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real good to the people here than can be done by any other class of men."

We have an example of what the "white men of the South" would do for the colored people if left to themselves, in the famous "Negro Code" passed by the Provisional Legislature of South Carolina three years ago, portions of which Mr. C. publishes in his Record from week to week.

It will be a sorry day for the poor freedman when the Northern people cease to send missionaries and teachers into this country, and withhold their aid and protection from those whose freedom came to them as a result of the triumph of Northern arms, and whose many wants—religious, educational, and material—have hitherto been mainly supplied by Northern benevolence.

It suits the men who waged war to make slavery perpetual, to have the freedman denounce and traduce his deliverers and take sides with those who would hold him in bondage if they could; and when the Charleston Mercury and News eulogize Mr. Cain for his political course, instead of feeling flattered and inflated, he ought to have the sensation of burning coals poured upon his head.

CAN THEY BE TRUSTED?

Charity is an ennobling trait in the human character, and when exercised toward worthy objects may be productive of much good. But the charity that too easily forgives or palliates crime is neither to be applauded nor admired; for it is more likely to encourage evil courses than to promote reformation. The wrongdoer is seldom melted to penitence by lenient punishment. Measuring his crime by its cost, its significance dwindles in proportion as the due penalty is diminished. A striking illustration of this is afforded in the conduct of those engaged in the late rebellion against the government. Deserving nothing short of death, in the legal estimate of their guilt, they were permitted to return to their homes and their usual avocations, on their simple promise that they would obey the laws and abide by certain acts of Congress guaranteeing freedom and other rights to the negro. Humbled by defeat, they gladly accepted these conditions, while they were astonished at the magnanimity of a nation whose life they had been endeavoring to destroy. But have they kept these promises? Far from it, just as soon as they got out of the sound and reach of Grant's cannon, and had recovered a little from the fears and the fatigues of war, the old feelings of disloyalty and oppressive hate of the negro began to rekindle in their hearts, and have continued to grow in breadth and force until it is no longer safe to acknowledge one's self a friend of the Government, or favorable to the granted rights of the freed people, except in those localities where a preponderance of the enfranchised class acts as a monitor and safeguard. These are evident and indisputable facts, and it seems strange indeed that any loyal man should be so blind to the plain teachings of experience, as to be willing to place reliance on the political honesty of a people, or their representatives, whose promises have been broken, whose vows have been washed away in loyal blood, and whose hostility to the Government is not only not dead, but wakeful and on the alert. When these people show signs of penitence, in a hearty support of the Government, in a disposition to recognize and abide by the changed condition of affairs;—when they can see in the negro a man and brother, and not a brute; when they cease to revile him for his ignorance, and aid in enlightening and elevating him; when they can bring themselves to the point of considering him capable of judging for himself, and allow him the manly privilege of voting as he chooses, without subjecting himself to curses, bribes, and cruel threats, then it will be time enough to trust them with power;—then the exercise of charity toward them will be commendable, and faith will have something more substantial to rest upon than good wishes or pious promises.—not before.

FREEDMAN'S SAVINGS BANK.

This flourishing institution, located at 74 Broad Street, in this city, has more than Seventy Thousand Dollars on deposit. This speaks well for many of the colored people in this vicinity, especially when we take into account the poor crops and consequent scarcity of money during the three years' existence of this bank. We commend the following excellent remarks, from the pen of E. A. Ritter, Esq., to our readers:

It is not the depositing of large amounts that forms the habit of saving, it is the laying up of small sums—that which comes from sobriety. I presume every freed person in Charleston could spend all their earnings for things they thought necessary, but a good many think it more necessary to save a little every week or month in the safe Savings Bank, at 74 Broad St. A good many have learned to save up all they earn in the fall and busy seasons for the hard times of the long summer. It has been a severe lesson learned by bitter experience.

Many a man wears an old pair of shoes, an old hat or coat, or pair of pants, not because he is poor but because he is getting rich. He is laying up twenty-five, fifty, or a hundred dollars a year. Besides, they now enjoy the privilege of providing for their families, for their children, the young and rising race who are slowly moving on to the un conquered obstacles that surely await them when they attempt to rise against the world. Money, knowledge, faith, and work will remove them.

If one or two hundred dollars are saved for each child until they arrive at age, it will make them sure of several acres of land and a small house. All good men are interested in this institution. The character of the freed people in each city is judged by the amount of deposits each month. President Andrew Johnson, in a letter, May 5th, 1865, soon after the death of President Lincoln, states, "I cordially approve of the laudable and benevolent objects of the Freedman's Savings and Trust Company, chartered at the last session of Congress, and in its active operations. I commend it to the Secretaries of War, Navy, and Treasury for such facilities in reaching the freedmen, and for the safe keeping and transportation of funds, as the company may need, and as will be consistent with the public service."

Freedmen do not believe any man is a real friend to you who does not encourage the National Freedman's Savings Bank.

GENEROUS DONATION.—A correspondent of the Columbia Phoenix, writing from Due West, says that Governor Scott has given five hundred dollars towards the endowment of Erskine College, situated at that place, and fifty dollars to the Philanthropic Society of the college.

OBITUARY.

DEAD, near the Express Office on Meeting street, in this city, on Monday last, "THE CHARLESTON MERCURY."

We have long known of the illness of our mercantile neighbor, but little thought we should so soon be called to chronicle this event.

The deceased was an old resident of Charleston, and in the fire of youth fought duels and did some other indiscreet acts. During the rebellion our neighbor was a wonderful power in the land, and threw "Greek fire" and lot shot both at Jeff. Davis and the Yankees.

Various tumors are absent in reference to the real cause of death, but we are sure it could not have been for want of medical advisers or a strong tenacity to life. Some think it was consumption of the blood and nervous fluid, caused by internal or external fires and great exposure. Much bile on the stomach and hot breath indicate this. Others think variously that it was the ghosts of Seymour and Blair and the dread phantoms called up by recent Republican victories, National, State, and Municipal, acting on shattered nerves and a broken constitution, that brought on dyspepsia and mental aberration, and then subsided, by hanging—"suspended."

We trust the living journals, having the symptoms of the Mercury during its last days, will take timely warning and avert so sad an end.

We recommend that the historic palmetto leg which has stood sentinel before the Mercury office so long, be saved in to boards, a suitable coffin made, and the remains duly interred without the benefit of clergy—unless a colored Democratic minister can be found—and the following inscription engraved on the tombstone:

Hark! from the tough and doleful sound— Mine ears attend the cry. Ye living "Hot-purs" view the ground Where you must shortly lie. Behold me, friends, as you pass by, As you are sure so once was I: As I am now, as you must be— Prepare for death and follow me.

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THE ELECTION CONTEST.

The Acting Board of Aldermen have been in session daily during the week, as jurors in the case of the contested City Election, which drags its slow length along without any apparent indication of when or in what manner it will be terminated. Every one is already tired of it, and many of those even, who, under excitement, eagerly favored the extraordinary proceeding, now regret that any obstacle was thrown in the way of Mr. Pillsbury and the elected Aldermen taking their seats. The whole thing is so evidently a put-up job, premeditated and carried on from such unworthy motives, that it will be singular if the leaders in it do not have reason to regret their course before the case is ended. That there were frauds and irregularities connected with the election is very likely the fact, but that these were all in the interest of the Republicans, or a title of them, no one will believe—especially no Democrat. A thoroughly honest election has never taken place in Charleston or any other city, and never will, until human nature is reconstructed on a more manly basis and political tricksters disfranchised—when this is done, so-called Democracy will be so weak a minority that it will scarcely venture to contest elections.

The Board was occupied on Saturday last in adopting certain rules for their guidance, in the appointment of secretaries, &c. Counsel for both sides were arranged as follows: For claimants—Hon. D. T. Corbin and D. H. Chamberlain, Esq.; for protestants—Theodore G. Barker and C. Richardson Miles, Esqs., and as advisory counsel, J. B. Campbell, C. G. Menninger, A. G. Magrath, and I. W. Hayne, Esqs. The Board adjourned till 12 o'clock Monday.

On Monday the Board met pursuant to adjournment. The following memorial was read by the Mayor, and received by the Board as information:

CHARLESTON, S. C., Nov. 16, 1868. To the Honorable Mayor and Aldermen of the City of Charleston:

GENTLEMEN—The undersigned, most respectfully beg leave to inform your honorable body that they are informed and believe that they were, pursuant to law, duly elected on Tuesday, November 10, 1868, to the offices set opposite their respective names; that said result of said election has been duly communicated by the Managers of Election to his Honor the Mayor.

- The undersigned therefore respectfully pray that their election be officially declared according to law, and they be allowed to qualify and take their seats, as they now announce they are ready and willing to do. GEORGE P. BOWEN, Mayor. E. W. M. Mackey, Alderman Ward 7. L. T. Potter, Alderman Ward 4. G. L. Cunningham, Alderman Ward 4. M. H. Collins, Alderman Ward 6. Jas. F. Green, Alderman Ward 1. E. W. M. Mackey, Alderman Ward 2. Wm. McKinlay, Alderman Ward 2. Robt. Howard, Alderman Ward 3. P. M. Thorne, Alderman Ward 5. M. Brown, Alderman Ward 6. T. R. Small, Alderman Ward 8. L. E. Wall, Alderman Ward 5. W. R. H. Hampton, Alderman Ward 1. T. J. Mackey, Alderman Ward 3. David Barrow, Alderman Ward 3.

After the reading of the memorial, the Mayor stated that the Board was ready to proceed to business.

Mr. Corbin announced that counsel for claimants had associated with them the Hon. C. C. Bowen.

On the Mayor signifying that the Board was prepared to hear from counsel—

Mr. Corbin read the following Answer to the protest of the "citizen's party":

To the Acting Board of Aldermen: Gilbert Pillsbury, J. F. Green, E. W. M. Mackey, David Barrow, T. J. Mackey, Richard Holloway, R. Hampton, L. Wall, P. Thorne, M. H. Collins, Maholin Brown and E. Smalls, by their attorneys, D. H. Chamberlain, C. C. Bowen and D. T. Corbin, appearing in response and in answer to the protest of J. B. Campbell and others against the election of Mayor and Aldermen, held on the 10th day of November, A. D. 1868, do say:

1. That the Acting Board of Aldermen ought not to receive or entertain said protest for want of jurisdiction; said protest seeks to set aside and hold utterly void an election held in pursuance of an act entitled "An act to provide for the election of the officers of the incorporated cities and towns in the State of South Carolina," passed September 29, A. D. 1868. And no authority of jurisdiction is conferred upon the Acting Board of Aldermen to entertain or decide such a question.

2. The Acting Board of Aldermen have jurisdiction only (1), "When the election of a majority of the persons voted for is contested; or (2), the managers are charged with illegal conduct." (See act.) Hence they not only ought not to entertain said protest as such, but ought not to entertain it as a contest of the election of any person or persons to office, because as such it makes out no case within the jurisdiction of the Board of

Aldermen, viz: It does not set forth the names of the persons voted for, or the names of a majority of the persons voted for, or the names of the persons whose election is contested, or that the "managers" have been guilty of "illegal conduct."

3. The first, second, third, fourth and fifth grounds of protest, cannot be entertained except as grounds of contest of election of parties to be named.

They are ill-timed, and cannot be entertained till it is made to appear in an authentic and official manner that Gilbert Pillsbury received a majority of votes cast and for what office, and that a majority of the Aldermen, and who, "reported to have received a majority of votes cast," did actually so receive a majority of votes cast.

4. As to the sixth ground of protest, "That the Board of Managers were never organized according to law," it is submitted that the law neither provides for nor requires any organization of the Board of Managers. They were appointed and organized under the act entitled "An act providing for the next general election and the manner of conducting the same," passed September 26th, A. D. 1868. And the act, under which this election was held makes no additional or other organization. The language of the law is, they were hereby authorized and required to conduct the elections herein provided for."

5. As to the seventh ground of protest, "That the result of the election has never been ascertained by the Managers of Elections as a Board," it is submitted that there is no provision of law that requires that the "result of the election should be ascertained by the Managers of Elections as a Board." The Managers of Elections, appointed and organized under the General Election law for the precincts within the corporate limits of the City of Charleston, constituted fourteen separate and independent "boards," and as such they conducted, and "were required to conduct," the election; as such they were required "to meet at ten o'clock, A.M., on the day succeeding the election," and "proceed to count the votes," and "transmit their report of the same in a sealed envelope to the acting Mayor of the city."

6. As to the eighth ground of protest, "That the reports of the managers of the several precincts were separately and independently transmitted to the Mayor," it is submitted, as a matter of law, that this is precisely as they ought to have done, and hence can afford no ground of complaint or protest.

7. As to the ninth ground of protest, "That the ballots, after being counted, were not preserved, but were in many cases, actually destroyed," it is submitted, without confessing or denying the allegation, that there is no provision of law requiring the ballots, "after being counted," to be preserved, or prohibiting their destruction, hence the fact is immaterial and is no ground of complaint or protest.

8. As to the tenth ground of protest, "That the ballots were carried to the Mayor's office and left there in open boxes," it is submitted, without confessing or denying the allegation, that it is immaterial; that there is no law touching the matter, and the doing or not doing of the act complained of can furnish no ground of protest. For the reasons herein set forth, and for that the said protest is irregular, uncertain and insufficient in law, it is respectfully asked that the same be held for naught and be dismissed, and the result of the election of November 10th, A. D. 1868, be forthwith declared according to law.

D. H. CHAMBERLAIN, C. C. BOWEN, D. T. CORBIN, Attorneys for Gilbert Pillsbury, et al.

Mr. Corbin said this paper was presented by the counsel for claimants in the nature of a plea to the jurisdiction of the court, and it was the duty of this body to decide that question which is first raised. It is also in the nature of a demurrer, and of an answer to each one of the grounds of protest from beginning to end. It was one of those preliminary papers in a trial which must be passed upon, and which they (the claimants) desire passed upon by this Board before they entered into any testimony. If the positions taken in this paper were sustained, as the claimants thought they should be, then it would preclude the taking of any testimony. If the board decided that this plea is law, and the law of the case, then it brought them to the irresistible conclusion stated on the last page of the answer, that the protest is irregular and insufficient in law, and should be dismissed. The counsel for claimants respectfully asked therefore that this plea might be considered at once, and that they be heard upon the subject. If the counsel on the other side proposed to be heard, they were willing to hear any suggestion in advance as to the mode of procedure.

Mr. C. Richardson Miles, of the counsel on behalf of the protestants, said that they accepted the proposition of the counsel for the claimants that this paper should be put in as a plea, answer, and demurrer, and they proposed to so consider it; not as any one, but as an answer, a plea to the jurisdiction and a demurrer to the sufficiency of the protest which is in the nature of a declaration

They proposed to consider it in that shape. This Board had already determined to consider the protest, and was then sitting by virtue of the resolution unanimously adopted at the first meeting.

Mr. Miles addressed the Board at length, sustaining the protest. Mr. Corbin followed, presenting briefly the argument in favor of the claimants, and specially pressing the objection to the jurisdiction.

Mr. Barker replied, and a desultory discussion ensued. Alderman Whidden then moved that counsel proceed to the examination of the ballots in accordance with the resolution of Alderman Geddings. Motion adopted, after which the Board adjourned.

TUESDAY—The Board met at 11 o'clock, A. M. The session was passed in state matters and discussions by Mayor, Aldermen, and counsel, relative to the ballots, the manner in which they were received, counted, &c., how the Board were to act in regard to them, and the law governing the election. The Mayor suggested that the Board should hear the opinion of the city attorney in reference to certain points concerning the transmittal of the ballots by Managers, when the Board adjourned.

On WEDNESDAY the Board met at 11 o'clock. The Mayor announced the first business in order to be the reception and examination of papers purporting to be returns of the election. The returns were then read separately, and the manner in which they were received explained. The ballot-boxes were also examined and their marks noted. The examinations evinced much irregularity, arising from ignorance or carelessness of Managers, in the transmittal of their returns, and caused considerable discussion among the Board and counsel. The testimony of several Managers, in reference to their operations at the polls, &c., was taken, eliciting nothing specially important, after which the Board adjourned.

On THURSDAY the Board met at the usual hours. The examination of Managers was continued. The testimony revealed nothing apparently affecting the legality of the election.

On FRIDAY, the examination of witnesses was continued; nothing of special importance was elicited.

A SUDDEN CHANGE.

The News, as well as all the other Southern Democratic papers, for a long time previous to the election loaded their columns with dire predictions of depreciation in values and general ruin if the Republicans were successful in the elections. We are glad to see that it has come to its senses at last, and talks cheerfully of the new era already dawning on our State. In a late issue it remarks:

"We publish this morning a thoughtful and cheery letter from 'Marlboro County' upon the prospect before us. Our correspondent says that in Marlboro' money is growing more plentiful, that thirteen bales of cotton have been made on seven acres of land, that cotton lands are improving in value, and that the farmers are learning that it is better to cultivate a small area than to scratch over a large one. We believe, with our correspondent, that Northern men will soon settle in the midst of us, giving additional life and activity to our agricultural and commercial systems, and that Northern capital will ere long, cause mills and factories to spring up in every part of the State. The freedmen will be satisfied that they have nothing to fear and all to hope for; the Northern man will be welcomed as warmly as though he had been born on Southern soil; and then peace, plenty and freedom, such as we have not dreamed of for years, will be the prospect before us."

HEARTH AND HOME.—Pettengill, Bates & Co., of 37 Park Row, New York city, propose issuing on or before January next, the first number of a Rural and Family Paper—with the above title, to be published weekly, and to be devoted to all that pertains to Country Life in its broadest sense. It will be under the general Editorial charge of Mr. Donald G. Mitchell (Ik Marvel); while its Home and Fireside Departments will be subject to the supervision of Mrs. Harriet Beecher Stowe. A large corps of associate Editors, of high reputation in their special departments, has been enlisted in support of this enterprise; and no labor or expense will be spared to make the paper—in subject matter as well as illustration—worthy of a place in every household in the land. The publishers are gentlemen of large experience in newspaper matters, and the public may reasonably expect something superior in the "Hearth and Home." We have no doubt it will prove a splendid success.