Richmond Dispatch.

MONDAY..............MARCH 24, 1879.

Judge Rives's Usurpation.

Although we place no confidence in the report that two or more of the justices of the Supreme Court of the United States have expressed an opinion in the case of the State of Virginia *vs.* Judge RIVES, yet we cannot say that we should be much surprised if that tribunal were to sustain him in his usurpation. The action of the Electoral Commission damaged that court irreparably in the public mind, and proved too clearly that it was a tribunal made up almost exclusively of Republican partisans. If this last statement be the fact, we may infer from what the Republican papers say what the Republican justices think; and we have not yet seen an article on the subject in a single Republican journal published in the North which did not justify Judge RIVES. We are not surprised that southern Republican journals should find no fault with his usurpation, seeing that they are generally edited by men who have become embittered against their own neighbors, and are more intolerant than the northern Republicans. We are rather surprised, however, to find that not even the fairest and most intelligent of northern Republican papers seem to see anything in the case but a manifestation of the "old spirit of the rebellion," and a means of disciplining the southern people. They seem to have no idea that every judge in the North has violated the same law which the Virginia judges are charged with having violated, and for which alleged violations Judge RIVES has usurped jurisdiction in a murder case.

Here, for instance, is that respectable journal the Philadelphia *North American*, which sees in the case only "the old quarrel revived," and actually supposes that Virginia wants to nullify a constitutional law. It even tells us that the way to get rid of an unconstitutional law is to test it before the Supreme Court of the United States, but forgets to inform its readers that that is exactly what Virginia is doing. It declares that the doctrine of "paramount State rights" is at the bottom of the difficulty; and, in a word, that the southern people don't intend to concede practically the validity of the new amendments.

Now, we would like it if the *North American* would candidly answer a few questions in reference to the two cases from Virginia which Judge RIVES has been the means of originating. How many cases were ever tried in Philadelphia by juries having negroes upon them? How many negroes must a judge summon upon every jury in order to prove himself innocent under the law under which Judge RIVES has had our Virginia judges indicted? Would one negro upon each jury clear our judges? If not, would two? or three? or four? Think of it. Why should Virginia judges be indicted for doing exactly what northern judges do with impunity? Is murder as such an offence against any law of the United States? And if not, how can a trial for murder be carried on in a Federal court? Suppose the indictment were quashed, would the prisoner be set free? Could the District Attorney frame a new indictment? Could a grand jury in a Federal court find a true bill in such a murder case as those of the REYNOLDSES? And then supposing all these difficulties overcome, and remembering that the offence for which our judges are indicted is that they failed to summon negroes *because* they were negroes, how in the name of common sense is it to be proved that the negroes were left off the jury-lists for that reason? Suppose the judges plead that the negroes were left off because they were unfit to serve as jurors, how can it be proved that they were left off for the reason charged in the indictment? We have never served on a jury since the fourteenth amendment was added to the Constitution. Can't we make out as good a case as any negro? Couldn't we just as easily prove that we were always left off because we are white as any negro could prove that he was left off because he was black? If a Virginia judge should allow himself to be bulldozed by Judge RIVES, and thus be induced to summon negroes because they are negroes, would he not thereby clearly violate the spirit of the law which Judge RIVES professes to hold in such high esteem? Would it not, in a word, certainly be unlawful to summon a negro because he was a negro? If not, how can it possibly be unlawful to summon a white man because he is a white man? When these questions are answered satisfactorily the *North American* will have opened the case.

The New Hampshire Case.

The case of the United States senator just appointed by the Governor of New Hampshire, and which is now under consideration in the Senate Committee of Privileges and Elections, is a new and interesting one. The Governor has a clear right to appoint when a vacancy "happens" during a recess of the Legislature. The Constitution provides:

"If vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies."

It is contended that this is not a vacancy which "happened" at all, but a vacancy occasioned by the expiration of the regular time of a senator. In a word, that it is not that sort of a vacancy which the Constitution contemplates when it says "if vacancies happen," but a vacancy which could not but have been foreseen—a vacancy which was unavoidable unless the Legislature acted in time to prevent it.

This is putting a fine point upon it. Admitting that this is a vacancy which could have been provided against but was not, and that it was foreseen and unavoidable if the Legislature failed to act at the time when that body knew it was necessary to act in order to prevent a vacancy, we must still hold that a vacancy has happened within the meaning of the language of the Constitution. "If vacancies happen by resignation *or otherwise*" is the language. "Or otherwise" is a very broad phrase. It may be a new "development," but it is not broader than the words.

Mr. JOHN COLLINSON's letter in another column will be found rather interesting reading.

And, after reading it, let the reader ask himself, What of the immaculate Mahoneites who are always declaring that the funding bill was passed by the aid of money?

We received on Saturday the first No. of the *Southern Intelligencer*, a paper published and edited in this city by Colonel JOHN R. POPHAM. It is an unusually good first No. The paper promises to be a very readable one. It claims to be independent in politics; but we fancy that we can see that decided leaning to the Republican party which might well be expected on the part of its editor. However, we will not judge him too hastily. With Mr. JAMES and Colonel POPHAM providing for the weekly wants of her people, Richmond may throw away the northern hebdomadals.

We haven't received a single copy of the *Congressional Record* for the extra session. Will our Washington correspondent have it sent as usual?—and from the beginning.

GENERAL ASSEMBLY OF VIRGINIA.

Extra Session—Twentieth Day.

SATURDAY, March 22, 1879.

SENATE.

Senator ELLIOTT in the chair.

The CHAIR laid before the Senate a memorial from the President of the James River and Kanawha Company enclosing a resolution of the stockholders asking the passage of the supplemental railroad bill, &c. Laid on the table and ordered to be printed, on motion of Mr. WOOD.

A number of bills were reported from committees.

THE SMITH-MASSEY CONTROVERSY.

Mr. MARSHALL, from the Committee on Privileges and Elections, submitted the following report:

To the President of the Senate:

The committee to whom was referred the following resolution, adopted on yesterday by the Senate—to wit:

Resolved, That the stenographic reports of the speech of the Senator from Nelson of Tuesday last, of the reply of the Senator from Albemarle, of the rejoinder of the Senator from Albemarle, and of the remarks of this day made by each in reference to each other, be together referred to the Committee on Privileges and Elections, with instructions to report to-morrow morning what action respecting the same should be taken by the Senate—

beg leave to submit the following report:

Your committee examined the stenographic reports of the speeches of Senators SMITH and MASSEY made on Tuesday last, and the remarks of Senators MASSEY and SMITH on the floor of the Senate on yesterday, and beg leave to submit—

1. That the Senator from Albemarle had the right to call attention to and to explain, correct, and contradict the article which appeared in the Richmond *Dispatch* of the 20th instant under the caption of "Tilt Between Two Senators," as a newspaper communication; but as a speech of a senator made upon the floor of the Senate he had not the right to make any objections to the same at the time he did so, for by Rule 28 the time had passed for taking exception thereto.

2. That part of the remarks of Senator MASSEY on yesterday while he was speaking to a question of personal privilege were in violation of that privilege, much of his said remarks being unparliamentary (so decided by the President of the Senate) and insulting to the dignity of the Senate; and we call especial attention to the following unparliamentary language—to-wit.: "misrepresentation, defamation, and vindictiveness." * * * "If I had replied to them in courteous and refined language, such as is generally used among gentlemen, the Senator from Nelson would not have appreciated it, and I should have been guilty of folly second only to that of casting pearls before swine."

3. That the remarks of the Senator from Nelson, made by way of interruption, were out of order, unparliamentary, and so decided by the President, and were a gross violation of the privileges, rules, and decorum of the Senate, and we call particular attention to the following language insulting to its dignity: "It is a falsehood, and a deliberate lie." * * * "I denounce him here and before the world as a liar and a scoundrel." * * * "It is a base lie, and comes from a dog." And we recommend the adoption of the following resolution:

Resolved, That the Sergeant-at-Arms of the Senate take into custody Senators MASSEY and SMITH and conduct them to the bar of the Senate, there to be publicly reprimanded by the President of the Senate.

J. W. MARSHALL, Chairman;
THOMAS C. WALSTON,
J. HOGE TYLER,
K. R. GRIFFIN.

MINORITY REPORT.

Mr. HURT of Pittsylvania presented the following minority report:

In response to a resolution in these words—

[Here follows the resolution]

we beg leave to submit the following as a minority report:

We find that the following language used by the Senator from Albemarle upon the floor of the Senate yesterday, and read by him from manuscript, was unparliamentary—

[Here follow the words quoted in the majority report]

and the Senator from Albemarle should retract the same, apologize for having used such language upon the floor of the Senate, and be admonished by the presiding officer.

We also find that the language [SMITH's] used upon the floor of the Senate by the Senator from Nelson on yesterday, and applied to the Senator from Albemarle when reading his statement, grossly unparliamentary, and that the Senator from Nelson should retract the same, and not only apologize for having used such language on the floor of the Senate, but that he should be reprimanded by the presiding officer for having done so.

We therefore recommend the adoption of the following resolutions:

Resolved, That the Senator from Albemarle be required to retract the language above referred to, apologize to the Senate for having used the same upon the floor of the Senate, and be admonished by the presiding officer.

Resolved, That the Senator from Nelson be required to retract the language above referred to as having been used by him, and apologize for having used the same upon the floor of the Senate; and further, that the said Senator from Nelson be reprimanded by the presiding officer of the Senate for having used said language upon the floor of the Senate.

All of which is respectfully submitted and reported.

JOHN L. HURT,
H. C. WOOD.

THE DEBATE.

At the conclusion of the reading of the two reports Mr. MASSEY addressed the Senate at some length on the ground that his personal explanation was justifiable under the circumstances, and he either retracted wholly or apologized to the Senate for the language to which the committee objected.

Mr. CHILES said it was impossible for him to have been present at the meeting of the committee yesterday or to-day, and he therefore asked leave to sign one of the reports, without indicating which report he would sign.

Leave was granted Mr. CHILES, and he signed the minority report.

Mr. SMITH argued, in opposition to both reports, that he was justified in his course, and that the Senate would be doing him a great wrong to adopt either report, when he had retracted the language deemed offensive to the *Senate*. Mr. SMITH also again retracted the offensive epithets to the Senate used yesterday, and suggested that the best way to dispose of the matter would be to lay it on the table.

A SUBSTITUTE.

Mr. BROOKE offered the following as a substitute for the substitute, which was read:

The Senators from Nelson and Albemarle having used language towards each other, upon the floor of the Senate, unparliamentary in its character and in derogation of the dignity of the Senate, the Senate doth order that said senators do publicly apologize to the Senate for the use of such language; and retract the same, and thereupon be properly *admonished* by the President; such apology shall be in this form or to this effect, without amplification—viz.:

"The Senate having determined that language used by me on yesterday upon the floor of the Senate was unparliamentary, I now apologize to the Senate therefor and retract the same."

Unless such apology and retraxit be made, the Senator failing to make them shall be taken in custody by the Sergeant-at-Arms and led to the bar of the Senate, and there be publicly *reprimanded*.

VIEWS OF OTHER SENATORS.

Mr. JOHNSON argued that the fault in this whole matter rested upon the President and the Senate for not having protected the member upon whom the assault was made.

Mr. DANIEL, who had heard the whole matter, reviewed it all very clearly, and made an interesting and what seemed to be impartial argument. He was of opinion that the resolution of the Senator from Fauquier was more conservative than the committee's report, and more just to the Senators; and as the Senate itself was in a great degree responsible for the trouble, and under all the other circumstances, he was constrained to say that the true line out of the issue would be to adopt Mr. BROOKE's resolution.

Mr. TANNER, at the conclusion of Mr. DANIEL's remarks, demanded the previous question; which was not sustained.

Mr. MARSHALL, on behalf of the Committee on Privileges and Elections, argued in favor of the report he had made.

Mr. GRIFFIN gave his reasons for signing the majority report. He said: I know nothing about the original cause of the unfortunate debate in the Senate on yesterday except what I saw in public print; and of what I heard yesterday I have attempted, without partisan feelings, to judge fairly and impartially, and it is with pain that I state that I can find no solution of the difficulty save through the medium of such a public or official rebuke as will throw around the dignity of this body and of the Commonwealth which it represents a shield to guard and protect it against further insult. The scene on yesterday was of itself sufficient to work for us a forfeiture of public respect, and to bring the body into public contempt if allowed to go free from censure. It is therefore, in my judgment, not only a duty we owe ourselves as senators, clothed with the dignity of a proud Commonwealth, but obligatory upon us in order to protect her good name and fair escutcheon, to so enforce the rules prescribed for the government of this body as to restrain for the future the unfortunate impunity of those passions that tend to transgress the rules of decorum and to bring the Senate of Virginia into disrepute.

The pending question was called but not sustained.

Mr. PAUL said that while the affair was to be regretted, it was in his judgment a fortunate occurrence for the body itself. He thought the majority report too harsh. He also opposed the minority report, and made a conciliatory speech in advocacy of Mr. BROOKE's resolution.

Mr. HURT of Pittsylvania spoke in behalf of the minority report, but said, after the remarks made by the Senators from Fauquier and Richmond, he would vote for Mr. BROOKE's resolution.

Mr. WALSTON gave the reasons which had actuated him in signing the majority report. He regarded the remarks of Mr. MASSEY as having been deliberate and calm (having been written and brought to the Senate), and, as insulting as they were, merited the action proposed in the report. The remarks of the Senator from Nelson, too, were grossly unparliamentary, and they, in his judgment, deserved the action suggested by the committee's report. If the remarks had been made in the heat of ordinary debate he would have favored Mr. BROOKE's resolution.

The question was then taken on Mr. BROOKE's substitute, and it was adopted by the following vote:

AYES.—Messrs. Bliss, Brooke, Chiles, Daniel, Dickenson, Elliott, Fulkerson, Griffin, Grimsley, Hairston, Hinton, Hurt of Halifax, Johnson, Kolner, Lee, Marshall, Moulton, Norton, Nunn, Paul, Phlegar, Sherrard, Slemp, Spitler, Tanner, Tyler, Walston, and Wortham—28.

NOES.—None.

The question was then on agreeing to the minority report as amended by the adoption of Mr. BROOKE's substitute.

The resolution as amended was adopted by the following vote:

AYES.—Messrs. Bliss, Brooke, Chiles, Daniel, Dickenson, Elliott, Fulkerson, Grimsley, Hairston, Hinton, Hurt of Pittsylvania, Johnson, Kolner, Moulton, Norton, Nunn, Paul, Phlegar, Sherrard, Slemp, Spitler, Tanner, Wood, and Wortham—24.

NOES.—Messrs. Griffin, Hurt of Halifax, Lee, Marshall, Tyler, and Walston—6.

The question was then taken on Mr. BROOKE's resolution as a substitute for the majority report, and it was adopted by the following vote:

AYES.—Messrs. Bliss, Brooke, Chiles, Daniel, Dickenson, Elliott, Fulkerson, Griffin, Grimsley, Hairston, Hinton, Hurt of Pittsylvania, Kolner, Lee, Moulton, Norton, Nunn, Paul, Phlegar, Sherrard, Slemp, Spitler, Tanner, Tyler, Wood, and Wortham—26.

NOES.—Messrs. Hurt of Halifax, Johnson, Marshall, and Walston—4.

THE APOLOGIES.

Mr. BROOKE's resolution as just adopted was read by the Clerk under the direction of the Chair.

Mr. SMITH: Is it in order for me to make the explanation?

The CHAIR: It is in order.

Mr. SMITH: I was waiting for age to precede beauty. [Laughter.]

Mr. SMITH then said he apologized most heartily and cordially for the language construed as unparliamentary.

This done, Mr. MASSEY sent for the resolution.

Mr. MASSEY: I am confined to a very narrow compass. I don't desire to be unparliamentary. [Laughter.]

Mr. MASSEY took the resolution and read its language as his apology.

Mr. SMITH requested the Clerk to read the meaning of the word "admonish."

The dictionary was opened and the meaning of the word read.

Mr. SMITH: Mr. President, I consider myself admonished.

THE PRESIDENT'S ADMONITION.

The acting President (Mr. ELLIOTT) then, very impressively, said in admonishing the two senators:

Senators,—I hope sincerely that if I transcend the limit which seems indicated in the resolution just adopted, that lack of experience as a presiding officer of the Virginia Senate will be my excuse.

I assure you, Senators, it is no pleasant duty to perform the task which now falls to my lot. Nevertheless, I will not shrink from it. You must be the judge of the aptness and appropriateness of the few words that I shall address you on this occasion. I address myself, however, especially and particularly, as I am required to do, to the two senators immediately concerned.

I would not in any way intensify the significance of the office which has unfortunately devolved upon me by virtue of my accidental occupation of the chair of the Senate to-day. I am ordered to utter the admonition which has been adjudged appropriate by your associates and mine, the honorable and just men of the Senate of Virginia. I cannot pronounce it, nor would I, except in the spirit in which it has been decreed by them. They are inexpressibly pained that the occasion should have arisen. So am I. They are constrained to believe that it sprang rather from the heedlessness of passion than from wanton disregard of the just dignity and decorum of the Senate. So am I. They believe that, in the solemn presence of an occasion so unusual in Virginia's legislative halls, and so painfully impressive to all who participate in it, you and I and all senators present will need no future admonition to heed the suggestions and obligations of parliamentary courtesy. I believe likewise.

On motion of Mr. DANIEL it was ordered that the Senators from Albemarle and Nelson have leave to withdraw from the files of the Senate any papers relating to the matter under consideration.

NIGHT SESSION.

Mr. TYLER presented a resolution providing for a night session to-night at 8 o'clock.

Pending a consideration of the resolution the Senate adjourned.

HOUSE OF DELEGATES.

The SPEAKER in the chair. Prayer by the Right Rev. Bishop Keane.

A number of Senate bills were read and referred.

A number of bills were reported from committees.

A number of House bills were placed on the calendar under a suspension of the rules.

Mr. WALKER of Westmoreland offered the following resolution:

Resolved, That during the present session of this Legislature there shall be no allowance to members of the House of Delegates for stationery.

The question, being on reference to a committee, was put—no quorum voting.

Mr. HALL moved to adjourn. Rejected—a quorum voting.

The resolution of Mr. WALKER was referred to the Committee on House Expenses.

On motion of Mr. NELSON—two thirds of the members present voting in the affirmative—so much of Rule No. 85 as reads as follows: "but no such communication shall be made in relation to any action of the House while it remains open for reconsideration," was suspended for the residue of the session.

Mr. HUNTER offered a resolution that on and after next Monday the House will meet at 8 P. M. for the consideration of private bills only; which was referred to the Committee on Rules.

Mr. JOHNSTON of Giles offered a resolution that on and after Tuesday, 25th, the chair shall be vacated at 3 o'clock and resumed again at 8 P. M., and at the night session all business may be considered other than Senate bill No. 1, entitled "An act to provide a plan of settlement of the public debt"; which was referred to the Committee on Rules.

The SPEAKER laid before the House a communication from the President of the James River and Kanawha Company, covering a memorial in the matter of the proposed sale of its works, &c.; which was referred to the Committee on Roads, &c.

House bill to authorize the James River and Kanawha Company to make sale and transfer of all its works, property, and franchise, and to invest the purchaser or purchasers with certain corporate rights, powers, &c., was taken up out of its order, on motion of Mr. TALIAFERRO of Gloucester, and read a second time.

Mr. TALIAFERRO of Gloucester offered a substitute.

Mr. SHELBURNE made an unsuccessful effort to amend the substitute by striking out the 2d, 3d, and 4th sections.

On motion of Mr. FARR, the bill was committed to the Committee on Roads, &c., on a recorded vote—ayes, 51; noes, 48.

PASSED.

On motion of Mr. KEYSER, Senate bill to amend and reënact an act passed March 24, 1871, to incorporate the town of Luray, &c., was taken up out of its order and passed on a recorded vote, on motion of Mr. FAUNTLEROY—ayes, 81; noes, 4.

Senate bill authorizing the sale of tobacco remaining on storage at the Public warehouse undemanded for three years after its inspection; on motion of Mr. McMULLAN, was taken up out of its order, read a third time, and passed.

House bill amending certain sections of the Code in regard to the working and maintenance of the roads of the Commonwealth, on motion of Mr. SANDIDGE, was taken up out of its order and passed.

Senate bill to amend certain sections in the Code, &c., in respect to salaries of certain officers, on motion of Mr. HENRY, was taken up, and pending which the special order—the bill to provide a plan of settlement of the public debt—came up and was discussed until adjournment.

As our correspondent writes us that leading lawyers of Virginia are writing for copies of the law which passed Congress on the 2d of March, giving appellate jurisdiction to the circuit courts of the United States in certain criminal cases, we reproduce it, although it has been published all over the State. It is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, The circuit court for each judicial district shall have jurisdiction of writs of error in all criminal cases tried before the district court where the sentence is imprisonment, or fine and imprisonment, or where, if a fine only, the fine shall exceed the sum of three hundred dollars; and in such case a respondent feeling himself aggrieved by a decision of a district court may except to the opinion of the court, and tender his bill of exceptions, which shall be settled and allowed according to the truth, and signed by the judge, and it shall be a part of the record of the case.

Section 2. Within one year next after the end of the term at which such sentence shall be pronounced, and not after, the respondent may petition for a writ of error from the judgment of the district court in the cases named in the preceding section, which petition shall be presented to the circuit judge or circuit justice in term or vacation, who, on consideration of the importance and difficulty of the questions presented in the record, may allow such writ of error, and may order that such writ shall operate as a stay of proceedings under the sentence; but the allowance of such writ shall not so operate without such order. The judge or justice allowing such writ of error shall take a bond with sufficient sureties that the same shall be prosecuted to effect, and that the respondent shall abide the judgment of the circuit court thereon. And if the writ shall be allowed to operate as a stay of proceedings under the sentence, bail may in like manner be taken for the appearance of the respondent at the term of the circuit court to which such writ of error shall be returnable, and that he will not depart without leave of court.

Section 3. Such writ of error so allowed shall be returnable to the next regular term of the circuit court for the district, and shall be served on the district attorney of the United States for such district. The circuit court may advance all such writs of error on its docket in order that speedy justice may be done. And in case of an affirmance of the judgment of the district court the circuit court shall proceed to pronounce final sentence and to award execution thereon; but if such judgment shall be reversed the circuit court may proceed with the trial of said cause *de novo*, or remand the same to the district court for further proceedings.

Jefferson Davis.

[Catholic Universe.]

As for Jefferson Davis, he would have been only too glad to have seen the Hoar amendment pass if that would have secured his comrades of the Mexican war a recognition of their just claims. That is also refused. As to his personal benefit from such enactment, had it been carried, and he been included in its provisions, every sane man knows it would have been *nihil*. He seeks no pensions—would receive none. His share in the Mexican war is matter of American official history, and all the Jim Blaines and Zach. Chandlers that ever shirked powder can neither wipe it out nor write themselves another such record.

It is not that Jefferson Davis was honored and trusted by the southern people that awakens this Radical howling; it is that they fear the moral integrity of a statesman who towers above them as a mountain to a dunghill. They dread his possible reëntry into Federal political life, where his ripe experience, unstained honor, and transcendent abilities would entirely uncover their littleness, their unconstitutionalities, corruptions, and sectional schemings. They dare not have him stand before the country and be heard; with such a restoration of good feeling their occupation would be gone.

PERISHING IN PRAIRIE FLAMES.—*St. Louis*, March 21.—A *Globe-Democrat* special says: "Another terrible prairie fire occurred in Lincoln county, Kansas, burning the house and all the property of Mr. Montgomery, living on Bitter creek, and doing much other damage. A little son of Mr. Montgomery, twelve years old, perished in the flames, and Mr. Montgomery and Isaac Pfaff, a neighbor, who attempted to save him, were so badly burned that they died in a few hours."

The Count Joannes has made an engagement to appear for six nights and a matinée at the St. James Theatre, between Thirtieth and Thirty-first streets, on Broadway, commencing next Monday, in the character of Lord Dundreary, in which, it is understood, he will attempt to burlesque his old antagonist Sothern.—*New York Herald.*

It would almost be worth a trip to New York to witness that performance.

One house of the Connecticut Legislature has passed a Moffett-register law.

Mr. Collinson Replies to General Mahone.

RICHMOND, March 22, 1879.

To the Editors of the Richmond Dispatch:

Gentlemen,—A letter signed by William Mahone, appearing in the Richmond *Whig* on the 19th instant and copied in your impression of the 20th instant, came under my notice while I was away from here.

As this letter is chiefly directed to an assailment of the accuracy of statements published by me, and to innuendoes against my conduct in connection with the Atlantic, Mississippi and Ohio railroad, I will claim from you equal justice to that you have meted out to General Mahone by publishing my reply.

Firstly. With respect to General Mahone's subsidies to the Richmond *Whig*:

In answer to my first report to the Atlantic, Mississippi and Ohio bondholders of August 17, 1876, in which I charged General Mahone with subsidizing the press, he stated in his "Reply" of November 7, 1876:

"That money has been expended in the way of legitimate consideration for the open use of newspaper columns, in furtherance of the proper interests of the line, is not, and never has been, denied, nor has any attempt been made to conceal such expenditure. It is duly of record, *and was made under and by competent authority; nor was any such expenditure at the cost of the Atlantic, Mississippi and Ohio Company;* and the particular member of that concern which has borne the expense has had its own annual revenue enlarged from $96,000 to over $340,000 by the results of the measures on account of which such expenditure was mainly incurred."

In my third report to the bondholders of November 23, 1878, I stated as follows:

"The Richmond *Whig* newspaper, which is now, if not entirely owned, at least thoroughly controlled by General Mahone, and which was subsidized during his *regime* to a known amount of $77,220 from the earnings of the railroad, devoted its columns during the sitting of the court to unceasing attacks on the proceedings of the trustees and your representatives."

In General Mahone's letter of the 19th instant, referring to the above extract from my report, which had appeared in the *Dispatch*, he stated as follows:

"I have heretofore, by the testimony of unimpeachable witnesses, established the falsity, *singularly and severally*, and in many cases of the baseness of the charges made by John Collinson against the administration of the Atlantic, Mississippi and Ohio Company."

Without at this time entering upon the question whether General Mahone has established the falsity or baseness of the charges made by me against the administration of the Atlantic, Mississippi and Ohio Company—an allegation which I can show to be utterly false, independently of the action of the court, which was based upon the truth of those charges—I propose at present to prove by General Mahone himself the truth of my charge as to the *Whig* newspaper. Before doing so, however, I desire to say that my charges were not against the "administration of the Atlantic, Mississippi and Ohio Company," as alleged by General Mahone, but exclusively against General Mahone himself in his conduct of the affairs of the company.

Now, let us see what General Mahone's assertions are, and they will appear to be:

A. That no part of such expenditure was at the cost of the Atlantic, Mississippi and Ohio Company, but that it was borne by a particular member of the Atlantic, Mississippi and Ohio Company—presumably one of the divisional companies.

B. That such expenditure was made under and by competent authority, with "full check and accountability."

C. That my charge is false that $77,220 had been expended for the purposes mentioned.

I will now proceed to give in sufficient detail the items of the said expenditure as taken from the company's books and vouchers by the accountants who were employed for that purpose under authority of the court.

The accountants state in their report that "No satisfactory information could be obtained by us with reference to the payments to sundry persons, charged to profit and loss account." And again, "In reply to our inquiries we were informed by the officials of the company that all payments were made by direction of General Mahone—a statement confirmed by the vouchers, all of which are marked by him as approved, and that *only he* could explain why and how the money had been expended."

The amounts so paid in subsidizing the *Whig* "by direction of the President," shown by such accounts and vouchers, are as follows:

Norfolk and Petersburg Division:

Charges to profit and loss account—February, 1867, to March 31, 1871.	
"On account of *Whig* newspaper"	$4,000
"On account of *Whig* newspaper, J. C. Shields"	400
"J. C. Shields, Richmond *Whig*"	28,000
	$32,400

Atlantic, Mississippi and Ohio Railroad Company.

Charges to Profit and Loss Account.	
Six months ending September 30, 1871:	
"Amount paid during this half year to Mr. J. C. Shields, of the Richmond *Whig*, by direction of the president"	6,750
Year ending September 30, 1872:	
"Amount paid during this year to Mr. J. C. Shields, of the Richmond *Whig*, by direction of the president"	15,700
Year ending September 30, 1873:	
"Amount paid during this year to Mr. J. C. Shields, of the Richmond *Whig*, by direction of the president"	13,350
"Richmond *Whig*"	1,220
Year ending September 30, 1874:	
"Amount paid during this year to Mr. J. C. Shields, of the Richmond *Whig*, by direction of the president"	7,900
	44,820
Add previous amount	32,400
Total	$77,220

The accountants add in their report that "if more time had been allowed us, and we had been permitted to extend our investigations over a longer period, we should in all probability have discovered that additional sums had been applied to the same purpose."

The above statement refutes conclusively the assertion of General Mahone, as it does appear that a large part of such expenditures were directly at the cost of the Atlantic, Mississippi and Ohio Company; and it is equally the case that the Atlantic, Mississippi and Ohio Company had in fact to pay the entire amount, as it assumed, at consolidation, a floating indebtedness of the Norfolk and Petersburg division amounting to $69,769 (see the president's first annual report), which liability, transferred to the Atlantic, Mississippi and Ohio Company, would have been so much less had the subsidy not been bestowed and charged to that division. It also appears that the amount stated by me was perfectly correct, and that the only authority for the payments was General Mahone; nor was there any "accountability," or "check," as the officials of the company informed the accountants that General Mahone *only* could explain why and how the money had been expended.

Before leaving this matter, it is perhaps proper to say that I have not been able to find in the voluminous report of the accountant one solitary item for money paid to the *Dispatch*.

As General Mahone appears from his letter to be anxious to be asked for explanations of his accounts, I will refer to a very few out of the numerous questionable items which have now come to light, but which were formerly included, with other amounts, in his annual reports, in one lump sum under the heading, "Profit and Loss":

Norfolk and Petersburg Division.—Shortly before the date of consolidation the following payment appears to have been made to General Mahone: "On account of consolidation," $15,000.

Southside Division.—Payment and credit to General Mahone July, 1870, and March, 1871, "hotel expenses at Richmond," $18,200.

Atlantic, Mississippi and Ohio Railroad. In the year ending September 30, 1872, an amount of $14,802.45 appears to have been paid in one sum, and the receipt therefor contains the words, "Including *thirteen thousand nine hundred dollars* paid by order of the president *for the advancement of the interests of the company before the Legislature.*"

Secondly. So much has been said by General Mahone in his letter respecting what he calls the "Star-Chamber Secret Inquisition" of the accountants, and I have had to refer so often to their report, that a few words respecting their appointment may be proper:

At the request of the trustees of the consolidated mortgage the United States court granted an order authorizing an examination of the books and accounts of the Atlantic, Mississippi and Ohio Company. Under this order the committee in London, appointed by the bondholders in public meeting to protect their general interests, sent out an experienced accountant with an assistant—the object being, as my report of August 17, 1876, stated, to examine "into all the assets, liabilities, and *expenditures* of the company."

My report further stated the necessity of this accountant's investigation to discover fully what had become of the unexplained items of expenditure. Yet in spite of this statement in my report, and the fact that the accountants were not sent out until November of the same year, when General Mahone published his reply to my report, he charges me in his letter with "falsely pretending that the object was to ascertain the true value of the property," and by inference, *that* alone.

Thirdly. General Mahone also charges me with "falsely and fraudulently" presenting myself here as the attorney in fact and representative of the consolidated bondholders of the Atlantic, Mississippi and Ohio Railroad Company.

With respect to this presentation I have to state, that after General Mahone's refusal to carry out the agreements he had then recently entered into in London, a public meeting of the consolidated bondholders was convened by the trustees of the deed which he had signed; that at such meeting a committee was appointed "to take such measures as they may think best for protecting the common interests of the bondholders," and that the said committee did shortly thereafter advise the bondholders by circular of the necessity of sending out "a representative of the bondholders to America," and that I had consented to undertake the duty.

The committee then commissioned me to proceed to America, and, under the authority conferred on them at the public meeting by the bondholders, did constitute me by a proper power of attorney "the attorney in fact and representative of the consolidated bondholders of the Atlantic, Mississippi and Ohio Railroad Company."

Further comment on this charge is unnecessary.

I presume that I have now answered enough of General Mahone's allegations to enable any one to judge of their truth. Your space (on which I fear I have as it is trespassed too much) and my time are too valuable for refutation of all the charges over General Mahone's signature or appearing anonymously in his organ. I can only rely upon the general good sense of Virginians to discredit all such statements emanating from the same quarter.

The recent charge that I have made an alliance with Messrs. Garrett, Wilson, Walter, and Newcomer, or any of them, for the purchase of the Atlantic, Mississippi and Ohio railroad, is, like the rest, utterly untrue.

I am, gentlemen, your obedient servant,

JOHN COLLINSON.

DEATHS.

Died, Saturday, March 22d, at 4½ o'clock P. M., of brain-fever, ROBERT WALLER, infant son of Robert L. and Estelle Glinn; aged two years, one month and twenty-six days.

His funeral will take place from his father's residence, No. 1503 Park avenue, on SUNDAY at 4½ P. M. Friends and acquaintances are respectfully invited to attend. *

Died, Saturday morning, March 22d, at her residence, in this city, MARGARET C. FISHER; aged sixty-nine.

Her friends and those of her son, James R. Fisher, are requested to attend her funeral from the Second Baptist church on SUNDAY AFTERNOON at 4 o'clock. *

Died, at 5 o'clock P. M., on Saturday the 22d instant, after a short illness, Mrs. E. S. CLAIBORNE (mother of the late Judge A. B. Guigon), in the seventy-eighth year of her age.

The funeral will take place from the First Presbyterian church at 3½ o'clock P. M. on MONDAY the 24th instant. The friends of the family are requested to attend. *

Died, in this city, March 22d, at 3 o'clock A. M., at the residence of his parents, CHARLES E. REDFORD, youngest son of John H. and Dora Redford; aged one year, one month and sixteen days.

Of all the sad days under the sun,
That sorrowful day was the saddest one;
Of what was a joy there doth remain
But a little grave beneath the rain.
Little CHARLIE with shining hair
And raiment such as the angels wear,
In a far-off country over the sea
On a golden shore is looking for me.

The funeral will take place SUNDAY at 3 o'clock from Sixth street, Port Mayo. *

Died, in Welaka, Florida, on March 6, 1879, HORACE M. GASTON, in the fifty-second year of his age. *

MEETINGS.

RICHMOND, March 24, 1879.

FRIENDSHIP LODGE, No. 10, I. O. O. F.—All the members of this Lodge are requested to be present at its regular meeting TUESDAY, March 25th, at 7 o'clock P. M. The matter of removal of our meeting-place will be acted on at that time. Also, election of officers for the next term will be held.

By order of the Lodge.
mh 24-2t F. J. DUKE, Secretary.

OLD DOMINION LODGE, No. 4, KNIGHTS OF PYTHIAS.—Brethren, you are requested to attend a stated meeting of our lodge, at Schiller's Hall, THIS (Monday) EVENING at 7½ o'clock. Members of sister lodges are cordially invited to be present.

By order of the C. C. J. D. DALTON,
mh 24-1t* Keeper of Records and Seal.

AN ADJOURNED MEETING OF PERSONS INTERESTED IN THE PROMOTION OF THE BREEDING OF RUNNING AND TROTTING STOCK IN THE STATE OF VIRGINIA will be held at the EXCHANGE HOTEL on TUESDAY EVENING, March 25th, at 8 o'clock. All persons interested are invited to attend.

J. ARTHUR LEFROY, President.
G. K. MACON, Secretary. mh 24-2t

COURT RICHMOND, No. 3, INDEPENDENT ORDER OF FORESTERS, will hold its regular meeting TO-NIGHT at Wilkinson Hall. Candidates will be promptly on hand. Members of other Courts are invited to attend.

By order of the C. R.
mh 24-1t E. N. NORTHEN, Secretary.

MILITARY NOTICES.

HEADQUARTERS RICHMOND HOWITZERS, RICHMOND, VA., March 24, 1879.

ASSEMBLE AT YOUR ARMORY THIS (Monday) EVENING at 8 o'clock, and EVERY MONDAY EVENING hereafter until further orders.

On the FIRST MONDAY of each month in full-dress uniform, and EVERY OTHER MONDAY in fatigue uniform.

By order of the Captain.
mh 24-1t W. E. SIMONS, O. S.

AMUSEMENTS.

GRAND ORGAN AND VOCAL CONCERT, BY MISS KATE MERA, ASSISTED BY MISS SWAIN, at Grace-Street Presbyterian church, TUESDAY, March 25th, at 8½ o'clock P. M.

Admission, 50c. Tickets to be had at WYATT's music-store and at the door. mh 24-2t

PROFESSOR J. W. HARTLEY.—THIS FAVORITE SHAKSPERIAN DELINEATOR will give two of his delightful entertainments in the lecture-room of Broad-Street Methodist Episcopal church THURSDAY AND FRIDAY EVENINGS, March 27th and 28th. A brilliant and varied programme will be presented each evening.

Commence at 8.30 o'clock.

Admission: 35c.; Gentleman and Lady, 50c.

Tickets for sale at Woodhouse & Parham's and the door. mh 24,27&28

GRAND CLASSICAL CONCERT, FOR THE BENEFIT OF THE THIRD PRESBYTERIAN CHURCH, corner Twenty-sixth and Broad streets, TUESDAY EVENING, APRIL 1, 1879, BY MISS ALICE SWAIN, assisted by Mrs. KNOWLES, Miss KATE MERA, Mr. PUGH, and Mr. BUSH PLEASANTS.

Tickets, 50c.—to be had of the ladies of the church and at the stores on the Hill. mh 19-W&M2t*

GRAND CONCERT.

There will be a VOCAL AND INSTRUMENTAL CONCERT given by the CHOIR OF THE FIRST AFRICAN BAPTIST CHURCH on MONDAY NIGHT, the 24th of March, 1879. We most respectfully ask the generous public to come out and hear us. We haven't spared any pains in selecting choice music. The proceeds will be for the rebuilding of the church. Reserved seats, 25 cents.

mh 18-Tu&M2t J. FOSTER, Leader.

PATTERNS.

GRAND OPENING!

"DOMESTIC" SPRING STYLES JUST RECEIVED FROM THE "DOMESTIC" FASHION COMPANY, NEW YORK.

BEAUTIFUL TRIMMED SUITS, showing the very latest novelties in Ladies' dress.

The Spring and Summer edition of the "DOMESTIC" CATALOGUE OF FASHION is now out, and PATTERNS may be procured.

DOMESTIC SEWING-MACHINE COMPANY,
mh 24-6t 909 Main street.

CHUFAS FOR SALE.—I have 250 bushels for sale at $3 per bushel, $2 per half-bushel, and $1 per peck, delivered on cars. Refer to Dr. POLLARD, Commissioner of Agriculture for Virginia. Address R. H. BROWN, Hallsville, N. C.
mh 24-eod1m

HOLMAN LIVER PADS.

HAVE YOU A STOMACH?

DO YOU KNOW WHERE YOUR LIVER IS? DOES PALPITATION OF THE HEART ATTRACT YOUR ATTENTION?

In the perfectly healthy performance of these functions there is no sensation. Thousands of persons all over the land are enjoying health to-day who only a few weeks since did not know what enjoyment was, owing to the misery brought upon them by a diseased stomach and liver, and they all, with one accord, endorse and recommend the HOLMAN LIVER AND STOMACH PAD.

LOOK AT THE EVIDENCE.

STATEMENTS FROM WELL-KNOWN CITIZENS OF RICHMOND AND VICINITY:

Mrs. M. A. MORGAN, Manchester, Va., says: It affords me much pleasure to add my testimony to the numerous ones from Richmond in praise of the virtues of the Holman Pad Remedies. I can in truth say that I suffered for twenty-five years with a combination of diseases, prominent among which were Indigestion, Dyspepsia, and Neuralgia of the stomach. And my physician—a prominent one of Richmond—said it was difficult to prescribe for one disease without interfering with another. I have taken a great deal of medicine in my life, and could only get temporary relief. When I came to the city of Manchester, three years ago, I expected every day would be my last, as my physician had pronounced me incurable. Notwithstanding all this [illegible] a surprise to my family and friends [illegible] Pad treatment—Pad, Plasters, and [illegible] been about three months. I feel like a different person altogether, and have not taken a dose of medicine or suffered any pain since [illegible]. I consider mine a miraculous cure, for I am now sixty-four years of age, and appear [illegible] ever was in my life. I would urge every sufferer to adopt the Holman-Pad treatment [illegible], and, when instructions are faithfully followed, it will do far more than is claimed for it. [illegible] itself in language greater than [illegible].

Mr. W. H. PARRISH, superintendent of the Richmond Cedar-Works, says: I have been wearing the Holman Liver Pad and Plasters for the last six weeks, and take great pleasure in saying that I would not take ten times the cost for the relief I have already had. During the past five years I have suffered with Dyspepsia, Headache, and Neuralgia, the headache always preceded by attacks of [illegible]; all of which I can truly say have been cured by the use of the Holman Remedies.

HUNDREDS MORE CAN BE FURNISHED upon application at the office.

DON'T LET THE LITTLE ONES SUFFER.

We cannot urge too strongly upon parents the use of the Pad for children. You will find it a sure PREVENTIVE AND CURE for Scarlet-Fever, Diphtheria, Croup, Measles, Whooping-Cough, &c. [illegible] many lives in such cases.

BABY PADS, $1.50.

The price of the regular Pad, $2; special Pad (one third larger), $3; XXX Pad, [illegible] stomach, liver, and spleen, and is a [illegible] edy for all chronic troubles growing out of [illegible] stomach or liver, price $5. Absorption salt [illegible] packages for $1.25, used for twelve baths. Medicated Plasters: Price for Foot Plasters, [illegible] 50 cents; Body Plasters, each, 50 cents.

These REMEDIES can be obtained in Richmond only at the HOLMAN LIVER-PAD OFFICE, 1013 Main street. Consultation by letter or in person free.

mh 3-2tawtMy1 FITZMORRIS & FOSTER, Managers.

DRUGS, MEDICINES, &c.

SUBSTITUTE FOR QUININE.

The attention of physicians is called to the new COMPOUND ALKALOID, QUINQUINIA, WHICH CONTAINS FIFTEEN PER CENT. OF QUININE and the remainder consisting of the other ALKALOIDS OF PERUVIAN BARK IN THEIR NATURAL COMBINATION.

THE DOSE is the same as Quinine, and the COST LESS THAN HALF.

mh 18 MEADE & BAKER, Pharmacists, 919 Main street.

COD LIVER OIL just received. FRESH, PURE, unusually free from fishy or other nauseous taste and smell.

J. BLAIR, Druggist,
mh 12 corner of Ninth and Broad streets.

JUST TRY IT.

DYSPEPSIA, SICK-HEADACHE, and INDIGESTION cured by DR. D'ARMSTADT'S ANTI-DYSPEPTIC DROPS.

Price, 75c. Sold by all druggists. mh 27-eod

JOHNSTON'S PATENT STANDARD DRY SIZED KALSOMINE, ready for use, requiring only to be mixed with water. To be had of any desired color. Send for circular, showing specimens of the various shades.

PURCELL, LADD & CO., Druggists,
mh 10 Dealers in Paints and Oils.

NATURE'S REMEDY!

ENDORSED BY MEDICAL PROFESSION.

THE ALUM AND IRON MASS AND WATER FROM THE BEDFORD (VA.) ALUM AND IRON SPRINGS, ESTABLISHED TWENTY-SIX YEARS.

Efficiency proved by actual results in thousands of cases of Dyspepsia, Debility, Diseases Peculiar to Women, Chronic Diarrhœa, Headache, Scrofula and Cutaneous Affections, Sore Throat and Diphtheria, Chills and Malarial Fever. Extracts from testimonials:

"Best remedy for Inflammatory Sore Throat and Diphtheria ever used by me—as I have found [illegible] practice of forty years—acts as a tonic [illegible] and febrifuge; preferable to chlorate of potash."
P. A. SIFFERD, M. D., N. C.

"After a practice of many years I have found no remedy equal to Bedford Alum and Iron Springs Water and Mass for Chronic diseases and diseases peculiar to women."
JOHN P. METTEAUR, M. D., LL. D., Va.

"Successfully used in Dyspepsia and Chronic Diarrhœa."
Prof. SAM'L JACKSON, M. D., Univ. of Pa.

"Surpassing any remedy that I know of in Scrofulous affections. Have used it for twenty-five years in my practice."
T. L. WALKER, M. D., Va.

"After an experience of near thirty years I have found no treatment equal to this water in [illegible] Scrofula, Cutaneous Affections, Glandular [illegible] ment, Chronic Irritations of the Bladder, [illegible] and Urethra; Ulceration, and certain forms of Dyspepsia."
Prof. J. J. MOORMAN, M. D., Va.

"NO WATERS HAVE A WIDER RANGE OF USEFULNESS."
VA. MEDICAL MONTHLY.

"Used with unparalleled success in [illegible] malarial fever."
W. A. [illegible]
Ex-Vice-President [illegible]

"ENTIRELY CURED OF CHILLS AND FEVER BY IT."
REV. L. C. [illegible]

Directions, analysis, and full proof of [illegible] sent with each package.

Water, 50 cents per gallon; $4 per dozen half-gallon bottles; $3 for [illegible] John.

Mass, 50 cents and $1 per bottle; [illegible] per half-dozen, according to size [illegible].

Full proof of all claimed sent free [illegible] tion. Liberal terms to dealers. [illegible] modated at these Springs at all [illegible].

Address A. M. DAVIES, President of [illegible] pany, Lynchburg, Va.

Sold by [illegible] POLK MILLER & CO.
no 18

DENTISTS.

G. W. JONES, DENTIST, with new and elegant office, NEXT TO [illegible] CHURCH, on NINTH STREET, [illegible] venience for comfort of his patients [illegible] five years experience [illegible] operations gently and thoroughly [illegible] sire his services.

JOHN MAHONY, DENTIST (formerly Wayt & Mahony), OFFICE: 625 Main street between Sixth and Seventh, Richmond, Va.

HENRY C. JONES, D. D. S. (formerly assistant to Dr. John Mahony), DENTAL OFFICE: 915½ MAIN STREET; RESIDENCE: 325 SOUTH THIRD STREET.

JUD. B. WOOD, D. D. S., M. D., DENTAL OFFICE OVER MESSRS. MEADE & BAKER'S, 919 MAIN STREET.

L. M. COWARDIN, D. D. S., Assistant.

RESTAURANT.

GRAND OPENING MONDAY, MARCH 24TH, OF GEORGE GUVERNATOR'S NEW SALOON AND RESTAURANT, No. 1547 MAIN STREET.

No expense has been spared in making this one of the most elegant saloons in the city. Best stocked with the finest Wines, Brandies, Cigars, &c. A specialty will be made of my TEN-CENT LUNCH COUNTER.

HORSES, MULES, &c.

FINE YOUNG HORSE FOR SALE LOW; rides and drives well, and [illegible] warranted in every particular. [illegible] of use.

mh 24-6t O. A. CRENSHAW, 308 east Main street.

BILL-HEADS, $5.50 to $8 per ream, at the DISPATCH PRINTING-HOUSE.