

THE CLARION.

BY POWER & BARSDALE. Official Journal of the State of Mississippi.

ONE YEAR, \$1.50; SIX MONTHS, \$1.00; THREE MONTHS, \$0.50.

THE CLARION CLUB RATES: Six or more copies when ordered at one time, to different addresses, per year, \$1.25.

THE CLARION, and either of the journals named below, will be sent one year for the sum stated:

THE Utica Monitor, Mr. George L. Crosby, editor, is a handsome paper, full of news, and deserves success, which we trust awaits it.

The gentlemen indicted in the Federal Court at Oxford, Miss., for improper conduct at the last congressional election had their cases set for trial on this day, the 17th.

THE Brookhaven Free Press records the death Mr. J. G. Magee, an old and valued citizen of Lincoln county, by the falling of timbers of an old building in which he had taken refuge from a storm.

ON another page we have published extracts from the speech of Senator Williams on the Civil Service bill. His blunt, matter-of-fact, straight-forward way of dealing with it without sentimentality, or gush, will strike the reader.

WE regret to see a statement in the Liberty Herald that Mr. E. A. McDowell, who for the past two years has been a practicing lawyer at that bar, has left for Texas in search of another home. Mr. McDowell was the efficient reading clerk of our House of Representatives at the last session.

WE regret to see announced in the Carthaginian the death of Mr. Thomas J. Cooper, an old and esteemed citizen of Leake county, in the 72nd year of his age, a native of Tennessee, but for nearly fifty years a resident of Mississippi. He was the father of State Senator Cooper of the Leake and Attala District.

THE opinion of Judge Wharton in the Chalmers-Manning case was delivered orally in the presence of a large and attentive audience. The opinion of laymen and lawyers is that it was profound and searching presentation of the law, and that its conclusions were unanswerable. In style and manner, it was excellent, and the regret is general that it was not written. We have given merely an outline of it in another column.

WE part with our esteemed neighbors Dr. Hunter and Prof. Jayne, of the Comet, with regret. Our relations with them have been the most agreeable. If their newspaper venture was not pecuniarily profitable, they have the consolation of knowing that they have acquitted themselves faithfully and well, and have deserved success. Dr. Hunter is a thorough physician, as well as a powerful writer, and under suitable conditions will succeed in either field. Prof. Jayne, for the present, will serve the public as real estate agent with the ultimate aim of embarking in the profession of law to which his learning and analytical mind so well adapt him.

Valedictory.

Will the editors of THE CLARION allow to the editors of THE COMET space enough to bid adieu to their friends and the public generally as they retire from that paper and indeed from journalism? For the future of the Comet we cannot speak. It is the property of Mrs. M. V. Cooper, we having failed to discharge our indebtedness to her, and is for sale. All advertising debts will be collected by Hunter & Jayne, subscriptions by Jayne and Cooper. All debts due by the late firm will be scrupulously discharged by them at the earliest moment possible. To give the cause of our retirement were useless. There is much about the profession of journalism that we love, and hence we do not retire from it without much of regret. From the members of the fraternity, with whom our relations have been very pleasant indeed, we reluctantly part. We regard the press as a power for doing good second to no other. We are glad to notice its tone becoming in the main more elevated as well as more useful, and we shall always be glad to hear of its continued success and improvement. To our patrons and friends we extend our thanks. The press has our best wishes, and we do not imagine that it or the public will suffer from our retirement. Thanking you for courtesies, we are,

Very truly and respectfully, HUNTER & JAYNE.

The Manning-Chalmers Case.

Yesterday the Circuit Court (Judge Wharton) passed upon the question of law arising upon the demurrers of the Secretary of State to the petition and supplemental petition filed by James R. Chalmers and sustained the views urged by the counsel for Chalmers. The Judge delivering the opinion, which was very able and maturely considered, held that the Court had jurisdiction of the case, and the authority to issue the prohibitory order requiring the Secretary to pause in his count or to add to the votes given for Chalmers the 1472 votes, which he afterwards in violation of the order, counted for J. R. Chambless, or show cause to the contrary.

Proceeding to the discussion of the question arising upon the certified statement and the "tally sheet" accompanying the same, Judge Wharton held that the supposed "tally sheet" was an unofficial document and should have been disregarded by the Secretary of State; or that if he had doubts as to which of the papers manifested the conclusion reached by the Commissioners of Election of Tate county, it was his duty to return both to the Commissioners for verification. The Court further adjudged that the subsequent action of the Commissioners immediately after knowledge of the discrepancy in giving a certified, tabular statement showing that the votes cast at the several precincts of their county were for Chalmers and not Chambless, as they had at first determined, thus correcting the misimpression of a clerk, was perfectly competent, and praiseworthy, and that the Secretary of State should thereupon have recalled his certificate issued in favor of Manning and given another in lieu thereof and according to the facts in favor of Chalmers. Judge Wharton illustrated his views on this point by reference to the case of Goode and Hurst when opposing candidates for the position of Judge of the High Court of Errors and Appeals made vacant by the death of Chief Justice Smith. In that case the certificate had been issued by the Secretary of State to "thirty days" immediately following the election. But the Secretary of State and Attorney General, promptly recalled the certificate and commission issued in favor of and to Goode, and gave the certificate and commission to Hurst, who, counting the statements from Amite and Pike, had received the majority of the votes cast.

In the course of his opinion the Judge said that under the law, the Governor has no discretion but to issue the commission to the person declared to have been elected by the Secretary of State.

Commenting on the case of Oglesby v. Sigman, relied upon by the Secretary to sustain his action, Judge Wharton said it was not applicable to the Chalmers-Manning controversy. It was not here attempted to reconvene the county commissioners, and compel a canvass of the votes so as to make them reach a different conclusion, nor was it intended to affect them in any way. The Tate commissioners of their own free will executed a duplicate paper that truly and beyond doubt manifested the conclusion really reached by them in the exercise of their functions, as canvassing officers in the first instance. The commissioners were not *functus officio*, being in office at the time under the statutes of the State, and authorized to conduct all special elections occurring during their term; and they had the right, in the faithful discharge of their important duties, to correct the misimpression that occurred in this case. Any other view would frustrate the will of the people as expressed at the polls. The Oglesby-Sigman decision, viewed in its relation to the facts involved, was right and had the support of all the judges and lawyers so far as he knew; but it was not predicated upon the same state of facts existing in the case under consideration.

Judge Wharton stated that, while the respondent was technically in contempt, he had no doubt his action was based upon his convictions of duty, and that he had intended no contempt of the Court or its process.

The question of jurisdiction having been decided, it is to be hoped that the trial of the cause will now proceed without delay upon its merits, in order that it may be judicially determined who is entitled to the certificate.

AMONG the measures before the Kansas Legislature are five contemplating restrictions on railroads.

"THE era of reconstruction in South Carolina is ended, although the legislation which political success can be assured may be regarded as temporary in character and needing constant patching."—Charleston News and Courier.

This is the experience of all the other reconstructed States.

THE public has been surprised by a statement in the Meridian Sun that the appropriation of \$60,000 will not bear more than one-fourth the expense necessary to the completion of the East Mississippi Insane Asylum, and that the building will necessarily have to remain in an unfinished condition until the Legislature can make the necessary appropriation. In other words, that the foundations have been laid for a building that will cost \$240,000, instead of \$60,000 as the Legislature intended; and the inference is left to be drawn that the building cannot be used until the appropriation is made and the work upon the plan on which it has been commenced, is completed. This proceeding of the commissioners is so extraordinary that it is eliciting the criticism of the press. The subject was maturely considered by the Legislature; and after deliberation the sum stated was appropriated. To disregard its action, was to assume a very grave responsibility which will necessarily engage the attention of the Legislature when it assembles. One of the immediate effects of disregarding the intention of the Legislature is to defeat the early completion of the institution, the use of which is needed in consequence of the overcrowded condition of the Asylum at Jackson.

WE have quoted statements from the Oxford papers contradicting the report that the grand and petit juries of the Federal Court, in session at Oxford, had been empaneled so as to contain partisan majorities for the indictment and conviction of persons accused of violating the federal election laws. In reply to the denial of the Oxford press, the Holly Springs South says:

The Oxford Eagle insists that the Federal Court grand and petit juries at that place are not made up to accomplish partisan ends, but composed of Democrats, Republicans and Greenbackers. If the Republican claim and obtain the solid negro vote, we should like to know how it is that a grand jury made up of fifteen negroes and three white men can be so divided. Three white men can make but one democrat, one Republican and one greenbacker, with the fifteen Republicans added. We are a little puzzled to see how our Oxford contemporaries can make the division so as to indicate at least two of every party. As to the petty juries, if they are all made up by the same hand (no matter how honestly intended), the same presumptions seem to follow. If the Democrats escape service by showing cause of discharge because they have families and business, how does that alter the matter as to the result when the negroes are all willing to serve at two dollars a day and are accepted.

From this statement, coupled with other representations, we infer that the juries as originally drawn, did not contain a majority of persons opposed to the Democratic party, but that the court in a spirit of accommodation excused from service Democrats who had been empaneled and who asked to be relieved, thus leaving the juries in the control of the opposition. If this be true, it suggests that while censure is visited upon the court, Democrats who leave their friends to the tender mercies of juries that have "partisan ends" to accomplish, are not free from blame.

A. & M. College.

A note from Gen Lee, dated 10th inst., says: "We are in a very flourishing condition, some forty new students having recently entered the College. We have two hundred students in the dormitory. Total in attendance, about 250."

A "FARMERS UNION" for co-operation in the advancement of Agriculture, has been formed in Yazoo. Gen. B. S. Ricks is President and G. W. Parker, Secretary.

By a vote of 59 to 31 the Tennessee Legislature has instructed the Senators and requested the Representatives from that State to vote for a "tariff for revenue only."

THE North Carolina House of Representatives adopted resolutions to-day instructing the State Congressmen to vote for Federal aid to State educational purposes. The Georgia Legislature had passed similar resolutions, and Senator George has presented to the Senate a memorial of the faculty of the Mississippi University in favor of the same object.

COMMENTING on the great tribulation in certain quarters over the piling up of "useless" silver dollars in the United States Treasury vaults, the American Sentry observes there is not a word of complaint against the piling up of useless gold coin in the Treasury, and adds that at the rate at which gold has been piled up there during the last thirty days, it will require less than two months to accumulate a far greater sum in gold than of silver, lying uselessly in the Treasury. Also that the people prefer either gold or silver certificates to gold coin, provided the coin is in the Treasury for their redemption. The people will, and do, take all they can get of them, absolutely regardless of the "intrinsic" or any other value of the metal in which they are redeemable.

UTICA, on the N. and J. Railroad, has shipped 3,000 bales of cotton the present season. A good beginning.

The Civil Service Bill.

A meeting of the Democratic editors of Indiana was held at Indianapolis, at which a letter was read from Gov. Hendricks, expressing in unqualified terms his disapproval of the Pendleton civil service bill, which he reviewed at some length and characterized as an indignity and an insult to the majority of the people, and a Republican scheme to exclude Democrats from the usual control of public affairs.

Ex-Senator McDonald, who has recently been mentioned as an available candidate for the Presidency, entered his protest against the perpetuity in office clause, a proposition in his judgment anti-democratic in its broadest sense, and in direct opposition to the republican principle underlying the government. He said it was a custom borrowed from Great Britain and in time would lead to the creation of an army of superannuated office-holders for whose support the people would have to pay in every sense. Hon. B. W. Hanna denounced it as a step backward in the old federalist doctrine of Hamilton and in opposition to the theories of Jackson and Jefferson, monarchical in tendency.

The dispatch reports that the foregoing expressions voiced the opinion of all the prominent Democratic members of the Legislature, and that the feeling against the Pendleton bill is intense.

The Washington correspondent of the Times-Democrat telegraphs the following in reference to the matter:

WASHINGTON.—The views of Gov. Hendricks and ex-Senator McDonald, of Indiana, expressed at Indianapolis last Thursday, on the Pendleton civil service bill, were printed here to-day and caused a great deal of comment among Congressmen. Their views condemn the bill. Democrats who voted for the bill are beginning to wonder whether or not they did not make a mistake. There appears to be a very general approval of the views of Hendricks and McDonald. Pendleton's party associates do not appear to be over anxious to commend him on the success of his bill. Mr. Folger, Secretary of the Treasury, is quoted as saying the bill is a sham. In his opinion, men fit for the duties required of them in the civil service, can never be selected by competitive examinations. Men who are up in grammar do not make the best clerks in the departments. Folger says the folly of the competitive examinations was shown in the New York Custom House.

Civil Service Reform With a Vengeance.

A correspondent of the Times-Democrat at Madison, says:

R. L. Bennett, our efficient and popular postmaster, has just been removed in consequence of his having advocated the election of Major Barsdale to Congress in this district. Mrs. McGahey succeeds him.

As Mr. Bennett is all that the correspondent describes; in a word, a competent officer of unpeachable integrity, and withal a christian gentleman, universally esteemed by his neighbors, we infer that he was removed solely for the partisan reasons assigned. Here we have a striking commentary upon the professions and practice of the Arthur Administration. In his late message, its head urged Congress to pass a civil service reform bill, and stated that "it mattered little to the people at large what competent person is at the head of this department or of that bureau, if they feel assured that the removal of one and the accession of another will not involve the retirement of honest and faithful subordinates whose duties are purely administrative, and have legitimate connection with the triumph of any political principle or faction." Directly in the face of this declaration, and of the passage of a bill through Congress, the effect of which is to secure to the partisan subordinates of the Administration in the Executive departments life tenures of office, an official of unquestioned integrity and acceptability to the community he is serving, is removed for exercising his right of judgment in selecting a Representative in Congress.

In saying this much it is proper to add further, that we do not disparage the qualifications and merits of the estimable lady who has been appointed to succeed Mr. Bennett.

THE House Judiciary Committee has decided to table Mr. Knott's resolution, which provided for the forfeiture of the Northern Pacific land grants. It is thought this action kills the measure for the present session.

Gov. WALLACE and other Democrats elected in Connecticut have been installed, the Legislature declaring the "black" ballots in effect, white, because they represented the will of the people, which the Legislature did not think ought to be annulled by a technicality.

THE annual report of the Railroad Commission of Alabama for the last year, shows that the Commission has greatly benefitted the people of Alabama in reducing rates of transportation, and regulating railroads in other respects and that it is a wise institution and ought to be continued. The roads themselves have prospered. The Montgomery Advertiser says that several new lines are in progress and that the present year will show up at least two hundred miles of new road in our sister State.

The Internal Tax.

The bill reported to the Senate to reduce the internal revenue tax, has a fatal defect. It does not abolish the internal revenue department with its extravagant machinery and operatives consisting of collectors, detectives, informers, gaugers and gougers, and costing in the aggregate nearly six millions of dollars. If it should be found necessary in dealing with the tariff, to permit any part of the internal tax to remain, at all events its costly machinery ought to be abolished and the laws for its collection simplified.

In a Nut-Shell.

Here is the whole unjust system of taxation in a nut-shell, as put by a contemporary. Cut it out and paste it in your hat where your brains ought to be. There are in the United States about 10,000,000 families. Our annual taxation for federal purposes is about \$400,000,000. Each head of a family pays therefore an average tax of \$40. Under the existing revenue system the working classes are more heavily taxed than the wealthy, for the highest duties are imposed on the coarser goods used by the poor.

THE House election committee adopted a resolution in the case of Messrs. Manning and Buchanan, declaring no election in the Second Mississippi district for the 47th Congress. The term will expire within a month, and the majority have acquiesced in Mr. Manning's occupancy of the seat, and the salary which he has of right drawn during the whole Congress, thereby tacitly admitting his legal claim to it. The game of the majority seems to be to seat Mr. Buchanan at the close of the session to enable him to draw full salary which has already been drawn by the rightful occupant. It is sharp practice, and a fraud on the treasury.

Gov. BUTLER in his message to the Legislature gives the existing order of staid, old Massachusetts, a genuine shaking up. The boasted educational system of that State, is far behind that of many other States—in fact, she is the nineteenth State of the thirty-eight in respect of illiteracy, while there are only two States which expend more money per capita for education. Gov. Butler finds that of \$5,156,000 which the State expend for education, \$4,462,225 goes for salaries of teachers. He finds that the pay of the male teachers of the highest grades and of the fancy branches is disproportionately large. A special class of pupils is taught music, drawing, physiology, physics, botany, zoology, geology, astronomy, chemistry, psychology, Greek, Latin, French, and German, while the spelling book is banished. "Our school money," he says, "is diverted extravagantly from the many to whom it does belong to the few to whom it does not belong."

H. S. FOOTE (the present incumbent) of Madison; C. S. North, of Hinds; H. C. Conn, and H. B. Mays, jr., of Copiah; W. H. Luse and W. D. Gibbs, of Yazoo, are all candidates for District Attorney, of this (the 9th) District. A splendid array of legal talent from which the voters will have the opportunity to select.

THE Presidential succession bill enacting that in case of death of the President and Vice-President, the office of President shall be filled by members of the Cabinet in the order named, has passed the Senate. Mr. Lamar voted for, and Mr. George, against the bill.

CAPT. R. W. BANKS, of Lowides, and Mr. H. O. Dixon, of Hinds, both practical and experienced farmers, and men of reflection and success in their calling, and good writers, are having an able discussion of the agricultural lien law, in the State Grange organ, the Patron of Husbandry. When doctors disagree, who is to decide?

MR. M. T. POLK, the defaulting treasurer of Tennessee, has been imprisoned in Nashville, and indicted by the grand jury for embezzlement. He is a victim of the speculating mania and of misplaced confidence.

MR. N. C. HILL with the view of devoting his time to the practice of his profession (the law) has disposed of the Jasper Review to Dr. E. W. Lyon, to whom we extend THE CLARION'S best wishes.

THE Railroad Commissioners of Illinois in their last report have asked the Legislature for authority to compel railroad companies to erect new station houses at any points on their lines where present structures are deemed inadequate.

THE questions of the Presidential succession and of the method of counting the electoral votes, are pending in Congress, and, though important, are not likely to be settled at the present session.

THE Mississippi river, when finally opened, becomes a great factor in regulating freight and passenger rates.

The Monticello Relief.

We have received from Dr. G. A. Johnson, of Monticello, a detailed account of the relief funds received and distributed through him, on account of the cyclone disaster in April last. It was the Wor. Master of Eastern Lodge, No. 79, Deputy Grand Master of the 10th district, and one of the most active and efficient in relieving the suffering. The report which sends us is sustained by proper vouchers, and includes payment to thirty persons, besides an amount applied to the rebuilding of Lodge hall. The amount received by Dr. Johnson, of the State contributed \$1,373.75. Grand Lodge Knights of Pythias, and the balance from various sources. This statement is outside of the Relief Committee. The help of Monticello was prompt and generous, and the good people there daily give all that was done for them.

American Shipping.

A bill ostensibly to remove the American marine and to encourage the American foreign trade, passed the lower branch of Congress on the 12th. It was first so as to provide for the admission free, of foreign built iron ships of than fifteen hundred tons, such not to be used in the coasting trade, also for the admission of ship materials free of duty; but the bill rallied under the lead of John B. Manning, the noted monopolist, and defeated free ship and free material clauses with these provisions, the subsidy by which the government would gate itself to pay one-third the cost of the ship to the American builder, went down. This is well. The people are tired and sick of being taxed up monopolies. On the clause which to American registry ships built free of duty, the vote was yeas 104. The names of the Mississippi representatives who were present and are recorded as follows: Yeas, Manning, Muldrow, Singleton; Messrs. Lynch, Money. As the bill stands, the House seems to have taken in a circuit and has reached the point from which it started out.

Seventh Congressional District.

COLUMBUS, O., January 9.—The Court overruled the motion of Judge Campbell for a writ of mandamus to the vote in the Seventh Congressional district for H. L. Morey, and Henry L. Morey for different persons, so that Morey the certificate.

(The facts of this case are that received a majority of 3,500 votes, some of the ballots were printed in Morey, others H. L. Morey, his name being Henry L. Morey. On absurd ground the petition was for by the defeated candidate. The Court properly held that it was not to invalidate the election.)

It is stated that Gen. Grant has a letter, in which he requests the Senate bill in the House, granting a pension, shall not be pushed if any marked opposition to it. His opposition is decidedly marked, so that it will not be "pushed."

The Civil Service.

Columbus Dispatch.] The measure is a poor one, faulty in its features, and is not calculated to reform in the Civil Service. We have confidence in it whatever, and predict it will be found a failure before it has on trial a year, that is if it should be law. Only the clerks at the lower subordinates in the service are superior, or designated as required to answer certain specified qualifications being amenable to certain penalties of delinquency. This is simply trying an evil by striking, not at its cause but effects. If this bill is the best a Democratic Congress can do in the way of reform, afraid the country has but little to fear from the Democratic party when it goes power, as it will, it acts wisely, of course of a few years.

VICKSBURG, Jan. 11.—A negro named Robert Jones shot and killed a white man at Midway Station, on the Vicksburg Meridian railroad, last night. It was the white man threw a bar of iron at a negro for remonstrating with him, attempting to rob his house.

(Other accounts represent that the slayer was a youth and alone. The men tell no tales, and his statement or may not be true.)

THE leading organ of the Ohio Democracy, the Cincinnati Enquirer, announces the passage of the Civil Service bill, under the following significant lines:

After Twenty Years of Wandering in the Wilderness, and When Just Within Sight of the Promised Land, Democrats Themselves Bared Out by Lord Poverty They Must Look for Their Reward in the Grave. Pitiful Excuses of the Progress in the National Reformatory, Will Not Wash with the Economy Democracy.

The Grange Reviving.

Columbus Dispatch.] The Grange seems to be reviving in central and southern Mississippi. It taken a new life and through its give out that it will make itself every part of the State in a short