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THURSDAY, MAY 14, 1874.

Our Rich State Treasurer.

The Treasurer of the State of Alabama—an officer of the State Government—pomposly parades before the gaze of his admiring negro cohorts and backers the sum total of his individual taxes, and insults honest men by comparing their poverty with his riches. As Mr. Treasurer BINGHAM was himself a poor man two or three years ago (before he took charge of the Treasury Department of the State), the curious people are asking each other: How did BINGHAM so suddenly grow rich? How did he make all the property which supports such magnificent tax figures? Where is his property located? In whose name is the title? Others are asking uncomfortable questions about "that SKINNER transaction," and "putting this and that together," not much to the Treasurer's advantage. But he cannot complain. By making profert of his immense tax-list, he has fairly challenged public criticism. A public official, who depends for his gains on official emoluments, should be careful how he boasts his possessions, especially in such unsettled times as these.

Mr. Stephens' Reply to Mr. Hill.

We copy from the Augusta *Constitutionalist* of the 7th inst. so much of Mr. STEPHENS' reply, to Mr. HILL'S late letters to the Atlanta *Herald*, as relates to the "Unwritten history of the Hampton Roads Conference" which we published in full on Saturday Mr. HILL has published *two* letters attacking Mr. STEPHENS. Of these the first was a purely personal affair which, for that reason, we did not copy. For that same reason we omit from the defense of Mr. STEPHENS all that part which comes out in response to Mr. HILL'S "Unwritten History," but in the conclusion it will be observed that he promises to resume the subject. We have no comments to make

LIBERTY HALL,
CRAWFORDVILLE, GA., May 4, 1874.

Editor of the Constitutionalist: The reply of Mr. Hill, of the 21st ult., to my first article on his Historical Address, renders it proper, if not necessary, that the substance of this article, No. 2, should relate to matters different from what I intended it should, when the first was written. What was intended to be embraced in No. 2, therefore, will be postponed until I respond to this letter. Perhaps the chief object of which seems to have been to divert attention from the merits of the real issues between us, as presented by my first article, not only in reference to the Hampton Roads Conference, but other matters specified by me.

This response, though I was, as I still am, exceedingly feeble from protracted disease, and now barely able to dictate what is penned by the hand of another, would have been sent to you in time for your last Saturday's issue, but for the previous announcement in the Atlanta Herald that Mr. Hill would have a further communication on the same subject in the following Sunday's issue of that paper. That announced communication is now before me, and I will proceed to give it, as well as the letter of the 21st, such language as I deem they both deserve, keeping in mind, I trust, a due regard for my own self-respect, as well as the importance, magnitude and dignity of the subject. The real truth of history has been, and is, my controlling object. I have as little taste for controversies of this sort, or even the use of strong reprobatory words as anybody can have, and never indulge in either except in the vindication of what I deem truth and justice.

* * * * *

It now seems from Mr. Hill's last manifesto and confession that he and Mr. Davis were both acting with the grossest duplicity towards me, and in confederation with others, formed a very foul conspiracy to use the Blair proposition, with no other object whatever but to defeat another mission of a very different character, which I was well understood at the time would be instituted by Congress early the next week. This Commission under the authority of Congress, was to be raised in accordance with the resolutions prepared by me early in January, to which Mr. Hill refers. The object of these resolutions, and the contemplated mission under them, were entirely different from those aimed at by the Blair proposition. His looked solely to and covered nothing but a secret Military Convention between the belligerents with a view of preventing the establishment of a French Empire in Mexico, by the joint operation of the Federal and Confederate armies, in maintenance of the Monroe doctrine. In this way Mr. Blair thought, as Mr. Davis stated to me, a fraternization would take place between the two armies, and peace be ultimately obtained by a restoration of the Union without the subjugation of the Southern States. His proposition was not for a peace commission in any proper sense of the words at all, nor did it look to any direct overture of peace on either side, or the terms upon which it should be established.

My resolutions on the contrary authorized the creation of a commission empowered to initiate, or to make overtures for the initiation of negotiations for peace, not upon separate State action, but upon the great principles on which the whole Confederate struggle rested, and upon which the whole fabric of American free institutions was founded.

From the baleful light that Mr. Hill now furnishes—which is of the character of the faint glare from covered lanterns which sometimes gives glimpses of the most diabolical, underground, midnight deeds of the most fiendish criminals—it seems that he, Mr. Davis, and others were aiming at nothing in acceding to Mr. Blair's proposition, but "to stop Mr. Stephens," and to head and defeat his movement of bringing the war to a close upon those principles on which alone Constitutional liberty can be preserved on this continent. It seems that what Mr. Davis told me about his having mentioned the subject of Mr. Blair's proposition to any one but Mr. Hunter was not true. He had told Mr. Hill all about it, and that but for the ignoble device they resorted to, "Mr. Stephens." Resolutions would have been adopted the next week.

In this view of the subject and from what he now states I frankly confess that it is not at all improbable that Mr. Hill may have been in Richmond when I felt assured that he was in Georgia. That statement of mine that he was in Georgia when Mr. Davis had the subject of the Blair conference under consideration was based upon what now seems to have been a too confiding reliance by me on the truth of what Mr. Davis told me.

It is as true as I exist that I never heard of the Blair proposition until noon Friday, 27th of January, 1865, when Mr. Davis first communicated it to me. Mr. Hunter had only made a general reference to it when he told me on the morning of that day, that Mr. Davis wished to see me at 12 o'clock on the subject.

It is also as true as I exist that Mr. Davis told me that Mr. Blair had left the day before, and that he had not mentioned the subject of his mission to any person whatever, except Mr. Hunter, not even to a single member of his Cabinet, but was to have a Cabinet meeting at 4 o'clock that evening on the matter. It is equally true that I remained with Mr. Davis until the Cabinet was announced. As I passed out of the door of his room they passed in. It is equally true that the commissioners were determined upon by the Cabinet before their adjournment. Hence I stated it was impossible for Mr. Hill to know why each of the commissioners had been appointed I took it for granted what Mr. Davis told me was true.

It is moreover as true as that I still survive, however "imbecile" in body I may be, that Mr. Hill called at my room either the night before Mr. Davis sent for me or the night before that (I am not certain which) when we talked fully about the commission to be raised the next week by Congress under the resolutions prepared by me. He then spoke as if he was in cordial support of the movement, but stated that he was to start for Georgia the next morning and took his leave of me accordingly. In this last interview between us in Richmond he did not give me the slightest intimation that he knew anything about Mr. Blair's proposition. I did not see him in Richmond afterwards. He was not there on my return from Hampton Roads, and the next I heard of him after he took his leave of me, as I have stated, he was in Georgia.

These are the grounds on which I predicated what I said about his not being in Richmond during the time Mr. Davis had the subject of accepting Mr. Blair's proposition under consideration. From what he now says I will not undertake to re-affirm that he was not there, but leave him to settle the question as he pleases. In the estimation of honorable men it will make no difference which way he settles it. His present version of his conduct in the whole affair, and his confessed deceit, double-dealing and duplicity towards me is perfectly consistent with his letter to me that he was going to Georgia when he intended to do no such thing, but to continue to lurk about Richmond, keeping out of my sight, while he might watch the working of his scheme to defeat a movement which he professed to support.

This matter of his presence in Richmond is, however, at best, only a side and collateral issue. It does not touch the real merits of the controversy between us. And since Mr. Hill's showing, it becomes a matter of very little importance how the fact is so far as "infamy" is concerned.

Now, in reference to the conference proposed by Mr. Blair, it may be proper for me here to restate that it was in no sense whatever, a peace commission properly so-called. It proposed nothing, and covered nothing, but *a secret Military Convention*, with the views and objects before stated. My reason for advising Mr. Davis to accede to it are fully given in my account of the Hampton Roads Conference. I have no idea, however, at the time that he was using it, and deceiving me (according to Mr. Hill's showing) for the sole purpose of defeating the movement proposed by me, and which, according to general understanding, would be adopted the next week by a majority of both Houses of Congress.

Mr. Hill, in his last "Carmagnole," confines himself simply to what he calls a history of the Hampton Roads *commission*, but utters not one about the *conference* under it. It is a fact to be noted that he does not assail or question a single statement of my history of the conference itself. The rather feeble attempt to make assails its fullness or accuracy. This was the point to which he was challenged. He does not even question the fact that Mr. Davis assured me that nobody knew anything about it except Mr. Hunter. But what he says about the meeting of the Georgia delegation in my room early in January, and our consultation upon the resolutions I then submitted deserves some notice from me. According to his account, after the delegation had agreed to support them on the terms stated, he went over to the Executive Mansion and conversed with Mr. Davis until midnight, concocting with him a scheme by which I was to be circumvented. My recollection is very distinct that after I read the resolutions to him and he had objected only to that feature which provided for the appointment of the commissioners by Congress, and not by the President; and I had explained to him my reason for this provision, which was to relieve Mr. Davis from the embarrassment in which he would be placed from his then recent speeches against the call of a general Convention of the States as an initiatory step for negotiations of peace, etc., he seemed to be satisfied with the explanation, and said that in that view of the subject he thought Mr. Davis himself would not object to them. I told him the best way to settle that question was for him to take the resolutions over to Mr. Davis and submit them to him. The Executive Mansion was but a short way across the street from my quarters. This he did. The delegation awaited his return. He was gone but a short time, and reported that he had read the resolutions to Mr. Davis, and that he would not object to them. This is my recollection upon the point. It is true Mr. Hill did say, in case the commissioners should be appointed as proposed, that I ought to be one of them, and when I said, no, he urged his views; but to the last I stated that I had no desire to be on the Commission—I did not think I ought to be. It is utterly untrue, however, that I objected to the appointment of Mr. Hunter on that occasion or at any time on the Commission then under consideration.

As to what he says about my agreeing to write to Governor Brown to recall the Legislature together on condition that the delegation would support my resolutions, I have no recollection of anything of the sort. I do not usually make bargains of such a character. Moreover, I thought at the time it was highly expedient that the Legislature should be convened in order to take proper action to arrest the demoralization set forth in the letter of Judge Hassell. I then took it for granted that I assured the delegation that I would use my utmost influence with Governor Brown against recommending any separate State action looking to the withdrawal of Georgia from the Confederacy and making separate terms of peace for herself with the Federal authorities. I had no idea Gov. Brown contemplated any such thing. How could I? Nothing of a certain such an opinion of him in the face of his letter in reply to an overture of this character from Gen. Sherman?

In Gov. Brown's reply to Gen. Sherman he said: "'Come weal or come woe,' the State of Georgia never should by his consent withdraw from the Confederation in dishonor. She will never make *separate terms* with the enemy, which may free her territory from invasion, and leave her confederates in the lurch." I may have assured the delegation that in case I discovered any change of policy on the part of Governor Brown in this respect, that I would use my utmost influence against it.

With the views of my brother, Hon. Linton Stephens, I was fully acquainted. We were in almost daily correspondence, and the imputation cast upon his memory by Mr. Hill, that he was to take the lead in the Legislature for a movement looking to the making of separate terms of peace by Georgia is as unfounded as it is unjust. One of the most sacred duties now resting upon me is to vindicate his memory from such unpatriotic and dishonorable conduct as the insinuation imports. He was fully informed of the nature and character of my Resolutions, and gave them his cordial approval. Indeed they were but the embodiment of our mutual views and sentiments upon the subject. I believed also then, and believe now, they were in full accord with the policy of Gov. Brown.

These Resolutions will be given to the public hereafter, when I am able again to resume the subject. From them it will be seen how far the Vice-President," "Hon. Linton Stephens" and "Governor Brown" the "malcontents" of Georgia so-called, were attempting to head a "Counter-Revolution.

ALEXANDER H. STEPHENS.

SYKES vs. SPENCER.

Report of the Minority of the Senate Committee.

A POWERFUL DOCUMENT!

In the case presented by the memorial of Francis W. Sykes, contesting the election of Hon. George E. Spencer as a Senator from the State of Alabama, the undersigned respectfully submit the following minority report:

By a law of the State of Alabama the third Monday in November in each year is fixed as the day for the annual meeting of the General Assembly of said State, and on the 18th day of November, A. D. 1872, being the 3d Monday of said month, two separate bodies of men, each claiming to be the legislature of Alabama, assembled at different places in the city of Montgomery and proceeded to organize as such legislature.

One of these bodies, which met in the capitol, or state-house, in said city on the 10th day of December, 1872, elected the Hon. Francis W. Sykes a Senator in congress from the said State for the constitutional term commencing on the 4th day of March, 1873; and on the 3d day of the same month the other body, which met at the United States Court rooms, also claiming to be the legislature of the State, elected the Hon. George E. Spencer a Senator in Congress from said State for the said term.

The two bodies subsequently became merged into one general assembly, under an arrangement proposed by the Attorney-General of the United States.

The organization of the fusion legislature took place after the election of both Mr. Sykes and Mr. Spencer, and the right of neither the one nor the other depends upon the action of that legislature or anything connected with its history.

Whatever claim either of the persons named may have to a seat in the Senate as a Senator from the State of Alabama rests entirely upon the question whether the legislature of Alabama at the time of such election was in fact the legislature of the State, and not upon anything that took place in the legislative history of the State subsequent to the time of the election. It is admitted that there could be but one lawful general assembly in Alabama, and in order to determine whether Mr. Sykes or Mr. Spencer is entitled to a seat in the Senate, it is necessary to decide which of these two bodies, if either, claiming to have been the general assembly of the State, was in fact, the legal legislature, and competent to elect a Senator. If either of the bodies, known as the capitol legislature and the court-house legislature, assembled in accordance with the provisions of the constitution and laws of Alabama, it cannot be doubted that such body so assembled in conformity with law was invested exclusively with the legislative power of the State, and was alone competent to elect a Senator to represent the State in Congress. On the other hand, it cannot be maintained, if either of said bodies assembled in violation of law or without authority of law, that such body so meeting, by whatever name it chose to style itself was clothed with any legislative authority, or that any rightful claim to be regarded, for any purpose, as the general assembly.

These propositions are self-evident, and cannot be questioned or denied. They are too clear to admit of argument, or to need illustration or enforcement. As isolated truths, unconnected with other questions, they would receive the ready assent of not only every member of the Senate, but of every man in the country at all familiar with the constitution and laws of Alabama. The undersigned, therefore, deem it proper to refer to such provisions of the constitution and laws of the State of Alabama as have an bearing upon the election of members of the Senate and House of Representatives—and their organization as legislative bodies—composing the General Assembly of the State, as now fixed by law, and to the provisions of the constitution and laws of said State. Article 5, sections 2, 3, and 16 of the Constitution:

SEC. 2. The Governor, Lieut.-Governor, Secretary of State, Treasurer, and Attorney-General, shall hold their offices for the term of two years, and the Auditor for the term of four years.

SEC. 3. The returns of every election for officers named in the preceding section shall be sealed up and transmitted to the seat of government by the returning officers directed to the presiding officer of the Senate, who, during the first week of the session shall open and publish the same in the presence of a majority of the members of the General Assembly; the person having the highest number of votes shall be declared duly elected; but if two or more shall be found to have received an equal number of votes for the same office, one of them shall be chosen by joint vote of both houses. Contested elections for executive officers shall be determined by both houses of the general assembly, in such manner as shall be prescribed by law.

SEC. 16. The lieutenant governor shall be president of the Senate, but shall vote only when the Senate is equally divided, and in case of his absence or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a president *pro tempore*.

Section 6, article 4, of the constitution of Alabama, the president of the Senate and the Speaker of the House of Representatives remain in office until their successors are elected and qualified, as follows:

SEC. 6. The House of Representatives, when assembled, shall choose a speaker and its other officers; and the Senate shall choose a president, in the absence of the Lieutenant-Governor, and its other officers; each house shall judge of the qualifications, elections, and returns of its own members, but a contested election shall be determined in such manner as shall be directed by law. The president of the Senate and the Speaker of the House of Representatives shall remain in office until their successors are elected and qualified.

By article 3 of the Constitution of Alabama, the House of Representatives is declared to consist of one hundred members, apportioned among, and elected from, the counties of the State, as directed in said article.

The Senate consists of thirty-three members, elected by the voters from the senatorial districts, as directed in said article; and these two bodies constitute the General Assembly of the State, and therein, by section 1 of article 4, of the constitution, is vested the legislative power of the State, as follows:

SEC. 1. The legislative power of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

By act of the General Assembly of Alabama, approved 31st December, 1868, entitled "An act to fix the time of the annual session of the General Assembly," the third Monday of November in each year is declared to be the day for the annual assembling of of the General Assembly.

By section 38 of the revised code of Alabama, which was re-enacted and continued in force by an act approved July 29, 1868, the General Assembly is required to convene in the city of Montgomery, as follows:

The members of the General Assembly shall convene in the city of Montgomery on the first day of November in each year, unless that day be Sunday, then on the next day afterward.

This provision of the law was amended so as to require the General Assembly to meet on the third Monday in November, as before stated.

By act of the General Assembly of Alabama, approved 13th February, 1850, entitled "An act supplemental to an act making appropriations to establish the State-house at Montgomery," and by the original act approved 11th February, 1850, the State of Alabama provided for the erection of the present capitol or State-house, at Montgomery, and the construction therein of a hall of the House Representatives and the Senate chamber, for the use of General Assembly of this State, and from the time of the removal of the seat of government from Tuscaloosa to Montgomery the two branches of the General Assembly have been accustomed to use, for their legislative sessions, the hall and chamber provided for them in the capitol now in use, and in that previously standing on the same site; and no other hall or chamber in Montgomery or elsewhere; except for a short period in 1849–'50, during a session of the legislature, when, in consequence of the destruction of the State-house by fire, the general assembly, by the concurrent action of the two houses, held their sessions in another building in Montgomery.

By act of the general assembly of Alabama, approved October 8, 1868, entitled "An act to regulate elections in this State," it is provided (sec. 7) that State Senators shall be elected on the first Tuesday after the first Monday of November, 1872, and every four years thereafter; in section 6, that representatives in the general assembly shall be elected on the first Tuesday after the first Monday in November, 1870, and every two years thereafter.

This act further provides as follows:

SEC. 33. *Be it further enacted*, That one of the inspectors must number each ballot with the same number as the name of the voter on the poll-list, and the ballot must then, without being opened or examined, be deposited in the proper ballot-box.

SEC. 34. *Be it further enacted*, That there shall be no challenging of electors appearing to vote at any election hereafter held in this State, and any registered voter appearing to vote at any election in this State shall be allowed to do so without question, challenge, or objection by any person; and, any person who questions, challenges, or objects, or who unlawfully hinders or delays any person entitled to vote, shall be guilty of a misdemeanor, and on conviction, shall be fined five hundred dollars, and on failure to pay the same, shall be imprisoned in the county jail for six months.

SEC. 35. *Be it further enacted*, That it shall be the duty of the inspectors of all elections in the election precincts, immediately on the closing of the polls, to count out the votes that have been given, and it shall be their duty to promptly certify the poll-list, seal up the boxes containing the ballots and poll-list, and deliver them to the returning officer, who shall deliver to the judge of probate of his county, within forty-eight hours after they may be delivered to him, and take a receipt from the judge of probate for such sealed ballot-boxes.

SEC. 36. *Be it further enacted*, That judges of probate, sheriffs, and clerks of the circuit court, or any two of them, of the several counties, are hereby constituted a board of supervisors of elections in and for their respective counties, and it shall be the duty of said board of supervisors to open, compare, and count the ballots cast at all elections.

SEC. 37. *Be it further enacted*, That it shall be the duty of the supervisors of elections, upon good and sufficient evidence that fraud has been perpetrated, or unlawful or wrongful means resorted to to prevent electors from voting freely and fearlessly casting their ballots, to reject such illegal or fraudulent votes cast at any of such polling places, which rejection, so made as aforesaid, shall be final, unless appeal is taken within ten days to the probate court, or to the judge of the circuit court of the county in which such supervisors shall decide.

SEC. 38. *Be it further enacted*, That it shall be the duty of the board of supervisors, within five days after the date of receiving the sealed boxes and certificates of the number of votes cast at each polling-place from the inspectors, to make certificates on blanks furnished them by the Secretary of State, of the exact number of votes cast in their county for each person, stating the office such person is voted for, and forward them, excepting for governor, lieutenant-governor, secretary of state, auditor, treasurer, and attorney-general, to the secretary of state, who, shall, after such returns have been duly examined by the secretary of state, be filed as other public papers required to be kept in his office, and shall be subject to the inspection of any elector of this State.

SEC. 39. *Be it further enacted*, That the board of supervisors shall forward the returns of the general assembly, eighteen persons, holding certificates of their election as Senators from the Secretary of State, appeared in the Senate Chamber in the Capitol, in Montgomery, and at the hour of 12 o'clock of the day were called to order by Lieutenant-Governor Moren, who was present in conformity with the requirement of the constitution for the purpose of organizing the Senate and presiding over its deliberations. The eighteen members present, constituting a quorum of the whole number of Senators, exhibited the certificates of their election issued by the Secretary of State as required by law were present in each house, and duly qualified, and participated in their custody. He was required to receive them and file them in his office, and within ten days to issue certificates to the persons shown thereby to have been elected. His duty was purely ministerial, and enforced by penalties prescribed by law.

The suggestion has been made that the Secretary of State, in issuing and causing to be delivered, certificates of election to the members of the capitol legislature from Barbour county, acted in bad faith; but no evidence was offered to sustain such suggestion, and, in fact, the imputation was not pressed in argument before the committee.

In the absence of any proof to the contrary, public officers must be presumed to act in good faith in the performance of official duty, and the undersigned know of no reason for denying to this officer the vindication arising from such presumption. He sought the advice of eminent counsel of both political bodies in reference to his duty in the matter, and acted in accordance with their written instruction in issuing the certificates referred to.

The constitution of Alabama provides article 4, section 21, as follows: "The general assembly shall meet annually on such day as may be by law prescribed, and shall not remain in session longer than thirty days, except by vote of two-thirds of each house."

The act of the general assembly of the State herein before referred to, approved December 31, 1868, fixes the time for the annual meeting of the general assembly on the third Monday in each year.

Before proceeding to recite the facts connected with the organization of the two Houses of the Capitol Legislature, it may be proper to refer to the following provisions of the Constitution of Alabama, showing, among other things, the part to be taken by the Lieut-Governor and the Speaker of the last House of Representatives in the organization of the two Houses of the General Assembly of the State, and also that each House "shall judge of the qualifications, election, and returns of its members."

Article 4, sections 6 and 7, are as follows:

Sec. 6. The House of Representatives, when assembled, shall choose a speaker, and other officers; and the Senate shall choose a President, in the absence of the Lieut-Governor, and its other officers; each House shall judge of the qualifications, elections, and returns of its own members, but a contested election shall be determined in such manner as shall be directed by law. The President of the Senate and House of Representatives shall remain in office until their successors are elected and qualified.

Sec. 7. A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may compel the attendance of absent members, in such manner and under such penalties as each House may provide.

Article 5, section 16, of the Constitution also provides:

SEC. 16. The lieutenant Governor shall be President of the Senate, but shall vote only when the Senate is equaly divided; and in case of his absence or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a President *pro tempore*.

Bearing in mind these provisions of the constitution and laws of the State in reference to the meeting and organization of their respective houses, the Assembly, let us inquire whether the Senate and House of Representatives, known as the Capitol legislature, met and organized in conformity therewith.

The journals of the two houses of the capitol legislature, published by authority, show the following facts in common with the organization of the two Houses of the Legislature:

On the 18th day of November, 1872, being the third Monday of said month, the time prescribed by law for the annual meeting of the general assembly, eighteen persons, holding certificates of their election as Senators from the Secretary of State, appeared in the Senate Chamber in the Capitol, in Montgomery, and at the hour of 12 o'clock of the day were called to order by Lieutenant-Governor Moren, who was present in conformity with the requirement of the constitution for the purpose of organizing the Senate and presiding over its deliberations. The eighteen members present, constituting a quorum of the whole number of Senators, exhibited the certificates of their election issued by the Secretary of State as required by law were present in each house, and duly qualified, and participated in such organization and in the further proceedings of the two bodies.

Both house of the Capitol Legislature, having organized, notified the Governor that they were ready to receive any communication he might have to make to the General Assembly. The Constitution of Alabama, article 5, section 7, makes it the duty of the Governor to "communicate at every session, by message to the General Assembly, the condition of the State, and recommend such measures as he shall deem expedient." In performance of this duty, Robert B. Lindsay, then Governor of the State, on the 22d day of November, 1872, sent his annual message, in writing, to the Capitol Legislature, a copy of which was delivered to each house.

This action of the Governor, in the performance of a duty imposed by the constitution, was an unequivocal recognition, by the executive department of the State, of the capitol legislature as the lawful General Assembly of Alabama, and is entitled to weight in the consideration of the question referred to the committee.

After the organization of the two Houses of the capitol legislature, further proceedings were had by those Houses, to which it may be proper here to advert.

The Constitution of the State provides, article 5, sections 2 and 3, as follows:

22. The Governor, Lieutenant-Governor, Secretary of State, Treasurer, and Attorney-General shall hold their offices for the term of two years.

23. The returns of every election for the officers named in the preceding section shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the presiding officer of the Senate, who, during the first week of the session, shall open and publish the same in the presence of a majority of the General Assembly; the person having the highest number of votes shall be declared duly elected, but if two or more shall be found to have received an equal number of votes, one of them shall be chosen by the joint vote of both Houses. Contested elections for executive officers shall be determined by both houses of the general assembly, in such manner as shall be prescribed by law.

Article 4, sections 6 and 7, are as follows:

Sec. 6. The House of Representatives, when assembled, shall choose a speaker, and other officers; and the Senate shall choose a President, in the absence of the Lieut-Governor, and its other officers; each House shall judge of the qualifications, elections, and returns of its own members, but a contested election shall be determined in such manner as shall be directed by law. The President of the Senate and House of Representatives shall remain in office until their successors are elected and qualified.

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Article 5, section 16, of the Constitution also provides:

SEC. 16. The lieutenant Governor shall be President of the Senate, but shall vote only when the Senate is equaly divided; and in case of his absence or impeachment, or when he shall exercise the office of Governor, the Senate shall choose a President *pro tempore*.

Bearing in mind these provisions of the constitution and laws of the State in reference to the meeting and organization of their respective houses, let us inquire whether the Senate and House of Representatives, known as the Capitol legislature, met and organized in conformity therewith.

The journals of the two houses of the capitol legislature, published by authority, show the following facts in common with the organization of the two Houses of the Legislature:

On the 18th day of November, 1872, being the third Monday of said month, the time prescribed by law for the annual meeting of the general assembly, eighteen persons, holding certificates of their election as Senators from the Secretary of State, appeared in the Senate Chamber in the Capitol, in Montgomery, and at the hour of 12 o'clock of the day were called to order by Lieutenant-Governor Moren, who was present in conformity with the requirement of the constitution for the purpose of organizing the Senate and presiding over its deliberations. The eighteen members present, constituting a quorum of the whole number of Senators, exhibited the certificates of their election issued by the Secretary of State, enrolled their names, and the oaths of office administered in due form, and proceeded to elect officers. On the following day another Senator appeared in the Senate Chamber, was qualified, and took his seat, when the oaths of office prescribed by the Constitution of Alabama were taken by these nineteen Senators before the Hon. J. Q. Smith, one of the Judges of the Circuit Court of the State, and all the proceedings were conducted under the Presidency of the Lieutenant-Governor, who is made the presiding officer of the Senate by the Constitution. These facts are connected with the meeting and organization of the Senate; let us now inquire into the organization of the House of Representatives.

It appears from the journal of the proceedings, and is not disputed, that on the 18th day of November 1872, being the third Monday of said month the day fixed by law for the meeting of the Legislature, forty-five persons, holding certificates of their election as members of the House of representatives, convened in the hall of the House in the capitol at the city of Montgomery, and at the hour of 12 o'clock on that day the House was called to order by John P. Hubbard, speaker of the last House of Representatives. A temporary clerk and door-keeper were appointed, and a call of the House made, when forty-five persons answered their names, and, having been duly sworn, took their seats as members of the House. The number present being less than a quorum, an adjournment took place until 12 o'clock the next day, when the House again met. The speaker being in the chair, five additional members having certificates of election appeared, enrolled their names, were duly sworn, and took their seats as members of the House. The whole number of members then present being fifty, one less than a quorum, the House adjourned until 11 o'clock the following day. Pursuant to adjournment, the House again met on the 20th of November, when three other members having certificates as aforesaid appeared and qualified by taking the oath prescribed by the Constitution, and took their seats as members of the body.

Fifty-three members of the House were present on that day, and, being a quorum of the whole number of Representatives proceeded to the election of a speaker and other officers.

Mr. Stone, a member from Pickens, received fifty-one votes for speaker, and was declared duly and constitutionally elected speaker of the House of Representatives by the presiding officer. Mr. Stone then qualified as Speaker and entered upon the discharge of the duties of the office. Other officers of the House were elected on the same day, some of them receiving as many as fifty-three votes, and the House on the said 20th day of November thus became fully organized.

After the organization of the Houses, to wit, on the 20th of November, another member appeared and also qualified and took his seat.

All the proceedings in the organization of the two Houses appear to have been orderly, regular, and in strict conformity with the requirements of the constitution and laws of the State. Both houses assembled on the day prescribed by law for the meeting of the General Assembly in their respective chambers in the State Capitol, set apart and appropriated by the State of Alabama for the use of the respective houses of the General Assembly.

The Senate was presided over by the Lieutenant-Governor, and the House of Representatives by the speaker of the last house, during the whole time of the organization of the respective bodies, and a quorum of members holding certificates of election issued by the Secretary of State as required by law were present in each house, and duly qualified, and participated in such organization and in the further proceedings of the two bodies.

Both house of the Capitol Legislature, having organized, notified the Governor that they were ready to receive any communication he might have to make to the General Assembly. The Constitution of Alabama, article 5, section 7, makes it the duty of the Governor to "communicate at every session, by message to the General Assembly, the condition of the State, and recommend such measures as he shall deem expedient." In performance of this duty, Robert B. Lindsay, then Governor of the State, on the 22d day of November, 1872, sent his annual message, in writing, to the Capitol Legislature, a copy of which was delivered to each house.

This action of the Governor, in the performance of a duty imposed by the constitution, was an unequivocal recognition, by the executive department of the State, of the capitol legislature as the lawful General Assembly of Alabama, and is entitled to weight in the consideration of the question referred to the committee.

After the organization of the two Houses of the capitol legislature, further proceedings were had by those Houses, to which it may be proper here to advert.

The Constitution of the State provides, article 5, sections 2 and 3, as follows:

22. The Governor, Lieutenant-Governor, Secretary of State, Treasurer, and Attorney-General shall hold their offices for the term of two years.

23. The returns of every election for the officers named in the preceding section shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the presiding officer of the Senate, who, during the first week of the session, shall open and publish the same in the presence of a majority of the General Assembly; the person having the highest number of votes shall be declared duly elected, but if two or more shall be found to have received an equal number of votes, one of them shall be chosen by the joint vote of both Houses. Contested elections for executive officers shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law.

For the purpose of complying with these provisions of the Constitution, the two Houses of the capitol legislature, on the 22d day of November, 1872, sent messengers to inform each other of the fact that they were ready to meet in the Hall of the House of Representatives to witness the opening and counting of the returns of the election of the officers named in section 23 of the constitution, viz: Governor Moren, the then Lieutenant-Governor of the State, and the presiding officer of the Senate, to whom said returns had been directed by the returning officers, in the presence of a majority of the members of the two Houses proceeded to open and count said returns; and on the following day, the opening and counting thereof having been completed, the Lieutenant-Governor, presiding officer of the Senate, published the result of the election as shown by the count of the returns; and thereupon the Hon. David P. Lewis was declared elected Governor of the State, and the Lieutenant-Governor of the State, who were duly notified thereof, and afterwards took the oaths prescribed, and entered upon the discharge of the duties of their respective offices. The election of the other State officers was also duly declared, and said officers afterward entered upon the discharge of the duties of their several offices.

The journals of the two Houses of the Capitol Legislature were had in fulfillment of duties imposed by the Constitution of Alabama on the General Assembly of the State—duties essential to a regular and orderly transmission of the executive office from the possession of incumbents whose terms have expired to their legally elected successors to office. This is one of the most important functions devolved upon the General Assembly, and its honest performance secures the existence of legitimate executive government in the State.

No suggestion has been made from any quarter that in counting the returns and declaring the election of the Governor, Lieutenant Governor, and other State officers, the Capitol Legislature exceeded its authority or did not act in conformity with the law.

The said Legislature during its existence enacted at least one statute, which is still a law of the State, and the validity of which has never been called in question, and, at the time and in the manner prescribed by the act of Congress, proceeded to elect a Senator from the State of Alabama to the Congress of the United States, and on the 19th day of December, 1872, Francis W. Sykes, the person thus duly elected such Senator, in conformity with the provisions of the act of Congress aforesaid relating to the election of Senators.

In the opinion of the undersigned, the facts above stated are wanting essential to the validity of the election of the contestant, Mr. Sykes, or the legal existence of the Legislature that elected him; they therefore declare it as their deliberate opinion, after a careful investigation of every question of law or fact that could arise in the case, that Francis W. Sykes, on the said 10th day of December, 1872, was not elected a Senator from the State of Alabama for the constitutional term commencing on the 4th day of March, 1873, and is entitled to the seat now held by the Hon. George E. Spencer. The validity of the acts of the Legislature cannot be denied, or the validity of its acts questioned, because a minority of the persons holding certificates of election from the Secretary of State, and entitled to seats therein, chose to absent themselves, or to present themselves, and to assemble at a different place.

The Senate Chamber and the hall of the House of Representatives in the Capitol were completed, furnished, and dedicated to the use of the Senate and House, and used exclusively by the two houses respectively during the sessions of preceding Legislatures, were the proper, usual and fitting places for the assembling of the legislature of the General Assembly. No justification or excuse can be found for the action of the persons entitled to seats therein as members, in absenting themselves from the Capitol dedicated to the use of the bodies in which they were entitled to be seated. No violence, threat, or intimidation is alleged to have prevented them from so doing.

The Lieutenant Governor was present at the Senate Chamber, and the Speaker of the last House of Representatives was in the hall of the House on the day prescribed by law for the annual meeting of the General Assembly, for the purpose of assisting in the organization of the respective houses, in obedience to the requirements of the Constitution of the State. In these halls the people of Alabama expected all persons entitled to seats as members in either House to be present and qualify as legislators. By clear implication of law it was their duty to do so, and their failure to perform that duty cannot derogate from the rightful authority of the Legislature there assembled, or impair the validity of any act done in pursuance of the legislative power with which it was clothed. The absence of any number of persons entitled to seats in a legislative body, or their refusal to act with the body, from whatever cause such absence or refusal might occur, could not prevent the organization of the body, or render its action illegal, provided a quorum was present, and the organization took place in accordance with the requirements of the Constitution and the laws of the State.

If this is not true, then it follows that a factious minority may, by the mere refusal to qualify and participate in the organization of the Legislature, destroy or suspend the action of the law-making department of the government at its pleasure. Such a position carried to its logical conclusion, would place it in the power of one member elect of the Legislature to defeat the organization of the body to which he was elected by refusing to participate therein and thus overthrow good government in the State. Absurd as such a proposition may seem, it could be sustained by the same arguments that deny to the Capitol Legislature the character of being the General Assembly of the State of Alabama.

Nor can the fact that some of the persons holding the certificates of election issued by the Secretary of State, and seated thereon, in the Capitol Legislature, may not have been elected to such places by the votes cast at the election, impair the validity of the organization of the Senate and House of Representatives constituting the Capitol Legislature.

Every member who took his seat in either house, presented the only evidence of his right to a seat required by the laws of the State, and such evidence entitled him to a seat in the House to which he was accredited, until it should be made to appear, by a contest, that his right was not good.

For contesting the seat of any member of either house of the General Assembly, the laws of Alabama fully provide, and every person claiming a seat in either house may, if entitled thereto, obtain the same upon a contest, made in accordance with law.—But until such contest is successfully made, the person seated as a member upon the certificate of election issued by the Secretary of State has all the constitutional and legal rights of a member of the Legislature. His acts and the acts of the body of which he is a member are as valid and binding as though he had been elected by the unanimous vote of the electors of his county or district.

It is not alleged or insinuated that any member of either house of the Capitol Legislature holds the certificate upon which he was admitted to a seat by reason of any fraud, artifice, or contrivance of his own; but if such had been the fact, or if any member of the capitol legislature had such certificate, had not, in fact, been elected, it was a matter over which the said Legislature had exclusive cognizance, and into which this Senate cannot properly inquire.

Each House of the General Assembly of Alabama is the exclusive judge of "the election, returns and qualification of its members," and any inquiry into any such question by the Senate of the United States would be as unwarranted by precedent as it would prove dangerous in practice.

In a contest like the one now under consideration, between two persons claiming the same seat by different bodies, each claiming to be the Legislature of the State, the Senate may look into the Constitution and laws of the State to ascertain which of either of the bodies claiming to be fully organized in conformity with their provisions, but it cannot rightfully inquire into the election returns and qualifications of the members of either body.

If the Senate could enter upon such inquiry, where would be the limitation upon its prerogatives? Could it not just as legitimately inquire into the manner in which any election officer had performed the duties of his office, and even into the qualification of the electors who had voted for members of the State Legislature?

The undersigned would not restrict the Senate in the constitutional right to judge of the election returns and qualifications of its own members, but would regret its assumption of powers belonging exclusively to the two houses of the Legislature.

It may be true that persons will sometimes be returned members of the

Advertiser and Mail.

MONDAY, MAY 18, 1874.

The Arkansas Case.

When BROOKS and BAXTER were candidates for the office of Governor, the Conservatives voted for BROOKS and the Radicals for BAXTER. BROOKS received six thousand majority of the votes cast, but the Radical Legislature counted BAXTER in, as KELLOGG was counted in, in Louisiana. BROOKS then applied to Judge CALDWELL, of the U. S. District Court, but Judge C. decided that Federal Courts had no authority to interfere in contests for State offices. He then instituted a contest before the Legislature and the Legislature decided against him. As a last resort he then appealed to the Supreme Court of the State where the following clause of the Constitution was held by the Court as decisive of BAXTER's right:

"The returns of every election for Governor, Lieut-Governor, Secretary of State, Treasurer, Auditor, [naming other heads of departments] shall be sealed up and transmitted to the seat of Government by the returning officers, and directed to the presiding officer of the Senate, who, during the first week of the session shall open and publish the same in the presence of the members then assembled. The person having the highest number of votes shall be declared elected, but if two or more shall have the highest and equal number of votes for the same office, one of them shall be chosen by a joint vote of both Houses. Contested elections shall likewise be determined by both Houses of the General Assembly, in such manner as is or may hereafter be prescribed by law." Const Ark., art 6, sec. 19.

The "manner" which the law afterwards "prescribed" was as follows:

Section 2379.—All contested elections for the office of Governor shall be decided by the joint vote of both Houses of the General Assembly; and in such joint meeting the President of the Senate shall preside.—*Gantt's Digest.*

Note by Dispatcher.—By the provisions of section 19, of article VI, of the Constitution, the jurisdiction of the General Assembly over cases of contested election for the offices in said section enumerated is *exclusive*.—*Tb.*

We quote as follows from the written opinion of the Supreme Court of the State of Arkansas:

Under the Constitution, the determination of the question as to whether a person exercising the office of Governor has been duly elected or not, is vested *exclusively in the General Assembly* of the State, and *neither this nor any other State court has jurisdiction* to try a suitin relation to such contest, be the mode or form what it may, whether at the suit of the Attorney General or on relation of the claimant through him, or by an individual alone claiming a right to the office. Such issue should be made before the General Assembly. It is their duty to decide, and no other tribunal can determine that question.

Nothing could be clearer than this language. It states most emphatically that neither the Supreme Court "*nor any other State* Court has jurisdiction" to such a contest as that of BROOKS vs. BAXTER, for the office of Governor. Shortly after this decision was rendered (viz on the 8th day of October, 1873) the Radical State Central Committee issued an address to the people of Arkansas from which we quote as follows:

By the decision to which reference has been made, it is distinctly held that the determination of the question whether a person exercising the office of governor has been duly elected or not, is vested exclusively in the General Assembly of the State, and that neither the Supreme nor any State Court has jurisdiction to try a suit in relation to such contest, be the mode or form what it may, whether at the suit of the Attorney General, or on the relation of a claimant through him, or by an individual alone claiming a right to the office.

The legislature has acted in the premises; its decision is final and Gov. Baxter's title to the office he holds is fixed and irrevocable. The action of the Supreme Court and the Legislature settles all vexed questions calculated to disturb the peace of the State, and Governor Baxter, to secure peace, quiet and order, seized upon this, the first opportunity presented since the organization of the State government, to muster out the entire militia force of the State.

Now mark the sequel. After BAXTER had secured this decision and dismissed the State militia he was foolish enough to declare himself in favor of a new election law in Arkansas which should secure a fair election and the installation of such officersas might be elected by the people. The law under which he had himself risen to power was *worse* than the Alabama law of 1868. When he announced his hostility to that law the sympathies of the Radical party were transferred from him to BROOKS and BROOKS was instigated to begin another suit before Judge WHYTOCK, of the Pulaski Circuit Court, against BAXTER. This, too, in defiance of the decision of the Supreme Court that no State court had jurisdiction. But BAXTER'S counsel appeared before the court and filed a demurrer to the jurisdiction, which, in view of the decision of the Supreme Court, no one doubted their ability to sustain. Indeed, BROOKS' attorney repeatedly promised to dismiss the case, conceding that the question was settled. On Saturday, April 11th, BROOKS' attorney, WHIPPLE, said to Judge ENGLISH, of counsel for BAXTER, that Mr. BROOKS was unwilling to dismiss the case, and that he (WHIPPLE) did not like to take the responsibility of dismissing the case against the wishes of his client, and proposed to submit the demurrer. Judge ENGLISH replied that the Federal court would be in session, that Judge COMPTON was sick and absent, and that he would probably want to argue it, and proposed that they should argue and submit the demurrer at some day early after the adjournment of the United States court This was distinctly agreed to.

On Monday, April 13th, Judge COMPTON still absent, and Judge ENGLISH at home sick, WHIPPLE submitted the demurrer to the Court without argument, saying that this would be agreeable to the Governor and his Attorneys, and on Thursday morning, while Judge COMPTON was in attendance on the United States Court, Judge ENGLISH still sick and absent, Judge WHYTOCK overruled the demurrer, and rendered a final decision *in favor of* BROOKS!

The Code of Practice in force in Arkansas makes this provision: viz: "Upon a demurrer being overruled, the party demurring may answer or reply." This gives him the legal right to do what the Courts always allowed; *i. e.*, to withdraw his demurrer and plead. And to give a final judgment, immediately on overruling the demurrer, and in the absence of himself and counsel, was to deprive him arbitrarily of this right, and render a "snap judgment." If a party has a right to plead, the Court must give him time to do it, and its judgment (which at common law was final) must be, like that on overruling a plea in abatement, that he plead to the complaint, (which is a *respondeat ouster*, that he answer over,) or that he elect within a reasonable time specified whether to plead or not. At the common law, the judgment on a demurrer to the declaration overruled was in chief for the plaintiff, but the Courts always gave the defendant, if he desired, leave to withdraw the demurrer and plead. In Arkansas he always had a right to do it; and therefore final judgment could not be given against him until he had opportunity to elect.

But no opportunity was given BAXTER to do anything of the sort. The ink with which the judgment of the Court had been written was hardly dry before BROOKS had collected a force of his followers and ejected BAXTER from the State House. Since that time he has continued to hold the Capitol *vi et armis*.

And this is the case which it has taken Gen. GRANT one month to decide! We doubt that it would have taken one moment if BAXTER had not manifested that foolish desire to have fair elections in future. That declaration arrayed all the Radical Senators and Representatives of Arkansas against him, including POWELL CLAYTON who last year wrote as follows to BAXTER:

I believe you are the legitimate Governor of Arkansas, and as much as I regret to see our State disgraced abroad by distractions at home, I hope you will stand firm, regardless of results.

DORSEY is also a "BROOK's man" at this time notwithstanding the following which he wrote to BAXTER last year:

"You have the unqualified support of myself and friends. The revolutionary proceedings instituted will not be sustained by the people.

We note these "changes of opinion" merely to show how lightly these fellows esteem *principle*. But they are no whit worse than their master—GRANT,—as note the following dispatch from Washington printed in the ADVERTISER of the 13th:

A remark was made in an Executive quarter to-day that Brooks could not have seen the significance of the intimation, (i. e., that Brooks should accept certain proposed terms of adjustment.—EDS. ADV.) and the rejection of the proposition has certainly damaged his cause in official circles, a fact which perhaps he will soon realize.

If this means anything it means that the *justice* of BROOKS cause is a matter of secondary importance in the eyes of the President and that the official existence of the former depends not so much on his right to the office, as on the performance of certain proscribed conditions of compromise or adjustment sent out from Washington! An "intimation" covering that declaration in effect, is about as good "justice" as any man has a right to expect under the present reign of fraud and corruption.

P. S. Since the foregoing was written the Attorney General has delivered "an opinion as is an opinion," and the President in accordance therewith, has issued his proclamation declaring BAXTER the lawful Governor of the State of Arkansas. The singular part of this proceeding is that the legality of BAXTER's claim should not have been recognized by the President before BROOKS manifested his ill-timed independence of spirit. This leads us to infer that BROOKS would have been the happy man if BAXTER had kicked in the traces. Justice, it seems, "has fled to brutish beasts, and men (in authority) have lost their reason."

A Most Powerful Document.

We this morning surrender the most of our available space to the minority report of the U. S. Senate Committee of Privileges and Elections on the SYKES-SPENCER contest. We hope that every man in Alabama will read this wholly unanswerable document. If other business presses at the time it is received, we hope that it will be laid aside to be read at a more favorable time. This plain, pointed, irresistable statement of the case covers every point and omits nothing. It is the best document which can be put in the hands of the people of Alabama as a Democratic campaign paper, because it shows, more forcibly than anything else can, the horrible character of that conspiracy by which a man not the choice of the people was sent to Washington to misrepresent them. For this fraud, and for the forcible robbery of popular rights by which it was consummated, the people know whom to hold responsible, and it is due their sense of self-respect that they rally to the polls next November as men new rallied before, to wipe out the foul disgrace in one grand, overwhelming victory over the conspirators and their cohorts.

Cleburne County.

The call, elsewhere published, for a Convention of the Democratic and Conservative party of Cleburne County, shows that the true men of that county are alive to the duties and responsibilities of the hour. Now let all other counties follow this excellent example. Let the people give to the winds all prejudices (they are nothing more) against Conventions, and unite as one man in the work of the State's redemption, and victory will certainly crown their efforts. But if they are to be split in fragments this year, as they were two years ago, by selfish ambitions that will not down at the bidding of Patriotism, the day is not two years distant, when the children of the poorer classes will be forced into the same schools with the negroes, or be compelled to forego the benefits of an education altogether.

An Indignant Official.

The Treasurer of the State of Alabama must be vulnerable in the matter of his official conduct. Salt seldom hurts those who have no sore places—but the galled jade *will* wince whenever its withers are wrung. It is generally believed that Mr. BINGHAM has made a profitable thing of State Warrants and State Scrip, and it is beyond all dispute that at one time he "forgot" to enter $4000 on the debt side of his account with the State until forcibly reminded of it, *nine months afterwards*, by the gentleman who had sent the money. But he did not "forget" to have the funds placed to the credit of ARTHUR BINGHAM, on the books of LEHMAN, DURR & Co. Messrs. COLEMAN & MAYO, of Richmond VA., for a kindred act of "forgetfulness," were a few weeks since consigned the one to an asylum and the other to the penitentiary, and no paper in the South has expended more virtuous indignation over their "forgetfulness" than the *State Journal*.

Twice within the brief period of two years gentlemen connected with the ADVERTISER were provoked, by the scurrility and personal abuse of the *State Journal*, to demand retractions or seek satisfaction of Mr. ARTHUR BINGHAM. Once he begged off. The next time he *ran* off. If he thinks he has now screwed his courage to the sticking place, we are at his disposal, whenever he may think proper to seek us. Experience has shown us that his talents are divided between abuse one day and a back-out the next; and as we have no time to spare, either in hunting him up or running him down after we have found him, it has been deemed advisable to save both time and unnecessary labor by extending him a courteous invitation to "call and settle," if he considers himself aggrieved beyond the point of endurance. If he considered himself so aggrieved by the reproduction in the ADVERTISER of the running comments of the people on his late extraordinary proclamation of wealth or by any other matter or thing published in this paper, our whereabouts were known, and he was in honor bound to make atonement for his former cowardice. But as he has sought reparation for his injured feelings in the filth and garbage of the gutter we see too much that is congenial between him and his chosen refuge to seek just now, to disturb his very fitting place of repose.

State Press.

From the Greenville Advocate.

As another evidence of the corruption of the Radical party, we may mention the fact that the Radical Solicitor of Montgomery county, instead of discharging his duty to the State in the prosecution of Pat. Robinson, the Tax Collector, declared his opinion that Pat. was innocent, and charged the jury with being influenced in their verdict by the meeting of citizens which had employed the prosecuting attorneys! And of course the *State Journal*, the Radical organ, takes sides against the jury and the people and in favor of Pat. As Robinson was convicted after a fair and honest trial, the conclusion is irresistible that his party friends defend him simply because he is a Radical. But why should not a Radical be punished for his misdeeds?

From the Birmingham Iron Age.

Messrs. Editors: The time is near at hand when the people of the Sixth Congressional District must select some one as a candidate to represent them in the next Congress of the United States. Without any disposition to underrate the claims of any of the worthy gentlemen who will likely be brought before the nominating convention, a number of persons in this district will urge the nomination of Dr. James B. Luckie, of Birmingham. He is altogether worthy and highly qualified to fill the important office. He served the South faithfully in war, and can do so ably in peace. He is a man whom the true white men of the district should delight to honor, and who would really represent them ably, faithfully and honesty.

Dr. Luckie has never been an office-seeker, and has no knowledge of the wishes of his friends. But it is insisted that his name shall be submitted to the nominating convention, as one who in all respects, deserves the high honor to which his friends would exalt him. B.

From the Abbeville Register.

Mr. Editor—While others are making suggestions as to suitable candidates for various offices, I will take advantage of the occasion and suggest the name of a gentleman for the position of Judge of the 8th Judicial Circuit. And in offering his name for the favorable consideration of the voters of the Circuit, I do not propose to encroach upon space by pronouncing a long eulogium upon the gentleman. I will only say that he possesses every requisite to fill the office Circuit Judge—he is a good lawyer, an honest, upright man, with nerve enough to do his duty without fear or favor, and with moral character without blemish. Just such a man we stand sadly in need of, Mr. Editor, and I hope you will lend your valuable assistance in getting him the position for which I now urge his claims. S. H. Dent, of Eufaula, is the gentleman to whom I allude. With such a man on the bench, our people might feel assured that justice—the law, in all its purity—would be given alike to all, rich or poor, great or humble.

From the Opelika Observer.

It is a matter of no small importance that we present such men to our State Convention as will command the consideration, respect and confidence of Alabamians. The name of our distinguished fellow-citizen, Hon. Wm. H. Barnes, has already been most favorably noticed throughout the State, and we feel satisfied that the Convention will unhesitatingly select him as one of our standard bearers. Who will be the other? We know no one so deserving the honor as Col. M. L. Stansel, of Pickens. No man in the State has a purer heart or in whose bosom the cause of the South is more ardent. With his modesty, he is endowed by nature and acquirements with every requisite that will secure him the confidence of the people. He has the courage to stand as a wall of fire in opposition to the wrongs and oppressions which the enemies of the South would hurl upon us.

Give North Alabama the Governor in the person of Gen. Houston, and East and West Alabama, the Congressmen for the State at Large in Barnes and Stansel. With such leaders we will achieve a victory of which our cause, and country can well be proud.

From the Birmingham Independent.

We were shocked at reading an article in the State Journal of Tuesday, denunciatory of the Grand Jury of Montgomery. The big organ of verbosity that pretends to take not only the Radical press under its protective wings, but even censures or praises the articles emanating from Conservative presses, finding fault with a Grand Jury for doing its duty! The same fellow that has rebuked us repeatedly for criticising the acts of some Judges in this State, and told us that we were bringing justice into contempt, now calling a Grand Jury that has only done its whole duty bad names, shows not only that the Journal is not a proper moulder of public opinion, but that it would shield its political allies however infamous their acts.

O! the ways of the transgressors have been flowery in this Southern land for the past nine years! They have fattened on the substance of our people, and have gloated over our disfranchisement and ruin! "The mills of the gods grind slowly," yet we think the day of deliverance is at hand! Light is breaking! Honor, honesty, decency, and capability may be requisites for public office, even in Montgomery county, before many moons! And the gallant men who, despite the sneers and jeers of many, have done their duty will deserve the gratitude of a whole people, whose substance is no longer within the reach of thieves.

From the Mobile Register.

Mr. George Bancroft, Grant's Minister to Germany, has recently made a treaty with that country by which, says the Baltimore Gazette, American naturalized citizenship, instead of being perpetual, is limited to two years after a return to the native country. A German naturalized here, going back on a visit to the fatherland, if detained by business, or sickness, or accident more than two years, without any violation of his own relapses into a Prussian or Bavarian subject, and may be and would be drafted and drilled into Von Moltke's legions, and sent off to fight for Alsace and Lorraine. In vain would he appeal to his adopted government for relief, the Bancroft Statute of Limitations would be thrust in his face, and the drill sergeant would hold and scourge him. And in order to rivet all this upon our German population whom, at election times, Radicalism is so anxious to conciliate, a bill is now pending in the House of Representatives, introduced by Mr. E. Rockwood Hoar, of Massachusetts, to carry out the scandalous treaty by "appropriate legislation."

From the Talladega Reporter.

The Randolph *Enterprise*, mentions favorably the name of Hon. John T. Heflin, of Talladega, as a suitable person to fill a seat on the Supreme Court Bench. We notice several other papers making similar suggestions.

Judge Heflin is a learned and able lawyer, and has been in full practice for (well we will just say), twenty years.

From the Conecuh Star.

The white men in Alabama have no time for leisure. We must all go to work and redeem the State from the accursed crew that control the ship of State. Let all profit by the past and resolve to carry the next election. Inactivity is played completely out; work must be done.

From the Russell Recorder.

As we are on the eve of a great campaign, and success is the common end of all, union, harmony, compact and thorough organization and discipline of the party as one solid phalanx with unbroken front, is necessary and will win. We but play into the hands of our political opponents by insisting upon the premature discussion of issues that will distract and divide the people, and render them indifferent to the paramount object—victory in November. Let all differences be reconciled.

Profitable Strawberries.

A market gardener located near Lawrence, Mass., recently assured us, says the New York *Tribune*, that last season he sold more than $2,800 worth of strawberries from two acres of ground. His method is as follows:

In the spring of the year he plants on well prepared soil on hills two feet apart. The variety chosen is Wilson's Albany. The beds are kept cultivated during the season, and all runners and blossoms are carefully clipped away. The next season the crop is taken, and although the present year was in many places unfavorable for strawberries, yet on this particular plot nearly 6,000 quarts per acre were gathered. After bearing one year the beds are plowed up, and other crops planted. Meanwhile other beds are coming to a bearing condition.

Death of Admiral Buchanan.

Admiral FRANKLIN BUCHANAN, the hero of Hampton Roads and Mobile Bay, died in Baltimore on the 13th inst., at the ripe age of seventy-four years. He was an officer in the United States service until the secession of the Southern States, when he resigned, and was appointed to the temporary command of Drury's Bluff. A short time afterwards he was appointed to the command of the ironclad ram Virginia (Merrimac), then lying at Norfolk. On the 8th of March, 1862, he steamed out into Hampton Roads and attacked and dispersed the Federal fleet, sinking the Constitution and the Congress. But during the action he received a severe wound which disabled him for several months. After his recovery he was appointed to the command of the Confederate fleet in Mobile Bay, and in the great fight before Fort Morgan, on 12th of March, 1864, received another wound which compelled him to turn over the command of his iron-clad, the Tennessee, to Lieut. JOHNSON, who continued the action until the gallant little flotilla was overwhelmed by the superior numbers and guns of the enemy.

Admiral BUCHANAN was a noble and gallant gentleman, and a pure and unselfish patriot. Brave, chivalrous and devoted, he followed the star of Duty withersoever it led. But there is no armor against Fate, either in blameless lives or deathless deeds, and he who dared Death to the encounter where his shafts rode every breeze now sinks beneath a random dart, in the quietude of his home and the arms of his friends, leaving to his countrymen the heritage of a fame unsullied as the snow and a memory which they may cherish with tenderness and grateful pride.

Piscatorial Ruffianism.

ELMORE COUNTY, ALABAMA, May 15th, 1874.

Messrs. Editors:—Is there not some law which will prevent the netting of fish during the spawning season at the mouth of creeks emptying into the Alabama and Coosa rivers?

In a few years more at the rate it is now being carried on, unless something is done to prevent it, these rivers will be almost entirely bare of the finny tribe. Respectfully, &c.

COUNTRYMAN.

In response to "Countryman" we have only to say that we know nothing of any law which will save the fish—but there should be such a law and a stringent one at that. The destruction of fish during the spawning season is a species of ruffianism which for want of a better name we have dubbed "piscatorial." The *modus operandi* is this: A net is stretched across the mouth of the creek while the fish are up the creek spawning. When they return they are caught—from the least unto the greatest.

Come to Alabama!

The Decatur *News*, of the 14th inst. says that "the destitute people of the overflowed regions of Louisiana are asking to be sent to Texas, rather than to remain in their ruined homes and be supplied there with rations. If they will come to Alabama instead of going to Texas, their fortunes will be made. Profitable employment can be found here for thousands who have nothing to do elsewhere. The capacity of Alabama to employ laborers is almost unlimited, and lands which are now lying fallow are capable of immense productions that will enrich all engaged in cultivating them. We can produce early vegetables, make large hay crops, and surprise the world with fruits, and there will be no limit to the sale of either product. Come to Alabama!" This is good advice, if it is meant for those likely to read it. We have ignorant labor in abundance already. What we now want is intelligent labor and skilled labor, backed up by strong capital. But that sort of labor shuns competition with negro labor, because the most of it comes from the Northern States and Europe where stronger antipathies are cherished against the negro than can be found anywhere in the South. In this fact lies the visible indication of the negro's destiny in this country. He will gradually drift westward (as the Indian did) to cultivate such lands as yield subsistence without much hard work, exclude the whites from the miasmatic sections bordering the Mississippi and the Louisiana bayous and ultimately become extinct. He has no proper footing in this country on which he can sustain himself against the aggressive encroachments of the children of JAPHET, whom God has "enlarged" to "dwell in the tents of SHEM," and of HAM also, after HAM has ceased to be his servant. Emigration flows to Texas, not because the inducements offered by that State are superior to those offered by Alabama, (because the reverse of this is true) but because of the character of its government and the condition of its credit. Give Alabama a like vantage ground, and the floods of the State will not be able to accommodate the thousands who will daily crowd to her fields, her workshops, her mines and her forests. This is now the *sine qua non*; and all the invitations extended to the emigrant in advance of the restoration of sound credit and government purity, will, as a rule, be respectfully declined.

The New Texas Title Law.

As there has been a great deal said lately in reference to a new law that had passed the Texas Legislature in reference to the re-recording of all titles previous to January, 1875, under severe penalties, the N. O. *Picayune* prints the following letter received by Messrs. NASH & HODGSON, auctioneers of that city, from S. H. DARDEN, Comptroller of the State of Texas, on the subject:

Office of Comptroller, State of Texas, Austin, May 5th, 1874.

Messrs. Nash & Hodgson, No. 5 Carondelet street, New Orleans, La.:

SIRS—I am in receipt of your favor asking if a law had recently been passed in this State requiring the recording of all titles previous to a certain time, etc.

No such law has recently been enacted in this State, though a bill was introduced in the Legislature, which has just adjourned, which had some bearing upon the subject, but it did not become a law.

The present constitution of this State requires all unsatisfied land certificates in existence at the date of the adoption of the constitution, to "be surveyed (or located) and returned to the General Land Office by the first day of January, 1875, or be forever barred," and it is probable that this provision gave rise to the report you refer to. Very respectfully,

STEPHEN H. DARDEN,
Comptroller.

The *Courier-Journal* publishes a letter from the Attorney of the city of Corinne, Utah Territory, showing up the lottery swindle, called the "First Great Salt Lake Gift Enterprise." The writer says:

"The "First Great Salt Lake Gift Enterprise" is a concern gotten up and managed by an individual never known or seen at or in the vicinity of Salt Lake, Corinne or any other place in Utah—an entire stranger in this community, and of no visible, or known means except what he is now procuring through this sham. * * *

They have a paper printed in San Francisco called the "*Corinne Free School Advocate*," which they circulate to the remotest village in the South from Corinne, but no citizen of Corinne ever gets a copy, only what are returned occasionally to parties for reference.

Matters in Brief.

THE cotton factories of Columbus, Georgia, paid out on Saturday last, as operatives' wages for the two weeks ending on that day, $12,000.

ON yesterday one hundred Catholic pilgrims sailed from New York for Rome. They take three hundred thousand dollars as offerings to the Pope.

THE Pascagoula River bridge has been completed, and all rail communication between Mobile and New Orleans has been resumed. Two trains a day will run between the two cities.

MRS. M. J. WESTMORELAND recited the beautiful poem by JAMES RANDALL, entitled "At Arlington," at the decoration of the Confederate graves in Charleston.

THE currency question has driven at least one Congressman crazy—Mr. DAVID B. MELLISH, of New York city. The Washington *Chronicle* has of late contained many sensational and incoherent advertisements of his, relative to his numerous speeches on the currency.

AMONG the foreign celebrities now doing this country is young AUERBACH, the son of the famous German novelist. He is said to be tall, well formed, and very handsome. His hair which is very profuse, is of a blonde color, his eyes are blue, and his teeth are well formed and beautiful.

AT last steam has been applied to boats on the Erie Canal. The steam canal-boat, City of New York, Captain BAKER, which left New York on the 10th, arrived at Albany the next morning at three o'clock. She was immediately locked through with an assorted cargo into the Erie Canal and went westward.

IN Michigan, citizens in various localities have spent all their time fighting woods fires. The town of Muskegon escaped destruction only by a timely change in the wind. The whole country is ablaze with flames, lighting the sky at night in every direction with a lurid glare, and making the atmosphere murky with smoke.

MR. RODERICK R. BUTLER, of Tennessee, thinks that ninety thousand dollars was too much for Congress to appropriate for the relief of the sufferers by the Southern flood, but his patriotism and philanthropy readily expanded to the three million appropriation for the Centennial, to be raised by tax on tea and coffee.

AMONG the heroes of common life must be enrolled for brief fame a youth named STUTTON, a flagman of a train on a Pennsylvania road. He was sent to flag a following train, and fell between the cars. His legs were crushed, but wounded as he was, he signalled the coming train before he fainted, and thereby saved many lives. That was courage worthy of record.

THE latest and a rather significant novelty in Paris is the appearance of apparently genuine five franc pieces with the imprint of the head of young Napoleon, and the words, Napoleon IV, Emperor, on the one side, and the imperial arms on the other. The word "Essai," engraved in small letters on the coin, protects it against government interference.

A new bill has been introduced in the British Parliament which proposes to establish courts of registry, in which any one showing a title without flaw may have it registered as absolutely good, so that in subsequent transfers inquiry beyond this record will be needless, and the tedious work of examining separately every link in a long chain of titles may be dispensed with.

NEXT inauguration day, March 4, 1877, falls on Sunday, so that the presiding officer of the Senate pro tem, will be President of the United States from Sunday midnight till Monday at the hour that the President elect is sworn in. This has occurred twice before, MONROE commencing his second term Monday, March 5, 1821, and ZACHARY TAYLOR his term on Monday, March 5, 1849.

GEN. HOOD'S "No. 1, in answer" to certain statements contained in Gen. JOSEPH E. JOHNSON'S book," occupies five and a half columns in Sunday's New Orleans *Times*. Gen H., claims that at the most he only lost 7,234 men during the forty-six days' defence of Atlanta and Gen. JOHNSON sustained a loss of 25,000 men in his sixty-six days of retreat over one hundred miles of abandoned territory.

THE surviving members of HOOD'S Texas Brigade, held their third annual reunion at Galveston on the 7th instant. Their battle-torn flag was greeted with enthusiastic applause. The Galveston *News* prefaces its account of the day's proceedings with a historic record of the gallant corps. Colonel WOFFORD and the Eighteenth Georgia are credited with a share in the earlier honors of the famous command.

FOUR of the six officers of the Turkish army who have been living in Providence, R. I., attending to the gun contracts with the Providence Tool Company, have gone to New Haven, where they have been apprenticed to a large manufacturer to thoroughly learn the business of making guns and other mechanical work. The Turks are young men, wealthy and influential in their country, and very industrious and persevering in their efforts to acquire the "United States language."

Col. R. H. Powell.

This distinguished citizen of Alabama is now in Louisville, Ky., as a delegate to the General Conference of the M. E. Church South. He will, therefore, hardly be present to deliver that annual address at our State Editorial Convention. On Wednesday last a memorial, asking that a change be made in the bounds of certain conferences, was considered by the Conference. This memorial was opposed by Rev. T. Y. RAMSEY, of this State, who thought it unwise to adopt the policy of changing bounds in response to the whims of the dissatisfied. To this. Col. POWELL replied as follows:

He said that he had no desire to inflict a speech upon the Conference, but that he was going to make a few remarks.

In regard to what Mr. Ramsey had said, he was perfectly agreed that it was a good rule for the General Conference to be governed by—that they should be slow to make these changes.

But he had said that this petition was prompted by a whim. He was not willing that this question should be acted on with that charge remaining unanswered. Not an idea; not a sentiment in the memorial could be found that was prompted by a whim: He had admitted that the petitioners were true and loyal men to the interests of Methodism. Did not that fact secure for them a respectful consideration at the hands of the Conference? For four years they had submitted without a murmur, hoping that their grievances would be righted at this General Conference. Did this show that they were actuated by a whim or a mere sentiment? Mr. West had remarked that the memorial was only signed by six or eight members. Nothing should be inferred from the paucity of names attached to it, as they were those of the official members. The names were known to both Conferences, and he doubted whether a better or truer set of names could any where be found.

Hubbard and Clitheral.

From Hon. S. S. SCOTT'S "Random Recollections" of the Alabama Legislature 1857-8, 1859-60, we extract the following interesting recollections of Hon. DAVID HUBBARD and Hon. ALEX. B. CLITHERAL—two names closely interwoven with the history of Alabama. This extract is from "No. 8" of Mr. SCOTT'S series:

The House Committee on Federal Relations, in the session of '58-'60, reported a series of resolutions, which excited an animated discussion. The resolutions strongly condemned Douglas' popular sovereignty dogma. The report was made through

David Hubbard,

the chairman of the committee, who advocated their adoption, in a speech marked with the simplicity of style and strength of argument, for which he was noted. "The old Major," or "Uncle Davy," as he was designated by his friends—for he had reached his three score and ten—was a man of great vitality. He was richly endowed too, with mind—mind wanting in polish, but by no means wanting in vigor.

It was like a piece of sculpture by Michael Angelo, rough, but full of power. One of the speakers in the debate, not inaptly, likened the whole man—using the language of Carlyle—to "some castle of a feudal age, time worn and battle-scarred, but grand in its massiveness and black-frowning strength."

Smith, Rice, and others, sustained the action of the committee; Forsyth, Clitheral, etc., etc., opposed it. The speeches of all were able. Forsyth did his best, and those who know him do not require to be told what that best was. A friend and admirer of the "Little Giant," he defended him valiantly against all charges; and, after exhausting arguments in an effort to prove the soundness of Douglas, political opinions, he reached out to show the necessity of a firm alliance between the South and West—the first and surest step toward which would be accomplished by the former taking up this great representative man of the latter; a firm alliance, to stay the East in its persistent attempts, by cunning thievery, to live upon the hands of the South and West, and by deeply laid schemes, to destroy the principles upon which the Government was founded.

During the debate upon these resolutions a member had introduced a table of arguments tending to show that there was no substantial difference between the squatter sovereignty position of Douglas and that of the black Republicans, and attempted to read the statement that between him and a candidate of that party, a Southern man could have choice, jocosely remarked:

Not have a choice! Not have a choice, sir, for Eufaula, is the gem of all stuff. Sir, were his Satanic Majesty to die, and were I allowed to vote for his successor, provided one had to be elected, I should have a choice between the several candidates, not benefitted by his virtues—none, save himself were injured by his faults. Let the latter sleep and the former be cherished.

These imperfect sketches are now ended. And, in conclusion, I would simply say—peace be with the young and gallant dead of the State, and with Alabamians a lasting remembrance of their worth.

From the N. Y. Financial Chronicle, May 4.

Condition and Prospects of the Crop.

Although it is of course impossible as yet to measure the damage done by the late rains and floods with any accuracy, yet it may be of use to state what are believed to be the possibilities of the future.

But first, it will be asked, what is the extent of the present disaster. So far as the Valley of the Mississippi and its tributaries are concerned, the flood many approximately be stated to to have covered land which would have produced in a good season, say 350,000 bales of cotton. We make up this estimate (1), as the extent of the flood, from information received from the South, and (2) as to the yield of land, from the census report, corrected by our own figures, of inreased planting since.

Next, one naturally inquires, what portion of this loss will be recovered? The answer depends upon several conditions. First, upon the duration of high water; on this point the prospects are now improving, for the flood is subsiding rapidly. Second, upon the ability of the planter to go the necessary outlay for seed, tools, etc.; in this particular also the situation is more favorably than we dared to hope, as no inconsiderable help is being extended to the South in their emergency, and prominent among the subscriptions is the donation from the general government. Third, the inducement or stimulus which the future prospect as to the price of cotton holds out; that is to say, the belief in the mind of the planter as to whether he is to receive a good return if he exerts himself more than usual; on this point also the feeling is, we think, such as to induce a recovery of the land so far as possible, for there has been a growing belief in the cotton States that the planting is to be small and the crop small, and therefore that the price will be high. These facts then point to the probability of replanting of the inundated land as rapidly as possible.

With the exception of the flooded country we do not think the heavy rains we have had will, if succeeded now by fine weather, materially affect the extent of the planting. Cold wet springs are usually favorable to cotton to which has been previously planted. Such a spring appears to develop the root and tend to make it strong, which is the basis of future rapid growth and abundant fruit. Much however of the planting in the West and in other States will be late, and in those sections therefore, a fine and favorable summer will be very necessary.

Cotton Factories.

From the Mobile Register.

The advantages possessed by the Southern cities for the manufacture of cotton are so manifest that Northern men are compelled to admit them, and are making considerable investments in our section. Senator Sprague, of Rhode Island, recently one of the largest and most successful manufacturers in America, delivered a speech in Charleston, a few years ago, in the course of which he said:

I claim that the South, with its genial climate, can produce finer yarns than any other country now engaged in manufacturing; and to prevent the supply from ever exceeding the demand, so as to reduce the price below the present gold standard, I advise all cotton planters to employ their surplus money in the manufacture of yarns for the Indian market.

In the speech from which this extract is taken, Mr. Sprague pronounced the cotton factory at Augusta, Ga., the finest in America. The Hon. Amos Lawrence, of Boston, another wealthy manufacturer, writing upon this same general subject, uses the following language:

That the South will become a seat of various manufactures nobody can doubt. It seems to be formed by nature for that, not less than for agriculture. They have all the requisites in the greatest abundance. Your profits can be more profitably employed in manufacturing than any other way. The more you can use your capital in employing the labor of your State in manufacturing its products, the more independent you will be, and the more wealthy your people will become. A correspondent writing for Augusta to the Boston "*Advertiser*," after describing the progress of the cotton factories of that city, and the profits of the business, calls attention to the peculiar inducements held out by the Georgians for the investment of capital in such manufactures. He says:

"The State, by an act of her General Assembly, has exempted capital hereafter invested in cotton or wool manufacturing from all taxation, State county or municipal, for ten years, and our enterprising little city has gone even further, and, as an inducement for some of your Lowell men to look into the great advantage offered, agrees by authority of an ordinance to pay a commission of three per cent. to any person who shall influence and cause to be brought from beyond the limits of the city and county, capital in sums of six hundred thousand dollars and upwards, and invested in cotton manufacturing on our canal. One would think that this would be a sufficient prize to induce some of your enterprising and influential capitalists to come and view for themselves our beautiful little city, with its magnificent canal, one hundred and fifty feet broad and eleven feet deep, and its two miles of mill sites, with a fall to each of thirty-three feet. Our government is now entirely in the hands of the whites, and under the skillful and wise administration of affairs which we now have, and certain to hold, we will ere long entirely recover from the effects of the war, and we anticipate the day when our State taxes will be reduced toante-bellum figures, which were one-twelfth of one per cent on an *ad valorem* assessment of all property. The people of Augusta are cordial and hospitable, and will welcome to their city all who come to add to her general weal and prosperity, and they cordially invite investigation into her political, social, commercial and manufacturing position, firmly believing that the most cautious will confess no city South presents greater attractions or greater advantages."

This is a beautiful outlook, and must prove attractive to those who desire to make investments. But Georgia presents no greater inducements than Alabama, and Augusta no greater than Mobile. Alabama relieves such enterprises of taxation for *five* years, and will doubtless imitate Georgia in extending the relief to ten years. We have no reason to believe that the city of Mobile would hesitate to pay three per cent. commission upon the capital introduced for investment in factories. Still the offer should be made in a formal shape.

Exclusive Cotton Planting.

The Macon, Ga., correspondent of the Louisville *Courier-Journal* takes Col. Lee Jordan, the largest planter in this State, as an example of the evils of exclusive cotton culture, and shows, by his own admission, that, though raising from two to three thousand bales every year since the war, he has not saved a dollar by the operation. Every cent realized was needed to pay hands, buy provisions and run the plantation generally. The significant and encouraging fact is added that Col. Jordan has gone back to the old plan—raising enough provisions to do, and after that all the cotton he can. We are delighted to hear this, and hope his present example will be followed by all the agricultural community.

In a paper called the *Country Gentleman*, Col. John Dent, of Floyd county, Ga., has this to say of a visit to the Southwestern section of this State:

"I recently made a trip to the lower countries; there it was all water; large fields planted in corn and cotton were under water; the railroads washed up in many places; the whole country presented a lake scene. I went to that part of the country I moved from just after the war, and there I met with many negroes I owned when slaves. They seemed rejoiced to see me, and I was also glad to see them. I saw from appearances they were not doing well, and I had a long talk with them, giving them all the advice I could—how to live and conduct themselves to make living. They told me, what I saw myself, that they had merely made out to live since their freedom, and had accumulated nothing.

I never could have imagined a country so run down and ruined as that is in the course of nine years. Exclusive cotton planting and buying largely of commercial fertilizers has done the work; and I am sorry to say that the farmers in the up countries, where grain and the grasses are the best crops for our soil and climate, are trying to make it a cotton producing country through the stimulating properties of commercial fertilizers."

It does seem a monstrous paradox that while the South-western farmers are abandoning exclusive cotton culture, the farmers of the Northern section of the State should be precipitating themselves into the gulf that has ruined so many of their fellow countrymen. The Nashville *Union and American* sums up the case precisely when it says:

"Grass for the hundred acres, fine stock, and diversified agriculture, are indispensable to general success. A few exceptional cases, like that of David Dickson, of Hancock county, Ga., may be found; but woe to the community that takes the exception to a rule in farming, and makes it the rule.—Too much of our labor and enteprise rests on this folly."

Lo! The Poor Indian.

A correspondent of the Atlanta *Herald*, writing to that paper from Jefferson, Texas, under date of May 8th, thus recounts the facts of an interesting event in the Baptist Convention now in session in that city.

During the evening the Indians sang another song in their own language, and a very touching prayer was offered by Dr. J. W. M.

Advertiser and Mail.

W. W. SCREWS, } Editors.
M. M. COOKE, }

Montgomery, Ala., Tuesday, May 19, 1874.

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 AND A HALF three months; ONE DOLLAR per month for shorter periods, served by Carriers in the city.

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Extreme Men.

In the last issue of the Wilcox *News & Pacificator* we find the following:

Self-interest often makes the extreme man honest. They are not to be trusted in the ensuing campaign—and we here declare our intention to support no man in the coming canvass, for any office, who entertains extreme views on any of the political questions which may arise.

If our friend of the *News & Pacificator* means just what he says he is himself an "extreme man," in the matter of prejudice; if he does not he is like "blind Polyphemus with his club"—and his friends will be more apt to feel the weight of his weapon than his foes.

The *Pacificator*, unwittingly, assumes the role of a dictator in this thing. It says, in effect, that the whole Democratic and Conservative party must come to its terms or else forfeit its support. If those who differ from the *Pacificator* were to lay down a corresponding ultimatum where would the party appear next November?

It is evident that there is a "muddle" somewhere on the subject of "extreme men." For instance it is quite clear that the Hunstville *Independent* does not mean by "extreme man" that which we mean when making use of that phrase. We say this is "evident," because we have seen the *Independent* warmly endorse at least one gentleman who is our beau-ideal of the "extreme man." According to our definition the "extreme" Conservative is one who can neither be bought nor bent. To go at it analytically we will suppose that there is somewhere a dividing line between Radicalism and Conservatism. Indeed there *must* be; because the principles are distinct and definite. Now *our* "extreme man" is he who gets as far from that dividing line as the nature of the case will permit. The moderate, so called, is he who stands close enough to step over to either side, with an easy stride, whenever he may conceive it to be his interest to do so. The Conservative is one who would do all in his power to preserve the old landmarks of the Republican institutions; the Radical would root them out and launch forth on the wide sea of experiment. If these landmarks were ever worth preserving they are worth it still, and we honor the man who goes farthest and is most steadfast in the good work. But that man is certainly an "extreme man" and of course, the man that our friend of the *Pacificator* cannot support, if he means all that his language implies. But we apprehend that this is not the "extreme man" to whom he refers. It occurs to us that he has fallen into the common error of classing the 'noisy, BOMBASTES FURIOSO with the extremists. As well call a babbling brook a deep river. It is the *still* water that runs deep—not the noisy. All the noise of the rapids of Niagara comes up from the shallow waters. The noisy man would be thought extreme and therefore assumes airs and gives vent to high sounding speeches calculated, as he imagines, to produce that erroneous impression. Hence it is that we sometimes see men go to bed blatant Democrats to get up next morning pronounced Radicals, and *vice versa*. The reason of this is that the noisy fellow has not the depth or strength of character to be "extreme" on either side, and he, therefore, "assumes a virtue" to which he has no just claim.

There is yet another class of men who construe "conservatism" to mean a sort of half-way house, between genuine Conservatism and Radicalism, in which they may play "pull over the mark" with those who stand in corresponding positions on the other side. But the difficulty in this case is that the spoils are generally on the Radical side wherever these fellows abound on ours; and when the game of "pull over" commences, they "squat a little" and—go over without putting forth a modicum of their strength of resistance. These are the men who are generally supposed to be "strong with the Radical party," but who are really weak with both parties because neither can trust them. Yet these are the men whom we must nominate for office on pain of losing the *Pacificator's* aid in this canvass? We can hardly believe this, notwithstanding our friend's assertion. He did not mean all he said.

One more view of this ultimatum and we have done. He who is not for us must necessarily be against us in the coming campaign. As a Conservative newspaper the *Pacificator* must believe that Conservatism is right. Grant that, and how can the *Pacificator* retire, like ACHILLES, to his tent, in the event of the nomination of men who are *extremely right*, when it must know that by so doing it will necessarily aid in the election of other men who are extremely *wrong*? How can it fly from the positive support of men who reflect its principles in their purity to give a passive support to others who antagonize its principles outright? There is too much inconsistency in a position of that sort to suit our upright and downright friend of the *Pacificator*. On reflection he will reconsider his ultimatum. At any rate we hope so.

The Currency.

The New York *Herald* agrees with the ADVERTISER that the time has well nigh arrived when the gold-drain from this country to Europe must stop. On this subject it says:

The reason why this defect and evil (*i. e.* the failure of the present currency system to stimulate native production. ED. ADV.) has not been brought home to the national consciousness is that since the close of the war we have been settling our international balances by the sale of our bonds in foreign market. It is too *evident that this process must stop*. * * * * We have gone nearly to the length of our tether in running in debt to foreign countries by the sale of bonds.

The pending currency bill does not meet or remedy this "evil". On the contrary, by still further complicating the system, it tends to mystify the people and give them less confidence in greenbacks as a medium of exchange.

The New Connecticut Senator.

An election takes place in the Legislature of Connecticut to-dad for a successor to W. A. BUCKINHAM, one of the present Senators whose term expires on the 15th of March next. The Democrats have nominated Hon. W. W. EATON, and as they have a large majority on joint ballot, his election is an assured fact. He is perhaps of all other men in New England the most obnoxious to the Radical faction. During his whole life he has been an earnest and consistent Democrat and belonged to the class who were before the war called pro-slavery, and during the war copper heads, and since the war he has been denounced as "not loyal."

He is an ultra States rights man, an active and forcible speaker, and would speedily make himself conspicuous in any deliberative body. His election by Connecticut will be a significant commentary on the revolution in public sentiment that is going on, for the State gave Grant a heavy majority eighteen months ago.

Mr. Eaton will be the only democratic Senator that has been elected from New England in many years.

Indiana.

FULLER returns from Indiana indicate great Democratic gains. All the larger towns have elected Democratic Councils and Mayors. Indianapolis, Jeffersonville, LaFayette and Terre Haute have passed out of Radical control. The temperance coalition has not sufficiently strengthened the Republicans to prevent uniform disaster. It is now believed that at the next election in Indiana, the Democrats will elect three-fourths of the Congressmen, a large majority in the legislature and secure a Democratic Senator, in place of Mr. Pratt, who is now Morton's Radical colleague.

The New Movement in the West.

The expansionists in the West seem not to have been annihilated by the veto. Opposition to centralism and monopoly is at the bottom their movement in opposition to the New England bond-holders and stock-jobbers, and they are looking forward to the next Presidential election, when they will make themselves felt in the West. The Evansville (Ind.) *Courier*, anticipating the contest in 1875, says:

"The Hon. George H. Pendleton, of Ohio, would be a formidable candidate for President on the ticket to be placed in the field by the new movement. His personal integrity, great abilities, and the fact that he was the author of the greenback policy, would give him a prestige that few other men have earned."

Hons. T. J. Judge and C. W. Rapier.

Editors Advertiser:—It is now conceded by the Democratic Press that it would be well for this Convention to place in nomination two gentlemen who are residents of this section of our State, for the important positions of Judges of the Supreme Court. And T. J. Judge who although a resident of Greenville, is the law partner of Gen. Holtzclaw, and most of his time is spent in this city, is named as one of them. Judge Judge was a member of this Court during the administration of Gov. Patton, and was removed at that time by the strong arm of military power and thus deprived the right of serving his full term of office, to which the people had elected him. In regard to his fitness for the position there is no question and he is too well known to require any comments from us.

The Hon. C. W. Rapier of Mobile, has also been favorably mentioned by quite a number of our press, for a like position, and without intending to detract from other gentlemen who may be named in connection with the Supreme Bench it may not be amiss to say that Judge Rapier is a man of great learning, indefatigible industry, clearness and sagacity of judgment, which together with the upright tiss and purity of his charaht er eminently fit him for this exaltee position. Judge Rapier held the office of Circuit Court Judge at Mobile for near fifteen years, and he, like Col. Judge was also removed from office by the military power. In the event that the convention concludes to select from the legal talent of South and Middle Alabama, two of the candidates and these two gentlemen are selected they would not only do credit to the profession but also give satisfaction to the entire people of our State. With R. W. Walker, T. J. Judge and C. W. Rapier as candidates, success would be sure.

LEX.

A Letter from Hale County.

GREENSBORO, Ala., }
May 11th, 1874. }

Editors Advertiser:—The number of white radicals in Hale county is increasing. Several of our old citizens have gone over in order to get offices, and others have come in and squatted here for the same purpose. Among the rest a Dr. J. T. Foster—a protege of C. W. Hatch—who was expelled from the State Senate last winter for robbing the mail. Said Foster is a candidate for the office of Probate Judge. Hatch has a bogus claim against the county for about $800, which the present Judge of Probate will not allow, on the ground that it is fraudulent, but if Hatch can elect Foster, the latter will no doubt feel bound to have Hatch paid. We want a Democratic paper here, of pluck and ability, to pilloried these fellows—a Hercules with his club ready, whenever the Hydra of Radicalism shows a head, to bruise it. The *Beacon* is too tame and old maidish for the times. It is heavy on radicalism in Maine and California, where no body ever sees it, but has nothing to say about the radicals of Hale county, where alone it can be supposed to exert any influence. It is also opposed to the race issue, as if this issue had not been joined ever since the negroes were made voters. I am myself in favor of it out and out, believing, as I do, that there never were in any former election, and that there will not be in the next, five hundred negro votes cast for the nominees of the Democratic party. The only question to be asked next fall is, are you a white man or are you a nigger? If the former, let him prove it by voting the Democratic ticket. If the latter, then he will of course go with the negroes and become one of their bootblacks in common with other scalawags and carpet-baggers and thus publish his own shame by admitting that he is a traitor to his race, an enemy to the Commonwealth, and only bent on public plunder and pillage, and hoping by a union with the negro, to accomplish his purposes.

A DEMOCRAT.

Preventive and Cure for Gapes and Lice in Chickens.

The present long wetspell of weather is being the cause of considerable gapes in chickens in my neighborhood, and consequently much loss. Of the hundred and one cures found in the Poultry papers for gapes and lice in fowls, I had rather have that of the old negro man who has the care of my Poultry than any of them. It is simply this—smoke them freely with tobacco before feeding in the morning, while their stomachs are empty. To save time and trouble, I will describe his process.

Make a box that will hold from 25 to 50 chicks, bore one-inch holes in the bottom. Make your tobacco smoke in a kettle or pot, and set the box on it so that the smoke can pass up through the holes into the box; now put in the chickens and spread a cloth over the top, and smoke them about a minute or two—repeating the operation every other morning for a week or so, when your chickens are gapy, and you will soon find your yard free of gapes and lice.

Out of about 140 young chicks, to this time, we have lost but five or six, and only one of them died from disease, and that was lice; the rest got killed.

For lice we mix tobacco with lard, and with this prepartion grease slightly the head and breast of every hen just taken off the nest.

A finer or healthier lot of chickens than I have at present I never saw. I have had uniform success with this remedy for years, and with it I defy gapes and lice.

R. M. ARGO.

Lowell, Ky., April 25, 1874.

An English Woman Bearing Gifts to the Pope.

Lady Herbert, of Lea, had a private audience of the Pope on April 9, when she presented offerings amounting to 91,184 francs in the name of the girls of Great Britain and Ireland. An address having been read by Lady Herbert, the Pope replied as follows:

"It is with very great pleasure that I accept this beautiful offering from my children of the British Isles. Amid the numberless manifestations of affection for the Holy See which have consoled me in my tribulations, those of the English people have been conspicuous, and are very dear to my heart. At this moment revolutions, disorders, and every species of infidelity are rampant over the whole world, and yet England is giving me every day fresh proofs of her fidelity and devotion. When I look back to fifty years ago, no one could have believed that such an expression of feeling would have emanated from a country which had been for three hundred years torn from the true faith and given up to heresy and schism. In the Gospel of this day you have read how our Lord appeared to St. Mary Magdalen in the garden, and thus rewarded her faithful love. He appeared to her under the form of a gardner. And so He is in reality tending the flowers and plants. He has chosen for Himself and weeding out carefully from the soil all that is noxious and rank. Let us recommend ourselves, then, to this good gardner, that He may root out of our hearts all that is displeasing to Him. But I see by your address that the same thought has passed through your own minds, and that you seek for me, as for yourselves, that one only source of consolation—to be united with our suffering Lord. Daughters, then, do I bless you and your families, and all those who have taken part in this generous and graceful offering. And you, dear daughter of mine, must be my interpreter to all dear children, and tell them how I value not so much the amount of their gift (though it is very large,) as the affection and devotion to the Holy See of which it is the expression. May God abundantly bless you and them, and all who have contributed to this touching offering."

Correspondence of the N. Y. Sun.

Another Scamp Loose.

Restoring him to the Party.

WASHINGTON, May 11, 1874.

Last year one J. J. Moulton, Postmaster of Mobile, was tried for embezzling some $20,000 or $30,000 from the office under his charge. There was no doubt of his loss of the money; indeed, he admitted it, and by borrowing from his friends, who still mourn their loss, he ar ranged to pay the money back Alex. McKinstry, the Radical Lieutenant Governor of Alabama, was Moulton's consel. The following letter explains itself:

To the George H. Williams, Attorney-General of the United States:

SIR—I beg leave to recall to your attention the interview that the Hon. Chas Hays and myself had with you, requesting you to direct the dismissal of the prosecution against John J. Moulton, late Postmaster at Mobile, now pending in the Circuit Court of the United States in the judicial circuit at Mobile.

An indictment was filed at the Spring term, 1873, charging him with embezzlement and depositing money in a banking house, not a national bank, for a depository of the United States, involving him in round numbers in the charges, say $18,000 all of which has been paid to the United States Government, and there is no loss.

The indictment was drawn by Mr. Southworth. The prosecution was conducted by the Hon. Geo. L. Duskin, United States District Attorney, and a defense made in Mobile in January, 1874, before the Hon. Wm. B. Woods. The trial lasted some days. The evidence was conflicting and contradictory to such a degree that it is believed that had the vigorous and skilful ability of the United States District Attorney, Duskin, prevented a prompt acquittal. The evidence of the depositing was only for money orders, and that only sustained by an accomplice Mr. Fuller.

There was no denial of the receipt of the amount alleged to have been embezzled, but a prompt admission of and full statement of the accounts, and all made and done under the assurance that he would not be prosecuted and that he should retain the office of Postmaster.

After the jury had deliberated for about two days after they were charged they were discharged by the judge, against the earnest protest of the defendant, and he had to give bail to answer at the trial again.

Mr. Moulton is the head of a respectable and large family of children, and has always heretofore occupied a highly respectable position as a man. He is and has been for a long time an active, zealous and efficient supporter of the administration, and in all respects conducts himself as a good citizen, and one whose services are greatly needed. He offers to pay the costs of the prosecution.

I respectfully request of you that the case may be dismissed or a *nolle prosequi* entered in the court, if it can be done consistently with your sense of duty.

Very respectfully,
(Signed) ALEX. McKINSTRY,
Counsel for J. J. Moulton.

WASHINGTON, March 16th, 1874.

Mark the sequel. The Attorney General has ordered a *nolle pros.*, and turned a scamp loose upon the suggestion that he is a useful Republican partisan. What McKinstry says of Moulton's good character is bosh. In the community where he is known no man would believe him or trust him on oath. While this scamp is turned loose, the Grant parish prisoners in Louisiana (political prisoners, not thieves), are detained in prison by the Attorney General.

Moulton was an appointee of Senator Spencer, and belongs to the corrupt Spencer Ring in Alabama. Some of the money embezzled by Moulton is said to have been used in Spencer's interest. The "Hon. Chas Hays" mentioned is also of the Spencer Ring and a scalawag Congressman from Alabama. A nice lot.

Large Onion Crop.

We have the report of a crop of two acres of onions, raised at Indian Creek Michigan, last summer, by Mr. Wm. Birdsall. Soil, dark sandy loam. He applied 50 loads of compost of barnyard manure, leached ashes and lime. This manure is put in a large pile and covered with earth like a potato heap, a fire of wood built under it to heat the manure, so as to kill all the seeds there may be in it. The earth covering receives all the volatile matter which the heat might otherwise drive off. This manure is applied in the drill; rows 15 inches apart. One-half the field was planted to the Weathersfield variety, and the other to the white globe onion. The soil is cultivated so thoroughly as to keep it quite clear of weeds. It requires the time of one man and boy four months, to perform all the labor required and harvest the crop. Mr. Birdsall harvested 1,150 bushels fit for market, and sold them at an average of 55 cts. per bushel.

1,150 bushels, at 55c. per bushel	$977.50
Cost of labor	$200.00
" " manure	75.00
Int't on land, $150 pr. acre	21.00—296.00
Net income from two acres.	$681.50

Live Stock Journal.

A SON OF NAPOLEON III.—The ghost of Louis Napoleon, or what looks strangely like the wraith of the defunct Emperor, may be seen daily haunting the Restaurant Morel, back of the Opera Comique, in Paris, a cafe much frequented by artists and authors. The ghost in question is no other than the son of the deceased ruler, the eldest child of the late celebrated Mrs. Howard. He is remarkably like his father, (an advantage which the Prince Imperial does not enjoy,) and is said to resemble him also in conduct. He is a middle-aged man now, but is not in the least a settled or steady one, and his habits of dissipation and extravagance used to give the Emperor much trouble. To get rid of this wild scion, and to avoid the scandals which might have been set afloat by the Liberals respecting his conduct in Paris, his father sent him, first as Consul to Belfast, and, finding that still too near to France in all probability, he transferred him to the Consulate of Zanzibar. He is now residing in Paris and bears the title of Count de Bure. Some day, perhaps, he may play the part of Duke de Morny to Napoleon IV.

LOCAL INTELLIGENCE.

Trains now run through to Mobile and the transfer at Mobile river is now avoided. Schedule time will be made hereafter through to New Orleans.

The breaks on the Alabama Central Railroad have all been repaired, and trains now run from Selma to Meridian, making all connections.

The way to spell it, in the plural, is—Knights Templars. See Webster and Worcester, under heading "Templar."

The little child who was outraged by the fiend Williams, in Mobile, has since died of the injuries inflicted upon her. Williams has already paid the penalty of his crime.

The farmers are now doing all that men may to keep down the hay in their cotton fields. But the late rainy spell gave the grass a decided advantage which it will require hard work to neutralize.

The Agricultural and Mechanical Association, which for the past three years have held annual fairs at Pickett Springs Park, have been declared bankrupt, and the 28th day of this month is appropriatd for the choice of the Assignee.

ANOTHER NEW DEPARTURE.—Among the few business houses of the country enjoying the confidence of the entire public, and distinguished for its enterprise, DEVLIN & CO., of New York, stand at the head of the Clothing trade; and we take pleasure in calling the attention of our readers to a new feature they have introduced in their business, and are extensively advertising.

Montgomery Lodge I. O. G. T., was organized last night, by the election of the following officers:

W. C. T.—J. D. Cunningham.
W. V. T.—Mrs. J. C. Lee.
W. R. S.—George J. Johnston.
W. F. S.—J. B. Nettles.
W. T.—George B. Holmes.
W. C.—B. H. Kieser.
W. M.—O. F. Warner.
I. G.—Mrs. L. Warren.
O. G.—T. F. Thomasson.

This lodge will meet every Tuesday night. Dawning Hope Lodge numbered over five hundred members, and being so large it was thought best to organize another, composed of members of that Lodge and new members.

The Episcopal Convention recently in session in Eufaula, elected the following delegates to the General Convention of the Protestant Episcopal Church, which meets sometime in the fall in New York.

CLERGY.

Rev. Horace Stringfellow, D. D., St. John's, Montgomery.
Rev. J. Bannister, D. D., Church of the Nativity, Huntsville.
Rev. John Fulton, D. D., Christ Church, Mobile.
Rev. R. H. Cobbs, St. Paul's, Selma.

LAY DELEGATES.

Mr. F. B. Clark, of Mobile.
Mr. J. H. Fitts, of Tuscaloosa.
Mr. N. H. R. Dawson, of Selma.
Mr. W. H. Bray, of Eufaula.

A visit to Pensacola is quite a refreshing thing in these dull times. To hear man from the cotton region where he hears only one thing discussed the change to other topics is particularly interesting. Here we have complaints of the flood, bad stands of corn and cotton, short crops and very short money crops. There the people seem to be cheerful, and have more ready money. They are engaged in one particular business it is true, but that gives impetus to all branches. At one time in March 173 vessels were in the port of Pensacola, from all quarters of the globe loading with timber and lumber and nearly all carried out from Alabama timber lands. This business employs hundreds, if not thousands, of contractors and their hands, who fell the timber, fix it in rafts, and float it down to Pensacola's magnificent bay. Commission merchants have orders for purchase of timber, make contracts and advances and pay out immense sums of money mounting high up into the millions. Messrs. Keyser, Judah & Co., D. F. Sullivan & Co., Epping, Belas & Co., Hyer Bros. and other prominent firms have contracts and correspondents in all quarters of the globe and during the year receive and forward between 600 and 700 vessels.

Vessels of 17 and 18 feet draught can run right against the wharves, and many go up to Simpson's splendid mills at Bagdad and Milton.

It is unfortunate that these vessels all come in empty, except ballast. Occasionally there is an exception. One vessel arrived a few days ago from Toulon, France, loaded with superior quality of brick.

Quite a correspondence is going on with parties in Rio, in reference to importations of coffee, and there is no reason why Pensacola and Mobile should not furnish the United States with their supply of coffee at rates lower than other cities.

At Molino and Bluff Springs on the railroad from the Junction to Pensacola are splendid mills. The former are owned by a large company of capitalists, in which the celebrated Dr. Ayer is largely interested. The latter belong to Messrs. Evans, Rabb & Co., well known citizens of Alabama. Mr. W. B. Hoyt, a former citizen of Montgomery, is secretary and treasurer of the company.

Visitors to Pensacola are sure of pleasant treatment at the Santa Rosa Hotel, kept by Mrs. Ackerman and her son-in-law, Mr. Rice. Mr. Dunn on Palafox street, is also prepared to entertain guests in fine style. There are many fine restaurants in the city at which day or night good meals can be obtained.

Pensacola has many fine physicians and able lawyers, and indeed all classes there seem to be thorough-going, wide awake and enterprising.

Among the most active and liberal men of the Union Mr. C. L. LeBaron of the banking house of LeBaron & Son can be safely rated. He was the main mover in the building of the telegraph to Pensacola, and when it was thought last winter that war with Spain was imminent, he went to work and in less than two days ran a line from the city to the Navy Yard and placed it at the disposal of the Government. He is prompt in all public matters, and hospitable to the highest degree, Circumstances forbid a longer visit to Pensacola last week, but we hope this pleasure will not be long delayed.

TATUM & WILKINSON, have a supply of John S. Dunham's celebrated Yeast Powders; those who use them like them, they are unequalled for purity and strength, "TRY THEM."

mar29d&wcm

Democratic and Conservative Convention of Cleburne County.

A Convention of the Democratic and Conservative Party of Cleburne county, is hereby called to assemble at the Court House in Evansville, on Monday the 13th day of July, 1874, for the purpose of electing Delegates to the State Convention to assemble in Montgomery on the 29th day of July, 1874, and to attend to other business.

The Best Executive Committees are requested to hold meetings previous to the 13th os July, and elect a full ratio of delegates to said proposed County Convention.

T. J. BURTON,
B. OWEN,
J. C. BARKER,
County Executive Committee.

May 1st, 1874.

PROLOGUE

Spoken at the performance of "The Cricket on the Hearth," for the benefit of the Montgomery Greys.

Stop, Mr. Karsch,* one moment, if you please;
I'm sorry that such harmony should cease,
But I've a prefatory word to say
By way of prologue to the coming play.

The fashion is, in this degenerate age,
By every art to vilify the stage;
To hold sweet Thalia's picture to our eyes
As some vile "imp o' Satan" in disguise,
And yet what is it but a map of life—
Its joys, its sorrows, quietude and strife;
The passions and the impulses that sway
Men to pursue the good or evil way,
All mirror'd on the animated scene—
In colors vivid as the lightning's sheen—
The place where Shakespeare, Schiller and Racine
Have brought their votive offerings of mind
To please, to teach, to elevate mankind!

And so, to-night, we offer to your view
The sweet hearth-picture that our Dickens drew—
Dickens, whose vivid pen with matchless art
Portrayed all passions of the human heart;
Who, in his nerve-strung fingers, clutched the keys
That op'd the chambers of life's mysteries,
And to his loving, artist eyes revealed
What from all other eyes had lain concealed.
Magic his power,—but chiefly to express
The home emotions, love and gentleness,
And faith that clings in poverty's despite,
And makes e'en darkness smile 'neath its pure light.

All these, to-night, our actors will portray,
For these the virtues that adorn our play.

Now ere I end, one word as to the players—
No high conceit, no vain ambition, theirs;
New to the stage, they rival not the glory
Of Booth or Bateman, Fechter or Ristori;
Their want of art they candidly confess,
And show you Nature in her "homespun dress."

Simple their plays, and humble are their ends—
They only act to pleasure you, their friends;
To while away with new and fresh delight,
The lingering hours of this balmy night.

Stay!—one aim more—to aid, as best they may,
Their friends and yours—these boys in jackets grey.
When you recall the time, as on you do,
That they in your defence were firm and true
And feel that in the future they will prove,
Through all disasters, worthy of your love.
Your hearts will answer, ere the words I say,
"God bless the noble boys who wear the grey."

*Leader of the orchestra.

THE SURPRISE.

BY JAMES LAVALLIN.

By the brook sitting,
Young Norah is knitting
A bright-colored scarf for her lover to wear;
Deftly her fingers
Round the thread lingers—
Labor's a light web when love is the snare.
In an
Hguna scout,
Needles and thimble,
Over there,
Under here,
Dexter and nimble—
Trolling a love song, with never a care.

High up above her
The spreading trees cover
Her form reflected below in the stream;
Tender and mellow,
Its raysamber yellow
The Spring-sun is peeping like the lights of a dream.

Bright her eye,
Sweet her sigh,
Dreaming and thinking,
Light and gay,
Through the day,
While the threads linking;
Her heart is a furnace and Love is the steam.

Through the grove stealing,
Half-standing, half-kneeling,
Watching the maid with a tender delight,
Stole gently her lover,
Afraid she'd discover,
He glided along like a rogue in the night.

Not a breath
Stirred the heath,
Not a leaf rustled;
When awhile,
With a smile,
Laughing they tussled,
And, bending, he gave her a kiss for the fright.

Among the prominent gentlemen brought forward by their friends for the Congressional nomination by the Democrats and Conservatives of the 6th district, is our old friend and former fellow-citizen Dr. J. B. Luckie, of Birmingham. There is no man in Alabama who would make a truer, or more faithful representative than Dr. Luckie, and if the people of that district nominate him it will be they that are *luckie* and he that will be Congressman.

At a late hour last evening while pondering, weak and weary, over many a quaint and curious item for this morning's store, a friend in need handed us the following note:

To W. W. Screws:

There was no denial of the receipt of the amount alleged to have been embezzled, but a prompt admission of and full statement of the accounts, and all made and done under the assurance that he would not be prosecuted and that he should retain the office of Postmaster.

After the jury had deliberated for about two days after they were charged they were discharged by the judge, against the earnest protest of the defendant, and he had to give bail to answer at the trial again.

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(Signed) ALEX. McKINSTRY,
Counsel for J. J. Moulton.

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LEX.

A Call for a Democratic and Conservative Convention in Autauga County.

A Convention of the Democratic and Conservative Party of Autauga County, is hereby called to assemble in the town of Autaugville, at the hour of 11 a. m., on Friday, the 5th day of June 1874, for the purpose of selecting delegates to the State Convention to be held in the city of Montgomery, on the 29th of July 1874.

THOS. D. CORY,
LAZARUS B. PARKER,
WM. L. GOLSON,
TEROS. C. SMITH,
THOS. A. SALE,
LEONIDAS HOWARD,
MAC. A. SMITH,
County Executive Committee.

Gas it is said can be lighted by frictional electricity, excited by a lady's ordinary fur muff. Thus: Place four tumblers, upside down, upon the floor or carpet, and upon these place a board or other substance to stand upon, within reach of the burner.

Upon this insulated board let a person stand, and a second person take the muff and rub it a number of times down the back of the coat of the first, by which he or she (if it be a lady with a woollen shawl on) will become charged with electricity sufficient to light the gas with the tip of the finger as effectually as if done with an ignited match.

To perform the experiment it will require three persons, one to turn on and off the gas, for if done by the person insulted and charged, he will not only receive a shock, but discharge the electricity before applying it to the gas. A number of persons can participate in the amusement at the same time by insulating themselves and joining hands.

Let the friction of the muff be applied to the person fartherest from the burner until all become charged, and the person at the other extreme can light the gas, all feeling a sensible stock at the time of igniting or discharge of the fluid.

Capt. F. S. Ferguson, Col. J. L. Tait and G. B. Manly, Esq., have returned from the Direct Trade Convention at Atlanta, whither they went, as delegates from this city. The other delegates were on the wing at last accounts, but are expected home in due season.

BY TELEGRAPH.

Reported by the Associated Press for the Montgomery Daily Advertiser.

NEW YORK, May 17.

Major General George Hartauff, of the United States Army, died here on Friday night of pneumonia, after a weeks illness, aged 44.

The wife of Edward S. Stokes, the murderer of Fisk, has procured a divorce.

There was $10,000 worth of diamond jewelry seized yesterday from Solomon Abrahams, a passenger on the steamer Scotia, under suspicion of having been smuggled.

Weston caved on the four hundred and thirtieth mile. The last mile was made in ten minutes and fifty-three seconds.

The United States has commenced suit against the bondsmen of postmaster Patrick Henry Jones, for $500,000.

LITTLE ROCK, May 17.

Both Houses have passed a bill for a Constitutional Convention, to convene on the 14th of July.

Brooks' force surrendered and were sent home.

WASHINGTON, May 18.

The fifty-eighth anniversary of the American Bible Society was held in the hall of the House of Representative to-night which was largely attended. Addresses were made by the President, Rev. Dr. Wm. H. Allen Penna, Rev. Alexander Mclean of N. Y., Representative Maynard of Tenn., Prof. Julius H. Seele, of Mass. It appears by the Secretary's report receipts for the year were $664,436 including $333,238 for publications, 171,234 from legacies, 115713 from donations, and the remainder of same from other sources. The payments were $611,728; volumes issued, 990,572, including 832,070 from the Bible House in about 40 languages and 158,00 abroad. The entire number of volumes issued during fifty-eight years, thirty millions nine hundred seventy-two thousand seven hundred eighty-six. The gratuitous work for the year amounted in value to $340,945; number of families found destitute of the Bible 450,623; destitute families supplied, 383,537; destitute individuals supplied in addition, 267,168; Sabbath and other schools supplied 111,590.

SPRINGFIELD, Mass., May 18.

The Williamsburg reservoir, which gave way Saturday morning, precipitating the vast mass of water it contained three miles down a steep and narrow valley into the thriving manufacturing village of Williamsburg, and thence further down the valley through the village of Haydenville, Leeds and Florence, into Northampton Meadows, where the stream emptied into the Connecticut River. The huge torrent dashing into Williamsburg with resistless power swept away in a moment manufacturing establishments and numbers of dwellings, causing enormous destruction of property, and a terrible loss of human life. The lower villages suffered, only less awfully. Latest figures of the loss of life make the total one hundred and forty-four, as follows, between three places: At Williamsburg, 60; Leeds, 49; Haydenville, 35. These figures only represent persons whose loss is positively known, though the bodies of all are not yet recovered. Bodies are constantly being found, and in some cases those of persons who were not supposed to be lost, so that it seems, perfectly safe to say the total loss of life will exceed 150, if indeed it does not more nearly approach 200. It is impossible yet to give a detailed estimate of the loss. Side of buildings destroyed and bridges carried away, roads are ruined and hundreds of acres of meadow land rendered almost worthless. Total loss must far exceed one million dollars, and will probably come near two. It appears serious doubts as to the safety of the reservoir have been entertained ever since it was built nine years ago, though less in last few years than in its early history. The gate keeper has several times expressed fears to his employers, calling special attention to the point where the break occurred, but examiners always reported everything safe.

PARIS, May 17.

McMahon has accepted the resignation of the DeBroglie Cabinet and entrusted to Gauland the formation of a new ministry which is expected to be completed to-morrow. Gauland accepting the premiership declared his policy would be to carry constitutional bills through the assembly and complete the organization of McMahon's power. It is reported that Gauland intends to call upon the President of the Right Center and Conservative portion of the Left Centre and others of the late ministry will probably be retained in office.

Republican journals strongly urge an immediate dissolution of the assembly, which they declare is powerless to constitute anything. It is rumored that the extreme right will move a resolution to-morrow, declaring that coalition fails, will vote for a dissolution. The opinion is generally expressed that the Legitimists party in the assembly, by its vote of Friday, committed political suicide. It is asserted that their policy was inspired from Frahardorff. The division between moderate and extreme right, renders probable an alliance between the former section and Conservative wing of the left centre. A new majority may thus be constituted which will determine the incoming Government and enable it to go on with Executive programme and bring about a speedy adaption of the Constitutional bills. It is not thought that there is any immediate prospect of dissolution of the Assembly. Tranquillity prevails throughout France. President McMahon's power is unquestioned.

SHREVEPORT, May 18.

The people hanged Jones and Hill, gamblers, in the Court House yard, for the murder of a Tennesseean named Elliott, whom they enticed to their den. During the night, seven of the prisoners escaped from the jail.

LOUISVILLE, May 18.

George Robertson Chief Judge of the Supreme Court is dead.

LONDON, May 18.

Captain Tyler, who investigates the Erie, sailed Saturday.

SPRINGFIELD, MASS. May 18.

All accounts attribute the disaster to the weakness and insecurity of the reservoir works. Walls were not thick enough to resist the pressure of 125 acres of water averaging thirty feet in depth.

WASHINGTON, May 18.

Mr. Hays, of Ala., to-day succeeded in having the House pass his resolution authorizing the President to issue rations and clothing to the immediate destitute of the Tombigbee, Warrior, and Alabama rivers. The resolution now goes to the Senate. Passage of the bill required considerable personal urging.

Senor of Virginia tried, but failed to get an amendment to the post office appropriation bill to pay mail contractors for service in the Southern States prior to April 1871.

Bills passed to remove political disabilits from Jos. Wheeler of Lawrence counnty, Alabama, and L. L. Lomax of Virginia.

A resolution for a select committee to proceed the Alabama, was offered by Polarnd of Vermont, but was rejected.

Senate.—Alcorn introduced a bill to provide for the appointment, by Secretary of War, of a commission of three army and two civil engineers, to investigate and report a permanent plan of reclamation of Alluvia Basin, of the Mississippi river, subject to inundation. Referred to the Committee on Levee of Mississippi Valley.

SPRINGFIELD, May 18.

The man who took up the cry at Haydenville and carried the news to Leeds was Myron Day.

A little before 8 o'clock, while all the people of the place were just going to work or finishing their breakfast, their attention was attracted by the appearance of Myron Day, from Haydenville, on a horse, shouting wildly. "The reservoir is broken! Save yourselves, for the flood is at hand!" He rushed for the bridge and over the dam, and had got about half way over it when the roar of the coming waters was heard by the inhabitants, who, by this time, stood at their door-steps. He dashed toward Florence, and the people looked north, toward the North Dam, and saw there what seemed to them the crest of an enormous moving pile, fifty feet high. They knew what it was and rushed wildly up the slopes to safe quarters. Their houses were left just as they stood, with tables spread for breakfast and children getting ready for school. In less than three minutes the stone dam broke, and the great column of water, laden with frame houses, sewing machines, pianos, boilers, iron wheels, huge grist-mill machinery, cows, sheep, poultry and human beings from Haydenville, plunged into the valley of Leeds.

Measures for immediate relief have been instituted. At Haydenville Mr. Hayden sent out notice to rebuild his works, and offers to employ all who were working for him, and as many more as are needed, in clearing away the debris and making preparations for work.

Hundreds of acres are covered with the sad remnants of villages which once adorned the country. A tract running eight miles through Hampshire county is now a barren waste, covered with stones, ruins and corpses.

ST. LOUIS, May 18.

Judge McClure, Chief Justice of Arkansas, Col. Oliver, Sheriff of

Advertiser and Mail.

FRIDAY, MAY 15, 1874.

This is for Your Eye.

Now is the time for extending the circulation of the Weekly ADVERTISER. No one will dispute its value as a news, miscellaneous and political paper. It will bear comparison with any of its cotemporaries, North or South, and to Alabamians is more valuable than any other can be. Show the paper to your neighbors and friends, and get them to join in. The ADVERTISER ought to be in the hands of every voter in the State. Cannot you go to work and send us one or more subscribers?

Remember that this is the year for an election to fill nearly every office in Alabama, from Governor down. It is of prime importance that the Democratic and Conservative party shall succeed, and there is no better way of getting up the proper spirit than by the circulation of such newspapers as the ADVERTISER. All Conservatives should do their utmost to increase its circulation, as they can thus most materially contribute to the success of the cause.

By subscribing now the paper will be received during all of the coming campaign, for two sessions of the Supreme Court, and the entire session of the new Legislature. Bestir yourselves, friends, before the campaign opens. A little time will soon secure a club of twenty or more subscribers.

TERMS:

Single Copy 1 year	$ 2 00
Clubs of 10, 1 year	17 50
Clubs of 15, 1 year	22 50

In getting up clubs it is not necessary that all should go to the same post-office. We send them to any point desired.

Cotton Factories.

The account of the benefits conferred on the town of Fall River Mass., by its Cotton Mills is the best argument that can be made use of in favor of establishing like industries in the South. An exchange commenting on this account very truly remarks that "it presents a picture of prosperity almost bewildering, and shows a rapidity of growth which will be startling to those who know not what cotton factories can do in developing the cities and towns in which they are established. Dividends of one hundred and forty per cent.; mill stock multiplied in value ten times; the stock of a bank doing the mill business exclusively, quadrupled in ten years. These are enormous gains, and they are the results of industry, not of speculation. And the profits outside the mills are likewise enormous. A lot in Fall River, which cost $1,800 in 1865, can now be sold for $33,000. In 1870 a junk-dealer bought a farm, back of the city, for $45,000. There are now three mills on it, and it is valued at $100,000. Ten years ago a block of granite buildings was sold for $7,000. Three years ago the city, in widening the streets, cut off five rods from the thirty-six which were in the lot, and paid the owner $18,000 damages. The remaining thirty-one rods are valued at $80,000. These figures show what cotton manufactures will do for the South."

The Wrong Bull.

"Whatever shape the Arkansas difficulties may ultimately assume, it must be remembered," says the New York *Sun*, "that they originally grew out of the vicious system of falsifying the election returns adopted in order to keep in power the crew of carpet-baggers who represented in that State Grant's administration, and who robbed the people with a degree of shamelessness not exceeded by their ravenous brethren in South Carolina and Louisiana. President Grant encouraged these election frauds by intrusting the distribution of Federal patronage in Arkansas to the reputed authors of the most stupendous frauds, and by dismissing Federal officials who had endeavored to fulfill their oaths of office by bringing to justice the worst offenders against the purity of the ballot box."

The *Sun* might have added that the President was entirely content to suffer these frauds to pass unrebuked so long as they left in the Executive chair of Arkansas a tool of the administration, and added eight or ten votes to Grant's majority over Greely. But when the tool ceased to be a tool and undertook to exercise the rare radical combination of honesty and free will, in the administration of State affairs, his former sins were remembered against him; and now, nearly two years after his inauguration as Governor, he is asked to submit to another canvass of the ballots! Why was no re-canvass of the ballots proposed in the Louisiana case? McENERY was as certainly elected Governor of Louisiana as any man was.—But he was no tool of the administration and was, therefore, told that the military force of the United States would be employed to suppress him if he did not quietly submit to the counting out process. It was the GRANT bull that was goring McENERY, and the goring was all right. It is the GRANT bull now being gored in Arkansas, and the goring is all wrong. How can honest men entertain any nobler feeling than unmixed contempt for any government so palpably unjust and dishonest?

Our latest advices are to the effect that BAXTER will not consent to the recount of the ballots. If this is true we shall probably see another Southern State Government established on a bayonet basis within a few days. *"Steel"* seems to be the watchword—spell it how you will. Anything, from a State Government down to the price of a bottle of ale—all is fish which goes to the Radical net.

Important.

Prof. A. Dowdell, son of the late Hon. D. Dowdell, of Auburn, Ala., discovered that sedge grass (our broom straw) makes excellent hay, preferable to Timothy grass, and that cattle eat it voraciously, whether green or cured, and could thrive on it. In addition to his own experience in the matter he brings the testimony of other veracious witnesses. This is of immense importance to many sections where extensive tracts are covered with this grass. On this subject, Mr. W. E. Lloyd, of Auburn, writes to Prof. Dowdell, now of Whistler, as follows:

"The sedge is the earliest and one of the best pasture grasses we have, especially for cattle. It is also one of the very best grasses for hay. I fed 1,000 pounds of it last fall to horses and cattle and am prepared to recommend it as fully as good as the best. I prefer it to the Timothy grass shipped here."—*Eutaw Whig.*

LOCAL INTELLIGENCE.

The real estate of Selma is assessed at $4,000,000.

The people of Dallas county have organized a Tax-payers' League, the objects in view being to watch the disbursement of county revenue and to prosecute every official who can be found violating his trust. It has already had a most wholesome effect.

At different points along the line of the Western railroad in Lowndes county, may be seen huge logs of white-oak timber, which have been deposited there for transportation to Pensacola. One by one the native stores of Southern wealth are being utilized.

Mr. Joel E. Matthews, of Selma, one of the oldest and best citizens of Dallas county died at his residence at two o'clock last Monday morning, and was buried the next day in the family burial ground near Cahaba. The Selma *Times* pays a magnificent and just tribute to his memory.

The voters of Alabama can now see that the grand hope of the tax payers in the Radical counties, is in an entire change of the State Administration. The white counties of Alabama must afford relief to their more unfortunate brethren. Every Conservative should go to the polls on election day.

On Tuesday evening, at a meeting of the Grand Army of the Republic of the Department of New York, it was agreed that there shall be no distinction between Confederate and Union graves on decoration day. Both will be decorated. Of the former there are many in Cypress Hill and around New York.

The Board of Trade of Selma has appointed a committee to invite the New York editors to visit that city, before leaving Alabama. If it can be so arranged, it would afford them a pleasant trip over the Western road, give them a view of some good farming land, and bring to their notice an enterprising and handsome city.

The following are the delegates from the Montgomery Industrial Aid Association to Liverpool, Savannah and Great Western Transportation Convention and Cotton States Congress to be held in Atlanta, Georgia, on the 14th inst. Col. J. S. Winter, Capt. F. S. Ferguson, Col. J. L. Tait, G. B. Manley Esq., and A. M. Kennedy Esq.

Dr. James B. Townsend shot and wounded Dr. Morrissey, a few days ago at the town of Pine Level, in the southeastern portion of this county.—The difficulty grew out of some professional misunderstanding. The shot proved not to be fatal. Dr. Morrissey killed Dr. McLeod in an unfortunate difficulty, a few months since at the very spot where he himself was wounded.

In every portion of the city last Sunday could be seen posted against fences and walls, a placard with the following words:

JUSTICE IS DEAD.

WHEN SHALL SHE BE BURIED?

Let the Citizens Say!

It was bitter sarcasm, and evidently referred to the recent proceedings in the City Court of Montgomery.

Superintendent Peck, of the Selma Rome & Dalton Railroad, has kindly and patriotically tendered the use of a special train to the New York editors who may desire to inspect the iron works on that road or return by that route to their homes. For this appreciative and kind act Mr. Peck is entitled to the thanks of all Alabamians who feel an interest in the future of their State.

The cultivated fields between this city and Selma exhibit tokens of greater care in their cultivation than at any former time since the war—and this notwithstanding the heavy rains. Corn looks very well, and cotton, although small, seems to be in good stand, and all things considered, progressing favorably. It is sad to see the amount of land lying idle, however, but it is to be hoped that in a few more years the fields now deserted will be made to blossom as the rose.

DEATH OF W. F. WITCHER ESQ.—We regret to learn that W. F. Witcher Esq., formerly of Hayneville, but latterly of this place, died here yesterday morning at the residence of Mr. Jackson. Mr. Witcher settled here about a year ago with the intention of practicing his profession, the law, but was prevented by ill health. Mr. Witcher was for many years a prominent lawyer at Hayneville, and was unusually esteemed as a man of high character. The Bar held a meeting yesterday to pay proper respect to his memory. Mr. Witcher was about forty years of age and leaves a wife and several children.

The Editor of the Eufaula *Times* has a self-defensive hennery. For years he has not lost a chicken by theft. He offers the opportunity to anybody, colored or not colored, to enter his coops and help themselves. But the thieving class of the community undertand pretty well, that if, they try to get a chicken after a certain hour of night, they run the risk of being selfshot. To turn even a stone—piece of brick—tilt a chip—or pull at the slats, will do one of two things—either ring a bell in the house, or pull a deadly trigger on them. Now that Editor ought to export that hennery to this city. It would be 500 votes in the pockets of the Democracy before next November.

On dit that one of the late grand jurors met the editor of the *State Journal* on the streets yesterday, and whacked him with a cane for some of his insolence. We are sorry for Bingham, but he must learn to restrain his impulsive feelings. It is not the healthiest thing on earth to accuse men of wilful violation of both the *letter* and the *spirit* of their oaths. He had better return to Talladega at once. An anecdote, apropos of this little "moving incident," will explain why: A chicken-hearted young man went forth to battle for his country. But when the day of trial came he feared to pull trigger, and therefore did no shooting. He could *load*, however, as boldly as the best, and load he did every time the command was given. Before long he sickened of the fun. It soured on him, and he went home—taking his trusty, but well filled, musket along with him. After the howd'yes were all said, his patriotic mama anxiously inquired how many Rebels he had killed?

"Not a darned one" answered John.

"Why?" asked the vindictive parent.

"Bekase I was *afraid to pull trigger!*" responded the youthful hero.

"Afeard o' *what!* I'm ashamed o'ye! Gi' *me* the gun!"

And with that the indignant mother seized the musket, strode brusquely into the back yard and fired it in the air. The next instant, with flattened nose, lacerated cheeks and a mouth full of loose teeth, she commenced to kick and squall for help.

"Lay still, mammy! Lay still" fiercely shouted the unworthy scion "there's fifteen more loads to go off yit.!!"

The moral is obvious.

A cow with two calves at one time is something remarkable in these parts. Whoever has any doubts of such an occurrence being possible can have them dispelled by calling at Zack Gammel's stables, where can be seen two of the fattest calves, born two days ago of the same mother.

With the last issue of the Randolph *Enterprise* we received a splendid specimen of mica, which we suppose was taken from some bed in Randolph county. The sample before us is clear as glass, and about three inches square. The principal use to which it is applied is in the manufacture of lantern and stove doors.

The Circuit Court convenes on the 1st Monday in June next. The return day was out on the 12th, so that those unfortunates who expected to be drawn in the "mill of justice" and who have not yet been served, will have a small breathing spell so far as that court is concerned. The City Court convenes in July, and the Supreme Court commences its session on the same day as the Circuit Court. The Chancery Court is now in session.

Sheriff Strobach has left at this office a bunch of wheat. The seed, which were received from the Agricultural Department at Washington, were sown the last week in December, on his little farm near this city. The wheat shown to us, and which can be seen here, is over five feet high and well headed, and the crop promises to be a fine one. Mr. Strobach says the seed which he will gather can be obtained gratis from him by those who may desire to try this kind of wheat. He has only one-fifth of an acre sown (for experiment merely), but will sow more next year.

In our advertising columns this morning will be found an official report of the condition of the First National Bank of Montgomery Alabama at close of business May 1, 1874, which cannot fail to be a source of gratification not only to those directly interested in the bank, but to the public generally. It shows the affairs of the bank to have been safely and wisely administered and the confidence of the public in it, to be well founded. Sound, safe and solvent, are the three words which combine the whole meaning of the exhibit in question. We congratulate the officers and directors on their skill and success and the city on its possession of an institution so ably managed.

The New York *Turf, Field and Farm* says: "Mr. George H. Todd, of Montgomery, Ala., has invented a flexible horse shoe which is calculated to afford much relief to horses which work on hard roads and stone pavements. It consists of two iron plates with a band of india rubber between them. The first plate is nailed to the foot, like the ordinary shoe, and the second plate, with its flexible band, is attached by means of a perfect jointbolt and screw. It can be added and removed at pleasure and with very little trouble. In winter this moveable plate can be made with corks and toe points, thus affording an easy and swift method of "roughing" the horse when the roads are one solid glare of ice. The rubber band between the two plates, being elastic, breaks concussion and keeps the horse from pounding himself to pieces. Mr. Todd had with him in our office a shoe that he had used six months on a horse which he had been driving. This shoe had served the purpose for which it was invented. The horse was so lame that he could not travel in ordinary shoes, but armed with the flexible patent he rarely flinched on the hardest roads. Mr. Todd's invention can be recommended on the score of humanity as well as that of economy."

The Union Springs *Herald and Times* of the 13th says we witnessed the Fireman's Parade recently in the city of Montgomery, and heard one of the citizens remark, that water in the Artesian Basin could not be used to advantage in the engines, on account of its foaming. The same person also said that water would foam more in one engine than in the other.

The subjoined article we clip from the *Scientific American*, and commend it to the consideration of the Montgomery Fire Department:

To the Editor of the Scientific American:—The communication on page 212 of the current volume of your journal interested me very much. I have read of a whale ship in distress being lightened of a part of her cargo of oil by pouring it overboard, and the sea, for some distance around the vessel, became comparatively smooth. The writer when a boy living on a farm in Vermont, remembers that, in making maple sugar (by boiling the sap in deep cast iron kettles, as the custom then was,) we had a small piece of fat pork, held in the end of a stick; and whenever the syrup foamed and would be in danger of boiling over, we dipped the pork in the syrup, and the foaming would cease instantly. Some years ago we owned a small hoisting engine that we could do no work with on account of foaming in the boiler. By advice of a boiler maker we forced a small quantity of lard oil into it, and the cure was complete. It was only necessary to force in about two tablespoonfuls once or twice a day to keep things perfectly quiet inside.

JOHN McCLAY.

HARTFORD, CONN.

The A. & M. Association of West Alabama.

At a meeting of the Stockholders of the Agricultural and Mechanical Association of West Alabama held in Eutaw May the 4th, Maj. J. M. Bullock was called to the chair and Capt. Geo. H. Cole requested to act as Secretary, The Chairman briefly stated the object of the meeting to be a reorganization, in part, of the Association, which was rendered necessary in consideration of the fact that the Association was without a President and the Vice President had declined to act. Mr. Wm. F. Brugh tendered his resignation as Secretary of the Association which, upon motion of Robert Crawford, Esq., was accepted and the thanks of the Association tendered him for his services rendered under so many difficulties. Robt. Crawford, Esq., nominated the following gentlemen for the various offices of the Association, who, on motion, were elected by acclamation:

R. B. Dunlap, President,
Hon. R. Randolph, Vice Pres.
" J. G. Harris, 2d. "
Gustave Braune, Secretary.
Geo. H. Dunlap, Jr., Treasurer.

DIRECTORS—Hon. James M. Bullock, Dr Jno. C. Anderson, Jno. W. McAlpin, Jno. Scears, L. F. Whitehead, Dr. P. L. Lightfoot. Col. I. James Lee, Thos. J. Patton, Maj. Thos. C. Clark, Maj. N. M. Carpenter.

EXECUTIVE COMMITTEE.—N. A. Crawford, Jno. Scears, J. Conen, T. J. Anderson, James M. Bullock.

On motion of E. Reese, the Executive Committee were requested to report to a stockholders' meeting in this place on the 2d Monday in July the feasibility of increasing the stock of the Association.

On motion of Maj. Clark, the Executive Committee were requested to examine into and report the propriety of making an assessment of 50 per cent. to assist in paying the liabilities of the Association.

On motion of Dr. Jno. C. Anderson, Messrs. Jno. Scears, G. Braune and C. S. Bray were appointed a committee to examine the Secretrry and Treasurer's books since the organization of the Association, and report to the next meeting of stockholders.

On motion ot Capt. Gould, Judge W. C. Oliver was elected an honorary member of the Association.

On motion of Major Thos. Clark, the *Whig & Observer* and papers in adjoining counties were requested to publish the proceedings of this meeting.

On motion of R. Crawford, Esq., the meeting adjourned to meet in Eutaw on the 2d Monday in July.

J. M. BULLOCK, Ch'n.
GEO. H. COLE, Sec'y.
[*Eutaw Whig.*

THE EUCALYPTUS TREE.

An Exhaustive Account of its Peculiar Properties—Reasons for the Increasing Popularity of the Tree—Its Remarkable Absorption of Malaria.

Owing to the constant inquiries from various portions of the United States in regard to the *Eucalyptus Globulus*, or Australian gum-tree, we are induced to give a thorough description of it, embracing many facts not hitherto published. Through the courtesy of Sonntag & Co., of this city, who have devoted much time to the cultivation of the tree, we have obtained most of the information here furnished. The Eucalyptus is extensively grown in and is favorably known to all residents of California, where, probably, not less than one million trees are planted. In this city, in front of handsome residences, you will find it with its magnificent drooping branches, making an effective and graceful shade-tree. In Oakland, the broad avenues are lined with them. Eucalyptus forests are planted in the country surrounding Oakland, and, in fact, every county of this State where the cold winter will permit it to live, the Eucalyptus will be found growing.

The wonderful properties of this tree have only within the past few years been discovered and appreciated. It is justly claimed that when the tree flourishes in low, marshy, and fever-ish districts all miasma will cease. It destroys the malarial element in any atmosphere where it grows, and is a great absorbent of moisture, draining the sub-soil almost as thoroughly as a regular system of piping.

The Eucalyptus is an evergreen, and is found in its native country, Tasmania, in boundless forests, both on the hillside and in the lowlands, under extremes of heat and cold, ranging from 130 to 20 degrees Farenheit. Whether it will endure a greater degree of cold we think has as yet been undetermined. It is however, worthy a trial. Its remarkably rapid growth is a matter of much surprise, attaining as it does, a maximum height of about 300 feet, with a circumference of from 30 to 50 feet. For timber and fuel it is exceedingly useful, being hard and easily worked, and very serviceable for such purposes as the keels of vessels, bridges, etc., where strength and durability are essential. It is estimated that from $4,000,000 to $5,000,000 in value of this timber is exported annually from Australia. The leaves of this tree are of a dark-bluish color, about ten inches long, an inch wide, thin and oddly twisted. They exhale a strong camphor-like odor, quite agreeable and pleasant, which, with the large absorbtion of water by the roots, causes the beneficial influence of the tree. It bears a small white flower, having no odor. In consequence of its anti-febrile qualities the English Government has planted it extensively in the East Indies and Africa, in fever districts, with the most satisfactory results. In France, Cuba, Spain, Mexico, and many other places where malaria, fever, ague, and other pestilential diseases prevailed, the Eucalypti have also been planted.

The wonderful properties of this tree have been discussed by many scientific institutions in Europe. In the Academy of Sciences in this city its medicinal and auto-miasmatic qualities have received considerable attention. Dr. Pigne Dupuytren testified before that Academy of the virtues of the Eucalyptus, and stated that he and Dr. D'Olivera had tested it in the French Hospital. In the garden surrounding this hospital a large number of trees are planted for sanitary purposes. It had been found efficacious in the treatment of affections of the larynx and of mucous membrane in genera. Experiments, carefully made, have proved that in a medicinal preparation it cures cases of intermittent fever, against which quinine alone proves powerless. It is also valuable as a disinfectant.

In Algeria its cultivation was undertaken on a large scale. Some 13,000 eucalypti were planted in an extremely pestilential and unhealthy section, where fever prevailed to a fearful extent every year. During the first year of their growth, at the time when the fever season used to set in, not a single case of fever occurred, yet the trees were only nine feet high. Since then this place is reported free from its unwelcome visitations.

In the vicinity of Constantinople, another fever spot, marshy and sickly, the whole ground was dried up by 14,000 of these trees. In Cuba, marsh diseases are rapidly disappearing upon the introduction of this tree. A railway station in the Department of the Var wasso pestilential that the officials could not proceed toward and tighten a screw. Forty of these trees were planted, and the unhealthy condition of the place was changed.

Two miles from Haywards, in this State, the Surveyor-general planted two groves of the Eucalyptus, one of about ninety acres and the other seventy acres, the whole comprising about 150,000 trees. They are now only about five years old, yet many of the trees are over fifty feet high, the whole making a most extensive and beautiful forest; for fuel and timber purposes being worth thousands of dollars.

Georgia, South Carolina, Alabama, and other Southern States are awakening to the importance of planting these trees, and the same may be said of New Mexico.—*S. F. Evening Bulletin.*

Experiments—Interesting results.

Er. E. M. Pendleton, Professor of Practical Agriculture in the Georgia State Agricultural College, has been conducting a long series of careful experiments, many of which have brought very interesting results. Not long since he read a paper giving a full account of what he had been doing, what had come of it, and the practical bearings of the document, certainly rich in valuable hints, may be summed up to numbers as follows:

1. Peruvian guano and Carolina is used in its concentrated form; it should be mixed with super-phosphate, alkaline salts, etc.

2. No combination of salts, leaving out soluable phosphoric acid, will pay on our worn soils.

3. Taken separately, none of the salts sold as fertilizers to make home compounds will pay. Their virtues, if any, must be in chemical action upon each other and the substance with which they are composed.

4. Ashes treated with sulphuric acid greatly improve their fertilizing qualities.

5. Two hundred pounds of a good ammoniated superphosphate is about the quantity to be used on an acre of cotton.

6. A soil abounding in vegetable matter will pay a much better per cent. with commercial fertilizers than one having but little of this substance.

7. A large amount of fertilizers (say half a ton per acre) will not pay with low priced cotton.

8. With good cultivation, good fertilizers will pay even at low rates of cotton; but with bad cultivation, they will hardly pay at any price.

9. While potash is more indispensable to plant-life than soda, the latter may replace the former under certain circumstances.

10. Plaster, phosphate of lime, being less soluble in cold water, is not so efficient as the bi-phosphate, as a fertilizer.

11. Stable manure, either fresh or rotted, applied with a highly graded superphosphate, makes a very efficient fertilizer for cotton.

12. Cotton seed applied with the germ killed, (or green, if put in deep,) in conjunction with a good superphosphate, makes a powerful fertilizer.

13. Lime should never be used in conjunction with a super-phosphate, and the application of superphosphates to calcarerous soils is of doubtful utility.

14. Fertilizers applied during the growth of the crop, to keep up a supply of nutrition to the rootlets will not pay under ordinary circumstances.

15. Ammonia is the most active and efficient form of nitrogen, when applied as a fertilizer, and organic nitrogen in certain albuminoids is more effectual than the nitrates.

16. The value of nitrogen and phosphoric acid to a farmer depends on their forms and combinations, not their commercial value, which is rated according to the law of supply and demand.

17. The application of soluble manures in a liquid form is better and more efficient than when applied in the dry state.

18. Lime will pay on soils abounding in organic matter; on other soils its application is of doubtful utility.

19. Subsoils do not germinate seeds or grow plants like surface-soils.

20. Early planting of cotton will not produce as much as that planted later, when the ground becomes warm, and the plant is not retarded, but grows off vigorously and healthily.

21. Subsoiling cotton lands will pay for the extra labor on our clay soils.

22. One stalk in the hill will produce more cotton than two or three stalks.

23. Topping cotton is rather a detriment than an advantage to the crop in the lower South.

24. Cotton planted in narrow rows two-and-a-half feet wide and fertilized on thin land will produce more fruit than in wider rows of a seasonable year.

25. The difference between a rich and poor soil is probably owing to the amount of available nitrogen and phosphoric acid, held in soluble conditions with the humus or black matter resulting from the decay of plants in which there is always a sufficiency of the other mineral elements.

26. Subsoiling land for corn will pay for the extra labor even of a seasonable year; much better of a dry year.

27. Deep ploughing of corn during some seasons, at least on clay land, seems to answer.

28. Five by three feet is the best distance to plant corn on medium land, of a seasonable year.

29. Pulling fodder does not seriously injure the corn after the grain is in milk.

30. Superphosphate is the best fertilizer for leguminous plants, not because it is a preferred food, but because available phosphoric acid is deficient in our soils.

NOW is the time for getting up Clubs to the Weekly Advertiser; show the paper to your friends and neighbors and get them to join in. We want to roll up the biggest subscription list in the South, that was ever accomplished. Remember that this is the great election year, in which Alabamians are all deeply interested. All Democrats and Conservatives, friends of industry and progress, should do their utmost to increase the circulation, as it will prove of vast benefit to the cause. Every family who will read the ADVERTISER regularly will be wiser and happier at the end of each year; therefore, every one should be induced to subscribe. We want all our friends to work with a will.

TERMS:—For single copy, $2 00; clubs of ten, $17 50; clubs of fifteen, $22 50.

Show this to your neighbors. Send us one or more subscribers.

The Growth and Manufacture of Sumac.

A subscriber from Pennsylvania asks for information as to the gathering and curing of sumac; how it should be treated so as to render it marketable; also the comparative value of sumac from different parts of the country.

The season for gathering sumac is from July to the first frost, after which it turns dry and is worthless. Strip off the leaves and leaf stems, leaving the thick stems and the flowers; there is no tannin in either of them. When gathered, let it lie and wilt in the sun for about an hour, no more, and then store it under cover until thoroughly dry. This must be carefully attended to, for it will not grind when damp, and if sent to market in that state will turn black and be worthless. When packed down in the leaf in large quantity, care must be taken to have the air circulate through it to some extent, to prevent combustion. These are general directions for the gathering and curing, which, if followed, go far toward insuring a good article.

Sicily sumac, which sells in this market at from 25 to 35 per cent. more than the domestic, is cultivated, which is, we think, its principal point of excellence. The soil is prepared as for potatoes, the roots or small plant being set out two or three feet apart. In the *Shoe and Leather Reporter* of October 23d, 1873, we gave full directions for its cultivation as practiced in Sicily.

Sumac is ground in this country in a round mill with a wooden bed, on which two, and sometimes four, ponderous wheels revolve. In Sicily it is ground in stone mills.

As for the comparative value of sumac in different parts of the country, it has been pretty conclusively established that when grown in the latitude of Virginia (which, by the way, corresponds with that of Sicily) it has superior virtues for tanning purposes. Being near the sea coast, and readily transported to the principal markets—Philadelphia, Wilmington, Delaware, New York and Boston—the Virginia article has retained its superiority, and leads the market in amount sold as well as in price. The Northern sumac seems to have less strength, while of that from further South we have little opportunity to speak practically, as it has not been brought into market, but we have seen immense quantities of it growing by the roadsides and in the pastures of South Carolina and Georgia, and have no doubt it would be a profitable crop if prepared for market.

Items from Greene County.

From the Eutaw Whig.

Stands of cotton in the county are said to be very bad—incessant rains and cold weather having caused the young and tender plant to die out after getting just above the ground.

Cotton seed is said to be scarce in the county. It is believed that many farmers will not be able to get enough to replant their overflowed and other lands on which stands are imperfect.

Will some of our experienced farmers tell us whether the nut or cocoagrass grows to such height that the seed could be cut with oats? We noticed in an orchard we had planted in oats that this grass has made its appearance generally, and as it was never noticed there previously we can conceive of no way in which it could have gained foothold unless planted with the oats.

The salvation of the country depends upon a bountiful provision crop. We hope those planters whose stands of cotton are poor and who have no cotton seed will turn their attention to the corn crop.

Many river plantations will not be cultivated since the overflow, because of the difficulty of getting laborers to remain on them. On all such places the owners should prepare themselves with a mower and reaper and save the great amount of hay that will grow luxuriantly after the waters subside.

The floods preach a sermon on the subject of sowing grain. They cover the lowlands and ruthlessly destroy the cotton plant, but the seeming curse may prove a blessing in disguise if grain crops be planted as the flood recedes. Abundant provision crops this year will enable us to raise large pork crops next year, and well filled barns and store-houses are the very back-bone of real independence.

A gentleman of our acquaintance purchased a mower last year, and after saving fifty tons of hay with no other help but his carriage horses, mowed for his neighbors, thereby saving enough money to pay for the reaper. Result of the investment: Fifty tons of hay worth $1,000, and the reaper paid for.—*Eutaw Whig.*

Macon County.

From the Tuskegee News.

Mr. Editor:—I beg the privilege of saying a few words to every man, woman and child throughout the country who are engaged in cultivating the soil. First, plant corn, peas, potatoes, pumpkins and any and every kind of crop that will go to insure a full supply for one year, from gathering time next fall. Then if the cotton crop is a failure, you are fortified and can go on without the aid of advances from your merchant, who, if disaster comes to this year's cotton crop will be unable to carry you another year. What an awful situation the people will be left in, if they depend on cotton this year and fail. All will go down together, landlord, tenant, employer and laborer, even the merchants, who up to this time have stood firm, will be compelled to go down with the masses. Then what? No bread in the land, and no money to buy, no one to advance provisions until another effort is made.—Now is the time, before the season advances until too late, plant every corn hill, potato hill and everything else that can be planted, that will make food for man and beast. Plant the nooks and corners, every place rich enough should be planted. Work early, work late for the next three months and the end is accomplished.

"MACON."

Lee County.

The finest specimen of Southern raised clover we have ever seen was shown us on Saturday by Dr. J. B. Barnett, of this city. It measured forty-five inches in height, and the Dr. assured us his whole crop was nearly as good. There is no reason why Lee and the surrounding counties should not plant largely, this important crop.

Supreme Court of Alabama.

Order of Business for June Term, 1874

It is ordered by the Court that the following shall be the order of business for the ensuing June Term of the Supreme Court of Alabama, commencing on the first Monday in June, 1874

The first division, composed of the counties of Baldwin, Clark, Mobile and Washington, shall commence on Monday, the first day of June, and continue one week.

The second division, composed of the counties of Bibb, Dallas, Monroe, Perry and Wilcox, shall commence on Monday the 8th day of June, 1874, and continue one week.

The third division, composed of the counties of Autauga, Butler, Conecuh, Escambia, Lowndes and Montgomery, shall commence on Monday, the 15th day of June, 1874, and continue one week.

The fourth division, composed of the counties of Barbour, Bullock, Coffee, Covington, Crenshaw, Dale, Geneva, Henry and Pike, shall commence on Monday, the 22d day of June, 1874, and continue one week.

The fifth division, composed of the counties of Baker, Chambers, Elmore, Lee, Macon, Randolph, Russell and Tallapoosa shall commence on Monday, the 29th day of June, 1874, and continue one week.

The Sixth Division, composed of the counties of Greene, Hale, Marengo, Marion, Pickens, Sanford, Sumter, Tuscaloosa and Walker, shall commence on Monday, the 6th day of July, 1874, and continue one week.

The Seventh Division, composed of the counties of Calhoun, Cherokee, Clay, Cleburne, Coosa, DeKalb, Etowah, Jefferson, Shelby and Talladega, shall commence on Monday, the 13th day of July, 1874, and continue one week.

The Eighth Division, composed of the counties of Blount, Colbert, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Marshall, Morgan, St. Clair and Winston, shall commence on Monday, the 20th day of July, 1874, and continue one week.

A true copy from the minutes.

D. B. BOOTH,
Clerk Supreme Court of Alabama.

N. B.—Papers throughout the State will please copy for public information.

may8tf D. B. BOOTH.

The Growth of a Feather.

In the skin of a bird, where a new feather is to grow, there is a little pit, and at the bottom of this is an elevation or pyramid; extending up on one side of this pyramid is a groove or furrow, deepest at the base, and gradually growing shallower until it disappears near the top; from each side of this furrow a great many smaller grooves extend across to the other side of the pyramid, and these also decrease in depth, and at last disappear just as they are about to meet on the side opposite the furrow. The whole pyramid is covered with skin, and the surface is made of the same scales or flattened cells that are found over the rest of the surface of the body; but, instead of falling off when they are pushed out by the new ones below them, become united together and form a sheath or horn a horn coat over the surface of the pyramid, with ridges on its lower or inner surface corresponding to the grooves on the pyramid; and, as new cells grow at the base, this coat or case of the surface is pushed upward till it breaks at its thinnest part which is, of course, the smooth part, without ridges opposite the large furrow; and then, as it continues to grow and lengthen, it assumes the form of a feather, the ridge formed in the main furrow being the shaft, while the casts of the side grooves form the separate barbs of the vane. When all of the vane has been formed and pushed forward, the pyramid loses its grooves and becomes smooth, and the wall now formed on its surface being of the same thickness in all parts, does not break, but remains entire, and becomes the quill at the left of the pyramid. A finger-nail or a hair is formed from the same kind of scales in the same way, the process differing only in those features which give to each organ its peculiar character.—Feathers, scales, claws, and nails are all made alike from the dead flattened cells crowded to the surface by the process of growth.—*Popular Science Monthly.*

An Irreverent Scotchman.

The habit which the Highlanders have of using the pronoun "he" immediately after its noun, as "The King he says," instead of "The King says," gave rather an irreverent air to the opening remarks of a good Scotchman in an elaborate sermon. "My friends, you will find the subject of discourse this afternoon in the First Epistle General of the Apostle Peter, first chapter and eighth verse, in the words, "The devil he goeth about like a roaring lion, seeking whom he may devour." Now, my friends, with your leave, we will divide the subject of our text to-day into four heads. Firstly, we shall endeavor to ascertain 'Who the devil he was.' Secondly; we shall inquire into his geographical position, namely, 'Where the devil he was,' and 'Where the devil he was going.'—Thirdly, this of a personal character—'Who the devil he was seeking.' And fourthly and lastly, we shall endeavor to solve a question which has never been solved yet, 'What the devil he was roaring about.'

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