MEMPHIS APPEAL

BY

GALLAWAY & KEATING.

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MEMPHIS APPEAL

TUESDAY, : NOVEMBER 13, 1877.

A MERCILESS CASTIGATION.

To the exclusion of our usual variety, we lay before the readers of to-day's APPEAL the reply of Hon. Jere. S. Black to Stoughton's diatribe of slanders published in the *North American Review*. It is useless for us to request our readers to give Judge Black's able production a careful perusal, as everybody reads the utterances of the greatest of our American writers with the same avidity that the people of England read the letters of Junius. Metaphorically speaking, Black places Stoughton between his fingers, sharpens his knife upon the bottom of his boot and then commences the work of whittling him to pieces, just as the idle boy sitting on an empty box at the door of a country store whittles away the clean white pine sundered from the box on which he is seated. Caligula used to spend days for the purpose of inventing instruments by which to torture his victims, but he never invented anything that inflicted more pain than does the pen of Judge Black in holding up the infamy of the rogues who stole the Presidency. He takes a malicious delight in hanging, drawing and quartering the conspirators, and in witnessing their anguish and tortures, their strange contortions and funny writhings. Judge Black was one of the Democratic counsel in the great election fraud, and we are told by those who had the good fortune to be present when he addressed the bribed and debased eight of the electoral commission, that it was an exhibition of courage on the part of the brave old man, and conscious infamy and fear on the part of the famous, or, rather, infamous eight, seldom if ever witnessed. With inimitable sarcasm, and clear, incisive utterance, he brought home to these creatures the contempt and scorn of an outraged people. No attempt was made to interrupt the "old man eloquent," and the pilloried rogues sat in stolid shame under the stinging storm of eloquent wrath. Messrs. Miller, Bradley, Strong, Edmunds, Hoar, Garfield and Frelinghuysen are going about to-day without skins. They may not be aware of it. As conscience is really the emotions of alarm and shame at being caught, and man will do that for which his evil nature fits him until arrested, it may be that these fellows do not know that their cuticles have been removed. But the time will come when the unhappy children of these eight will be applying to courts and legislatures to be relieved of names that are infamous. The little postmasters of the country, who have profited by the theft of the Presidency, will unleash their hired blackguards and penny-a-liners, with orders to yelp at the heels of Judge Black. These little curs will sneer at the idea of a great people like those of America condescending to notice such an insignificant little matter as robbing the people of their liberties. But they will discover that Judge Black is backed, sustained and indorsed by every man who cares more for liberty and honesty than for office. The defeats of the Radicals in Ohio and other States date back to the day when Samuel J. Tilden was counted out of the Presidency. That act was so clearly wrong, so evidently illegal, so astoundingly immoral, that no party could be expected to wink at its commission and yet live. Party-leaders might and did indorse it, but the people never did, and, what is more, never will. These office-seekers and their paid slanderers can neither silence Judge Black nor the American people, for, as a Democratic speaker recently said, "the Democracy, on the stump, through the press, in county, State and national conventions, on every possible occasion, in season and out of season, propose to impeach, challenge and assail the decision of the electoral commission as finally adopted by congress and entered upon its journals. There shall be no peace to the wicked. We will agitate, and agitate, until, in the fullness of time—now, thank God, not very far distant, the senate having changed its majority and the two houses in Democratic accord, assuredly on the second Wednesday of February, 1881, when assembled in joint convention to count in a Democratic President—the journals of '76 shall be produced, and then and there the clerk shall proceed to draw a square of broad, black lines around the accursed record, and to write across its face, in letters strong and indelible, these words: 'EXPUNGED BY ORDER OF THE AMERICAN PEOPLE.' Then, and not till then, will the wound of the constitution be healed—this great wrong be avenged—the purity and sovereignty of the elective franchise vindicated, and the safety and perpetuity of the republic assured."

IN noting the fact that our national legislative halls again resound with eloquence, the New York *World* suggests now that an effort has been made to receive again the muse of oratory in a place which once was a favorite resort of hers, why not continue it? There are men in congress within whose bosoms the fires of eloquence must be smouldering and ready to break forth, all the more that so long they have been covered with slag which retained their heat. Those which dwell within Mr. Cox's breast alone would be sufficient to burn up not only the congressional library, but would well have served for that of Alexandria when Amrou lived. Give us some more eloquence; we die else.

THE New York *World* finds a bit of charity for Mr. Lo, in the fact that he has a faculty for crowding much meaning into a few words; and not many more striking specimens of savage eloquence have been seen than the speech of Sitting-Bull professing submission to the Queen of England and her agents. It may be false in so far that the chief will forget the promises which he makes, but there is something pathetic in the resignation and gratitude which he professes when speaking of his benefactors, and something startling in the fierce hatred and indignation with which he deals out wrath to his enemies. There is enough of truth in his story to make his invective telling.

THE official count of the New York elections gives the Democratic majority in the State at 18,502. The senate stands Democrats, 14; Republicans, 16; Anti-Tammany Democrats, 2. The assembly stands Democrats, … Republicans, 61; Anti-Tammany …

LETTER OF JUDGE BLACK

To Mr. Stoughton—Reply to Stoughton's Defense (?) of the Great Fraud.

To Hon. E. W. Stoughton:

If I do not reply to your article in the last number of the *North American Review*, you will remain under the delusion that your argument is irresistible. I will try to correct that mistake by showing that if there be a defense for the Great Fraud, you decidedly are not the person to make it. Doing this mainly for your own edification, I address you directly. I separate your personal invective from your discussion of the case, though they are so mixed as to make separation difficult, and I will consider your objections to my view of the subject as if they had been expressed in becoming and decent language. You think, as your political friends in general think, that after the decision of the electoral commission against us we ought to submit in silence, and not vex the victorious party with an appeal to

THE TRIBUNAL OF PUBLIC OPINION.

We *have* submitted. The proper representatives of both parties agreed to leave the dispute to a body which they constituted for the purpose of settling it. We could not refuse to abide by the award without being guilty of bad faith. We do not now assert the injustice of it with any view to reverse or modify it. You need not fear the stability of that award, however iniquitous you may know it to be. You can enjoy its fruits in perfect security, and we, the people, will on our part "perform the vows which we have vowed before the Lord," however much it may be "to our own hurt." But to acquiesce without a protest—to confess tacitly that the wrong is right, and the evil a good—that is out of the question. In discussing the whole subject with great plainness of speech, we not only obey an impulse, but perform a duty. For this I will give some reasons and take the chance of making you comprehend them. In the first place, it concerns the reputations of nearly all the public men of the present day. You and I are too obscure to be noticed by history, but the great characters of our time on both sides will go down to posterity clothed with honor or covered with infamy, according as they have been trying to further the fraud or stop it. Remember there was a fraud, and a very gross one, committed by one party or the other. If the State of Louisiana chose Kellogg, and the other candidates on the Hayes ticket for Presidential electors, and the Democratic politicians, knowing this, did, nevertheless, deny the truth and fabricated a false return for Tilden, which they persisted to the last in trying to pass for a true one, they were a combination of most redemptionless rogues, and it will be recorded, as an aggravation of their crime, that the electoral commission crushed out their falsehood they turned about and, with calumnious accusations, charged their own guilt upon their innocent opponents. The converse of these propositions is also true. If the Tilden electors were duly chosen by the people, and the Republican leaders in and out of the State altered the returns, falsified the records and constituted a counterfeit electoral college, whereby the people of the State and Union were cheated out of the President whom they had legally elected by a large majority, then it is only anticipating history to say that all who aided, abetted and encouraged that offense ought to be "classed among the worst malefactors of the age." Seeing the great interest that hangs on this question, is it not fairly worth our while to give it a full examination while the facts are yet fresh in the memory of men? Another consideration there is, which makes a public appeal upon the subject, not only proper, but absolutely necessary, if our convictions are not founded in total mistake. The candidate to whom you are opposed was, as we understand the case, elected by an overwhelming popular vote, and by a majority of at least twenty-three in the electoral colleges. But

YOU DEFEATED THE LEGALLY EXPRESSED WILL OF THE PEOPLE AND THE STATES,

by means of false tokens and divers covinous practices, contrary to the law and against the moral sense of all honest men. The decision of the electoral commission, by making the fraud perfectly successful, invites a repetition of it, and you undoubtedly *will* repeat it, unless you are in some way deterred. Now, the nation will not submit to another such outrage. We promote your true interests as well as ours, if we prevent you from endangering the peace of the country by trying this kind of foul play over again. To that end the best, as well as the kindest means I know of, is a complete exposure of the fraud itself, and a free criticism of the commission, which should have rebuked it, but did not. You deprecate every expression from any quarter which is calculated to loosen the confidence of the public in the judicial authorities, and think, therefore, that the electoral commission should be very tenderly dealt with. Mr. Jefferson said that jealousy of rulers, not confidence, was the virtue of all true citizens of a republic. Without stopping to consider whether this applies to judges, as well as other officers, I answer you by saying that the electoral commission was not a judicial tribunal, and did not behave like one. It was a political body, organized for a special occasion, to determine a particular question, "according to the best of its prejudices;" and it performed the function assigned to it by disregarding the law of the case and shutting its eyes on the facts. The less confidence we have in such tribunals, the better; indeed, a reasonable regard for the safety of our most important rights requires that we should have none at all. You are welcome to the admission (if you think it will do you any good) that I look not only with contempt, but with abhorrence, upon all the special tribunals which have

DISGRACED THE HISTORY OF OUR RACE

on both sides of the Atlantic, including the star chamber, the court of high commission all military and all ecclesiastical commissions, and all commissions for political purposes. If I could revive in this generation the stern hatred which our fathers felt for those dangerous enemies of liberty and justice, I would be a great public benefactor, and you would never get another commission of any kind to uphold fraud, to sanctify persecution, or to oppress the innocent.

You take violent exception to my use of the word "conspiracy," as applied to those unlawful proceedings which resulted in defeating Mr. Tilden's large majority. Of course you prefer your own euphemistic phrase, and call it taking "a political advantage." But I cannot see wherein my term is wrong. Your objection is like that of ancient Pistol to the word *steal*, for which he wished to substitute *convey*. To say conspiracy, fraud, or anything else which implies that your friends in Louisiana and their allies were guilty of crime, is, in your opinion coarse and brutal. Your refined taste has been deeply offended in this way, not only by me, but by the whole Democracy wherever they have written or spoken on the subject, either in congress, before the commission, or elsewhere. The impoliteness of making the accusation has been uniformly heightened by the rough boldness with which it was proved to be true, and by the "blistering words" in which it was denounced. Perhaps all the Democrats were wrong to some extent. It may be that we ought not to have spoken in harsh terms of censure, or said anything to disturb the serenity of the knaves who did us this terrible injustice. But if you are not altogether blind you must know that this was, in our situation, simply impossible. Here was a great nation, which had suffered by misgovernment more than any other under the sun—her property taxed almost to confiscation—her industry crushed to the earth—her public domain squandered away—her best citizens starving by the hundred thousand in the midst of the plenty which their own labor had produced, while corruption was reveling in high places and fattening on the general distress. The people determined to reform the administration of their public affairs, and restore their own prosperity, by choosing rulers whom they could trust for that purpose. They expressed their will to that effect legally, constitutionally, and peacefully, and they were defeated by an impudent swindle. Is it any wonder that

THE GREAT HEART OF THE DEMOCRACY SWELLED WITH INDIGNATION?

Even if their feelings found vent in language too passionate, you ought to remember, with Burke, that "something must be pardoned to the spirit of liberty." I concede, however, that no feeling of resentment will excuse us for charging a conspiracy where none existed, or fraud where none was committed. Even if we were wronged, that does not give us the privilege of applying terms which do not express the real nature of the injury. We can justify our words only by showing that we use them truly, in a sense authorized by the law and the common speech of the country. Otherwise our language is like some of yours, mere vituperation, disgraceful only to those who utter it. Accepting, therefore, the *onus probandi*, let me bring your attention to certain facts well and publicly known. It is proved, if human testimony can prove anything, that the people of Louisiana did, on the seventh of November last past, duly, and by regular ballots, make an appointment of Presidential electors known to be in favor of Tilden and Hendricks, and authorized them to cast the vote of the State. It is just as clear that the appointment made by the people was set at naught by a gross falsification of the records and returns of the election. This was effected by the corrupt agency of certain local officers, combined with other persons in and out of the State, who incited to it, abetted them in it, and helped them to clothe the cheat in what they said were the "forms of law." Is it a misnomer to call this a conspiracy? That offense is defined as a combination of several persons to accomplish an unlawful purpose, by concerted action. How can you get your friends outside of this definition? Persons acting in this way are always treated as conspirators, and by the law of every civilized country in the world, they are severely punished. Take one simple and actual case out of thousands that might be given: Divers dishonest men at St. Louis combined to defraud the United States of their revenue from distilled spirits, and they did it by a preconcerted series of false and deceptive returns which certain public officers, confederated with them, passed off as true. This was held, and justly held, to be a conspiracy, and some of the parties to it were sent to the penitentiary. Perhaps you do not see the parallel, but the analogue is perfect, except in this: that in the case which you defend, the object of the combination was

TO CHEAT THE PEOPLE

out of their right of self-government, while the purpose of the St. Louis conspiracy was to rob them of their money. If this makes any difference, it is greatly against you, for liberty is more precious than gold. In the judgment of the virtuous and wise men who won the independence and built up the institutions of this country the privilege of choosing their own rulers was infinitely the richest part of the great inheritance they left us. With a full price in blood and treasure they bought this freedom for their children, and I do not know one tolerably decent American who would sell even his single right on any terms whatever. At the critical period in the history of Louisiana which occurred last year it was especially valuable to her people, for it furnished them the only legal, peaceable, and safe measure of relief from the exactions of a corrupt and most oppressive government. The successful scheme to cheat those people out of their votes for State officers and Presidential electors is, therefore, a crime of the greatest magnitude, and one which requires a cheek of solid brass to defend it without blushing. It is far worse than a conspiracy to steal any amount of public money. Running crooked whisky for a life-time would be an act of white-robed innocence in comparison. The ultimate object of this crime gives it a general aspect revolting in the last degree; but its features, when seen in detail, are hideous beyond expression. Some returns were entirely suppressed, and others were altered; votes actually cast were thrown out, and others put in and counted which were known not to have been polled. The whole proceeding was full of false pretences. Forgery of the most important documents was a part of it; perjury and subornation of perjury attended it at every step. Shall these things be forgotten or condoned? Do you expect the cheated people of the nation to say, like the eight commissioners, that this is as good a way as any to elect a President? One of your allegations is that I intended to "convey the false impression that the formation of the commission was the result of a Republican conspiracy to fraudulently elect a President and Vice-President;" and Judge Bradley, taking your word for it, has made himself interesting by a public complaint of the injury to himself. I did not say this, or anything like it. On the contrary, I referred to the commission as being proposed in certain difficult circumstances to avoid the dangers which might spring from a continued and final disagreement between the two houses, and as being accepted by the Democrats in the belief that justice would be done, and an honest decision rendered against the fraud. In all this there is nothing about a conspiracy in

"THE FORMATION OF THE COMMISSION."

I do not know that you misrepresented this point wilfully. It is one of your characteristic inaccuracies, like that which charges Dante with the indecencies of the *Decameron*. No; the conspiracy was not in the formation of the commission, but in the frauds which fabricated and returned those bogus votes. The commission refused to verify the vote and ascertain whether the electors that sent them up were duly appointed or not, and in this it bitterly disappointed the friends of truth, and grossly violated the whole spirit as well as the letter of the law which gave it being. Whether this was mere error, or something worse, is not for me or you to determine; but the general judgment will, no doubt, adopt the charitable view which I have given, and say that the faculties of the majority were too much benumbed by party passion to see the facts or understand the law. You claim that the certificate of the returning board gave you "a political advantage." In this you are certainly right. A party sued for an honest debt has a great advantage over his creditor, if he can produce a fraudulent or forged receipt upon the trial. The *advantage* becomes decisive if the tribunal trying the cause is willing to accept the false paper, give it the effect of a true one, and permit the plaintiff to be cheated out of his debt. But would it be right, legally or morally, for the debtor to *take* such an advantage. Your technical argument in favor of the fraud deserves notice, because it is almost your only attempt at reasoning … [illegible] … can people have "no right to elect their own chief magistrate;" that no such right is imbedded in the constitution, or elsewhere; that, on the contrary, "the framers of the constitution were careful to exclude from the people the right to elect their own chief magistrate." I admit that this, if true, ends the controversy in your favor; for it cannot have been legally wrong to defeat the attempt which the people made to exercise a right from which they were carefully excluded by the constitution. But this opinion of yours is a total misconception, and will not be adopted by any human being who has the faintest idea of our institutions. You put your proposition with unwonted precision when you say, as you do on the same page, that the people of Louisiana and Florida have not the power to appoint electors of President and Vice-President. This goes to the root of the matter. It proves logically enough that the election at which the Tilden candidates were fixed upon, chosen, appointed and named as electors, was a mere abortion, a vain effort to perform a function *ultra vires* and merely void. The returning board and the electoral commission were justified in treating it with contempt. Of such an election it was no harm to falsify the records; for in their best estate they had no value or validity. To forge them was no crime, for it prejudiced no right. But is it true that the people of Louisiana and Florida have no power to appoint electors?

YOU DENY THE POWER OF THE PEOPLE

to appoint because that power "is by the supreme law of the land (meaning the Federal constitution) vested in the States, to be exercised in such manner as the legislatures thereof may direct." Now the legislatures of the two States have directed that the power shall be exercised by the people, and this makes their right as clear as if the legislative enactment had been textually inserted in the constitution of the United States. No argument is necessary to make this intelligible to a man of ordinary sense. There is the constitution, and there are the laws of the States; "he that runs may read," though, under the circumstances, I suppose I must not allow myself to say that "a fool cannot err therein." It is hardly possible to imagine anything more preposterous than your notion that these laws which give the power of appointment so distinctly, and so exclusively to the people, do *not* give it to them because a returning board is authorized to collate the votes, add them together and ascertain what choice the people have made; that the power to inspect the record of the election and certify the result, is the power elect; that the right of the people to choose their State officers and Presidential electors is only the power to send up names to the returning officer, who may choose them or reject them at his pleasure; that when the people have made one appointment and the returning board another, the latter is the due appointment, and the former no appointment at all. I will not trouble you with judicial decisions on this point, or with arguments derived from the established canons of construction, for they would make no impression on your mind. But I think I can stagger you by citing the authority of those mighty jurists and statesmen who, until recently, ran the government of Louisiana so much to your admiration. All of them, without exception, and "without distinction of race, color, or former condition of servitude," conceded the exclusive right and the unqualified power of the people to appoint electors of President and Vice-President for their State. This concession was not only made in words, it was avowed in every act they performed, from the beginning to the end of their domination. When Kellogg and his associates wanted the appointment of electors, they asked the people for it, and they acknowledged in a thousand forms that the people alone could give it. The returning-officers themselves never denied the power of the people to choose and appoint whom they pleased for electors, as well as for governor, lieutenant-governor, and other State officers. Their certificates, whether false or true, did not pretend to be *proprio vigore* an appointment. Every one of these papers purported on its face to be a mere declaration of the appointment previously made by the people. No candidate who obtained one of them ever undertook to use it except as evidence of a pre-existing right derived from a popular vote in his favor.

THE MONSTROUS DOCTRINE

that the returning board could create title to an elective office was never even broached, unless to be universally condemned as untenable. It is a pity that in your long, frequent and affectionate intercourse with the negroes and carpetbaggers at New Orleans you did not pick up a little knowledge of constitutional law. Failing to find any justification in the law for those who did this deed, you must leave them without an excuse or find one in the facts of the case. Your demurrer is a preposterous sham, and you must answer over. Was the true vote of Louisiana counted or not? The great fundamental fact which underlies all others in regard to Louisiana is, that the State, by her qualified voters chose and appointed the Tilden electors in due and legal form. This is proved by evidence clear and decisive enough to strike all contradiction dumb. In less than two days after the election it was known all over the country that in Louisiana there had been a full poll and a heavy majority for Tilden. Very soon afterward the official count made and recorded in the several parishes by Republican officers of the election were brought together, and the exact vote of each candidate was ascertained. The figures could not be made to lie, and all parties agreed that the majority for the Tilden electors averaged nearly eight thousand. Now, remember, this was a public act not done in a corner, but transacted in the face of the world; and the uncontradicted report of it carried perfect conviction along with it. Upon evidence of this kind the most important fact in the history of the universe was accepted as true in all parts of the earth immediately after it happened, and for more than eighteen centuries the most powerful minds in christendom have staked upon it their highest interests in this world and their salvation in the next.

BUT THERE WAS OTHER EVIDENCE.

Committees of congress were sent down, charged with the special duty of inquiring into the matter on the ground, and they reported the true result of the election to be as previously stated, that is to say, 7659 majority for Tilden. Even that is not all. The original documents and records showing what the vote was, as actually counted by Republican commissioners of election, authenticated by their sworn certificates and verified by the oaths of many credible persons, were produced before congress and before the electoral commission. These were conclusive proofs; they were submitted to your inspection, and if you do not know from them that a large majority of the people at that election voted for Tilden electors and the Democratic State officers, you are wholly unfit for your business. But you do know it, and cannot deny it without totally destroying your character for common veracity. Forced by the irresistible strength of the proofs, you admit or (to use your own words) assume that the majority for the Tilden electors was 7659. So, therefore, that is settled. There is another point of fact that is also established. The majority for the Tilden electors was made up by the votes of legally-qualified citizens. I do not say this merely because the reception of the votes by the proper election officers was *per se* an adjudication in favor of the voter's right, but for the further reason that the election at all the polling places was in the hands and under the complete control of the opposing party, who would certainly not permit any Democratic vote to go in if they could legally keep it out. Besides, the house committee, when they went to Louisiana, with power to send for persons and papers, could not find anybody not a carpetbagger or a customhouse officer—hardy enough to assert that the Democrats polled illegal votes. You have not denied, and I suppose will not, that the majority of seven thousand six hundred and fifty-nine, which you admit was cast for the Tilden electors, was cast by properly qualified citizens. Another thing:

THE ELECTION WAS FREE AND PEACEABLE.

The officers reported no disturbance. Every polling-place was manned by policemen, deputy-marshals and soldiers in the interest of the carpet baggers, and all of them testify that there was no violence of any kind which called for their interference. The same is true with regard to the registration. That there could have been no force or intimidation at other places, or times, which kept people away from the election is proved by the large number that came. The vote was the heaviest ever polled in the State; and larger in proportion to the whole population, as ascertained by the census, than in most other States where all the exertions of both parties were used to bring out their last man. The necessary result, briefly stated, of all the facts known and proved is this, that the people of Louisiana, having the undoubted power to choose their own electors, did regularly, duly and legally appoint the Tilden candidates upon a full poll, at a free election and by a large majority; and the persons thus duly appointed by the people were exclusively capable of casting the Presidential vote of the State. It followed, as the day follows the night, that the count of the eight electoral votes from Louisiana for Hayes was a false count.

But you say that the officers of the returning board, by virtue of certain judicial powers conferred on it, could disfranchise the majority, nullify their act of appointment, and virtually take the power of choosing electors into their own hands. This brings us to another disputed question of law: "Is the returning board law valid and binding, or a mere nullity because of its direct and palpable conflict with the constitution?" Let us look.

Of course, neither you nor anybody will deny that disfranchisement of a free citizen is a severe punishment reserved by the penal law for

THE MOST INFAMOUS CRIMES.

To inflict it is an exercise of the highest legal authority. The judicial power in Louisiana is exclusively confined by the State constitution to certain enumerated courts, and the returning board is not one of them. Therefore an act of the legislature which gives to such a board *any* judicial power to punish *any* person for *any* offense, is clearly void. But in addition to this, it is provided by the fundamental law of all free States, including Louisiana, that even the courts of magistrates capable of holding this power shall never exercise it except upon formal accusation and due conviction, after a regular trial before an impartial jury. Now the legislative act which you assert to be constitutional gives the power to punish by disfranchisement to the returning board, which is not a court, and authorizes it to pronounce sentence of disfranchisement upon all the citizens of a parish, at once, for an act of violence not committed by themselves or by any of them, but by somebody else whom they may never have seen or heard of. Even the fact that violence was committed by other parties is to be ascertained, not by a trial, but by an inquiry conducted in secret, behind the back of the parties, on *ex parte* statements of their political enemies. The sentence is to be carried remorselessly out, though it have the effect of remanding the whole people of the State back to a hopeless bondage from which they are struggling to be free. Such a law you declare to be constitutional and valid! There is not a half-grown boy in the country, of average understanding, that does not know better. I cannot help but believe that a little reflection would have saved even you from the shame and folly of making an assertion so destitute of all sense and reason. But you go further. You not only aver that the power of the legislature to pass such a law cannot be doubted, but you declare that the supreme court of Louisiana has adjudged it to be valid—that is to say, consistent with the constitution. This is extremely injurious to that court, and, if believed, it would destroy all confidence in the integrity of its judgments. Knowing something of its members, I take leave to say that they are utterly incapable of making a decision at once

SO FALSE AND SO ABSURD.

In fact, they did not. No case ever came before them involving the question, and no dictum ever fell from either of them which could give the returning board or its owners the least hope of being sustained as a constitutional body.

This falsification of a judicial decision, to uphold the power of the returning board in fabricating election returns, has a curious history. In November last, Mr. Stanley Matthews, in a published letter, said that the supreme court of the State had decided the returning board statute to be constitutional. He was immediately picked up by nine Louisiana lawyers, who told him in a printed pamphlet that it was not true, and asked him, with great politeness, to correct the error. He was silent, but the visiting committee reasserted, in its report, substantially the same thing. Again it was met with loud and emphatic contradiction. Nevertheless, Mr. Sherman, in the senate, afterward reaffirmed it, and had the temerity to hold up a book of Louisiana reports in which he said the decision would be found. Those who, for want of time or interest in the subject, did not examine the report were in some sort compelled to believe what was affirmed about it by a senator who professed to have carefully read it, and in consequence the reputation of the Louisiana court suffered severely for a while. But the misrepresentation soon became known for what it really was, and it was again thoroughly exposed, as you very well know. Now, after all this, here are you at the same work again, parading anew the citation proved to be false half a dozen times. The patient pertinacity of Pope's spider, reconstructing its web as often as it was swept away, is the figure that fits your case; I will not quote the lines unless they offend you by their coarseness. You transcribe a passage in which you tell us that the court has decided the validity of the statute, but you are careful not to mention the case or the book from which you take it; it is found, however, in the case of Bonner *vs.* Lynch, on page 268 of the Twenty-Fifth Annual. There is not in that passage, or in that case, or in that book, one word that alludes in the remotest manner to the constitutional question or the power of the legislature to pass such a law. The case being examined, shows that no such point was raised by the record, or discussed by counsel, or adjudicated by the court. The sole question was whether the court had authority to revise the proceedings of the returning board and correct its errors. Four judges concurred in the opinion that, inasmuch as no statute expressly gave them that power, they could take no cognizance of the subject, for want of jurisdiction *ratione materiæ*. You might just as well cite that case to prove

THE CONSTITUTIONALITY OF THE RECONSTRUCTION LAW …

… the conclusive effect of its action; whereas, in truth and in fact, the court holds the direct contrary, and says that a certificate of the board is merely *prima-facie* evidence in favor of the person who gets it. How, indeed, could the court have done otherwise, seeing that the statute itself declares, *totidem verbis*, that the certificate shall be not conclusive, but *prima-facie* merely. And here it ought to be noted, that where you profess to set forth the provision of the legislative act which makes the certificate of the board evidence, you garble it shamefully, and alter it to make it fit your assertion that it is conclusive, by cutting out the words which declare it to be only *prima-facie*.

I am not sure that you have made these misstatements with malice prepense:

"But wrong is wrought for want of thought,
As well as want of heart."

You utter whatever comes uppermost, if it seems to serve your purpose, without stopping to consider whether it is right or wrong. Added to this, you have the dangerous gift of talking on a subject you know nothing about just as well as if you understood it. This combination of mental qualities gives you a matchless skill at blundering:

"As expert divers to the bottom fall
Sooner than those who cannot swim at all,
So, by this art of writing without thinking,
You have a strange alacrity in sinking."

Besides this, the obliquity of your moral vision prevents you from seeing either facts or principles as they are seen by others. You have no doubt that

WELLS, ANDERSON AND THE TWO MULATTOS,

when they corruptly altered and falsified the election returns, "exercised a wise discretion." The manifest sincerity with which you make your confession of this singular faith marks you out for the fittest man that could have been found to serve the Great Fraud by blaspheming the constitution of a free State, mutilating her statutes, and imputing to her judges absurd decisions which they never made. But let that pass. We will now assume that the returning board was a constitutional body, vested with all the power you claim for it, and also that its certificate is conclusive. Does it follow that its action is binding, if it be fraudulent? No; a tribunal with full jurisdiction has no more power to commit fraud than a private citizen. A judgment of the supreme court of the United States upon a matter clearly within its authority is utterly void if tainted with corruption. No paper of any kind, no official certificate, no deed, no record, can weigh a feather in the scale of justice, if it has been concocted in willful falsehood or procured by actual deception. Such a paper or record when produced in evidence has precisely the same probative force as a forgery; neither more nor less. In saying this, we are backed by the good sense and honesty of all mankind, and by rules of law that are universally accepted. Nobody has yet dared to deny this principle. No Republican counsellor met it in argument when the Democratic counsel set it forth; none of the eight responded when all of the seven presented it. Even you, with your "strange alacrity in sinking," cannot get down low enough to contradict it. Any court, any legislative body, any commissioner or arbitrator, who receives a paper known to have been fraudulently made, and gives it the effect of a true one, or adopts it as the foundation of a judgment, or allows it to prejudice any opposing right, commits a most scandalous outrage upon law and justice. The principle which excludes a document tainted with that kind of iniquity is fundamental, axiomatic and necessary to the safety of all rights, public as well as private. It is of universal application, impregnable, unassailable, without variableness, or shadow of turning. It stands now as it has stood since the beginning of the world,

"Whole as the marble, founded as the rock,
As broad and general as the casing air."

The electoral commission was constituted with authority clearly defined to determine a certain controverted matter of fact, to-wit: Whether Kellogg and his seven associates had been duly appointed electors by the people of Louisiana or not. To maintain the affirmation side of that issue the certificate of the returning board was alone relied upon.

THE EIGHT COMMISSIONERS,

against the solemn protest of their seven brethren, accepted that certificate and held it to be good, nay, conclusive, proof of the fact averred, although it was, and they knew it to be, not only tainted, but saturated through and through with the most atrocious fraud, and therefore as corrupt in morals and void in law as the nakedest forgery that ever was made. Thus it came to pass that this great cause, involving the title to the highest office in the republic, was determined falsely, upon evidence which no justice of the peace would receive in a suit for the price of two sheep. In one of the regular courts of the country upon a trial for land or money, the mere offer of such evidence by counsel, knowing its real character, would be extremely dangerous. It would not only be rejected, but the guilty counsellor would be punished, not in the same way (for there is a technical difference), but on the same principle, that courts punish the utterance of counterfeit money. To pollute the administration of justice by passing false and fraudulent documents upon a court is indeed very much worse than "shoving the queer" upon a shop-keeper. Of course the wickedness of all this depends on the *scienter*. Involuntary ignorance would be an excuse. But the corrupt character of this certificate was known to all the world, and being a public fact, the commissioners as well as everybody else were bound to know it; besides that, the evidence was exhibited to their eyes; their rejection of it assumed it to be true; and they expressly ruled that no proof of fraud, however clear, would diminish the value of the false paper in their estimation. So far as I am informed, they have never pretended to be ignorant of the fact that this vote was the offspring of a fraudulent conspiracy, nor have they denied the law, which makes it void for that reason. There is, therefore, nothing for it but to leave their reputation for judicial integrity, as Bacon left his, "to foreign countries, to future ages, and

TO MEN'S CHARITABLE SPEECHES."

The eight commissioners and the counsel on their side tried to frame a weak excuse for this dereliction of duty by reasoning thus: Congress gave the commission no power but what the two houses might have exercised themselves; the two houses had no authority to revise election returns from any State; *ergo*, the commission must receive a false, fraudulent and void certificate as if it were a real return, true and valid. In this syllogism the premises, *major* and *minor*, are unsound, and the conclusion is a *non sequitur*. Congress *has* power, clear and unquestionable, not to revise the action of the State authorities for the purpose of correcting their mere errors, but to ascertain whether a paper pretending to be a return is a real return or a fraud. If the two houses are to count the votes, they must have the verifying power which enables them to determine what are votes and what are not. A fraud or a forgery is not a vote. This verifying power was delegated to the commission with directions to ascertain by it who were duly appointed. The majority did not decline to exercise the power; they assumed it, took it and executed it but they misused and abused it so as not to verify but to falsify the vote. You invoke the name of Judge Church, the present chief justice of the State of New York. If that distinguished, upright and learned gentleman is on your side of this controversy, I admit that the great fraud has a most powerful friend. But your claim that he favors your doctrine is *prima-facie* evidence that he is against you; for, in citing authorities, you are nothing, if not deceptive. You give us a single sentence, which you say is his, but you do not tell us whether it is from a judicial opinion, a published letter, or the report of an oral conversation. Knowing

"THE SIN THAT DOTH SO EASILY BESET YOU,"

I venture to say that this quotation is in some way false: either you have made it out of whole cloth, or torn it from its context, or else made an application of it which the author never intended. Let us look at it. You make the chief justice say, that "the authentication of the election of the Presidential electors, according to the laws of each State, is *final* and conclusive, and there exists no power to go behind *them*." This sentence, with its bad grammar and opaqueness of expression, is not like Judge Church's clear and accurate style. But he may have said that the results of an election, *honestly* authenticated by the proper authorities of the State, according to its laws and the acts of congress, ought to be accepted as final and decisive of all antecedent disputes about it. That is no doubt his opinion, and I firmly believe him to be right on this as on other questions of law. But does it follow that a fraud or a forgery may be regarded as a proper authentication? Have the two houses of congress, when they come to count the votes, no right to distinguish between a true paper and a paper void for manifest corruption? Ask Judge Church to say, for your comfort and assistance, that congress or any other tribunal may lawfully receive, and treat as true, a false paper, known to have been concocted in willful fraud. Instead of gratifying your wish, he will make the tenderest vein in your heart ache with his contempt.

Many persons are of opinion that you did not write the article to which your name is appended. There is intrinsic evidence that certain parts of it were not produced by you; for instance, the defense of the carpetbaggers, which certainly nobody but one of their own number would make now, since the administration at Washington has deserted them, and

"From their ruined fortunes their familiars slink away."

But you are made to appear as a believer in the virtue of the knaves who almost desolated Louisiana by their exactions, taxed property to a point that made it almost worthless, issued innumerable millions of fraudulent bonds, reduced public securities to forty per cent., patronized larceny all over the State, and left the people to the protection of no law but lynch law. The writer could not ignore these enormities, for he manifestly had read, what you probably never took the trouble to look at—the reports made to congress by Messrs. Potter, Foster, Wheeler, Phelps, and others, which establish the facts incontestibly. It was a sin and a shame to make you express admiration and respect for these unmitigated scamps; and facile as you are, I wonder that you submitted to it. They might have spared you this degradation. Was it not enough for you to have said that the rascality of the returning board was

"THE EXERCISE OF A WISE DISCRETION?"

You, or somebody for you, have undertaken to repeat the amazing argument that the returning board and the electoral commission were right in disregarding the popular vote and setting aside the election in Louisiana (free, full, and fair though it was), because numerous murders had been committed in the State during the period of carpetbag rule. It was alleged that these murders had been going on steadily for years at the awful average of about four every day, and though the perpetrators of them were well known, the public authorities had not taken measures to punish a single one. Nobody was hung or tried, or even arrested. I did not believe this story. It was denied on good authority and supported by no credible evidence. But I insisted that if it was true, the people were right in turning out officers who suffered such a state of things to exist, and elect others who would protect life by a faithful execution of the laws. It did seem to me like a new species of moral insanity to say that the law-abiding and honest citizens of the State should be disfranchised because they had cast their votes against officers who, besides being public plunderers, had taken away all security for life by permitting four thousand murders in three years to go entirely unpunished. Upon this you assert, or at least you sign your name to an assertion, and publish it in a magazine as yours, that I *admitted* the perpetration of the murders referred to; that I *justified* them, alleging that the *State government was too weak* to punish or prevent them. This represents me as the most inhuman monster on the earth. A man who would justify the unprovoked assassination of four thousand peaceable and helpless persons, including women and children, on the mere ground that the government was unable to prevent it, would not hesitate to commit murder himself, whenever he could do it with impunity. This odious charge is pressed upon me explicitly, and repeated in many forms through several pages of violent denunciation. Now mark my answer well. The man who wrote this part of the article which passes for yours is

A BASE IMPOSTOR.

Every opinion, thought and sentiment expressed by me is *precisely the reverse* of what he imputes to me. I pronounced the story of the four thousand murders what I did then, and do still believe it to be—a sheer fabrication got up to order for partisan purposes. So far from justifying those murders, I declared that if such outrages had really been committed the carpetbag authorities of the State had made themselves infamous by their failure to punish them. Furthermore, I averred as a matter of fact, and showed it very conclusively to be true, that the State government was armed with physical power amply sufficient to enforce the law, preserve the peace, and protect life. All this I said, not in doubtful or obscure language, but so plainly that no man with intelligence one degree above that of an idiot could misunderstand me. The direct, straightforward mendacity of this effort to defame me is literally wonderful. I speak soberly and without passion, when I say that I think there is nothing like it on record. No reader will be able to conceive the grossness of it without comparing your article at pages 225-6-7 with mine at pages 9-10-11. Even then he will not understand it unless he looks narrowly at the passages which the writer pretends to copy from me. They are *all fraudulently changed and altered*. My disbelief in the murder stories of Sheridan and Sherman, my detestation of those crimes, if they were in truth committed, and of the government, which could punish them, and did not—my unequivocal expression of these sentiments are suppressed and excluded from the passages quoted. Disconnected sentences are picked out from different places, mutilated, transposed and then joined together as if I had written them continuously in that order, whereby the whole sense and meaning of my words is perverted. I am made out to be an apologist for murder and mob violence, just as you might prove from the bible that there is no God. This is not an indictable forgery, but many a man has served out his term at Sing-Sing who would scorn … [illegible] … acter. I am told, and I incline to believe, that you did not write this part of the article which passes for yours

SOME SMART CARPETBAGGER

put it together, and gave it to you, to try how much he could make you disgrace yourself for his amusement or his malace, and you put your name to it without knowing whether it was right or wrong. This relieves you from the imputation of deliberate falsehood; but why, Oh! why were you silly enough to become the catspaw of such a monkey? I have spoken mainly of the Louisiana case, because that is the one of which you ought to have some special knowledge. You have, however, gone into Florida, and tried to defend the decision in favor of that fraud. As might have been expected, you make a bungle of it. I will restate the points as held by the commission so far as you attempt to indicate them. Professing to vindicate the great principle of State rights, the commissioners forced upon Florida electors whom the State had rejected when she made her own choice, and against whom all the departments of her government had protested. The fraudulent nullity manufactured by two canvassing officers was allowed to outweigh the will of the State as expressed by her executive, her legislature, and her courts, as well as the solemn voice of her people in their primary capacity. The commission invested the canvassing officers with judicial authority, and held that their certificate was the decree of a tribunal. It is perfectly certain that by the law of the State the canvassing officers have no such power. The act of the legislature does *not* give it to them, and the supreme court of the State had decided in the most emphatic manner that their duties were purely ministerial. The commissioners went another step. Two clerks being metamorphosed into judges contrary to the law of the State, it was next maintained that their fraudulent act was as good as an honest judgment, and this was against the law of the whole civilized world. All the questions of law and fact controverted before the commissioners with reference to the vote of Florida, had been adjudicated by a State court of competent jurisdiction in a cause between the same parties. It was not open to another hearing. But the eight commissioners, reckless of their plain duty, or not understanding it, though warned by their brethren, made a decision diametrically opposite, and the fraud that had been legally crushed was restored to another life. It might be possible for a very ingenious man to gloss over these anomalous rulings with some appearance of plausibility. But your argument only sets them in a worse light.

YOUR WEAK AND AWKWARD DEFENSE

of them will convince any intelligent man who reads it that they are wholly indefensible. If the commissioners were not ashamed of their errors before, they must have blushed when they saw them supported by such twaddle as yours. You are naturally offended by my reference to the conduct of Mr. Sherman's visiting committee, of which you were one. You call it an attack; but I meant it for the best defense I was able to furnish: and I will not now be provoked to utter one harsh word about them. I am willing to admit that when I said they "aided and abetted, *by every means in their power*, the perpetration of the great fraud," I used too strong an expression. Their case is too serious to be dealt with lightly. So far as depends on me, I will not suffer them to be prejudiced by your blundering advocacy. But they have hurt *themselves* very much by declaring insincerely and untruly that they went to Louisiana only to *witness* the count of the electoral vote by the returning board. Nobody believes that they would drop their affairs at home, start immediately after the election, travel all the way to Louisiana and stay there at great expense for a month, merely that they might be present as *spectators* when Wells, Anderson, and the two mulattoes would cypher up the returns. No; they meant business of some kind, good or evil, and evil is always suspected of that which covers itself under a sham. Another pretense of theirs fails to bear examination. They said they could not advise an honest count or reprobate a false one without fear of offense to the returning officers. This extreme delicacy is all simulated. Nothing could be more ridiculous than the idea that the committee was restrained by politeness from interfering to stop the fraud, if they wanted it stopped. They *could* have crushed it with a word. If they had simply said that an honest count must be made of all the legal votes actually cast, and that no man should, with their consent, be recognized, protected or rewarded for falsifying or fraudulently altering returns, the conspiracy would have dissolved that instant. Their refusal to do this, or something equivalent, when pressed and solicited by the Democratic committee, needs to be vindicated by some better reason than any that has yet been given. They not only did not prevent

THE GREAT FRAUD,

when they might have done it so easily, but they encouraged it, intentionally or unintentionally, by telling the conspirators that power to disfranchise the citizens of the State might constitutionally be exercised by the returning board, and to give this plausibility they cited a void statute and a decision of the supreme court which had never been made. By reasoning wholly unsound they made the conspirators believe that if they put their fraud into the "forms of law," it could never be questioned. Moreover, after the fraudulent alteration of the vote had been made, they pronounced it a righteous thing. How far they were conscientious in this, I do not pretend to say. But if a man approves a consummated crime, it does not require much faith in human weakness to believe that he might have helped it along while it yet was *in fieri*. Again: the chairman of the visiting committee has since become secretary of the treasury, and controls the appointment and removal of customhouse officers at New Orleans as well as elsewhere. Wells is surveyor of the port, and Anderson is deputy collector. Are these offices the consideration, in whole or in part, of their corrupt service in the returning board? What other claims to those lucrative and highly responsible places could be preferred by this brace of detected criminals? Though these facts make an impression very unfavorable to the committee, they are but moral circumstances. The public is *not yet* in possession of any direct evidence which shows either of them to have actually participated in concocting perjured affidavits, bargained for falsified records, or made special promises of reward for corrupt services. All of them are men of good general reputation; most of them stand so high that a charge against them of willful dishonesty, unless supported by overwhelming proof, must be rejected as incredible. Some, perhaps, were tied to the tail of the committee who had not knowledge enough of the subject to make them fairly responsible for what they said or did. You yourself are in no danger if you get proper credit for your mental imbecility; at least, I think it can be easily shown that great allowance ought to be made for you on that score. I come now to your abuse of

THE BUCHANAN ADMINISTRATION.

It is as difficult to analyse as the scolding of a fish-woman. But out of your reckless and half-crazy circumlocution I am able to extract the following charges:

First—That the President and other members of the administration were in favor of the secession movement, and desired its success.

Second—That to make it successful they, and particularly the President himself, behaved treacherously and unfaithfully to the Federal government.

Third—That the President combined with secessionists in the treasonable plot to break up the Union, establish an independent southern Confederacy, and cause it to be recognized as a separate nation by foreign governments.

Fourth—That in pursuance of this plot, and to carry it out, the President not only abandoned, but denied the right of the government to preserve itself, or maintain its authority, or to execute its laws, or to put down resistance by force.

Fifth—That as a consequence of these and other evil deeds, the Buchanan administration became accursed as the cause of the civil war, with all its loss of blood and treasure.

I will not now write an essay on the history of that period, or go into a general explanation of the events which took place on the eve of the war. I am wholly on the defensive, and my present duty is merely to state certain facts already well known, and which show that your charges are false and groundless. Mr. Buchanan's regular message of December, 1860, addressed to a congress in which all the northern and southern States were represented, is an unanswerable argument against the right of separation, and the most powerful appeal for union and harmonious obedience to law that ever was made to the American people, excepting, perhaps, Washington's farewell address and Jackson's proclamation. No one can read it now without feeling that if his wise counsels had been heeded,

THE UNITY OF THE REPUBLIC

would have been preserved in the bonds of a lasting peace. Only those who know, of their own knowledge, what relations actually existed between the administration and the leading advocates of separation, can see how preposterous is the charge of a conspiracy between them. For many southern gentlemen the President, no doubt, had a warm affection which it was not easy to tear from his heart; and their attachment to him had been long and faithful. But the moment he assumed his public attitude of opposition to their movement they fell away from him in a body, and became his unanimous enemies, as far as they could be so consistently with their respect for his acknowledged personal virtues. Even the southern members of his cabinet could not reconcile it with their principles to hold office under him. The great gulf, soon to be filled with blood and fire, was already opened. The administration was on one side of it and all secessionists on the other. Does that look like a combination to effect a common purpose by concert of action? Not less absurdly false is the charge that the administration denied the power of the Federal government to maintain its just supremacy by force. We held not only that no right of separation existed, and, as a logical consequence, that all State ordinances of secession were mere nullities, but we claimed for the government of the Union the right to save its perfect integrity by the use of all the physical force which might be found necessary. This power was given by the constitution itself, according to our exposition of it, thus: To take or retake and keep possession of all forts, arsenals, dock-yards, customhouses, postoffices, land, and other public property of the United States; to collect the duties, imposts and taxes wherever due; to execute the laws by enforcing the judgments of the Federal courts and the legal orders of all Federal officers, and to do this by military power wherever the civil authority is not strong enough; these are the coercive powers bestowed on the general government for its own preservation, and these, instead of being abandoned by the Buchanan administration, were most distinctly asserted.

WHAT WE DID DENY

was the right of the United States to make war upon *a State as a State*, declare all the inhabitants beyond the protection of law, and put them all to the sword as public enemies, for theoretical heresies expressed by a few of them, in the form of void ordinances. We thought, as Washington, Madison and Jackson thought and said on similar occasions, that the force which supported the law ought to be directed against the individuals who opposed it, and not against innocent persons who happened to live in the same State. The United States, being (within certain limits) a sovereign government, to which obedience was due directly from the people, it took no notice of State lines, and could not make war upon a State any more than a State could make war upon a county. The opposite doctrine, which would interpose the State between the people and the Federal government, was the doctrine of the Secessionists, which we rejected as unsound and heretical. If the executive had at that time opened an indiscriminate and aggressive war, it would not only have been lawless murder, but it would, as every one now can see, have ended in complete disaster, and the cause of the Union must have utterly perished. The executive function is confined by the statute-book, as well as by the constitution. The President could not, and he said plainly that he would not, violate his oath of office by usurping powers which the law withheld from him. But congress could give him all that was needed. It did not do so. On the ninth of January he sent in a special message, describing the dangers to which the Union was exposed by the inaction of congress, and showing the inadequacy of his means to control the rising revolution. Congress would not vote a man or a dollar, nor in any way strengthen the executive hand. That these views of legal and constitutional duty were true and right, is not open to the slightest doubt. Except the southern members who retired, all the cabinet fully and heartily concurred in them. General Cass, General Dix, Mr. Holt, Mr Stanton, Mr Toucey, and Mr. King were as true to them as I was, and, of course supported them with much greater ability. We differed several times with one another and with the President, on points of policy; but on the law we were of one mind and one heart. Our exposition was not to my knowledge thought or said to be erroneous by any member of that congress. Our successors, of

THE LINCOLN ADMINISTRATION,

adopted it in all its length and breadth. To this day no lawyer of average ability has ever fairly considered it and then candidly put in a dissent. It is so manifestly correct, so simple, just and right, that all men agree to it. Such being the true state of the case, as the record shows, you assail the Buchanan administration with filthy abuse, and charge Mr. Buchanan himself, not only with entertaining opinions totally different from those he actually held and expressed, but with criminal acts of the darkest dye. Apart from the palpable falsehood of these accusations, your attempt to criticise a man like Mr. Buchanan is unpardonably presumptuous. Your judgment upon his character or conduct, even if honestly expressed, is not worth a straw. Doubtless he had his share of imperfections; but how could you tell his faults or his virtues? You believe that the fraudulent alteration of election returns to cheat a nation is the "exercise of a wise discretion;" you believe the Louisiana returning law to be just and constitutional; you believe it right to quote a judicial decision for a principle which the case does not contain. How, then, can any moral standard of yours be applied to a statesman whose life was upright, pure, and strictly patriotic? Your faith in, and affection for, the carpetbag knaves makes it a necessity of your nature to vilify Buchanan, who was in all things their opposite. His intellectual, as well as his moral superiority, puts you so widely apart that … can describe the difference between you. Hyperion and a satyr; the towering eagle and the mousing owl; the king of the Titans and the dwarf at his foot; the builder of the solemn temple and the fly on one of its columns none of those trite *similes* give an idea of the immeasurable distance which separates you from him. Nobody expects

THE SCURVY POLITICIAN,

who busies himself fixing up false election returns, to understand the thoughts, motives or acts of the incorruptible magistrate whose walk is on the mountain ranges of the law. Let us look for a moment at your method of supporting the charges you make, and see how worthy it is of you and your carpetbag associates. In substance, your accusations are that he and his administration, being in complicity with treason, favored the right of the States to separate from the Union at pleasure, and, in the interest of the seceding States, denies the power of the general government to maintain its authority by force. The message honestly quoted proves exactly the reverse. But you suppress all it contains upon those subjects, and quote certain sentences relating to a wholly different matter, namely, the right of the general government to make aggressive war upon a State, and all the people thereof, without regard to their personal guilt or innocence. Because he shows that the constitution has wisely withheld *this* power from both the President and congress, you say that he abandoned and denied the other powers which, in fact, he asserted and claimed in that same message. I do not ask if this be a fair way to defame a man whom death has disarmed of the power of self-defense, for I suppose that, in your eyes, it is eminently proper. You have no doubt that it is "a wise discretion," like that of Wells and Anderson when they transposed the figures on the return from Vernon parish. The trick, to be sure, is perfectly transparent, but your mental caliber is just small enough to let you think that even a detected falsehood is better than none. Nor would I advise you to cease your vituperation of the dead President. His memory is intensely hated by many powerful persons to whom his dignified and virtuous life was a constant reproach. To slander him is the surest way to curry favor with them, and they can assist you to get a foreign mission, or some other office for which you are equally unfit. Lose no opportunity, therefore, of being superserviceable. Take every occasion to load up as much dirt as your little cart can carry, and, however far it takes you out of your way, drive around and dump it on

THE GRAVE OF BUCHANAN.

It will not disturb his repose, and no doubt it will increase your chances of promotion very much. It is always more or less awkward to speak of one's self. But you have dragged my individual life into this discussion, and falsely accused me of gross misbehavior. I shall make my defense with as little *egotism* as the nature of the case will permit. You have positively averred, published and proclaimed, that I adopted the views of the Secessionists, and entered into a "devilish cunning" conspiracy with them to destroy the Union; that I brought the "accursed administration" into this traitorous combination, expressed the opinion that each State had a right to separate from the Union at pleasure, and declared the government destitute of all power to preserve itself by compelling obedience to its laws, with much more to the same effect.

To this I oppose my explicit denial. I declare that all you say about me in this connection is perfectly and entirely false, not only in its general tenor, but in every detail. No act that I ever did, no line that I ever wrote, no word that I ever spoke can give the slightest support to any one of your charges. On the contrary all my utterances, public and private, are diametrically the reverse of this. Up to this point I have been willing to excuse you on the score of incapacity. You could not be expected to see the unconstitutionality of the returning board law, or the legal right of the people to choose their own electors, or the dishonesty of altering election returns, or the rule that fraud makes void whatever it taints by its touch. In quoting the Louisiana court to prove a principle which it did not mention, perhaps you only repeated like a parrot what others said before, without knowing what it meant. When you asserted the conclusiveness of the returning-board's action on the authority of the statute, and a judicial decision, you may have omitted the words "*prima-facie*" from your rendering of both, because you thought that *conclusive* and *prima facie* were synonymous terms. You probably did not write that part of your article which most falsely accuses me of admitting and justifying the murder of innocent and helpless people by thousands. All your misstatements upon the Florida case could be accounted for by

YOUR LACK OF LEGAL KNOWLEDGE.

Even your misrepresentation of Mr. Buchanan might be considered the unavoidable blunder of a narrow mind struggling with a subject beyond its comprehension. But this slander of me is a different thing. Giving you credit for as much ignorance as you can possibly plead, and making all allowance for the curious moral *strabismus* with which you are afflicted, still judgment must go against you, that *here* you have *willfully* broken the ninth commandment. Manifestly you sought most diligently for evidence to show that I had been opposed to the Union, favored secession, and advised against the right of the government to execute its laws. The further you went in your search the more proofs you found to contradict the calumny which you had predetermined to utter, and you found absolutely nothing, for nothing existed, to sustain it. But, true to the morality of the returning board, you resolved to *make* what you could not *find*. You took my opinion of November 20, 1860, and there you saw an exposition of the subject precisely opposite of that which you wished to impute to me. Then you falsified the record, suppressed what I actually wrote, and attributed to me sentiments which I never entertained or uttered. Your account of the paper and its contents is not only different from, but directly contrary to all that is contained in the paper itself. That is bad enough, but that is not the worst of it. In order to give some show of authenticity to your false version of my opinion, you pretend to transcribe a paragraph; but your transcript is basely fraudulent. Let any man take volume nine of the attorney-general's opinions, look at this one on page 523, and compare your pretended copy with the original. You pick out sentences here and there from different places, and present them to your readers as if I had written them continuously. What you strike out is absolutely necessary to a proper understanding of what you leave in. A most serious and embarrassing difficulty had been brought upon the administration by the resignation of all the Federal officers in South Carolina. The President, anxious to perform his whole duty, required my advice. Of course, I did not say that this was a *casus belli* as against the State. We could not lawfully

KILL THE WHOLE POPULATION

because our officers vacated the places to which we had appointed them. Military force might be sent there to aid the civil officers in executing the laws, but we must first have civil officers to be aided. For this I gave reasons which anyone who reads the opinion will perceive to be entirely satisfactory. You make me talk nonsense about it; I seem to propound a question which I do not answer; to describe a difficulty without proposing any relief, and to draw a conclusion from no premises. Having thus deprived the passage of its real meaning, you ascribe to it a false one, and assert that it contains sentiments inspired by "treasonable allies" of the administration "in aid of the great rebellion." In law this is not a forgery. But among men of average honesty the fraudulent alteration of a paper to injure another's character passes for about as shameful and base a thing as can be done. Let me illustrate by cases which I need not say are merely hypothetical.

Suppose yourself appointed to the mission you have sought so earnestly. You wish to ruin some man, or woman, by trumping up a false accusation against him or her, and you try to do it by diplomatically misrepresenting the contents of a written document which you have in your possession, and from which you make false quotations; you are detected and exposed; what would be done with you? All further intercourse with you would be declined; your recall would be immediately demanded; you would be kicked out of the country as ignominiously as the rules of international law would permit. Imagine yourself in court as a counselor with a paper in your hand whose contents it is necessary for you to make known; you misstate the whole tenor and purpose of it; you pretend to read a part of it, but read it so falsely that the true sense of it is altogether obscured. If you are caught in the trick, you are certain to be

EXPELLED FROM THE PROFESSION.

Suppose another case. A Federal officer is impeached for being engaged in a conspiracy against the government, and you, being a witness, testify positively that he is guilty because you have seen a paper written by the officer accused in which sentiments are expressed favorable to the conspiracy, and hostile to the right of the government to execute its own laws. Moreover, you produce a copy, made by yourself, of a paragraph which you swear to be plenary proof of an intent to surrender the power of the Union to the conspirators. After that you are indicted for perjury, and it is proved that no such sentiment was expressed in the paper, but the direct contrary, and that your copy is a false copy, palpably made for the purpose of deception—would you have a defense? Could you escape conviction? If convicted, what would become of you? Of course you have never done either of these supposed acts. I put the cases merely to bring the principle down to a level with your understanding, and to show you how dangerous is the practice you indulge in of falsifying documents and misstating their contents. When you see how it would work if carried out into other departments of business you will comprehend the iniquity of trying to fasten the highest crimes upon innocent persons, dead and alive, by such methods as you have adopted.

As to Oregon, it was not asserted before the commission that anything criminal had been committed. The question whether Cronin or Watts was elected involved a doubtful and difficult question of law on which there were different opinions and judicial authorities conflicting. That Governor Grover decided it honestly and according to his best judgment, there can be no doubt in the minds of reasonable and fair-minded men. The presumption that he acted with all due fidelity to the law is much strengthened by your assertion that he was guilty of "loathsome fraud." Your abuse of any man is very powerful evidence in his favor. In like manner I take

YOUR DIATRIBE UPON MR. TILDEN

and the New York Democracy. I know nothing of the matters you refer to; but I do not believe a word that you say. Remembering your monstrous falsehoods about Mr. Buchanan; seeing the large, loose, and lavish mendacity of your charges against myself, and applying the maxim, *falsus in uno falsus in omnibus*, I can only regard your abuse of Mr. Tilden as strong proof that he is a just, upright and honorable gentleman. Thus you furnish me with a cheap and easy mode of praising him. The chosen chief of the nation swindled of his right does not want any eulogy from me. But if I am called upon to show the grounds of his title to general respect and admiration I need not describe the irreproachable walk of his private life or his high public career—his brilliant eloquence or his solid judgment—his tireless struggle against corruption in the city of New York, or his beneficent administration of the State government; it is enough that I simply show your attempt to defame him, for that itself is a decoration of his character. Your fling at Messrs. Field and Carpenter is hardly worth notice. Far as they stand above your reach, you attempt to malign their motives for opposing the great fraud; those of one you pronounce to be mercenary, and of the other "mixed and mysterious." They belong to a class of men who act habitually upon motives which must always be a mystery to you, for you cannot comprehend them. You chuckle over the fact that their logic and eloquence was unsuccessful That is proper enough.

THE DECISION OF THE COMMISSIONERS

gave to stupidity and fraud a great triumph over the honesty and ability of Messrs. Field and Carpenter, and in this triumph you have an unquestioned right to rejoice. You add that "their joint effort before the commission was a *not inefficient aid* in preparing the minds of their auditors for the judicial results which followed." This seems to mean that, either from lack of faithfulness or want of capacity, they injured their cause by pleading it. But you would scarcely presume to pronounce such a judgment on men whose superiority over yourself is so marked and so well known. One other construction of your words is possible. The commissioners were the auditors and their minds were prepared to decide in favor of the fraud by the mere fact that Messrs. Field and Carpenter, Republican lawyers, appeared in opposition to it. Did the commissioners indulge a feeling so unworthy? Did they prostitute their judicial functions to satisfy it? Certainly no reasonable man can ever believe that without authority much better than yours. But most probably you had no meaning at all. It is mere drivel, and only furnishes another proof that when your masters at Washington entrusted you with the defense of the great fraud they put the business into most incompetent hands.

J. S. BLACK.

DEFERRED TELEGRAMS.

New York, November 10: Arrived—Steamship Amerique, from Havre.

London, November 9: Arrived—Steamship Nevada, from New York.

London, November 10: The steamships France, from New York, and Ohio, from Philadelphia, have arrived out.

London, November 9: The striking masons say they are prepared for a conference with employers, with a view to a settlement of their differences.

Berlin, November 10: The weekly statement of the Imperial bank of Germany shows an increase of one hundred and seventy-seven thousand marks.

Nashville, November 10: Deputy-Collector M. L. Higgins returned from breaking up two illicit distilleries in Putnam county, belonging to Wm. Hayward and Robert Lowe.

…d, O., November 10: Benjamin F. … forty-five years, died to-day at Mauch … Pennsylvania. Mr. Lynn was an old and … *Herald*. He left here, three weeks ago, as a representative of that paper, to write up the coal regions of Pennsylvania. His disease was congestion of the lungs.

Louisville, November 10: Rev. W. J. Lowrey, a well-known Presbyterian minister, is dead. He was very popular in Louisville, and much beloved by all who knew him.

London, November 10: Arthur B. Forwood, of Pine, Forwood & Co., New York and New Orleans, and Leech, Harrison & Forwood, Liverpool, was elected mayor of Liverpool yesterday.

Wilmington, Del., November 10: William E. Garrett & Son's snuff-mill, at York Lynn, Pennsylvania, burned this morning. Loss, fifty thousand dollars; insured for eight thousand dollars.

Toledo, November 9: Special Agent Phillips, of the postoffice department, to-day completed his examination of the Toledo postoffice, and found the accounts in good shape and the cash all right.

Camden, N. J., November 9: The carriage-works of Charles R. Coffey were burned this morning. Loss, one hundred and five thousand dollars; insured for eighty-one thousand seven hundred dollars.

Montreal, November 10: W. P. Bartley & Co., iron-founders, have failed. Liabilities, one hundred and fifty thousand dollars. Their suspension is due to the failure of the hardware firm of Mulholland & Bollen.

Cincinnati, November 10: It was discovered about noon to-day that the county treasury at Batavia, Clearmont county, Ohio, had been robbed of twenty-four thousand dollars. It has not yet been ascertained as to when the robbery occurred.

Cincinnati, November 10: Robert Addy, the former captain of the Cincinnati base-ball club, was to-day dismissed from the club on account of dissipated habits during the past season. A similar charge against Foley is being investigated by the directors.

New York, November 10: The following is the weekly bank statement: Loans, decrease, $248,300; specie, increase, $2,828,600; legal-tenders, decrease, $1,028,500; deposits, increase, $1,192,400; circulation, increase, $503,400; reserve, increase, $1,502,000.

Cincinnati, November 9: Benjamin F. Groom, a cattle-dealer of Clark county, Kentucky, filed a petition in bankruptcy yesterday. Liabilities, $178,458; assets, $130,270, in lands and cattle. The various banks in Lexington, Frankfort, Paris, and all through the blue-grass region are among the creditors.

Portsmouth, N. H., November 9: The steamer Minia succeeded yesterday in picking up the broken ends of the direct cable, and buoyed the same. The wind was blowing heavily at the time, and the cable parted again, breaking the grapnels. Operations will be resumed as soon as the weather permits.

Columbus, O., November 10: Matthias Brumaister, an employe at Hoster's brewery, was killed to-day by the explosion of a beer hogshead. The hogshead had been pitched to fill up the inside cracks, and the bung had become filled with the cold mixture. Brumaister thrust a heated rod into the bung, and suddenly withdrew it. As soon as the air entered the hog head, it exploded the head, striking and terribly mangling the man.

Concord, N. H., November 9: The Carroll county five-cents savings bank, at Wolfboro, is to be placed in the hands of a receiver. There is a large deficiency between the liabilities and assets, besides the shrinkage upon its securities. The bank has been brought to its present condition through bad management on the part of J. M. Brackett, treasurer, and through the neglect of the trustees to perform their duties.

The Wisest of Precautions.

Of precautions, the wisest is that which is taken against disease. There is safety in timely medication; great peril in delay. One malady often begets others far more dangerous, and if it does not, any abnormal condition has a tendency if unremedied, to become chronic and obstinate. Trifling disorders of the stomach, liver bowels or urinary organs may speedily develop into formidable maladies. Check them at the outset with Hostetter's Stomach Bitters, which, although it is wonderfully effective in overcoming disorders of long standing, is, like any other medicinal preparation, more advantageous in the infancy of the maladies to which it is adapted than after they have become chronic. Among these are dyspepsia, liver complaint, constipation, intermittent and remittent fevers, gout, rheumatism, nervous and general debility and urinary troubles. The Bitters are a capital appetizer, induce sound repose, and counteract the effects of fatigue and exposure.

A CARD.

To all who are suffering from the errors and indiscretions of youth, nervous weakness, early decay, loss of manhood etc., I will send a receipt that will cure you, FREE OF CHARGE. This great remedy was discovered by a missionary in South America. Send a self-addressed envelope to Rev. JOSEPH T. INMAN, *Station D, Bible House, New York*.

HAPPY tidings for nervous sufferers, and those who have been dosed, drugged and quacked. Pulvermacher's Electric Belts effectually cure premature debility, weakness and decay. Book and Journal, with information worth thousands, mailed free. Address PULVERMACHER GALVANIC CO., Cincinnati, Ohio.

HARDWARE.

BEST QUALITY---WARRANTED!
FOR SALE BY THEIR AGENTS,
Orgill Bros. & Co
DEALERS IN
HARDWARE
AGRICULTURAL IMPLEMENTS
—AND—
MACHINERY
310-312 Front St.,
MEMPHIS : : : : TENNESSEE

LITHOGRAPH PRINTING.

SHIPPING TAGS
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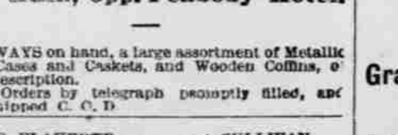
AND
LITHOGRAPHING!
As cheap as any house in St. Louis or New York.
S. C. TOOF & CO.
Nos. 15 and 17 Court Street.

EDUCATIONAL.

THE SHELBYVILLE (KY.) FEMALE COLLEGE, chartered in 1849, and located at Shelbyville, in the beautiful blue-grass region of central Kentucky, 30 miles east of Louisville, by rail, offers superior advantages in English, Latin, Elocution, Music and Painting. Board and tuition for ten months, $200 For announcement, address W. H. STUART, Principal, Shelbyville, Ky.

UNDERTAKERS.

G. H. HOLST. T. W. HOLST.
G. H. HOLST & BRO.



UNDERTAKERS,
329 Main, opp. Peabody Hotel.

ALWAYS on hand, a large assortment of Metallic Cases and Caskets, and Wooden Coffins, of every description. Orders by telegraph promptly filled, and cases shipped C. O. D.

JAS. FLAHERTY. J. SULLIVAN.
Flaherty & Sullivan, UNDERTAKERS,
317 Second Street, near Monroe.
METALLIC AND WOODEN BURIAL CASES and CASKETS. Elegant Robes, Gents' Suits and Coffin Trimmings. Orders by telegraph sent promptly C. O. D. Special attention paid to embalming.

DRESSMAKING.

FASHIONABLE DRESSMAKING
MISS A. A. WALL.
HAVING returned from New York, will be glad to meet all her old friends and customers, at 73 Poplar street, corner of Third, and is prepared to execute all orders in the latest styles and lowest prices.

DRESSMAKING!
MISS M. CHANDLER,
Formerly at Mrs. Sallie Sullivan's, can be found at …

MEDICAL.

AN OPEN LETTER TO THE PUBLIC.

NEW YORK, October 1, 1877.

I have devoted twenty years of patient study to the Liver and its relations to the human body, in search of a remedy which would restore it, when diseased, to its normal condition. The result of that labor has been the production of

TUTT'S LIVER PILLS.

Their popularity has become so extended, and the demand so great, as to induce unscrupulous parties to counterfeit them, thereby ROBBING ME of the reward, and the afflicted of their virtues.

TO CAUTION THE PUBLIC,

and protect them from vile impositions, I have adopted a new label, which bears my trade-mark and notice of its entry in the Office of the Librarian of Congress, also my signature, thus:

W. H. Tutt M. D.

TO COUNTERFEIT THIS IS FORGERY.
Before purchasing, examine the label closely.

THE GENUINE TUTT'S PILLS

exert a peculiar influence on the system. Their action is prompt, and their good effects are felt in a few hours. A quarter of a century of study of the Liver has demonstrated that it exerts a greater influence over the system than any other organ of the body, and when diseased the entire organism is deranged. It is especially for the healing of this vital organ that I have spent so many years of toil, and having found the remedy, which has proved the greatest boon ever furnished the afflicted, shall they be deprived of the benefits, and a vile imitation imposed upon them?

LET THE HONEST PEOPLE OF AMERICA SEE TO IT THAT THEY ARE NOT DEFRAUDED. Scrutinize the label closely; see that it bears all the marks above mentioned, and buy the medicine only from respectable dealers. It can be found everywhere. Very respectfully,

W. H. TUTT.

A PHYSIOLOGICAL View of Marriage!

WOMAN AND MARRIAGE

A Guide to Wedlock and confidential Treatise on the duties of marriage and the causes that unfit for it; the secrets of Reproduction and the Diseases of Women. A book for private, considerate reading. 260 pages, price 50 cts.

A PRIVATE MEDICAL ADVISER! On all disorders of a Private Nature arising from Self Abuse, Excesses, or Secret Diseases, with the best means of cure, 224 large pages, price 50 cts.

A CLINICAL LECTURE on the above diseases and those of the Throat and Lungs, Catarrh, Rupture, the Opium Habit, &c., price 10 cts.

Either book sent postpaid on receipt of price; or all three, containing 500 pages, beautifully illustrated, for 75 cts. Address [illegible]

PARKER'S

Why suffer with **Dyspepsia** or **Headache**, when they may be speedily cured by **Parker's Ginger Tonic**? A dose before meals strengthens the appetite, and enables the stomach to easily digest its food. This pleasant remedy promptly checks **Diarrhoea** without **Constipating** the bowels. **Consumptives** find welcome relief, and steadily gain strength from its invigorating properties. It is the best remedy for **Coughs** and **Colds**, and the **Aged** and those too feeble to bear the **cold** of winter, find a comforting strength in its vitalizing warmth. **Cramps, Colic, Dysentery, Heartburn** and **Cholera Infantum** quickly yield to this remedy, and it overcomes **Rheumatism** and **Gout** by correcting acidity of the stomach and promoting healthy secretions.

Sold by all Druggists.

GINGER TONIC.

PRESCRIPTION FREE.

FOR THE SPEEDY CURE of Seminal Weakness, Lost Manhood and all disorders brought on by indiscretion or excess. Any druggist has the ingredients. DR. JAQUES & CO., 130 West Sixth street, Cincinnati, O.

MANHOOD RESTORED.

Victims of youthful imprudence, who have tried in vain every known remedy will learn of a simple prescription, FREE, for the speedy cure of nervous debility, premature decay, lost manhood, and all disorders brought on by excesses. Any druggist has the ingredients. Address DAVIDSON & CO., 86 Nassau St., N. Y.

TO HAVE GOOD HEALTH THE LIVER MUST BE KEPT IN ORDER.

For Pamphlets address DR. SANFORD, New York.

Obstacles to Marriage Removed.

HAPPY RELIEF TO YOUNG MEN from the effects of errors and abuses in early life. **Manhood Restored.** Impediments to Marriage removed. New method of treatment New and remarkable remedies. Books and circulars sent free, in sealed envelopes. **Howard Association**, 419 N. Ninth street, Philadelphia, Pa. An institution having a high reputation for honorable conduct and professional skill.

AMERICAN Soft Capsule Co.'s Metallic Boxed Goods now ready. Address Victor E. Mauger, New York.

WEEKLY APPEAL.

ONLY $2 PER YEAR

THE MAMMOTH
Weekly Appeal
CONTAINS 40 COLUMNS OF
Well-Digested Topics
OF THE
NEWS of THE WEEK
AS WELL AS THE
Latest News of the Day
AND IS WELL FILLED WITH
Literary Selections
Embracing Political, Commercial, Literary, Scientific, Agricultural, Philosophical, Religious, ordinary news, and all other matters of interest to the Farmer, Manufacturer, Mechanic and Merchant.

DRAWING.

Royal Havana Lottery.

$810,000 Drawn Every 17 Days.

1 Prize of	$200,000
1 Prize of	50,000
1 Prize of	25,000
12 Prizes of $10,000	20,000
10 Prizes of $5000 each	50,000
124 Prizes of $1000 each	124,000
682 Prizes of $500 each	341,000
821 Prizes, amounting to (Spanish)	$810,000

Information furnished free. Orders filled. Prizes cashed. Spanish Bank bills and governments purchased. F. MASICH, 42 Decatur st., New Orleans, La.

THE LAST CHANCE In 1877.

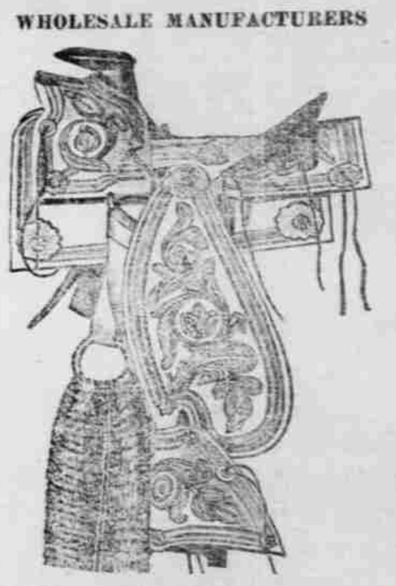
HAVANA ROYAL LOTTERY
Grand Extraordinary Drawing!
Will Take Place Dec. 31, 1877.
Only 18,000 Tickets, and 2346 Prizes.
Capital Prize, $500,000.
Total Amount of Prizes - - $1,350,000
We only guarantee those tickets obtained through us as being genuine. Send your orders and call for plans to BORNIO & BROTHER. Oldest agents in the South. NEW ORLEANS, LA.

WHISKY.

THOS. GAFF | JAS. W. GAFF | HENRY W. SMITH
T. & J. W. GAFF & CO.
Distillers of Bourbon and Rye
Whiskies
AURORA, INDIANA.
HENRY W. SMITH | THOS. GAFF | JAS. W. GAFF
HENRY W. SMITH & CO.,
RE-DISTILLERS OF BOURBON & RYE
WHISKIES,
CINCINNATI, OHIO.
All goods made by the above houses fully guaranteed as represented. R. B. CLARKE, …

SADDLERY.

GATHRIGHT, HARBISON & RAYNER
WHOLESALE MANUFACTURERS



Saddlery,
Harness and Collars,
AND DEALERS IN
Saddlery Hardware, Leather, Etc., Etc.,
No. 299 MAIN STREET,
ONE DOOR NORTH OF PEABODY HOTEL.
[Sign of the Saddle.]
All orders intrusted to us will meet with prompt and careful attention, and will be filled at the lowest prices possible.

LIQUORS.

JOHN LILLY,
IMPORTER AND DEALER IN
WINES, LIQUORS AND CIGARS,
14 Union Street, Memphis, Tenn.

BLACKSMITHING.

ROBERT LEWIS, FRED. W. THOMAS,
LEWIS & THOMAS,
Boiler Makers & Steamboat Blacksmiths,
Blacksmithing of all kinds. Copper and Sheet-Iron Workers. All work promptly done, day or night. Terms cash. Residence, No. 60 Promenade. Shop, Adams st., near River, Memphis.

DISSOLUTION.

Dissolution.

THE copartnership heretofore existing under the name and style of Radford, Stratton & Co., is this day dissolved by mutual consent, W. L. Radford withdrawing from the house and B. M. Stratton continuing at the old stand, under the firm name and style of B. M. Stratton & Co., where the business of the old firm will be settled. W. L. RADFORD, B. M. STRATTON.
Thanking our friends and the public for their liberal patronage extended the old house, would request that the same be extended to the new firm. W. L. RADFORD.

B. M. STRATTON & CO
(SUCCESSORS TO RADFORD & STRATTON),
DEALERS IN
CHOICE AND FANCY
GROCERIES!
Foreign and Domestic Fruits,
Teas, Coffees, Etc.
281 Main Street.
NEAR MADISON......MEMPHIS, TENNESSEE

NOTICE.

Dissolution of Partnership.

THE partnership heretofore existing between Samuel Mosby and C. P. Hunt, under the firm name and style of Mosby, Hunt & Co., is this day (November 1, 1877,) dissolved, by the said Mosby retiring therefrom. C. P. Hunt, and his partner in business, T. J. Hunt, will take charge of the assets, and pay all of the indebtedness of Mosby, Hunt & Co. SAMUEL MOSBY. C. P. HUNT. T. J. HUNT.
In retiring from the firm of Mosby, Hunt & Co., I take pleasure in recommending my successors to the patronage of the old firm. S. MOSBY.
Memphis, November 1, 1877.

C. P. HUNT. THOS. J. HUNT.
C. P. HUNT & CO.
WHOLESALE
Grocers
COTTON FACTORS
And COMMISSION MERCHANTS,
No. 306 Front street.
MOSBY & HUNT BLOCK......MEMPHIS, TENN.
Referring to above, we respectfully solicit a continuance of the favors hitherto bestowed the old firm, and promise our most careful attention to all business intrusted to our care.

DISSOLUTION.

THE firm of Phelan & Murphy was dissolved by mutual consent September 10th, Mr. Ben. Phelan retiring.

NEW FIRM.

J. J. MURPHY. B. F. MURPHY.
MAJ. J. J. MURPHY and B. F. MURPHY, under the firm name of Murphy & Murphy, will continue the Fire, Marine and Hull Insurance Business, at No. 5 Madison street, Memphis, Tenn. They will represent only first-class companies, and are prepared to take risks on GIN-HOUSES and all other classes insurable property.

COTTON-CLEANER.

C. C. C.

The Complete Cotton Cleaner
thoroughly removes all Dust, Dirt, Sand and light Trash from cotton before ginning; saves the wear of the ginstand, increases the yield of lint and improves its quality from 1 to 4 grades. It is light running, simple in operation, easily understood, and readily adjusted to steam, water or horse-power. Manufactured and sold by
THE ALLISON MACHINE CO.,
229 Second Street, Memphis.
Send for circulars and price-list.

FOR SALE.

J. B. & W. A. Faires,
(Late of Forrest & Faires), Dealers in
MULES & HORSES
No. 55 Union street,
Near Postoffice......Memphis, Tenn.
A large assortment of Stock always on hand. Everything guaranteed as represented. Orders solicited.

NOTICES.

Mississippi & Tennessee R. R. Co.
Stockholders' Meeting.
THE annual convention of the stockholders of the Mississippi and Tennessee Railroad Company will be held on
Wednesday, November 21, 1877,
at the Peabody Hotel, Memphis, Tenn., at which time Directors will be elected for the ensuing year. Certificates of stock will pass the owner and his immediate family to and from the meeting.
S. H. LAMB, Secretary.

BUILDING.

JNO. REID, BUILDER
326 Second Street.
Estimates made for …