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SIC SEMPER TYRANNIS

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JOHN ECHOLS, Monroe county. R. H. CATLETT, Lexington. H. M. BELL, Staunton.

ECHOLS, BELL & CATLETT, ATTORNEYS AT LAW, STAUNTON, VIRGINIA, Will practice in the State and Federal Courts at Staunton, and in the Circuit and County Courts of Rockbridge, Rockingham and Alleghany.—They will also attend to special business in any part of Va. and West Virginia. [Sept 12—tt

THOS. J. MICHIE. J. W. G. SMITH.

MICHIE & SMITH, ATTORNEYS AT LAW, STAUNTON, VA., Practice in the Federal Court at Staunton; in all the Courts of Augusta county; in the Circuit and County Courts of Rockingham; and in the Circuit Courts of Rockbridge.
Collection of claims promptly attended to.
Nov. 14—tf

GEO. BAYLOR. MARSHALL HANGER.

BAYLOR & HANGER, ATTORNEYS AT LAW, STAUNTON, VA., Practice in all the Courts of Augusta county, and attend promptly to the collection of claims in any of the adjoining counties. Nov 7—tf

Marriage Guide.

Young's Great Physiological Work, or every one his own Doctor—being a Private Instructor for Married Persons, or those about to Marry, both Male and Female, in everything concerning the Physiology and Relations of our Sexual System, and the Production or Prevention of Offspring, including all the new discoveries never before given in the English language, by WM. YOUNG, M. D. This is really a valuable and interesting work. It is written in plain language for the general reader, and is illustrated with upwards of one hundred engravings. All young married people, or those contemplating marriage, and having the least impediment to married life should read this book. It discloses secrets that every one should be acquainted with. Still it is a book that must be kept locked up, and not lie about the house. It will be sent to any one on the receipt of Fifty Cents. Address Dr. WM. YOUNG, No. 416 Spruce Street, above Fourth, Philadelphia. july9—1y

Express.

PONY EXPRESS! WITH United States Mail Line, Connecting with the Passenger, Express, and Mail Trains, on the Virginia Central Railroad, will convey passengers, and deliver all packages at any point *between Covington and Lewisburg*, with care and despatch. Address goods to care of T. L. FEAMSTER, Covington, Va.
Agency for Lewisburg, at Sydenstricker & Cameron's Drug Store.
jan21—tf

VIRGINIA EXPRESS.

OFFICE: AMERICAN HOTEL, STAUNTON,
The **Virginia Express** is now running daily from RICHMOND TO STAUNTON;
and tri-weekly to all points between STAUNTON AND COVINGTON;
also daily from BALTIMORE TO RICHMOND;
and from BALTIMORE TO STAUNTON;
further, daily to all the intermediate points between STAUNTON, HARRISONBURG AND MT. JACKSON, STAUNTON, LEXINGTON AND NATURAL BRIDGE.
and tri-weekly from STAUNTON to BATH ALUM, WARM, HOT AND HEALING SPRINGS; WHITE SULPHUR SPRINGS, LEWISBURG AND CHARLESTON, Kanawha County.
☞ Goods called for and delivered at all points in the town. For further information apply to OFFICES:—307, 8th Street, Richmond; 90, South Eutaw Street, Baltimore.
3 mo. W. H. WATTS, Agent.

Alexandria Advertisements.

WM. H. FOWLE, JR. W. KEITH ARMISTEAD.

FOWLE & ARMISTEAD, PRODUCE, FORWARDING, AND Commission Merchants, Also Dealers in LUMP AND GROUND PLASTER, 43 Union st., and 16 South Wharves, ALEXANDRIA, VIRGINIA.
☞ Pure fine Ground Windsor Plaster always on hand and for sale at market rates.
jan 21—t nov26

GREGORY & PAUL, WHOLESALE GROCERS AND Commission Merchants, For the sale of *Flour and all kinds of Country Produce*, Nos. 27 and 29 King street, ALEXANDRIA, VA.
dec10—1y

Glass, Stone & Earthenware.

"CHINA HALL," Piper, Drake & Co. are now receiving at their Queen's-Ware Store, on the corner, a large addition to their stock of Ware; and as they have bought extensively, they are enabled to sell to the trade nearly all kinds of Ware at Baltimore prices, particularly Glass Ware, which they *know* they can sell at Baltimore prices.
In connection with a general assortment of Queen's-Ware they have just received a very large lot of the best Stone-Ware manufactured in this country, which they propose to sell to merchants at Richmond catalogue prices.
dec10—town papers copy

Artistical.

GREAT DISCOVERY! Every Man his own Artist! A SCIENTIC WONDER.
An instrument by which any person can take correct Likenesses or Photographs. This instrument with full instructions sent by mail for one dollar. Address, C. B. AMES & CO., 181 Broadway, New York.
jan7—3m

Verterinary Surgery.

ENGLISH VETERINARY Surgery. H. J. COSENS, ...Veterinary Surgeon, H. S. HOGSETT, ...Assistant, having permanently located in Churchville, 7 miles from Staunton, announce to their friends, throughout Virginia, that they are prepared to practice their professional skill on all diseased and crippled horses, and will keep on hand their *Valuable English HORSE AND CATTLE POWDERS*, and Liniment of all descriptions.
Having had a number of years' experience as practitioners, they assert, with confidence, that they can cure all diseases that are curable, to which horse-flesh is heir.
Mares with difficulty in foaling can be immediately relieved by procuring their services.
Particular attention paid to the Castration of Horses. Persons at a distance can secure their services either by writing to them or by bringing their stock to Churchville.
☞ the citizens of Rockingham, Rockbridge and Highland counties can see them at their county seats on their regular monthly court days.
HENRY JOHN COSENS, Veterinary Surgeon, HENRY S. HOGSETT, Assistant.
dec 10—3m
Rock Reg. and Lex. Gaz. copy and send bills to this office.

WHISLAR & LAYNE, Horse Doctors, Va. Hotel Stables, Staunton, Va.
Having associated ourselves together for the purpose of doctoring Horses and Cattle, we will cure the most obstinate cases of Pole Evil, Fistula, Nasal Gleet or Bastard Glanders, Ring-Bone, Spavin, Foot Evil or Greasy Heel, and all other diseases to which horse or cattle flesh is heir. We also have a *Condition Powder*, which we will sell at very low rates, and a *Distemper Mixture*, which is warranted to cure that terrible disease to which all horses are liable.
We guarantee a cure in nearly all cases, and when not effected, no pay is required. Give us a call at the Virginia Hotel Stables.
dec 10—3m

C. A. RICHARDSON. C. C. WHEAT. RICHARDSON & WHEAT, Dealers in GROCERIES and all kinds of COUNTRY PRODUCE, (Flour, Grain, Seeds, &c.,) corner Main and Augusta streets, *STAUNTON, VA.*, keep constantly on hand a fine stock of family and staple Groceries, also pay the *highest Cash* prices for Flour, Grain and Produce generally.
Farmers will do well to call and see us before *selling* their produce or *buying* their stock of groceries. Give us a call, at A. M. Pierce's old stand, corner Main and Augusta streets, Staunton, Va.

SUGARS, Coffees, Syrups, and Molasses, (all qualities) for sale by RICHARDSON & WHEAT.

COTTON YARN and Cotton Cloth, for sale by RICHARDSON & WHEAT.

A PRIME LOT OF TEAS, (Green and Black) in store, and for sale by RICHARDSON & WHEAT.

WORTHINGTON SALT, in store and for sale by RICHARDSON & WHEAT.

A Prime Lot of Sole Leather, for sale by RICHARDSON & WHEAT.

Cash Paid for Flour, Corn Oats, Bacon, Lard, Butter, Eggs, Dried Fruit, &c., &c., by RICHARDSON & WHEAT.

BAKER BROTHERS.

STILL GREATER REDUCTION IN PRICES!—We have just received large additions to our stocks and offer GOOD AND PRIME RIO COFFEE, lower than at any time since the war, to which we especially call the attention of country merchants.
A greater decline in Staple Dry Goods, such as Prints, Brown and Bleached Cottons, Tickings, Blankets, Cotton Yarns, men and boy's Wear of all kinds, Boots and Shoes, Horse Shoes, Horse Collars, &c.
These are desirable goods and certainly very low.
dec10 BAKER BROS.

PRINTS, Brown and Bleached Cottons, unusually low, at BAKER BROS

MEN'S AND BOY'S BOOTS AND SHOES. with a variety of Ladies' Shoes, cheap. BAKER BROS.

ATTENTION, FARMERS AND BLACKSMITHS. Horse Shoes, either by the keg, or broken parcels, very low at BAKER BROS.

BLANKETS, BLANKETS, very cheap indeed, by BAKER BROS.
dec 10—tf

Stoves & Tinware.

STOVES, STOVES, &c. W. J. POINTS, Would respectfully inform the public, that he has just opened his shop opposite to A. M. Bruce, where he is prepared to do all kinds of TIN, SHEET IRON AND COPPER work. A constant supply of STOVES always on hand, BRASS WARE, LARD JARS, COFFEE MILLS, JAPANNED WARE, &c.
All kinds of country produce taken in exchange for work.
Particular attention paid to Roofing, Spouting and Guttering houses.

Roofing, Spouting and Guttering HOUSES, done of the best materials, by W. J. POINTS.
jan14

Cook Stoves—Superior patterns, warranted, for sale very low. W. J. POINTS.
jan 14

COAL HODS, Coal Shovels, and Fire Carrier's cheap, at W. J. POINT'S.

KNIFE BOXES, Fork and Spoon Boxes, Sherwood's Patent Tea and Coffee Strainers for sale very low at W. J. POINT'S.

Coal Oil Lanteras, and Screw top Coal Cans, very cheap at W. J. POINT'S.

STILLS! STILLS!!—Stills, Copper Kettles, Cooking Stoves, Tinware, Guttering and Spouting, made of the best material and by the best workmen. Repairing done promptly.
july 30. B. F. POINTS.

McClure & Bumgardner.

WE have in store and for sale cheap, a complete stock of *Grocer ies, Tobccos, Cotton Domestics, Yarn*, and in fact, *all* acticles desired by farmers, which will be exchanged for all kinds of country produce. McCLURE & BUMGARDNER.
july 23—

5000 GRAIN BAGS.—We are Sole Agents for the sale of the superior E. B. Bentley GRAIN BAG, and offer superior inducements to purchasers. McCLURE & BUMGARDNER.
july 23—

Flour, Wheat, Corn, Oats, & Country PRODUCE WANTED, for which the highest cash prices will be paid. McCLURE & BUMGARDNER.

McClure & Bumgardner, Sole Agents for the sale of H. M. Smith & Co.'s Agricultural Implements, of Richmond, Va.
july 23—

Shuck Mattrasses for sale by McCLURE & BUMGARDNER.
july23—

Auction & Commission Houses.

THE OLD ESTABLISHED Auction House.
We have removed our Auction House to the Wharf Row, 2 doors north of the bridge, on Augusta street, where we propose conducting on an enlarged scale, the AUCTION & COMMISSION BUSINESS, in all its branches.
Consignments of all kinds are respectfully solicited. We will attend to the sale of all kinds of property in the town and country.
Regular sales at auction every Wednesday and Saturday evening at our Store Room, and every Saturday morning in front of the Court House.
We refer, by permission, to any *Gentleman* in Augusta county. PECK & CUSHING,
jan 14—tf Auctioneers.

☞ The circulation of the SPECTATOR is about as great as the combined circulation of both the other papers published in this place, and has as many subscribers in this county alone as are contained in the whole list of either of the other papers.

Poetry.

[For the Spectator.]

Building Air-Castles.

Are you building? ah, you build for what?
To see thy castles towering up!
To fall, and, crashing, leave no trace
Of better hopes, or better days.

Build on, thou fool! yet build for what?
Thy mad career, ah, doubt it not,
When every human hope is past,
Will end in black despair at last.

Build on in vain! yet build for what?
To see thy hopes to nothing brought?
To feel the anguish of distress
Fill with remorse thy aching breast?

Ye may build for what you please:
Fame or greatness, wealth or ease,
And high in airy visions soar,
Until the heart can crave no more.

Ye dream in pleasure's siren bower,
And all unheeding in that hour,
That when thy castles reach the sky,
Their sudden downfall then is nigh.

Then cease thy dreaming! count the cost:
How much is gained, how much is lost;
Cease building castles which but fall,
And blast thy hopes, thy peace, thy all.

EDNIE.

[Published by Request.]

The Grave.

"He arose, He arose, He burst the bars of death,
And triumphed o'er the grave;
Hear it, ye nations, hear it, O ye dead."

The grave! the grave! I long for the grave,
The silence and sleep which are there;
'Tis the pillow of rest, the home of the brave,
A refuge from toil and care.

The grave! the grave! I long for the rest,
Which hovers around the dark tomb,
O, deep is the sleep on its dew-covered breast,
Till the day of eternity's bloom.

The grave! the grave! 'tis the ark of the just,
When the visions of time are no more,
The valley where faith will redouble her trust,
Where Satan's temptations are o'er.

The grave! the grave! my Redeemer was there,
And conqueror of conquerors he rose,
Hurled back to the realms of darkness despair,
And vanquished forever His foes.

The grave! the grave! we shall rise from the grave
When the trump of the angels shall sound,
When Immanuel shall come His people to save,
And the heavens are stooping around.

O, why should I cleave to this cold-hearted world,
When my heart is above in the skies?
Oh, why should my min I in its tumult be hurled
When on Cherubim's wings it can rise?

The grave! the grave! I long for the grave,
The silence and sleep which are there,
'Tis the pillow of rest, the home of the brave,
A refuge from toil and care.

T. B. McK.

As the wearied body rejoices to see the sun sinking in the West, and the time approaching for it to rest; so the mind of one freed from the curse of sin, and assured of his privileges, feels pleasure in the idea that there is rest for it—a rest where it shall lay aside its clay tenement, and commence its existence in eternity. If we view death aright, it may be divested of many of its horrors. Let us look on it with the eye of the christian, and, even in its grimmest aspect, we can see on its features the light of eternity. The valley and shadow of death is dark; but through it all the great and good have had to pass to their long home. The pang of death may be keen.—The arrow of the unerring archer must pierce every bosom. But the pang once over, Heaven, with all its glories, opens on the redeemed soul.

UNCONSTITUTIONAL CONVENTION.

FORTY-FIRST DAY.

SATURDAY, *February*, 1st.

TUKEY'S CASE.

The convention refused to suspend the rules to take up the resolution of Judge Snead to allow Mr. Tukey pay and mileage as contestant of the seat of Mr. Southall, delegate from Augusta, Albemarle and Louisa.

THE ORDER OF THE DAY.

The consideration of the report of the committee on taxation was resumed, when the following, offered by Mr. Thomas, was adopted as a section of the report: "That the General Assembly may levy a tax not exceeding $1 per annum on every male citizen who has attained the age of 21 years, which shall be applied exclusively in aid of the public free schools, and counties and corporations shall have power to impose a capitation tax not exceeding 50 cents per annum for all purposes.

Pending Mr. Thomas' call for a vote on his proposition, Mr. Hawxhurst intimated that his conduct was ungentlemanly, when Mr. Thomas rose and sternly demanded to know if he meant to say that he had been guilty of ungentlemanly conduct. Mr. H. replied that he did not.

Mr. James rose to a privileged question and denounced the *Southern Opinion* newspaper in unmeasured terms, saying that it was not a Southern opinion, but a Southern lie, libel and slander, in consequence of its strictures on him, when he alluded to his "separators" as being used all over the country.

Mr. Clements wanted to know if, under a question of privilege, he had a right to advertise his valuable invention.

THE PARDONING POWER.

The report of the committee on the pardoning power of the Governor was made the order of the day for Tuesday, 1 o'clock, when it will be considered in connection with the report of the committee on the executive department in relation to the same subject.

While the convention was considering the postponement of the oyster subject until to-morrow Mr. Luther Lee, (Rad.), took umbrage at a remark of Mr. Clements, who opposed the postponement of the question, when

Mr. Clements wanted to know what he had said to offend his colleague.

Mr. Lee—the explanation is satisfactory.

Mr. Clements—I have no apology to make. I never do.

FORTY-SECOND DAY.

MONDAY, *February*, 3d.

PER DIEM FOR TUKEY.

Mr. Snead called up the resolution offered by himself, granting Frederick S. Tukey, contestant for the seat of Mr. J. C. Southall, *per diem*.

Discussion ensued, during which Mr. Walton arose to a point of order. The resolution was one requiring a special appropriation, and therefore an ordinance should be reported on the subject.

The discussion was continued.

Mr. Allen moved to strike out after the words "third day of December, 1867," the words "to the seventh of January instant."

Mr. E. Gibson said that he had received information which threw a new light on the subject. He would therefore move a postponement. The postponement was granted.

EXECUTIVE DEPARTMENT.

The first section of the report was adopted as submitted by the committee after some discussion. It is as follows:

"*Governor.*

"1. The chief executive power of this Commonwealth shall be vested in a Governor. He shall hold the office for a term of four years, to commence on the 1st day of January next succeeding his election, and be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service."

The second section was adopted as follows:

"2. The Governor shall be elected by the voters at the times and places of choosing members of the General Assembly. Returns of elections shall be transmitted under seal by the proper officers to the Secretary of the Commonwealth, who shall deliver them to the Speaker of the House of Delegates on the first day of the next session of the General Assembly. The Speaker of the House of Delegates shall, within one week thereafter, in the presence of a majority of the Senate and House of Delegates, open the said returns, and the votes shall then be counted. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest or an equal number of votes, one of them shall be chosen Governor by the joint vote of the two houses of the General Assembly. Contested elections for Governor shall be decided by a like vote, and the mode of proceeding in such cases shall be decided by law.

The third section was then read, as follows:

"3. No person shall be eligible to the office of Governor unless he has attained the age of thirty years, has been a citizen of the United States twenty years, and has been a citizen of Virginia for five years next preceding his election."

Adopted—ayes 45, noes 43.

Mr. Clements moved the following as additional to the above:

"Provided this section shall not be construed to exclude any person from the office of Governor in the United States or any of its territory."

Adopted—ayes 52, noes 33.

Mr. Thomas moved to reconsider the vote.—Carried.

Mr. Porter offered the following substitute:

"No person shall be eligible to the office of Governor unless he has attained the age of twenty one years and has been a citizen of the United States and of this State for two years next preceding his election."

Mr. Thomas moved to strike out "two" and insert "three." He was followed by Mr. Porter, who spoke at length.

Mr. Clements moved to recommit the whole matter to the committee. Lost.

Considerable discussion ensued, during which Burwell Toler (negro), from Hanover, made his maiden effort. He was opposed to settin down five, nor twenty, nor any yother time, for a man to live here 'fore he can be Guvner.—He didn't had no doubt dat de ole patriarchs of Ferginia had did de best dey knew how, but he want in favor of follering in dar tracks. I don't think, sar, dat it is empowered for wicked hearts to make argiment for de good. I has not spoke before, which I has been requested to do so. I has been counted in one sense a monkey, by yothers a baboonian; but I ain't nar one. I'm a man and a brother, sir; equil by creation, and—don't pull my coat tail off! [Spoken to a member behind who was tugging at his coat.] Dis is de first time I has spoken in public to dis House, and I intend to prove it. I has sot in here and listened, and I don't think it competent for wicked men to make laws for righteous men. I am in favor not to limit de time to five nor twenty nor nothing else, but to put de man forth whar de majority rippersent, no matter whether he's a baboonian or a white man nor nothin else.

After some further discussion, the amendment of Mr. Thomas was adopted—ayes, 43; noes, 39.

The Convention adjourned.

FORTY-THIRD DAY.

TUESDAY, *February* 4th.

TUKEY'S CASE.

This case, which has assumed an undue importance, was called up by Mr. Allen, at a cost to the State of three hundred dollars per hour when Mr. E. Gibson wanted to know whether Mr. Tukey did not retain his position as registering officer until a few days before the election; 2d, whether he did not send his tickets around before he resigned; 3d, if he did not state that he would not resign his office until he ascertained whether he was elected or not. He thought that his case should be referred in order to ascertain the truth of the rumors to which he alluded.

Judge Snead had heard that he did not act as registration officer on election day.

Mr. Clements had heard of frauds in Augusta, by which Mr. Tukey was defrauded out of votes by the ballot box being opened and ballots changed. The rule was where there was a reasonable ground to presume that a contesting member was entitled to a seat that he is entitled to pay and mileage while contesting the same.

Mr. Campbell, one of the ablest members of the convention, who never speaks unless to the point, denied that there was anything in the act convening the convention which authorized the payment of either per diem or mileage to a contesting member.

Mr. French opposed paying Mr. Tukey even to the 31st of December, 1867, as proposed by the substitute of Mr. Allen to the resolution of Judge Snead.

After an oration from a Congo, the order of the day was announced.

Mr. Morrissey, Radical, asked a suspension of the rules and a postponement of the order of the day for the consideration of a matter in which both sides of the house felt interested.

Uncle Bayne and Mr. Platte objected.

It was agreed to, nevertheless, and Mr. M. called up the resolution of Mr. Mayse, of Bath, in regard to the right of the sitting members from Richmond to their seats.

To this Mr. Campbell had offered a substitute, the substance of which we have already given.

Mr. Platte proposed to amend by a resolution that General Schofield be requested to communicate to the convention all of the information in his possession concerning the election of delegates from Richmond, and in regard to the alleged frauds in Monroe ward.

Mr. Campbell accepted that in lieu of his substitute. The vote was taken on it, and it was adopted—ayes 71, noes 8.

Mr. Mayse spoke earnestly in favor of the adoption of his resolution, and stated that it was due to the body that the matter should be investigated, so that it could be ascertained whether the members from Richmond are entitled to their seats. He had heard from a Conservative, who was a candidate at the last election, that after an interview with Gen. Schofield in regard to the matter, he left with the impression that the General was of the opinion that the sitting members were not legally entitled to their seats.

Mr. Clements offered a preamble to the substitute of Mr. Platte, based upon the hypothesis that Mr. Mayse had asserted that the Conservative candidate said that General Schofield stated that the members from Richmond were not entitled to their seats

Mr. Mayse corrected him in accordance with our report already given, and the preamble was voted down—ayes 42, noes 43.

Here Mr. Parr, the member from Nansemond, who is a favorite with both parties, rose and made a mistake as to the question, owing to the confusion in the part of the House in which he sits, and commenced to make a speech upon the oyster question, but his coat was frightfully pulled by a Radical friend.—This, it seems, was misunderstood by

Mr Platte, Radical, who said, I deem it beneath the dignity of a gentleman to make an old gentleman make himself and his party ridiculous.

Mr. Parr, who is slightly deaf, did not seem to appreciate the laughter that followed, but with a spirit worthy of a representative of renowned Nansemond, replied: I wish gentlemen to know they can't pull Parr down by the coat-tail, nor can they do it by the argument.

As the convention closed its morning session, Uncle Dr. Bayne announced that, if the convention didn't stop its foolishness, he intended to have "the work" of making a constitution put out by contract, and would take it himself.

Uncle Specs looked as if he wanted to know whether the doctor was an autocrat *de facto* or *de jure*.

AFTERNOON SESSION.

The following section of the report of the committee on the Executive department was adopted:

The Governor shall reside at the seat of government, shall receive $5000 for each year of his service, and while in office shall receive no other emolument from this or any other government.

It was proposed to make the salary $4,000, and by another member $6,000 per annum.—Both were voted down.

Pending the discussion of the next section, Mr. Parr endeavored to get the floor, but the temporary chairman (Mr. Hine) did not observe him, whereupon, Mr. Gibson, of Rappahannock, called his attention to the fact. This gave offence to Mr. Platte, who replied angrily.

Mr. Gibson—I was not talking to you.

Mr. Platte—But I was talking to you.

Mr. Gibson asserted that he intended to protect the rights of members. To which Mr. Platte replied that if he espoused the quarrels of others he had no objection to quarreling with him.

Mr. Gibson—If the gentleman wants a personal difficulty I am ready for him.

Mr. Platte—I am ready for you, too.

As soon as the sensation produced by these belligerent remarks subsided and quiet restored, Mr. Gibson went to Mr. Platte's seat and said something in a whisper, and then left the hall. Mr. Platte got up to follow, but the Chair ordered the door to be closed, and Mr. Platte, consequently, could not get out. Before the convention adjourned, we are happy to state, the difficulty, through the intervention of their friends, was settled.

Senator Doolittle on the Infamous Congressional Despotism.

Through the courtesy of the Hon. James R. Doolittle, United States Senator from the State of Wisconsin, we are enabled to lay before our readers this week, his masterly production in the shape of a letter to the committee of invitation of the great Conservative meeting which came off last Thursday night week, in New York. The country has but few greater Statesmen, nor the people a more fearless advocate of freedom, liberty of speech and of Constitutional rights than Senator Doolittle. Would to Heaven there were many more like him in the Rump Congress!

WASHINGTON, Jan. 27, 1868.

To Henry Leibanan and others,
Committee, &c., &c.:

GENTLEMEN:—Your letter of invitation is duly received.

It costs me a struggle to decline to accept.—My whole soul is with you, and with all of my countrymen everywhere who are organizing to rescue constitutional liberty from overthrow by that Radicalism which controls the dominant majority in Congress. Two measures are now pending, (they have already passed the House.) which, if consummated, tend to revolutionize the Government. The first, in direct violation of the Constitution, takes away from the President the command of the army and the execution of the laws in ten States of the Union. It places the command of the army and the execution of the laws in the hands of the General, independent of the President, who ceases thereby to be Commander-in-Chief. In a word, it creates an absolute dictatorship.

The other measure aims to subordinate the judiciary department to Congress also. The number of judges of the Supreme Court is eight, and this bill proposes that no judgment shall be pronounced against the validity of a law of Congress except by two-thirds of the whole number of judges. Two thirds of eight is more than five. To be precise, two-thirds of eight is five and one-third. As the opinion of a judge cannot be divided, and must be wholly for, or wholly against the validity of a law, the practical effect of requiring two-thirds of eight judges to concur is the same as if three-fourths were required. Six judges must concur in opinion to weigh down the opinions of two.

This is placing false weights in the balance. This is placing in the balance, in favor of any usurpation Congress may attempt against the Executive or judiciary department, the weight of three opinions in advance, fixed—immovably fixed—by law. It leaves the point to be decided by a majority of five opinions only.—If three of the five shall decide in favor of the validity of the law, Congress is to be sustained in any usurpation it may attempt. We all know, as power always tends to enlarge itself, that constitutions are made on purpose to defend minorities from being trampled upon by majorities. Majorities are powerful, and able to protect themselves.

The Supreme Court was established as the tribunal of last resort; to uphold the Constitution as the supreme law over Congress, as well as over all else; to hold a just and even balance is our system; and to determine the boundary line between the powers delegated by the people to the Federal Government, and those which were reserved to the States. In the strong language of him who has ever been revered as the father of the Constitution:

"The plain fact of the case is that the Constitution of the United States was created by the people composing the respective States, who alone had the right; that they organized the Government into legislative, executive, and judicial departments, delegating thereto certain portions of power to be exercised over the whole, and reserving the other portions to themselves respectively. As these distinct portions of power were to be exercised by the General Government and by the State governments, by each within certain spheres, and as, of course, controversies concerning the boundaries of their power would happen, it was provided that they should be decided by the Supreme Court of the United States, so constituted as to be as impartial as it could be made by the mode of appointment responsibility of the judges."—*James Madison's Writings*, vol. 1, p. 18.

But how can the Supreme Court hold a just and even balance between the General Government and State governments if three of its judges can weigh down five?

If, in case of encroachment by Congress upon the rights reserved to the States, or upon the liberties of the people, it shall require six judges to overcome two?

Just Heaven! has it come to this? that, in the madness and blind fanaticism which rule the hour, it requires six judges in favor of that constitutional liberty for which our fathers and British ancestors have been struggling for five hundred years to weigh down the opinions of two judges in favor of absolute military despotism, of abolishing all civil law and civil government even, in ten States of the Union, and among eight millions of people.

The case of McCardle is that of a civilian arraigned for trial by military commission. It is now before the Supreme Court on appeal from a decision by the United States Circuit Court for Mississippi, on habeas corpus. Congress proposes to enact that this man shall be deprived of his liberty, and sentenced by military court, to death it may be, although five of the eight judges of the Supreme Court shall decide that such an outrage upon constitutional liberty in time of peace, is forbidden by the express language of the Constitution. He shall not be set at liberty if three of the judges of that court shall be of opinion that the Constitution of the United States is suspended or overthrown in the State where he resides.

This McCardle case is not all. There are several now in prison under sentence of death by these Radical courts martial awaiting a death warrant from the President.

By the strongest appeals to the Senate when the military despotism bill passed in 1867, the minority prevailed upon some of the majority to vote with them, and a provision was inserted that no sentence of death should be executed without the approval of the President. But for that this terrible measure would have been already stained with blood. The President, though urged by the military commanders to issue the order for execution, has refrained from doing so.

In the defence of the great mass of my rights and liberties, as a citizen of Wisconsin, I must rely upon the government of that State.

First of all, the State defends my life; Congress has nothing to do with that.

The State defends my person from assault; Congress has nothing to do with that.

The State defends my reputation; Congress has nothing to do with that.

The State defends my wife and children; Congress has nothing to do with that.

The State defends my home from trespass, from arson, from burglary, and all my property from theft and from robbery; Congress has nothing to do with that.

In all my dearest rights, relations, interests, family, character, person, liberty, and life, I am defended by the laws of Wisconsin; not by the laws of Congress, at all.

Nothing is more clear, therefore, than the necessity of guarding with a jealous care against all encroachments by the Federal Government upon the just rights of the State governments; for it is only under their authority that my most precious interests are secured. The Supreme Court is organized by the Constitution for the purpose of holding, not a false balance, but a just and even balance between these rights which the State government secures, and certain other rights, just as sacred, if not so near and dear, secured to me by the Federal Government against encroachments by the State, against insurrection in the State, against invasions from abroad, and in controversies which may arise between me and the citizens of another State—all of which it is the duty of Congress to defend or secure.

Suppose Congress, under political excitement, pass a law encroaching upon my rights of life, or liberty, or person, or property, which belong to the State to defend, and that a case arises in the Supreme Court to determine whether the State government or the Federal Government has usurped power over the question, shall the Supreme Court hold an even balance between the States, on the one hand, and Congress, on the other? Or shall that court hold its balance with one side already loaded down by a law of Congress *in favor* of its own usurpations?

Upon this very question of its usurpations shall Congress prevent even-handed justice, by placing a manacle upon one of her hands?

Justice hitherto represented as a majestic woman, with eyes bandaged, holding a pair of even balances, must hereafter be represented with false balances in her hand, with one eye uncovered, no longer looking straight forward in search of truth but askant and obsequious, seeking apologies for the usurpations of central power.

In our system two forces are ever struggling with each other; one tending towards centralization, the other towards the States. Each operating without the other would destroy the system. As in the solar system, there the centripetal force left to itself alone would draw all the planets to the sun, and thus destroy that system. The centrifugal force, left to itself alone, would drive the planets into infinite space, and thus destroy that system also. But the continued operation of both forces, the one balancing the other, retains all in their proper orbits. How long could that system last if the centripetal force should be doubled. The other force remaining the same could no longer balance it; all would go to the centre. If the centrifugal force were doubled, it could no longer be counterbalanced by the other, and the planets would leave their orbits and wander through space.

So if the Supreme Court, which holds the balance between these political forces in our system, is to be so chained and manacled, that unless six-eighths of the judges shall decide against it, the decision shall always favor centralization, how long will it require to concentrate all the powers of government at Washington, and to practically destroy the States as a part of our system?

And, on the other hand, if it required six-eighths of the judges to declare the validity of any law of Congress, would not this Government be in danger of losing its just authority?

There is another measure proposed in the House. It may pass that body. It has been reported by a majority of the Judiciary Committee.

It is proposed by law to compel the Supreme Court to dismiss the appeal of McCardle, and to make all similar appeals to the Supreme Court impossible. I can hardly believe such a law can pass the Senate. It is an open confession that Radical reconstruction is unconstitutional, and that they dare not come to a decision in the Supreme Court.

Pass that bill, in addition to the rest, and the last vestige of civil law, or civil jurisdiction, is swept away, from the Potomac to the Rio Grande.

From where I stood this morning, upon the steps of the Capitol, with the flag of the Union over me, I can look across a river, and look upon a land of absolute, unqualified despotism.—If I visit Mount Vernon, and sit down by the tomb of Washington, I sit under the shadow of military dictatorship, more unlimited than can be found in any civilized country upon the globe. Constitutional liberty is already bound, scourged, and crowned with thorns here—here, in her own sacred temple.

Shall the General of the army, urged on by the Radical chief priests, crucify her on this sacred Capitol Hill?—in her own home?—under her own banner?—amid all the scoffs and jeers of all the despots of the world?

Let the people answer.

Respectfully, yours,
J. R. DOOLITTLE.

Paying Contestants.

The proposition to pay Tukey, the contestant of the seat of Mr. Southall in the Convention, we suppose will hardly pass. First, to pay him would be against the invariable custom of the Virginia Legislature, which has been to pay the sitting member, and no one else. If the contestant ousted the returned member from the moment the question was settled the returned member's pay ceased and the contestant's began. We have known cases which involved a great many points and a great deal of testimony to linger on through nearly the whole session and the contestants to gain their seats near its close; yet they received no pay prior to the day the contest was decided in their favor.

We cannot suppose that a man like Tukey—an exotic, transplanted here with the Freedmen's Bureau, and seeking to represent people whom he knows nothing about, and can appreciate no more than a Patagonian—is entitled any more to put his hand into the Treasury of the State than distinguished Virginians who stood as men, "without fear and without reproach."—But there have been strange things in these latter days. Negroes, for instance, violently and outrageously hoisted into the seats of the best and greatest men, are receiving a larger per diem out of the Treasury than was ever paid to the ablest and most experienced legislators.—*Dispatch.*

Thurlow Weed seems to despair of the Republican party. He says: "The loss of half our strength, in a single year, ought to open the eyes of those who are responsible for the welfare of the party. But it does not. A leading Radical at Washington said to a Conservative Republican, last week, that the object of Congress was to secure the vote of the ten rebel States for its Presidential candidate, and that if the Supreme Court stood in the way, its teeth would be drawn, and that if the President interfered he would be impeached. Hence he said, what we repeat with all the emphasis that language can impart to the warning, that "Congress is hazarding the loss of twenty white States for the control of the ten black ones."

By a recent amendment to the Constitution of Wisconsin, the pay of members of the Legislature is limited to $350, be the session long or short. The result is the present session will continue but six weeks—a period long enough to do everything that is necessary.

Bear and forbear is good philosophy.

CONGRESSIONAL.

SENATE. Saturday, Feb. 1st.—The Senate was not in session to-day.

House.—The President was asked whether he had appointed certain special agents as postmasters who had been rejected by the Senate, and under what law such appointments were made.

John Young Brown's case was resumed. Mr. Beck (Democrat), of Kentucky, advocated Brown's admission, and denied the right of the House to extend its inquiries beyond the Constitution's prescriptions. If the member elect took the oath, he had a right to his seat, and charges of disloyalty should come up afterwards, when, if guilty, two-thirds could expel him.

Mr. Knots (Democrat), of Kentucky, favored Brown's admission.

Mr. Kerr (Democrat), of Indiana, member of the committee, was sick, and the question was postponed till Monday.

Mr. Brooks (Democrat,) of New York presented the petition of many citizens of New York against the income tax. Adjourned.

SENATE. Monday, Feb. 3rd.—Mr. Cameron (Republican,) of Pennsylvania, presented a memorial recalling Charles Francis Adams, Minister of England.

The bill taxing national bank shares for State purposes was passed.

The reconstruction bill was resumed, and discussed until adjournment.

House.—Among the bills introduced on the regular Monday's call were the following: To provide for the settlement of contracts payable in gold; directing the courts to enforce coin payments; to establish departments of justice; to build a postal railroad between Washington and New York; to dredge the Potomac river by convict labor; to repeal the fifth section of an act relative to the registry and recording of vessels; to issue $150,000,000 legal tenders, replacing those withdrawn; to remove the national capital to St. Louis; to tax United States notes, treasury notes, and fractional currency, for State and municipal purposes; also, several regarding naturalization and finance.

The Secretary of War was called on for the correspondence between himself and General Grant. Copies of all orders issued by district commanders are demanded.

John Young Brown's case was resumed, and postponed until the