

# NORTH ALABAMIAN AND TIMES.

"North Alabamian," Volume XLI, No. 13.

"TRUTH CRUSHED TO EARTH WILL RISE AGAIN."

"The Tusculumbia Times," Volume VII, No. 18.

TERMS: \$2 00 PER ANNUM.

TUSCUMBIA, ALABAMA, FEBRUARY 12, 1874.

UNVARIABLY IN ADVANCE.

## Alabamian and Times.

JOSEPH SHACKLEFORD,

Proprietor and Publisher.

2 00 Per Annum, if paid in advance; \$2 50 if not paid within three months.

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TUSCUMBIA, ALABAMA  
THURSDAY, FEB. 12, 1874.

READ THIS.

The undersigned having engaged in other business which occupies most of his time, desires to dispose of ONE-HALF interest in the North Alabama & Times Printing office, to some energetic, live man, who will attend either to the editorial or business department. This is a good chance for a newspaper man. The paper is now in its 41st year. It is in a prosperous condition. If desired, I will sell my entire interest, but prefer to sell only one-half, to the right kind of a man. For terms and other information, address me at Tusculumbia, Ala.

JOS. SHACKELFORD.

Meeting of the State Executive Committee.

The members of the State Executive Committee of the Democratic and Conservative Party of Alabama, are requested to meet in the city of Montgomery, on Thursday, the 26th day of February, 1874, for the transaction of highly important business.

ROBERT TYLER,

Chairman,  
THOS. H. WATTS,  
P. T. SAYRE,  
H. C. SEMPLLE,  
D. B. BETHEA,  
Central Committee.

The members of the State Executive Committee of the Democratic and Conservative Party are called upon to meet at Montgomery on the 26th of February. We trust that every member of this committee will be present. We trust also that the Executive Committee for the 6th Congressional District will call a meeting at an early day to decide upon the manner of choosing delegates to our Congressional convention, whether in the old way by county conventions or by primary elections.

Hon. Joseph H. Sloss, of Alabama.

Several weeks since there appeared in the New York Sun's Washington correspondence a scurrilous attack upon this gentleman in which it was directly insinuated that Col. Sloss was one of the "hangers on of Tom Scott." Several of the Alabama Democratic papers have copied this vile attack upon this most estimable gentleman and staunch Democrat, yet not one of them has had the pluck or the generosity to refute the base Sun slander. The Montgomery Advertiser, presided over by the son of an ex-President, although flying at its mast-head "Official organ of the Democratic party" of Alabama, is quite content to let Mr. Sloss, a faithful representative, who is universally regarded here as "true as steel" to this party, be vilified, for the simple reason that its editor is supposed to be smarting under a defeat for a nomination for "Congress at large" which some of Col. Sloss's friends are supposed to have inflicted upon the editor in the last Democratic State Convention.

This much is true here of Col. Sloss, however. For personal integrity, party fealty, and untiring energy in the interests of his constituency, he is the peer of any Democrat upon the floor of the House. The attacks upon him, emanating from Washington, are spiteful and unfounded, and cannot be stigmatized too deeply or too harshly.

The above foolish paragraph appears in the Washington correspondence of the Atlanta Herald. The "prominent Democratic politician from Alabama" is either a myth, or a block-head. In the first place, the Advertiser has no such inscription at its mast-head as "Official organ of the Democratic party" of Alabama. In the second place, whether the Senior Editor of this journal is or is not the "son of an ex-President," has nothing to do with the subject.

The "third place" he occupies is in the "ludicrous" position of a person who would make us a good governor. The Democratic party could not present a better or purer candidate to the people. He has no political sins to answer for, and stood by the State in her hour.

speedily convince Mr. Sloss of the difference between our friendly indifference, and our justly aroused contempt and indignation.—Montgomery Advertiser.

The above extract, taken from the Atlanta "Herald," with the comments of Col. Tyler, of the Montgomery "Advertiser and Mail," we transfer to our columns, in justice to Maj. Sloss and Col. Tyler. The correspondent of the Herald is in error when he says that not one of the Democratic newspapers of Alabama refuted the slander, first published in the New York Sun. The Alabama and Times did denounce it, and asserted that Maj. Sloss was a true Democrat. It defied him, and called for the proof of the charge that he was disloyal to his party. It defended him, not because it approved of all the votes which he had cast in Congress, but because it desired to see justice done him. We do not like to see a public man denounced and vilified without cause by those whose only motive is to secure his place.

Maj. Sloss does not suit us in every particular, as a member of Congress, but he suits us a great deal better than some aspirants that we know of, whose political course is not half so consistent.

The writer in the "Herald" does Maj. Sloss and Col. Tyler both great injustice, in his assertion that the latter "is supposed to be smarting under a defeat for a nomination for Congress at large, which some of Col. Sloss's friends are supposed to have inflicted upon the editor in the last Democratic Convention." If we remembered correctly, the enemies of Sloss, from the 6th District, in the convention were the men that voted against Tyler, and for Baker. We do not suppose, however, that they were influenced by any enmity to Tyler to do this. It was their right to vote for whom they pleased. We are confident that Maj. Sloss had no hand in the matter.

In conclusion, we will say that so far as Maj. Sloss's Democracy is concerned, we believe him to be all right. He stands as well, so far as we can learn, as Sunset Cox or any other Democrat. As our representative, he is diligent and watchful of our interests, as will be seen from the number of bills which he has introduced especially for the benefit of North Alabama. As a public servant, let him be judged by his acts and his votes, and not by rumors and reports which have their only foundation in the brains of some newspaper correspondent.

We are for giving every man a fair trial before we condemn him. The Devil himself is entitled to this.

We think that if the Democratic Press of the State would sustain their public men better than they do, we would be more successful in our elections.

COL. ROBERT TYLER.

We learn, with regret, from the Montgomery Advertiser and Mail, of the 7th inst., that Col. Robert Tyler, who has been connected with that paper for a number of years as its editor-in-chief, has retired from the Editorial chair. We give below, his card, announcing his withdrawal. The Advertiser and Mail has been the leader of the Conservative press of Alabama, and deservedly so. It has ever been a bold and defiant defender of the right, and a denouncer of the acts and schemes of the bad men who have fattened and grown rich off of the misfortunes of the people. Col. Tyler has been the moving spirit of the paper, and his editorials have gained for it no mean reputation. We part with him, as an editor, with regret; we did hope to have the aid of his able pen in the important canvass we will soon enter upon. We trust, however, that we shall not lose him from the State. Such a man should be placed in a position where the people can have the benefit of his counsels; he would make us a good governor. The Democratic party could not present a better or purer candidate to the people. He has no political sins to answer for, and stood by the State in her hour.

ADVERS OF THE ADVERTISER.

ness of a personal and our most important, to sever my

editorial connection with the Advertiser. It is unnecessary to state here what those circumstances are. I need only say that, after a little more than six years of wearying and successful labors, owing to the confidence and kindness of the Conservative people of Alabama, I am constrained to separate from them in a relation in which I have sought with all my humble ability, and faithful aspirations for their interests, always to defend the credit and honor of the State, and the principles of Free Constitutional Government. My sole reward exists in the hope that my services have not been without some benefit to the Political Party with which I am so sincerely identified, and to the assertion of ideas and principles without which it has been and is my conviction, that true Freedom can not survive among us; nor prosperity again visit our once peaceful and opulent State. My separation from the Advertiser will not, of course, affect in the slightest degree my hearty and intimate connection with the Conservative and Democratic party. I shall continue to discharge the duties of the Chairman of the State Executive Committee conferred on me by the unanimous vote of the last State Convention, until I shall be able to return the appointment into the hands of our next Convention. In the meantime, with my earnest thanks to my friends and fellow-citizens throughout the State for the generous support they have always given me in my career as a journalist, I bid all a respectful and affectionate farewell.

ROBERT TYLER.

"The Editor of the 'North Alabama and Times' wishes to know if we expect to be an independent candidate for Congress, and, as we recognize his right to propound the question, we will answer plainly. We expect to submit to any plan that is adopted by the Democratic and Conservative party. We wish, however, to have a fair fight, and therefore favor the Primary Election plan. Enter your pony, clear the track, and let a fair canvass be made before the people, and then let them decide the nomination. Do this, and Senator Spencer will not again telegraph to his party friends to 'vote for the Democratic nominee, he is good enough for us.'" Will the "Times" speak out on this matter, and wield its deservedly high influence in behalf of the people, as we have done? We know the people will be glad to see the Democratic party, but we fear no responsibility upon this or any other question when the people are the judges. What the people need, what they will have, is bold, honest, enthusiastic leaders; men who will not stoop to expedient expedients to obtain office for their patronage and plunder. It is a notorious fact that every cardinal principle of our American system of Government has been violated by the Radical party, and the people call for men who dare reassert the personal freedom of man against corporate power, and the political rights of man against organized despotism. This Radical party, by means of its Banks and Bonds, and through the instrumentality of an unwholy and cruel war, has subsidized to base purposes, the moral, social and political institutions of the country, that cannot be cured by any cowardly or timeserving expediency dodge. In the name of the people we expect to proclaim undying hostility to this party, that with its stealings, has bought pulpits to corrupt the people—the press to delude them, and political power that it might enact proscriptive and tyrannical laws to oppress and deny justice to the "Alabama and Times" broke on its armor to wage never ending war against this party, that has planted its iron heel of tyranny on the necks of our enslaved country? If so, we strike hands with you, across the river Jordan, and will still be found true to every principle that makes freedom dear to every Democratic heart.—COR. L. R. DAVIS, in the "Limestone News," of the 6th inst.

We are gratified to learn that Col. Davis is willing to submit his claims to the great body of the Democratic-Conservative party of the Sixth District, and abide their decision, as to whether he shall be their standard bearer in the coming Congressional canvass. He talks like a true Democrat, in the above article.

Our reason for propounding the question, whether he was going to run as an independent candidate for Congress, was this: The Editor of the Decatur News stated that Col. Davis was a candidate, and that he would run the race through. We supposed from the expression used that he did not intend to submit his name to a convention. We are glad that Col. Davis has defined his position. If he is the choice of the Democratic party we shall do our best to secure his election. As to the manner of nominating candidates, we are not very particular. The Primary Election plan is a very good one,

and we believe has worked well in Kentucky. We have no particular objection to it, yet we think the old convention plan will do very well, provided the people will take a part in them, and not leave the appointment of delegates to an interested few.

We have no "pony" to bring out just now: we have our preference, as a matter of course, and at the proper time we shall name our man; but we prefer that the Executive Committee of the Sixth Congressional District shall determine the mode of nominating our candidates for district offices. When that is determined satisfactorily, we shall then present the claims of our man. As to the question of the "News," whether the "Alabama and Times" has buckled on its armor to wage an unending war with Radicalism—we answer that we have no terms to make with Radicalism and the party that has well nigh ruined Alabama. Its principles we abhor, and detest; we are for fighting it boldly and defiantly.

The Democratic party is able to regain the control of the State, if it stands united upon principles. Let principles—not men be our motto—at the same time let us select our best men as the exponents of our principles. With good and pure men, standing upon the principles that we have, we must succeed before the people.

Our great danger is in the inordinate thirst for office among our own men. The old Jeffersonian maxim, that the office should seek the man—and not the man the office—has been lost sight of. Every Democrat in the State of Alabama should forget self in the coming contest, and think only of the best interests of his State—he willing to work anywhere, so that the State may be redeemed from the curse of Radical rule.

The Lessees of the Memphis & Charleston Railroad made an effort a short time since, to prevent travelling on the freight trains. This produced a great deal of dissatisfaction upon the part of our people, living in this valley, who were put to a great deal of inconvenience and trouble, as there is but one passenger train. We are glad to announce that the restrictions have been removed, and now the freight trains are permitted to carry passengers. It will be best, however, to procure tickets.

As this road was originally built in part for the convenience and accommodation of the people living on its line, we trust that the present managers will not entirely forget this. It may also be well for them to remember that high freight tariffs and unnecessary restrictions as to travel, may force the people to seek another channel for the transportation of their productions and their goods. The Tennessee still runs by us, as it did twenty years ago, and steamboats still ply upon its bosom.

There was quite a large meeting of the citizens of Mobile last week, held for the purpose of protesting against the course pursued by Mayor Moulton and his party, who still hold on to the city offices, although Mr. Read and the Conservatives elected with him have the certificates of election. Resolutions were passed which declared that all proper efforts should be used to resist the usurpations of Moulton and his party. They resolved that they would pay no taxes to the collector who claims that he was elected on the Moulton ticket.

THE SCHOOL FUND AND FUNDING BILL.

The Montgomery "Advertiser and Mail" of the 7th says: "A suit was instituted in the circuit court of Montgomery county by Superintendent Speed to compel the auditor to issue his warrant in compliance with the act of April 19th, 1873 (entitled 'an act to keep in the several counties of the State a proportionate share of the public school money') for the 90 per cent. of the 'one-fifth part of the aggregate annual revenue of the State' authorized by the said act to be retained by the various counties of the State for school purposes. The auditor contended that the act of April 19, 1873 was in conflict with the 14th section of the 'Funding act,' approved Dec. 19th, 1873, and therefore repealed by the last section of the latter act which repeals 'all laws and parts of laws in conflict with' the Funding act. The said 14th section requires the tax collectors

of the State to pay over to the State Treasury 'the identical money received by them from the tax payers' and makes it 'unlawful for any tax collector or other receiver of any part of the State revenue to use or apply any portion of the money paid him in the course of his official duties, to any other use or purpose than payment into the Treasury.' This, the auditor contended, recalled the authority given by the act of April 1873 'to keep in the several counties of the State a proportionate share of the public school money' and on this construction of the law he refused to allow the said counties to retain the 90 per cent. of the one-fifth part of aggregate annual revenue collected in the several counties. The application of Superintendent Speed for mandamus was ably argued in the Circuit Court on yesterday and today before the argument involving, as we understand, the constitutionality of the so-called Funding Act of Dec. 19, 1873.

After the conclusion of the argument, Judge Smith decided that the Funding Act was in conflict with the first clause of the 10th section of the 1st article of the Constitution of the United States, which forbids any State to issue bills of credit. The case will go to the Supreme Court.

On February 2, 1874, in the House of Representatives, Hon. Jos. H. Sloss introduced the following bill:

A Bill—Granting the right of way to the Jackson, Tennessee River and Birmingham Railroad Company through the public domain, and for other purposes.

Whereas Northwestern Alabama contains a large amount of wild and unsalable lands, which have remained on the hands of the Government for many years; and

Whereas these lands are remotely situated from navigable rivers and railroads, among rugged mountains, and difficult of access, and but poorly adapted to agricultural pursuits; and

Whereas the inhabitants of this region of country have no means for the transportation of the fruits of their labor to and from the usual market except by the common wagon, over rough roads, at a great expense of personal exposure, time and labor; and

Whereas, for the causes above enumerated, this region must ever remain sparsely settled and undeveloped until brought under the influence of the adequate means yet found for the development and utilization of such counties, the railroad; and

Whereas this region covers an area equivalent to one hundred miles square, or ten thousand square miles, which must be traversed by the Jackson, Tennessee River and Birmingham Railroad diagonally, from the southeast to the northwest, for a distance of one hundred and thirty miles, in the State of Alabama, which presents no means whatever of adequate local contributions to the cost of constructing said road; and

Whereas the said railroad is deemed of national importance by the great communities of the Northwestern and Southeastern States of the Union, connecting as it does, the great railway system of the South, centering at Birmingham, Alabama, from all the ports of the South Atlantic Ocean, and the Gulf of Mexico, with the navigable waters and railway-system of the great Northwest, thus bringing these two great communities of the nation into direct cheap and easy communication, by which they can exchange the commodities of their respective counties with great reciprocal advantages; and

Whereas the said Railroad will, by developing the natural resources of the country through which it runs, greatly enhance the national and State revenues, while it subserves the wants of the people as a desideratum to their progress, prosperity, and happiness; and

Whereas, for the reasons above enumerated, the said railroad cannot be constructed without some special basis for its financing, by which large amounts of cash capital can be attracted from other communities to aid in its creation, and which must remain unproductive for a number of years, as is usual in such cases; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the right of way through the public domain, for a width of one hundred feet on each side of the track of the Jackson Tennessee River and Birmingham Railroad, shall be, and is hereby given to the company organized for the construction of that railroad under the laws of the State of Alabama, Mississippi, and Tennessee.

Sec. 2. That the even sections of the lands of the public domain, for a width of fifteen miles on each side of the track of said railroad, be, and they are hereby declared to be sold to the said company to aid in the construction of its railroad, on the following terms, to wit: first, the title to the lands, or to any part of the lands herein sold, shall not pass to the said company until the company shall have paid into the Treasury of the United States the sum of one dollar and twenty-five cents per acre for said lands; secondly, the lands herein sold to the said company shall be conveyed to the extent of the acre covered by a will of fifteen miles on each side of the track of said railroad throughout the whole length of said road in the State of Alabama, on the payment of this said purchase-money required by this act; thirdly, the company shall designate the general route of said railroad on a map, to be filed with the Department of the Interior, within twelve months from the date of the passage of this act, the southern terminus of said route to be Birmingham, in the county of Jefferson, State of Alabama, and to run for the Tennessee River at Chickasaw, in the county of Colbert, in the State of Alabama; fourthly, the above-named railroad must be completed and equipped for public traffic within five years from the date of the passage of this act; fifthly, on the default of said company, in any one or more of the conditions contained in this section, this act shall become null and void, save only that no taint shall follow from such default in the titles of any lands which shall have been previously conveyed to or by the company in accordance with the provisions of this act.

Sec. 3. That the United States mail shall be transported over said railroad under such regulations of the Post-Office Department and at such rates as Congress may deem just and equitable; and until such rates and regulations are fixed by Congress, the mails shall be carried under such arrangements as may be made between the Postmaster-General and the said railroad company.

Alabama Senatorial Contest.

The first hearing of the contest between Dr. Sykes, the Senator elect from Alabama; and the carpet bag fellow named Spencer, who has been sworn in on a pre-ter-lit prima facie case, came up to-day before the Committee on Privileges and Elections. Mr. Morgan, the counsel for Dr. Sykes, read a paper showing the names of his witnesses, and what he expected to prove by them. The reading of this paper stirred up Spencer considerably, who said that he was prepared to prove that he was elected by the people, and that he would take the body sitting at the State Capitol enough members from the court house body to break up the latter assembly; but he declined to do so. To this Mr. Morgan replied that this was outside of the issue before the committee, but if Spencer desired to introduce such proof, he would agree, and on his part would prove that Spencer had made omissions of that kind to Democrats in Montgomery, which had been rejected. General Morgan also said that he could prove that Spencer, by the corrupt use of money, had kept the two wings of the Legislature apart that ought to have been together, and had by the same means procured votes from the members of the Court-house Legislature.

At this stage Mr. Chandler, the attorney for Mr. Spencer, discovered that these matters were irrelevant.—Washington Correspondent Courier-Journal.

Hon. R. W. Walker for Governor.

A correspondent of the Birmingham Independent wants Hon. R. W. Walker to be the next Governor of Alabama. He says: If North Alabama will insist upon having the next Democratic Governor it is hoped that one of the best and ablest Statesmen will be brought before the next State Convention. The people have not been altogether pleased heretofore with some of the men and candidates put forward from that section; and since the coming man must necessarily live in North Alabama, let our friends give us such a man as the Hon. Richard W. Walker. South, East, West and Central Alabama would delight to vote for such a man. In point of ability, he has but few equals in this State, and it is thought by many all over the State that he will carry into the administration of the State government more ability, dignity and character than any other man from North Alabama.

The noble and patriotic Merendon was slaughtered because he was so unfortunate as to live in South Alabama, and it is earnestly hoped that our party will not be again butchered by having put on us a weak, half-way Democrat from North Alabama. Give us Walker, and we will join in the contest with zeal and determination.

James A. Haley, of Tusculumbia, Ala., has located in Athens, and we learn will soon open a butcher shop, on the South Side in the rear of the Livery stable.—Limestone News.

Judge J. Q. Smith declares the funding law unconstitutional.

Hon. S. J. Cumming, of Wilcox, is announced as a candidate for Judge of the Eleventh Judicial circuit.

WANTED.

A good energetic man to sell Wheeler & Wilson Sewing Machines, by canvassing with wagon in Colbert and Franklin counties. Apply to, HALSEY BROS. Dec. 18, 1873.

NOTICE TO TAXPAYERS.

All persons owing taxes for the year 1873, are hereby requested to come forward and settle the same by the 15th inst. and save the cost of advertising.

J. G. ALEXANDER, T. C. C. J.

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