

TO THE PUBLIC.

TERMS OF SUBSCRIPTION: DAILY APPEAL, ONE YEAR, \$10.00...

RATES OF ADVERTISING: Transient advertisements, first insertion, 25 cents per line...

MEMPHIS APPEAL MONDAY MORNING, AUGUST 23, 1869.

NEWSPAPER SALES: On the 21st of March last, the closing day of what newspaper men...

THE NEWS: Missouri has thirty coal-bearing counties. Mason is called the City of Mocking Birds.

OUR WEEKLY: Now that the business season is about opening, we think it an opportune time...

INSANE ASYLUM: ST. VINCENT'S INSTITUTION FOR THE INSANE, located in the city of Memphis, Tenn.

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THE attentive reader of English history will recognize one phase of national character peculiar to our British ancestors.

It is this: Amid the stormy times, and at the most revolutionary epochs in their annals, insurrection was always made as to what authority existed in law for any proposed change in the Constitution of the State.

And if a change had been effected by violence, the question constantly recurred as to what sanction could be found for it in law.

Indeed it may be said with truth that the English people conducted their revolutions according to law.

That which was in its nature lawless they prescribed law. This trait belongs to every people addicted to constitutional methods or capable of maintaining national liberty.

We have inherited this element of national character. When it falls our people no longer manifesting its presence with us—we will then be ready for a despotism.

But we are assured that this conservative force still hath vigor in the American heart and mind.

It will appear that the despotism of a faction, though supported apparently by a legal majority, will find a Rummye as certainly as JOHN F. FOUND IT.

This servative force has been called into the field north of the Ohio and Susquehanna. It has been successfully mustered, and has accomplished much, though not all its work in Tennessee.

To finish its labors in accordance with the spirit of American liberty will require time, patience and calm wisdom. Much has been violently done since 1860 in utter repugnance to American law and precedent.

Not a title of this can be undone; neither the desire of reform exists. In by far the larger number of instances these wrongs could not be corrected without committing still greater wrongs and inflicting on the State irreparable injury.

This well recognized principle of law and statesmanship secures to the fanaticism that bred the war the main result for which it labored—the perpetual overthrow of African slavery.

It likewise gives to the sincere Unionist immunity from the servative force long as no cause for revolution is advanced. Beyond this there are, however, two questions that demand a settlement at the earliest practicable moment.

One of them is whether the franchise laws of Tennessee, imposing exclusion from the ballot box for participation or complicity in the late civil war and the admission of a new class of voters to the electoral body without the consent of the preceding electors, had any foundation in law or equity.

The other many a constitutional lawyer would regard as equally fundamental and pregnant question is whether the American system authorizes the civil government of a State to be superceded in time of profound peace by the military authority of the Federal Government.

The latter question will be determined ultimately in the arena of Federal politics, and perhaps by the Federal Supreme Court—the former might in the domestic forum of our State. It is true that by the political action of the State the old laws known as the "Franchise Acts" will be destroyed. But that is not sufficient. It would be dangerous to the liberties of all to place that on a mere revolution in parties which should be impeded in the fundamental law and have the sanction of Constitutional permanency.

The passions of party must not control the right of suffrage. These laws must receive consideration as usurpations, must forever be held and recognized as utterly illegal. They have been so pronounced by the ablest lawyers of the land.

We are informed that certain members of our own bar (of which we are justly proud for its eminence) have presented arguments against the validity of these franchise laws which are thought by the profession to be unanswerable. These arguments show that these odious acts came within the prohibitions of the Federal Constitution, and therefore are null and void.

Another line of argument, quite as conclusive, is to the effect that the Convention of 1865 acted alone under authority derived from the President of the United States, and that authority conferred no power in the Convention to deprive any one of the elective franchise, nor to change in any respect the electoral body; that while this Convention may be recognized as legal for the purpose of organizing a State Government, "loyal" to Federal authority, yet, when it transcended this purpose, its acts were void, and that it had no power to delegate to the Legislature authority to interfere with the elective franchise.

The APPEAL desires, (and in this the people of Tennessee concur with it) that these questions may be judicially determined, not only for our benefit, but for that of other States of the Union. If these laws were nullifications of power, it is due to American liberty and freedom that they be so decided. Let us know whether the right of suffrage hangs on the inconstant fortunes of party, or belongs to the great body of American liberties. We know that some Courts have been heretofore partisan in their rulings on these questions, and others have been reluctant to speak, we know, however, that the bar regards them as not yet settled, and have pressed them on judicial attention with unwearied assiduity. We ask that the lawyers engaged do not abandon these cases involving these liberties, because the Convention will relieve us of their political condemnation of these outrages. Such judicial condemnation will educate the people of the State to adjust many complications precipitated on them by these cases without being transferred by the suggestion of compromise. They will then be enabled to do precisely what the interests of the State requires without being under the restraints of a useless and statesmanlike complaisance. The lawyers of England solved every difficulty that has arisen in her Government, and no Englishman ever felt assured as to what were his franchises and liberties until they passed through the judicial crucible. Our people are much of the same mind. Nothing short of a decisive array of judicial determination on these vari-

ous questions will prevent the Radical faction from frustrating all our hopes, and again pinning our liberties to their sleeves. We will be only allowed the privilege of doing what they permit, and nothing more. We are familiar with the attempt from Washington to continue the oppression of Tennessee. The President is urged to repress the will of the people of Mississippi. We are not safe against this stubborn tyranny until the rights of our people shall be crystallized into the judgment of the Court.

OUR STOCK OF SPRING AND SUMMER DRY GOODS.

ON AND AFTER MONDAY, JULY 12th, OUR STOCK OF SPRING AND SUMMER DRY GOODS.

WE WILL OFFER ON AND AFTER THE above date, entire stock of Spring and Summer Dry Goods at

NEW YORK COST, Southern Palace, 332 Main St. New York Cost—No Hump!

Our Stock of Spring and Summer Goods consists of the Latest and Most Fashionable Styles.

And complete in every particular, and selected with great care for this market.

NEW YORK. BOILER FLUES. Clyde Tube Works, MANUFACTURERS.

W. H. WALLACE & CO., SOLE AGENTS IN THE U.S., 131 Washington Street, N. Y.

SILVER PLATED BAKING DISH RECEPTABLES.

A NOVEL and beautiful article of table furniture, and therefore an improvement over other articles of the kind.

ADAMS, CHANDLER & CO., MANUFACTURERS, 20 John Street, New York.

MACHINERY FOR Draining, Irrigating and Wrecking.

CENTRIFUGAL PUMPS, Oscillating Engines, Boilers, Smoke Consuming, Friction Grooved Non-Slipping, All Light, Compact, Durable and Economical.

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GUNS, TOMES, MELVAIN & CO., FOWLING PIECES.

THE SOUTHERN TRADE, Both Muzzle and Breech Loaders.

'M. VARIAN & SON, CLOTHING AND FURNISHING WAREHOUSE.

Nos. 70 and 72 BOWERY, Near Canal St., NEW YORK.

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