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THE KNOXVILLE WHIG.

Knoxville, Tenn., Oct. 10, 1866.

From the Nashville Press and Times.

Ominous Demonstration at London.

MR. EDITOR:—It was announced that Judge Hook and Judge Patterson would address the citizens on the 26th inst., at Loudon, on the issues of the day. Grand preparations were made by a large portion of the citizens for the accommodation of the speakers and citizens. A large brick house was selected, filled with seats, and a beautiful stand erected, decorated by the ladies with appropriate and tasteful likenesses of President Lincoln, President Washington, Stephen A. Douglas, and a large signed out of the fallen heroes, with the impressive cut representing the assassination at Ford's Theatre. Gen. Grant, Admiral Farragut, Gen. Sherman, General Sheridan, Gen. Burnside, and many other distinguished Generals hung around the stand, all of which were beautifully encircled with wreaths by the fair hands of the ladies.

On the outer wall was the national motto, "The United States Congress, E Pluribus Unum!" and above hung the Stars and Stripes floating to the breeze.

At ten o'clock the Morrie boys, with a beautiful silk flag, mounted, and with cheers entered the town and passed through the principal streets, at every corner giving three cheers for Congress, the State Government, the State Legislature and Gov. W. G. Brownlow, with sixteen shouts. Before they dismounted they signed the flag and hand the cheers of the Blount county boys; they marched forward and met them in the suburbs. The long cavalcade swept through the town amidst deafening cheers.

Intense interest was now manifested in watching for the appearance of Capt. Faulkenant (from near the centre of old Blount,) as an escort with Judge Hook, the speaker, having learned that Judge Patterson was on route North with others to stop out the track of Telegraph Andy.

One o'clock came, and no speaker appeared, but word came that Judge Hook's brother was at the point of death, and his wife sick, which accounted for his non-appearance. The streets were crowded, and perhaps the crowd equaled the great Johnson time at Knoxville.

The crowd gathered, and Capt. Wm. M. Alexander was urged to speak to the people. He came forward and made known the cause of Judge Hook's not being present, and in some pertinent remarks showed up Andy (being one of his old neighbors) —showed from indisputable facts that he was a traitor to Brownlow, to the Union party, to the negroes as their Moses, and to the struggling Irish—that he was all things to all men, and for nobody but Andrew.

He further demonstrated the issue between Congress and the President, and the attempt by the compounded rebels to destroy the State Government, and paid a high compliment to Congress, Governor Brownlow and the State Legislature in sustaining the national laws and passing the franchise law against Andy Johnson, with all the powers of his office and his band of subtle traitors around him.

He closed by offering the following resolutions, which were read and unanimously adopted:

We, a portion of the unconditional Union men (or Radicals) of East Tennessee, having met as American freemen once more to renew our fidelity to the Government of our fathers; do set forth and declare the following resolutions as expressive of our principles:

Resolved, That a Republican Government is inherent in the people, they have a right to elect representatives; to make laws and determine the right of representatives to take seats in the national councils of the nation.

Resolved, That we indorse the action of Congress in excluding red-handed traitors—that the former doctrine of the apostate traitor Andrew Johnson, when he declared "that treason must be made odious," traitors must take the back seats," that the property of intelligent traitors should be taken and divided to pay the debt of the war, and they be impoverished, still meet our hearty approbation; while we repudiate and condemn his treason and his bid of sale made of himself to the rebels, who threatened and passed for his blood, selling out his whole soul and body to them.

Resolved, That we indorse the action of the State Government, and on foot by Andrew Johnson; but when the rebels got him to possession repudiated his own offspring, which was practiced in the dark ages—we most indignantly condemn.

Resolved, That Wm. G. Brownlow, Governor of Tennessee, and the Union members of the Legislature, deserve our lasting gratitude for the indomitable stand they took against the President and his satellites, to prevent the passage of the Franchise law and the Constitutional Amendment.

Resolved, That we are opposed to the one man power; our principles fought King George and the Tories of the Colonies, from Lexington and Bunker Hill to Yorktown; because he would not give us representation in Parliament in part or whole, and upon the same principles we opposed the one man power of Andrew Johnson.

Resolved, That the eleven States that withdrew from the Government, and took up arms and fought it in 1861 to 1865, are not entitled to seats from their States unless they send Union men, and who shall be received under the reconstruction laws of the United States Congress.

Resolved, That we look upon the head of the Executive Department of the Government as a traitor to first principles, as a despot in assuming to dictate the representatives of 35,000,000 or 40,000,000 of Americans.

Resolved, That from the apostacy of A. Johnson and pardons granted to leading, bloody-handed rebels, he has emboldened the rebels and thrown our bleeding country into confusion and the war cloud again looms up in the distance, when the sword should have been turned into the ploughshare and peace, happiness and prosperity pervading our land.

From the Toledo Blade.

NASBY.

Mr. Nasby Arrives at Home---How His People were Outraged.

POST OFFIS, COVENANT X ROADS, (which is in the State of Kentucky,) September 16th, 1866.

I found my flock in a terrible state av depression, at which, when I was told the cause I didn't wonder at. There was, back of the Corners on the side of the hill, one towards Garretstown, about three quarters av a mile this side av Abbott's grocery (we estimate distance here from one grocery to another) five or six families av niggers. The make of this settlement had all been in the Federal army as soldjers, and had saved their pay and bounty and sich, and had bought on a disgusted Confederate, who proposed to find in Mexico that freedom which was denied him here, and who bein determined to leave the country, didn't care who he sold his plantashun to, so as he got greenbacks, three hundred acres, which they had divided up into forty acrikin lots on, and built a cultivatin it. There was a store keeper at the Corners, who came here from Illinoy and who had been in greedy av gain, and so prompt on to buy their produce av us, and sell us such supplies av their kinds. These consisted av wives and daughters av Hair was a white figure to comfort. The thing was gettin uncomfortable. They came to the Corners dressed in clothes, which, when patched, looked sinte, and look at us, and the females in silence and huffed under the nose av them. It was just time av a crisis av the people that if it hadn't gone for their back force they would have passed for niggers.

Our people became indignant, and as soon as I informed I was requested to call a meetin to consider the matter, which I cut accordingly.

The house was packed, and the entire Corners was assembled, expecting the Illinoy store keeper, who didn't attend to my call. I stated briefly and clearly (I hev had experience in public speakin since I heard Mr. Seward lecture, Andrew, all the way from Washington to Jerusalem) and asked the house to state their minds.

Squire Hewitt had observed the progress av these niggers with the most profound sadness. He had noticed on occasions to the Corners dressed better nor his family dressed and settle the produce av their land to that extent.

At this point the Illinoy store keeper came in and the Squire proceeded:—

He shood say Mr. Pollock, and he had made inquiries and found that one family had sold three hundred and seventy-five dollars worth av truck this season, av which they had laid out for clothes and books to hundred dollars, leavin an one hundred and seventy-five dollars in cash, which was more money than he had made and the occasion Lincoln passed the conscription performance. And what did ever the Lord do to his soul was the fact that was of these niggers was his nigger. "The money they have," pursued the Squire, "is my money, that man work HIS not is my man; his wife is my woman, her children my children."

"That's a liberal fact," shouted Joe Bigler, a drunken returned Confederate adjt, "they hev your money exactly, and they's the meanest pallers heard in the settlement."

This unhappy remark ended in a line unpleasant row, which resulted in the Squire's hole carried out admin case or, and he was sent home. Joseph remarked that he wanted to get at him ever since he wouldn't lend him half a dollar two months ago.—He was now satisfied, and hoped this little episode wouldn't mar the harmony of the meetin.

Elder Smathers observed that he had noticed with pain that these niggers allus had money and was allus dress well, while we, their superiors, had no money and nothin to boast of in the way of clothes. He would say—

Pollock, the Illinoy store-keeper, put in. If the Elder wood work on them niggers was workin, and not lolin over half the time at Beacon's grocery, he might possibly hev a full suit of clothes, as now av them a dollar in money. It was here as it was in all strictly Democratic communities, the grocery keepers absorb all the floatin capital, and—

He was not allowed to proceed. Beacon flung a chair at him, and four or five av his constituents fell on him. He was carried out for dead. Beacon remarks that he felt for the utmost freedom av speech, but in the discussion av a great constitutional question no Illinoy abolitionist shood put in his yawp. The patriotic remark was cheered, but when Beacon axed the whole meetin out to drink, the applause was uproarious. Beacon allus gets applause—he knows how to move an audience.

Deakin Pogram sed he'd hore with these niggers till his patience was giv out. He endeared it till last Sunday. After service he felt passive, rather, and walked out towards Garrettstown, meditatin av he went on the sermon he had listened to that morning on the necessity av the spred av the Gospel.—Moseeth in spirit over the condition av the heathen, he didn't notice where he wuz till he found himself in the nigger settlement, and in front av one of their houses. There he saw a site which paralyzed him. There wus a nigger wich was want his nigger, which Elder in deprived him av, settin under his porch, and pretenin the Holy Bible by teaching his child to read it! Kin this be endured? the Deakin asked.

Deakin Parkins sed he must bear his av worthy testimony agin these disturbers. They hed, he knowed wherof he spoke, hired a female woman from Massachusetts to teach their children! He had bin in their skool room and with his own eyes witnessed it.

Beacon, the grocery keeper, had bin shocked at their conduct. He was convinced that a nigger was a beast. They come to the Corners to sell the produce of their lands—do they spend their money at the bar? Nary! They spend sum of it at the store av a disorganizer from Illinoy, who is here interfeerin with the blessed av true Southern men, but he hed never seed one of 'em inside his door. He hed no patronage with 'em, and believed sumthin should be done to rid the community av sich scoundrels inhabitance. If they ever git votes they'd agin go. No man who dodges my bar ever votes straight Democrat.

General Pont moved that this meeting do forthwith proceed to the settlement and clean 'em out. They was a reproach to Kentucky. Of course, ez they were heathens and savages, sich goods ez they had wood fall to the righteous, ez whom we wuz which, and he insisted upon a fair divide. All he wanted was a bureau and a set of chairs he had seen.

The motion was attended to instead Pollock, the Illinoy store keeper, and it was at worst acted upon.

Pollock was reconstructed first. Filled with zeal for the right, his door was busted in, and in a jiffy the goods which he was a contaminatin our people with, was distributed among them, each takin sich as seemed suit. Wun man injected that ez they was made by Yankees and brought South by Yankees, that there was contaminashun in the touch av em, and that they be burnt, but he was hooted down, our people ossin a distinction. The contaminashun was in payin for the—giltin on gratuitous look the cuse off.

Elated, the crowd started for the settlement. I never saw more zeal manifested. A half hour brought us there, and then a scene ensued wich filled me with joy unspeakable. The niggers was turned out an their goods was bundled after em—The Bible and skool books was destroyed first, cause we had no use for them; then chairs, tables and bureaus, clothin and bedding was distributed. A woman bed the impudence to beg for sumthin she fancied, when the righteous zeal av my next door nabur, Pettus, biled over, and he struck her. Her husband, forgettin his color, struck Pettus and the outrage was complete. A KINSMIN RED RAISED HIS HAND AGIN A WHITE MAN.

The insulted Caucasian blood ris, and in less than a minit the bodies of six male Ethiopians was a dangling in the air, and the bodies of six Ethiopian women was laying prostrate on the earth. The children was spared, for they wuz still young, and not havin been taught to read or far that they could not forget it of kept carefully from books, they kin be brought up in the proper spear, ez servances to their brethren. (By the way, the inspired writer must hev yoused the word "brethren" in this connection figuratively. The nigger bein a beast cannot be our brother.) Suze stay censure us for too much zeal in this matter, but what else cood we hev done? We are high toned, and can't stand everything. These niggers had no right to irritate us by their presence. They knowed our feelins on the subjik, and by buying land and remainin in the vicinity they kindled a flame which resulted ez it did. Ez they did in Memphis and Noo Orleans, they brought their fate onto their own heads.

Pollock recovered, and with the Yankee school marm who was a teaching the niggers, left for the North yesterday. It speaks well for the forbearance av our people that they was permitted to part at all.

PETROLEUM V. NASBY, P. M.,
(which is Postmaster,)
(and late chaplin to the expedishun.)

Supreme Court Opinion.

KNOXVILLE, TENNESSEE, SEPTEMBER TERM, 1866.

THOMAS H. CALDWELL, Attorney General, and Reporter for the State.

WILLIAM GALBRAITH vs. E. F. MCFARLAND, et al.

The Chancellor in this case at Dandridge, pronounced a decree in favor of the complainant, from which one of the defendants, Moriah L. Hodston, prayed an appeal to this court. The complaint in its main aspect was that the parties had filed by both parties for crops, and that the case should stand in the same condition as if both the complainant and defendants had appealed.

The facts necessary to be noticed are as follows: On the 6th of October, 1858, the complainant, William Galbraith, brought his bill against E. F. McFarland, D. K. Livingston and wife, and Moriah L. Hodston, in which it is alleged that the defendant, E. F. Farland, was indebted to the complainant in the sum of $6,000 34, and to secure the payment of this debt, he, said, on the 29 of November, 1858, conveyed to complainant two tracts of land in Jefferson county, mentioned and described in the deed of conveyance, which was duly recorded; that the land was in possession of the defendant with Moriah L. Hodston, claimed sum to be the creditors of the defendant, McFarland, and by attachment at law are seeking to subject the same made to the satisfaction of their debts.

The complainant claims title under his deed, which appears to have been executed and registered, prior to the date of the attachment; but he insists, if the Chancellor shall be of the opinion that his deed is inoperative for want of title in the land, that he, as creditor of the defendant, McFarland, is entitled to priority and satisfaction. Mrs Hodston answers, and insists that prior to the execution of the deed by McFarland to the complainant, the former was guilty of Treason against the Government of the United States, and that the pecuniary consequence of his treason to the complainant, was, under the act of Congress, approved July 17, 1862, commonly known as the "Confiscation Act," an absolute nullity, and wholly inoperative and void; and that she, as an innocent purchaser for value, is entitled to protection against the claims of creditors of Livingston and who joined to answer, and judgment pro confesso was regularly entered against them.

The Chancellor held the deed executed by the defendant McFarland, wholly void under the act of Congress, declared the proceedings at law by attachment wrongful, and directed a sale of the lands to satisfy complainant's debt.

1. The controlling question presented in this record, arises on the construction of the 4th section of the Act of Congress, approved July 17th, 1862, which is as follows, viz:

"That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in Armed Rebellion against the Government of the United States, or giving aid or comfort thereto, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, money, stocks, credits, and chattels, of the person thus in rebellion, shall be forfeited to the public use of the United States, and it shall be the duty of the President to seize and use them as aforesaid, or the proceeds thereof. And all sales, transfers, or conveyances of such property, after the expiration of sixty days from the date of such warning and proclamation, shall be null and void, and it shall be sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section."

The object and purpose of this act of Congress, as declared in its caption, is "to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes."

This being the first and general enactment that ran through the whole body of state and to the speedy suppression of the rebellion, which was then rapidly spreading throughout the south. To accomplish this desired end, the military and confiscatory of the property of leading rebels was considered of much value. To the full exercise of this act, this property is effectually declared to be in the custody of the law, and "shall be subject to the disposition of the President of the United States; under the control of all the courts and tribunals having civil and criminal jurisdiction of the particular locality, shall be subject to and liable to be seized, held, and disposed of by the President, or under his order, for the support of the army of the United States."

This being the general object and purpose of the Act of Congress, it is only necessary to inquire whether it was intended to operate upon the property of persons who were, at the time of the passage of the act, dead or living, or after the death of the owner, whether it should be executed by seizing the property under the following regulations, or after the decision, under the ordinary course of conscientious. It is clear, from the language of the law, that it could not be executed in the case of persons dead, until the rebellion had first been put down, and the military power of the Government, or its agents, to enforce the process of Justice to continue the regular course of their business within the limits of such armed rebellion. The property could not practically be appropriate to the use of the United States, so long as they were actively engaged in the armed rebellion.

The law was suspended by force, and when that force was destroyed and the course of justice again resumed under the authority of the United States, in any part of the rebellious districts, the Congress, both upon principle and reason, agreed to hold, by solemn act, that the rebellion should be deemed from the date of its commencement.

But the act itself is, in the character highly penalized and, by the ordinary rules of the common law, as well as by the modern rules of well established international law, must be construed strictly, and in accordance to the principles of common humanity. The modern usage of nations which have become law, over Chief Justice Marshall, in the case of the United States vs. Percheman, 7 Peters, 51. Even in cases of conquest in the conquered territory, than in disputes the sovereign and absolute power over the country, should be violated, and "that cession of justice and right should be acknowledged and felt by the whole civilized world, would be outraged, if private property should be generally confiscated and private rights annulled." Under the modern rule, it would, of consequent, be a violation of the laws of civilized nations, when the Government not regulated by Congress, should seize the rebel subjects, should not be more rigorous. In the last war, conquest of a foreign country, gave absolute and unlimited sovereign rights. But in the other—the case of rebellion, no nation can with any degree of decency, or consistency, if it was treason hostilities, and unduly regular the possession of which it had been temporarily deprived. No one sovereignty in sequent, but all the rights which previously existed are maintained, why then, when in words or course should the rule be more rigorous in the case was than in the other? In both cases, confusion is gained over the country, and control of its rebellious