

THE CLARION.

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It is a real pleasure we have in announcing that the water in the overflowed region is decidedly on the down grade.

COL. T. R. STOCKDALE is strongly recommended by the Summit Times and Intelligencer, for State Senator from the 32nd District.

THE Messrs. Schwabs, of the Edwards Item have published a "good-by card" to the readers of the paper and advertised its material for sale.

THE appointment of Mr. A. B. Hurt as Statistical Agent of the Agricultural Bureau for Mississippi will secure the services of a very efficient and competent gentleman.

MR. WILEY SANDERS is a candidate for the Legislature in Attala county. The Star says that he is a successful farmer, an intelligent citizen and would well represent the people.

BY a law of the late Congress, the Post Office Department will soon issue "postal notes" of \$5 or less for the transmission of small sums by mail, and good for thirty days.

THE Crystal Springs Meteor says that Mr. W. P. Hughes, of that vicinity was on hand with ripe strawberries on the 15th of March. It is the early strawberry that catches the money in the Western markets.

THE death of Dr. Thomas W. Jordan of Louisiana, who left Madison county Mississippi (where he was connected with numerous respected and prominent families) a short time before the war, is announced. He died in his 49th year.

THE Natchez Democrat has eloquent and touching tributes to the memory of Dr. John C. Inge and Mrs. J. D. Shields, both honored residents of that city, who have died within the past ten days.

HON. F. A. WOLFF is a candidate for Senator from the 2d District. With such candidates as Messrs. Frederick and Wolff to select from, the District cannot fail to select a good representative in the State Senate.

THE Starkville Citizen, in announcing Hon. T. J. Wood as a candidate for reelection to the lower house of the Mississippi legislature, says what all his associates in that body will endorse, that he served his constituents faithfully and well.

CAPT. B. F. JONES, of Montgomery county, having contributed no little in times past to the election of friends to the Legislature, thinking no doubt that turn about is fair play, is asking them to reciprocate. He has been a close observer of public events for many years and would make a useful member of the Legislature.

THE Tupelo Journal announces four candidates for the Legislature from Lee county, and among the number, Dr. J. A. Hoyle, whose able support of the legislation for the protection of the public health against yellow fever and other pestilential visitations, when a member of the body, several years ago, will be well remembered.

MR. THOMAS W. CAMPBELL, proprietor of the Vicksburg Commercial, announces the suspension of that paper, and that it is merged into the Herald of that city. We hope the arrangement will be beneficial to all concerned. The Herald deserves credit for the energy and enterprise its columns have long displayed as a news journal, to say nothing of the independence, sprightliness and ability of its editorial management.

THE busy notes of preparation for the coming canvass are heard on every hand. Gen. H. L. Burkitt appears before the people of Clay, Oktibbeha, Webster and Choctaw counties as a candidate for the Senate. Mr. Wiley Nash, of Oktibbeha, is already announced as a candidate for the lower House. Mr. J. A. Barksdale, the present Chancery Clerk of Yazoo, declines a reelection, and in response to calls in the Yazoo papers, also declines to run for the Legislature. Numerous candidates are announced in that county for all the home offices.

It is asserted that the new Tariff law was originated by the Senate, and that as the Constitution of the United States declares that "All bills for raising revenue shall originate in the House of Representatives," it is proposed to submit to local authority, the question of its constitutionality. There is a bare pretext for the claim that it originated in the House, but it is purely technical. The Senate has the power to propose or concur with amendments, but in this case, nothing of the original bill was retained by the Senate except the title.

The Way to Deal With a Scheme to Fasten on the Tax-Payers the Losses by a Thieving Concern.

When the negro was made free his peculiar guardians were a set of veritable Pecksniffs, who mixed their philanthropy with large ingredients of hypocrisy and thievery. Under pretence of doing him good, they played on his credulity and robbed him right and left. They satisfied their own consciences by pretending when they had gorged their pockets at the expense of the credulous darkey they had done him immense service, benefited humanity generally; and at the same time, had made themselves comfortable. So, there was perfect accord between their consciences and their pocket. One was easy and the other was full. Thus Pecksniff when he had comforted the inner man, moralized in his grace after meat: "I do not know how it may be with others, but it is a great satisfaction to me to know when regarding on my humble fare, that I am putting in motion the most beautiful machinery with which we have any acquaintance. I really feel at times, as if I was doing a public service. When I have wound myself up, if I may employ such a term, said Mr. Pecksniff, with exquisite tenderness, and know that I am going, I feel that in the lesson afforded by the works within me (his digestive organs) I am a Benefactor to my Kind."

And so moralized these Benefactors of the liberated negroes when they were devising schemes for transferring their earnings to their own coffers. Among the most cunning instruments of plunder was the Freedman's Saving Bank. It became a favorite depository of the Freedmen. The parent bank flourished at Washington, but in order that no opportunity of plunder might escape them, its authors established branch concerns in every Southern State, so that the receipts aggregated millions in a short time. These millions afforded an appetizing feast for the harpies. But they vanished like frost-work. The wonderful bank soon burst. The piratical vessel went to shipwreck, and down with it into the fathomless depths, went the little alls of the deluded blacks who had trusted the knaves. The only thing the people, through their common agency, the government, had to do with the bank, was to pass an act incorporating it on the petition of its founders. The most brazen part of the whole scandalous history remains to be told. It is the persistent clamor that the losses by the concern should be made good out of the public treasury. There is not the shade of a shadow of justice in the demand. By no sort of strained logic could the responsibility of the loss be fastened on the taxpayers of the country. Besides thousands of the original depositors are dead; and other thousands would never be found; but bogus claimants and claim agents would flock like blackbirds to gather up the pelf. There would be another feast for the vultures, and the taxpayers would be the sufferers as usual.

So much by way of preface to the following minority report submitted in the closing hours of the late Congress, which we most heartily endorse:

Mr. Money, from the Committee on Education and Labor, submitted the following as the views of the minority: The minority of the Committee on Education and Labor dissenting from the report of majority, accompanying bill H. R. 6294, respectfully submit the following views: There is nothing in the report of the majority, nor in the facts of the case, which justifies the appropriation of \$969,000 to make good any unlucky investments of any citizens. It is not pretended that the government is legally responsible for losses sustained by depositors in the Freedman's Savings and Trust Company, but the moral responsibility of the government is asserted, for reasons stated by Commissioner Knox in his last annual report, and adopted by the majority of the committee. The Commissioner asserts a "great responsibility," the majority a moral and equitable responsibility. The Commissioner and the majority say:

In recommending the passage of this bill as a proper and just measure, I beg to repeat what I have already said in my last report on this subject: "The government has assumed a quasi moral responsibility to the beneficiaries of this trust, in the first place by the incorporation of the company without proper safe-guards, and subsequently by permitting its own agents, the officers of the late Bureau for Refugees, Freedmen, and Abandoned Lands, to act as the agents of the company, thus leading the inexperienced and ignorant freedmen to regard it in the light of a government institution, and as such to commit their earnings to its keeping."

"Under such circumstances, with an overflowing Treasury, it would be little more than just for Congress to make an appropriation for the payment in full of all the creditors of the Freedman's Bank, instead of allowing them to lose 40 per cent. of the scanty means which they had deposited in an institution organized, as they believed, for their benefit, and some of whose branches were controlled by officers of the government." This statement is misleading. The government never directed or authorized its officers or agents to act as agents of the trust company; and if it is meant by "permitted" that they were not forbidden to act as agents of the company, then those officers and agents were "per-

mitted" to represent other savings banks and trust companies that have wrecked so many depositors. The depositors of this company will receive 62 1/2 per cent. of their credits, a settlement that would be gladly accepted by thousands of the victims of swindling and mismanaged savings banks all over the country. This rate was partly secured by the government paying a very high price for the building lately occupied by the defunct company. This bill is more "paternal" than any heretofore presented, and if passed into law would be a most dangerous precedent. There is no more reason for charging the Treasury of the United States with losses sustained through misplaced confidence in this case than in the many similar cases, continually reported by the newspapers, or broken savings banks all over the country.

There is no proof and no avowal that the depositors of the Freedman's Savings and Trust Company are in actual distress for food, clothing, or shelter, nor that they are personally in worse condition than before the failure of the concern.

The minority sympathize with all the victims of betrayed trusts and dishonest practices, but cannot find any warrant in law or justice for this bill. Whenever by flood, fire, or hurricane citizens of our country are plunged into want and distress that demands such immediate relief as can only be given by the general government, the minority are entirely willing that necessary aid should be granted, but they cannot commit the United States to the policy of guaranteeing ignorant investors against the results of their business incapacity or the incapacity or dishonesty of their agents.

The well-used "overflowing-treasury" argument proves nothing in support of the bill.

H. D. MONEY, ALBERT S. WILLIS, CLEMENT DOWD, J. C. CLEMENTS.

Suits by one State Against Another.

The decision of the Supreme Court of the United States published in our last paper, is too important to be passed over without observation. It definitely settles an important issue. Suits were brought by the States of New Hampshire and New York against the State of Louisiana to enforce the payment of some alleged debts. The Court declares that the power of the United States does not extend to suits commenced and prosecuted, as those were in fact, by individuals against one of the States of the Union. Under the constitution of the United States, a State cannot be sued by a citizen, and in these cases the citizens assigned their claims to their respective States, and the proceedings were instituted by the Attorney General, in the name of the States, to compel the State of Louisiana to fulfill her obligation. The Supreme Court held that the suits are, in effect, not the suits of the States of New Hampshire and New York, but the suits of individual citizens of those States against another State; that the States of New Hampshire and New York are merely endeavoring to act as collecting agents for their citizens. Hereafter it is understood that the States cannot act as collecting agents, and when their citizens embarked in enterprises for their own profit, they must take the risks of dealing in doubtful securities. There is but one Court in which to reach a sovereign State, and that is the court of honor, or an appeal to the ultimo ratio verum.

An Important Case.

An important and far-reaching case, growing out of a small affair, has been argued at the present term of the United States Supreme Court. The question at issue is whether in the charters of the companies, which by consolidation have become the Chicago, Burlington and Quincy, the State of Illinois entered into a contract which deprived the State for all time of the right to pass and enforce laws prescribing reasonable maximum rates for transportation of passengers and freight. It grew out of the following facts: In 1873 Near Ruggles, a conductor on the Chicago, Burlington, and Quincy railroad, demanded 20 cents fare from Morgan A. Lewis, a passenger going from Buda to Neponset, a distance of six miles. Lewis offered to pay 18 cents, which was the rate of 3 cents per mile prescribed by a statute then supposed to be in force. Ruggles refused to receive less than 20 cents and tried successfully to put Lewis off the train by physical force. Ruggles was prosecuted for assault upon Lewis and was fined \$10. Ruggles, or rather the railroad company, took an appeal, and the case has been traveling for ten years from court to court and has finally reached the Supreme Court of the United States.

THE Utica Observer says that Col. E. D. Frost, the new Superintendent of the N. and J. Road, is making many friends by his courtesy and prompt attention to the public wants, and hopes that he may long be General Superintendent of the "Little J." for his success in making it a first-class road.

THE officials of the New Orleans and Northeastern say that the road will have trains running through by the 1st of September.

The Statute in Regard to Dealing in Futures.

MAGEE P. O., SIMPSON COUNTY, MISS., March 10th, 1883.

EDITORS CLARION: Please give the meaning of the act passed at the last session of the Legislature designed to prohibit dealing in futures.

A SUBSCRIBER.

ANSWER.

The statute referred to is so vague and indefinite as in our opinion, to be incapable of enforcement. It is unlawful for any person to "deal in contracts commonly called "futures" in this State," and a penalty is imposed on any person convicted of buying or selling any future contracts. No man can deal in contracts commonly called "futures," and the buying or selling future contracts is supposed to be the definition of the word deal, but exactly what the law-maker had in view it would puzzle any one clearly to understand. To give any effect to the statute the courts and juries of the country must find out what class of contracts are commonly called "futures." Gambling in contracts for the future delivery of cotton, grain or other produce, stocks or bonds, by putting up margins with no earthly expectation of actual sale or delivery, was, perhaps, meant; but many contracts for the purchase or sale of cotton or grain for future delivery are made in perfect good faith, and the Legislature certainly did not intend to prohibit them. We do not suppose it possible that the courts would look away from the law, and institute an inquiry into what contracts are commonly called "futures" in order to determine the meaning of the statute. What would be the limit for such inquiry? Where and how would it begin and where terminate?

The statute is highly penal, and while critical rules should, perhaps, not be too strictly applied to the loose and inaccurate phraseology employed, we do not see how any one could be indicted for its violation. The jury must first find whether the contract charged is embraced in the class denounced before a party indicted could be convicted, and thus the meaning of a statute must depend on the verdict of a jury on an issue of fact made up for that purpose. We would suggest an amendment to the law, defining precisely its real intent and scope.

A CONTEMPORARY discusses the question of selecting judges by telling what Gov. Lowry has done and will do in the discharge of the solemn responsibility vested in the executive of choosing the members of a co-ordinate department of the government. We are not considering the question from that standpoint at all; but from a deeper, a broader and a higher one. We never said a word to create a doubt as to our belief that both our present excellent Chief Magistrate and his worthy predecessor, Gov. Stone, had exercised the appointing power conscientiously and with a profound regard for the welfare of the commonwealth. With like mindfulness of the obligations of the trust, we have no doubt, if the Constitution had so required, they would have exercised their best judgment in appointing members of the Legislature, Sheriff, Chancery and Circuit Clerks, members of the Boards of Supervisors, Justices of the Peace, and all the other State and county officers. We have no doubt but such Presidents as Washington, Jackson, Polk, and Pierce, would have made many better appointments for Governors of States, than have been elected by the people, if the plan to vest such appointments in the President, had been adopted in framing the Constitution, but who for that reason would be willing to barter away the right of the people themselves to appoint their own servants? We are contending for a fundamental principle, essential to free government not a mere temporary expedient that may serve us to-day and fail us to-morrow. It may be all well while a Stone or a Lowry grasps the Executive helm; but suppose it should fall into the hands of another Ames. What then? Let those who have had experience of Abel Alderson, Cunningham, et id omne, etc., answer!

THE honor is claimed for Mrs. Lillie Devereaux Blake, that by her efforts the bill was passed in New York State giving women the right of school suffrage. She was the person who began the movement to open the advantages of Columbia College to the enjoyment of women. It will be remembered that the movement to secure to married women their property rights in Mississippi, originated with a woman, Mrs. Hadley, in 1839; and to the arguments and appeals of a "Mississippi Woman," Mrs. E. A. Peyton, is due the interest which has been awakened in this State to secure for the daughters of the State equal educational advantages with her sons.

MR. A. M. ROACH, of the Yazoo City Herald, has been nominated for Mayor of that city on the Democratic ticket. The remainder of the ticket is as follows: Assessor and Tax Collector, George H. Quekemeyer; Marshal, N. N. Wilson; Treasurer, Robert S. Wheelless.

A Nice Programme.

We have noticed a statement telegraphed recently from Washington to the New Orleans Times-Democrat, that prominent Democrats in that city from Mississippi, were so much infatuated with John Lynch, present-but soon will be "late Representative" of the River District, that they had decided to "fix up" a district for his special benefit, that the State may not have the misfortune to be deprived of his services in Congress hereafter. The report is so preposterous that it does not really require comment. The people themselves in the last election, had occasion to decide whether they wanted Mr. Lynch to represent them in Congress and they declared with very decided emphasis that they did not; and what the people decide, politicians should not undertake to over-rule.—JACKSON CLARION.

This preposterous statement originated with the New York Times instead of the Times-Democrat, and after the most diligent search we failed to find a single Democrat in Washington from Mississippi or any other State who had ever heard of such a suggestion before he saw it in print, or who had the slightest sympathy with the views of the writer. We had no difficulty, though, in finding a number of Mississippi Republicans who naturally favored the idea, and who doubtless suggested it to the reporter.

In our search, however, we made a startling and curious discovery, and that was that a proposition had been submitted to the Administration to the effect that if it would contrive a plan for supplying the sinews of war in the Mississippi election this fall, a Legislature would be chosen that would so re-district the State as to enable the opponents of the Democratic party to carry every District but one, and the one excepted District, was to be reserved for a Democrat who was named in the programme. This plan was gotten up and submitted by certain so-called "Independents," who guaranteed its success if liberally supplied with money for the canvass.—Aberdeen Examiner.

With due deference to our friend of the Examiner, we reply that we are not mistaken in attributing the report to a correspondent of the N. O. Times-Democrat. We are not favored with the opportunity to read the New York Times, and don't know what it may have reported; but we do know what appeared in the columns of our enterprising New Orleans contemporary. The dispatch announcing the "nice programme" of "Democratic leaders" for the benefit of Lynch, is dated February 13th, and it is barely possible if the Examiner had examined the correspondent of the Times-Democrat instead of inquiring through a circulation office he might have learned more. Failing to extract what he sought from the correspondent, it is possible that Merriman Howard, Landers, Cesnor, or some other well-known liegemen of Lynch might have furnished him a cue, at least, as to the origin of the statement.

We agree with the Examiner that the "proposition" it did discover, is "preposterous." It is the crazy invention of an absurd trickster, but does not, however, implicate "leading Democrats." Simply, independents, radicals and what not; and the wild schemes of desperate adventurers to destroy the Democratic party do not astonish us. What they may preposterously contrive to save themselves is one thing; what "leading Democrats" may contrive to keep a colonizer as prominent as Lynch in office as the representative of Mississippi, is well enough to warn the democracy in advance of every project to undermine their organization. In reference to the "independent" proposition, we think we are justified in saying that the Administration has not enough money in the treasury vaults to enable the opponents of democracy to carry six districts in Mississippi. Having been forewarned, they will be forearmed against treason, stratagem, spoils, come in whatever shape they may.

An Important Decision Affecting School Warrants.

THE Supreme Court delivered an important decision on Monday last in the case of the State vs. Dan. X. Brown, Treasurer of Hinds county, in which it is held—

Careful consideration of all the legislation of the State with respect to the maintenance of the public schools, has satisfied us that the money distributed by the Auditor of Public Accounts, in pursuance of law to the several counties, is appropriate to the payment of warrants issued in the year in which the distribution is made. The money distributed in January, 1883, is to be applied to warrants for the year 1883.

Chief Justice Campbell delivered the opinion of the Court.

ONE who has carefully examined the new Tariff law has discovered that it increases, instead of reduces, the import duty on hundreds of articles of manufactured iron, which are enumerated in the schedule as "not otherwise provided for," etc. That is the stone the monopolists have given to the people instead of the bread for which they asked.

A BILL has passed the Arkansas Senate changing the name of Dorsey county to DeSoto county. It was named for S. W. Dorsey, now on trial as one of the star-route thieves, during the reconstruction era.

DIED.

At St. Louis, Missouri, March 16th 1883, WILEY P. HARRIS, Jr., son of the great lawyer and jurist, Mississippi whose name he bore. He deceased was born on the 25th of January, 1859, in Jackson Mississippi, where he had lived until he arrived at the age of manhood, and was seeking his fortune in the busy world beyond the confines of his childhood. His illness was brief and so rapid were the approaches of death, that his beloved home had but little time to prepare for the appalling event which robbed them of a cherished idol and blighted the hopes they had fondly reared that his life would be long and prosperous. It had been almost a year since he left the parental roof and had taken up his abode in St. Louis where he had secured remunerative employment and was laying the foundation of a successful business, making friends and securing a firm hold on the confidence and friendship of the circle in which he moved, when the noble aspirations of his brave heart were lost forever in the dreamless sleep that knows no waking. When we recall the various incidents of his life, the bright promises they gaze upon, we realize that the world is poorer for his loss. There was more in his death than bereavement to his family. He would have been to his country a useful citizen, to society an ornament. He had gone out in the busy world to act his part in the drama of life, and in the sphere of practical duty and honorable endeavor which he had prescribed for himself, and would have made his mark. Nature had stamped his character with attributes that achieve success. With gentleness and native dignity, that were friends and commanded respect, he was gifted with a bright mind, and to these gifts were joined habits of industry, and a firm will.

We can readily understand the disposition in the coming of death to close the volume of a long life well spent in the achievement of its highest aims, but when the youthful and the strong are stricken down, while its promises are brightest, we can only accept the decree with reverential resignation in the faith that Infinite Wisdom and Goodness doeth all things well. Young as was the deceased, we know that he did not live in vain. He has left an example of virtue, and upright conduct, for the imitation of others; and his early death is a solemn warning, that the hearts of the young, as well as the old; of the stout and the brave, as well as the feeble—

Like muffled drums are beating Funeral marches to the grave.

All that was mortal of this noble young man was brought back to be committed to the dust where he was born. A large number of sympathizing friends attended the Presbyterian church to offer up the last sad rites to his memory, and to listen to the touching, impressive and instructive discourse of Rev. Dr. Hamter. He has been laid tenderly away in the narrow house reserved for all living, but upon the darkness of the grave the day-light of a joyous Resurrection will break.

A Declaration of Intention Does not Entitle a Foreign Born Resident of the U. S. to Protection Abroad.

There may be other foreign born residents of Mississippi, in the category of Mr. Welsh, and to whom the information contained in the following letter from the Department of State at Washington, may be useful:

DEPARTMENT OF STATE, WASHINGTON, March 10, 1883.

Hon. E. Barksdale, Jackson, Mississippi. SIR: I have the honor to acknowledge the receipt of your letter of the 2d inst. It states that Moses Welsh, a resident of your State, but a native of Algiers, and who has filed his declaration to become a citizen of the United States, desires to return to his native country, and you ask whether upon a certified copy of such declaration, the authorities of this government in Algiers, would be at liberty to extend to Mr. Welsh the protection due to an American citizen, as against the demands of the Algerian government.

A declaration of intention to become a citizen of the United States has not the effect of naturalization, and consequently Mr. Welsh, would not, under the circumstances as stated by me, be entitled in Algiers to claim the protection of this government. I have the honor to be, sir,

Your Obedient Servant, FRED. T. FRELINGHUYSEN.

ABERDEEN EXAMINER: Our enterprising State Land Commissioner, Mr. John Smylie, is working energetically in the general land office in Washington, without any clerical assistance whatever, endeavoring to trace up the lands to which Mississippi is entitled, but he finds it an up hill business, as the officials in the Interior Department seem more inclined to throw obstacles in his way than to assist him.