# The Knoxville Whig.

BROWNLOW, HAWS & CO., Publishers.

"The union of lakes—the union of lands—
The union of States none can sever—
The union of hearts—the union of hands—
And the flag of our Union forever."


Knoxville, Tenn., June 6, 1866.

C. S. HUBBARD, No. 24, Broad Street, Boston, Mass., is our regularly appointed agent to receive subscriptions for our paper in the States of Connecticut and Massachusetts.

The WHIG can be had every week at the News Depot of R. H. Singleton, Post Office Building Nashville, Tenn.


## Parties During the War.

The old and new Democratic leaders are now anxious to escape the shameful record they made during and before the late war, but they can't by any means be relieved of the disgrace. Every Governor of the eleven seceded States was a Democrat; every Convention voting a State out was a Democratic body; and every Legislature convened to aid the cause of treason was Democratic. The patriotic people of the loyal States know these facts, and will never forget them. Nor will they forget the treasonable course of the Democracy North and South during the dark hours of the country's fight with the wicked authors of the rebellion. The recent bloody past cannot be blotted from memory so soon by the cry of leniency for the down-trodden South. The guilty, not to say infamous action of the Democratic leaders during, before and since the war, is upon the indelible records of the country, and he who denies their sympathy with, and constant encouragement to the rebellion, libels the notorious facts of history. The rebellion was a Democratic rebellion, the war was a Democratic war, and it was brought on for Democratic purposes. The leaders of Democracy sympathized with the rebellion from the beginning to the ending thereof, encouraging it in all its misfortunes and adversities, and sought to make it successful by creating a war in the North in its behalf. The Buchanans, the Floyds, the Vallandighams, the Seymours, the Richardsons, the Harrises, the Booths, the Champ Fergusons, and the rest of the Knights of the Golden Circle, all were rebels at heart, and sought the ruin of the country. The Chicago Convention which nominated McClellan and Pendleton was a Democratic body, convened for treasonable purposes, and was full of rebel officers who dictated both its nominations and infamous platform. The case is as plain as the red nose on a drunken editor's face, and no dodge whatever can relieve the Democratic leaders North of the odium of complicity with the traitors of the South, in their vile efforts to ruin the country, and to destroy a benign Government they could no longer rule.

## Encouraging Violence.

We have a numerous class of men who regard all mentions made of the former cruelties visited upon Union men by rebels as an effort to stir up strife, and stimulate to acts of violence. These men, many of whom have relatives who fled the country, and can't return, cry out for peace and compromise.—And all who do not unite with them in quieting down the injured, insulted and plundered Union families, are enemies to law and order. Nay, you are required to deny that any wrongs have been inflicted, and to agree that one man is as loyal as another. Certainly no man is to resent any rebel insult, real or fancied, and to take every man's professions of loyalty as genuine, is now the standard of orthodoxy.

The family of *Pickens*, whose head, Judge Pickens, was dragged through these streets to jail amidst rebel curses, "kill the d——d old traitor and quarter him"—who was driven to Mobile in mid-winter and died, and whose wife was killed by the shock—we say this family are required now to forgive all this, and take into fellowship their murderers. When human nature ceases to be human nature, they will likely do so.

*Horace Foster* and family are told that they must not entertain ill will towards those rebels who shot him through, and then drove him through the water bleeding, and threatening to finish him.

*Leon Jones* was shot down on these streets in a most cowardly and brutal manner, and after the assassin was lodged in jail he was taken out in violation of all law; and now the family of a noble and loyal young man, killed for no offense whatever, are told that they must treat with kindness and consideration both the assassin and those who aided in his release.

*Andrew Knott*, an old man, was cast into the Knoxville jail—taken out in mid-winter—sent off to Tuscaloosa—turned out—allowed to come home—and again cast into the Knoxville jail, and all for being a Union man. He, too, is expected to treat kindly those who pursued him and plundered his family after he escaped through the mountains into Kentucky. Well, every man must judge for himself of his obligations to treat this class of men as Christians and patriots.

## The Coming Pressure.

We have, on more occasions than one, advised our readers of the approach of hard times in money matters. Our convictions grow stronger every day that such a panic is to come. It has set in in England, and it will follow here. Extraordinary influences, domestic and foreign, have already affected the markets in all our large commercial cities, and the general downward tendency towards specie paying and peace prices has been arrested, and all articles of trade have declined. Prices will all recede when the panic sets in with us, as it is bound to do sooner or later. The best advice we can give our people is comprehended in few words. Let them not contract any new debts, and let those who owe old debts pay them if they can, with but little delay. Let all who get hold of a little money take care of it, if they are not compelled to use it. Finally, use economy in all things, and avoid every species of extravagance.

## Complains of Maynard.

The Chattanooga Union finds great fault of the speech made by Maynard at the late Hagerstown Mass Meeting. By whom is the so-called Union edited? By *Jenks*, a rebel in rebel times, and the editor of a violent rebel paper at Athens, which urged the shooting and hanging of Union men, and denounced, in unmeasured terms, all loyal men who dared cross into Kentucky, or enter the Union army. When the old flag came into East Tennessee at the head of Burnside's victorious army, *Jenks* went out to adorn the inside fixtures of a Federal prison, Camp Chase, we believe, and for his treason his office was confiscated by officers of the Government. Maynard can but regard the opposition of such a man as a high compliment.

## Death of Gen. Scott.

Lieutenant General Scott died the first of last week at West Point, in his 80th year, as he was born June 13, 1786. He entered the regular army in 1808, and has spent his whole life as a soldier in the service of his country. He was eminently a military man, and shown with most brilliancy in that sphere. Though a great soldier in time of war, he leaned to the side of peace. At the commencement of the rebellion he was chief in command [illegible] but he was too old and inferior to co[illegible] successfully, and at his own request gave [illegible] others. He is fully appreciated by the Am[illegible] people as a General whose military services have honored the American name.

## Two Hard Counties.

It is stated—with what correctness we are not able to say—that in the counties of Madison and Humphreys there is no man who can vote under the franchise law, and consequently there are none to make Registration Commissioners. Commissioners could be sent in from other counties, but if there are no voters they are not needed. Still, both counties elected Representatives to the Legislature under the former franchise law. The present law is more to [illegible]

## How the Pardoned Rebels Feel.

The Richmond Times of the 19th instant speaks of having received a kind letter from an old gentleman, counselling moderation and a considerate, temperate course, and then adds:

Those who advise us to try concessions, humility and "reticence," with radicals and Jacobins, are utterly ignorant of the history of such parties. The leaders of such parties are as merciless as wolves.—They triumph as long as they are opposed by timid conservative parties. Let our correspondent read the history of the Jacobin party in France, and he will find that it triumphed over all who opposed it with timid conservative appeals and arguments.—Such parties must be taken by the throat and strangled. They must be denounced and pursued as enemies of the human family.

A little farther along comes a Southern view of who the men are who are now holding political power at Washington. How refreshing it is to hear them talk so loyally of the "stars and stripes;" and how they hate "anarchy, disunion and revolution." Who can doubt their loyalty?

North and South, all Union-loving, honest, conservative, God-fearing men must draw the sword and cast away the scabbard. With the desperate, lawless men who have seized the vessel of State there can be no compromise—no terms of honorable capitulation. They have seized the ship, dishonored the "stars and stripes," and run up the black flag of anarchy, disunion and revolution. They have proposed no compromise to the South that does not mean infamy, degradation, dishonor, negro equality, disfranchisement and confiscation.

The Times evidently believes in *sance* as the best dessert for a Southerner. Hear him:

We believe that so far as the Southern people are concerned there is neither honor nor safety in "reticence" and "respectful acquiescence." We are the victims of monstrous and most ungenerous outrages, and the revolutionists, in showing their malignant detestation of us, are trampling upon the Constitution to effect our degradation and ruin. The allegiance which we owe to the Constitution and laws of the United States is not due to those who have deliberately trampled those laws under foot. It is as much our duty to protect those laws as it is Andrew Johnson's, and it is right and proper that we should denounce our calumniators, defamers and traducers. *They are not the Government*, and it is to that, and not to its enemies, we owe obedience. When the people of the South failed to achieve that national independence for which they battled for four years, their failure entailed no disgrace, neither does our renewed fealty require that we should sacrifice a single feeling or sentiment of manliness to the dictation of such men as those whom the President has most justly denounced as wicked and malignant "disunionists" and "enemies of their country."

What a mistaken idea has that journal of the temper of the people of the North, and the true position of a returning pardoned rebel.

## The Hagerstown Meeting.

We gave an extract last week from the speech of Mr. Maynard, at the great Mass Meeting in Washington county, Maryland. We present below the resolutions unanimously adopted. They have the true ring, and show that there are to be but two sides to the conflict in that State—the Union and rebel sides:

*Resolved*, That the Union men of Washington county return their sincere thanks to our soldiers and sailors for their heroic and successful efforts in helping to suppress the rebellion of the seceded States, and that Congress should deal justly by them in the equalization of bounties.

*Resolved*, That we firmly believe that the safety and perpetuity of Republican Government, both State and National, depend upon the retention in power of loyal men, and therefore that we adhere to the doctrine that none but loyal men should govern a State, even if their number should be *less* than five thousand.

*Resolved*, That we firmly adhere to the Registry law of Maryland, and will oppose any effort to repeal or modify the same.

*Resolved*, That we fully endorse the course pursued by the four loyal members of the State Executive Committee, and acknowledge the necessity of an immediate and firm organization of the unconditional Union men of Maryland; and that we will support no man for any position of doubtful loyalty.

*Resolved*. That we are alike opposed to granting suffrage to the negro in Maryland, and representation of non-voting negroes by rebels, and that, therefore, we fully and completely endorse the Congressional amendment to the Constitution basing representation on the voting population, and all laws forever prohibiting the leading rebels from holding any office of confidence or trust.

## Coming to East Tennessee.

From every loyal State in the Union—from all parts of our great and growing country—from the east, west, north and south, emigrants are preparing to come to East Tennessee—now the Eldorado of the late revolted South. We have the elements of greatness here, and all we want is capital and enterprise. We want *educated labor* to develop our vast resources, and then we shall flourish. Our prospect for future greatness were never so fine as at present. Our Kentucky Railroad, now being worked upon, with the means at hand, is giving us all new life. Unlike many of the rebellious spirits of Middle and West Tennessee, our people do not war upon enterprising emigrants as hated Yankees, new comers, interlopers and adventurers, but invite them to come, and promise them the hand of fellowship. The language of our loyal people is, come one, come all, and share with us in the honors and profits of our achievements. Go forth with us to toil, and with us you shall reap a rich harvest.

## Not a Proper Case for Interference.

A decent looking white woman, aged about 30, claiming to be the widow of a Confederate soldier who was killed in battle near Chattanooga, recently called at the Executive office in Nashville, reporting herself from Alabama, and claiming Executive interference in her favor. She had obtained a license at Stevenson and was married to a full blooded man of color, and was fined $15. She obtained a new license and was again married at Nashville, and again fined $28—in all $43.

This is not a proper case for Executive interference, and if it were we refer the sorrowing woman to the Governor of *Alabama*, as the Governor of Tennessee does not propose to meddle with the marriage relations of a sovereign and independent State! The fines imposed by the municipal authorities of Nashville are regulated by law, and we do not propose to interfere with them. Our advice to the parties is, to quit marrying, or it will require all that Sambo can make to pay fines!

## Southern Loyalty Defined.

Last month an Alabama paper, the Selma Times, gave its definition of Southern loyalty. The people of the late Confederacy, it affirmed, would prefer "a re-establishment of that Confederacy," are "conscious of no wrong," and "submit as a necessity." A North Carolina journal, the Fayetteville News, now tells us what Southern loyalty means, as viewed from its standpoint. We quote:

The men who took these oaths, and who became citizens of the United States, and who have been obedient, and faithful, and loyal to the laws, are not at heart friends of the Government of which they are subjects. They were defeated by the Udited States in an attempt to perfect a long cherished scheme, which must have resulted in the greatest benefit and advantage to themselves. They were human, and could feel nothing else but bitterness for those whose triumph was in the ruin of their hopes and the blasting and crushing of their aspirations. They DO NOT LOVE the Government of the United States—the "Stars and Stripes" excite no emotions of pride in their bosoms, for they have seen it trailing in defeat too often, as their starry-crossed battle-flag waved victorious in the summer sunlight.

They have no veneration for the Government, no love for the flag, no feeling of security for their interests, no very great [illegible] under the Government [illegible] compelled by coercion. If [illegible] the power to establish a Confederacy before they were whipped they would have established it, and it is reasonable to believe if they could establish it now they would do so but for their oaths of allegiance. These oaths were to the effect that they would support the Constitution: should they ever be required to do more, or should the Constitution be subverted, these oaths are worth nothing.

While their Northern friends are doing their utmost to have them restored at once to an anti-war footing, our unconstructed brethren down in Dixie should be less [illegible]

## Jeff. Davis' Bill of Fare.

A dispatch from Fortress Monroe gives the following schedule of meals furnished Jeff. Davis for a long time past. The most incredulous in reading it over will see that he has been well cared for, and that it furnishes a palpable controversion of the repeated false assertions of ill-treatment, poorly cooked meals, and inequality in point of delicacy and sustenance:

Breakfast—Sunday—Veal cutlets, poached eggs, (two,) wheat and corn bread, butter, sugar, milk and coffee. Dinner—Boiled chickens, stewed oysters, potatoes, onions, bread, butter, coffee, sugar and milk.

Monday—Breakfast—Mutton chops (two,) eggs boiled (two,) bread (corn and wheat,) butter, sugar, milk and coffee. Dinner—Beefsteak, panned oysters, potatoes, onions, bread, butter, coffee, sugar and milk.

Tuesday—Breakfast—Beefsteak, eggs (boiled,) bread (corn and wheat,) coffee, butter, sugar and milk. Dinner—Veal cutlets, fresh or salt fish, potatoes, onions, bread butter and coffee.

Wednesday—Breakfast—Ham and eggs, corn and wheat bread, butter, sugar, coffee and milk.—Dinner—Mutton chops, stewed oysters, potatoes, onions, apples, bread, butter and coffee.

Thursday—Breakfast—Beefsteak, boiled eggs, (two,) bread (corn and wheat,) butter, sugar, milk and coffee. Dinner—Veal cutlets, panned oysters, potatoes, onions, break, coffee, &c., and butter.

Friday—Breakfast—Stewed oysters, mackerel or fresh fish, bread (corn and wheat,) coffee, sugar, milk and butter. Dinner—Porksteak, poached eggs, potatoes, onions, bread, butter and coffee.

Saturday—Breakfast—Mutton chops, boiled eggs, bread, butter, milk, sugar and coffee. Dinner—Beefsteak, stewed oysters, potatoes, onions, bread, butter and coffee.

The New York Times pertinently says that "not one in ten of the honest workingmen of the country can afford such a bill of fare. It is about time to stop the manufacture of sickly sentiment over the condition of a man who is treated more like a prince than a prisoner."

The *Andersonville* bill of fare, upon which the arch-traitor fed Union officers and soldiers, should be placed side by side with this bill!

## A Pardoned Copperhead.

It seems that one L. P. Milligan, one of Vallandigham's Sons of Liberty, who was sentenced to imprisonment for life for treasonable practices during the war and recently pardoned, has received a welcome from some men of like minds with himself, at Crestline, in Ohio, and read a written speech of which the following passage is reported:

"Among the greatest sinners against God's righteous will were Lincoln, Brough, and Morton, and though he was not prone to believe in special providences, their fate was otherwise unaccountable. One had been summoned to the bar of retributive justice with his sins unrepented of. Another, covered all over with the mildew of debauchery, and wrapped in exhalations from which buzzards would turn their offended noses, carried to the grave the impress of infamy, while there yet remains one of the Godless trio; but the plague is on its westward march, his limbs are smote with the blood of crime, and tremble under their load of corruption. Still he prayed that the Governor might live long enough to realize in this world, rather than in the next, that God is just. He renewed his adhesion to the Democratic party, and exhorted his hearers to maintain the organization of the party, though cowardly men may have shrunk from the boldness of its truth, and attempted to corrupt its ritual and constitution."

We suppose this fellow was pardoned by President Johnson on the plea of insanity; or, was it because such men as this Milligan and Vallandingham must inevitably ruin their party, if they are [illegible]

For the Knoxville Whig.

## State of East Tennessee.

I was highly pleased to see an account of a Convention which convened in Knoxville to consider the propriety and importance of forming a new State in the territory of East Tennessee and West Carolina. It was indeed gratifying to see so much interest manifested in the matter. The hearts of thousands were made glad by the intelligence. We earnestly hope the good work commenced will progress rapidly and prudently, till a new State is effected, which will materially enhance the interest and happiness of an oppressed and down-trodden, though noble, generous and patriotic people. The locality and surroundings of the country invite its citizens to this measure, and its resources assure them of success if they go forth in the discharge of their duties. It has been shown, in the "Address of the Convention, that it will not be an expense to the people, but actually a saving of expenses—in other words a *gain*. Let nothing hinder or retard its progress. Coolly consider the matter in all its bearings and importance. Mature your plans and ideas, and go forward, steadily looking to the prosperity of the whole country, and the happiness of her citizens. In a few years the people can build from their own materials a State house that will not only reflect honor upon their State, but upon the nation, without feeling the cost of it. The voice that declares you a separate State will in the same breath announce the fact that the value of your property has been greatly increased, which will enable you to erect public buildings and defray other necessary expenses without delay, and leave you much richer than you are to-day. Let those interested engage heartily in the cause, remembering it is due to yourselves, to your aged parents and friends, to your wives and children, and to the dear memories of your brothers and sons who have poured out their lifes' blood in the defense of your homes, lives and liberties. In the name of all that is dear and sacred to a free people, guard carefully those liberties thus secured to you.

Forever let the folds of the Star Spangled Banner be blown upon by the gentle breezes of peace and prosperity, as it floats over the graves of those who died in its defense.

Yes, let it ever, unmolested, proudly wave,
"Over the land of the free and home of the brave."

Very Respectfully, &c.,
W. B. FERGUSON.

## Fenians Invading Canada.

LATEST FROM THE BATTLE-FIELD.

*Buffalo, June 2.*—Gentlemen just from the other side give the following particulars: About 800 troops, all volunteers, left Fort Calborn at 5:30 this morning, and took the Grand Trunk Railway to Ridgeway, and marched in direction of Stevensville. They soon encountered a force of Fenians, said to be a party that went from here to Fort Erie. A battle ensued, and the Fenians were worsted. Our informant states that two of the English troops were killed and a number wounded, and that the Fenians suffered to a greater extent, at all events there were about sixty taken prisoners and brought to Fort Erie.

It is reported by one of the prisoners that the Colonel commanding the Fenians told them to save themselves the best way they could.

*Buffalo, June 2, 5:30 P. M.*—A gentleman just from the other side reports the following: Tug Robb from Dunneville, with about 40 Fenian prisoners taken at Ridgeway, was lying at Fort Erie dock at 3 P. M., when a body of about 200 Fenians came over the hill and fired into the tug. The tug backed into the stream and fired two shots while floating down.

The Fenians then attacked a company of volunteer artillery, posted in town. After a brief resistance, the Canadians recovered, but finally gave way, retreating down the river bank, rallying at times. The tug steamed down, keeping abreast of the Canadians. The firing shortly ceased, and the Canadians surrendered. The affair lasted about twenty minutes. The Fenians did not recapture any of their men.

LATER.

The force in the Fort Erie fight were all volunteers, consisting of a detachment of Walland's Canal field battery, and Dunneville's company of about 80 men. The fight lasted only 20 minutes. Captain King, of Walland's battery, was severely wounded in the leg, and will suffer amputation. Two other volunteers were wounded. None are reported killed. A Fenian Captain was killed. Name not given.

STILL LATER.

*Buffalo, June 2.*—It is stated that about ten of the Canadian volunteers were captured by the Fenians. There were three Fenians and two Canadian soldiers killed.

Captain King, who is a Wallan, will probably lose his leg.

A well-known Fenian, named Bailey, is so badly wounded that he is not expected to live.

The Fenians are now now encamped at the Fort, and are picketing the river down to the village of Fort Erie, a distance of seven miles. Watch fires can be seen, apparently signals. A United States revenue cutter arrived this evening from Cleveland, and another is expected immediately.

The river is patrolled, and orders given to fire on any trying to cross; but the Fenians now in this neighborhood express their determination to cross at all hazards. A prominent Fenian asserts that tomorrow will be a big day, and important news will be heard from other points.

When the Fenians gobbled up and drove the Canadian volunteers at the Fort Erie fight, the spectators on this side cheered lustily. There is a doubtful rumor that Col. O'Neil was slightly wounded.

From present appearances, and from the present position of the English troops, there will be no engagement to-night, but it is apparently inevitable early to-morrow. When it does come off a full account will be sent.

MARYVILLE, Tenn., May 30th, 1866.

A meeting was called at this place to-day for the purpose of making arrangements for the celebration of the coming Fourth of July.

The meeting was called to order by appointing Will. A. McTeer, Chairman, and Alexander Williams, Secretary.

On motion the following named persons were appointed as a Committee of Arrangements:

Rev. P. M. Bartlett, *Orator*.

Rev. Samuel Sawyers, *Alternate*.

Capt. M. L. McConnell, *To read Declaration of Independence*.

Major A. Marion Gamble, *To read Emancipation Proclamation*.

Rev. P. M. Bartlett and Mrs. S. A. Sawyers, *To prepare Music*.

On motion, the Chairman was directed to appoint a committee of five as Marshalls of the day, whereupon the following named men were appointed:

Mr. Joseph Tedford, Rev. T. J. Lamar, Maj. R. H. Dunn, Captain E. Goddard, Capt. S. P. Rowan.

On motion of Rev. Mr. Sawyers, it was directed that a copy of the proceedings of this meeting be furnished the Knoxville Whig, with a request that they be published in order to give publicity to the anticipated celebration.

On motion the meeting then adjourned.

WILL. A. MCTEER, Chairman.
A. WILLIAMS, Secretary.

PRIVATE MEDICAL ADVICE.—Read Dr. Whitter's advertisement in another column.

## SPECIAL NOTICES.


AYER'S SARSAPARILLA

IS a concentrated extract of the choice root, so combined with other substances of still greater alterative power as to afford an effectual antidote for diseases Sarsaparilla is reputed to cure. Such a remedy is surely wanted by those who suffer from Strumous complaints, and that one which will accomplish their cure must prove, as this has, of immense service to this large class of our afflicted follow-citizens. How completely this compound will do it has been proven by experiment on many of the worst cases to be found in the following complaints:

Scrofula, Scrofulous Swellings and Sores, Skin Diseases, Pimples, Pustules, Blotches, Eruptions, St. Anthony's Fire, Rose or Erysipelas, Tetter or Salt Rheum, Scald Head, Ringworm, &c.

*Syphilis or Venereal Diseases* is expelled from the system by the prolonged use of this SARSAPARILLA, and the patient is left in comparative health.

*Female Diseases* are caused by Scrofula in the blood, and are often soon cured by this EXTRACT OF SARSAPARILLA.

Do not discard this invaluable medicine, because you have been imposed upon by something pretending to be Sarsaparilla while it was not. When you have used AYER's—then, and not till then, will you know the virtues of Sarsaparilla. For minute particulars of the diseases it cures, we refer you to Ayer's American Almanac, which the agent below-named will furnish gratis to all who call for it.

AYER'S CATHARTIC PILLS, for the cure of Costiveness, Jaundice, Dyspepsia, Indigestion Dysentary, Foul Stomach, Headache, Piles, Rheumatism, Heartburn arising from Disordered Stomach, Pain, or Morbid Inaction of the Bowels, Flatulency, Loss of Appetite, Liver Complaint, Dropsy, Worms, Gout, Neuralgia, and for a Dinner Pill.

They are sugar coated so that the most sensitive can take them pleasantly, and they are the best Aperient in the world for all the purposes of a family physic.

Prepared by J. C. AYER & CO., Lowell, Mass., and sold by Druggists and Dealers everywhere, in Knoxville, at wholesale and retail by E. J. SANFORD & CO. may1-2m

IMPORTANT TO LADIES.

Mrs. Winslow's Mystic Pills are prepared only for a legitimate purpose, and are the only safe and effective medicine for females extant.

Do not trifle with your health, and use cheap and dangerous medicines, which Druggists have bought and will recommend, being ignorant of their properties.

MRS. WINSLOW'S MYSTIC PILLS

correct all irregularities and painful menstruation; invigorate the debilitated, and restore former bloom to the pallid cheek.

No madam, wife, or mother should be without them.

Try them—use according to directions, and be convinced that they are the Lady's Friend.

Price $2 per box, or three boxes for three boxes for $5.

For sale by all druggists in this city. june6 1m

TAKE NO MORE UNPLEASANT AND UNSAFE REMEDIES for unpleasant and dangerous diseases. Use HELMBOLD'S EXTRACT BUCHU and IMPROVED ROSE WASH.

THE GLORY OF MAN is STRENGTH.—Therefore, the nervous and debilitated should immediately use HELMBOLD'S EXTRACT BUCHU.

MANHOOD AND YOUTHFUL VIGOR are regained by HELMBOLD'S EXTRACT BUCHU.

SHATTERED CONSTITUTIONS RESTORED by HELMBOLD'S EXTRACT BUCHU. may2-2m

ERRORS OF YOUTH.

A Gentleman who suffered for years from Nervous Debility, Premature Decay, and all the effects of youthful indiscretion, will for the sake of suffering humanity, send free to all who need it, the recipe and directions for making the simple remedy by which he was cured. Sufferers wishing to profit by the advertiser's experience, can do so by addressing, in perfect confidence, JOHN B. OGDEN, June6-m4 No. 13 Chambers Street, New York.

COLGATE'S HONEY SOAP.

This celebrated **toilet Soap**, in such universal demand, is made from the **choicest** materials, is **mild** and **emollient** in its nature, **fragrantly scented**, and extremely **beneficial** in its action upon the skin.

For sale by all Druggists and Fancy Goods Dealers. feb21-1y

A Crown of Glory.

Every man, woman child who has used

Sterling's Ambrosia

is willing to recommend it. Three years of rapidly increasing sale have made the Ambrosia famous all over the world.

IT IS WARRANTED TO PLEASE.

It cures Itching of the Head.
It Makes New Hair Grow on Bald Head.
It Prevents the Hair from Falling Out.
It Renders the Hair Soft and Glossy.

Cleases the Scalp. Cools the Heated Brow. Removes Dandruff. Cures Nervous Headache. Cures Baldness. Insures Luxuriant Locks. Inclines Hair to Curl. Supersedes Wigs. Kills Hair Eaters. Good effect apparant at once.

TO THE LADIES WE SAY.

the Ambrosia will suit you to a T. Elegantly put up. Delicately Perfumed. Patronized by Opera Singers and Actresses. Sold in splendid boxes or cartons, containing two large bottles: No. 2 for morning—No. 1 for evening.

THERE IS NO MISTAKE ABOUT IT.

STERLING'S AMBROSIA is the best, most agreeable and effective toilet article in the world. To prove this try a carton.

Sold by Druggists.

STERLING'S AMBROSIA MANUFACTURING CO., aug9-6m 215 *Fulton Street, New York.*


## NEW ADVERTISEMENTS.


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FOUNDERS & MACHINISTS,
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STATIONARY & PORTABLE
Steam Engines
CIRCULAR SAW MILLS,
WITH SIMULTANEOUS AND INDEPENDENT
Wrought Iron Head Blocks,
ECLIPSE SHINGLE MACHINES,
Wood Working Machinery,
CORN MILLS, MILL GEARING & SHAFTING,
Wrought Iron Pipe & Fittings, Steam Cocks, &c.
GIFFARD INJECTOR,
OIL WELL MACHINERY.
Steam Fire Engines,

Applicants for Descriptive Circulars, will specify the Machinery they need.


## Decision of the Supreme Court.

JUDGES—SAM MILLIGAN, JAMES C. SHACKELFORD, AND ALVIN HAWKINS.

THOMAS H. CALDWELL, Attorney General and Reporter.

*G. M. FOGG, Administrator et al. vs. JOHN B. ROGERS, et al.*

This bill was filed in the Chancery Court at Sparta, by G. M. Fogg, administrator of Henry Dickinson, deceased, and G. M. Fogg and F. B. Fogg, Trustees of Alexander Palache; and by George W. Gibbs, and alleges that about the 27th of December, 1851, complainant Gibbs agreed to sell to one John B. Rogers a certain tract of land, situated in White county, Tennessee, and gave Rogers a memorandum or bond for title when the purchase money should be fully paid, Rogers agreeing to pay $5,000, in consideration for said land—that two notes for $1,000 each, due respectively January 1st, 1856 and January 1st, 1857, given by Rogers to Gibbs as part of the consideration for the land, are due and unpaid, and are a lien upon the land; and, that Gibbs has never conveyed the land to Rogers. The bill further charges that Gibbs being indebted to the estate of Henry Dickinson, deceased, of which complainant, G. M. Fogg, is a member, he executed on the same day, to Fogg, transferred and assigned the said notes to said administrator, with the understanding that they should be held by said administrator as collateral security for the payment of debts due from Gibbs to the estate of Dickinson—that said debts are still unpaid.

The bill also charges that notwithstanding Rogers had no title to the land, he has sold the most if not all the tract to various persons. The bill also charges that under a sale by the Chancery Court at McMinnville complainants G. M. and F. B. Fogg, purchased for their clients Alexander Palache, Thomas L. Norwood, and Charles C. Trabue, a tract of land in [illegible] benefit of the last mentioned tract, another tract adjoining thereto, and thereafter complainants G. M. and F. B. Fogg were directed by a deed of the Circuit Court of the United States for the Middle District of Tennessee, to sell said last mentioned tract of land as trustee for said Palache and others, and afterwards, on the 7th day of December, 1852, they sold said lands to said Rogers, at the price of $1,500,00, for the payment of which Rogers executed their notes for $500, each due on the 1st January, 1854, 1855 and 1856 respectively, and payable to G. M. Fogg or order—that the same are due and unpaid and constitute a lien upon the land—that the purchase money not having been paid G. M. and F. B. Fogg have never conveyed said land to Rogers, and that the legal title thereto is still in them—that Rogers has also sold the last mentioned lands to various persons.

The bill also alleges that on the 6th day of April, 1857, Rogers executed a conveyance in trust to complainant G. M. Fogg, of a number of slaves and other property, consisting of stock, wagons, etc., to secure the payment of said debts, which, as complainants are informed, has been duly recorded, etc. Complainant alleges that said last mentioned conveyance was made without consultation, and in fact without their knowledge, and that complainant Gibbs knew nothing of it and the first any of them knew of it, was when sometime after its execution Rogers sent a copy of it to complainant G. M. Fogg, complainants G. M. Fogg and F. B. Fogg, state that in recognizing said deed of trust, they have never intended and do not now intend to release in any manner the lien upon any of said lands, but have always looked to the land as security for the payment of the purchase money. Complainant Gibbs alleges he has had nothing to do with the trust deed, and has always looked to the land in White county as security for the payment of the two notes, for $1,000 each. Rogers and the various persons to whom he has sold the lands in White county, as well as the various persons to whom he has sold the lands in Fentress county, are made parties defendants bill—seeks a sale of the property conveyed to G. M. Fogg in trust, and appropriation pro rata of the proceeds thereof to the satisfaction of said debts, and the sale of said lands for the payment of the balance of the purchase money, if any remains due after the sale of the property conveyed in trust.—The purchasers of portions of the different tracts of land from Rogers have filed the demurrers to the bill and assign as causes of demurrer:

1st. That the bill is multifarious.

2d. That complainants have waived their liens upon the lands for the payment of the purchase money.

3d. That the court in White county has no jurisdiction as to the land in Fentress county.

Defendant Rogers answers and also files demurrer, in which he assigns substantially the same cause of demurrer.

The Chancellor sustained the demurrers, and ordered that complainants' bill be dismissed—to reverse which, complainants have prosecuted a writ of error to this Court.

We think the decree of the Chancellor erroneous. This court held in the case of Gillespie vs. Bradford, 7th Yer. 168, that "Since the English Court of Chancery first assumed jurisdiction by bill, and subpoened to enforce contracts for the sale of land in specie, the vendor has never been deprived of his legal title without having received the purchase money." When the vendor conveys the land to the purchaser, by deed, the law creates a lien upon the land so conveyed in favor of the vendor for the payment of the purchase money, but this lien may be waived by the vendor, and if he take a separate and independent security for the payment of the purchase money, whether it be a mortgage upon other estates, the pledge of goods, or the personal responsibilities of a third person, he thereby gives evidence of his abandonment or waiver of his lien upon the conveyed premises for indemnity, but this is only *prima facia* evidence of the waiver, and may be repelled by proof.

Marshall vs. Christian, 3 Hump. 618, 619, Campbell vs. Baldwin et als, 2 Hump., 248. The complainants aver in their bill that they have never, and do not now intend by recognizing the mortgage to waive their liens upon the land, but have at all times looked to them as security for the payment of the purchase money, so that if the vendors had conveyed the land to Rogers by deeds the demurrers for this cause cannot be sustained. But in the case now before the court the vendors have never conveyed the lands, but have retained the title as security for the payment of the purchase money, and it is believed no case can be found in which it has been holden the vendor may not take either additional, different and independent securities for his indemnity without abandoning, waiving or surrendering the security thus retained, and in this respect the case is very different from those in which the vendor has conveyed to the purchaser. Upon what authority or process of reasoning can it be insisted the vendor has surrendered or waived his right to a security of his indemnity which, for the purpose of indemnity, he has retained in his own hands. The lien of Gibbs upon the land in White county by virtue of his assignment of the notes, passed to G. M. Fogg, the assignee. As to what does or does not constitute multifariousness, this court, in the case of Johnson vs. Brown, 2 Hump. 327, has approved the remarks of Justice Story, "that numerous as are the cases upon this subject, no principle can be extracted from them that can be safely adhered to as a general rule, but the courts must determine each case upon its own peculiar circumstances; while multiplicity of actions, on the one hand, ought to be avoided, we should be careful, on the other, to guard against that confusion in the pleadings and in the investigation of rights and the application of remedies, arising from the attempt to blend in one suit distinct and incongruous claims and liabilities. The interest and liabilities of defendants may be separate; yet if they spring from some common center, they can be joined in the same suit—and by section 4827 of our Code, it is provided "the uniting on one bill of several matters of equity distant and unconnected against one defendant is not multifariousness." It cannot be insisted that the lands in White county in the hands of Rogers or those to whom he has conveyed the same, are not liable to the satisfaction of the notes in the hands of Gibbs or Fogg, his assignee—neither can it be insisted the lands in Fentress county, in the hands of Rogers or those to whom he may have conveyed the same are not liable to the satisfaction of notes given by Rogers to G. M. Fogg. It is conceded, however, that up to the time of the execution of the mortgage by Rogers to Fogg to secure the payment of the purchase money due for both tracts of land, connecting the transactions concerning the two tracts of land, or the parties interested in each, but it certainly does form a connecting link, and constitutes a common center, from which flows and radiates rights and liabilites of all the parties. The complainants for whose benefit it was made, have a right to insist upon its foreclosure and the application of the fund arising therefrom, to the satisfaction of the debts which it was intended to secure; the purchasers from Rogers have a right to insist upon the appropriation of the property thus conveyed in trust to the satisfaction of the debts which constitute a lien upon the lands which they severally purchased from Rogers inasmuch as the conveyance was made for that purpose, and thus in whole or part remove the incumbrance now resting upon the lands purchased by them, and so far from complicating or confounding, growing out of the adjustment of the rights of parties in this suit, it is difficult to see how they can be adjusted without the presence of all the parties. The purchasers from Rogers have a right to demand a *pro rata* appropriation of the fund arising from a sale of the trust property, and the purchasers of neither tract have the right to the appropriation of more than a pro rata of such fund—hence the purchasers of both tracts are interested in this common fund, and the bringing them before the court in a suit, in which an appropriation and disposition of that fund is sought, cannot make the bill multifarious. And in the view we have taken of this case, we think there can be no question as to the sufficiency of the bill to sustain a decree. The counsel for the defendants has cited no authority in support of the proposition relied upon in argument, and if any such exist, we are not aware of it.

The decree of the chancellor will be reversed and the cause remanded. HAWKINS, Judge.

Attest: J. G. FRAZER, Clerk.

*GEO. KELTON, adm'r, use of SARAH BOWERMAN, et. al., vs. JESSE MILLIKEN, et al.*

This bill was filed by the heirs of Michael Bowerman to enforce the collection of two notes for about $1,750, which the complainants alleged were given for the purchase money of a tract of land bought by the defendant, Jesse Millikin.

The facts presented by the record are: In 1855 Samuel Bowerman, the son of Michael Bowerman, was arrested for horse stealing in the county of Williamson, and placed in jail by the authorities. Michael Bowerman became bail for his son in the sum of $1,000 for his appearance to answer the charge. Within a few days after his return to Cannon county, where he resided, he sold the tract of land on which he lived (245 acres) to the defendant, Jesse Millikin, for $1,750, and gave him a deed for the land at all times looked to them as security for the payment of the purchase money, so that if the vendors had conveyed the land to Rogers by deeds the demurrers for this cause cannot be sustained. But in the case now before the court the vendors have never conveyed the lands, but have retained the title as security for the payment of the purchase money, and it is believed no case can be found in which it has been holden the vendor may not take either additional, different and independent securities for his indemnity without abandoning, waiving or surrendering the security thus retained, and in this respect the case is very different from those in which the vendor has conveyed to the purchaser. Upon what authority or process of reasoning can it be insisted the vendor has surrendered or waived his right to a security of his indemnity which, for the purpose of indemnity, he has retained in his own hands. The lien of Gibbs upon the land in White county by virtue of his assignment of the notes, passed to G. M. Fogg, the assignee. As to what does or does not constitute multifariousness, this court, in the case of Johnson vs. Brown, 2 Hump. 327, has approved the remarks of Justice Story, "that numerous as are the cases upon this subject, no principle can be extracted from them that can be safely adhered to as a general rule, but the courts must determine each case upon its own peculiar circumstances; while multiplicity of actions, on the one hand, ought to be avoided, we should be careful, on the other, to guard against that confusion in the pleadings and in the investigation of rights and the application of remedies, arising from the attempt to blend in one suit distinct and incongruous claims and liabilities. The interest and liabilities of defendants may be separate; yet if they spring from some common center, they can be joined in the