





## Advertiser and Mail.

W. W. SCHEER, } Editors.  
M. M. COOKE, }

Montgomery, Ala., Wednesday, May 6, 1874.

All Communications intended to promote personal interests must be paid for. News Letters collected.

No attention paid to Anonymous Letters, or letters written on both sides of the paper.

The DAILY ADVERTISER, the oldest daily paper in Middle Alabama and with one exception in the State, is published every morning except Monday, at TEN DOLLARS a year; FIVE DOLLARS six months; TWO DOLLARS a month for shorter terms, 5 cts. a copy.

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### The Currency Question.

A few days ago we spoke of the unwise policy, adopted by the United States Government, of discriminating against the "greenback" in favor of that particular currency which it was least able to furnish in quantities sufficient to meet the demands of trade. As long as it was necessary to provide a paper currency at all, it seems that a wiser policy would have been to discriminate in its favor, if discrimination were absolutely necessary. In the course of the article just referred to, we suggested what we conceived to be a wholesome change in the financial system. This was to issue \$2,500,000,000 in 3.5 per cent. consols, or bonds, convertible and reconvertible into "legal tender" at the option of the holder, with which all the bonded debts of the Government should be taken up, to the last dollar. The idea was, and is, to substitute these consols for the 5.20 per cent, 6 per cent, 7.30 per cent, and other outstanding bonds, even though the government has to pay 15 per cent. premium in the exchange, and make the whole bonded debt uniform, so that the simplest mind can comprehend the whole system and understand, at all times and under all circumstances, "the financial situation." This would restore public confidence, which in our country is the life's breath of public credit. We now propose to state a few of the other advantages calculated to accrue to the country from the adoption of some such system.

Under existing circumstances it is all transparent humbug to talk about a resumption of specie payments. If the commerce of the United States could be in that state deprived of reliance on the greenback and compelled to look to specie alone for the basis of its future operations it would suffer a more disastrous shock than that which the panic of 1873 or the "Black Friday" gave it. The average circulation would not reach \$2 per capita. Trade would not only stand still—it would shrivel and roll together like a parched scroll. One reason of this is that the gold which should be here, to supply a medium, is shipped regularly to Europe to pay the cancerous interest on gold-interest-bearing bonds. The country is regularly drained of coin to supply Europe with the means of supplying all our material energies and resources. We thus put a stick in European hands with which our own skulls may be cracked. This must be stopped. A vassalage of this sort is no better than that which WASHINGTON and the heroes of the Revolution cast off in 1776. The foreign bondholder must either be induced to exchange the bonds he now holds for others bearing a smaller rate of interest or he must lose his debt altogether. Self-preservation, with nations as with individuals, is the first law of nature. There is no reason however to apprehend any refusal on his part to exchange his bonds at the rate named above, because he now sells at about that rate for currency.

If this change be made the annual interest on the public debt will be not exceeding \$55,000,000, while it may not exceed \$45,000,000. It is now about three times the mean of these sums. Here, then, is at least \$70,000,000 saved annually, equal to about half the premium required to be paid to secure the exchange of the old bonds for the consols. The currency will then be at the absolute control of trade. If the circulation be not abundant, the people, instead of hoarding it or loaning it on doubtful security, can convert it on demand into bonds bearing 3.5 per cent. interest. If the currency becomes too much contracted the consols can be reconverted on demand into greenbacks. This reversion stops the interest. It would make money cheap and reduce the interest rates all over the continent. The capitalist, who could get money from the government for 3.5, could also afford to loan it for three per cent less than he now can, representing as it now does, 7 per cent in gold at the Treasury. We say he could get it for 3.5, because, that would be the effect of reconvertible consols into currency.

Cheap money stimulates investments in wealth-producing enterprises. It is the finest of all tonics for strengthening the productive energies of a nation. On the contrary money that commands a high rate of interest pays better kept at interest than in any other way; while he who pays the interest generally finds that it absorbs all his earnings. This demoralizes and weakens the productive energies of the nation and tends to throw all the profits of every trade or profession into the hands of those who do nothing to build up, but everything to destroy, the national

properly. Let us illustrate this argument by an example. We will suppose that A. wishes to erect a blast furnace in Montgomery and that he applies to B. for a loan of \$100,000. B., whose money costs him seven per cent, charges 10 per cent for the loan. When the day of settlement arrives A. finds that his capital has realized but 9 per cent and that he is out of pocket one per cent on his investment. Does this encourage others to follow A's example, or does it discourage? Now if B's money had cost him but 3.5 per cent and made the same per cent of profit on original cost, while A. would have realized three per cent on his investment. Would this encourage others to invest or would it discourage? The question can have but one answer.

The prevailing rates of interest are cutting the throat of Agriculture in the South and West. The farmers are unable to realize from their fields a percentage of gain equal to that which the capitalist gathers in from his loans. This encourages speculation and gambling, because men who hold money naturally desire to place it where it will do them most good. The man who holds \$10,000, for instance, will never sink it in an unproductive farm so long as he can realize a greater profit by loaning it. Meanwhile the borrower, seeing no chance for profit in any legitimate line of business, and urged by necessity to do something, resorts to other than legitimate pursuits to regain the interest he has agreed to pay for his loan. He, therefore, rushes into gold or stock gambling, and becomes a leech upon the body politic—a consumer and a cancer, instead of a producer. This accounts for the present tendency of all the circulation to gather in the East. It goes there in search of that profit which the farms and other industries of the West and South fail to award to the present pernicious system. Hereafter we shall continue the subject.

### Mississippi et id Omne.

Mississippi is one of those "El Dorados of Scoundrelism" of which a northern exchange spoke some time since. It is covered all over, "from turret to foundation stone" with the mantle of unadulterated African Radicalism. It is, therefore, one of the best examples to which we can point as illustrating the inevitable results of allowing Radicals to govern a state. South Carolina is another such example—Arkansas another—Louisiana another. These, we believe, are the only States South over which that party holds full control. And if, in all of these, it is shown to be a blight, a curse, a desolation, a shame, we should bestark fools to conclude that it could be anything else in Alabama. Whether Radicalism has blessed or blighted these States is no longer an open question. History, already written, points to them with pitying emphasis as living embodiments of the poet's dream of "a State bowed down beneath a weight of viceless woe."

We complain of high taxes in Alabama. Mississippi, under full Radical control, pays fourteen cents State tax where Alabama pays seven and a half. South Carolina, Louisiana and Arkansas are worse off than Mississippi. Yet in the face of the only examples to which the Southern people can be referred as showing the full meaning of Radical domination, the people of Alabama are unblushingly told that the interests of the State will be promoted by placing them in the same keeping to which those of Arkansas, Louisiana, Mississippi and South Carolina have been confided. It is the old, old invitation extended by the spider to the fly.

A physician in attendance on a patient administers a given medicine. The patient dies. He is called to another, and gives that same medicine with the same sad result. He is called to a third, exhibits the same patient, and there is another job for the undertaker. The fourth patient fares as badly as the rest. These are the only patients the doctor has had complete control of in all his practice. But notwithstanding this disastrous experience, we find his claquers in Alabama advising the people to employ him! And the main question is: Will they do it? Not unless they are crazy.

### The Negro in Tennessee.

The negro politicians from every division of the State, in solemn convention assembled, have declared that social equality, full and free, shall be recognized and endorsed by legislation. They have boldly taken the most advanced position, and demand that every candidate for office shall stand either with them or against them. The Democracy of Tennessee are ready for the issue and will resist the demands so emphatically made.—Nashville Union and American.

They demand the same thing in Alabama—but some of our friends will insist if we talk of accepting the gauntlet they fling in our faces. An "issue in fact" is the issue which we tender as to the origin of this race issue business. Strictly speaking there is no "race issue" made, because, thus far, the Democratic and Conservative party has not joined it. It has been proposed to do so; but the storm of opposition which the proposition has encountered forbids all hope of harmonizing the party upon it and we have, therefore, declined to discuss it.

The Southern Memorial Day was more generally observed than on previous occasions. The speakers in Montgomery and Atlanta paid handsome tributes to the memory of Mrs. Chas. J. Williams. Other reports that we have make mention worthy of her who inaugurated the beautiful custom of growing flowers over the graves of the Confederate slain.—Columbian Sun and Enquirer.

### Maj. Oliver's Address.

On the fourth page of this issue will be found the able and interesting address lately delivered before the Capital City Grange of the Patrons of Husbandry, by Maj. THOMAS W. OLIVER, of this county. There is much food for reflection in this address—the more so that it boldly antagonizes a favorite theory of the press and people of Alabama, respecting the probable influence of Immigration in building up the State. His reasoning is clear, incisive, philosophical, and very cogent if not convincing. The conclusion of his remarks will be printed in our granger's column to-morrow.

### BY TELEGRAPH.

Reported by the Associated Press for the Montgomery Daily Advertiser.

### WASHINGTON, May 5.

Senate.—The bill regulating custom collections, fines and penalties, and abolishing moities, was placed on the calendar.

Mr. Morrill, of Maine, from the Committee on Appropriations, reported the bill for the relief of the sufferers by the overflow of the Mississippi, increasing the appropriation from \$80,000 to \$150,000.

Mr. Edmunds moved an amendment, that the provisions of the bill, shall not apply later than Sept. 1st, 1874.

Mr. Pease said that great destructions existed in Mississippi and the authorities of the State were utterly unable to afford the necessary relief.

Mr. Alcorn said that in affording relief under this bill, care should be taken for the proper and judicious distribution of the food and clothing. He alluded to the telegram in the morning papers, that the negroes around Memphis were now refusing to work, alleging that the Government intended to feed and clothe them. The difficulty to be apprehended was that the labor of that whole country might become demoralized. He had a thousand negroes on his plantation, and he did not ask the Government to feed them. He would feed them himself, and when he had no more for them they would starve together. He said that the leaves of the Mississippi, should have been in a condition to resist the rising of the river. The people of the States of Louisiana and Mississippi had been taxed largely to construct levees, and if the money had been properly expended it would have accomplished the object desired. The State of Louisiana, had spent 12,000,000 in the levees, and Mississippi spent 10,000,000 since the war for this object. Five millions if honestly and properly expended would have been sufficient to protect the State of Mississippi from overflow. The trouble was that the money was squandered by irresponsible and reckless parties. Several of the counties of Mississippi, including the county in which he lived had been taxed for legal purposes so much on every pound of cotton raised. Boards of supervision were appointed for the different counties to direct the expenditure of this money. The board of supervisors for this purpose in this county consisted of four negroes, who he believed could neither read or write, and one white man who was such that the people would sooner have the meanest negro that could be found than have him. The tax payers had no responsibility no share in the disposition of their own money, and this was the reason why it was squandered and diverted from its legitimate purposes. He (Mr. A.) had endeavored heretofore to get the General Government to furnish the authority to construct and maintain the levees, but make the States pay for them as they are able to do, but let the army officers control it. They knew they would not plunder them.

Conkling asked how it was that the tax-payers could have no share in the control of affairs, as no one was disfranchised in Mississippi.

Alcorn said in his county there were about twelve or fourteen colored men to one white man; they were a very good class of colored men, too; he had no complaint to make against them, but these colored men were told in the last canvass that if they would support a certain ticket Gen. Grant would divide up the lands among them.

Conkling—Will the Senator name the parties who made these promises?

Alcorn said he did not care to mention any names now; he had heretofore given the names in his speeches on the stump; he would not go into that matter now; he was now talking about the flood; he believed the newspapers had exaggerated the suffering, but had no doubt that there was a great deal, but he wanted the Secretary of war to have absolute control of the relief fund. If the idea gets among the negroes of that region that the Government intends to feed and clothe them, the whole country will be demoralized, and no more work will be got out of the negroes for this year. It is thought that relief should also be extended to the people of Arkansas, who had suffered quite as much as those of Mississippi. He would move an amendment that the additional appropriation be \$100,000 instead of \$80,000, and that the State of Arkansas be included.

Conkling said that before hearing the Senator from Mississippi he thought he would have voted for the appropriation bill, but as that Senator had stated the State was able to care for its own poor, any aid that Congress should give should be in the nature of an advance, to be returned to the Government hereafter. As no one in Mississippi was disfranchised, he did not see how it was the people had no voice in the management of their own affairs. He inquired of the Sen-

ator the name of the person who was the President of the Upper Levee Board. Alcorn said it was M. F. Alcorn, his son.

Conkling said he would not remain silent and listen to insinuations that the National Administration was responsible for the sins of omission and commission in the Southern States. The misrule in Mississippi was not brought about by carpet-baggers or non-residents, and the Senator (Alcorn) might as well charge the maladministration he complains of upon the Sultan of Turkey.

Alcorn inquired if the Senator from New York (Conkling) did not know that in 1867 and 1868 Congress passed a law forbidding any one from holding office in the Southern States unless that person should take the iron-clad oath, and did he not know that oath excluded all respectable men of that section from office? The oath was never extended to the voter, so that respectable men could not vote.

Conkling said he did deny that any man had been denied the right to vote after the State government was organized.

Alcorn said it was true his son was President of the Upper Levee Board, but it was also true that the district over which he presided was the only one not overflowed to-day. He took the office against his (Alcorn's) advice, and he was not to prevent fraud, as the contractors were about to be given out, and he no doubt did save a large sum of money in that district. Should this appropriation be made now, the disbursement would be left solely with the Secretary of War, and not put into the hands of those who were itching to get hold of it, and from whom the negroes would get the bulk of it.

Conkling said the people of Mississippi had ratified Gen. Ames and elected him their Governor, notwithstanding all the Senator had said. He supposed the gentleman alluded to Gen. Ames when he spoke of satrap. Alcorn said he knew he was elected to the office of Governor, and he also knew that he would not have been elected to that office had it not been for the prestige of the Government of the United States. It was given out everywhere that the Administration had elected him, and no Federal officer would dare to speak in favor of him (Alcorn).

Conkling inquired by what majority Gov. Ames was elected.

Alcorn replied 9,500 out of a Republican State in the State of 32,000. He (Ames) had no more interest in the State than he (Alcorn) had in New York, but he did not propose to go into that question now, though he would defend the people of his State.

Tipton, of Nebraska, said that the discussion on this bill commenced he was told that the people of Mississippi were suffering; it had been kept up so long that he now had serious apprehensions that it had expired, and therefore thought the appropriations had better be made for funeral expenses. [Laughter.]

Alcorn said he held the people of the South inexcusable for driving the colored people away from them, but they had been stricken down and taxed unjustly. He denounced the tax imposed on their cotton as unconstitutional and oppressive.

Senator of Pennsylvania, said he was tired of hearing charges against people of the North every day. When they export cotton to the South, they get the North, some one from the South got up and did it. He wanted to forget the war and its consequences, and hoped there would be an end to these charges. If the South was poor whose fault was it? What had he to do with the enormous debt which she had brought on the country? He had stood here and listened to these complaints without saying a word, and he had been told that they should cease, and he should defend his people. At first he was willing to give two or three times the amount mentioned in this bill for relief of those suffering, but if it was to be a record of the North's generosity, he would not do it.

Pease said he deplored this reconstruction with regard to the colored people in his colleague. He had been dragged in by his colleague. He had been repel the insinuation that the money would be misapplied by the State officials. General Ames was an honest man, and the people of Mississippi without regard to color faith gave him credit for being one.

Alcorn said the Senator from Pennsylvania, Cameron, said he was tired of these complaints. The doings of which he (Alcorn) had spoken were the doings of history.

Sargent's motion to recommittal the bill was then agreed to, and the Senate resumed the consideration of the supplementary Civil Rights bill.

Gordon of Georgia, gave notice that he would submit a bill to strike out the provisions of the bill, giving all persons full and equal enjoyment of common schools, and public institutions of learning or benevolence supported in whole or in part by general taxation.

There was a cabinet session to-day. The Arkansas situation was up, but there was no decision, as Brooks Attorney General, asked more time to prepare his statement. It was probable a decision may not be announced by the President before Friday.

Probabilities.—For the South Atlantic and Eastern Gulf States, north and west winds, rising temperature, with clear or clearing weather, except light rain on the South Atlantic coast.

New York, May 5.

Geo. Van Velger, Clerk in office of N. Y. Central R. R. absconded with \$32,000.

COLUMBIA, S. C., May 5.

Capt. John Christopher, commandant of the post at Columbia, committed suicide this morning by shooting himself with a pistol. Inquest rendered a verdict as above. The remains are to be sent to Philadelphia for interment.

ANN ARBOR, Mich., May 5.

The faculty of the University last evening suspended thirty-nine sophomores and forty-four freshmen for having.

BOSTON, May 5.

The Neponset Hall block in Hyde Park including the Post Office, Bank Unitarian Societies Hall, the Norfolk County Jail office, Noble's Apothecary, Sanford and Russell's grocery, M. Pratt's periodical stores, D. M. Lucious', Jr., shoe store, and Fitz' jewelry store, burned this morning. Loss \$140,000.

NASHVILLE, May 5.

Negro Bill Sully was hanged on Friday night in this city for raping a white woman.

A dispatch from Columbia, Tennessee, says a man named Merrett Voorne, outraged the person of a young lady whom he met in the outskirts of the city. Police are pursuing the brute.

### COMMERCIAL.

OFFICE MONTGOMERY DAILY ADVERTISER, MONTGOMERY, ALA., May 5, 1874.

Cotton.—Ordinary 13 1/2 cents; Good Ordinary 14 1/2 cents; Strict Good Ordinary 15 1/2 cents; Low Middlings 16 cents; Middlings 16 1/2 cents. Market steady, demand good.

### BY TELEGRAPH TO-DAY.

#### LIVERPOOL MARKET.

Quotations To-Day.

In Liverpool at 3 p. m., cotton was quoted as follows: Strict Good Ordinary 16 1/2 cents; Low Middlings 16 1/2 cents; Middlings 16 1/2 cents. Market quiet.

#### NEW YORK MARKET.

Financial.

Gold 125 1/4; Money in active demand at 4 1/2 per cent; Sterling quiet and steady at 4 1/2; Governments active and steady; State bonds quiet and nominal.

#### Spot Cotton.

In New York, to-day, cotton was quoted as follows: Strict Good Ordinary 16 1/2 cents; Low Middlings 16 1/2 cents; Middlings 16 1/2 cents. Market quiet.

#### Future Delivery.

May 17 3 1/2 cents; June 17 1/2 cents; July 17 1/2 cents; August 18 1/2 cents; September 17 1/2 cents; October 17 1/2 cents; November 17 1/2 cents; December 17 1/2 cents. Sales 17,500 bales. Market steady.

## IRVINE, WALLACE & CO.,

(Successors to BLOUNT, WEATHERLY & CO.,

## WHOLESALE AND RETAIL DRUGGISTS

(SIGN OF THE NEGRO AND MORTAR.)

NO. 2 COURT SQUARE, MONTGOMERY ALA.

TO PREVENT GRAY HAIR, THE

ORDERS

MAIL, ACCOMPANIED BY

CITY REFERENCES

From the Editor

From the Editor

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Advertiser and Mail.

LOCAL INTELLIGENCE.

Montgomery, Ala., Wednesday, May 6, 1874.

METEOROLOGICAL REPORT.

WAR DEPARTMENT.  
OFFICE CHIEF SIGNAL OFFICER, DIV.  
OF TELEGRAMS AND REPORTS FOR  
THE SERVICE OF COMMERCE AND  
AGRICULTURE.

MONTGOMERY, ALA., May 5, 1874.

Barom.	29.88	29.87	29.88
Therm.	50°	57°	53°
Wind	W	W	W
Clouds	76	69	80
Rel. Hum.	76	69	80
W. Wind	W	W	W
W. Wind	W	W	W
W. Wind	W	W	W
W. Wind	W	W	W

Barometer corrected for temperature and elevation.  
Official: CARVALHO, Observer.

C. L. RUTH,  
PRACTICAL WATCHMAKER AND JEWELER.

(Formerly with B. M. Levy)  
Is now located at No. 22 Market St.,  
with S. Berwin, and is prepared to do  
all kind of watch and jewelry work  
at very moderate prices.

W. E. HAYGOOD'S HACKS-SINGLE OR DOUBLE.

For sale at Irvine & Co's  
Dry Store.

Double hacks for special calls, at  
\$1.50 per hour, including. Special ar-  
rangements can be made for one or  
more. His name is on all his hacks.  
Good teams, and drivers well ac-  
quainted with the city.

TO MERCHANTS.—If you want to  
buy boots and shoes, we will duplicate  
New York and Eastern styles. Try us.  
KIRTLAND & TOURTELLOTT'S  
No. 7 Market street.

PRICES TO RETAIL TRADE.—We can  
supply boots and shoes, at prices  
corresponding with the times, at  
KIRTLAND & TOURTELLOTT'S  
No. 7 Market street.

The tables of the Opelika House are  
now abundantly supplied, and the  
convenience of the house to the trains  
affords travelers easy means of getting  
excellent meals. Trains give ample  
time.

Passengers on the M. & E. trains  
from Montgomery and Buford, can  
breakfast and supper at the Johnson  
House, situated immediately at the  
railroad crossing at Union Springs.  
Warm and good meals and polite at-  
tention guaranteed.

LADIES', MISSES', AND CHILDREN'S  
SHOES, made by the Zeigler Brothers,  
best in the world, can be bought only at  
KIRTLAND & TOURTELLOTT'S  
No. 7 Market street.

J. H. Lakin's Photograph Gallery,  
No. 51 Market street. Photographs  
taken in cloudy weather. Sittings  
from 8 to 5 o'clock during the Spring  
months.

NEW ARRIVALS

—AT—  
POLLAK & CO.'S  
MAMMOTH EMPORIUM!

1,000 Ladies' Fine Leghorn  
Hats.  
1,000 Misses' Fine Leghorn  
Hats.  
6,000 Ladies' Straw Hats—  
latest styles.  
1,000 Misses' Straw Hats.  
3,000 Boys' Straw Hats—  
new styles.  
1,000 Children's Straw Hats.

RIBBONS

In Endless Variety.

STRAW TRIMMINGS

In all Styles.

10,000 yards of Beautiful  
Hamburg and Suisse  
Embroideries.

25,000 yards fine Victoria  
Lawn.

10,000 yards fine Bishop's  
Lawn.

10,000 yards Jaconets.

ALL THE LEADING BRANDS OF

BLEACHED DOMESTICS

—AT—  
NEW YORK WHOLESALE PRICES.

50,000 YARDS STRIPED AND  
CHECKED MUSLINS.

10,000 YARDS NAINSOOKS.

500 PAIRS LADIES' VERY  
FINE 18 THREAD CLOTH  
SHIRTS AT \$2.00 A PAIR.

200 DOZEN GENUINE ALEX-  
ANDRE KID GLOVES.

500 DOZEN LINEN HAND-  
KERCHIEFS.

500 DOZEN LINEN TOWELS,  
OF DIFFERENT QUALI-  
TIES.

300 DOZEN LINEN TABLE  
CLOTHS, VERY CHEAP.

WE HAVE ALL THE ABOVE  
NAMED GOODS IN STOCK, AND  
INTEND TO SELL THEM AT  
PRICES TO SUIT THE TIMES.  
CALL AND CONVINC YOUR-  
SELVES OF WHAT WE OFFER.

POLLAK & CO.,

DOLLAR STORE

COURT SQUARE.

The City Court met at 10 o'clock yester-  
day morning; Judge Cunningham  
presiding. The motion for new trial  
in case of State vs. Pat Robinson was  
taken up.

Solicitor Knox stated that he had  
written out a statement which he  
wanted to go on the record. He stated  
that he, as an officer of the county,  
could not delegate his right of prosecu-  
ting. That he had in defence of dis-  
tinguished Counsel and believing they  
would do nothing to involve him,  
yielded the case to them in argument,  
&c. That he made no insinuations as  
to the conduct of that Counsel, but that  
he felt compelled to now assert his  
right. He believed from the testimo-  
ny that the verdict was cruel and un-  
just and he asked that the verdict be  
set aside, a new trial granted and no  
judgment pronounced against the defend-  
ant. He read some law references  
in support of his right to take the posi-  
tion assumed.

After the reading Judge Cunn-  
ingham asked the Solicitor why he had  
not made this statement before the  
case went to the jury.

The Solicitor stated that he had no  
idea the jury would bring in a verdict  
of guilty.

The Court said, Then you were willing  
for a case to consume a whole week  
when you felt satisfied it would result  
in a failure to convict?

The Solicitor replied that he did not  
hear all the evidence.

Col. Herbert, of counsel for defense,  
read the motion for new trial and ar-  
rest of judgment as follows:

MOTION FOR ARREST OF JUDGMENT.  
Indictment for Perjury in the  
City Court of Montgomery, Febru-  
ary Term, 1874.

Motion is made by defendant in ar-  
rest of judgment in this cause. The  
grounds of this motion are as follows:

1st. The indictment upon or under  
which the defendant was tried before  
a jury in this cause, is insufficient to  
support or authorize any judgment  
against the defendant even upon the  
verdict of the jury rendered in this  
cause.

2d. The indictment upon or un-  
der which defendant was tried by jury  
contains no count which is sufficient  
to support or authorize any judgment  
against the defendant upon the ver-  
dict rendered in this cause.

3d. The request or demand of the  
Solicitor of Montgomery county, on  
file in this cause, that the motion of  
defendant to set aside the verdict and  
grant a new trial be granted, renders  
the indictment and the verdict rendered  
in this cause, null and void.

4th. The consent of the Solicitor of  
Montgomery county, expressed and  
given in open court, to grant the motion  
of defendant to set aside the verdict in  
this cause and to grant a new trial, ren-  
ders improper and unauthorized to en-  
ter any judgment against the defend-  
ant upon the verdict rendered in this  
cause.

5th. The indictment, verdict, and  
other matters appearing of record, and  
on file in this cause, including the con-  
sent and request of the Solicitor of  
Montgomery county, that the defend-  
ant's motion to set aside the verdict  
rendered in this cause, render it im-  
proper and unauthorized by law to en-  
ter or render any judgment against the  
defendant upon the verdict rendered in  
this cause.

6th. There is nothing on the record  
in this cause, or shown by the record,  
which authorizes any judgment  
against the defendant in this cause.

Signed by Messrs. Troy, Herbert,  
Semple, Minnis, and Rice, Jones &  
Wiley, attorneys for defendant.

MOTION FOR NEW TRIAL.  
State vs. Pat Robinson. Indictment  
for perjury. In City Court of Mont-  
gomery.

Motion is made by defendant to set  
aside the verdict in this cause and to  
grant a new trial upon the following  
grounds:

1st. Misconduct of some one or more  
of the jurors in said cause, 2d. Im-  
proper conduct of one or more jurors  
in the jury of the capricious rejection  
by the jury of the testimony of unim-  
peached and credible witnesses, and de-  
fendant, 4th. Verdict is unauthorized  
by the evidence or charge of the Court,  
5th. Verdict is cruel and unjust, 6th.  
Irregularity in the trial, and, 7th. In-  
proper conduct of the jury, and, 8th. In-  
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