S.H.S. By R.L. Charles

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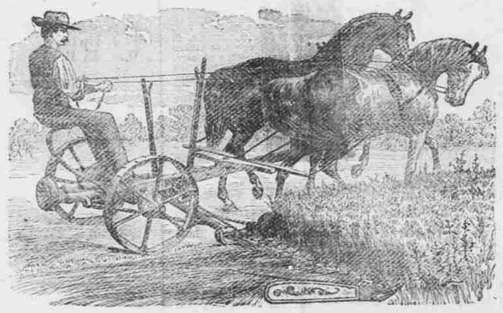

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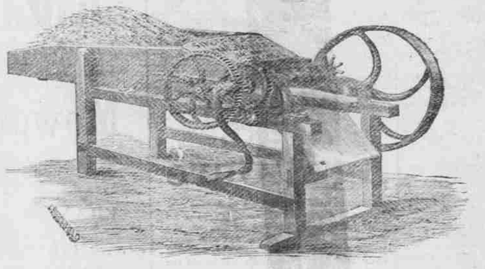

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THE LIFE AND CHARACTER OF CHIEF JUSTICE A. O. P. NICHOLSON.

Address Delivered by Robert M. McKay, Esq., Before the Tennessee Bar Association, July 2d.

HON. A. O. P. NICHOLSON.

To commemorate the virtues of an eminent man is ever a grateful duty. In discharging this duty in the present instance, I have the satisfaction of knowing that I cannot commit the too common fault of exaggeration. My fear is that I shall fall far short of the merits of my subject.

A. O. P. Nicholson was born in Williamson county, Tenn., Aug. 31, 1808. His parents were among the first immigrants to this State from North Carolina, his father dying when he was at the tender age of four years. He had no recollection of him, and was from his childhood imbued with a strong feeling of self-reliance and helpfulness. As a youth he was characterized by his studious, quiet, manly conduct, so marked, indeed, were these traits that it was thought for years that he would study for the Christian ministry.

Having made the journey from his mother's home near Spring Hill, Maury County, to Chapel Hill, N. C., on horseback, he passed through the course of that university without being absent from a recitation and with the first honor at every examination. After graduating, 1827, at the head of his class, he prepared to return to his home, and as no provision had been made by his friends for his return journey, he very quietly and cheerfully set out to walk homeward. The spirit of determination with which he met this first difficulty in his career as a young man attended him through his whole life, a large part of which was a struggle with poverty, and in all his indomitable will brought him off conqueror. Having gone to a saddler's shop to purchase a leather strap for his knapsack, an old farmer became interested in his plan to such an extent as to proffer a horse for the journey; and when the young man told him of his lack of money to buy the animal he urged that the horse be ridden and the price agreed upon be sent him when convenient. Judge Nicholson retained the fondest recollections of Alma Mater and would often recall the scene of his first struggles and triumphs, dwelling with fond pride upon his riding up to his mother's door after an absence of four years and her making known to her neighbors the return of the conquering young hero by the blowing of the well-known plantation horn until the hills echoed again.

Returned to Tennessee, he began the study of medicine under Dr. John B. Hayes, of Columbia, and attended a course of lectures in Philadelphia in 1828, with the intention of qualifying himself for practice. Fortunately for the legal profession, the casual opportunity of a debating club convinced him that he would be more successful in another sphere. In the meantime he had married Miss Caroline O'Reilly, daughter of the eminent physician of that name, and his wife and father-in-law cordially urged the change of profession which he was contemplating. Abandoning medicine therefore, he began the study of law, and found himself duly licensed to practice in 1833. Whilst studying law he, in conjunction with the late Chancellor Frierson, edited "The Western Mercury" at Columbia. In 1833 he was a candidate for the lower house in the State Legislature, and in the discussions which followed with his opponent, he gained an enviable reputation as a strong and adroit debater, and from that time on became better known and more distinguished as a politician and lawyer. He was thrice elected to the House, and once to the Senate. Whilst a member of the Legislature in 1836, in connection with Hon. R. L. Caruthers, he planned and executed the compilation of our statutes. He prepared and published his supplement to these statutes whilst President of the Bank of Tennessee. These were our professional hand books until the code went into operation in 1858, and are still useful in the careful study of our statutory laws.

Mr. Nicholson took an active part in organizing the State Government under the constitution of 1834, and in adopting and putting into operation the internal improvement, banking and common school system in 1837.

In 1835 he was appointed by President Jackson one of the Land Commissioners for Mississippi, but declined to serve

In 1840 he was a presidential elector, and canvassed the State in favor of Martin Van Buren—canvassed with Andrew Johnson.

In 1841 he canvassed the State in favor of James K Polk, for President.

In December, 1840, Mr. Polk, then Governor of Tennessee, appointed Mr. Nicholson to fill the vacancy in the United States Senate, occasioned by the death of Felix Grundy, and served two sessions, one of them, the memorable extra session of 1841. In the exciting debates of that period Nicholson bore a prominent part, and for years afterwards, was fond of dwelling upon the skillful tactics and masterly debates by which a united and able minority successfully sustained the charges of an overwhelming majority, led on by Henry Clay.

In 1845 he removed from Columbia to Nashville, and became editor of "The Union;" was also appointed a director in the Bank of Tennessee, and was elected President of the same.

In 1850, returned to Columbia, and was appointed a chancellor by Gov. Trousdale, but resigned at the end of a year.

In 1852, was a Presidential elector, and canvassed the State for Gen. Pierce, in company with Maj. G. A. Henry. In 1855, became editor of the "Washington Union," and upon the death of the proprietor was elected Public Printer. Judge Nicholson preferred the editorial chair of the "Washington Union," at that time, to a seat in President Pierce's Cabinet. Unlike many fluent and eloquent speakers, who seem to lose their power at the desk, he was equally ready with his pen as his tongue, and the graceful turns of his written periods were as remarkable as the power of his spoken language. Whilst the high order of his talents and their versatility enabled him to turn with facility from one thing to another, and equally excel in all, he continued at all times to hold fast to his profession and to return to it with enthusiastic love and zeal. His legal opinions and advice were nowhere more highly valued than in Washington City, and he was for four years the intimate friend and counsellor of Mr. Pierce, who wrote him in these words, at the expiration of his administration: "I shall always think of you as my trusted and faithful friend, and remember with sincere satisfaction the little I may have been able to do in furtherance of your fortunes."

In 1856 Mr. Nicholson advocated the claims of James Buchanan for President, and upon his election retired and returned to Columbia.

In 1857 he was elected United States Senator, and so continued until the State seceded in 1861. In the maturity of his powers, there can be no doubt that he would have become a leader in that body, but his wise and conservative career in those days of storm and passion was speedily brought to a close by the course of his State. Believing secession to be a most unwise and suicidal policy for the South, he declared himself to that effect and made one of the most logical and persuasive speeches of his life in the Senate Chamber in 1861, but when the issue came and he saw that war was inevitable, he joined his fate with that of his beloved State, believing in accordance with the true Democratic principles of his faith that the voice of the people should prevail. He was twice arrested and imprisoned by the military authorities as a sympathizer with the rebellion.

In 1870 he was elected a member of the Constitutional Convention, and took a conspicuous position in its duties and debates, holding the broad ground that every man was entitled to the ballot. For his liberal views on this subject he has a higher claim upon the colored man than any other man in the State.

In 1870 he was also elected one of the judges of the Supreme Court, and immediately, by his brother judges, made chief justice, which office he filled without the loss of a day from sickness or other cause, except when disabled in 1873 by a broken leg, until the date of his untimely death, March 25, 1876.

Gentleness of nature, kindness and charity of disposition, modesty and dignity of deportment, fidelity to duty, justice—goodness, in a word, characterized A. O. P. Nicholson in all the relations of life and made him approximate as nearly to perfection as mortal man can in this mortal life.

In the heat of debate, on the hustings, he was never known to lose that beautiful self-control which so marked his life. It is said that no one ever heard him use a discourteous or unkind word even to an adversary.

This self-control naturally led to great personal purity of character, yet he was never stern or ascetic, but at all times accessible and genial.

His ability commanded the respect, his virtues secured the esteem and his true kindness of heart won the devoted love of all who were associated with him.

It is, however, in his character as a lawyer and judge that we have now more particularly to consider him. His success was prompt and rapid, for the character of his mind was such as qualified him to become a great advocate. Added to this, his high sense of duty and indefatigable industry combined to push him to the front rank both at the bar and on the bench. The leading characteristics of his mind were the power of concentration and a truly marvelous capacity for mental labor. This power of concentration enabled him to reach conclusions at the bar, on the bench, in political or private life, without visible effort, and he gave explanations in such simple words that the humblest listener had no difficulty in following him. He had, indeed, few equals in the command of pure English.

An eminent critic said of him: "He possessed 'a dense and nimble brain'—clear as crystal and compact as ivory. He had clearness and rapidity of perception, exhaustive analytical acumen, concentration and grasp of intellect, and extraordinary reasoning powers. With these were combined an easy flow of language, clear as crystal, and issuing in a uniform current, without a ripple or a fault. He had a pleasant voice; often winning in its sweetness, and modulated to a tone above which it was never much raised. He seemed, before he commenced an argument, to have gone over, piece by piece, every item of fact in law, ascertained its proper place, and fixed it exactly there, and there it remained until brought out in regular sequence. If his great speeches, often necessarily the result of the pressure of the moment, had been written out in advance and carefully committed to memory, they could not possibly have been more systematically arranged or more evenly delivered."

He could take up a long and complicated chancery record, confusedly put together, and by a single perusal grasp all the details and rearrange them into a clear and accurate narrative, followed by an enunciation of the principles of law involved and a discussion of the reasons which underlay them, couched in the purest language. In less than a week's time after the fracture of his thigh, when prostrate upon his bed, he would have his daughter read him paper after paper of such records, whilst he lay with closed eyes and clasped hands intently listening, frequently racked with pain, then he would dictate more rapidly than she could write his enunciations and discussions. He was often heard to say that such records were more fascinating to him than the best written novel, and that his work upon the Supreme Bench had been the most congenial occupation of his life. It was a matter of regret to him that he had not eschewed politics and devoted himself exclusively to the law. Had he done so the nation could not, perhaps, have boasted a superior.

His capacity for mental labor is fully proved by the work done by him during the last six years of his life. Coming to the bench when the labors of the Supreme Court were simply appalling, in addition to the continuous and exhausting labor which fell upon him in the regular routine of duty, he received and dispensed cases submitted on briefs which, in the crowded state of the docket, could not be reached during the term. He could not refuse to do what he could do with such ease and rapidity, and thus he over taxed nature and fell a martyr to his fidelity to a public trust. He had not quite run the allotted "three score years and ten"—the brief span of man's life—but, as one of his associates said, "if his life be measured by his work, he lived thrice the period allotted to mortality, and died full of years and of honors."

Sustained by the consciousness of duty well done, of the good-will of his fellow-men, with his last utterances he breathed out in eloquent language his unfaltering trust in the truths of the Bible, of which he had been a close student from his youth, and calmly and gently his pure spirit went to hear the sentence of the Great Judge on heaven's bench. Most not that sentence have been: "Well done, thou good and faithful servant; enter thou into the joy of thy Lord?"

Life and Health to Me.

Some seven or eight years ago my right thigh was covered by a skin eruption, causing intense itching. In a short time it extended down the entire leg, which became inflamed and finally broke out in small sores between the knee and ankle. Swelling of the limb ensued, and I could not walk or put my foot to the ground. The pain ran me almost distracted. I tested the medical profession thoroughly, having tried all the systems. Some of them brought me temporary relief. I paid out hundreds of dollars but found no permanent benefit. The whole poison seemed to concentrate in an ulcer near my ankle, some three inches in length, and the remedies used, being largely mineral, did not seem to reach the source of the disease at all. For three years I was unable to do anything. The ulcer had already eaten down to the bone. Two of the physicians recommended amputation of the limb as the only means of preserving life. I was almost in despair when a friend suggested to me to try Swift's Specific. I hesitated, but finally secured six bottles. The effect of the first bottle was to stop the eating process, and the six bottles made a permanent cure of a disease that had baffled the best medical skill in the country. My case is well-known in Gainesville—the desperate character of the disease as well as the wonderful cure effected. There are no signs of a return of the disease. I am in better health to-day than I was before I was taken with the disease. I weigh forty pounds more than I ever weighed before in my life. Swift's Specific has proved life and health both to me, and I never can be grateful enough for the benefits which I received from its use.

M. D. WILSON.

Gainesville, Ga., Feb. 28, 1885.

Treatise on Blood and Skin Diseases mailed free.

THE SWIFT SPECIFIC CO., Drawer 3, Atlanta, Ga.

Our Trip to Cacey Springs.

How pleasantly refreshing, these long, hot summer days, to lay aside the work of the day, to divest the mind of all anxieties and cares, and, with buoyant spirits and happy hearts, repair to one of the many exhilarating summer resorts in this pleasant Tennesseean home.

A little party, and gay as well could be, left our village early Thursday morning, the 18th of June, bright, cheery and happy, with keen anticipations of a joyous day at Cacey Springs.

The morning was very threatening, but, with our hopes running high, the threats did not disturb us; and glad enough were we when, ere the king of day had reached his meridian, all clouds were chased away, and he poured forth his unobstructed rays upon a happy party—yes, and thousands of unhappy people. And let me remark: How much of the sorrow of earth is borrowed! In all classes, ages and grades, it is ever the same. We, on this morning, easily might have fretted, worried, and sighed for a brighter day. What good would have been accomplished? You may follow out for yourself this train of thought, and we ask you to remember it contains one of life's most beautiful lessons—a lesson but few of us learn.

Short was the preparation for the trip; short and pleasant the drive; long, pleasant, peaceful and agreeable to all was our stay. Long? Yes, the live-long day; but oh how short!

We arrived there that morning without accident, hurt or hindrance, having the very estimable ladies, Mrs. Lockridge and Mrs. Hill to chaperon us. The sports of the day were most as varied as the objects around us. We were like boys and girls seeking pleasure in Nature's own forest home.

"There is a pleasure in the pathless woods,
There is a rapture on the lonely shore,
There is a calm where none intrudes
By the deep sea, and music in its roar."

Thus advances the day, bringing its sweet, anticipated gifts to all, and with the rest but not the greatest comes the announcement of dinner. It is needless for any remarks to be made about the rich abundance of various good things before us, for the ladies here are famous now for their powers and skill of preparation, even on short notice, for all such occasions and shall say that these things all were greatly enjoyed the enjoyment and appreciation are not expressed half so well as they were shown as we stood around the top spread feast.

The day begins to decline but our pleasure takes impetus. The swing became as popular as with little school girls. Tenpins were knocked from their standing places to be re-erected before the oncoming ball that hurls them again without mercy. They fall to rise again, like man in some of his employments. But how often it is otherwise. In his fondest hopes, noblest efforts, highest ambitions, how often we see him come short of his ardent aspirations and fall "like Lucifer, never to rise again." But we believe "truth crushed to earth will rise again," however the bruises by the fall may be so great that their disfiguring hand will be apparent through time yet we know there will be a resurrection morn when all traces shall be cleared away. So goes the world to-day—some succeed, but there are failures all around us. So went that day, but there was not a single failure, as every player brought down the pins, as in joy we passed the hours away.

Play, play, play
With your smiling girl at your side;
Play, play, play
Merrily tid evening tide.
Be happy, work fair, still play,
So runs the world away.

Some work, some idle, some play;
We, like the first and the last,
Let us enjoy twas two each day
And make the mixing our task.
Be happy, work fair, still play,
And let the world run as it may.

"What a fine time we've had!" "How pleasant this day has been!" "Did you ever have a nicer time?" These, with many similar expressions, showed the feelings of our company as all were leaving the quiet scenes for home. All were pleased. And when this is said a great deal is expressed. For we suppose there are few such parties of pleasure seekers in which there is not a moan or a jar (or a jug) or something which gives sorrow to some.

So passed a day long to be remembered—stored away among the pleasant memories.

Culleoka.

On the last Friday night in June as the nocturnal curtains were drawn around our quiet village, a crowd of Cully's fair maidens, and youths with gallantry suited for the occasion, wended their way up Fountain Creek, to the pastoral residence of Mr. C. H. Williamson, to enjoy the hospitality of that most estimable family in the form of a moonlight picnic. Although the day previous and the night threatened rain, it is a day long to be remembered by those who were present. The time passed very pleasantly in conversation, and games under the supervision of the young ladies of the house, Misses Alice and Florence Williamson. Among the guests we noticed the Misses Clary, two accomplished young ladies of Bedford county Tenn., also Miss Mary Williamson, and Miss Ida Belle McCord, two of Columbia's charming beauties. These young ladies we are afraid left impressions, that even the eating tooth of time will not destroy. About nine o'clock refreshments were served, which was highly enjoyed by every one present, and after prolonging the entertainment for some time, all returned well pleased to their respective homes.

And again on Saturday following we had the pleasure of meeting the young folks of this place in a most enjoyable picnic. It has ever been our fortune to attend, which memorable event took place at the Institute. It is needless to say that it was an entire success, for how could it be otherwise, when under the management of such ladies, as Miss Ida Howlett, Miss Jennie Evans, and Mrs. Joe Tomlinson? it is a day the young people will not forget, it was indeed a day, in which we could, for a time forget the burdens of life, and for a time thoroughly enjoy ourselves. We have not space to mention all who were present, but among the guests, were two of Columbia's starly sons, Willie McCord and George Williamson, and also one of her fairest gems Miss Ida Bell McCord. About twelve o'clock we had ice cream and cake of just the nicest kind. The evening was passed like the morning in games &c. Late in the evening all went home, only regretting the day was not longer.

DUO RUSTICI.

The Revised Old Testament.

The Prophets.

None of the documents included in the Old Testament canon required such wary and anxious examination at the hands of the revisers as the prophetical writings. The cosmogony, history, and poetry of the chosen people are of course clothed with interest even for Christians, as well as for the modern Jews. But with regard to such parts of the Scriptures it cannot be said that errors in the choice of text or in the elucidation of a language long disused would materially affect the evidences of the supernatural sanction of the Christian faith, whereas trenchant exclusions or radical alterations in the books of prophecy might shake one of the main pillars of Christianity. Much uneasiness on this score is, nevertheless, not warranted by a comparison of the revised and authorized versions of the Old Testament. The English committee of revision has been peculiarly conservative and circumspect in its treatment of those crucial passages on which the argument from prophecy rests. Its members have refused to ratify some far-reaching changes in Isaiah, Jeremiah, Ezekiel, and Daniel which their more unflinching American colleagues pronounced essential to the faithful reproduction of the Hebrew of the Masoretic text, and it may be surmised that a learned Israelite, indifferent to the effect of scientific criticism upon Christian doctrine could point out other changes, more radical and dangerous, which would also in the judgement of impartial Hebrew scholars be imperatively needed. From the moment, indeed, that the theologians of Protestant England commit themselves to the unqualified acceptance of the Hebrew text transmitted by the Masorites as the supreme exclusive criterion of authenticity, they leave the argument from prophecy, one of the firmest surviving columns of the Christian edifice, at the mercy of scholars, Israelite or infidel, who may be able to impeach the thoroughness and accuracy of their translation of this particular original. We repeat that no great mischief seems to have as yet resulted from the rigid principle laid down with regard to textual authority, as that principle has been cautiously and sparingly applied in the book before us; but we have no security against a sweeping and unscrupulous enforcement of the same principle when the new revision shall, in its turn, come to be revised. Then it may be that Christian scholars and divines will see grave cause to deplore the assumption of a position by the English revisers which debars them—as Catholics would not permit themselves to be debarred—from calling on Semitic of their controverted faith such weighty and independent witnesses as Greek and Latin versions made centuries before the Hebrew commended by the Masorites can be proved to have been put in writing.

ROYALTY IN ITALY.

The Right of Petition and the Extent to which it is Carried.

When royalty in Italy visits any part of the kingdom it must be an awful bore to receive so many petitions, or supplicas, as they call them, from people who thrust them into the hands of the attendants near the King or the Queen. It is stated that no less than 9,000 of such written petitions were handed in during the two weeks' visit of the King to Naples. It required the constant labor of two or more of his suite to read and decide upon such requests as it would be proper to lay before His Majesty. Many of them came from persons who formerly have once been in better condition, and who are not of the usual begging kind, but who are too proud or too lazy to work. Others are from half lunatics, some from Italian Micawbers and some few are from really deserving persons. Short work is made of many of these written requests, as the examiners are generally pretty well skilled in seeing through the motives of the sender. But doubtless sometimes a really meritorious case is not rightly judged.

However that may be, one petition last week proved by an accident to be exceedingly successful, and as it forms a beautiful story of an event which, as a general rule, we only read of in books, but which really took place in our streets, I give it for your readers. On Thursday, the 2d, as the Queen was returning to the royal palace from her afternoon drive on the Via Carracciola, a poor man approached the royal carriage to hand to the Queen a supplica. He took rather a novel mode of doing this, for he placed his petition in the hands of his clean little child, a pretty, blonde little girl of two years. He ran up to the carriage, which was whirling swiftly along, having his child in his arms, and while in the act of holding his little one up to the Queen, so that the petition might be taken from the tiny hand, he, by pure accident, as it turned out, let the little Irma (for so was her name) spring into the carriage. The Queen was startled; the maternal instinct arose in her breast. She took up the little one, kissed it and placed it on the lap of the noble lady, her attendant, and when the child began to cry, "Papa! I want my papa!" the beautiful Margherita did all she could to console the little Irma. In the mean time the rapid pace of the horses, leaving the father behind, brought the royal carriage to the palace, where the child was cared for. The father, conducted by the police, was taken to the chief's office and was there thoroughly examined. It was found that he had served his country as a soldier for twelve years, that he had been really unfortunate and, with his large family, had almost been driven to despair. He had more than once sought a place as policeman. He had on the previous week handed in a petition to the King, but had heard nothing more from it. He supplemented this with a telegraphic dispatch, which cost his family the price of a dinner, but which was no more successful than the written petition, for all such things must go through the mill of the two attendants of the King, whose special business it is to attend to petitions. At length the idea presented itself to him of having his supplica given to the Queen by the hand of his little Irma. But the happy accident of the child's fall amidst the soft roses of the royal carriage did more than anything else to call attention to a deserving man, and his cause has been warmly taken up by the Queen.—Naples Letter.

The Political Future.

From various esteemed contemporaries of various means of information we cull the cheerful and mournful intelligence that Brother Blaine will be a candidate again, and that he will not be a candidate again. It also appears with the same transparent certainty that millions of Republicans are longing for a other trial of Brother Blaine's chances, even as the heart longs to see its dancer broke, and that millions of Republicans think that once is enough, and want no more of him.

There is no doubt but that Mr. John A. Logan is thoroughly disgusted with the old ticket. He wants a new ticket, with the portrait of a certain gloomy-visaged, bellicose, and moustachioed warrior at the top of it. But we fear that Brother Logan's present greatness will not keep till 1888. The other part of the old ticket is more uncertain, more intellectually resourceful, more capable of subtle wabbling, pretended hesitations and reserves, more expert in seesawing on the fine edge of probabilities. Brother Logan's mind, from its admirable earnestness and compactness, is easily made up, and once made up it is made up forever. Brother Blaine requires more time, and his decisions are always subject to appeal and reversal. Moreover his No has a fine feminine quality, and may easily be interpreted as Yes by his admirers. In other words, to borrow a technical phrase, his announced determinations are often safely coppered by persons who have studied his manner and its caprices.

Brother Blaine, it will be remembered, used to wave away with benign refusal his enthusiastic partisans begging him to be the Republican candidate; and so the ardor of his friends was increased, and they forced a Yes out of his timid lips at last. Perhaps they may do so again. Meanwhile, he will be, as he has been, a literary man with a sympathetic interest in politics and politicians. If Mr. Cleveland's Administration turns out to be a great success, Brother Blaine would undoubtedly fling away ambition, and give his warmest efforts to some other man. Mr. Stybeds from Augusta doesn't care to be put up to be beaten again; but he is always kind, and would take a keen interest in coaching some promising youngster like Our Own Evarts.

If things should look bright for the Republicans, and he should really make up his mind that it might be worth while to try again, he might be able to have some good sport, and scare out their propriety those Republicans who are convinced that he is dead. He dies hard.—N. Y. Sun.

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