal.]

Generally, as the mind is correctly trained philosophically and morally, as the enlightened and properly educated predominate over the opposite, is there a disposition to be governed by the principles of *justice*, rather than *power* or *right*, rather than might. In the feudal ages, woman was considered very little above animals; her position was that of a serf, and scarcely known to the law, so little were her rights regarded. Perhaps a great many persons of the present age, who claim to be enlightened, will be surprised on review to see what little advancement has been made in this proclaimed to be progressive and enlightened age. Especially is this true in the State of Tennessee. When a woman marries, the legal title to her property passes to her husband, and her right to, or control over it, ceases. He can immediately dispose of it without consulting her, as though it was the product of his own toil. Is this right? Is she not a human being as well as he, and entitled to be regarded as such? Man assumes to legislate and make laws for the government of himself and also of woman. She acquiesces, according to the custom of the times, believing he will do what is right and proper. Is it then right and proper for him to abuse that trust, and legislate for his own interest to the detriment of hers? to divert what properly belongs to her, to his own legal right and control, with absolute power to dispose of the same?

Suppose Mr. A. and Miss B. are born and educated in the same neighborhood. Do not each possess the same natural rights to labor and acquire property? If so, in case of their marriage, why seek by legislation, on the part of the former, to *rob her legally*, of what by nature and justice she is entitled? Each should be regarded on an equality with the other, and their legal rights to property either may have, should not be affected by the marriage ceremony. I believe this is very nearly the view taken by the civil law, but the common law, following up the feudal system, has made but few ameliorations or modifications. It is time the people of Tennessee were sweeping from their statute book these relics of feudal ages, still recognized by the common law, and adopted in this State. Be it said to the honor of the State of Louisiana, her people have adopted the civil code. Mississippi, Alabama and other States, still recognize the common law, in many respects, but have engrafted into their statute books legislative enactments, which set at naught the common law principles, and specially recognize the civil law principle—that which is right and just to woman, to allow her to own and possess her own property, free from the creditors of her husband, allowing her, of course, the privilege of appropriating it to the same, if she chooses to do so, or of making other disposition of it.

Some worthy members of our Legislature have been trying for many years to restore to the women of this State a portion of their natural and civil rights, but have been unable to effect it, there still being too much of the *feudal idea*, that man is *lord*, and woman a secondary being or servant. I notice that some member of our Legislature, now in session, has introduced a Bill to protect married women in their rights to slave property. I hope the Legislature will go further, and recognize the civil law principle; that of protecting their rights to all property, of whatever kind or quality. The law should not advocate, encourage or recognize the principle of making or acquiring money or property by marriage. So revolting is this to human nature, that when one is deemed to be guilty of it, there is an almost universal and involuntary expression, that the mercenary one may be disappointed.

When reason and justice are opposed to the existing law, why should we still retain it, out of respect to an ancient custom, founded in error, in a less enlightened age of the world, when power was more a governing principle?

Our Legislature should take hold of the subject in an enlightened and manly manner, laying aside preconceived opinions or prejudices, and establish the principle that *men and women are equal*, as regards property at least, and to the honor of Tennessee, let the present, and future enlightened ages see, that she has relieved herself from the thraldom, superstition and ignorance of bygone ages, and that her laws are founded on the principles of justice.

Respectfully,

A CONSTITUENT.

The Cotton Crop.

For the Memphis Appeal.]

COAHOMA COUNTY, MISS., November 24, 1857.

MESSRS. EDITORS: Being visited every week by your widely circulated and ably conducted journal, keeping me posted in regard to every department of news, which I would not dispense with for three times the subscription price, as I regard it one of the best news journals in the South or West—and this I have heard many Know-Nothings admit; but my object in writing is to inform your numerous readers of the prospects in the Mississippi bottom of the cotton crop, as I think a great many are deceived in the amount that will probably be made this year. Having traveled over a large portion of the following counties, viz: Tunica, Coahoma, Bolivar and Washington, and as I have for many years been engaged in raising cotton, and a close observer of the crop, I feel prepared to state the thing very near correctly, which opinions are endorsed by a great many of the best planters; and from all that I have seen and heard, there cannot possibly be more than two-thirds, and, in many instances, more than half a crop made the present year, owing to the fact that the cotton crop has been three or four weeks later than usual, and we commenced gathering at least three weeks later than usual, and then it has rained very much this fall, wetting a large portion of the under bolls; and then add to this the frost, which destroyed a large proportion of the top crop, and, in consequence of these injuries, I think you will find I am very near correct. But though the planters are all shipping their cotton to market, (mostly to New Orleans,) as fast as they can get it ready, I do not think a great many are selling—only such as have liabilities to be met immediately.

I have paid some attention to the reports from other portions of the cotton growing regions, and I now estimate this year's yield at from 2,500,000 to 2,800,000 bales, and much of this will be very late getting to market, and of inferior quality—from Ordinary to Low Middling.

It is to be hoped that confidence will be restored soon in regard to money matters, and the price of cotton advanced.

I will forward my subscription in due time, and probably some new subscribers.

The health of our county has been remarkably good this year. Scarcely a death in the county. Your friend and obt. serv't,

OLD ACQUAINTANCE.

☞ The career of speculation in which the French, led by the Emperor, have indulged for the last few years, will greatly increase their financial troubles. A general revulsion, similar to that which has affected the United States, is not at all unlikely.

Democracy on Incorporations—Individual Liability.

From the Nashville Patriot.

It will be remembered that a few days ago