George H, Brown and Vance's Letter to Dr. Calloway.

The Secession Ku Klux papers are doing all they can to break the force of Governor Vance's bloody letter to Dr. Calloway. They would have denied the letter if they could possibly have done so, for they never tell the truth when a falsehood will suit their purpose better, but the letter is an original one from Governor Vance, in his own proper hand-writing, with his name signed to it by himself, and they were, therefore, compelled to admit its genuineness. Not being able to deny the letter, their next step was to endeavor to throw suspicion upon it, and to render it odious to the people, by charging that George H. Brown, Esq., stole it from Dr. Calloway. The following statements by Mr. Brown and Dr. Calloway will prove that Mr. Brown came properly and honestly by the

TATEMENT OF GEORGE H. BROWN Gov. Vance's letter, written during Wilkesboro, in which Vance threatencounty with "fire and sword," came into my possession under the following

In 1870, I purchased from Dr. Calloway his residence at Wilkesboro. Pre vious to taking possession, Dr. Calloway left for Kansas, having said to me that in a certain room of the house used by him for an office, I would find a pile of old letters and waste paper of no value, and that I could either burn them or move them out of my way While moving them out of the room, I ecidently had my attention drawn to an envelope on which was printed "Executive Department of N. C." This envelope contained the letter above referred to, and IT I preserved and have

use by him in this campaign. The statement, therefore, that said etter was abstracted by me from Dr. Calloway's private papers is entirely without foundation and unqualifiedly

GEO. H. BROWN. Statesville, N. C., August 16, 1876.

I have read the foregoing statement oubt but that his statements are corect as to the way in which he got posession of the letter of Gov. Vance, to

(Signed) JAMES CALLOWAY. Wilkesboro, Aug. 18, 1876.

unqualifiedly acquits Mr. Brown of any and all impropriety of conduct in getting possession of this letter, and the papers that have charged Mr. Brown with theft in this matter should be required to make due apology for the same, or be made to suffer in damages in a court of

Here it is in full:

STATE OF NORTH CAROLINA. EXECUTIVE DEPARTMENT, Raleigh, Sept. 15, 1864.

other than the 68th Regiment, which is Morganton. The Confederate It is, therefore, idle to talk about send ing regular troops there. If I had them should be afraid to send to Wilkes uness they could live without eating. None have ever gone there yet without my being immediately applied to for Even now, whilst you ask with one hand for more troops with the other I am solicited to send away those now there. I don't know what to do. I think it time the loyal citizens of Wilkes should know their own minds, and should put down desertion by all means and at all hazards. If the deserters in Wilkes, that are daily re-inforcing Kirk, were at their post, regular troops could be spared for your defence. No countenance or favor shown to a deserter or his them with his and sword, if they refuse to surrender by the 25th of this month, and their friends will fare little better. With the 68th regiment, and the Home Guards, it seems to me that Kirk ought to be kept back. It is all the chance any how.

Z. B. VANCE. And now Dr. Calloway comes to the front, at the request of Gov. Vance, and tries to break the force of the letter by saying that, "to the best of his recollection" Gov. Vance wrote the letter because the people of Wilkes were at that time in daily fear and dread of a visit from Colonel Kirk and his command, and they wanted protection "in due time of threatened danger and alarm." Too thin, Doctor, for Gov. Vance says, in his letter, "if the deserters in Wilkes that are daily reinforcing Kirk, were at their posts, regular troops could be spared for your defence.' Kirk, then, was not in Wilkes, but in East Tennessee, and the loyal men of Wilkes were leaving their posts in Wilkes, and going under Capt. J. Q. A. Bryan and others, to reinforce Kirk, who was no doubt more than a hundred miles from Wilkes. The Doctor also says, and so says the Raleigh News, that there were deserters from both armies in Wilkes, depredating on the people. Now, read Gov. Vance's letter again-examine it closely, and see if he speaks of any deserters but those from the Confederate side. He had but one class of deserters in his mind, and these were the loyal Union men of Wilkes and adjoining 'can. He does not denounce Taucounties, and it was upon them and their families, as he informed Dr. Vance can sit at the feet of Pearson Calloway, that he intended to seven dozo with "five and neurd," What decent or hencet man can deny About 7

Let the people everywhere see this bloody, this cruel, this merci. 'not do?' He would have had to less letter of Gov. Vanco. Head it 1 to the people in their honors, on the smilitia. Of what would that pe road side, at all the cross roads, and sof what could that page

in all public places, and ask them if they want such a man to be the Governor of this State, We have hardly touched thus far upon the horrors which were perpetrated in Wilkes county under the orders of Goy. Vance, both before and after this letter was written. But the campaign is a long one, and we shall have ample time in which to bring out the facts upon this and other

SETTLE & VANCE -AT-Mineral Spring.

Judge Settle arrived at this point at 11 o'clock, having ridden sixteen miles that morning from Egypt, and at 12 o'clock Gov. Vance opened the discussion. His speech was the same old muddle of large figures "which an old field school master can't understand," wholesale charges of corruption on the Republican party, a fierce denunciation of the reconstruction acts, and all the amendments to the National Constitution-an equally fierce denunciation of the State Constitution. He declared that the constitutions, both State and National, were frauds, but in answer to a ed to visit certain people in Wilkes question propounded by Judge Settle, declared his purpose to support these frauds. When asked what guarantee he gave the people that he intended to support them, he replied that he had pledged his word to do so, and that the word of an honest man was good as his bond. When told that he had pledged his worth both ways; that at the National Democratic Convention of 1868, he had pledged his word not to abide by them but to upset them, had in my possession until the day and that in 1876, he pledged his shon I handed it to Judge Settle for word to abide by them and not to upset them, and then being asked which pledge he intended to keep, he gave no answer at all.

When Judge Settle arose to reply, there being no imported "Tilden and Vance clubs," the attention paid him was perfect. He opened as usual with the finances both State and National-which he heralded with his usual clearness and candor, doing justice to all men-not halting-not in his de-Dr. Calloway, himself, therefore, nunciations of all thieves, be they party friends or party foes. In reply to Vance's attack on the Republican party for what he, Vance, called bayonet rule in Louisiana Judge Settle said:

Vance talks about bayonet rule! What was the most outrageous and 'atrocious instance of bayonet rule And now for the letter again. ever known in this or any other 'civilized country? The second election to the Governorship of 'Zebulon B. Vance. The second election, did I say? No, I spoke too fast. He never was elected Governor of this State freely but once, and that was when he was elected in 1862 by the Union men of this State, who hoped and who were assured that he would use all 'the great influence of that high position to bring about an early and 'an honorable peace. But he de-'serted these old Union men who elected him; he turned his back upon his record and upon the hopes which, founded upon his 'declarations, had been formed for 'him, and deserted to the camp of 'the enemy. In 1864 he was not 'elected to, but he usurped the office of Governor. In the county of 'Madison, the county in which he was raised, I was told by old men who had known him all his life, 'and who had fondled him upon 'their knees, these facts. They are 'terrible, but they are true. That infamous scoundrel, Keith, who, in Laurel Valley, shot down twelve 'men after they had been made boy of 13 years, seeing his father and mother shot down before him, threw himself at his, Keith's feet, and in his childish terror, begged for his young life. With the re-'mark, "that pigs would make hogs," he blew out the brains of that innocent child. The same Keith of Madison. He stretched a fence seem, he endorsed by failing to 'rail across the polls, and informed the young men of conscript age 'that if they did not vote the "yellow ticket for Zebulon B. Vance, 'the next day they should start for 'the front of the battle. He in-'formed the old men, past the conscript age, that if they did not vote the yellow ticket for Zebulon B. 'Vance, they should have a ride upon that rail. And thus, with 'vellow tickets and bayonets and fence rails, in 1864, Z. B. Vance usurped the office of Governor. It is no wonder that he was satis-'fied, the wonder is that Governor 'Holden, his opponent, received any votes, when each vote for him was likely to be attended with such serious consequences to its giver. And after this, Zebulon B. Vance comes before you and talks of bayonent rule.

'He arraigns me for a dereliction of duty in regard to the writ of 'habeas corpus. He complains that 'Judge Pearson said "the judiciary was exhausted." He is a lawyer. 'If he does not know he ought to 'know, that the very words used by Judge Pearson, "the judiciary is 'exhausted," were quoted bodily 'from Chief Justice Tauney, of the United States Supreme Court, in 'the Merrimon case. He denounces Pearson. Pearson is a Republi Tauney was a Democrat.

'composed? Of the old men, the wo-'men, the children, and such of the Ku Klux as would have proved 'deserters from Holden's banner. 'as such was Commander-in-Chief of the militia. The militia were 'and shot for such disobedience of 'orders. What would he have had men, the father against the son. Can he be trusted for the future?

which would have asscended the from Raleigh and Fayetteville. The moans of sires slaughtered by their sons, and the blaze of ruined towns and villages and burning home some music and much whiskey. roofs. He seems to be fond of war. The past has taught him nothing. "But again: What is the meaning of the word corpus? It is the Latin word meaning body. his earnest denunciation of the government, by his vehement appeals to your prejudice against the colored people, exciting a terror in would be obliged to go to the same school with colored men's children; that you would be obliged to sleep in the same beds and eat from the same tables with them; that your 'sisters and daughters would be forced to marry colored men, whether they would or no, he and his brother Democratic leaders bers of these poor young men into 'a secret political society called Ku 'Klux. They were to whip and burn and murder to put him and his brother leaders into office, when they could hope to get no 'office for themselves. They were 'to do the work and face the danger, whilst he and his brother leadhonors and the profits arising from such dirty work. These bands in the dead hour of the night took Wyat Outlaw, a respectable 'justice-the court-house, in the 'writ in favor of the scoundrel who did the bloody deed. They took

but for God's sake don't suspend the writ in favor of the man who did this dastard's work. They took from Caswell county, out of a Democratic meeting down into the 'Grand Jury room and plunged a in favor of the men who did that fearful crime. He talks about the judiciary being exhausted, whilst out. he was so terribly exhausted that he had not one gasp of breath to 'My honorable competitor talks 'about "bayonet rule." Zebulon B. 'expend in denunciation of these 'terrible, these infamous crimes. 'And this is the man who asks you to commit to his hunds the prosecution of law and order, the protec-'tion of law and order, the protection of life and property, the destinies for good or evil of the State of North Carolina.

'And when the doors of jails began to open and the gates of penitentiaries to gape to the perpetrators of these crimes, did these leadboys? No; they deserted them; they denied them; they said they were none of theirs. Never, since Peter denied his master, has there been such an utter and instant repudiation of one's friends. He depicts to you in graphic style the "Kirk war," the war that Gov. Holden waged to put down these terrible seeks to hold Gov. Holden responsible for Bergen's hanging up of Lucien Murray by the neck for the purpose of extorting testimony from him. As soon as Gov. Holden heard of Bergen's action, he instantly caused his arrest, deprived him of all command, and Bergen never more had power to commit 'not charged that Gov. Vance was 'in Randolph county when Mrs. prisoners, and who, when a little Owen's thumbs were put under the 'fence by his militia officer, Pike, responsible for the acts of Bergenwhich acts he instantly repudiated by the arrest and disgrace of Ber-'attended the election in the county 'Pike, which acts, it would hearing at Carter's Mills, and met pardon—that is not so,—and the command. He says Pike had no orders from him to torture Mrs. 'Owens. That may be so, but certain it is that Pike was not punfor doing the dastardly deed without orders. He says he wrote to have Pike punished, and attempts ted over the line in Moore county, in which county I had no jurisdiction. He attempts to hold me re-sponsible for not doing what I had no right to do. I hold him responsible for not doing what it was his duty to do. He has prepared a bit-ter draught for Holden's lips, but

'if Holden must take a single sip he 'must drink a glass full." There were at least 1,500 people present, and you could see by the faces of the crowd as they listened to Judge Settle that his able argument had a wonderful effect. will make large gains here. Vance's war record is too much for them. To-morrow we go to l'ittsboro.

per Oswald Ottendorper is a Ger-

[From our Special Reporter.] Settle and Vance at Jonesboro.

From Carthage the candidates W. W. Holden was Governor, and went to Jonesboro. Judge Settle bound to obey his orders, and on forty horsemen, who escorted him failure to do so, were liable to be into town, where a crowd of four 'arrested, tried by court martial, mundred footmen met him with serpent, finds practical illustration cheers, amid the blaze of tar barrels in the attack made by one of the Pearson do? He would have had and the thunders of a field-piece. him plunge this State into a civil The next morning the crowd began war. He would have had him ar- to assemble in large numbers from journal, whether Democratic or Reray the old men against the young all the country around. This crowd He would have had him make this was greatly augmented by the ar-'State one vast battle field from rival of "Tilden and Vance Clubs" Fayetteville clubs came attended by manity, when they read the false-

Judge Settle had the opening ingrate. speech, and as usual, made a very courteous, dignified and able argument. During his first speech there were several manifestations of discontent by the members of these clubs, which interruptions Judge Settle allowed to pass unnoticed. your minds that your children Vance made his usual harangue, the last five minutes of which was interrupted by a heavy fall of rain, which dispersed the crowd. They re assembled, however, after a short interval, in front of Buchanan's even within the Democratic ranks. store, from the porch of which the He is a true man, a worthy citizen discission was continued. When succeeded in banding large num- Judge Settle arose for his thirty umphant election will put a quieminutes reply, immediately upon his opening his rejoinder, the Tilden and Vance Club from Fayetteville began to interrupt him in various ways. They groaned, they bellowed like Jackasses, they hooted and hurrahed; in fact, they did everyers were to get the offices, the thing to prevent Judge Settle from being heard. Vance requested silence, but with that careful disregard of the wishes of their leaders colored man, from the bosom of his which the Democrats always show family, and hanged him to a tree when requested to behave them-Puryear and tied a stone about his miserably failed, and Settle, seeing body and threw him into a mill- their object, denounced them in pond. You may drown the corpus, fitting, thorough severe terms, and turning to Vance, told him that he (Vance) would fall below the stan-John W. Stephens, State Senator | dard of a gentleman, which he had heretofore held, if he did not get up dagger to his heart. Your may adherents. Judge Settle then constab the corpus to the heart, but for | tiued his speech in spite of interrup-God's sake don't suspend the writ tions, and confusion continued until Judge Settle's thirty minutes were

These disgraceful scenes are becoming too common, and their frequency bring to our minds, a few pertinent facts which are worthy of

When Judge Settle first requested a joint canvass till the day of election be arranged between himself and Gov. Vance, it was refused, but permission was granted Judge Settle made in the West. Finally, Vance ers stand up to these poor, deluded agreed to make a joint canvass till the day of election. It has so happened that at every point where the candidates touched a railroad, Vance has had the reply. At all these points, there have been large "Tilden and Vance clubs" imported; and at two out of three of these railbands of midnight assassins. He road towns, there have been disgrace-

ful interruptions of Judge Settle. Now, are all these things simply coincidences, or are they premeditated? To a cool, candid, unbiased

man, they would seem the latter. Another thing: There have been places where, but for the efforts of such deeds. I do not and have Judge Settle, Vance would have received open insult. A notable instance was Carter's Mills. To the certain knowledge of your corres-'to extort information from her, but | pondent, there were threats of in-Gov. Vance. But owing to the ac-'gen-he, Vance, must be held re- tive efforts of Judge Settle, Gov. 'sponsible for the brutal acts of | Vance received a respectful, patient with not a single interruption. him of his command. He says These things speak for themselves. his neighborhood there are many such. Bergen had orders from Hol- It is wonderful the immense power den to do that deed. I beg his Vance and his brother Democratic 'proof that it is not so is Holden's politicians have to excite the pas-'utter and instant repudiation of the sions of their followers, and to lead deed by depriving Bergen of all them into disorder. It is also wonderful what little power Vance, and his brother Democratic politicians, have to calm the passions of their 'ished or deprived of his command followers, and to lead them to preserve order. It is but justice to Gov. to hold me responsible for failure was unable to control his followers. to do so. My information was It is but justice to say, also, that this: The crime was commit the Raleigh club behaved themselves like gentlemen.

Yours, LAVRON.

BE IT REMEMBERED, that every letter and official document written by Vance in favor of justice and civil liberty, and every word written or uttered by him in behalf of the persecuted and outraged Union men of North Carolina, WAS WRIT-TEN OR UTTERED PRIOR TO MAY, 1863. During the summer of 1863 Vance visited Richmond, and came back a changed man. The glittering hope of a presidential succession was held out to him, and from that hour until the end he was a subservient tool of the Davis des-

HON. WM, A, SMITH.

The oft repeated tale of the man who took pity on the stark, stiffby the re-animated and ungrateful November. editors of the Sentinel on Hon. Wm. A. Smith. The readers of that days of want and need, must be full of disgust and pity for frail huhoods written by this remarkable

statements about his benefactor to injure him, is bad enough, but how infamous and detestible is he who has given him bread.

of the poor man, and will not be hardened in heart by this one instance of ingratitude. His friends are among the people-all classes of the people-and are to be found and benevolent neighbor. His tritus on all such men as his assailant in the Sentinel.

> For the Constitution. Hon. W. A. Smith.

MR. EDITOR: The following little in cident may not be without interest to the many friends of this gentleman and give those, not personally acquainted with him, some insight into the pri- publican success. vate character of him, whom we expect soon to make Lieutenant Governor of disgust created by the immense North Carolina.

'at the threshhold of the temple of selves, these clubs paid no attention war, found himself unable to provide county of Alamance. You may to the request of their "Idol," but food and clothing for his wife and chilsuspend the corpus to a tree, but continued their manifestations. dren. He had served about four years for God's sake don't suspend the Their object was plainly to intimi- in the army of Gen. Lee, and after the date Judge Settle. In this they surrender united himself with the Democratic party and gave his active too, without any unusual efforts on and enthusiastic support to its nominees. In his distress he applied to his old friends and comrades-told them his condition and begged their assistance-begged for work-anything that would enable him to support his family. They all expressed great sympaand denounce the conduct of his thy for him, and promised they would with such a candidate as Morgan, he went home one evening and told his poor wife that he saw no hope for them, that his friends could not aid him. She thought a moment, and then asked him if he had tried Major W. A. Smiththen President of the N. C. R. R. He replied that he had not, for the reason that he had always opposed him politically; that he had no claim on him whatever, and that if his political friends, upon whom he thought he had some claims, would do nothing for him, how could he expect any thing from Major to meet at a few appointments already | Smith. She replied that she had always heard Major Smith spoken of as a very kind and charitable gentleman, ever ready to help the poor, and she believed that he would help them. With but little hope of ever hearing from it again, the husband wrote to the Major that night, told him his condition, and by return mail received a very kind

That night the poor mother slept sweetly once more, and in a few days the adoption of the constitution of 1868, father went to work on the road. Since then fortune has oftener frowned than smiled on the family, but in sunshine and storm, the mother holds fast to the Major's letter; teaches her little ones to read it; tells them never to forget him, and when they pray, to pray for Major 'I do say, that if he holds Holden sult to Vance made at this point, W. A. Smith, their friend, mother's which threats reached the ears of friend, father's friend, when no one else would be a friend. The whole family pray that he may be the next Lieuten-

and flattering letter assigning him to

duty at once, expressing the greatest

sympathy for him and his family, and

what is more, containing substantial

evidence of sympathy, of which no men-

tion was made in the letter, and for

which he has always refused to be re-

ant Governor of North Carolina. Mr. Editor, you must not suppose this an isolated case. Far from it. In Many a poor man, ruined by the war, is now prosperous and doing well, who eyed boy and girl trip their happy way to school, who would have been in ignorance and rags but for W. A. Smith. Such a man is an honor to our racesuch a heart is an honor to humanity. Vance to say, that he tried, but North Carolina can honor herself no more than in honoring him. I see an and relieve them of negro rule. If they are really under negro rule-if they really want their aid-western Democrats can render it in a way more effectually than by voting with us for Wm.

Old Johnston is fully aroused, and not often ungrateful, and the poor who know him are for him. Men of the nountains, we learn you have received our countryman with open arms. Your kind hospitality could not have been extended to one more worthy. He is emphatically the champion of tabornor, say we, to our fearless standard-Mettle, and his worthy

The Empire State.

The nomination of Horatio Seymour for Governor of New York by frozen snake, carried him home to the Democratic Convention at Sarawas met outside the town by about his warm, comfortable hearth-stone, toga, puts at rest all doubts of Reand was in turn bitten and poisoned publican success in that State in

Horatio Seymour stands convicted of having been one of the boldest copperheads during the war. It was during his administration that publican, who know of the charity New York, in 1864, and it was durextended to the ungrateful editor in ing his term of office, that Union men were hung to lamp posts and otherwise shamefully maltreated.

He was doubtless nominated on account of his well known affiliation with the thieves who make up The man who will make true what is known as the Tammany organization, and from the further fact that, in the Presidential race of rect and is sustained by the Su-1868, he succeeded in carrying his preme Court, what would be the will speak falsely of the hand that State for the Democratic ticket. This small show of prestige will Hon. Wm. A. Smith is the friend avail him nothing in the coming would be an autocrat so far as ques. contest. The shameful outrages parties throughout the Union. But even counting the tens of thousands | there would be no appeal from such of illegal votes known to have been cast through the efforts of his strikers and ballot box stuffers, he only succeeded in carrying the State by the meagre majority of ten thousand in a vote of eight hundred and fifty thousand. It is well known, too, that the canvass of 1868 was allowed to go almost by default, in New York, by the Republicans, as the vote of that State was not deemed of the slightest importance to Re-

In 1872, mainly on account of the frauds perpetrated in the interest of In the Fall of 1870, a poor Confeder- Seymour at the previous election ate officer, who had lost his all by the by Tweed and Tilden, the State of New York severely rebuked the Democratic party by giving Grant a majority over Greeley upwards of the sentence to the Penitentiary, fifty three thousand votes, and this, the part of the Republican party.

The State of New York has never failed to go Republican in any spirited contest since the formation of the party, and, with such a contest as is now being waged and do their utmost to procure him a situa- there is not the least probability tion. Day after day he called on them, that the majority for the Republiand urged them to do something, but can ticket in November will fall to no purpose, until at last in despair short of fitty thousand and it may reach double that. Put down the Empire State as safe for Hayes, Wheeler and Morgan, and such be- declare directly the reverse. This ing the case, the Presidential contest is virtually settled.

A Startling Amendment---The Right of Appeal Abolished. Section 10, of article IV, of the

constitution reads: "The Supreme Court shall have urisdiction to review, upon appeal, any decisions of the courts below, upon any matter of law or legal inference; but no issue of fact shall be tried before this court; and the court shall have power to issue any | trial, and the prisoners would be remedial writs necessary to give it a general supervision and control of

the inferior courts." Chapter XIV, of the proposed amendments on which the people and the rights of property will be are asked to vote, is in these unsettled to such an extent that no

The people of North Carolina in Convention assembled do ordain, That article four, section ten, of the property; or whether under some constitution be amended to read as follows:

"And the jurisdiction of said court over "issues of f.ct" and of house and home, and that with-'questions of fact," shall be the out the right of appeal. same exercised by it before the and the court shall have the power to issue any remedial writs necessary to give a general supervision and control over the proceedings of the inferior courts."

It was no doubt intended that the proposed amendments should read as follows:

"The Supreme Court shall have jurisdiction to review upon appeal, are grateful and will work, hope and any decision of the courts below. upon any matter of law or legal inference; and the jurisdiction of said court over "issues of fact" and 'questions of fact," shall be the same exercised by it before the adoption of the constitution of 1863; and the could never have risen again but for court shall have the power to issue Wm. A. Smith. Many a heart to-night any remedial writs necessary to is glad that would have been bowed give a general supervision and conwith grief but for him. Many a bright- trol over the proceedings of the inferior courts."

It will be observed that the proposed amendment deprives the Supreme Court of all jurisdiction over questions of law; so that the decision of the Superior Court appeal is made by eastern Democrats, to judges, where no fact is inthe gallant West, to come to their aid, volved, will be the law of the land. It is well known that not one case in ten which is appealed to the Supreme Couft, involves anything but a question of law, so that the Supreme Court- will be narrowed down to such cases as involves some will go for him by the largest majority | issue or question of fact. Any apshe has known for years. The poor are peal upon a naked question of law, is not allowed by the proposed

It may be urged by way of answer that there is a cierical error in the proposed amendment, and that it more gentlemen who wish to urge was intended that the amendment the nomination upon him, no maithe poor man's friend, and will never when ratified should read as set out above. That is begging the question. It is familiar Democratic

Again: It may be said that the Supreme Court will not put any such construction upon the constitution. No man or set of men have the right to speak for the judges of the Supreme Court. They are sworn officers, and they alone speak for themselves in opinions delivered and filed according to the rules of court. However great may be the wrong which will be done the mob law held sway in the city of people by the adoption of this amendment, the Supreme Court cannot and will not go behind the plain and uumistakable provisions of the constitution, and render a decision which would add another section to the constitution.

Suppose the amendments are ratified, and our construction of the amendment herein set forth, is carresult? Nothing more nor less than every Superior Court judge committed in 1868 in the city of might send a man to the peniten-New York, disgusted men of all tiary for a simple misdemeanor, which the law does not allow, and a decision, because no "issue or question of fact" was involved. Decisions might and could be made, involving only a simple question of law, that would deprive people of their property, and no appeal would lie because no "issue or question of fact" was in-

> In proof of these assertious, the records of the Superior Courts show that Judges Schenck, McKoy and Henry have sentenced men and women to the Penitentiary for simple misdemeanors, and the Sapreme Court, upon the record being certified to that court, decided that persons convicted of misdemeanors can not be sentenced to the Penitentiar The question as to the legality of was a question of law: Suppose the proposed amendment had been in force, the Supreme Court could not have heard the case, because there could have been no appeal; and the various persons—women as well as men-would have been compelled to serve out their sentences in the

> Penitentiary. Again: Superior Court Judges differ as do lawyers and doctors. Another effect of the proposed amendment would be, that Judge Watts would declare the law to be one way, and Julge Kerr would would be the practical effect in dyery judicial district. No man, however learned, is infallible. The right of appeal is one of the dearest rights now enjoyed by our people, and should not be abridged,

Adopt the proposed amendment, and men will be hanged and sent to the peniteutiary, when, perhaps, the Supreme Court, if an appeal was allowed, would grant a new saved from ignominious deaths

and from infamous punishments. Adopt the proposed amendment, man will know whether he is safe in the possession of his real and personal new law, declared by a Superior Court Judge, he is to be turned out

As bad as a great many of the proposed amendments are, this one is the most vicious and damnable of them all. The Czur of all the Russias, who is now the greatest autocrat upon earth, would not dare deprive his subjects of the right of appeal, as the Democratic party of North Carolina have proposed to do. Truly, under Democratic rule, power is always stealing from the many to the few."

Let the people rise in their might and vote down the amendments, if they value their lives, their fortunes their sacred honor, and the posterity who are to come after them.

HORATIO CAN'T SEE IT. Gov. Seymour has got his back up on the question of accepting the Democratic nomination for Gubernatorist position in New York, The Tildenites nominated him against Gov. Morgan. He respectfully declined. Democratic necessity insisted, and still he refused. Party success demanded it, and all the weight of political and personal effort of prominent men of that persuation was concentrated to make him accede. He wouldn't yield an inch. They made him sick. His physician prescribed quiet, and the doors have been closed upon his besiegers. Here is his last proclama-

NEW YORK, Sept. 1.—A special to the Post from Utica says nothing can alter Horatio Seymour's determination not to permit the use of his name as the Democratic candidate for Governor. He says this morning that he will listen to no made sick by the interviews and exat of the last two skys.

This ends the the matter so for a the next President is concerned. condited in Titden's own State the backbone of the nation died nization and defeat in the pertical of the Democracy. The Fates have elded against Titden and Lene's racy. Hayes is our next President. as sure as death is sure to all mon-