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Anderson Intelligencer.

BY HOYT & CO. | ANDERSON, S. C., THURSDAY, MARCH 15, 1877. | VOL. XII--NO. 35.

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THE NEW CABINET.

WM. M. EVARTS, SECRETARY OF STATE.

William Maxwell Evarts, whom President Hayes has chosen to be his Secretary of State, is, like his predecessor in that office, a resident of Second avenue in this city, and is the peer in every way, and in legal learning and ability more than the peer, of his distinguished neighbor. It is little more than a quarter of a century since Mr. Evarts came to this city and was admitted to practice in the courts of this State, but in that time, short as it is, he has earned the first place, not only at the Bar of New York but of the country. He was born in Boston, February 6, 1818, his father, Jeremiah Evarts, being a lawyer of fair practice and good ability. He entered Yale College at an early age and was graduated in 1837. Subsequently he studied for two years at the Harvard Law School, and in 1841 he came to this city, where he immediately entered upon the practice of his profession. In a few years his industry and fidelity, as well as his ability as an advocate, gained him a large clientage, and before he was thirty years of age he held a high position in his profession. In 1851 he was appointed United States District Attorney for this district, and the same year he was also one of the commissioners of the Almshouse, now known as the Commissioners of Charities and Correction. He was permanently urged for United States Senator in 1861, but was defeated by Ira Harris, who was made the compromise candidate. From July 15, 1868, until the close of President Johnson's administration he was Attorney General of the United States, and in 1871 he was selected by President Grant as the leading counsel of the United States at the Geneva arbitration. Last year he was prominently advocated for the Republican nomination for Governor of this State, but the same spirit of compromise which defeated him for the United States Senate in 1861 contributed to deprive him of the nomination for Governor in 1876. These are the only public positions which he has ever held, or to which he was supposed to aspire, and it is at the Bar where he gained his most conspicuous and distinguished honors. When Mr. Evarts retired from the District Attorney's office in 1853 was formed the law firm of Butler, Evarts & Southmayd, now known as Evarts, Southmayd & Choate, and it was as a member of this firm that he gained his high place as a lawyer and publicist. While he was United States District Attorney his most prominent case was that which grew out of the Cuban or Cleopatra expedition. Early in 1851 an expedition was fitted out by John I. Sullivan, a well known journalist, which was to sail in the Cleopatra to aid in an insurrection to be begun in Cuba. Warrants of arrest were issued to prevent the sailing of the expedition, and were served when the Cleopatra had steam up ready to sail. The trial of the filibusterers lasted a month, but the jury failed to agree. Mr. Evarts' next famous case was the celebrated Lemmon slave case, in 1853. A vessel containing slaves belonging to Mr. Lemmon was driven by a storm into this harbor, and thereupon writs of *habeas corpus* were obtained to have cause shown why the slaves should not be released, being in a free State. Mr. Evarts appeared to represent the State of New York, and the case was carried to the Supreme Court of the United States, where he finally succeeded in obtaining a verdict against the claimant. He was counsel in the great Parish will case, in which an attempt was made to break the will of Henry Parish on the ground of the mental incapacity of the testator. A still later case in which Mr. Evarts was engaged was one in which the will of Mrs. Gardner, the mother of the widow of ex-President Tyler, was contested on the ground of undue influence on the part of Mrs. Tyler to obtain the making of the will. Although a Staten Island jury found against the will Mr. Evarts finally gained his case before the Court of Appeals. When articles of impeachment were brought by the House of Representatives against the late President Johnson Mr. Evarts was called to Washington as counsel for the defence, and his effort on that occasion is almost as fresh in the minds of the people as his arguments in the Tilton-Beecher case two years ago. For his legal championship of President Johnson he was rewarded with a place in the Cabinet, as his recent championship of Hayes before the electoral tribunal gives him the first place in the Cabinet of the new President. In person Mr. Evarts is tall and slender; he is fragile almost to attenuation, and so far from suggesting the idea of a vehement orator, he impresses one as a man of retired scholarly tastes, gentle manners and academic belongings. Tall, thin, angular, long headed, with a square and prominent forehead, dark haired and dark skinned, with a face perfectly smooth but thin, cadaverous, shrunken, deep-set gray eyes, a prominent nose, and a square, decisive, finely chiselled chin—such is Wm. M. Evarts, the new Secretary of State. In none of his ways has he the magnetism of a great speaker. He has a clear, sharp, ringing voice, though it is not powerful or musical. His action is sparing, but effective. In making his points he is lucid, precise and cogent, seldom rhetorical or ornamental. He has an easy, colloquial way; he is never in haste and never hesitates. His style is classic in its correctness. His sentences are long and faultless, and freighted with words which show that profound thought is selecting felicitous vocabulary as it goes along. He has a fine humor, but it is the humor of cultivation, not the coarse fun of the vulgar. His appeals to the intelligence of juries are the highest in their tone, the broadest in their scope and the deepest in their power of any made in modern times. Webster was not more logical, Story was not a more thorough lawyer, Choate not a more billiant verbalist, nor Sumner a firmer believer in pure moral power. His argument in behalf of the election of Hayes was the strongest in the late campaign, and to his subtlety of intellect, his strength of character and his firmness and rectitude of purpose will the new administration owe much of whatever success it attains.

JOHN SHERMAN, SECRETARY OF THE TREASURY.

John Sherman, the new Secretary of the Treasury, has been for many years the chairman of the Senate Committee on Finance, and is, perhaps, more familiar than any of our public men with the financial history of the country since the beginning of the "greenback" era. He was born at Lancaster, Ohio, May 10, 1823, his father, Judge Sherman, being one of the pioneers of Central Ohio, who died in 1829, leaving a large family and very little property. His brother, Gen. Sherman, secured the advantages of a West Point education, but John was less fortunate. For him only the schools of his native county were open, and he quit them at fourteen years of age to begin the earnest work of life. For some years he was attached to the engineer corps of the Muskingum improvement. He afterward removed to Mansfield, where he studied law and was admitted to the Bar in 1844. He soon won a lucrative practice, and attained, while quite a young man, a leading position; both at the Bar and in politics. In 1848 and 1852 he was a delegate to the Whig National conventions, and was a warm supporter of both General Taylor and General Scott for the Presidency. During the political excitement of 1854 which followed the repeal of the Missouri Compromise he became a candidate for Congress from the Thirteenth Ohio district, and he was elected in a district which had previously been democratic by the aid of whigs, democrats and freesoilers. He was subsequently re-elected to the Thirty-fifth, Thirty-sixth and Thirty-seventh Congresses, and in 1859-60 he was the republican candidate for Speaker of the House of Representatives. The contest was a memorable one. For nearly six weeks the House spent day after day in voting for a presiding officer, the republicans in solid body saying his name over and over again when the ballot was called, until it was said that you could not ask a republican member even what he would have for breakfast without his shouting, "John Sherman!" In the end, however, Mr. Pennington, of New Jersey, was chosen as a compromise, Sherman lacking only one or two votes to secure his election. During the Thirty-sixth Congress he was chairman of the Committee of Ways and Means, then a more powerful committee than now. Previously he had served on the committees on naval and foreign affairs, and gained distinction in each. It was claimed for him that his defence of Commodore Paulding's course at San Juan was conclusive against the reflections of the Navy Department, and during the Kansas-Nebraska troubles he gained great distinction as a bold and skilful partisan. In 1861, when Senator Chase resigned to accept a place in President Lincoln's Cabinet, Mr. Sherman was chosen to succeed him, and he has remained in the Senate ever since, serving as chairman of the Finance Committee and as a member of those on the Pacific Railroad and the Judiciary. Although an active partisan he has never allowed himself to be misled by party, and he has generally been regarded as one of the fair-minded men of the Senate. As a speaker Mr. Sherman is chiefly remarkable for his calmness, lucidity, quiet vigor and manliness of statements, his rhetoric possessing no ornamentation and his real power resting in the good judgment and good sense of his utterances. He is very tall, very thin, lymphatic in temperament, with brown hair turning to gray, blue eyes, a fair complexion and a thin beard of sandy gray hair, only shaved on the upper lip. He is cold and reserved in manner, but his friends say that he is cordial and hearty, and his experience in the Senate certainly fits him for the new duties to which he has been called.

CARL SCHURZ, SECRETARY OF THE INTERIOR.

Carl Schurz, the new Secretary of the Interior, is a German by birth, having been born at Siblar, near Cologne, March 2, 1829. He was educated at the Gymnasium of Cologne and the University of Bonn. His early life was somewhat varied, and he figured successfully as a soldier, newspaper correspondent, editor, lawyer, &c. He joined in the revolutionary outbreak in 1848 and assisted General Kinkel in the publication of a liberal newspaper, but after the unsuccessful attempt at revolution at Bonn in the spring of 1849 both were compelled to flee. As adjutant he participated in the defence of Rastadt, and on its surrender made his way to Switzerland. In 1850 he rescued Kinkel from the fortress of Spandau, and then took passage in a schooner for Leith. In 1851 he was Paris correspondent of some German newspapers, and in 1852 a teacher in London. In the latter year he married and came to this country, first residing, for three years, in Philadelphia. He afterward settled at Madison, Wis. In 1856, during the Fremont campaign, he became noted as a German political orator, and delivered his first English speech in 1858, at the time of the famous contest between Lincoln and Douglas for the United States Senatorship. For some time he practised law at Milwaukee, and in 1858-60 he gained considerble distinction as a lecturer. In the Republican National Convention of 1860 he exercised great influence, and his political services were recognized by President Lincoln in 1861 by his appointment as Minister to Spain. There was no opposition to him in the Spanish Cabinet owing to his revolutionary antecedents and he resigned to accept a commission as brigadier general of volunteers. He rose to be a major general, and distinguished himself in the battles of Bull Run, Fredericksburg and Gettysburg. In 1865-6 he was the Washington correspondent of a New York paper, and in 1867 he assumed the editorship of the *Westliche Post* at St. Louis. His report as a Commissioner to examine into the condition of the South and especially on the Freedman's Bureau was exceedingly distasteful to President Johnson. General Schurz was a member of the National Republican Convention of 1868, of which he was tempory chairman. He labored zealously in the Convention for the nomination of General Grant and subsequently was one of the foremost advocates of his election. In January, 1869, he was chosen a United States Senator from Missouri, and soon gained high distinction in that body. He became alienated from the administration, however, and with Senator Sumner was violent in his opposition to the San Domingo scheme, and led in the famous attack in the Senate on the French arms charges in 1872. He also assisted in the organization of the liberal Republican party in that year, and presided over the Convention at Cincinnati which nominated Mr. Greely for the Presidency. His arraignment of General Grant and his administration during that campain was the most scathing and bitter of all the violent attacks which were made in the last eight years upon the man who has just ceased to be President of the United States. In 1875 he visited Europe, where he was received with great personal distinction, and in both England and Germany he was treated with such marked courtesy and kindness as had been shown only to such eminent Americans as Mr. Evarts and Mr. Sumner. In the spring of 1876, Mr. Schurz returned to this country, and at once took part in the canvass, supporting the election of Hayes with all his old time vigor in the cause of the Republican party. In person, Mr. Schurz is spare but not thin, his face is strongly marked and his full beard and piercing eye give him somewhat of a mephistophelean aspect. Few Americans are better informed as to the real needs of the country, and after all it is not surprising that the German revolutionist should be asked to take care of the Home Department in an American administration.

GEO. W. M'CRARY, SECRETARY OF WAR.

George W. McCrary, the new Secretary of War, is a native of Indiana, where he was born August 27, 1835. His early educational advantages were not great, but he studied law and came to the bar at Keokuk, Iowa, in 1856. In 1857 he was elected to the State Legislature, and in 1861 he was chosen State Senator. In 1868 he was first elected a Representative in Congress from Iowa, and he has since been re-elected to each succeeding Congress. Mr. McCrary is a quiet, methodical worker, and since 1870 he has held the position of Chairman of the Committee on Elections while his party was in the majority in the House.

DAVID M. KEY, POSTMASTER GENERAL.

David M. Key, the Southern member of the Cabinet, and the new Postmaster General, is a native of Tennessee, having been born in Greene county, in that State, January 27, 1824. He worked on his father's farm until he was twenty-one years of age, after which he entered Hiwasse College, from which he was graduated in 1850. He subsequently studied law and practiced his profession at Chattanooga. Before the war he held no political office further than to serve as a Presidential elector in 1856. During that contest he was a colonel in the Confederate service, but he was one of the first to resume his citizenship when the war was over. In 1869 he was a member of the Tennessee Constitutional Convention, and he was elected Chancellor of the State in 1870. In August, 1875, he was appointed a Senator in Congress to succeed his old friend, Andrew Johnson, and distinguished himself for his conservative course while he was in the Senate, but was not elected to become his own successor.—*N. Y. Herald.*

RICHARD THOMPSON, SECRETARY OF THE NAVY,

Of Terre Haute, Indiana, was an Old-Line Whig. He was born in Culpeper, Va., in 1809, and went to Kentucky in the days of Daniel Boone, before he was twenty-one, and settled in Louisville in 1831 as clerk. He removed to Indiana, and was admitted to the bar in 1834. He was several times elected to the Legislature, and acted as President of the Senate and Lieutenante Governor. In 1840, as Clay elector, he stumped the State and wrote articles in Clay's interest. He served two terms in Congress between 1837 and 1845. He then refused re-election. Last year he headed the Indiana delegation at Cincinnati, and made a speech in support of Morton for President. He is said to be social, popular and of the better sort of politicians.

JUDGE CHARLES DEVENS, ATTORNEY GENERAL,

Now occupies a seat upon the Supreme Bench of Massachusetts, and is regarded as one of the ablest of the reform element of the Republican party. At the beginning of the war, being then a promising young lawyer, he entered the Federal army, and served as a general officer in the army of the Potomac, where he lost a limb. Because of his judicial position he has not been active in politics, but is said to be a polished gentleman of high character and social position, and of great popularity and learning. He affiliated with the anti-Butler wing of Massachusetts Republicans.

THE DEMOCRATIC HOUSE.

A Body that Compared Favorably with its Republican Predecessors.

From the Nation, March 1.

Next week the present Congress will have ceased to exist. Whatever character it has had has been given it by the House, and looking back at what the House has done, it must be said that it compares favorably with its predecessors. Elected as it was by a sudden and unexpected surge of popular hostility to the administration, by a party which had expected its candidates to be defeated, it was hardly likely to contain a large body of distinguished representatives, and, in fact, being made up to a great extent of raw and unknown men, was exactly the sort of House of which it would have been fair to expect ignorant legislation and extreme venality. Containing, too, an enormous body of "ex-rebels," men only lately disfranchised for having taken part in war against the government, it might have been expected to show a great deal of blind partisanship. Yet it has passed fewer jobs than any Congress since the war, and has made the first attempt since that period to curtail the acknowledged extravagance of the government, while the Southern wing of the House has displayed more moderation and calmness than any other part of it. It has brought forward two Speakers, the first of whom was chiefly remarkable for the purity of his character and his fairness; and the second of whom, having before his selection a doubtful repute as a politician, has manifested thus far an impartiality which has at least placed him above the suspicion of offering his rulings for sale. Much fault has been found with the investigations instituted by the House, but they have certainly differed from most inquiries which preceded them in resulting, in a few of the most important cases, in unanimous non-partisan reports, and if they have revealed a shocking amount of jobbery, they have also given the reformers of the future hitherto unattainable information as to the nature and extent of the disease they are called upon to cure. Finally, the present House has produced a considerable number of able men, whose moderation and love of justice as displayed in their preparation of the Electoral bill, and whose good faith, not only in submitting themselves, but in forcing their followers to submit, to the decisions of the tribunal, after a contest which all of their own party and a large part of the other believed to have been decided by fraud, will entitle them to the gratitude of the country as long as it lasts.

OLD FAMILIES.—A very searching investigation was carried on a few years ago in the North of England by two families who were searching up their respective ancestry. The strife was great between them, each one determining to look back into antiquity further than the other. One of the families, whose name was Spencer, employed an artist to paint an historic scene, representing the building of the ark and the loading up of the ship by Noah and his sons with its multifarious and various cargo. On the gang-plank leading to the deck of the ark two men were seen rolling up a large box, on one side of which was painted in large letters, "Relics, insignia belonging to the Spencer family." This was considered a *coup d'etat* hard to beat; but the other family, determined not to be outdone in the antediluvian pretenses of their name, prepared at great cost and research a record of their antiquity. In describing the exploits of one of their ancestors at a very early day, who was represented as a man of some authority, this remarkable passage occurred, "During this year Adam and Eve were driven out of Paradise."

— "Is the moon made of green cheese, youngster?" "No sir, certainly not." "How do you prove that?" "Oh, easy—the moon was made before the cows."

— Two Hibernians were passing a stable which had a rooster on it for a weather-vane, when one addressed the other thus: "Pat, what's the rason they didn't put a hin up there, instid of a rooster?" "An sure," replied Pat, "that's aisy enough. Don't ye see it would be inconvanient to go up for the e..?"

"THE FORLORN HOPE."

Speech of Jeremiah S. Black before the Electoral Tribunal, on Tuesday, Feb. 28.

From the Congressional Record.

MR. PRESIDENT AND GENTLEMEN: I had not, and have not now, any intention to argue this case. I never heard the objections, nor knew what they were, until they were read in your presence this morning. It would be presumption in me to attempt an argument before a tribunal like this on such a case as this, having had no previous opportunity to consider it which might put me in a condition better than the judges themselves. You have heard as much of this case and know as much about it as I do.

My idea of the duty which a counsellor owes to a court or to any other tribunal, judicial or quasi-judicial, is that he should never open his mouth except for the purpose of assisting the judges in coming to a correct conclusion; and if he is not in a situation to do that, he ought to keep silence.

Besides that, I am, I suppose, the very last man in this whole nation who should be called upon to speak here and now. Everybody has suffered more or less by events and proceedings of the recent past, some by wear and tear of conscience and some by a deep sense of oppression and wrong. But perhaps I, more than most others, have felt the consciousness that I have lost the dignity of an American citizen. I, in common with the rest, am degraded and humiliated. This nation has got her great big foot in a trap. It is vain to struggle for her extrication.

I am so fallen from the proud estate of a free citizen, you have so abjected me that I am fit for nothing on earth but to represent the poor, defrauded, broken-hearted Democracy. And because I suffer more, they think me more good for nothing than the rest, and conclude to send me out on this forlorn hope, judging, no doubt truly, that it matters nothing what becomes of me. I ought to go gladly if anything which I can do or say might have the effect of mitigating the horrible calamity with which the country is threatened: a President deriving his title from a shameless swindle, not merely a fraud, but a fraud detected and exposed. I know not how I would feel if called upon to suffer death for my country, I am not the stuff that martyrs are made of, but if my life could redeem this nation from the infamy with which she is clothed, I *ought* to go to the grave as freely as I ever went to bed. I see, however, no practical good that I can do, and it is mere weakness to complain.

We have certain objections to the counting of this Hayes vote from South Carolina which look to me insuperable, but I cannot hope that they will wear that appearance in other men's eyes. Perhaps the feeling which I in common with millions of others entertain on this subject, prevents us from seeing this thing in its true light. But you are wise; you are calm. You can look all through this awful business with a learned spirit; no passionate hatred of this great fraud can cloud your mental vision or shake the even balance of your judgment. You do not think it any wrong that a nation should be cheated by false election returns. On the contrary, it is rather a blessing which heaven has sent us in this strange disguise. When the omnipotent lie shall be throned and sceptered and crowned, you think we ought all of us to fall down and worship it as the hope of our political salvation. You will teach us and perhaps we will learn (perhaps not) that under such a rule we are better off than if truth had prevailed and justice been triumphant.

Give, then, your cool consideration to these objections, and try them by the standard of the law. I mean the law as it was before the organization of this commission. I admit that since then a great revolution has taken place in the law. It is not now what it used to be. All our notions of public right and public wrong have suffered a complete *bouleversement.*

The question submitted to you is whether the persons who gave these votes were "duly appointed." Duly, of course, means according to law. What law? The Constitution of the United States, the acts of Congress passed in pursuance thereof, the Constitution of South Carolina, and the authorized acts of her Legislature—these taken altogether, constitute the law of the case before you.

By these laws the right, duty and power of appointing electors is given to the people of South Carolina; that is to say, the citizens of the State qualified to vote at general elections. Who are they? By the Constitution of the State in order to qualify them as voters they must be registered. The registry of a native citizen is a *sine qua non* to his right of voting as much as the naturalization of a foreigner.

Now, the Legislature never passed any law for the registration of voters, and no registration of them was ever made. No doubt has been or can be entertained that the object and purpose of this omission was fraudulent and dishonest; for the Legislature as well as the Executive Department of that Government has been in the hands of the most redemptionless rogues on the face of the earth. But whatever may have been the motive, nobody can doubt that the legal effect of this omission is to make the election illegal.

That is hardly the worst of it. The election itself, emancipated from all law and all authority, was no better than a riot, a mob, a general saturnalia, in which the soldiers of the United States army cut the principal as well as the decentest figure. We offer to prove—the offer will go upon record, and there it will stand forever—that every poll in Charleston county, where they rushed into the ballot box 7,000 majority, was in possession of the soldiers.

A Government whose elections are controlled by military force cannot be republican in form or substance. For this I cite the authority of Luther vs. Borden, if perchance the old-time law has yet any influence. Do you not see the hideous depth of national degradation into which you will plunge us if you sanctify this mode of making a President? Brush up your historical memory and think of it for a moment. The man whom you elect in this way is as purely the creature of the military power as Caligula or Domitian, for whom the pretorian guards controlled the hustings and counted the votes.

But then we cannot get behind the returns, forsooth! Not we! You will not let us. We cannot get behind them. No. That is the law, of course. We may struggle for justice; we may cry for mercy; we may go down on our knees, and beg and woo for some little recognition of our rights as American citizens; but we might as well put up our prayers to Jupiter, or Mars, as bring suit in the court where Rhadamanthus presides. There is not a god on Olympus that would not listen to us with more fervor than we shall be heard by our adversaries. We are at their mercy; it is only to them that we can appeal, because you gentlemen unfortunately cannot help us. You are bound by the new law which you have made. You are of course addicted like other people to our vice of consistency, and what is done once must be done over again.

In the Louisiana case the people appointed electors in favor of Tilden, recorded their act, finished it, and left their work in such a state that nobody could misunderstand it. But other persons, who had no power to appoint, falsified the record of the actual appointment, partly by plain forgery and partly by fraud which was as corrupt in morals and as void in law as any forgery could be. You thought it right and legal and just to say that you would not look at the record which the people had made; the forgery, the fraud, and the corruption were too sacred to be interfered with; the truth must not be allowed to come in conflict with the imposture, lest the concussion might be damaging.

This precedent must be followed. It is new law, to be sure, but we must give it due welcome; and the new lords that it brings into power must be regarded as our "very noble and approved good masters." Having decided that electors were duly appointed in Louisiana who were known not to be appointed, we cannot expect you to take notice of any fact similar or kindred to it in South Carolina.

Then, again, the question of "duly appointed" was decided in the case of Levisee, an elector who was an officer of the United States Government at the time he was appointed, and continued to be afterward. The Federal Constitution says that no man shall be appointed who is in that relation to the Federal Government. But you held, according to law mind you, that he was a lawful elector and his vote a good vote. In other words, a thing is perfectly constitutional although it is known to be in the very teeth of a constitutional interdict.

Now you see why we are hopeless. The present state of the law is sadly against us. The friends of honest elections and honest government are in deep despair. We once thought that the verifying power of the two Houses of Congress ought to be brought always into requisition for the purpose of seeing whether the thing that is brought here is a forgery and a fraud on the one hand, or whether it is a genuine and true certificate on the other.

But while we cannot ask you to go back behind this certificate, will you just please to go to it—only to it—not step behind. If you do, you will find that it is no certificate at all such as is required by law. The electors must vote by ballot, and they are required to be on oath before they vote. That certificate does not show that either of those requirements was met, and where a party is exercising a special authority like this they must keep strictly within it, and you are not to presume anything except what appears on the face of their act to be done.

If anybody will cast back his mind a little into the history of Presidential elections or look at the debates of less than a year ago, he will remember that Mr. Jefferson was charged when he was Vice President of the United States with having elected himself by means of, not a fraudulent, but a merely informal vote sent up from Georgia. The informality was not in the certificate inside of the envelope, but in the outside verification. Mr. Matthew L. Davis, in 1837, got up that story. It was not true, but it was believed for a while, and it cast great odium on Mr. Jefferson's memory. It was not an informality that was nearly as important as this, nothing like it. But one of the Senators now on this bench referred to it in a debate only a short time ago, and denounced Mr. Jefferson as having elected himself by fraud, because he did not call the attention of the Senate and House of Representatives to that fact.

If Mr. Jefferson's memory ought to be sent down to posterity covered with infamy because he in his own case allowed a vote to be counted which was slightly informal on the outside of the envelope, I should be glad to know what ought to be done to those who would count this vote which has neither form nor substance, which leaves out all the essential particulars that they are required to certify?

This great nation still struggles for justice; a million majority of white people send up their cry, and a majority of more than a quarter of a million of all colors demand it. But we cannot complain; I want you to understand that we do not complain. Usually it is said that "the fowler setteth not forth his net in sight of the bird," but this fowler set the net in sight of the birds that went into it. It is largely our own fault that we were caught.

We are promised—and hope the promise will be kept—that we shall have a good government, fraudulent though it be; that the rights of the States shall be respected and individual liberty be protected. We are promised the same reformation which the Turkish Government is now proposing to its people. The Sultan promises that if he is sustained in his present contest, he will establish an act upon certain principles.

First, the work of decentralization shall commence immediately and the autonomy of the provinces shall be carefully looked after. Secondly, the people shall be governed by their natural judges; they will not send Mohammedans nor Christian renegades from Constantinople down on them, but they shall be governed by people of their own faith.

Thirdly, no subordinate officer, when he commits an illegal act, shall be permitted to plead in justification the orders of his superior. How much we need exactly that kind of reform in this country, and how glad we ought to be that our Government is going to be as good hereafter as the Turks'!

They offer us everything now. They denounce negro supremacy and carpet-bag thieves. Their pet policy for the South is to be abandoned. They offer us everything but one; but on that subject their lips are closely sealed. They refuse to say that they will not cheat us hereafter in the elections. If they would only agree to that, if they would only repent of their election frauds, and make restitution of the votes they have stolen, the circle of our felicities would be full.

If this thing stands accepted and the law you have made for this occasion shall be the law for all occasions, we can never expect such a thing as an honest election again. If you want to know who will be President by a future election, do not inquire how the people of the States are going to vote. You need only to know what kind of scoundrels constitute the Returning Boards, and how much it will take to buy them.

But I think that even that will end some day. At present you have us down and under your feet. Never had you a better right to rejoice. Well may you say, "We have made a covenant with death, and with hell we are at agreement; when the overflowing scourge shall pass through, it shall not come unto us: for we have made lies our refuge, and under falsehood have we hid ourselves." But nevertheless wait a little while. The waters of truth will rise gradually, and slowly but surely, and then look out for the overflowing scourges. "The refuge of lies shall be swept away and the hiding place of falsehood shall be uncovered." This mighty and puissant nation will yet raise herself up like a strong man after sleep, and shake her invincible locks in a fashion you little think of now. Wait, retribution will come in due time. Justice travels with a leaden heel but strikes with an iron hand. God's mill grinds slow but dreadfully fine. Wait till the floodgate is lifted and a full head of water comes rushing on. Wait, and you will see fine grinding then.

A COLORED MAN'S PLATFORM.

OPEN LETTER OF REPRESENTATIVE HAMILTON TO MR. SPEAKER WALLACE.

BEAUFORT, March 1, 1877.

To the Hon. W. H. Wallace, Speaker of the House of Representatives:

DEAR SIR—I regret not being present at the hour of adjournment to congratulate you by resolution for the able manner in which you presided over the Constitutional House of Representatives. And you seem to have nothing in view but to sustain the laws and constitution of our country. I would not wish to vote you a gratuity of a thousand dollars, as the Bayonet House voted their Speaker, but to vote you the well-done of a good and faithful leader. I see that the Democrats in Washington are disturbed by the news that Mr. Sherman brought from Mr. Hayes, but the supporters of the Hampton Government between Beaufort and Colleton are not at all alarmed; they are paying their ten per cent. tax cheerfully, and are willing to pay the whole if called for. My advice to those who are paying their taxes to the Hampton Government is that, as we have rights that our enemies must respect, and that we will maintain, to say to the American people that we will not pay our taxes to or obey any other government but Hampton's; that the Congress of the United States may ignore the laws and Constitution of the United States, but we in South Carolina are determined to sustain the laws and Constitution of our State, even though we be exterminated by the United States army; that we have resolved in this section not to allow the Chamberlain trial justices to execute a warrant, or to allow any of the constables to arrest any of our hands; nor will we pay any tax to his government; and if our employees sustain Chamberlain they will be promptly discharged. This mode of procedure is stronger than force, and will wear out all the United States armies.

You will notice that when the memorial to Congress was on its passage in the House I spoke and voted against it. I did so because I do not depend upon the National Government for our support; but I rely entirely upon the good people of South Carolina that they will not allow any Congress or any President to change the verdict that was given by the people on the 7th of November, or to ignore the Constitution of the State, without exterminating over a hundred thousand native South Carolinians of both races, who are willing to give themselves up to the cause.

Some of our people are worried about the inauguration of Mr. Hayes, but I am not at all uneasy, because I believe that he is one of those with too much integrity, who loves his reputation, and, if he does, he cannot recognize any other government in the State but that of Hampton. He cannot afford to count in a government which died at the ballot-box of its own rottenness. He knows that no party can live for any length of time when the representatives of the people with salaries of six hundred dollars per year, with no other employment, lose in one night over fifty thousand dollars playing Seven-up. He knows that no country can prosper with a Legislature that would pledge the faith and credit of the State, as they have done in this State, for the amount of four million dollars in the case of the Blue Ridge Railroad, knowing at the time that the security they had from the railroad was not worth the paper it was written upon.

Mr. Hayes ought to know that the supporters of the Hampton government are the tax-paying citizens. And, above all, we do not ask anybody to support Governor Hampton, but we ask them to support the Constitution and laws of the State, and then he is Governor. We desire to say to Mr. Hayes that we ask nothing but to allow us to support and sustain the laws and constitution of our country, and we intend to take nothing less. In my judgment the contest between Governor Hampton and Mr. Chamberlain was settled on the 7th of November by the highest court in the land, and that is the people, and it has also been ratified by them by the prompt payment of their taxes to the Hampton Government. In my judgment no Court, no Congress or no President can revoke this decision.

As you know I was once a strong supporter of Mr. Chamberlain. In that I was actuated by numerous reasons, and the greatest of all was that he recognized the wealth and intelligence of my State, and because he shut the door of the treasury on the political thieves at that time. When he went back on these principles the conservatives, men of both colors, dropped him, which they had a right to do, because he was opposed then by the same men who are supporting him now.

Now let us say to Mr. Hayes, in an unquestionable manner, that we will have Hampton and his government, peaceably if we can, but forcibly if we must, and if we find any judge or any jury trying to take away our rights, we will be compelled to take for our guide the 5th chapter of St. Matthew, commencing at the 29th verse, which says: "And if thy right eye offend thee, pluck it out, and cast it from thee; for it is profitable for thee that one of thy members should perish, and not that thy whole body should be cast into hell." In other words, it will be better for the people of South Carolina to have no jury and no judge than to allow them to ignore the laws and constitution of the State.

Let this policy be firmly followed in our State, and our government must live.

Yours respectfully,

T. HAMILTON.

— A man cannot expect half a loaf when he loafs all the time.

— "There, that explains where my clothes line went to!" exclaimed a Yankee woman, as she found her husband hanging in the barn.

— Two rural constituents were talking of the new member of the legislature from their county. One of them asked: "Is he talented?" "Well," said the other, "I should say he might set a house on fire by rubbing his nose against the door post."

— Boy (explaining his geography lesson to his little sister)—You see, sis, the inhabitants of South Africa don't need any clothes to keep them warm, because they're Hottentots. But the Coolies are a different kind of folks, and so are the Chili people. Don't you see?"

— "Going into partnership with Jones! I should have thought you'd had enough of partnerships, after Brown." "Ah, you see, when we first became partners, Brown had all the experience, and I all the money. Now, Jones has all the money, and I've all the experience."

Chief Justice Moses.

Chief Justice Moses, who was stricken with paralysis in Columbia on the 22nd ult., died at that place yesterday, in the 73rd year of his age. A similar attack prostrated him earlier in the winter, and it is thought that his anxiety to return to the Bench, in order that the decision of the great public questions before the Supreme Court might not be delayed, caused him to resume the discharge of the duties of his office much sooner than was prudent. The general belief is that his sense of the magnitude of the issues to be determined by the Court, and their varied social and political importance, provoked his fatal illness.

Judge Franklin J. Moses was born in Charleston in 1804. His father, Capt. Isaiah Moses, lived in Smith's Range in Meeting street, next to the Court House. Capt. Moses commanded a cavalry company in the State Militia, and was sincerely respected by the community. F. J. Moses, his son, was a boy of promise, and at an early age was sent to the South Carolina College, where he was graduated when only 17 years old, dividing the third honor with the Hon. George Buist. The Hon. W. F. Colcock took the first honor, and Robert Spencer the second honor. The graduating class was a large one, but disturbances in the College caused the expulsion of a considerable number of students. The faculty passed ten young gentlemen to their degree, but four of them forfeited their diploma by declining to perform their exercise, and the graduating class was reduced to six.

After leaving College Mr. Moses commenced the study of law, and was admitted to the Bar in 1825, when he was of age. Having fixed upon no place where to practice, Judge Moses took a trip through the State. In the pinelands of Clarendon he met with Judge Richardson. There were no hotels, but the door of every house was open. Following the custom of the time and country, Judge Richardson invited Mr. Moses to spend the night at his house. The invitation was accepted, and Judge Richardson was so much struck by the manners and force of character of the young visitor that he persuaded him to stay several days, and finally advised him to settle at Sumter, at that time the shire-town of the District of Sumter, which included the Counties of Sumter, Salem and Clarendon. Judge Richardson and his brothers introduced Mr. Moses into society, and gave him a helping hand. Very soon he made his mark, and acquired a lucrative practice, extending to the neighboring Circuits of Kershaw, Darlington and Williamsburg. The opportunities given him facilitated him in his career, but his shrewdness and ability would infallibly have brought him to the front, even without the aid of influential friends.

Soon after attaining a prominent position at the Sumter Bar he was chosen a member of the Legislature, and before 1842 was elected to the State Senate, where he served until 1862. During the greater part of his term of service as Senator, he was Chairman of the Judiciary Committee. This was a great honor, and a signal proof of his capacity, for among his colleagues were gentlemen of distinguished ability.

Judge Moses married Miss McClenahan, of Chesterfield County, who was in all respects a most worthy and estimable lady. The offspring of this union were three children, F. J. Moses, Jr., already sufficiently known to fame, and two daughters, one of whom married the late Gen. Baker, and the other Capt. Mikell, of Edisto Island. In all the private relations of life Judge Moses exhibited a kindly and genial nature.

As a public man Senator Moses was remarkable for his carefulness, watchfulness, thorough preparation and attention, and for his fidelity to the interests of his constituents. Nor did he move in a narrow circle. To all that was occurring in the world around him he was keenly alive; and no man of his day was better acquainted with the working of public affairs, and the course of our political history. A close observer, he allowed no fact of importance to escape him and it was the habit of his mind to ascertain, by close questioning, the bottom facts of any subject that interested him. What may be called an enlightened inquisitiveness, far removed from vulgar curiosity, was a prominent trait of his character. It is not surprising, then, that he should have been successful in his profession, and in the political arena. Nor was the solid reward wanting. At the time of the breaking out of the war between the States he had already acquired considerable wealth.

Even in his college days Judge Moses confidently looked forward to the time when he should hold high public positions in the State, and the promotion which awaited him after the war only seemed the realization of his destiny. In December, 1865, he was elected a Law Judge, under the old Constitution, by the State Legislature assembled under the proclamation of President Johnson.—Judges Aldrich and Johnson and Chancellors Lesesne and Carroll were elected at the same time. As a Circuit Judge he displayed the rarely combined qualities of fairness and quickness, and gave constant evidence of his thorough knowledge of the precedents and practice in common law. The promptitude with which he dispatched business was especially noticeable.

Under the Reconstruction Acts a new Constitution was framed and adopted; the whole judicial system of the State was rooted up. The new Supreme Court of the State was to consist of a Chief Justice and two Associate Justices, and Judge Moses was elected Chief Justice. This election took place on July 28, 1868, the term of office being six years. Judge Moses, on the first ballot, in Joint Assembly, received 58 votes, his only serious competitor being Mr. Corbin, who received 53 votes. On the third ballot Judge Moses was elected. Upon the expiration of his first term he was re-elected without opposition. The only other office he has held since Reconstruction is that of Professor of Law in the South Carolina University, in which he succeeded the late C. D. Melton. It will be remembered that it was suggested that the acceptance of this office, under the Constitution, operated to disqualify him for the office of Chief Justice; but the point was never seriously pressed.

Would that we could speak of the last years of the public life of Judge Moses as we could have done had he remained in retirement since 1868! Up to that time he had been in sympathy with this people, and had seen with them many a season of joy and tribulation. By accepting the office of Chief Justice at the hands of the first Legislature which met under the new Constitution, he separated himself from his life-long companions and associates, and made himself a part of a political organization wherein the ignorant negro was master and the white man the slave. The wounds were too fresh. There had been no time for passion to subside. What might have seemed reasonable and right in 1874 was a monstrous outrage, upon the vast majority of the white citizens of the State, when done six years before. The purest purpose, the most elevated motives, could not, in that dark hour, excuse desertion to the exultant enemy, especially the desertion of such as were bound, by gratitude at least, to respect the prejudices and feelings of those who, for decades, had honored them with positions of public trust. The conduct of Judge Moses was a heavy blow; but they who were coolest and saw farthest, knowing his sagacity and ability, were confident that his conduct on the Bench would vindicate him from reproach, and prove that his only desire, even in his apparent defiance of their wishes, was to serve the interests of the people. So might time have brought him its revenge! Has it done so? We write of one who is dead. Over his faults, whether of heart or head we draw the mantle of charity! It is better so.

There is one act, and one act only, of his public life during the past ten years on which we care to dwell. The broad path chosen by Judge Moses and the narrow path trodden, in travail, by the people came together, for an instant, last fall when, in the town which had witnessed his earliest successes, Judge Moses announced his adhesion to the grand cause of which Wade Hampton is the champion. And it is pleasant, as the sequence of this, to remember that, in the Supreme Court, during the hearing of the causes involving the recognition of Wade Hampton as our Governor, Judge Moses was unmistakably convinced that Wade Hampton was elected, and was installed, and is Governor of the State. It is pleasantest to know that the last words spoken by Judge Moses, prior to his fatal illness, conveyed an intimation that when the Supreme Court should re-assemble, after Washington's birthday, he would deliver an opinion in favor of Wade Hampton, in which opinion Judge Willard was known to concur. This it was not permitted him to do. The act that would have blotted out the past, he was not, in God's Providence, allowed to perform. From the heights, like the Hebrew lawgiver, he might look down upon the land where reigned plenteousness and peace; but he had not kept the faith, and in the flesh he might not enter in.—*News and Courier, 7th inst.*

The Army in Politics.

The closing hours of the Forty-fourth Congress will pass into history as memorable for the vindication of the right of the people's Representatives to hold the purse strings of the nation, and in the exercise of that right to check Executive encroachments. After a prolonged and angry struggle over the Presidential question, which had seemingly divided the Democratic party during the last days of the contest into two wings, they were reunited in an instant and welded together in a solid mass when this great principle was assailed.

The Army bill reported by the committee of the House contained two leading elements. First, a reduction of the force from twenty-five thousand to seventeen thousand men; and secondly, a prohibition against the President using any part of the money or the troops thus granted, in sustaining illegal governments in South Carolina and Louisiana. Twenty years ago the Republicans, then a majority in the House, tacked on a similar condition to the Army bill, making it applicable to Kansas.

When free speech and free immigration into that Territory were to be defended, the Republicans of that day, in the freshness of their youth and in their fidelity to the principle which called that party into existence, demanded that a Democratic President should not use the army to aid or abet in the extension of slavery. They were right then. Now, when it is proposed to curb the Executive and to defend the rights of the States against oppression, to protect liberty and to put down tyranny and fraud, some of the same men and the same party, grown corrupt, and loose, and demoralized, turn around and renounce the very principle which gave them the only claim to popular confidence and support.

The Senate, led by Blaine and seconded by all the extremists, would neither accept the reduction of the army nor yield to the clause prohibiting the use of troops to maintain Packard and Chamberlain. Nor would they even submit to any diminution of the great pay emoluments now received by our superfluous Generals and their magnificent staffs. Repeated conferences were in vain. The revolutionary leaders who are now striving for the possession of Hayes, and are inimical to every suggestion of a conciliatory policy, determined to force this issue, and thus to drive the more moderate wing of the Republican party into line.

The House of Representatives stood up bravely and faithfully to its duty, and insisted upon maintaining its position; and the Army bill was lost by the obstinacy of Hayes' professed friends in the Senate. No injury will be inflicted on the service or on the country by this mishap. We rejoice at the failure, because public attention will now be drawn to the huge military establishment which the people are required to support by oppressive taxation, and to the disgraceful abuses which have grown up under it. The money for the army is already appropriated for the current fiscal year to the 30th of June, or four months ahead. There is abundant time for reflection, and if an extraordinary session of Congress be required, why, let it come. Meantime, the Fraudulent President will have shown his hand by acts, and his intentions for the future can be better gauged than is now possible.

During the last eight years, the army has been used as a great machine to pull down honest and set up fraudulent governments in the South; or in other words, to uphold one party and to defeat another. The spectacle recently presented in South Carolina, Forida, and Louisiana, was not only a humiliation to American character, which has submitted tamely to these repeated scandals under Grant, but was an outrage upon the name of free institutions. Step by step we have been following in the beaten paths which lead to military despotism.

Now, when a Fraudulent President has been installed in office, who sooner or later must fall into the hands of the most desperate leaders, and who is already ruled by the corrupt counsels of John Sherman and his Ring, the House of Representatives, speaking and acting for the people, will take no cheap professions and canting phrases for guarantees. They have locked the doors of the Treasury after the 1st of July, and Hayes cannot repeat the burglary by which he entered the White House, without being confronted with penalties that he is not anxious to seek. If he and his friends mean what of late they pretend, what need is there of this great standing army with an expenditure of more than forty millions a year?—*New York Sun.*

— A clergyman was preparing his discourse for Sunday, stopping occasionally to review what he had written, and to erase that which he was disposed to disapprove, when he was accosted by his little son, who numbered but five summers: "Father, does God tell you what to preach?" "Certainly, my child." "Then what makes you scratch it out?"