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A COLORED MAN REFUSED ADMITTANCE TO THE BAR.

REMARKABLE OPINION OF JUDGE MELLON.

At the Quarter Sessions at Pittsburg, Pa., some days ago, a colored lawyer from New York, George B. Vashon made application for admission to the Bar. The application was unanimously rejected, and Judge Mellon delivered the opinion of the court which we copy as follows from the *Pittsburg Leader*, of the 20th ult.

Judge Mellon stated that he had prepared some notes for a written opinion on the case, but abandoned the work under the expectation that Judge Stowe would, as is his custom, exhaust the subject. Finding, however, that his reasons for denying the application takes a broader range than those set forth by Judge Stowe, he would state the grounds of his opinion why the application should be denied.

The rules of the Court are of our own creation, for the guidance of suitors and ourselves, and when the merits of the case demand, we may suspend them; and it might be supposed we would suspend them in the present case, but for the color of the applicant. However that may be, this or some applicant of his race may take the trouble to conform to our rules, and still meet no better success, therefore, Judge Mellon said he would prefer to express his opinion upon the matter in all its bearings.

Judge Mellon then proceeded to consider the argument urged in behalf of Mr. Vashon, that recent legislation and judicial decisions of the General Government sanction the admission of colored persons to all the rights and privileges enjoyed by white people everywhere, and in every department of life. In answer to this he showed that while we may admit State sovereignty to be virtually extinguished, the General Government has not as yet suspended our State laws or government; and while they are allowed to remain, they are in full force as regards us, and we do owe them allegiance. The condition of the law then is this: Our State authorities do not recognize the claim of Mr. Vashon to be admitted to the bar, but so far as they go to the conclusion to be drawn from them is against it and the United States does not interfere in his behalf.

Judge Mellon said that, as the law stands we might be excusable in granting the application, provided any substantial public good or private right demanded it; but as nothing but evil is likely to result to both races from their being kept and encouraged to remain prominently inhabiting the same territory, he would do nothing whatever to promote it. Judge Mellon continued as follows:

"I would have the colored men practice as attorneys, sit on juries, hold courts, and exercise the right of suffrage—not here however, but among themselves—in some part or section of the Union where the white man would be under the same disabilities among them which they are liable to among the whites. So far am I from doing anything to encourage the races to remain together, that I would do everything short of violence or harshness to facilitate and promote their separation. If the colored race is ever to be placed on the way to social progress—if it is ever to attain the rights and privileges of manhood—it must be placed in a position where it can enjoy true self-respect. This never can be among the white race.

Vested rights of property and domestic relations already acquired should be respected and protected, but beyond this, it should be made clearly to tend to the interest and advantage of the colored race to separate itself from the whites. The coun-

try is extensive enough to accommodate both races, and they will occupy no more room separated than together. Where they are kept together, the one or the other of the parties having the preponderance in numbers, and wealth will domineer over the other in spite of all laws to the contrary, and the inferior party will suffer from the consequent degradation.

To expect by law to place a sparse colored population, scattered among a numerous white population on a footing of social equality with the whites, seems to me impossible, and it is only surprising that it should be sought to retain the two races together by shaping our laws and institutions to that end. It was one of the great evils very properly attributed to the institution of slavery that the residents of the races together promoted amalgamation. Why, then, should not this as well as the other evils of slavery be removed? Is it natural or proper, or possible, that by associated the two races will become assimilated and equally and indiscriminately respected by one another in social life? If not, can the negro ever acquire that dignity and self-respect which are essential to civil and social progress? God in the beginning; or nature since, has made too great a difference between the two for laws to expunge. The natural feelings and instincts of both races will respect and observe this difference in spite of all human laws. An unnatural persistence in associating together may, in the course of ages, obliterate all distinction between the races, but this condition can only be brought about by the formation of mongrel and inferior race.

The teachings of history and physiology clearly establish the fact that social equality and connection between the races in the domestic relations can only be productive of evil—shortening of life and weakening the physical and mental condition, as a general rule. And notwithstanding all encouragement to remain together, they will separate of their own accord as much as may be. In every town and neighborhood there will be, as there always have been, the negro quarters. This should indicate the propriety of promoting the separation on a larger scale. States or sections of the Union, may be designated, where every right and privilege here possessed by the whites will be accorded to the blacks; where the road to wealth and the opportunity to gratify ambition will be open to them; where they can practice law, sit as judges or on juries, and exercise the elective franchise; and where white men may be excluded from the exercise of such rights and privileges. There will then be no necessity whatever for the exercise of such rights together, indiscriminately by the two races, except in the halls of Congress, where it can be done without detriment to either party.

I have been thus particular because I have suggested a practical one, and the only course in which the negro has a reasonable chance of advancement. Here, neither the privilege here claimed, nor any further similar right or privilege should be accorded to him in this region.

We would not, therefore, accord to the applicant that which he seeks unless we were compelled to do so by some positive law requiring it. Without any undue disturbance or expense but by affording the proper facilities and inducements, a voluntary separation between the races can be brought about in which both can attain their best civil and social conditions.

During the delivery of the opinion the court room was densely crowded, the case attracting even a greater degree of interest than it had previously done. The decision excited no surprise whatever, as it was generally anticipated.

ALL QUIET IN TENNESSEE.—A dispatch from Nashville to the *Cincinnati Commercial* says:

"The most remarkable feature in connection with the present time is that it is enjoying a spell of perfect quiet and serenity; the Kluks have completely subsided, and nobody hears or sees anything of them now. Accounts from all quarters report the negroes as industrious and thrifty; while Brownlow, strange to say, has ceased to issue his sanguinary proclamations. Revivals of religion are in progress in different portions of the State.

Good words and good deeds are the best we owe for the air we breathe.

IMPROVEMENT IN GRAIN.—Experiments have demonstrated, and analogy has shown, that the finest and best samples of seed continued for years, will improve the quality and quantity of the product. A better wheat is thus raised; even a variety may be established. On the principle (in farm stock) we have the Short-horns, the blooded horses, and the different breeds of sheep, swine, poultry, etc. Experiments have not been made on the human species; but the same, no doubt, holds good here.

We plant and sow "as it comes." We take the seed of the same grain that we use in the aggregate, and sow it. Is not this the case almost universally? Corn is an exception to some extent—but why do we except corn? Because it is hardy to select. But why select at all? Because it is understood to be good. Analogically, then, it is good to do the same with wheat, oats, barley, etc. But this is less easily done; we therefore neglect it. How long will it take a farmer to go through his wheat, and secure the finest and ripest heads sufficient to sow an acre, or half an acre, or a quarter—or even a pint of seed? This pint sowed will be sufficient to form a test crop. The best heads taken from this again and sowed, will yield another test crop, from which should be taken as before; and so on for a number of years, say half a dozen, more still better. But three or four years will work a decided difference. But the thing should be continued from selected wheat every time. In this way grain can be improved and crops enlarged. There will be larger grains, earlier maturity, and better growth.—*Rural World*.

INDIAN OUTRAGES.—*Omaha*, April 23.—Late news from Cheyenne, Dacotah, announces that on the night of the 18th instant the Sioux Indians ran off all the stock at the Big Springs station, on the Union Pacific railroad. On the following night they swept off all the stock at Ogallala, a station just east of Big Springs. During the forenoon of the 10th a party of redskins came boldly into Sydney, a military post and railroad station, and ran off a number of cattle. On the same day the same party cleaned out Louis's Ranch, at Larame Crossing, seven miles east of Sydney. The night previous they stole all the stock at Julesburg. On the 11th another party paid Sydney a visit and carried away seven horses.

On the 12th of this month they encountered two travellers who had been put off the Union Pacific railroad cars near Antelope station, both of whom they killed and scalped.

DRUNKEN CONGRESSMEN.—The Washington correspondent of the *Cincinnati Commercial*, a radical paper, speaks of drunken Congressmen as follows:

There never was greater need than at present for a vigorous prosecution against intemperance in high places. Whether Senator Wilson has become discouraged or disgusted I know not, but he seems to have entirely relinquished his Christian efforts of a year ago, to reform his Congressional brethren through the agency of his temperance society. One gentleman who was an exemplary member of the Congressional Temperance Society, a year ago; astonished and appalled the boarders at Willard's one morning last week, by entering the breakfast room in his night shirt at about 10 a. m.; another was taken home in a hand cart, not many Sunday's since; another, over whose conversation all the ladies were a year ago saturating their handkerchiefs, (need I say that he is a distinguished Senator from the West?) has been for a week or more, confined to his room and a diet of pickled cabbage to help him over a prolonged carouse terminating in the delirium. Nor is this all. Would that it were. It is not even the worst.

The great secret of rural economy is to utilize every thing; corn stalks, blades, cobs, everything. Every nail should be picked up, every leaf should go to the manure pile, every bone to the bone-kiln, every apple peeling to the pig slop. This is the way to get rich, while farming in a poor country. To waste nothing saves a great deal more than stinginess. We have heard of a rich man who went bare foot, to have the expense of shoes, and then had a noble holly in his yard cut down to prevent leaves from sticking in his feet. This an example of stinginess.

A MAN AFTER AN IMPRISONMENT OF FIVE YEARS RETURNS TO RECOVER HIS PROPERTY.—A somewhat peculiar case was brought up in the County Court yesterday. It was that of an alleged husband, fresh from the penitentiary of a neighboring State, pursuing the property left by his wife, to recover it from the other heirs at law. The proceeding upon the record has but a modest appearance. It is merely the issuing of a citation to one Edward Courtney, to account for the estate of Bridget Murphy.

The petitioner is one Edward Murphy. He left the State prison in Michigan on the 18th day of last month, under a pardon. He came back to find his property, as he alleges, merged into his late wife's possession, and through her descended into the hands of strangers. He made complaint before the court that Courtney held it; hence the legal process.

The petitioner states that he was married to the deceased on the 4th day of November, 1854, her name being then Hanley alias Tracy, and that he was her husband until the day of her death. He alleges that they lived together on a farm belonging to him, in Will County, until some time in July, 1860, by which time he had accumulated a considerable estate, consisting of land, stock, and farming implements, his wife owning nothing of her own right, besides her wardrobe. At this time, by reason of, he states, a foul conspiracy, to which he believes his wife was a party, he was arrested on a charge of murder, and conveyed to Mackinaw, Mich. Here, being imprisoned, he relied upon the promises of his wife and his supposed friends for his defence, they knowing, as well as he did, that he was at the time of the homicide two hundred miles distant from its scene, and that he had never during his life been at the locality of the crime. Relying upon these promises, he found himself at the time of his trial without counsel and without ready means, so that being undefended excepting by volunteer counsel, he was convicted of the crime, and sentenced to imprisonment for life. He stated that he was taken to the Michigan State penitentiary, in pursuance of the sentence, about the 15th day of September, 1863, and remained there until the 8th day of March last, when evidence of his innocence having been furnished to the executive branch of the Government, he was pardoned, the pardon stating that it was issued because of the proof of innocence. In relation to the estate, he says that his wife has, since his incarceration, sold part of the property, the proceeds of the sale being the amount of the estate which she has left.

Chicago Tribune, April 21.

GROWING OLD.—I suspect it takes some time to arrive at the conviction, but I have come to it at last, that there are few things so disagreeable in life as growing old. Now, although, as I have said, the knowledge and acceptance of the fact be the growth of years, yet somehow the real acknowledgement to one's self always comes with a shock. You bear a certain stiffness in your back sinews, and a gragginess about your ankle joints for years. You take to soft hairbrushes, and avoid draughts and eschew acid wines, by a process so smooth and frictionless as not to be recognized. You exchange your floppy pant mare, with a tendency to shy and a general skittishness, for a stout colt of fourteen hands, an easy mover, and quiet to mount. You accept your dinner invitations with a more discriminating regard for the cook than the company; but you do these things so gradually as to be imperceptible. It is only when you overhear a cabman speak of you as the "old gent, what gave his two bob," or when a fresh young lady asks what sort of dances were in vogue when you were young, that suddenly a new light breaks in on you, and an indescribable sense of terror shoots through you at the thought that you have really rounded the "Tottenham" corner of existence, and have begun the "run home." Not that, even then, you fully realize all the horrors of the situation. Much is ascribed to the ignorance of the critics; but you go home, certainly, with the puzzled sense that there is a problem to be settled, a doubt to be solved, which, until that moment, had never given a passing uneasiness. It is something like the parson had said

in the sermon, so startling and so novel that you cannot rid yourself of it, but keep on asking yourself, is this a fact? has he an undoubted authority for telling us this? Struggle how you may, from that time forward you are an altered man. Of course you make no admission to the world at large of changed sentiments. The law of England declares no man is bound to criminate himself, and you go about as jauntily—perhaps even a little more jauntily—as of yore; just as a merchant with an approaching bankruptcy turns out in the park with a more showy equipage. But in the solitude of your own dressing room you know that the trial is over, the verdict is given, and all that remains is to entreat the Court to suspend the judgment. "A long day, my lord—a long day." A pitiful cry it is, sad enough to utter, and sadder to listen to.

O'Dowd, in Blackwood.

EXCUSE FOR NOT GOING TO CHURCH.

A gentleman who pays close attention to such matters, assured a contemporary that within the past six months he has heard the following excuses made for not attending church: Overslept myself; could not dress in time; too wet; too hot; too windy; too dusty; too wet; too damp; too sunny; too cloudy; don't feel disposed; no other time to myself; look over my drawers; put my papers to rights; letters to write to friends; mean to take a walk; going to take a ride; tied to business six days in a week; no fresh air but on Sundays; can't breathe in church; always so full; feel a little feverish; feel a little chilly; feel very lazy; expect company for dinner; got a headache; intend nursing myself to-day; new bonnet not come; tore my muslin dress coming down stairs; got a new novel, must be returned on Monday morning; wasn't shaved in time; don't like the liturgy, always praying for the same thing; don't like extemporary prayer; don't like an organ, 'tis too noisy; don't like singing; without music, makes me nervous—the spirit is willing, but the flesh is too weak; dislike an extemporary sermon; it is too frothy; can't bear a written sermon, too prosy; nobody to-day but his own minister, can't always listen to the same preacher; don't like strangers; can't keep awake when in church; fell asleep last time when I was there. Lshan't risk it again; mean to inquire of sensible person about the propriety of going to church, and publish the result.

WHAT A PINT OF BRANDY DID.—

A short time ago there was a dreadful murder in the streets of a New England city. The young man who did the terrible deed had always been considered as good-hearted, a little wild, perhaps, but generous, industrious, and full of good impulses. But alas! he woke up the next morning to learn that he was a murderer. I say to learn this, for he knew nothing about it. This is his story witnessed to by others:

He and the murdered man were passing up the street arm in arm, to an evening lecture. Opposite a saloon they stopped to speak to a friend.—The proprietor of the saloon, standing in his door, called the three young men to "come in, he had something to show them."

Once within a game of cards was proposed; then one of the young men called for a pint of brandy—that's what he had to show them. "Some prime old cognac—a new lot just in."

So they played and drank, and there was a quarrel, and that was all the poor wretched, ruined, young man knew about it. The poor fellow would wring his hands and walk up and down the prison cell, exclaiming: "It was the pint of Brandy that did it! He was my friend, and I loved him. I would never have harmed a hair on his head. Oh, it was the brandy!"

Now that was very true. And yet people people say speaking of him, "O he ought to be hung! hanging is too good for him!"

But who was the most guilty? Ought the man who sold the brandy go unpunished? And in the sight of heaven, isn't the rumseller worse than the murderer? Is hanging "too good" for him, I wonder?

"Much ado about nothing" as the boy said when he hit the schoolmaster with a paper ball, and got a flogging for it.

DO IT WELL.—Said Harry, throwing down the shoe brush; "There, that'll do; my shoes don't look very bright. No matter; who cares?" "Whatever is worth doing, is worth doing well," replied a serious but pleasant voice.

Harry started and turned round to see who spoke. It was his father.—Harry blushed. His father said:

"Harry, my boy, your boots look wretchedly. Pick up your brush and make them shine. When they look as they should, come into the library."

"Yes, pa," replied Harry, pouting, and taking up his brush in no very good humor, he brushed the dull shoes until they shone nicely. When the shoes were polished, he went to his father, who said to him:

"My son, I want to tell you a short story. I once knew a poor boy whose mother taught him the proverb, 'Whatever is worth doing, is worth doing well.' That boy went to be a servant in a gentleman's family. He took pains to do everything well, no matter how trivial it seemed. His employer was pleased and took him into his shop. He did his work well there. When he swept out the shop, he did that well. When he was sent on an errand, he went quickly, and did his work faithfully. When he was told to make out a bill or enter an account, he did that well.

"This pleased his employer, so that he advanced him from step to step, until he became clerk, then a partner, and now he is a rich man, and anxious that his son Harry should learn to practice the rule which made him prosper."

"Why, pa, were you a poor boy once?" asked Harry.

"Yes, my son, so poor that I had to go into a family and black boots, wait on the table, and do other little menial services for a living. By doing these things well, I was soon put, as I have told you, to do things more important. Obedience to the proverb, with God's blessing, made me a rich man."

Harry never forgot the conversation. Whenever he felt like slighting a bit of work; he thought of it, and felt spurred to do his work properly. "Whatever is worth doing, is worth doing well," cheered him in his daily duties.

SUMMER IN JERUSALEM.—

During the months of March and April, it (Jerusalem) is a dense mass of flowers of incomparable freshness of colors. The animals are small but extremely gentle. Lively and graceful turtle doves, blue-birds so slight that they alight upon the blade of grass without bending it, crested larks that come almost to the feet of the traveler, little brook turtles with quick, soft eyes, storks of grave and modest air, putting off all timidity, allowing themselves to be approached very closely by men, and seem to call to him. In no place in the world do mountains spread out with more harmony, or inspire loftier ideas. Jesus seemed to have loved them especially. The most important acts of his divine career were performed upon the mountains. There he was best inspired, there he had secret conferences with ancient prophets, and showed himself to his disciples already transfigured.

ARREST OF A DELEGATE.—

Frank Arnim, a white delegate to the Convention from Edgefield, was arrested a few days since by the United States Marshal for fraud and embezzlement of government funds, and is now confined in the jail. The charges were preferred against Arnim while in the convention, but his position prevented his arrest at that time. He has since been nominated for the State Legislature by the Republican party, but neither his past nor prospective honors could save him from the clutches of the law. The case will be tried before the United States Court.

Charleston News.

Blessed is the bald-headed man, for his wife cannot pull his hair.

To ascertain how many boys are in the street—open a barrel of apples.

"Why do you not admire my lovely daughter?" said a proud mother to a gentleman.

"Because," he replied, "I am no judge of paintings."

"But surely," replied the lady, not in the least disconcerted by this rude reflection, "you never saw an angel that was not painted."