Daily Chronicle

City Directory.

KNIGHTS OF HONOR.

RELIEF LODGE, No. 163, K. of H.—Meets first and third Thursday nights of each month at Teutonia Hall corner Church and Gay Sts reets.
W. W. Leftwich, H D; Emile George, Reporter.

U. O. G. C.

PEACE COMMANDERY, No. 1, United Order of the Golden Cross, meet every Tuesday night at Temperance Hall. D. H. Weaver, C. R; A. Brown, K. of R.

F. & A. M.

MAXWELL LODGE, NO. 433—Stated Communication upon first Thursday night of each month at Hall on Broad street.
D H Weaver, Sec'y. L. H. Rogan, W M.

ORIENTAL LODGE, NO. 453—Stated Communication upon second Thursday night of each month at Hall in Masonic Temple.
H J Stuart, Sec'y N S Woodward, W.M.

MASTER'S LODGE, NO. 344—Stated Communication upon third Monday night of each month at Hall in Masonic Temple
E E McCroskey, Sec.y, H M Aiken, W M.

PEARL CHAPTER, NO. 24, R. A. M.—Stated Convocation upon first Monday night of each month at Hall in Masonic Temple.
S J Todd, Sec'y. W. A. Galbraith, H P.

COEUR de LION COMMANDERY, NO. 9.—Stated Conclave upon second Monday night in each month. Meetings for drill upon Friday night of each week at hall in Masonic Temple,
Ste J Todd, Rec'r H M Aiken, E C

ZABUD COUNCIL NO. 59, R. and S. M.—Stated Assembly upon fourth Monday night of each month in Hall at Masonic Temple,
E. Bolli, Rec'r. N S Woodward, Thr. Ill. M.

I. O. O. F.

EAST TENNESSEE LODGE, No. 34—Meets Tuesday nights, at Odd Fellows' Hall, west side, Market square. D W Lewis, Jr, N G; C J Merritt, V G; E W Adkins, R S; W H Salmon, Perm't Sec; Jno S Warters, Treasurer.

SUNDAY, NOV. 10, 1878.

SECTIONAL ISSUES.

What is called the Southern policy of President Hayes has been severely criticised by a great many Republicans, but, after all, we will not be surprised if it turns out to be the policy that is to strengthen the Republican party and defeat the Democracy in the next Presidential election. There is no denying the fact that a large proportion of the Northern people were in favor of putting the people of the South upon their good behavior. The policy of protecting Southern Republicans with Federal bayonets had become unpopular, and a change was demanded. Yielding to this demand, and following his own natural inclination, the President resolved to adopt a conciliatory policy towards the South, and did so, as we think, at the expense of strict justice. We are willing to admit, however, that under all the circumstances, it was difficult for him to do otherwise.

Under this policy, the Democrats of South Carolina, Mississippi and Louisiana have been left perfectly free to do just what they pleased to do. Each of these States, if they could have been canvassed as other States, and the voters left to act freely and without restraint, would have given large Republican majorities and elected not less than ten to fourteen Congressmen. This would have changed the political complexion of the next House. But the election in these States was a farce. The Republicans were not allowed to hold political meetings except in the presence of the red-shirt brigades, who threatened and persecuted and maltreated all who differed with them.

The people of the North are waking up to these things. They see that the State governments are Republican only in name, and that it will be dangerous to allow the Federal Government to pass into the hands of men who refuse to guarantee the freedom of the ballot box in these States. They understand that a "solid South" must be met with a "solid North," and this will be the result.

We regret that our politics are in that shape. Sectional issues are dangerous, but the Democratic South has set the example, and thereby forced the people who reside in the States which stood true to the Union to combine as a matter of self preservation. We had hoped that such a state of affairs would never be brought about. But it appears to be coming, and the fact that the Southern people have rejected the olive branch held out to them by the President will serve to unify the people of the North, And now it appears as if this issue will enter largely into the next Presidential election.

SPEAKING of the defeat of Andrew G. Curtin, the Pennsylvania renegade, the Philadelphia *Press* says:

"Poor Curtin! Battered and abused by his friends, wounded by himself, and repudiated by his people, he is to be commiserated on the manner of his exit from public life. And we tender him assurances of sympathy."

WE city the following from the Boston *Herald* as giving some idea of the pork business for the present season:

According to the estimates of the Cincinnati *Gazette*, there will be packed in the West, during the year, commencing Nov. 1, 1875, 10,000,000 hogs, which will aggregate sales to the amount of about $100,000,000. This will surpass the operations of any former year in that branch of business. Hogs are now lower than at any time during the past thirty years, selling at from $2 40 to $3 per 100 pounds. It seems that, in proportion as prices have declined foreign demand has increased, and the amounts called for for shipment are now simply enormous. Foreign consumption has increased every year since exportation was begun, and it is thought the year now entered upon will record larger sales than all that have preceded. Nevertheless, the business is said to be not paying.

SUPREME COURT OPINIONS.

[Reported for the Chronicle by F. A. Reeve, Esq.]

PER COOPER, J.

Carriger vs. Mayor and Aldermen of Morristown—Bonds issued by a municipal corporation, under an act of the Legislature which authorizes their issuance, if upon an ordinance of the qualified voters at an election held under the direction of the Board, a majority of those voting should not decide against the proposition, are valid, if an ordinance, although loosely worded, is passed in favor of the issuance, and the Board find that an election was held and a majority of the votes cast was in favor of the issuance, and their validity will not be affected by irregularities in the election, or the mode of issuance.

Turney, J., *dissentient.*

PER FREEMAN, J.

Parker vs. Steed.—1. On failure to build a dwelling house according to contract, and a recovery on a count for value of the building as built, on the ground of acceptance in its defective form by defendant, the plaintiff recovers the value of the house as received, at the time received, and not the value of the materials, as such, put into the building, nor of the work done on the building—the value of the house built, as received, in other words, is the measure of recovery.

2. Suit on a contract of a woman *dum sola* who married during the pendency of the suit, and suit revived against the husband, who afterwards died, and the suit allowed to abate as to him. *Held*, that the suit might proceed against the surviving wife the debt as to her not having been extinguished by the marriage.

McReynolds vs. McCallie.—Under the *act of* 1805 the change of name of an illegitimate child, on application of the putative father, is to be done only on the party proposing to make the child his heir or joint heir, which must be entered as the opinion or decree of the court; therefore, when it is shown the name of the child was so changed, and the record has been destroyed, it would follow that the child was made an heir and entitled to inherit the estate of the father.

Jackson vs. Sligo Manufacturing and Mining Company—Stockholders, or holders of shares, in a company incorporated, cannot be held liable to pay calls on stock to discharge debts of the corporation incurred by a new organization of the company, after they had *bona fide* sold and disposed of their stock and interest in the corporation.

PER INGERSOLL, S. J.

Bouldin vs. Lockhart.—1. The enabling act of 1873, providing that a county seat may be removed to any place in the county by a vote equal to two-thirds of the votes cast in the *next* preceding Governor's election, is in conflict with § 4, *Art. X, Constitution of* 1870 which provides, among other things that "the seat of justice of any county shall not be removed without the concurrence of two-thirds of the qualified voters of the county," and is, therefore, unconstitutional and void.

The case of *Cooke vs. Gooch*, 5 *Heis.*, 294 approbated and re-affirmed, in which the word "consent" is held to mean "the active concurrence of two-thirds of the qualified voters, and can not be substituted for a passive acquiescence."

2. The legislative action of a County Court is subject to revision or correction by the courts, as well as that of the General Assembly.

Shea vs. Mabry. 1. *Section* 3850 *of the Code*, providing that in all cases where more than one person is plaintiff, the court or clerk may determine whether notice shall be given to each person, and if not, to whom, a memorandum of the order to be kept with the papers; and *Section* 4423 also providing that the Master shall give notice to the adverse party or his solicitor, of any rule, order or proceeding taken at his office, are directory merely, and the neglect of the Master would only entitle the defendants to an order to cross-examine, and would not operate to vitiate or exclude the deposition.

2. An order *nunc pro tunc* reciting many facts, ought to be grounded upon the clearest evidence, such as the recollection of the presiding Judge, or some memorandum kept by him or the clerk, or the agreement of opposing counsel.

3. It is too late to except to a deposition referring to and adopting a former deposition, on the trial of the cause, under the provisions of *Section* 3868 *of the Code.*

4. Where objection to a deposition is placed upon untenable ground, although the evidence is clearly incompetent, this court can not consider the objection if urged for the first time here.

5. The particular charge in the bill relied upon to hold defendants liable is, that they had used $28,300 of the money of a railroad company, either in an attempt to procure other and further appropriations from the State, or had permitted the president of the company to use the same for his own individual purposes—the complainant being a judgment creditor of the road and seeking to reach the funds so misapplied—*Held*, under the facts and circumstances of the case, that the complainant could recover against the president and directors of the road.

6. Good faith will not protect even the trustees in bad acts, nor is ignorance any excuse for not knowing what they should take the pains to learn. Directors are not mere figure-heads of a corporation. They are trustees for the company, for the stockholders, for the creditors, and for the State, and are required to exercise constant vigilance and the utmost good faith, or they must answer for it to their *cestuis que trustent.*

Be Not Deceived

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Coming Down Like the Stick.

N. Y. Tribune.

One of the most notable facts already clearly set forth in the election returns is the great Greenback fiasco. But a little while ago, and the new party was the subject of deep anxiety to veteran politicians and unholy joy to the demagogues. It threatened to wreck all the plans of the one class, and bade fair to make the fortunes of the other. It was to hold the balance of power in Congress and in our Legislatures; it might make the next President, and we dare say General Butler even did a little serious thinking about his Cabinet.

The elections have been held, and this vision is rudely swept away. There will be only six straight Greenbackers in the next House of Representatives, and only two members who have been elected by a fusion of the Greenbackers and Democrats. The State delegations are so arranged that one Greenbacker may have it in his power, in voting for Pressdent, to tie the House, but that is a remote contingency. After all the vainglorious predictions of the soft money party, they are left almost wholly without representation in the lower House of Congress; and in this State, where they proposed to dictate the name of Mr. Conkling's successor, they have a pitiful showing of two members of Assembly. Greenbackism has not had half the growth of Pendletonism in 1868, and it looks as if it might die even a quicker death.

A Dollar Worth Three Cents.

Some of the blessings of fiat money are enjoyed by the people of Buenos Ayres. There is a six column paper called the Buenos Ayres *Herald*, of which the subscription is put at the low rate of thirty dollars a month, paper currency, that is, about a dollar a number. The clothing house of Grand St. Martin advertises suits of clothing for $700. Another offers to sell children's suits at prices ranging from $150 upwards, and still another firm advertises a new line of choice cravats at $100 each. It seems, from the market reports of this journal, that a gold dollar at that time was worth $31.95 in paper.—*Boston Herald.*

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Chancery Court, Knoxville, Tenn.

No. 3177.

C. W. Hall against B P. Stacy and A. J. Johnson.

IN THIS CAUSE THE COMPLAINANT C. W. Hall having filed his bill of complaint upon oath in the Chancery Court at Knoxville against B. P. Stacy and A. J. Johnson, charging among other things that the said B. P. Stacy is justly indebted to him and is a non-resident of Tennessee, and having obtained by the order and fiat of the Hon. M. L. Hall, Judge of the Criminal Court for the District of Knox, an original attachment against the estate of said B. P. Stacy, returnable to the September term 1878 of said court, and the same having been levied on the property of said B. P. Stacy, it is ordered by the Clerk and Master that the said B P. Stacy be required to appear before the said Chancery Court at the court house in Knoxville on the 1st Monday in December next and make defense to said bill or the same will be taken for confessed and the cause set for hearing ex parte. This notice will be published in the KNOXVILLE WHIG AND CHRONICLE for four consecutive weeks. This 15th day of October, 1878. A true copy—Test.

oct15w4t. M. L. PATTERSON, C. & M.

Trustee's Sale.

BY VIRTUE OF A DEED OF TRUST EXECUTED to me on the 20th day of September 1877 by James Goins and wife Mary Goins which deed of trust is duly registered in the Register's office of Knox County Tennessee in Trust Deed Book "L" Vol first or page 515-16 and noted in trust note book "A" Page 23 I will at the court house door in Knoxville Tenn at 11 o'clock a. m on the 9th day of November 1878 sell to the highest bidder for cash in hand and in bar of the equity of redemption the following premises described in said deed of trust to wit: being lot No 8 in what is known as Walker's adition to Knoxville fronting and measuring fifty-one (51) feet on Front Street, and running back one hundred and twenty (120) feet to an alley, being the same lot conveyed to said James Goins by Volivar Baker and wife Lucinda Baker by deed dated Sept 23 1876 and registered in the Resister's office of Knox county Tenn in book "R" Vol 3 at page 503-4 and noted in note book "B" pp 116. The sale will be made to satisfy the indebtedness with interest mentioned in said deed together with the cost incident to said trust. This Sept 28th 1878. R. J. CHILDRESS

oct9w4t* Trustee.

Insolvent Notice.

IN PURSUANCE of an order of the County Court Clerk of Sevier county, Tennessee, I hereby give notice that I suggested the insolvency of the estate of Mary Dykes, deceased at the October term of the County Court in 1878. All persons having claims against said estate are required to file the same with said Clerk, authenticated as prescribed by law, on or before the 1st Monday of April, 1879, and all persons indebted to said estate are notified to make immediate settlement. This the 7th of October 1878. THOS. PICKENS, Adm'r.

oct22w4t

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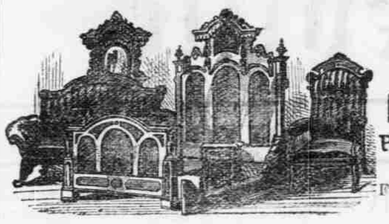

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