

IMPORTANT LAW POINTS

DECIDED BY THE SUPREME COURT OF MISSISSIPPI.

Death of the Hon. James Smith, Formerly of Jackson, at Glasgow, Scotland.

JACKSON, Miss., April 12.—The Supreme Court to-day rendered the following decisions, by Arnold, Judge: Green Clay, executor, vs. Thomas H. Allen & Co., from the Bolivar Chancery Court, affirmed; the Crescent Insurance Company vs. W. A. Moore & Co., from the Atlanta Circuit Court, affirmed; (in the case the point was decided that an insurance company can be carried); D. R. Danlap vs. John P. Richardson, from the Natchez Circuit Court, affirmed.

By Cooper, C. J.—F. H. Nieman et al. vs. M. C. Lee, from the Yazoo Circuit Court, certiorari awarded; C. P. Bledsoe et al. vs. A. M. Harris, from the Copiah Circuit Court, motion to set aside order docketing and dismissing the case was overruled; J. H. Wai on vs. D. N. Cross et al., from the Holmes Circuit Court, affirmed; The Liverpool, London and Globe Insurance Company vs. Van Os & Shuster, from the Warren Circuit Court, reversed and remanded; The Illinois Central Railroad Company vs. Charles Handy, from the Madison Circuit Court, reversed and remanded.

DEATH OF THE HON. JAMES SMITH. A cablegram was received here yesterday morning from Glasgow, Scotland, announcing the decease there, on Saturday, of the Hon. James Smith, a prominent citizen and native of that city, who was, for many years before the war, an honored and beloved citizen of this place. He was an elder brother of the late Col. Robert A. Smith of this city, who distinguished himself in the Confederate army as colonel of the Tenth Mississippi Regiment and who was killed while leading a gallant charge on a fort at Mumfordsville, Ky.

In the summer of 1884 there was a reunion of the survivors of the Tenth Mississippi Regiment at Mumfordsville, and all were the guests of and entertained by Mr. James Smith, on which occasion he erected a monument to his brother's memory on said battle field, on the spot where he fell. Mr. James Smith had returned to Scotland to live many years before the war, yet all of his sympathies were with the South and they were manifested in many substantial ways. He sent arms and equipments, as a present to this city, sufficient to arm a company. He was a public spirited and charitable man, as evidenced by the liberal bestowal of his benefactions here, both public and private. He was one of the survivors of the Arctic, wrecked on the Atlantic ocean in 1855 while en route from Liverpool to New York.

Mr. Smith has several near relatives here and a host of warm and devoted friends who mourn his death in deepest sorrow. A public meeting of citizens will be held Wednesday night to give expression of sorrow at his death and to commemorate his many virtues.

THE SUPREME COURT.

Justice to Able and Faithful Judges. To the Editors of the Appeal: I have just read the article in the Appeal headed "A Clean Sweep." No fair-minded man can object to the position you have taken. The senseless clamor against the present Supreme Court is inspired by selfish motives and is unjust to faithful public servants. Your suggestions are timely, pertinent, conservative and will be endorsed by every honest lawyer in the State. I can say from an investigation of the best statistics I have been able to put my hand upon that the Supreme Court of Tennessee gets off more work in the year than any other court of final resort in the Union, not excepting the Supreme Court of the United States with its nine Justices. Alabama brags that her Supreme Court disposes of about 100 to 120 cases in the year to each Judge. Last winter at Nashville the Tennessee Court disposed of 37 venue, 133 State and 411 civil cases, aggregating in all 571, averaging to each Judge a fraction more than 114 cases. But just three weeks before for several weeks, only four of the Judges presided, Judge Freeman being quite sick, Judge John S. Cooper was finally appointed in his stead. By our laws State and revenue cases always have precedence. Three classes of cases were not only numerous, but were both unusually important and unusually complicated and important, involving in a number of instances life, large amounts of property and constitutional issues. The Court adjourned at Knoxville after a continuous session (without the loss of a day) of two months, just three weeks before the term began at Nashville. The Judges met at Nashville on the first Monday in December and sat until about the 12th of March, but three weeks before convening at Jackson, without the loss of a day, except the usual time for Christmas holidays. The adjournment at Nashville was earlier than expected, because the Williams bar asked that it be done, or rather that their cases go over to the next term. It had been understood that with the business before the Court it could not expect the trials had not prepared. The Court, nevertheless, announced its readiness to take up and try any case counsel would consent to. There is a cloud in almost every State in the Union because of the accumulation of cases and the delay of trials in the Supreme Court, and the fact remains that our Tennessee court disposes of more than any one of the others, State or Federal. A little investigation will show that the clamor against the present Supreme Court has no basis and is, therefore, unjust. There is no incentive to honest devotion to the public service if faithful Judges are to be struck down merely to appease a popular error which is based on a misapprehension of facts. The Court and just Democracy of Tennessee will rally to the support of the men who so faithfully performed their duties, as will be shown by a comparison of

A HOT-HEADED WITNESS.

VAN BENTHUYSEN BEFORE THE TELEPHONE COMMITTEE.

Lively Tilt With Mr. Ranney—Editors Pallizer and Dana Denounced as Liars.

WASHINGTON, April 12.—When the Telephonic Investigation Committee met this morning Watson Van Benthuyzen of New Orleans, president of the National Improved Telephone Company, was placed upon the stand. He said that his company owned, but did not operate, the Rogers telephone inventions. His acquaintance with Mr. Young dated from the dismissal of the Pittsburg suit. Young had told witness of the passage of a law authorizing the institution of government suits, and witness had declared his intention to secure such action. Young, however, had assured him that the Attorney-General, being interested in a telephone company, would certainly refuse to have anything to do with the matter, whereupon witness had lost his temper and declared that the Attorney-General had no right to interfere with his (witness's) individual rights. There had been an agreement between himself and Young at Memphis, but while there had been a few notes taken, it had never been formally reduced to writing. Under the agreement each party agreed to furnish evidence and a model, and divide the expenses, but were to furnish their own lawyers, for a suit against the Bell Company was intended. Witness had gone to Waukesha, Wis., then to Washington, and afterward to New York, where he had received an answer to an application he had made to the Attorney-General, dated July 14, 1885, stating that the matter had been referred to the Attorney-General, to whom it should be referred originally. When witness afterward called upon Attorney-General Garland, that gentleman had courteously but firmly refused to hear him on telephonic matters, and witness had become very indignant, and threatened to appeal to the President. Within two days witness had called again, with Mr. Brison, an attorney, to secure promise that he would act promptly upon application for suit against the Bell Company, if referred to the department. Witness had an attorney. Still the Attorney-General had peremptorily refused to touch the matter. Witness had an indistinct impression that the Attorney-General was asked if he had any objection to the withdrawal of witness's original application for suit, and that he had replied that he had no objection. Witness had gotten the paper from Commissioner Montgomery of the Patent Office, but Mr. Garland had never ordered the withdrawal of the application as had been stated. Witness had then withdrawn the application after he learned that no law had been passed authorizing suits as he had supposed, because he was fearful that it would fall into the hands of the same people in the Patent Office who had been connected with the Bell patent, who might use the papers to forestall the witness. He had also been told that there were employes within the Patent Office who were acting in the interest of the Bell Company. Witness did not believe that Young knew anything about the withdrawal of the papers.

HERNANDO, MISS.

Sudden Death of a Presbyterian Minister—The Fruit Prospects.

HERNANDO, Miss., April 12.—Mrs. Fannie Powell died of pneumonia Saturday morning and was interred yesterday. She leaves three children. The Rev. A. S. McLameroch, Presbyterian minister at this point, died suddenly yesterday at his residence, aged fifty-five years.

A Reverend Swindler.

MILWAUKEE, Wis., April 12.—A special from Watertown, Wis., to the Sentinel says the Rev. I. T. Koehler some six months ago came here from Manitowish, Mich., to take charge of the German Evangelical Church. He was a very important appearing person, dignified and pompous. His ministrations were successful and he had no difficulty in having his wants of whatever character supplied, getting trusted to a considerable amount by those of his flock who were in business and others. He left town a few days ago, his absence being a mystery until yesterday, when a letter was received from him by Charles Bechman, president of his Church Committee, written from Detroit, tendering his resignation and informing any inquiring friends that he would be safe in Her Majesty's Dominion, just across the river. It is now learned that he had borrowed about \$500 in money from various clothing stores, had furnished a bill of lading for a trunk of \$200, and had a construction class last Sunday, and the fee he exacted from the members of it he pocketed, together with the proceeds obtained from the sale of 500 tickets for a 10-cent concert that he had planned. Several clothing stores had furnished him with stylish suits on credit, and a jeweler was not slow in selling him a fine gold watch on trust.

Bloody Battle in the Mountains of Kentucky.

LOUISVILLE, Ky., April 12.—A Courier-Journal special tells of a bloody battle fought in the mountain wilds of Harlan county, Ky., on March 26th. John Day and his Minardi brothers and two Napier brothers were on their way to a log rolling. There they met Isaac Day, Jake and Saul Barkhart and Silas Bogg. They were all armed with rifles, and sheltering themselves behind trees, began firing. The firing continued until the Minardi parties retired. Saul Barkhart was killed outright, Jake Barkhart was seriously wounded and Silas Bogg was shot through the head, but not fatally. The parties have surrendered and are now in jail. The trouble grew out of the arrest of Isaac Day, charged with stealing. His brother went on his bond, but surrendered him and the fight resulted.

A Druggist's Story.

Mr. Isaac C. Chapman, druggist, Newburgh, N. Y., writes us: "I have been for the past ten years sold several gross of Dr. Williams' Pink Pills for Pale People. I can say of it what I cannot say of any other medicine, I have never heard a customer speak of it but to praise its virtues in the highest manner. I have recommended it in a great many cases of whooping cough, with the happiest effects. I have used it in my own family for many years; in fact, always have a bottle in the medicine chest ready for use."

Three Persons Drowned.

RICHMOND, Va., April 12.—Information has been received here of the drowning of three members of a surveying party while crossing the New river at Sunnyside. The party consisted of the following persons: C. J. and William Hood, P. H. and Sam Quimby, W. A. Haynes and a negro ferryman. C. J. Hood and the Quimby brothers were drowned by the upsetting of the boat while crossing the New river at Sunnyside, and the Ohio railroad engineers' department.

Advice to Mothers.

Mrs. Winslow's Soothing Syrup should always be used when children are cutting teeth. It relieves the little sufferer at once; it produces natural, quiet sleep by relieving the child from pain, and the little cherub awakes as "bright as a button." It is very pleasant to taste. It soothes the child, softens the gums, allays all pain, relieves wind, regulates the bowels, and is the best known remedy for teething or other causes. Twenty-five a bottle.

Whisky and Responsibility of the Cause.

KANSAS CITY, Mo., April 12.—At an early hour yesterday morning Sylvester Baker shot his sleeping wife in the forehead and then sent a bullet into his own brain. Both are now in a critical condition and are not expected to survive through the night. Whisky and despondency in the cause.

Scott's Emulsion of Pure Cod Liver Oil.

Scott's Emulsion of Pure Cod Liver Oil, with Hypophosphites, in Pulmonary Affections and Scrofulous Diseases. Dr. Ira M. Lang, New York, says: "I have prescribed Scott's Emulsion, and need it in my family and am greatly pleased with it. Have found it very serviceable in Scrofulous diseases and Pulmonary affections."

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WOODLAWN STOCK FARM.

WOODLAWN is located within four miles of Court Square, Memphis, and contains 240 acres—200 acres in grass, all up to and fence; has large stables, good shade and running water all the year round, and will be devoted entirely to pasturing and selling stock of every variety. I am now prepared to receive and sell on commission all kinds of blooded and graded Stock, Horses, Cattle, Sheep, Hogs, Poultry, etc. Those having stock for sale I shall be glad to correspond with them. Those who desire to purchase, I will endeavor to obtain what they require. The following Stallions will stand the season at Woodlawn: HARK'S WAY—Dark brown stallion, 16 hands high, by Equinox, dam Borgia by Borgia, dark bay son great Post Stakes, St. Louis, 1878, 2 mile heats, in 3:18 and 3:25, and the following day won the Starnes Cup, mile heats, in 1:43 and 1:47. Horses of fine style and sure foot. (Selling for \$200.)

WOODLAWN—By Erion own brother to Trinkle—2:10, dam Miss Butler, dam of Maud Butler, breeder's best horse, 2:28, as 3 years old. Holton is rich blood bay, 3 years old, 15 1/2 high, level canted, and promise great stock. Fee, \$15.

ROBERT'S BROTHERS—Brown 16 dark bay trotting and pacing stallion, winner of First Prize at Knoxville, 1874 hands high, bred by Ray Dine, by Lexington. Fee, \$10.

BLACK WATERS—Registered A. I. C. Jersey Bull.

FOR SALE—One young Jersey Bull, Patecocks, \$10 per pair; Greenbush Paps, \$10 each; Newfoundland Paps, \$10 each; Black Braided Red Game Ewe, \$2 per dozen. Dr. C. B. SMITH, Veterinary Surgeon, can be consulted at Woodlawn. City Agents, JAS. JAY SMITH & CO., 284 Front Street, Memphis, Tenn.

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