

No. \_\_\_\_\_

**IN THE SUPREME COURT OF APPEALS OF WEST VIRGINIA**

**CHARLESTON**

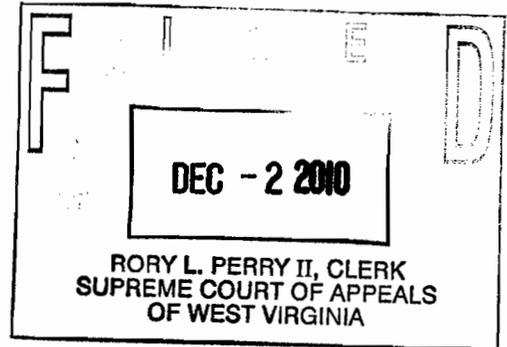
**STATE OF WEST VIRGINIA ex rel.  
THORNTON COOPER,**

**Petitioner,**

**v.**

**Honorable EARL RAY TOMBLIN,  
Acting Governor of the State of  
West Virginia and President of the  
West Virginia State Senate;  
Honorable RICHARD THOMPSON,  
Speaker of the West Virginia  
House of Delegates; and  
Honorable NATALIE E. TENNANT,  
Secretary of State of the State of  
West Virginia,**

**Respondents.**



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**APPENDIX TO**

**PETITION FOR WRIT OF MANDAMUS**

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**THORNTON COOPER  
Petitioner**

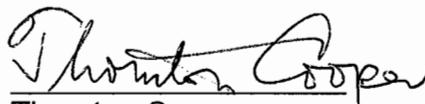
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**December 2, 2010**

**CERTIFICATE OF ACCURACY OF APPENDIX CONTENTS.**

I, **Thornton Cooper**, the **Petitioner** herein, do, on this 2<sup>nd</sup> day of December, 2010, hereby **certify**, pursuant to the provisions of Rule 7(c)(2) and Rule 16(e) of the *Revised Rules of Appellate Procedure*, that the **contents** of this **Appendix** are, to the best of my knowledge and belief, accurate copies of the items that I have described in the **Petition for Writ of Mandamus** to which this **Appendix** is appended and in the **Table of Contents** of this **Appendix**.

  
Thornton Cooper

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**PETITIONER’S EXHIBIT NO. 14:** Portion of the second page of the Thursday, July 4, 1872, edition of the *Weekly Register*, including a listing of the Democratic and Conservative state and county tickets and a discussion of incumbent Democratic Governor John Jacob’s decision to run as an independent candidate for governor in 1872. . . . .26

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**NOTICE BY THORNTON COOPER OF HIS INTENTION TO INSTITUTE LEGAL PROCEEDINGS RELATING TO REQUIRING PROMPT SPECIAL ELECTIONS TO FILL POSSIBLE GUBERNATORIAL VACANCY.**

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To:

**The Honorable Joe Manchin, III**  
West Virginia Governor  
State Capitol Building  
1900 Kanawha Boulevard, East  
Charleston, WV 25305;

**The Honorable Natalie E. Tennant**  
West Virginia Secretary of State  
Building 1, Suite 157-K  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0770;

**The Honorable Earl Ray Tomblin**  
President, West Virginia State Senate  
Room 227M, Building 1  
1900 Kanawha Boulevard, East  
Charleston, WV 25305;

**The Honorable Richard Thompson**  
Speaker, West Virginia House of Delegates  
Room 228M, Building 1  
1900 Kanawha Boulevard, East  
Charleston, WV 25305; and

**The Honorable Darrell McGraw**  
West Virginia Attorney General  
State Capitol Complex  
Building 1, Room E-26  
Charleston, WV 25305.

**Petitioner's Exhibit No. 1**

**PLEASE TAKE NOTICE** that, pursuant to the provisions of Chapter 55, Article 17, of the West Virginia Code, **Thornton Cooper**, a resident of, and registered voter in, Kanawha County, West Virginia, hereby notifies the **Honorable Joe Manchin, III**, the **Honorable Natalie E. Tennant**, the **Honorable Earl Ray Tomblin**, and the **Honorable Richard Thompson** of Mr. Cooper's intention to institute legal proceedings as to one or more of them relating to requiring prompt special primary and general elections to fill a possible gubernatorial vacancy that may arise later in 2010.

More specifically, the Honorable Joe Manchin, III, is being herein notified in his official capacity as Governor of the State of West Virginia. The Honorable Natalie E. Tennant is being herein notified in her official capacity as Secretary of State of the State of West Virginia, which capacity includes broad powers over the conduct of

elections in West Virginia. The Honorable Earl Ray Tomblin is being herein notified in his official capacity as President of the West Virginia State Senate, which capacity also includes the possibility of serving as acting Governor if the current Governor decides to vacate his current office before his four-year elected term expires. The Honorable Richard Thompson is being herein notified in his official capacity as Speaker of the West Virginia House of Delegates, which capacity also includes the possibility of serving as acting Governor if the current Governor decides to vacate his current office before his four-year elected term expires and the President of the Senate is incapable of performing as Governor.

In addition, the **Honorable Darrell McGraw** is being notified in his capacity as West Virginia Attorney General.

#### **SUMMARY OF CLAIM BY THORNTON COOPER.**

Mr. Cooper is aggrieved by the likely deprivation, under the letter or application of current statutory law, of his constitutional right, as a resident of, and voter in, Kanawha County and West Virginia, to vote for a potential gubernatorial successor to Governor Manchin in 2011 if Joe Manchin, III, is elected United States Senator in an election to be held on Tuesday, November 2, 2010, to fill the vacancy caused by the recent death of the Honorable Robert C. Byrd.

If Joe Manchin, III, wins a special primary election on August 28, 2010, and the special general election on November 2, 2010, for the United States Senate, he could be sworn in as United States Senator as early as mid-November 2010, if all 55 of the county boards of canvassers quickly report the vote totals from their respective counties to state officials.

If those boards act more slowly, the swearing in of Joe Manchin, III, as United States Senator might be delayed until mid-December 2010. In the latter event, approximately 760 days would still remain in his unexpired term through January 2013.

In the case of a vacancy or disability in the office of Governor, the President of the West Virginia State Senate, under the first sentence of Article VII, § 16, of the West Virginia Constitution,” shall act as governor until the vacancy is filled, or disability removed; and if the president of the Senate, for any of the above named causes, shall become incapable of performing the duties of governor, the same shall devolve upon the speaker of the House of Delegates; and in all other cases where there is no one to act as governor, one shall be chosen by a joint vote of the Legislature.”

However, the second sentence of Article VII, § 16, of the West Virginia Constitution reads as follows: “Whenever a vacancy shall occur in the office of the governor before the first three years of the term shall have expired, **a new election for governor shall take place to fill the vacancy.**” (emphasis added)

One reasonable interpretation of that second sentence would, in Mr. Cooper’s opinion, be that, if about 760 days of the gubernatorial term had not been served by Governor Manchin, a special primary election to fill the vacancy should be held within 90 days after the vacancy arises and a special general election should be held within 150 days after the vacancy arises, with the successful gubernatorial candidate sworn into office within 190 days after the vacancy arises. Under such a scenario, that successful gubernatorial candidate would serve about 570 days of the term to which Governor Manchin had been elected in 2008.

It now appears that some political leaders are interpreting the current parallel statutory provision, § 3-10-2 of the West Virginia Code, as postponing until November 2012 the general election to fill the unexpired term to which Joe Manchin, III, was elected. The winner of that election would be sworn in as Governor by mid-December 2012. Under that scenario, only about 30 days (less than 5%) of the unexpired 760 days would be served by the candidate chosen by the voters. Under such a scenario, Senate President Tomblin (if he is reelected as Senate President after the 2010 general elections) might serve the first 730 days of that 760-day period as acting Governor. In the alternative, if Senator President Tomblin is unable to serve as acting Governor, then House Speaker Thompson (if he is reelected as House Speaker after the 2010 general election) might serve the first 730 days of that 760-day period as acting Governor.

Such a construction and application of § 3-10-2 of the West Virginia Code and other applicable statutes would have the effect of making a farce and mockery of the second sentence of Article VII, § 16, of the West Virginia Constitution, thereby effectively disenfranchising Mr. Cooper and over a million other registered voters in West Virginia with respect to the election mandated by that sentence.

**RELIEF REQUESTED BY THORNTON COOPER.**

To prevent the absurd and unconstitutional outcome described in the two immediately preceding paragraphs, Mr. Cooper respectfully requests that Governor Manchin promptly call the Legislature into special session to amend § 3-10-2 of the West Virginia Code, and other applicable statutes, to do the following: provide (a) that, in the event that a Governor resigns from his or her office or otherwise causes a

vacancy in that office more than 366 days before the expiration of the term to which he was elected, any candidates for the unexpired gubernatorial term may file for office within thirty (30) days after the date of any such vacancy; (b) that a special primary election (with secret ballot), not a party convention, to choose each party's candidates be held within ninety (90) days after the date of any such vacancy; and (c) that a special general election to fill the unexpired term be held within 150 days after the date of any such vacancy. The costs of these special primary and general elections should be borne by the State of West Virginia.

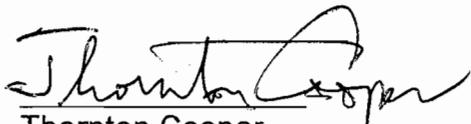
If such legislative relief is not provided in a timely manner, Mr. Cooper plans to institute a proceeding in a court of competent jurisdiction in an effort to obtain appropriate judicial relief to protect his voting rights and those of over a million other registered voters.

In addition, Mr. Cooper plans to move to intervene in any litigation commenced by any other party with respect to the same general subject matter.

Respectfully submitted,

**Thornton Cooper**

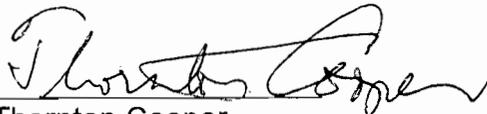
**Pro Se**

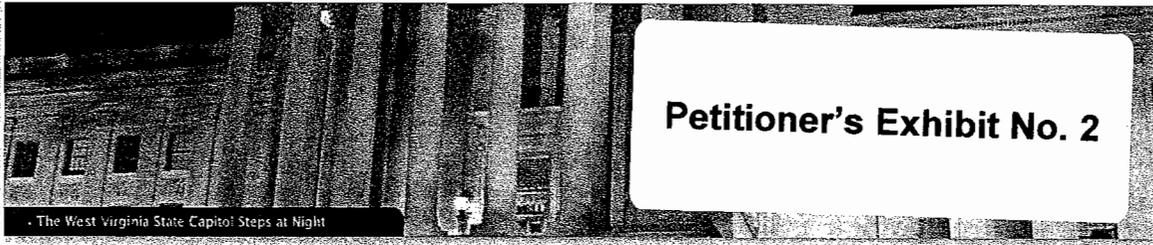
  
Thornton Cooper  
3015 Ridgeview Drive  
South Charleston, WV 25303  
West Virginia State Bar No. 823  
(304) 744-9616  
[thornbush@att.net](mailto:thornbush@att.net)

August 9, 2010

CERTIFICATE OF SERVICE

I, Thornton Cooper, do hereby certify that I have served the foregoing "Notice by Thornton Cooper of his Intention to Institute Legal Proceedings Relating to Requiring Prompt Special Elections to Fill Possible Gubernatorial Vacancy" upon the Honorable Joe Manchin, III, West Virginia Governor, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at the State Capitol Building, 1900 Kanawha Boulevard, East, Charleston, WV 25305; upon the Honorable Natalie E. Tennant, West Virginia Secretary of State, by mailing an original thereof, by United States certified mail, return receipt requested, to her office at Building 1, Suite 157-K, 1900 Kanawha Boulevard, East, Charleston, WV 25305-0770; upon the Honorable Earl Ray Tomblin, President, West Virginia State Senate, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at Room 227M, Building 1, 1900 Kanawha Boulevard, East, Charleston, WV 25305; upon the Honorable Richard Thompson, Speaker, West Virginia House of Delegates, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at Room 228M, Building 1, 1900 Kanawha Boulevard, East, Charleston, WV 25305; and upon the Honorable Darrell McGraw, West Virginia Attorney General, by mailing an original thereof, by United States certified mail, return receipt requested, to his office at the State Capitol Complex, Building 1, Room E-26, Charleston, WV 25305, all on this 9<sup>th</sup> day of August, 2010.

  
Thornton Cooper



Governor Earl Ray Tomblin > News > Senate President Earl Ray Tomblin's press conference on succession.

## Senate President Earl Ray Tomblin's press conference on succession.

11/8/2010

Good morning,

As a result of Governor Manchin's successful election, we are now in the midst of a transition for our State. I know that all of you as citizens have questions about what will happen next.

Before we get into that, I want to publicly commend Governor Manchin on his victory and thank him for all he has done for our state. He has been a remarkable Governor. I know he will do us proud as our Senator.

Now, back to the transition process. Our Constitution and our laws contemplate a clear and organized transfer of power. The Constitution states that, when a vacancy arises in the office of governor, the senate president shall act as governor until the vacancy is filled. Throughout my tenure as Senate President, I have always been mindful of this responsibility.

As it became likely that Governor Manchin could join the United States Senate, I recognized that it was absolutely necessary to prepare for transition of the duties, responsibilities, and affairs of our great State in an orderly manner. It has been my honor, privilege and more importantly, my responsibility to prepare for this transition. I have spent countless days examining the work and tasks of the Governor's office. I have had the assistance of those who are currently in government along with others whose vantage point and understanding of government I respect and trust.

Assuming no recount or challenges to the election, it is expected that the secretary of state will certify the election shortly, and Governor Manchin will take his oath as a United States Senator sometime around November 15th.

Governor Manchin will resign prior to taking his Senate oath. When he does, it will be my honor and privilege to serve as Governor of the great state of West Virginia.

I will spend my time as Governor running the executive branch of government. I do not plan on presiding over or voting in the Senate. Our Senate rules contemplate that when the Senate President is unavailable, the President Pro Tempore presides over the senate.

A vacancy in the Office of Governor does not occur often, but long established and carefully contemplated rules govern this process. I am ready to get to work. We must continue to move our great State forward. We must all focus on putting West Virginia first.

The world in which we live is extremely competitive. The issues and needs that face West Virginia continue - and are far too important to be placed on hold.

I recognize that many people may be wondering when a new election for Governor will be held. I have been advised that our current laws - which have been on the books for over a century - clearly provide that the new election will occur in 2012. Legal experts agreed on this point unanimously before a legislative committee studying this subject only a few weeks ago.

I am well aware of the strong desires of some wishing to have an election prior to 2012. For me, it comes down to what the people want. If my fellow West Virginians express an overwhelming desire to have a quick election, I will work with the Legislature to make that a reality. We must, however, take a reasoned and thoughtful approach to our decision-making process. We must keep in mind the potential costs, timing, and what is in the best interests of West Virginia.

Unlike many of our neighboring states, West Virginia has enjoyed stability during these difficult times. As Governor, I will focus on maintaining a stable West Virginia. I will lead with a renewed passion to continue to move this State forward.

Twenty-five years ago, when I became Senate Finance chairman, the State was on the verge of default and bankruptcy. Since that time, I've worked with legislative members and four different governors to help bring us back to the financial stability that now makes West Virginia envied nationally. We have paid down our debt. We have balanced our budget. We have lowered taxes. And the fruits of our labor have not gone unnoticed. For example, the bond rating agencies have recently upgraded our ratings. This has resulted and will continue to result in millions of dollars of savings for taxpayers. This is something we can all be proud of.

We must continue to improve our education system. Our children depend on us for a competitive, world-class education - they cannot afford to be let down.

We are an energy leader. Coal is a huge part of West Virginia. And we must continue to support its important role in the energy needs of our nation. We need to foster policies where we appropriately balance the interests of protecting our environment while extracting the energy resources so desperately needed by our country. West Virginia is blessed with an abundance of energy resources including coal, oil, natural gas, as well as wind or solar power. And we must continue to take advantage of those resources and make West Virginia stronger.

West Virginia is a tremendous state with an even greater potential. Her horizon looks bright and her people are poised for success. I look forward to the coming days and weeks as we create a smooth transition to continue to take care of the business of our great State and as we all pull together to put West Virginia first.

Again, thank you for being here. I am happy to answer your questions.

## Contact Information

Contact Governor Tomblin

Weekly Register



GEO. W. WYATT, Editor. POINT PLEASANT, WEST VA. THURSDAY, OCTOBER 27, 1870.

IT HURTS THEM

It is an old saying that when the truth is told it hurts somebody. Particularly was this the case with our article on the unjust and tyrannical action of the present Democratic Board of Supervisors of Mason county on the road question. We have been charged by several Democrats with misrepresenting the facts; and of advocating the dangerous doctrine of "capital against labor," and "labor against capital." This we have never attempted to do. We are the friend of the poor man, and so long as we have strength, shall defend them against the tyranny and oppression of the rich men, let the consequences be what they may. When we see a party of rich landholders binding themselves together (as is the case on the other side of Kanawha River,) into what they call a "mutual protection society," to regulate wages for farm labor, we cannot but abhor it, and look upon it as a combination of "opinion against labor." It is an attempt to reduce the poor man to a condition of abject slavery. In that organization you find none but Democrats. Thank God, no Republican would give in his adhesion to it.

When we see a Democratic Board of Supervisors discriminating between the rich and the poor, and in favor of the rich, we deem it our duty to expose it. They threaten to show up the falsity of our article last week. We challenge them to do it. We stated nothing but the truth, as the recorded proceedings of the last meeting of the Board of Supervisors will show, and which you are invited to examine.

We look upon the action of the Board, in rescinding the road tax, as unjust in the extreme. It is an outrage upon the poor man, to say that he shall pay as much tax to keep up the county roads as the rich man. But said a rich man, "don't I have to work three days on the road, as you, or pay a fine?" Yes, that it is so, but don't you use the roads a thousand times to where we use it once. So far as the individual man is concerned the work of one is equal to the other. But then, you have thousands of dollars in lands and personal property which are exempt from taxation for road purposes. Therefore the burden is unequal. It is the rich man who is

meo, if such discrimination is just? As it might that the poor man should pay as much each year as the rich man?

Now, how can any poor man vote longer the Democratic ticket? Do you not see that the tendency of the Democratic party is to crush you down, and place burdens upon you that they themselves are unwilling to share?

Ask your children to-day, when you start for the polls, if they want the free schools stopped? They'll say no! Then vote with the party that established free schools in West Virginia, and that built over 1800 school houses in the State, in which more than 80,000 children are being educated. Vote with the Republican party.

ALWAYS WRONG.

For the last twenty years it has seemed responsible for this Democratic organization as a party, to get on the right side of any issue, new or old. When Border Ruffians drove the people of Kansas from their polls, and by fraudulent votes elected a pro-slavery Legislature, and finally sought to impose a hateful constitution establishing slavery on the people, who almost ununanimously denounced it, the Democratic party championed this wickedness.

When the Dred Scott decision, intended to make Slavery national and all-powerful, was proclaimed, they cordially endorsed it.

All through the war, every measure to strengthen the nation's arm and weaken the enemy's, whether confiscation, or emancipation, or colored soldiers, &c., in their opinion, was all wrong or unconstitutional, and fit only to be denounced. When the war closed and the question came up: whether the insurgent States should be restored to the rule of the very men who had used their Executive, Legislative and Judicial powers to organize the Rebellion and to raise its armies, or whether every effort should be made on the contrary, to organize them on a basis loyal to the Union, the Democratic party instinctively insisted on the former.

When tax-bills and draft laws became a necessity to the preservation of the government, they waded upon all their details as wicked and tyrannical. When the interest on the national debt could only be honestly lessened by showing the world that our national credit would be speedily maintained at the highest point by all parties, their speakers and presses denounced those who had lent us the money as if they were swindlers, and in every possible way sought to poison the public mind against them. When our greenbacks whose ultimate value they had formerly discredited, were rising in value toward gold, they clamored for issues of hundreds or thousands of millions to verify their unfulfilled prophecies of evil about them.

When President Grant commenced paying off the debt with the surplus revenues

The Board of Supervisors in their majority rescinded the road tax because they plus of road they put three on the poor before was a rage perpetrated upon the poor men of Mason. Will you by your votes endorse such discrimination in favor of the rich?

CLOSE THE RANKS.

Republicans of Mason county, again we appeal to you to be wide awake from now until the polls close to-day. Be prepared to refute the vile slanders that the common enemy may put in circulation in order to defeat your standard bearers. Be vigilant—be watchful—and at all times prepared to hurl back into the teeth of your opponents their false assertions. Be faithful—be true to the old flag, and vote the straight ticket and a glorious victory will crown your efforts. Do not trade votes yourself, kind reader, or permit any other Republican or Union man to commit such a foolhardy act. The democrats were aware, will make such propositions to you in order to secure votes for their nominee for Senator. Treat all such propositions with scorn. Your candidate for State Senate, Col. F. W. Sisson, is as much the superior of his opponent, as the Lion is the superior of the red ant. No! Let there be no trading, no scrapping of tickets, but let every Republican who reads these lines consider himself appointed a committee of one to see that his Republican neighbor goes to the polls to-day.

Remember, poor man, that at the last meeting of the Board of Supervisors, the road tax was taken off the rich man's property, and your work upon the roads increased to three days work. Last year it was two days work. How do you like that?

We understand, that in our correction of language used towards Mr. Thomas Lemaster, in our last issue, that it is construed by some who signed the petition to the Board of Education to be a reflection upon them. We had no such intention. We recognize the full right and power of the old Board of Trustees to hire Mr. Logue. We believed in the citizens petition, and hope that the Board, will grant the prayer of the petitioners. We had, as we believed, misrepresented Mr. Lemaster in our article of October 13th, and willingly made the correction, as we deemed it our bounden duty. That correction was of language of our own toward Mr. Lemaster. It had no reference whatever to the matters set forth in the petition. Mr. Lemaster asked us kindly and gentlemanly to correct the misrepresentation. We would not wilfully or intentionally misrepresent any man. Therefore no reflection on the

Proclamation James C. Clark, President of the Chesapeake and Ohio Canal.

id in our county W. M. didata-cas) you the you at W.

Petitioner's Exhibit No. 3

being like the days of Old Virginia rule, when men were obliged to publicly say who they voted for, which virtually amounted to ostracism, if the ballots was not cast to suit the employer. But times have changed—the days of Old Virginia rule are numbered. A new era has been entered upon.

Democrats will have at the polls, mixed tickets which will be calculated to deceive. Read your ticket with the utmost care. Be not deceived.

WHY GERMAN SHOULD BE REPUBLICANS.

An exchange gives the following reasons why our German citizens should all be Republicans. They are generally sound:

- 1. Because the Republican party is the only real Democratic party in this country.
2. Because the Republican party has secured by treaty the release of all German citizens from their former allegiance, and has pledged the whole power of the government for their protection wherever our flag floats, whether in this country or any other.
3. Because the Republican party is the only organization in this country pledged to maintain the freedom of all citizens, without distinction of race or nationality.
4. Because the Republican party by its councils and by four year's fighting shoulder to shoulder with thousands of patriotic naturalized citizens preserved the Republic, and secured the continuance as a refuge for the oppressed of all lands forever.
5. Because the Republican party removed the obliquity which rested upon all labor in the South because of slavery, and opened that part of our country to self respecting industry of all lands.
6. And finally not to go into detail further as the hundreds of reasons that might be urged, because the Republican party is the party of liberty and progress. The friend of order, and the security of every man's rights.

A vote for the Republican party is a vote for free schools.

The Real Issues of the Campaign.

Let the real question at issue in this campaign be kept constantly in mind. That question is not whether, in all cases, Republicans have acted with the greatest wisdom, nor whether all members of the Republican party are pure and upright; but whether, taking all in all, the Republican party or the Democracy may be most safely intrusted with the future direction of affairs. On this question the broad ground we take is simply this; that no party that is, as a party, identified with the electoral frauds of New York; that openly denies the validity of the amendments to the Constitution; that would reopen all the issues settled by the war; that confessedly harbors the design of repudiation can be safely trusted with political power. The integrity of Republicans as

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**TOTAL VOTE OF MASON COUNTY.**

7 Gen'l.	Sup. Judge.	Gongress.	Senator.	Delegate.	Circuit Clerk.	Recorder.	Sheriff.	Pros. Atty.	Surveyor.	Assessor 1.	Assessor 2.										
Springer	Brown	Witcher	Herford	Stinson	Alexander	Tippett	Webster	French	Wagner	Mason	Rimbling	Greenlee	Sehon	Guthrie	Tomlinson	Minturn	Pullins	Polsley	Maclir.	Muller	Baker
116	51	54	115	67	116	54	116	53	53	116	53	116	56	112	51	118	51	105	55	119	119
134	80	81	152	79	154	78	158	76	157	156	156	156	78	150	76	156	73	140	72	134	134
66	70	72	65	68	68	67	66	66	66	66	64	64	65	70	56	78	66	64	54	77	77
97	78	81	93	81	95	77	98	80	93	94	94	94	79	94	62	110	83	92	79	90	90
186	173	174	185	174	185	173	186	172	186	174	182	168	190	186	173	186	172	185	173	184	184
118	01	66	118	63	118	61	120	66	118	66	118	06	118	118	66	118	64	115	64	118	118
172	45	43	172	41	169	40	173	34	172	40	166	39	176	173	43	173	31	171	39	175	175
292	281	298	212	291	209	285	214	280	218	302	182	268	242	214	290	209	281	211	285	219	219
130	93	102	130	109	124	106	123	107	126	101	129	137	137	127	102	131	101	119	100	129	129
74	81	83	74	83	74	81	74	81	76	77	75	74	81	75	81	74	80	74	80	74	74

property shall be exempt from taxation for road purposes in this county, while you are compelled to work three days in the year on the roads, to keep them up for benefit of the rich. You have voted with a party that has always oppressed you, and will still further oppress you for your folly and prejudice.

The Republican party is the true friend of the working-man. Its doctrines exclude none, and its policy has been to protect home industry, and to educate and elevate all classes. Notwithstanding this, we found many on Thursday, who had been up to that day in full sympathy with the Republican party, on account of a blind prejudice, voting with the Democratic party. Now, we ask those men what they expect to gain by putting their enemies in power? Nothing. They risk almost their very existence as men, and gain nothing. We ask them to consider well these matters, and drive away their prejudices, retrace their steps, and re-unite themselves again with the party from which they so suddenly cut loose, ere it is too late.

And while Mason county and our State, has been carried by the Democracy by the aid of your votes, yet our national Legislature is largely Republican, and also two-thirds of the States of this Union. Your prejudice against the colored man, caused you to vote as you did, in the belief that the Democracy would repeal the Fifteenth Amendment. This they can never do as long as the world stands, except by open and armed rebellion. This Fifteenth article is as much a part of the Constitution of the United States as any other article, and will remain there.

This Democratic success, however, is only temporary. If the Republicans only stand firm, we will redeem both our county and State. Let the work for that purpose commence now, and we will be successful.

**METZ SURRENDERED.**

Bazaine surrendered the city of Metz on the 25th ult. The surrender included one hundred and fifty thousand men, besides a vast amount of ordnance stores and camp equipage. Notwithstanding the prolonged siege and the vast amount of provisions necessary to maintain such a large army, and a large population of citizens, there was still remaining within the fortress provisions enough to last the garrison untill Christmas. Bazaine's want of sympathy with the new Republic was what induced the premature surrender.

Democratic party? Don't you know that this party has always opposed the education? Yes, you knew it. But rather than give up your prejudices, you have by your votes said, "let my children grow up in ignorance." You have by your vote endangered your educational system, for which vote your children will yet curse you. You have listened to the misrepresentations and falsehoods of your enemies. You have believed them. You have voted with your oppressors, and you will receive that reward at their hands your foolish act deserves.

When the Republican party formed this State, they looked over it and saw the deplorable state of affairs, and the want of public education. One of their very first acts was to inaugurate the free school system, in order that the youth of the State might be educated. Since the formation of the State, somewhere near two thousand school houses have been built in the State, at which over fifty thousand children are being educated. Was ever such a thing known under Democratic rule, when this was Virginia?

We ask all those who have turned their backs upon their friends, and voted with their enemies, to a careful examination of the policy of the Republican party. This party saved the government from dismemberment, and re-established the authority of the Constitution. This it did at the costs of thousands of lives and millions of treasure. These lives were freely given up and this treasure spent freely, but of necessity. The blood was not shed nor the debt incurred by any wilful act of the Republican party, but because the inauguration of a Democratic rebellion compelled them to a discharge of their solemn duty in defense of the government. With the overthrow of the rebellion was linked the overthrow of human slavery, and when our armies were disbanded, after the surrender of Lee at Appomatox C. H., the misguided people of the South were left free to go to their homes, the paraphernalia of war was quickly disposed of, the pursuits of peace industriously engaged in, and the nation started on its new march to prosperity, at last freed from the mental, moral and physical incubus of slavery. With a hostile President in the chair, placed there by the assassination of Mr. Lincoln, by a Democrat, and a defeated Democracy, North and South in the field, the Republican party was called upon to do its utmost against the bitter ha-

the Al wa all of ma oee we po de tr ac ex pa in th P. co fe m pr nt tr to ex or cr war it st B M H in O s ft d o t e s c a n e d c e t n s c r t h S n



## Flick Amendment

*Wheeling Daily Intelligencer*  
April 27, 1871

Petitioner's Exhibit No. 5

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### The Question to be Voted on To-Day.

The people of this State are called on to vote to-day upon a proposition to amend the State Constitution. The purpose of the amendment is two-fold: first to restore the ballot to those now disfranchised for their participation in the rebellion; and, second, to remove the discrimination in the Constitution which limits the right of suffrage to "white" persons, and thereby make that instrument conform to the XVth Article of Amendment of the Constitution of the United States.

The precise terms of the proposed Amendment will be understood, we trust, from the following explanation. Section 1 of Article III of the State Constitution is now as follows:

1. The *white* male citizens of the State shall be entitled to vote at all elections held within the election districts in which they respectively reside, but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote for thirty days, shall be permitted to vote while such disability continues. *No person who since the 1st day of June, 1861, has given, or shall give, voluntary aid or assistance to the rebellion against the United States, shall be a citizen of this State, or be allowed to vote at any election therein, unless he has volunteered into the military or naval service of the United States, and has been, or shall be, honorably discharged therefrom.*"

The Amendment proposes to strike that section out and insert in place of it the following:

"1. The male citizens of the State shall be entitled to vote at all elections held within the election districts in which they respectively reside; but no person who is a minor, or of unsound mind, or a pauper, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the State for one year, and of the county in which he offers to vote for thirty days, next preceding such offer, shall be permitted to vote while such disability continues."

The effect of this, it will be perceived, is to eliminate from the section as it now stands in the constitution, those portions which we have placed in *italics*.

The negro already has a right to vote in this State by an authority which overrides the denial of it by a State Constitution. He is a voter now, and will continue to be, whether our State Constitution be amended or not. Practically, therefore, the only substantial question involved in the amendment is that of enfranchising the ex-Confederates.

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*Wheeling Daily Intelligencer*  
April 28, 1871

### Yesterday's Election.

The vote yesterday on the proposed amendment to the State Constitution was the lightest ever cast in this city. In the

of those townships. There was an utter absence of interest; and those who voted did so, we presume, as a matter of abstract duty. We can only regret that so many felt no sense of duty as citizens in connection with the matter submitted to them.

While the indifference shown is to be regretted as a not very healthy indication, it is not by any means unaccountable. The questions involved in a vote were purely impersonal and abstract. It has been often demonstrated that no election which does not involve money or personal success, or both, will excite more than a limited interest. Neither money nor personal interests entered into this election.

Then again it was a peculiarity of the proposed Amendment that it contained features displeasing to a very large number of both parties. It required an unpleasant concession from each. The Democrat was required to concede negro suffrage, and the Republican ex-rebel suffrage. A very large proportion of each party felt reluctant to make these respective concessions, and this reluctance helped very much to make them indifferent about the election and to keep them at home.

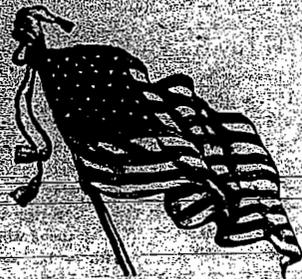
No opinion can be formed at present, that is worth expressing, about the result in the State.

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Government and Politics

West Virginia Division of Culture and History  
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Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.,  
Thursday, August 31, 1871.

THE ELECTION.

The election Thursday in this county, passed off very quietly, and the result is a majority of over nine hundred against the Convention. This result in Mason county was not altogether unexpected by the friends of the Convention—they even expected the majority would be much larger against them. In this county a certain element of the Democratic party, united with the Republican party in their opposition to it, and worked shoulder to shoulder with the extremist of Radicals in their efforts to defeat the "d-d rebel movement" as they were pleased to term it. Men who have long been Democrats bled down the Convention with "rebel!" "rebel!" "rebel!" with the zeal of the most vindictive and oppressive Radical. All the bitter feelings, prejudices and passions of the late war were appealed to publicly and privately to gain votes against the Convention, and they have succeeded, and the Republican party is taking all the glory to itself, by claiming the majority in this county against the Convention as a Republican victory.

In our humble way we favored the Convention, and laid before the people the rotteness and corruptions, the misconstructions and violations under the present Constitution, and endeavored to show them that a Constitutional Convention would be a sure remedy for all these evils. We done what we believed to be right, and for the best interests of the whole people of the whole State; and therefore have no regrets (as some might say) for our course upon this question.

While Mason county has given a majority against the Convention, yet we feel justified in saying that we believe that the people of the State have declared, by a handsome majority in favor of the Convention. They have decided says the *Lewisburg Independent* that "we are to be allowed the privilege of making a government, equal and just to all parties—a government whose laws honest men will delight to honor, and the transgressor fear to disobey."

We are not able to lay before our readers the complete returns of the State, but publish in another column all that we have received up to the time of going to press. From reports we are led to believe the Convention is carried, and that a grand victory has been achieved over those who still wished to tyrannize over and

THE CONVENTION CARRIED  
2,000 MAJORITY!!

Howard's Nineteen-Twentieths Working Shoulder to Shoulder.

The Mason County Journal Despondent!

Greeting to the 407 True Men of Mason!

THE THIRD DISTRICT COVERED  
ALL OVER WITH GLORY.

Mason County Official.  
The following is the official vote of Mason county:

Township	FOR	AGAINST
Cooper Township	15	46
Greer's Precinct	21	86
Letart	69	82
Robinson Township	23	60
Waggener Township	38	88
Clifton	44	64
West Columbia		
Mason City		
Clanndon Township	12	51
Piegan	33	69
Faidley's	7	35
Shank's School House		
Graham Township	64	81
New Haven	17	98
Hartford City	63	96
Arbuckle Township		
Lewis Township	47	206
Court House		
Hanna Township	0	100
Town Hall	8	51
Precinct No. 2	10	136
Union Township	17	71
Culogno Township		
Total vote	407	1420

Majority against Convention, 932

Below we give all the election returns, both as published and reported, that we have been able to get:

- Kanawha county 585 against Convention.
- Putnam county, 03 maj. for Convention
- Payette county reported 398 majority for Convention.
- Clay 50 majority against convention
- Greenbrier county, for convention, 1058
- against convention 200.
- Boone county reported 100 majority for convention.
- Logan reported 100 majority for convention.
- Mason county 920 majority against convention.
- Harrison county 450 majority against convention.
- Lincoln county gives 37 majority for the Convention.
- Cabell county gives 90 majority for the Convention.
- Wayne county gives between 50 and 100 majority for the Convention.
- Preston county gives 1055 majority against the Convention.
- Wood county 64 majority against convention.
- Jefferson county 800 majority for convention.
- Monongalia is reported to have given 1200 majority against convention.
- Glade township, in Barbour county, gives 185 majority for a Convention.
- Lewis county, gives 100 against the Convention.
- Gilmer county 270 for the Convention.
- Braxton county 600 for a Convention.
- Nicholas county 250 for the Convention.
- Randolph county 150 for the Convention.

The Parkersburg, Ripley and Charleston Railroad.

The construction of the Parkersburg, Ripley and Charleston Railroad, says the *Charleston Herald*, is to be an enterprise of not less difficulty than of importance, and must be the work not only of individuals, but of all the citizens of the three counties of Kanawha, Jackson and Wood. Each citizen that is a holder of the lands along the intended route is interested not only to the extent of a dollar, or two dollars or a hundred dollars, but to the extent of the whole value of his possessions and thus interested, if he wishes the road built, must not lie off saying that others will "build the road anyhow," but must give his own individual assistance.

How? First let his being asked, and at once through his lands, and labor does the same. The utmost importance to him may pass in his immediate future if he is not able to take land—one, or fifty acre as he may be able, as every acre that is offered places the road that much nearer completion. Give over one-half of what he has that the remainder may be trebled in value.

Let each one make it his own personal matter, and we may be sure that it can be accomplished.

The cholera is advancing from Russia at too slow a rate to cause much apprehension of its ravages in the United States during the present year. It has not crossed the line that divides Polish Russia from Germany; and such sanitary measures have been taken as make it doubtful whether it will penetrate far into Western Europe. Medical science, boards of Health and municipal regulations have robbed the disease of much of its terror, though none of them have provided a specific against it. It has not, however, manifested itself this year in so malignant a form as in 1836 or on prior occasions, and should it reach our shores, will probably have taken so mild a form as not to be seriously dreaded.

The *Washington Patriot* exposes the pretended solicitude of the Administration officials at Washington for economy by saying that all important papers requiring the signature of the President must be sent to Long Branch by a special messenger, who is allowed ten cents mileage each way for going and returning, hotel bills, and other expenses. It is estimated that every time the President signs his name by the seashore, to a commission, order, bigamy pardon, or other paper, it cost the tax payers \$75 or \$100, according to the allowance which may be made the messenger.

The History of parties in this country shows a constant alternation of power. No political party, says the *Carrier-Journal*, has held on to power, for a longer period than twelve consecutive years. The Democratic party, in person of Andrew Jackson, achieved a signal triumph in 1828, and in 1840, in the person of Martin Van Buren, it suffered a signal defeat. "Log cabin and hard cider," "Tippecanoe and Tyler too," were invincible in that memorable campaign. The contest of 1844 will never be forgotten by the present generation of Kentuckians. It resulted in the defeat of their grant, their idolized

Accident.—Mr. Daniel Hout, son of Mr. David Hout, of this place, met with an accident on Tuesday last which might have resulted fatally. It seems that he and his brother Lawrence started from home on a gunning expedition, and when arriving at the Spring, on the Scrabble road, near the residence of Mr. W. T. Lewin, near town he knelt down at the spring for the purpose of drinking, when a pistol which he had buckled around him, fell out of the case and was discharged, the ball striking one of his ribs upon the left side, and passing under the skin about six inches, came out of his back, causing a severe but not serious wound. He is under the treatment of Dr. John Reynolds and is doing as well as can be expected. Persons cannot be too careful with fire-arms.—*Shepherdstown Register*.

DROWNED.—A boy named Ch on the canal boat, was drowned in the Landing last. It seems he had been in the boat and was on the bank for the purpose of looking at the boat when it was about to start. When it started he fell overboard and was drowned. The body was recovered and is now in the morgue.—*Shepherdstown Register*.

Horrible.—The Democratic murder of Cass county, last, Tom Scold busbwagger from H got crazy and bitter defiance at a workman out effect. office and she also without earned the av of stores, but through a sc Mayor's office where he for together by arresting him mortally wounded. Two Sabine, but then walked the shot Mr. in the law; above the e brain. He or three me without h around to s Marshal's f fired, a cho Sabine ate before he c buckslot f his body, a died in ar conduct er out the tow the ruffian gratified.

As Ix to day an concerning of Appeal cision will ia for the this State the one in gnia, whi struction. constitutio majority o House of necessary. This prov the West mean just opinion.)

Penosy lection o Evans, is to his ow paid over ed settled has been among th State, an ist there l bounty for leuce. F affair will now beco compromi of fraud.

The pe invented to Russia

Petitioner's Exhibit No. 6

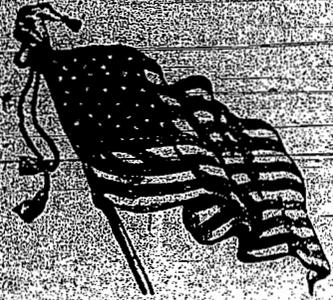
to which we has been appointed will carry energy and intelligence. The Board of Public Works is to be congratulated upon this exhibition of it adaptation of persons to places.—*Herald*.

A MAN KILLED.—From a gentleman who returned last Sunday evening from the Shionston camp-meeting, we received information of a terrible affray which occurred near the camp-ground, on Saturday, resulting in the probable fatal stabbing of one of the participants. It seems that there were some parties out on the road who had provided themselves with a large quantity of whiskey, and had located a brush groggery near the grounolds. Some parties were drinking and by some means (the direct result of whiskey of course,) a disturbance arose, and six men became engaged in a fight; one of them drew a knife and commenced stabbing another; from the effect of the wounds it is thought he will die. The proprietors of the groggery were arrested, and brought to the camp-ground next morning. It is said that they had a large store-box filled with bottles of whiskey—besides having a considerable supply of blackberry wine, &c. The man stabbed was named Short; we have no further particulars.—*West Virginian*.

ANOTHER SERIOUS OCCURRENCE.—We are informed that a woman named Wilkie—living near Shionston—was run over and so badly injured, last Sunday, on the road from the town to the Camp-ground, that it is thought she will not recover.—Two youngsters were engaged in the very moral pastime of racing their horses along the pike, and coming upon the lady at a sudden turn in the road, one of the horses plunged over her striking her down, and tramping her under foot. A little child which the woman was carrying in her arms, was also badly injured. No further particulars.—*West Virginian*.

There is an unfounded and silly report going the rounds that Colonel B. Wilson killed or seriously crippled a man in this county. This is not true. The fact is that he and one of his farm hands had a personal altercation in his meadow and no serious damage was done, for the person so reported to have been injured has been in town several times during the last few days transacting his business as usual. The parties had always been on the most friendly intimate terms up to the time of the altercation. We suppose the difficulty arose from some sudden provocation, and as both are reasonable and respectable gentlemen, we have no doubt the parties will soon sustain their former friendly relations.—*Conservative*.

Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.,

Thursday, November 2, 1871.

The Election.

The result of Thursday's election in this county, and in the 7th Senatorial District, is indeed most cheering. In Mason county the entire Democratic ticket is elected by handsome, if not, overwhelming majorities. In this District Cushing and Fitzhugh are elected delegates to the Constitutional Convention, by near 2,000 majority over Hall and Swan. The Democratic candidate for State Senator, Dr. Hereford, is elected by about the same majority. When the campaign opened there was a majority of 932 against the Convention in this county, which the Republican party under the name of "people's party," claimed they could hold and maintain against the Democratic party. Their deceptive dodge did not win. They were met at every point and their rotteness exposed. The voters soon learned that the "people's party" was nothing more than the Radical party still, led by John Hall a disaffected so-called Democrat, and they refused to support the mongrel mess. The result is that Mason county repudiated the "people's ticket" by over 200 majority. Democrats of Mason you have done nobly. You have now a positive Democratic majority in the county, which you can always hold if you pursue the straight course which has been marked out by the party since it came into power in West Virginia, less than one year ago. Keep down all bickerings and strife, and jealousies in your party organization, and reorganize at once for the great battle to be fought in 1872.

Grant's Policy.

As soon almost as the wires had flashed the news of the result of the elections in Pennsylvania and Ohio; their effects began to be felt. The proclamation of Radical successes was followed by the KuKlux proclamation of the President, declaring martial law in South Carolina, and warning the people of the entire country, from Maine to California, that the military power of the Nation was to be employed in crushing out all opposition to his re-election. In Texas, where the Democracy

patiently too, because of the knowledge that any effort made by themselves toward their own relief would artfully be made use of by their enemies who would turn it to account by citing it as an evidence of the lingering spirit of the disloyalty of their victims. Swept with fire and sword, robbed of their possessions, taxed to keep in office a horde of hungry leeches from the North denied the right of suffrage; bound hand and foot politically and placed completely under the control of negro domination; their condition is indeed pitiable; and the only way in which it can be bettered is by the recording of an earnest protest against such outrages, at the ballot box, in localities where Americans citizens are yet free to exercise this privilege. That such a protest may result from the election in our own State, is our earnest hope.

Proscriptionists.

Mr. Editor:

Those whose political features are Democratic and who are so sanguine that no rebel can ever be elected to an office in Mason county, will do well to remember that in Lewis Township, if the enfranchised vote were thrown with the Republicans, the Democrats could never carry a Township election.

You have only to refer to the last election held here to verify this statement. When the "people's" candidates were discussing the public issues before the people and some persons suggested that some gentleman should go and reply, Democrats replied, he is, or they are ex-rebels, and no one will believe what they say, — it is no use to send such men. Democrats must remember that the enfranchised are men of feeling; and they would as soon be proscribed by Radical legislation as by public opinion; and that opinion expressed by those whose lobby was, the illegality of proscriptive laws; and upon this they the (Democrats) walked into office. Now they have the power they publicly assert that no man who has ever been in the Confederate army is suitable to hold an office.

The Democrats seem to wish to use the enfranchised in just the same manner that the Radicals did the negroes. Democracy is getting too fast; it is losing sight of its own interests. The enfranchised are the tools of no party, the slaves of no man; and if their votes should be thrown with the Republican party, Democracy is dead in Lewis Township.

These war Democrats forget that the enfranchised are under obligations to them only so far as their enfranchisement goes; and when men's rights are questioned and defects which do not exist circulated, and they are kept to do the voting and elect Democrats to office, they will perhaps find that it is to their interests to make friends with their friends.

JUST SO.

Samples of Pure Government.

The only hope now is in the Republican party. Around that organization all the friends of pure government must rally, or we shall be swamped beneath the tidal wave of official corruption. — Radical Pa-

ELECTION RETURNS.

Mineral gives an average Democratic majority of 180. The Senatorial District is estimated at 1200 Democratic.

Kanawha county gives 450 Democratic majority.

The entire Democratic ticket is elected in Berkeley county by over two hundred and fifty majority.

Ritchie gives seventy-five Democratic majority. We have elected our entire ticket.

Democratic majority in Lewis is over 400.

The Democratic majority in Wood is over 350.

The entire Democratic ticket in Marion is elected by 1 round, ex-rob

Harrison is ex-rob. Wilson the District.

Putnam is majority.

Cabell and Lincoln counties give a majority 1200 majority.

Jackson county elects the entire Democratic ticket by 500 majority.

The Democratic majority in Ohio county is over 300.

Hampshire county rolls up 800 Democratic majority.

Marshall county gives a small Republican majority.

Democratic majority in Jefferson is 700

Taylor county elects the Democratic ticket by 250 maj

Townships	Wagner	Tin	Robison	Lewis	Hannan	Graham	Colgate	Chapin	Clendenen	Arbuckle
Fitzhugh	41	134	194	211	163	140	78	70	148	110
Cushing	41	134	194	211	163	140	78	70	148	110
Hall	80	47	111	80	95	41	41	41	47	47
Swann	88	70	123	108	49	49	71	71	123	70
Hereford	41	118	154	82	104	162	162	162	118	118
Fry	89	68	106	104	62	203	203	203	68	68
Wagner	42	134	160	91	77	144	144	144	134	134
Mordeck	89	51	120	99	57	218	218	218	51	51
McComa	42	116	151	96	96	184	184	184	116	116
McCurtch	89	71	126	63	63	178	178	178	71	71
Moore	43	115	147	85	85	152	152	152	115	115

An ex-Confederate View of the Calamities in the Northwest.

The Augusta (Ga.) Chronicle, after recapitulating the leading circumstances of the Chicago fire, and of the fires raging in the woods of the Northwest, adds:

But there are those among us to whom this picture will recall terrible memories. Those who witnessed or endured in Sherman's march from the mountains of Georgia to the sea southward, and from the sea northward to the plains of North Carolina, will recall vividly such a picture of desolation, and their hearts will throb in responsive sympathy with the unfortunate victims. We well remember that memorable night when, on Belling's Island, in the Congaree, where, having found concealment from Kilpatrick's cavalry, we witnessed, at

Petitioner's Exhibit No. 7

the horizon, the lambent glare and ending into k clouds; the once beautiful, while at red cushioning against the trunk of a swamp oak, a tender mother, and wife of a Confederate officer, a fugitive, watched all night the last struggle of her dying infant; and we well remember that we journeyed from dawn to mid day on the morning of the next day, through blackened and burning forests; and by the trail of white ashes which marked the fenced fields, guided by the tall red chimneys which stand like sentinels over the smouldering ruins of once bright and happy homes. We tender to the unfortunate victims of this great calamity in the West sorrowful sympathy. It is all we can spare to give.

Martial Law in South Carolina.

Nero is said to have filled while Rome was burning. Grant, without the provocation, is violating the Constitution by declaring martial law in the South while the North is burning. Scarcely has the President taken his seat in his proper residence at the Capital of the nation, after a pleasure-seeking campaign of many months; and whilst the thoughts of the American people are painfully exercised with the heartrending tidings of the most appalling fires the history of the world has recorded: one destroying, with the loss of many lives, an opulent and populous city; others sweeping over vast territories in several States, destroying thousands of lives, many towns and villages and leaving homeless and breadless innumerable families of agriculturists, that much oppressed, hard-working class who at best have to contend against the grinding and oppressive tax-tation imposed upon them by the sanguinously political party now ruling and guiding the country, we find General Grant coolly taking advantage of a questionable act of Congress the constitutionality of which is denied by every lawyer of ability, coupled with honesty, in the land, to issue a "proclamation" initiating a military despotism, and which has now culminated in another "proclamation," declaring martial law in one of the free and independent States composing the United States. — Martial law says the great English commentator Blackstone, is entirely arbitrary has no settled principles, and, in truth, is no law; in the language of Lord Loughborough, "it does not exist in England at all." Martial law as thus described, can only exist in the United States by virtue of a clause in the Constitution which vests in Congress alone the power to suspend the writ of habeas corpus, when the public safety may require it in cases of rebellion or invasion. Congress itself has no power

The Vote Cast in Mason County at the Election held October 26th, 1871.

Petitioner's Exhibit No. 8

CONSTITUTION

AND

SCHEDULE

ADOPTED

IN CONVENTION,

AT

CHARLESTON, APRIL 9TH, 1872.



CHARLESTON:  
JOHN W. GENTRY, PRINTER.  
1874.

# PROCLAMATION.

BY THE GOVERNOR.

I, John J. Jacob, Governor of the State of West Virginia, do issue my proclamation, and declare that the Honorable Sannel Price, President of the Convention, which assembled at the seat of government on the third Tuesday in January last, "to consider, discuss and propose a new Constitution, or alterations and amendments to the existing Constitution of this State," has certified to me an accurate transcript of the Constitution and Schedule adopted by the said Convention, April ninth, in the year one thousand eight hundred and seventy-two, a copy of which Constitution and Schedule is hereto annexed.

In testimony whereof, I have hereunto set my hand and caused the seal of the State to be affixed at Charleston, this tenth day of April, in the year one thousand eight hundred and seventy-two, and of the State, the ninth.

JOHN J. JACOB.

By the Governor:

JOHN M. PURDYS,

Secretary of State.

# CONSTITUTION

OF THE

# STATE OF WEST VIRGINIA.

## ARTICLE I.

### RELATIONS TO THE GOVERNMENT OF THE UNITED STATES.

1. The State of West Virginia is, and shall remain, one of the United States of America. The Constitution of the United States of America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the land.
2. The government of the United States is a government of enumerated powers, and all powers not delegated to it, nor inhibited to the States, are reserved to the States or to the people thereof. Among the powers so reserved by the States, is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State, from all encroachments upon the rights so reserved.
3. The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.
4. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number with the represent

13. No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable, or clerk of any court of record, shall be eligible to a seat in the Legislature.

14. No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, shall be eligible to a seat in the Legislature. No person who may have collected, or been entrusted with public money, whether State, county, township, district, or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust, or profit in this State, until he shall have duly accounted for and paid over such money according to law.

15. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term, except offices to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract, with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

16. Members of the Legislature, before they enter upon their duties, shall take and subscribe the following oath, or affirmation; "I do solemnly swear (or affirm,) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate,) according to the best of my ability;" and they shall also take this further oath, to-wit: "I will not accept or receive directly or indirectly, any money or other valuable thing, from any corporation, company, or person, for any vote or influence I may give or withhold, as Senator (or Delegate,) on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." These oaths shall be administered in the Hall of the House to which the member is elected, by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat; and any member, who shall be convicted of having violated the oath last above required to be taken, shall forfeit his seat, and be disqualified thereafter from holding any office of profit or trust in this State.

17. Members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report, motion or proposition, made in either House, a member shall not be questioned in any other place.

18. The Legislature shall assemble at the seat of Government biennially, and not oftener, unless convened by the Governor. The first session of the Legislature, after the adoption of this Constitution, shall commence on the third Tuesday of November, 1872; and the regular biennial session of the Legislature shall commence on the second Wednesday of January, 1875, and every two years thereafter, on the same day.

19. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it, on application in writing, of three-fifths of the members elected to each House.

20. The Seat of Government shall be at Charleston, until otherwise provided by law.

21. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the Seat of Government; and the Legislature may, when in session, adjourn to some other place, when in its opinion, the public safety or welfare, or the safety of the members, or their health shall require it.

22. No session of the Legislature, after the first, shall continue longer than forty-five days, without the concurrence of two-thirds of the members elected to each House.

23. Neither House shall, during the session, adjourn for more than three days, without the consent of the other. Nor shall either, without such consent, adjourn to any other place than that in which the Legislature is sitting.

24. A majority of the members, elected to each House of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications, of its own members. The Senate shall choose, from its own body, a President; and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers, and remove them at pleasure. The oldest Delegate present, shall call the House to order, at the opening of each new House of Dele-

each House, according to the rules and limitations prescribed in the preceding section in reference to other bills.

16. In case of the death, conviction on impeachment, failure to qualify, resignation, or other disability of the Governor, the President of the Senate shall act as Governor, until the vacancy is filled, or the disability removed; and if the President of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Delegates; and in all other cases, where there is no one to act as Governor, one shall be chosen by joint vote of the Legislature. Whenever a vacancy shall occur in the office of Governor, before the first three years of the term shall have expired, a new election for Governor shall take place to fill the vacancy.

17. If the office of Auditor, Treasurer, State Superintendent of Free Schools, or Attorney-General, shall become vacant by death, resignation, or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office, until his successor shall be elected and qualified, in such manner as may be provided by law.

The subordinate officers of the Executive Department, and the officers of all public institutions of the State, shall keep an account of all moneys received or disbursed by them respectively, from all sources, and for every service performed, and make a semi-annual report thereof to the Governor, under oath or affirmation; and any officer who shall wilfully make a false report, shall be deemed guilty of perjury.

18. The subordinate officers of the Executive Department, and the officers of all the public institutions of the State, shall, at least ten days preceding each regular session of the Legislature, severally report to the Governor, who shall transmit such report to the Legislature; and the Governor may at any time require information in writing, under oath, from the officers of his department, and all officers, and managers of State institutions, upon any subject relating to the condition, management, and expenses, of their respective offices.

19. The Governor shall receive for his services a salary of twenty-seven hundred dollars per annum, and no additional emolument, allowance, or perquisite, shall be paid or made to him, on any account. Any person, acting as Governor, shall receive the emoluments of that office. The Secretary of State shall receive one thousand; the State Superintendent of Free Schools, fifteen hundred; the Treasurer, fourteen hundred; the Auditor, two thousand; and the Attorney-

General, thirteen hundred dollars per annum; and no additional emolument or allowance, except as herein otherwise provided, shall be paid or made out of the treasury of the State to any of the foregoing executive officers, on any account.

## ARTICLE VIII.

### JUDICIARY DEPARTMENT.

1. The Judicial power shall be vested in a supreme Court of Appeals, and in Circuit Courts, and the Judges thereof; in county and Corporation Courts, and in Justices of the Peace.

#### SUPREME COURT OF APPEALS.

2. The Supreme Court of Appeals shall consist of four Judges, any three of whom shall be a quorum. They shall be elected by the voters of the State, and shall hold their office for the term of twelve years, unless sooner removed in the manner prescribed by this Constitution; except that of those first elected, two, to be designated by lot in such manner as they may determine, and in the presence of the Governor, shall hold their offices for four years; a third, to be designated in like manner, for eight years, and the fourth, for twelve years; so that one or more shall be elected every four years.

3. It shall have original jurisdiction in cases of *habeas corpus*, *mandamus*, and *prohibition*. It shall have appellate jurisdiction in civil cases, where the matter in controversy, exclusive of costs, is of greater value, or amount than one hundred dollars; in controversies concerning the title or boundaries of land, the probate of wills, the appointment or qualification of a personal representative, guardian, committee, or curator; or concerning a mill, road, way, ferry, or landing; or the right of a corporation, or county to levy tolls, or taxes; and, also, in cases of *quo warranto*, *habeas corpus*, *mandamus* and *prohibition*, and in cases involving freedom, or the constitutionality of a law. It shall have appellate jurisdiction, in criminal cases, where there has been a conviction for felony, or misdemeanor, in a Circuit Court, and where a conviction has been had in any inferior court, and been affirmed in a Circuit Court.

## ARTICLE XIV.

## AMENDMENTS.

1. No Convention shall be called, having the authority to alter the Constitution of the State, unless it be in pursuance of a law, passed by the affirmative vote of a majority of the members elected to each House of the Legislature and providing that polls shall be opened throughout the State, on the same day therein specified, which shall not be less than three months after the passage of such law, for the purpose of taking the sense of the voters on the question of calling a Convention. And such Convention shall not be held unless a majority of the votes cast at such polls be in favor of calling the same; nor shall the members be elected to such Convention, until, at least, one month after the result of the vote shall be duly ascertained, declared and published. And all acts and ordinances of the said Convention, shall be submitted to the voters of the State, for ratification or rejection, and shall have no validity whatever until they are ratified.

2. Any amendment to the Constitution of the State may be proposed in either House of the Legislature; and if the same, being read on three several days in each House, be agreed to on its third reading, by two-thirds of the members elected thereto, the proposed amendment, with the yeas and nays thereon, shall be entered on the journals, and it shall be the duty of the Legislature to provide by law, for submitting the same, to the voters of the State, for ratification or rejection at the next general election thereafter; and cause the same to be published, at least three months before such election in some newspaper in every county in which a newspaper is printed. And if a majority of the qualified voters, voting on the question at the polls held pursuant to such law, ratify the proposed amendment, it shall be in force from the time of such ratification, as part of the Constitution of the State. If two or more amendments be submitted at the same time, the vote on the ratification or rejection shall be taken on each separately.

## SCHEDULE.

1. It shall be the duty of the President of this Convention, immediately after its adjournment, to certify to the Governor of the State of West Virginia, an accurate transcript of the Constitution and Schedule adopted by the Convention.

2. Upon the receipt of such certified transcript, the Governor shall make proclamation of that fact, and shall annex to his proclamation a copy of this Constitution and Schedule, all of which shall be published, for the general information of the people, in such manner as he shall deem most expedient.

3. The officers authorized by existing laws to conduct general elections, shall cause elections to be held at the several places of voting, established by law in each county, on the fourth Thursday of August, 1872, at which election the votes of all persons qualified to vote under the existing Constitution, and offering to vote, shall be taken upon the question of ratifying or rejecting this Constitution and Schedule. Such votes shall be by ballot. The person voting for the ratification of the Constitution and Schedule, shall have written or printed upon his ballot, the words "FOR RATIFICATION;" and the person voting against ratification shall have written or printed upon his ballot, the words "FOR REJECTION."

4. The said election shall be conducted in all things according to the provisions of the Code of West Virginia, and the amendments thereto governing elections, except as herein otherwise provided.

5. The Supervisors of each county shall assemble on the fifth day (Sunday excepted) after the said election, and proceed to ascertain the result of the same in the manner prescribed by the sixty-second section of the third chapter of the Code of West Virginia; and it shall be their duty to certify the result, without delay, to the Governor, stating in their certificates the number of votes given in their respective counties for ratification of the Constitution and Schedule, and the number given for rejection.

6. It shall be the duty of the Governor, upon receiving the said certificates, or a sufficient number thereof to enable him to ascertain the general result, to declare by proclamation the aggregate vote in the State for and against the ratification of the Constitution and Schedule; and if it shall appear from the said proclamation that a majority of votes cast are in favor of their ratification, this Constitution and Schedule shall be operative and in full force from and including the fourth Thursday of August, 1872.

7. On the same day, and under the superintendence of the officers who shall conduct the election for determining the ratification or rejection of the Constitution and Schedule, elections shall be held at the several places of voting in each county, for Senators and members of the House of Delegates, and all officers, executive, judicial, county or district, required by this Constitution to be elected by the people. Such elections shall be by ballot, and the results thereof shall be ascertained, determined and certified according to the provisions and requirements of existing laws; except that the returns of the elections of Governor, State Superintendent of Free Schools, Auditor, Treasurer, and Attorney General, shall be transmitted to the Secretary of State, sealed and addressed to the "Speaker of the House of Delegates."

8. In elections of county officers, required to be elected by districts, the existing sub-divisions by townships in each county, shall constitute such districts, until others shall be established.

9. Each county shall elect one assessor for each assessment district as now established by law; but at the election to be held under the provisions of this Schedule, in counties entitled to two Assessors, both shall be elected by the voters of the entire county.

10. At the election to be held under this Schedule, there shall also be elected in each district constituted as hereinbefore stated, as many Justices and Constables as are now authorized by law.

11. If this Constitution shall be ratified by the people, the Legisla-

ture elected under the Schedule, shall assemble at the seat of Government, on the third Tuesday in November, 1872; and the election of members of the Legislature, under this Constitution, shall vacate the seats of those elected under the present Constitution. The term of service of the Delegates first elected to the Legislature under this Constitution, shall expire on the first day of November, 1874; and the term of service of the Senators shall expire as follows: The term of first class, on the first day of November, 1874, and the term of the second class, on the first day of November, 1876.

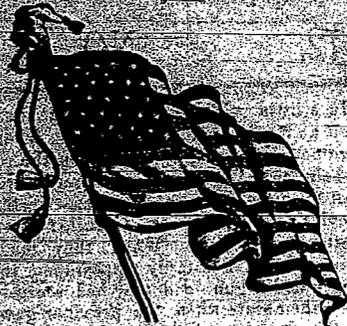
12. The terms of office of the Governor, the State Superintendent of Free Schools, the Auditor, Treasurer, and Attorney-General, elected under this Schedule, shall commence on the fourth day of March, 1873. The Governor, the State Superintendent of Free Schools, the Auditor, Treasurer, Attorney-General, and Secretary of State, and their successors elected under the existing Constitution and laws, shall continue in office until their successors, elected or appointed under this Constitution and Schedule, shall be qualified. The terms of office of the Judges of the Supreme Court of Appeals, of the Judges of the Circuit Courts, and of all county and district officers, whose election is provided for by this Schedule, shall commence on the 1st day of January, 1873; and the present Judges of the Supreme Court of Appeals, and of the Circuit Courts, and their successors who may be appointed under the present Constitution and laws, shall remain in office until the date last aforesaid. The Recorders and Supervisors of the several counties shall continue in office, and exercise their functions under the existing Constitution and laws, until the 1st day of January, 1873. And all officers named in this section, elected under the provisions of the existing Constitution and laws, shall, until their terms expire as herein provided, receive such compensation as said Constitution and laws prescribe.

13. The Municipal Court of Wheeling shall continue in existence, and exercise its present jurisdiction until otherwise provided by law.

14. All the books, records, papers, seals and other property now in the custody and under the control of the Boards of Supervisors and Recorders of the several counties, and records, books, papers, seals and other property of the former County Courts, now in the custody of the Clerks of the Circuit Courts, shall be transferred on the first day of January, 1873, or as soon thereafter as may be, to the Clerks of the County Courts in their respective counties, and remain in their custody until otherwise prescribed by law.

15. Justices, Assessors and all other county officers, except Sheriffs

Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, April 11, 1872.

Democratic and Conservative State Convention

Pursuant to resolutions of the Democratic and Conservative State Executive Committee, this day adopted, a Democratic and Conservative State Convention is hereby called to meet in the

City of Parkersburg on Thursday, May 30, 1872,

at 11 o'clock, A. M., to nominate candidates for Governor, four Judges of the supreme Court of Appeals, Auditor, Treasurer, Attorney General and State Superintendent of Free schools. Also to form an electoral ticket, and select delegates to represent the State in the Democratic National Convention.

J. W. GALLAHER,  
JAS. M. JACKSON,  
T. B. KLINE,  
JOHN BASSEL,  
A. B. SUMMERS,  
W. H. HOGEMAN,  
LEWIS BAKER

CHARLESTON, April 4th, 1872.

The general impression is, that the Constitutional Convention will close its labors this week. The Constitution is to be submitted to the voters on the Fourth Thursday in August next, for their Ratification or Rejection. On the same day the officers under the new Constitution are to be voted for. This includes the Governor, Auditor, Treasurer, (Secretary of State being appointed,) Supreme Judges, Circuit Judges, &c. Under the new Constitution, Mason county will have to elect the following officers: Two Delegates to the Legislature; a Sheriff, Prosecuting Attorney, Circuit Clerk, County Clerk, a Presiding Judge for the County Court, a Superintendent of Public Schools, Surveyor and two Assessors.

We have no doubt but that the present incumbents, Col. Waggener, Circuit Clerk, E. Kimberling, Esq., Record-

Washington papers say that the manifest to of the New York Liberal Republicans, endorsing the Cincinnati Convention, has created a positive political sensation there. The Grant Republicans admit that the signatures present an array of names calculated to give weight and character to any political movement. The President, in conversation with one of his Senatorial supporters, stated that the demonstration had not surprised him, as he had been advised several days ago that it was to be made. He was glad, he said, in one sense, that it had been made, for it placed its supporters in open defiance of the administration and the regular organization of the Republican party, and now he should know where to find them. It was about time he thought, that these distinctive lines should be drawn by some official act. The impression, however that the letter Messrs. Greeley, Cookling, Selden and company has made on the Republicans cannot be concealed. They begin to admit that the Cincinnati Convention will be a large and important gathering.

The question has been raised recently whether West Virginia shall not follow the example of Ohio and send a colored delegate to the Philadelphia Convention. A letter was recently addressed by a Parkersburg gentleman to Mr. J. R. Hubbard, of this city, member of the National Republican Committee, making the suggestion and mentioning a colored gentleman of that city as a good subject for appointment. We mention the matter that those who expect to attend the Grafton Convention on the 23d of May may not be shocked wholly out of their propriety when the proposition is made to the Convention.—*Wheeling Intelligencer.*

Just as we said a week or two ago, the Radicals will send negro delegates to the Grant Convention at Philadelphia. Ex-Gov. Stevenson will be a delegate to that convention, and consequently a negro must be sent also, so as to give the West Virginia delegation some semblance of respectability. Stevenson has such exalted opinions of the negro, that no doubt he will want to sleep and room with the "colored gentleman" from Parkersburg.

THE VOTES OF THE SOUTH MUST BE COUNTED.—The *Chicago Tribune* wars Grant against any attempt to play over again the game which was attempted in the last Presidential election, when it was decided that the electoral vote of Georgia should be thrown out if it would affect the result and counted if it would not. It says "the reconstruction business is at an end. Let us hear nothing of rejecting the votes of States at the next election as that of Georgia was rejected at the last election. When the votes of the people and the States are cast, the attempt to set aside that ver-

The suspicious thing about Secretary Robson is that whereas he was a county court lawyer with a per annum practice of about \$3,000 just before entering the Cabinet, he is now a man of great wealth, rejoicing in the mansion, equipage, and bank account of a true millionaire.

It has been inconceivably stated that the Supreme Court has refused to entertain the question of the constitutionality of the Ku-Klux law on the ground of lack of jurisdiction. All that has been decided is the Ku-Klux prisoners is not the proper one by which to get that law before the court.

Petitioner's Exhibit No. 9

and Nye, with statesmen like Sumner, Trumbull, and Schurz protesting and proscribed, must be more sanguine than the average of people.

Several members of the Virginia Legislature, among whom are Gen. J. A. Walker, the delegate from Pulaski, said to be disqualified by the 14th Amendment from holding seats in that body, have been notified by the U. S. Attorney to appear before the United States Court, now sitting at Lynchburg, and show cause why they should not be indicted by the Federal grand jury.—*Exchange.*

When will the days of proscription and persecution end?

The investigation in Washington in reference to the alleged improper use of Seneca sandstone in the new State Department building is still going on. It will be remembered that the Seneca quarry is the one in which Generals Grant, Dent and others are interested as holders of stock. A remarkable difference of opinion in respect to the merits of the stone has been elicited by the committee having the investigation in charge. Experts on the one side testify that the stone will stand forever; that it is cheap, fire proof, impervious to moisture, will stand heavy pressure, and is better, for many purposes, than granite. Experts on the other side swear that Seneca stone is often rotten, varies in strength, is unsafe to work, costlier than granite, and, finally, utterly worthless. In view of the many recent cases in which "experts" have expressed directly opposite opinions, the general public is beginning to believe that some witnesses of this class are gifted with great latitude of conscience.

There is another note-worthy point about this Seneca matter. The officers of the company make the remarkable declaration that the fact that General Grant owns some shares of the stock has been an injury rather than a benefit to them, as "the President has repeatedly said that he hoped that not a block of the stone would be used by the Government." The extensive employ-

A Republican's Op

The Hon. Wm. G in a private letter to an extract from which of that place, says

"I have been agree the character of the c of talent it is equal to I have ever been a gard to courtesy and members it was not- rable convention the mound in 1850-1 to meet, but in com feared an unfriendly members toward the

a badly wi emou, love ad s of the State tions. Some the ungene o people b gton, and no adoption of

tion on the subject o remove this just cau

The Grant faction success in the Presic is that the Cincinnati act with policy and is that the Democrat will be fools eoo their forces with the proposes the destruc ring" and the inaug reform at Washingto racy's assistance it i the task. This ass The democratic part make a finish of Gra Liberal Republican upon that.—*Enqui*

Grant declares the finger to secure his sibly he won't, but holder who dosen't l

Professor Morse c the city of New Yor after an illness of ts years of age.

Nineteen North C ed through Parkersb ing, en route for M

NOT THIS is to give not with me in the D. Bickle, and which wi der the firm name o change necessitates a- fore, I call upon those by note or book accou out delay, and settle u of closing up my old need the money. I h ficient.

april 11-1m. Commissioner's S: Lot in I

IN pursuance of the the Circuit Court Virginia, rendered o 1872, in a certain Cha ding in which James and James Leftwitch, and, the undersigned

# Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, : : : : April 18, 1872.

## THE CONVENTION.

The Constitutional Convention adjourned *sine die* on the 9th inst., having finally formed a Constitution, which, from what little we have seen of it, is admirably adapted to the wants of the people of our State. The session, taking all things into consideration, was a brief one, was harmonious and dignified. The cost was not so great as some of its opponents would have us believe, being about \$40,000.—President Price in delivering his valedictory, said that the new Constitution was vastly superior to the old one, and had the material interests of the people at heart more than the one enacted during <sup>20</sup> "times that tried men's souls." His opinion is one that we defer to, he having du-

Defeated candidates for Congressional honors are furnished another incentive in contesting the seats of their successful competitors in the liberal manner in which the House of Representatives last week treated Mr. Norris, who laid claims to the seat held by Mr. Handley, from the 7th District of Alabama. By a unanimous vote the contestant was awarded the little bonus of \$5,000. This action,

## Petitioner's Exhibit No. 10

Prove show that there was no reasonable ground for contest; no allowance shall be made to the contesting party to pay hotel and washing bills in Washington. Mr. Handley was admitted to his seat by a unanimous vote of the Committee on Elections and of the House, and it is universally conceded that his opponent, Norris, had not the slightest shadow of legal right to the seat. And yet the House gives Mr. Norris over five thousand dollars to pay his expenses.

The late Soldier and Sailor Act which has passed Congress gives to every soldier and sailor who served ninety days or more in the late war a patent for one hundred and sixty acres of land, provided he is an actual settler. They must have been honorably discharged, and remained loyal to the Government since." We wonder Grant's officers won't interpret that clause to mean voting the Republican ticket. We apprehend that at home there is nothing occurred for the last seven years by which any body could be disloyal to the Government. We have not had any war that we know of.



Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, : : : : May 9, 1872.

DEMOCRATIC CONVENTION.

There will be a Democratic and Conservative County Convention, held at the Court House of Mason county, on

Monday, the 20th of May, 1872, for the purpose of nominating county officers to voted for at the August election, and also to select delegates to the State Convention to be held at Parkersburg, on the 30th of May, and to the Senatorial and Judicial Conventions, to be hereafter called. The Committee further recommend that the several townships hold their primary meetings on Saturday the 11th day of May, appoint delegates to the County Convention. By Order of the Committee.  
C. B. WAGGENER, Chm'n.

The Cincinnati Convention.

The Cincinnati Convention has met and adjourned. Horace Greeley, of New York, was nominated for President, and B. Gratz Brown, of Missouri, for Vice President.

This movement, though ridiculed by the partisans of the administration when it was proposed, and by them denounced and belittled up to the day of its assembling, developed into proportions so formidable as to alarm the firmest friends of Grant. They see in it the doom of the Grant wing of the Republican party. They have seen connected with this movement the brains, the leaders, the founders and the energy of the Republican party, and larger in num-

mean time let a generous encouragement be extended."

Following will be seen the "Address and Platform of Principles." The address is a severe arraignment of Grant and his Administration. We commend it to our readers.

ADDRESS TO THE PEOPLE OF THE UNITED STATES.

The Administration now in power has rendered itself guilty of wanton disregard of the laws of the land in the exercise of powers not granted by the Constitution. It has acted as if the laws had binding force only for those who are governed, and not for those who govern. It has thus struck a blow at the fundamental principle of constitutional government and the liberties of the citizen.

The President of the United States has openly used the powers and opportunities of his high office for the promotion of personal ends. He has kept notoriously corrupt and unworthy men in places of power and responsibility, to the detriment of public interest.

He has used the public service of Government as a machinery of partisan personal influence, and interfered, with tyrannical arrogance, in the political affairs of States and municipalities.

He has rewarded with influential and lucrative offices men who had acquired his favor by valuable presents, thus stimulating the demoralization of our political life by his conspicuous example.

He has shown himself deplorably unequal to the tasks imposed upon him by the necessities of the country, and culpably careless of the responsibilities of his high office.

The partisans of the Administration, assuming to be the Republican party and controlling its organization, have attempted to justify such wrongs and palliate such abuses, to the end of maintaining partisan ascendancy.

They have stood in the way of necessary investigations and indispensable reforms, pretending that no serious fault could be found with the present administration of public affairs, thus seeking to blind the eyes of the people.

They have kept alive the passions and resentments of the late civil war, to use them for their own advantage. They have resorted to arbitrary measures in direct conflict with the organic law, instead of appealing to the better instincts and latent patriotism of the Southern people by restoring to them those rights, the enjoyment of which is indispensable for a successful administration of their local affairs, and would tend to restore a patriotic National feeling. They have degraded themselves and the name of their party, one justly entitled to the confidence of the nation, by a base sycophancy to the dispenser of Executive power and patronage unworthy of Republi-

administered, pensions, and the interest on the public debt, and a moderate annual reduction of the principal thereof, but recognizing the existence in our midst of honest but irreconcilable differences of opinion upon the merits of the respective systems of protection and free trade, we remit the discussion of the subject to the people in their Congressional districts, and to the decision of Congress thereon, wholly free from Executive interference or dictation.

8. The public credit must be sacredly maintained, and we denounce repudiation in every form and guise.

9. A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.

10. We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the Republic, and no act of ours shall ever detract from their justly earned

Petitioner's Exhibit No. 12

nations to cultivate the friendship of peace by treating with all on fair and equal terms, regarding it alike dishonorable either to demand what is not right or to submit to what is wrong.

13. For the promotion and success of these vital principles, and the support of the candidate nominated by this Convention, we invite and cordially welcome the co-operation of all patriotic citizens, without regard to previous political affiliations.

Our Next Congressman.

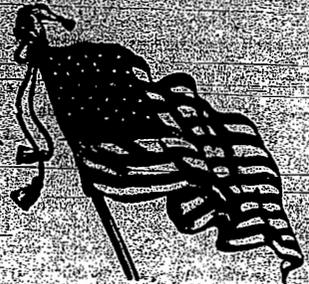
We clip the following complimentary notice of Hon. Frank Hereford, the able and efficient Representative in Congress from the Third District from the *Charleston Courier*. We most heartily endorse the sentiments of "Kanawha," and believe, with him, that Major Hereford should be re-nominated and returned to Congress for another term.

The time is approaching for the Democratic and Conservative party of the third Congressional District to consider who shall be our next Representative, because a nomination by the party is equivalent to an election. Several names might be suggested from whom a good selection could be made; but no one can be named who has as many claims for the office as the Hon. Frank Hereford, our present efficient Representative. Mr. Hereford has done more to recommend himself to the confidence and generous support of the 3d District, than any other person. When he ran for Congress at the last election he began what was regarded as almost a hopeless race, and by his untiring energy, turned the tide of

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Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, July 4, 1872.

Democratic and Conservative State TICKET.

For Governor,

JOHNSON N. CAMDEN, of Wood.

For Auditor,

EDWARD A. BENNETT, of Marion.

For Treasurer,

JOHN S. BURDETT, of Kanawha.

For Attorney-General,

H. M. MATTHEWS, of Greenbrier.

For Superintendent of Free Schools,

BENJAMIN W. BYRNE, of Kanawha.

For Supreme Court of Appeals,

A. F. HAYMOND, of Marion.

JAMES PAULL, of Ohio.

CHAS. P. T. MOORE, of Mason.

J. S. HOFFMAN, of Harrison.

For Congress—3d District,

FRANK HERFORD, of Monroe.

SENATORIAL TICKET.

For State Senators,

PRESLEY C. EASTHAM, of Mason.

GEORGE J. WALKER, of Jackson.

COUNTY TICKET.

For House of Delegates,

SAMUEL W. SOMMERVILLE,

WILLIAM R. GUNN.

For Clerk of Circuit Court,

CHARLES B. WAGGENER.

For Sheriff,

COLUMBUS SEHON.

For President of County Court,

JAMES W. KELLY.

For Clerk of County Court,

ELIJAH KIMBERLING.

For Prosecuting Attorney,

G. P. SIMPSON.

For Surveyor,

GEORGE W. PULLIN.

Assessor—1st District,

JACOB ROUSH.

Assessor—2d District,

HUGH DAY.

POLITICAL NOTICE.

The members of the Mason County Democratic and Conservative Committee are hereby requested to meet at the Court House at Point Pleasant on Saturday, the 6th day of July, 1872, at 2 o'clock P. M. It is also desirable that all County, District, and Township candidates—the regular nominees of said party—meet with us at that time. The object of said meeting is to take immediate steps for a perfect and thorough organization, for a vigorous campaign. A general attendance is desired.

J. P. R. B. SMITH.

**Gov. Jacob.**  
As many of our readers are already aware, Gov. Jacob has announced himself through the columns of the Radical papers as an independent candidate for re-election to the gubernatorial chair of this State. This action on the part of Gov. Jacob was not altogether unlooked for, as we had heard intimations of it at the State Convention, which, after having assembled, left no hope or show of success for his Excellency, he refused to allow his name to go before that nominating body.

His course now, proves conclusively that he did not allow his name to go before the Convention, because he wanted an excuse to run as an independent candidate, with the hope that he might become the great Radical leader that was to re-instate in power the party that had disgraced and well-nigh ruined the little State of West Virginia. Governor Jacob is now fully and fairly before the people as the Radical candidate for Governor. He is supported by the *Wheeling Intelligencer*, the *Parkersburg State Journal*, (ex-Governor Stevenson's paper) the *Mason County Journal* and every Radical paper in the State. Not a single Democratic paper in the State as far as we have seen, supports him, but all deprecate his action.—Not a Democratic paper in the State will support and advocate his re-election.

What Gov. Jacob expects to gain by this sudden change of his political front, is beyond our conception. He cannot hope to carry enough of the Democratic vote with him to secure his election. By his course he has everything to lose and nothing to gain. We do not believe that Stevenson & Co. can unite the Radical vote upon him, and if he does get every Radical vote in the State he would still need some ten thousand more votes to insure his election.

We do not know of a single Democrat in Mason who will vote for Gov. Jacob. There may be some, but we have not heard of them. Our voters are generally inclined to stick to the nominee, and vote their ticket straight.

The Radical boast that the Democratic party is divided, and dissatisfied, with their nominees, on both State and county tickets, is all bosh. The dissension in this county is very small, if any, and they will find it to be so on the 4th Thursday in August.

An exchange in speaking of Gov. Jacob says: John J. Jacob is the "bolting" candidate for Governor. We have been satisfied of this fact for a long time. When a man is pretty well known to another the judgment which is to be formed of his intended action is made up of this knowledge of his character, and of what he is doing and what others are doing in his interest. Putting these two elements together for judging of Mr. Jacob's intention, we have long since been satisfied of what his course was to be. In the first place, he passed by the most able, consistent and upright men of the Democratic party in different parts of the State; men of tried honor and fidelity to the rights of the State; and appointed extreme Radicals in their stead to places of trust and character. These outside appointments were not of "Liberal Republicans," but of men who never abandoned party tactics, and it is believed that most of them now support Grant. He was a candidate for nomination prior to the Democratic Con-

**A Spectacle.**  
What a magnificent spectacle it is to see the intellect of one individual towering above that of his fellow-men, as the oak overtops the thistle. To behold a man who can put the assembled wisdom of a State to the blush. Such a man is the editor of the *Mason County Journal*. We venture to state that not another individual in the State could be found able or willing to make the vigorous calculation upon the County Court system put forth in the last week's *Journal*. Having perused a list of Democrat with the purchase of the *Journal* is using extraordinary diligence "stuffing" lines. If we might we would make the timid a vigorous discharge of fluid upon a weak brain, some care the Democratic readers of a Radical newspaper may be entertained with calculations in oiphers before their subscriptions expire. We now get along pretty well with about six days services from the Grand Jury, in a year; this editor wants to make the people believe that if the New Constitution is ratified the people will be so demoralized that twelve days must be devoted to the exclusive purpose of indicting the citizens. Then he ignores the slight fact, that from twelve to fourteen hundred dollars would be saved by doing away with one term of the Circuit Court, and only holding two terms a year. But these little oversights we will attribute to an error of the head.

The people will readily see that the editor of the *Journal* has had more labor marked out for him than he can perform. He is not equal to the job of doing for the New Constitution.

Mr. Faulkner on West Virginia Land Titles.

We copy from the *Wheeling Register*, and as they appear in the current debates in the Convention, some remarks made by Mr. Faulkner on the subject of the land titles west of the Alleghany mountains.—We think the convention has acted wisely in settling these disputed questions by constitutional provision, and we think the people of this section owe a debt of gratitude to those who took an active and prominent part in accomplishing that result.

Mr. Faulkner said that he did not profess to be intimately acquainted with the intricate questions of law growing out of the land titles of this State, but having listened with great interest to the views presented by gentlemen upon this subject, and to the earnest appeals made to the Convention, he had a very decided opinion as to what was the true policy of the State on this subject.

In this section of the State they had had but little difficulty about their land titles. His district was embraced within what was called the northern neck of Virginia—a grant of land made by Charles II, and which subsequently became the property of Lord Fairfax. The patents issued by the Lord proprietor were small in quantity of land made to actual settlers, and the location executed by competent and experienced surveyors. The land office of Greenway Court was conducted with system and judgement. It was too much to be regretted that the wise and judicious regulations of Lord Fairfax had not been adopted by Virginia in the disposal of her lands. But they were all familiar with the fact that a more vicious system would not have been adopted than that of Virginia; and the evils under which this State had now been laboring for more than half a century are attributable to this vicious policy.

**From the Wheeling Register.**  
**FACTS.**  
Suppose Jacob had been nominated at Parkersburg instead of Camden, how the Radical papers would have howled over that fact, and if Camden had been dishonorable enough to talk of bolting how they would have patted him on the back and assured him of their life-long admiration, and enthusiastic support.

It is perfectly silly and preposterous for any citizen of West Virginia, whether

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Petitioner's Exhibit No. 14

recently gained a very unenviable notoriety in connection with the sad story of the death of Douglas Houghton, is said to be one of the "original Jacob" men in Kanawha. He has few followers, either personally or politically, and yet the Governor listened to his advice in opposition to that of more worthy friends.

The *Intelligencer* has two or three "letters from the people showing that Jacob's candidacy is received with great delight by the Radicals, who are already dreaming of the hour when, after defeating the new Constitution through Governor Jacob's aid, they can set up the registration guillotine again and restore the days of Democratic disfranchisement.

The Democratic party of the State constituted "the ring" that nominated Mr. Camden; there was no other. Every member of the Parkersburg Convention, embracing as it did the very best and most prominent Democrats from all quarters of the State, is insulted by the charge that the Convention was "packed" or that any improper means were used to secure Mr. Camden's nomination. The members of the Convention know the utter falsity of such a charge.

Support the Nominee

In the days of our adversity, when the heel of oppression was upon the necks of our people, all of us who could vote, went as one man for the standard bearers chosen for us by our State Conventions. Why should not the same spirit prevail to-day? Has prosperity given us a right to do now what we then pronounced the vilest of heresies?

It is wrong to suppose that a Convention will make nominations that will suit everybody. And while we had an individual choice of men, yet we did not forget our early training in the school of Democracy, and consequently gave a hearty assent to the will of the majority, as expressed by the representatives of the people.

It would have pleased us to have seen our county and the Judiciary of the State honored by the selection of Matthew Edmiston as one of the Judges of the Court of Appeals, but because we were disappointed we did not nor do we propose to abandon our old time motto—"Principia, non Homines!"

We do not deny to any individual the right to cast his ballot as best suits him.—This is now almost a free country, and all have the same privileges. But we address our remarks to Democrats only and to them simply as members of a political organization. We ask support for Democratic nominees and Democratic measures; this has always been our policy and always will be.—*Weston Democrat.*

Drowned—Last Saturday morning



...ed to give the citizen a trial for his life by a jury of twelve men, the citizen could be transported to another county and tried by a jury of strangers. We may remember also that the independence of our judges must be greatly affected by the consciousness that, if their decisions are of a political character and contrary to political sentiments of the majority of the Legislature, the judges may be removed by that majority at its pleasure, for alleged "miscellaneous incompetency or neglect of duty." Our present Constitution also, formed amidst the throes of war, fails to protect us from the unjust discrimination of railroad companies, in the rates of freight and travel. These are some of the defects of our present Constitution all of which will be remedied by the one which it is proposed to ratify on the 22d inst.

## Let Camden and "ratification" be your rallying cry to-day.

The letter of General Banks rings like a rifle shot. It has sent a shiver through the whole frame of the State and Union. The excitement in his district and the city on its receipt was unparelled among purely political occurrences, showing in what respect his judgment as a public man is held by his fellow-citizens. Few men enjoy a higher reputation for political sagacity, and for this reason, too, his decision between Grant and Greeley was waited for with the profoundest interest. What he says, therefore, carries great weight with the members of his party. \* \* \* The example of General Banks will inevitably be followed by thousands more of the Republican party, who require but to see the real tendency of the Grant rule to repudiate it with equal manliness and patriotism. They cannot reject, any more than he, the union proffered in good faith on the basis of the result of the war, and accompanied with fervent hopes of permanent peace and reconciliation.

The Boston Post names the campaign a "money campaign" on the part of the Grant administration. It is now known that the Washington "Ring" have determined to put the immense Treasury balance of over a hundred million to service in order to raise money to carry the election. The public depositaries are to be left with them, which will be considered as money in the Federal Treasury. Rates of interest, varying from two and a half to four per cent. are to be paid by banks, according to the legal rate and demand. This interest is to be taken to replace money abstracted from the Treasury for party uses, and to be returned in January. A million and a half dollars is expected to be realized in interest by this device, the whole of which is to be expended in order to secure the election of General Grant. They are afraid to lean on bayonets any longer. They have now called in the purse.

## Make it at least 500 democratic majority in Old Mason to-day

**USE YOUR VOTE TO-DAY**

At least fifty department clerks have been detailed to serve at the Capitol at Washington to frank and address political documents. Among those performing these duties are about ten ladies and six or seven colored clerks. One of the latter is engaged in franking the name of "Henry Wilson Radicals" are sending Record, as it is called, from the Tribune for a and the speeches of S and Logan intended to refutations of the charge. Sumner in his great spot at Grant.

**We Support Greeley.**  
Because he is honest, and under him the country will have an economical administration.  
Because he will hold the military subordinate to the civil power.  
Because he has no long list of incompetent relatives to put into high public places.  
Because he smashes the corrupt rings that now control the action of the federal government.  
Because, whatever may have been his differences in the past, he is now in accord with the conservative sentiment of the country.  
Because, instead of junketing about the country two-thirds of his time, he will give his attention to the pressing duties of his high office.  
Because he is in favor of the one-term principle.  
Because he is wholly unlike Grant.

## Don't erase a name from your State or county or district ticket.

Democrats and Conservatives read your ticket carefully to-day. See that every name is upon it, and also "for ratification." Compare your ticket with the one at the head of this paper. We put you on your guard, Democrats, because all sorts of mixed tickets have been issued from the Mason County Journal office. The Radicals are driven to desperation, and resort to this kind of meanness, hoping thereby to defeat some of our county candidates. Watch your tickets closely and read them carefully.

All sorts of malicious, wilful and abominable lies, are now, and will be put in circulation between now and the election, about the constitution and our county candidates, in order to defeat both. Our opponents are dishonest and unscrupulous and will resort to any dirty or contemptible political trick to attain their selfish ends and to further the interest of Radicalism in this State. Democrats be on your guard and nail and refute these lies, to-day.

## Pay no attention to the lies now being

ed to remark that Governor Jacob wanted that house rent very badly last winter and the only reason he did not take it was that a Democratic Legislature wouldn't give it to him. Just where those memorable words came in we do not know, but we do know that on the 25th of last February an effort was made in the State Senate, irre- itly but on-lyly by 20th was finally abandoned. Nobody then accused the Governor of declining to take the money or of making use of those memorable words alluded to by his Taylor country admirer.

## Vote to-day for the New Constitution.

The New York Sun, Saturday, says of the Bank's defection: "The secession of General Banks from the ranks of General Grant is the first fruit of the Sumner pronouncement. We fully expect that the advances which Greeley will make in this direction will prove quite important. The long pending question as to whether Greeley could or could not succeed in making a serious split in the Republican party must now without any further proofs be conceded in the affirmative."

The attempt to divide and disorganize the Democratic party is even more inexcusable this year than it could be at any other time. The adoption of the new Constitution is of vastly more importance to the State than the question as to which of the two men shall be Governor; while a Democratic defeat in West Virginia in August would exert a disastrous influence upon other States and materially improve the waning fortunes of the Grant party. It might be that the rejection of the new Constitution and the election of Jacob in West Virginia would, in its consequences, include the re-election of General Grant. This is the reason why the Radicals are laboring so assiduously to overthrow the Democratic party here, and it affords the best of all reasons why Democrats should at this time stand by their regular nominees and labor unitedly for the Democratic cause. Every vote for Jacob or for rejection of the new Constitution is virtually a vote for Grant with all his crimes.

## Democrats, be at the polls early to-day. See that the words for ratification is on your ticket.

The Jacobins make a great show of indignation over the use of money for political purposes, in order to cover their own tracks. In fact, they are making of money furnished by the Grant National Committee for the purpose of assisting in carrying the State on the 22d for Jacob and Grant.

It secures to the bona-fide settler a good title to his lands.  
It retains the Legislature from useless and mischievous legislation.  
It secures the people from the creation of State or county debts.  
At the same time, every useful and healthful function of good government has been carefully preserved.

## Vote for J. N. Camden, for Governor. Let bolters see that you have no sympathy for them.

Let there be a good working Committee in every township, and see that everyone is gotten to the polls. If every Democrat will put his shoulder to the wheel to-day, we can carry this county for the new Constitution and Camden by from 300 to 500 majority. Friends of the Constitution, be up and doing. There is no time for lagging now. Our enemies are working like beavers. They are flooding the county with their base, deceptive, lying circulars, to mislead the people and defeat the new Constitution.

## Look out for spurious and mixed tickets!

The political sky is brightening. In all parts of the State the Democrats and Conservatives are working with a zeal for the Constitution and Camden and the whole ticket, that will insure its success. The majority for the new Constitution in the State is estimated at 15,000; while Mr. Camden's majority will reach fully 10,000. Rah for Jacob.

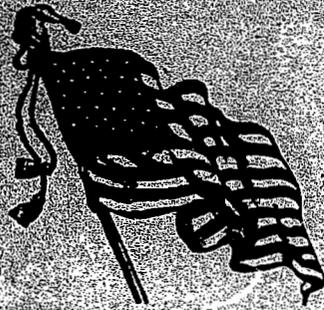
Jacob and Fitzhugh, the Radical apostles sent out to "purify" the Democratic party, have wearied of their labors and "gone where the woodbine twineeth," and the sad mourning winds whisper, it is well.

Can any man who is in favor of the election of Greeley consistently vote for Jacob? The election of Jacob will, at least, have a tendency to throw the State for Grant in November.

A vote for Jacob is indirectly a vote for Grant; for if Jacob carries the State it will be heralded all over the country as a Radical triumph, and West Virginia will be set down in Radical calculations.

## See that every democratic voter is

# Weekly Register



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, October 17, 1872.

NATIONAL DEMOCRATIC-CONSERVATIVE TICKET.

FOR PRESIDENT:  
HORACE GREELEY, of New York.  
FOR VICE-PRESIDENT:  
B. GRATZ BROWN, of Missouri.

PRESIDENTIAL ELECTORS AT LARGE:  
JOSEPH SPRIGG, of Hardy.  
OKEY JOHNSON, of Wood.

DISTRICT ELECTORS:  
1st.—W. P. HUBBARD, of Ohio.  
2d.—DAN. B. LUCAS, of Jefferson.  
3d.—EDMUND SEBON, of Mason.

For Representative to Congress, Third Congressional District of West Virginia.

**Frank Hereford,**  
OF MONROE.

### ATTEND THE ELECTION.

This is the last paper that can with any degree of certainty reach the voters of Mason county before the election next Thursday, and we feel it our duty to once more urge upon our Democratic voters to do their whole duty between this and next Thursday. Do not, Democrats and Conservatives, stay at home. Come out in your strength and vote for Hon. Frank Hereford for Congress. Do not undervalue the importance of this election, as it concerns our national affairs, an honest administration of the Federal Government and the welfare of its citizens. Captain Swann is the chosen candidate of the Grantites and corruptionists of this District for Congress. It is the administration and its money that is seeking to overawe the people of West Virginia, that the State may be carried for Grant. Following this Mr. Hereford has been falsely and intentionally misrepresented in this county, to insure his defeat, if possible.—Falsehoods of every kind have been circulated against him throughout the entire District, and notwithstanding they have been disproved time and again, the corruptionists have the brazen effrontery to reiterate them. Neo of Mason, rebuke

### FALSEHOODS.

Until the bright and shining light—the scintillating editor of the Grant organ in this city—took up the official record of Hon. Frank Hereford, no one felt disposed to say that Mr. Hereford, as the Representative of the Third District in the last Congress did not exercise a studious and efficient guardianship over the manufacturing interests of the District and labored zealously in their behalf. Yet the luminary of the luminous Grant organ, for want of better capital, does not hesitate to falsely and intentionally misrepresent Mr. Hereford, and belittle his efforts, and to enforce its strained logic employs its more than thread bare clap-trap that the Democracy is a free trade party. A week or two ago the editor of the Grant organ stated that Mr. Hereford had voted to reduce the tariff on salt to eight cents per bushel, and which he said he would prove. The proof was never given. Last week he stated that Mr. Hereford had voted to put salt upon the free list, and said that he would print the proof sometime before the election. In one or the other of these charges he has told what is untrue. We say that he has falsified in both charges.—He makes an assertion in his last issue that "Hon. Frank Hereford voted to put salt upon the free list," and then says "we will furnish the readers of the Journal the evidence of the above during the campaign," and then in an exultant demoniacal grin, shouts, "How do you like this, Salt men?" Why was not the "evidence" given in the same issue that contained the above assertion? The editor knew the charge was false, and did not desire that it should be refuted. It was published last week and the manufactured proof will no doubt be published in the Saturday issue of the Grant organ—four days prior to the election. This is done purposely, that the friends of Mr. Hereford will be unable, owing to the short time, to disprove and refute the "evidence" said editor may tramp up.—This attempt to misrepresent Mr. Hereford by assertions is about the meanest of the numerous mean tricks of that paper.—We say most positively that Mr. Hereford never voted to "put salt upon the free list." No such proposition was before Congress. When the Committee reported in favor of a reduction of the tariff on salt from eighteen to eight cents per one hundred pounds, Mr. Hereford advocated and voted to amend the report of the committee by making the tariff on salt twelve cents per one hundred pounds. This is the truth in the matter, and the Grant organ cannot with truth gainsay it.

We publish in this issue a stirring address from the Ohio Democratic State Executive Committee. It is an able review of the late election in that State. It is full of hope and encouragement to the friends of reconciliation and reform, and of an honest administration of the Federal government. The Committee says Ohio can be triumphantly carried by Greeley and Brown if Democrats bear their duty in November. It says the "prestrate and plundered South cries out for help. Shall

The Charleston Courier ably urges the necessity of our Legislature taking action for the inducement of immigrants to our State from Europe.

The Grantites are giving up. The New York "Times" says "noise and lying cannot longer deceive the American people."

Mr. Greeley is not despondent in the least. We like his pluck. He is worthy to be the leader of a great party. The people will put him in the "White House."

The negroes of Charlestown, Jefferson county, West Virginia, failed to hold their usual procession and celebration in honor of the 15th Amendment, because so many had left on a voting expedition to Pennsylvania.

Major Frank Hereford is the regular Democratic nominee for Congress. Remember the election takes place on the 24th instant.

Whenever a national administration becomes so corrupt as to rob the cradle, the grave and the penitentiary, we think it is time the people should rise in their might and hurl its leaders from power.

The Democratic and Liberal party is rapidly recovering from the temporary dismay produced by the disasters on the 8th of this month, and will prosecute the campaign to its close with renewed vigor and determination. The demoralization which the Radicals expected to create has not taken place. The Democratic press of the country speaks in encouraging and inspiring tones, and no whisper of abandoning the canvass is heard. Every inch of ground in each State will be hotly contested from now until November.

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only the friends of the Democratic and capacity of Norton, and the election there will be much fairer than it was in Indiana, where 10,000 fraudulent votes were "poked in" on Hendricks.

In the days of registration laws, and test oaths and Radical misrule, our people vowed and pledged themselves that if ever they should once more obtain power, nothing would induce them to permit that power to revert to their enemies and oppressors. See to it, then, that these vows and pledges are inviolate. Our enemies are insiduously working to disorganize our ranks. Listen not to the voice of the charmer, charm he never so wisely.

General Brukerhoff, Chairman of the Liberal Republican State Executive Committee of Ohio, has issued an address since the election claiming that Ohio will probably vote for Greeley and Brown in November and that, even without Ohio, the Liberal candidates are reasonably sure of election. He sees nothing discouraging in the results of last Tuesday's vote and urges

The Liberal press is by no means frightened. The cry is "On fight!" The Chicago Tribune says:

"To the Liberals of Illinois, to crals every-where, we say: Go! ly in the path you have entered cause is just. Your principles: necessary to the preservation of government to-day as they were yesterday. It is still possible to elect your State ticket in Illinois. We al nothing in our zeal for Greeley: nor so long as there is a vote to or an inch of ground to contend after the contest is over, we shall tend for the grand and ennobling ples of Peace, Reconciliation an which are more precious to us party or any man."

The St. Louis Republican, leaders in the Liberal movement same date, says:

"While there's life, there's l we have abundant ground for ment. The efforts of Cameron ton, two of the shrewdest, most most unscrupulous politicians in ed States, were largely, in Tue tions, due to their own persona their present term in the Senat next March, and Legislatures ing chosen at the State election. diana gone ten thousand Radica knowing the fraud that have b trated there through import should still have hopes of its be for Greeley, with an earnest e part of Democrats and Liberals. feel entirely sure that that Sta a handsome majority for G Brown. A bold front, and a determined endeavor will defea

### The Work Before U

However discouraging it ma template the fact that Pennsy Ohio have gone with the Ra there is no reason to despair of "Tis the part of timidity and

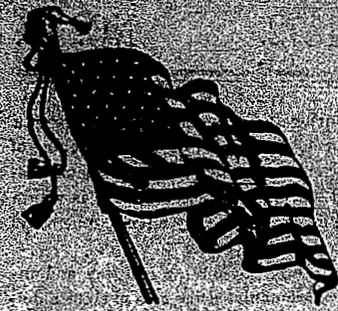
first rebuff, at Liberal Repu sing his effi and honesty. es rather he d victory from can be guar vote of the Indiana b

## Petitioner's Exhibit No. 17

herself on the right side; N certainly for us with her larg Electors, and if we can retain ern States there will be littl Greeley's election by a good m

In Pennsylvania, fraud, l the importation of foreign vo the Republican majority by sands. In Ohio, our opponen made free use of repeaters s meet money. In both of thes Radical vote in November may diminished by vigilance and our part in preventing and, de fraudulent conduction of the ele

Remember, people of Wes that a single—shot in Novem cide whether we are to gro years more under the dominion the tool of a faction a hundred than himself, or whether we m in peace and quietness beneat vine and fig tree, secure in the of life, liberty and happiness: too prone to indulge ourselves and inaction; but the time for we must be up and doing. W say,—"what can I do? there' my trying to influence anybod public men and big speakers people."



GEO. W. TIPPETT, Editor.

POINT PLEASANT, WEST VA.

Thursday, October 31, 1872.

NATIONAL DEMOCRATIC CONSERVATIVE TICKET.

FOR PRESIDENT  
**HORACE GREELEY**, of New York.  
 FOR VICE-PRESIDENT  
**B. GRATZ BROWN**, of Missouri.  
 PRESIDENTIAL ELECTORS AT LARGE  
**JOSEPH SPRIGG**, of Hardy.  
**ORLEY JOHNSON**, of Wood.  
 DISTRICT ELECTORS,  
 1st—**W. P. HUBBARD**, of Ohio.  
 2d—**DAN. B. LUCAS**, of Jefferson.  
 3d—**EDMUND SEHON**, of Mason.

The Baltimore *Gazette* says: "Although the result of the contest in Pennsylvania, Ohio, and Indiana cannot fail to exert upon the Democracy and their allies, the Liberal Republicans, a depressing influence, it ought not cause them to relax their labors for the final battle in November. The element of fraud that entered so largely into the struggle particularly in Pennsylvania and Indiana, indicates the desperation of the Radical leaders, and their well-grounded fears that, on a fair vote, they were destined to be defeated. While all good men may deplore the gross treachery and flagrant rascality by which the popular will has been defiantly overriden, they cannot close their eyes to the disastrous consequences that any faltering on their part in this crisis may have upon the general result. Moreover, the Democracy and Conservatism of the nation must bear in mind that whatever may be the end, they have a duty to perform, from which they must not shrink, without an imputation, not only on their political principles, but also upon that manly steadfastness of character for which they have been so long and so justly distinguished. Do not permit lukewarmness to grow into inactivity. Every Democrat and Conservative should now feel the great necessity of uncensuring labor, and should endeavor to impress the same upon all within the reach of his influence. All that is needed to accomplish the defeat of Grant is the hearty, earnest, enthusiastic cooperation on the part of the Democratic and Conservative and Liberal Republican forces."

Our fellow-countrymen in the impoverished South are praying that the heavy

## FREE SALT.

Notwithstanding the editor of the Grant organ strove hard by misrepresentation to carry the county against Mr. Hereford, yet he has a handsome majority. Even in the face of his assertions that Mr. Hereford voted for "free salt," Waggener township where is manufactured the great bulk of the salt of this county, gives Hereford a good majority. Is it that a withering rebuke to the editor who had well nigh exhausted the tariff question?

Do you want the South released from the tyrannical rule of Grant's military adventurers and the plundering hands of carpet-baggers? Then vote for Greeley and Brown.

The Grantites do not brag much over their 85,000 majority in Pennsylvania. They know it was obtained by the basest kind of fraud, and they do not like to mention the victory. To do so advertise the frauds. In Philadelphia frauds have already been discovered that amount to over 15,000 votes. The prospect of carrying Pennsylvania next Tuesday for Greeley and Brown is indeed very flattering. While Ohio is counted as certain for them, the people are heartily sick and tired of Grant's misrule.

The Cincinnati *Enquirer* advocates the plan of holding State and local elections on the same day as the Presidential. There is certainly great reason for the change. The influence exerted by those who are victorious in State elections, over those who subsequently vote for President, is unfair; and then the cost of two elections is enormous, besides the immense trouble and inconvenience of having to conduct two elections within such dates.

The Grant National Committee are circulating documents in French claiming the indorsement of voters of that nationality on account of the sale of arms to the French during the late war with Prussia. They must presume greatly upon the ignorance of those whom they thus attempt to beguile. The French received the arms from this country with which to kill Germans; but when the war was ended Prussia was congratulated by Grant on her success.

Let the majority in Mason county next Tuesday be fully five hundred for Greeley and Brown. We can make it so if all who are opposed to Grant's reelection, and who favor reconciliation and honesty in the next administration, will come out and vote. Let every Democratic and Conservative voter work to that end.

No voter should stay at home Tuesday, under the impression that Greeley will carry West Virginia. Democrats and Conservatives, turn out and make Grant's defeat in this State doubly sure.

Let every man who is entitled to vote resolve that on next Tuesday he will exercise his right and perform his duty by casting his vote for Greeley, and also that he will dispel the apathy of his neighbor and induce him to vote. Keep ever uppermost in your mind that four more years of Grant

## VOTERS REMEMBER.

That the partisans of centralized power, of disfranchisement, of corruption in office, and of bayonet rule, in this county, are alarmed lest the scepters of their burdensome rule is wrenched from them. And well may they be, if those opposed to the further rule of the infamous gang will come out in their strength and vote. The most formidable, glaring, and outrageous frauds ever perpetrated on a free people, gave them Ohio and Pennsylvania. In a fair poll these States will go for Greeley, and the Grantites here know and feel it.—The will, weakness and desperate attempt

## Petitioner's Exhibit No. 18

### DID NOT VOTE!

The editor of the Grant organ, although desperate and reckless in misrepresenting Mr. Hereford's course in Congress, and more particularly in regard to salt which he considered so "vital to the interests" of Mason county, did not vote at the election on Thursday. Strange as this may appear, nevertheless it is true. Did your courage fail you?

### THE ELECTION.

Below we publish the returns of the election of last Thursday as furnished us by the Clerk of the Board of Supervisors. The vote polled was a very light one, being only 936, about 2,000 less than the August election. At our place, Letart Falls, the polls were not opened. When the returns from Union come in the total vote will be about 1,000. We learn that the vote in that township stood for Hereford, 32; C. W. Smith, 31; Swann, 2. This, however, is only a rumor. The following is the vote by precincts:

	Hereford	Swann
Arbuckle—Town Hall,	36	5
Big Sixteen,	12	4
Clendinen—Pisgah,	2	16
Faidley's,	36	—
Shauk's,	11	5
Cooper—Letart, (polls not opened)	—	—
Greer's,	5	12
Cologne—Mouth of 13,	11	21
Schoolhouse No 4,	20	4
Graham—Hartford City,	11	45
New Haven,	71	45
Hannan—Town Hall,	20	8
Precinct No 2,	24	6
Lewis,	84	28
Robinson,	85	11
Union, (no returns)	—	—
Waggener—Mason City,	69	68
Clifton,	50	20
West Col,	45	47
Total	592	344
Hereford's majority	248	Whole vote
cast, 936		

Some persons have the impression that the law requiring the new Congress to meet on the 4th of March, immediately upon the adjournment of the old Congress, passed January 22, 1867, is still in force, and that the next Congress will therefore meet on the 4th of March next. This is not the case, however, as the act of January, 1867, requiring the session to begin on March

## UP, GUARDS, AND AT THE

Close Up the Rank, and Stir Victory!

Address of the National Democratic Committee to the People of the States.

The October elections are over enable us to form a tolerable acur of the true political situation of U try.

In Georgia we have to recount of the Liberal ticket so unexample take her out of the list of doubtful and practically to pronounce in the decision of at least 125 votes in total College. To this number it necessary to add sixty votes to cl

rania the disti  
 ie Liberal Comm  
 izerized the im  
 of the election  
 We commend  
 oughful attent

apite most unpre  
 gains for the Liberal-Democrati  
 the Grant managers have carried  
 tion by a reduced majority,  
 brought to the polls their entire  
 vote. Had our Democratic friend  
 tain localities of that great comm  
 shown the same earnestness, and  
 and enabled us like our enemies t  
 our entire strength, they would v  
 ulting over a brilliant victory.

ups the Democratic and Liber  
 have achieved a most importan  
 over Pennsylvania ratios most i  
 lously employed by the Admi  
 and its allies, showing thus th  
 people when aroused know the  
 and dare maintain them. Inc  
 fairly demonstrated that she ca  
 be "bought nor bullied." The  
 these results is that victory is stil  
 view for our national ticket, and  
 gy and courage will assure it  
 mean to preserve free institutio  
 continent we must assure it.

The event in Pennsylvania op  
 last, when considered in its cause  
 most appalling catastrophe that ha  
 ken place in this country. Sh  
 system through which this ca  
 was brought about, be condone  
 people and foisted on the other  
 seals the doom of freedom in A  
 A sad contrast it is surely that t  
 which our republic was born  
 the anthem of a free people sh  
 be first to toll the knell of its lit  
 It is for the free, unbought peop  
 the States to calmly review th  
 crime against suffrage in Penn  
 and to decide whether it shall be  
 within their own borders.

For the first time the system  
 Government and the sanctity of  
 are really on trial in the United  
 From this hour forward the pr  
 of the franchise in its integrity  
 other issues.

Let our friends in each of th  
 catch inspiration from the heroic  
 of our fellow citizens in Georgi  
 diana; and from now till Nove  
 their struggle be manful and t  
 for liberty and an untainted b  
 for reform and an honest admini  
 the Government. Augustus S  
 Chairman National Democratic Ce

Washington, Cincinnati and S  
 Narrow-Gauge Railway

On the 21st inst. an electio  
 in Harrisonburg to authorize t  
 Council to subscribe an amount,  
 exceeding \$25,000, to the capital  
 the Washington, Cincinnati and  
 Narrow-Gauge Railway, which re  
 its favor by almost a unanimous  
 only being nineteen votes out of



GEO. W. TIPRETT, Editor  
POINT PLEASANT, WEST VA.  
Thursday, November 14, 1872.

PASSION AND HATE RULE THE NORTH.

Again another calamity has befallen the once free and happy American people in the re-election of the great nepotist and unfeeling tyrant—Grant. The people of the North have shown that their prejudices against the people of the South, is still controlling them in their every act. They are unwilling to extend to the down trodden and impoverished people the same rights and privileges they enjoy themselves. They exult and rejoice at their degradation, and by their ballots have bade Grant to still trample these people, (who have been more than doubly punished), still further down in the very dust.

The past four years of Grant's administration has been filled with more fraud and corruption than has ever been known in the annals of the country; the promises of peace and prosperity, and protection in life, liberty and property to a helpless and proscribed people have been basely disregarded, and to-day, we see one section of our common country in a far worse condition than they were during the days of war.

In the re-election of Grant a rapid stride is made toward fastening for life upon the people of the country the horde of plundering followers and greedy relatives that have feasted and fattened off them for four years gone by. Yet true friends of Reform should not despond, but buckle on their armor to battle against wrong anew, remembering that wrong does not always triumph and that final vindication of the right inevitably follows faithful devotion to the cause of liberty. Four more years of Grant will open the eyes of many now blinded to the iniquity of his rule, and Democrats should with one accord close up the ranks and maintain their organization until such time as returning reason will again restore to the people a government conducted by the people.

We should remember that if the nomination of Mr. Greeley was or was not a mistake it is no concern of ours. It was the work of the Democratic and Conservative party; we stood by that party in defending it, and we share with it our portion of the defeat; and we should feel meanwhile that in that party alone rests the sole hope for the future salvation of the country, and resolve to labor with it until

Horace Greeley, Editorial Control of the Tribune  
Horace Greeley has issued a card announcing his resumption of the editorial management of the New York Tribune, which he relinquished at the time of his emigration. He says that henceforth it shall be his endeavor to make the Tribune a thoroughly independent journal, treating all parties and political movements with judicial fairness and candor; but, courting the favor and deprecating the wrath of no one, if he can hereafter say anything that will tend to heartily unite the whole American people on the broad platform of universal suffrage and impartial suffrage he will gladly do so. For the present, however, he can best commend that conservatism by silence and forbearance. The victors in the late struggle can hardly fail to take the whole subject of Southern rights and wrongs into earnest consideration, and to them, for the present he remits it. Mr. Greeley says he will never again be a candidate for any office, and that he is not in full accord with either of the great parties which have hitherto divided the country, he will be able and endeavor to give a wider and steadier regard to the progress of science, industry and useful arts than in partisan journalism, and will not be provoked to an indulgence in those bitter personalities which are the bane of journalism. He says sustained by a generous public, he will do his best to make the Tribune as great a power in the broad field it now contemplates, as it was when human freedom was imperiled in the arena of political partisanship.

Meeting of the Legislature.  
This body assembles in pursuance of the Schedule adopted at the time the Constitution was ratified, in Charleston on Tuesday the 19th instant. Already the members are preparing to leave for the "permanent seat." From what we learn it will be a calm and working session, governed solely by a desire to enact with as little delay as possible the necessary laws to put the government in running order under the new Constitution, upon the most efficient and economical principles, and in all respects to promote the best interests of the State. We anticipate much good to the Commonwealth from the labors of the body.

The influence of official patronage added to untold sums of money has swept the country like a tornado and has once more been sufficient to corrupt the franchises of those who falsely claim to be free men while acting the part of slaves.—Character, intelligence, honesty and every quality that should tend to recommend a man for public preferment all go for nothing when placed in the scale against public plunder and the power of the public Treasury.

The Cincinnati Enquirer approximates the popular vote at the Presidential election as follows. The figures are about correct.

White votes for Greeley,	3,362,000
White votes for Grant,	2,900,000
White maj for Greeley,	400,000
Negro votes for Grant,	950,000
Negro votes for Greeley,	50,000

GREAT FIRE!

ANOTHER NATIONAL CALAMITY!

Boston in Ashes!!

Seventy Acres of Business Blocks Entirely Destroyed.

THE HEART OF THE CITY LAID WASTE!

CHICAGO'S WOE ECLIPSED!

Loss 100,000,000!

BOSTON, Mass., Nov. 10.

The terrible like a pall upon surpassed in ex destroyed by a even excepting the fire-blast at most central po iness section of

most extensive and elegant warehouses have been lapped up by the flames and reduced to ashes in a few moments. Banks, mercantile and manufacturing houses have been destroyed in the general ruin, and whole blocks of buildings, where but yesterday the active and busy scenes of commercial prosperity were enacted, are today a heap of smouldering ruins.

The sea of fire, which is still fiercely raging, covers an area of two hundred acres. The scenes and lessous of Chicago are again repeated. Thousands of clerks, working-girls and men are thrown out of employment, and the misery already created beggars description. Competent judges estimate that the losses by this fearful calamity will not fall short of \$100,000,000, while the indirect losses to merchants and employes can never be estimated. The fire was first discovered at about seven o'clock Saturday evening, and before fifty people had reached the deserted streets in the great business center of the conflagration large volumes of smoke and crackling flames were burning out of the rear end of a large five-story granite building on Summer street. The flames began to spread through the story beneath the roof, and before an engine or hose was on the ground, great volumes of flames suddenly burst out from the rear or lower stories of the building. In less than twenty minutes the whole broad facade was one sheet of lurid flame, and the heat so intense as to force the firemen back, and away from the immediate vicinity. By this time a strong wind had created and the flames began to spread over Summer street to Kingston street, and despite all efforts of the firemen in every branch of the department was communicated to building after building and in less than an hour the flames were bursting out of the roofs all up and down the fronts of these

ing property and guarding the city from swarms of thieves, who are prowling about in every direction.

Fire engines have arrived from Portland, Me., Portsmouth, N. H., Providence, and all the surrounding towns.

The terrible confusion and dismay no pen can picture, nor brain can frame into thought, the effect that this appalling calamity has had upon the people throughout the city. All over the city people are perfectly frantic. Great crowds are moving in every direction, only adding to the consternation that raged through the wards of firemen, and more especially about the immediate locality of the raging flames all is consternation. The ruined merchant and workless shop-girls and clerks, and the thousands of homeless are alike bewailing their misfortune.

Eleven o'clock—It is believed that the fire is now so far under control that it will not cross State Street.

By half-past eleven o'clock the progress of the fire toward the water, in the direction of Kilbo and Central streets, seemed

rems of wa the flames t an apper

Petitioner's Exhibit No. 19

BOSTON, November 11—The fire has again broken out in the stores of Marsh & Co., and Shrieve, Crump & Low, jewelers and is raging violently. It is hoped, however, that the Fire Department will be able to keep it under. The gas is going out all over the city.

The fire broke out afresh from three terrible gas explosions in the rear of Jordan, Marsh & Co.'s store. The fire crossed Washington street toward Temple Place, and gained rapidly. It now looks as if the whole block toward Common would go.

AN IMPORTANT LESSON.

One of the incidents of the campaign that has just resulted so disastrously to the opponents of Grant's Administration was the triangular contest which took place in Tennessee for the position of member of Congress at large. Horace Maynard who, from his personal appearance, has been frequently called "the Narragansett Indian," was the regular Radical nominee, and General Frank Cheatham, a gallant, jolly, good-natured and popular ex-Confederate, had received the regular Democratic nomination. Claiming that the Convention that nominated Cheatham did not represent the will of the Democratic party ex-President Andrew Johnson announced himself as an independent candidate for Congress and "stumped the State" in that capacity. In the course of the canvass Mr. Johnson had much to say in disparagement of the Convention system of making nominations, and repeated all the arguments that were so familiar to the people of West Virginia prior to the August election. Mr. Maynard appealed to the Republicans to stand by their nominee, and Mr. Cheatham insisted upon the Democrats ratifying the choice of their Convention.

The result of the election last Tuesday furnishes a lesson which Democrats everywhere would do well to heed. Mr. Johnson's candacy divided only the Democrats; the Radicals stood by their nominee. The consequence is that Maynard, the Radical, is elected to represent a State in

and description, and finding it correctly made, on the day of \_\_\_\_\_, 18\_\_\_\_; ordered the same to be recorded in his office and a record thereof has been made according to the office of the county court of the said county of \_\_\_\_\_

### Petitioner's Exhibit No. 20

Now, and in the first part of the second real estate (here given in receipt to Beginni the sum containing \_\_\_\_\_ acres, be the same more or less. To have and to hold the said real estate, with its premises and appurtenances, unto the said C\_\_\_\_ D\_\_\_\_, his heirs or assigns, forever. If the grantee in this deed be the assignee of the purchaser, his heirs or devisees, and the assignor joins in the deed, add as follows: "I, the said L\_\_\_\_ M\_\_\_\_, the purchaser named in this deed, or, I, R\_\_\_\_ S\_\_\_\_, heir at law, or devisee, as the case may be, of L\_\_\_\_ M\_\_\_\_, the purchaser named in this deed, have assigned the benefit of said purchase to the said C\_\_\_\_ D\_\_\_\_, and we therefore join in this deed.

Witness: the following signature and seal, (or signatures and seals, as the case may be.)  
A\_\_\_\_ P\_\_\_\_, [Seal.]  
Clerk of the county court of \_\_\_\_\_

- 2. All acts or parts of acts inconsistent with this act, are hereby repealed.
- 3. This act shall be in force from and after the date thereof.

### CHAPTER CXVIII.

Passed April 11, 1873.

AN ACT making general provisions for elections by the people, and providing for filling vacancies.

Be it enacted by the Legislature of West Virginia:

1. The general election for state, district, county and county district officers, members of the legislature and congressmen shall be held on the second Tuesday of October.

2. At the said election in 1874, and every two years thereafter, there shall be elected delegates to the legislature, and one senator for each senatorial district, and a representative in the congress of the United States, for the term beginning on the fourth day of March, next after the election, for every congressional district. And in the year eighteen hundred and seventy-six, and every fourth year thereafter, a governor, state superintendent of free schools, treasury, auditor, and attorney general for the state, a prosecuting attorney, one or more judges of the supreme court of appeals, surveyor of lands, sheriff, president of the county court, the number of assessors prescribed by law for each county, constables and justices of the peace, as many as are prescribed by law for each county district. And in the year 1878, and every sixth year thereafter, a clerk of the circuit court, and a clerk of the county court. And in the year 1880, and every eighth year thereafter, a judge for each judicial circuit.

General elections: when held.

Members of legislature: of congress: of governor, state officers, judges, clerks, &c. when held: to be elected.

3. Electors for president and vice-president of the United States, for this state, shall be chosen by the voters of the state, at an election to be held for the purpose on the Tuesday next after the first Monday in November, in the year 1876, and every fourth year thereafter; and at least sixty days before any such election, the Governor, by proclamation published in some newspaper in every county where a newspaper is

When electors for president and vice president to be elected.

Governor to give notice by proclamation.

Elections: where held.

is printed, shall give notice of the time of such election and the number of electors to be chosen.

4. In elections for all officers hereinbefore prescribed and required by the constitution of the state polls shall be opened in such counties and corporations as the voters thereof are required to vote for the officers to be elected, at the court house thereof and at each of the places of voting prescribed by law.

Election districts provided for.

How re-arranged, increased or diminished.

5. The county courts of the several counties of the state shall have power, all the justices in the county having been summoned for that purpose by an order entered of record and advertised at the door of the court house, and at each place of voting in the county, or by publication in some newspaper published in the county, if one be published therein, for at least thirty days, and a majority of the whole number of the justices of the county being present, to re-arrange, increase or diminish the number of districts; but no election under such re-arrangement shall take place prior to the general election of justices. Upon application the county court of each county may establish, discontinue or change any separate poll or polls in any district in their respective counties after at least thirty days' notice has been given at the door of the court house of the county, and at a place of voting in such district prior to such application; and, after like notice the court may at any time, when a majority of the justices of the county are present, or whenever all the justices of the county have been summoned for the purpose, change the line between any two districts: Provided, that a majority of all the justices of the county shall concur in such change.

How separate poll or polls established, discontinued or changed.

How line between any two districts may be changed.

Wards for elections in towns: how changed.

6. The council or councils of any city or town shall be authorized, if a majority of the members of such council or councils be present, and concur in the opinion that a necessity exists for changing the place of voting in a ward of such city or town, to make an order establishing in its stead another place of elec-

tion in such ward, and upon such order being made the clerk of such council or councils shall forthwith publish the same at such places and in such manner as the council or councils may direct. Nothing contained in this act shall impair the authority of the council or councils of any town over the wards and places of voting therein for such corporate purposes as are under the control of the council or councils, by the charter of said city or town.

Publication of order.

7. There shall be at least one place of voting in every district in a county, and the elections provided for in this chapter shall be held at the places of voting which have been heretofore, or shall be hereafter appointed for the purpose. The county court, on petition of twenty voters residing in any district thereof, may change or discontinue any place or places of voting therein; when such change or discontinuance is made, the order making the same shall be conspicuously posted at three of the most public places in the district, four weeks before the election, or published in some newspaper, printed in the county, once a week for four consecutive weeks.

How places of voting changed or discontinued. Where elections must be held.

Notice to be given before and how.

8. The court for each county and the corporation court for each corporation in which wards are established shall, biennially, before the general election day, appoint three voters, at least, one of whom shall be selected from among those who are of opposite politics, as commissioners at the court house, and the like number in like manner for each place of voting in the county or corporation, to superintend the election of the officers heretofore provided for and prescribed by the constitution at general elections.

Conductor of election.

The three commissioners appointed for this purpose may select one of their number as a conductor of said election; and any two of the commissioners may, in the absence of the third, call to their assistance any qualified voter who may be present. The commissioners of election for each voting district, shall

When commissioner fails to attend, how place filled. Clerks: how appointed.

33