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NEWBERRY, S. C., WEDNESDAY, MAY 25, 1881.

No. 21.

Miscellaneous.

SPEECH OF HON. M. C. BUTLER, OF SOUTH CAROLINA. In the Senate of the United States, Thursday, April 28, 1881.

MR. PRESIDENT: I have had no disposition to take part in this debate, and should have carried out my purpose to remain silent but for the most remarkable and un-called-for philippic of the Senator from Maine [Mr. Frye] and some novel and extraordinary propositions of his republican colleagues, which have made it necessary for me to enter into a vindication of my own course and to fulfill a promise made to the honorable Senator from Rhode Island, [Mr. Burnside].

It is not an agreeable duty—a very ungracious duty—but nevertheless a duty; and I shall endeavor to discharge it fearlessly, and with becoming consideration for the feelings of my brother Senators and a due regard for those amenities of debate that should always control us in this high and dignified branch of the national Legislature. And if in the heat of earnest discussion I should appear to transcend the limits of parliamentary propriety, I trust it may not be regarded as intentional or wanting in a proper estimate of senatorial decorum.

Mr. President, on the 20th of this month referring to some observation made by the Senator from Maine, [Mr. Frye], who I regret very much is not in his seat, in a colloquy between the honorable Senator from Rhode Island [Mr. Burnside] and myself, I used the following language:

The Senator sat there and heard that tirade; but when I rise and attempt to vindicate myself, the Senator comes to the front and declares that whoever says there was a bargain in this Chamber, has uttered a falsehood.

Mr. Burnside. Well, I do say so yet. Mr. Butler. I have made no such charge; but, Mr. President, if I do not demonstrate it by irrefragable testimony I will resign my seat in this Senate.

Again I said: The Senator from Maine arraigned the entire South almost; he arraigned every Senator from the South, charging that we are here the representatives of States that have repudiated their public obligation, as an excuse for something that is being done in this Senate.

Further on I said: But Mr. President, I have been betrayed into saying a great deal more than I intended when I rose. I repeat that at the proper time if the remarks of the Senator from Maine, in my judgment, shall require further notice at my hands as to what he may have said about my State and the condition of affairs down there, I shall take occasion to ask the Senate to hear me in response; but for the present I desire to repeat that that is not the issue. The real issue is whether or not a bargain has been made on this floor by which it is proposed on the one part to take something which does not belong to the republican caucus or the democratic caucus or both combined in exchange for the influence or the vote or the power of any man or set of men, to wit, the officers of this Senate. They do not belong to us. They belong to the sovereign people of this country, and we control them in trust for the people and not to barter away for political power.

I regret extremely that the Senator from Maine who saw fit to make this arraignment of myself and my associates, and my people is not in his seat; I regret that circumstances will not permit me to postpone what I have to say, until his return; for I shall have something to say about him, and about his State, which I should prefer to have him hear.

I said, Mr. President, that I made no charge of a bargain in the Senate, and I repeat it. I said

further that I would produce the evidence which in my judgment would go to establish beyond all doubt that a bargain had been made; and in proceeding to do that I wish it to be understood that with the motives and purposes and intentions of Senators, as individuals, I have nothing to do. I am not here to impeach motives, to call in question the individual integrity and honesty of Senators. The junior Senator from Virginia [Mr. Mahone] says that 'no man can search the human heart.' That is true. No power but the power of Omniscience and Omnipotence can search the human heart; and interpret its mysterious operations; but in making ordinances and rules and regulations for the government and protection of society, mankind provided that men who are twenty-one years of age, who are sui juris, who are not under duress, should be held responsible for their acts as well as their utterances. While I do not attempt to 'search the human heart' and determine what motives influence Senators or gentlemen, I have the right, and it is my duty as a Senator, to criticize, legitimately, the public acts, the public votes, and the public utterances of all Senators and all men who belong to the public.

It is not my habit, it has never been my habit, to impugn the motives or question the integrity of any Senator; and while it is true that we cannot search the human heart, how many human beings have been sent to the gallows and to the State's prison for life upon circumstantial evidence! How many of the greatest and most revolting crimes in history have been investigated and determined upon circumstantial or presumptive evidence, when no eye saw and no ear heard the actor committing the crime! It is also true that there can be no crime without intent. The presence of criminal intent is necessary to constitute crime or wrong-doing, but mankind frequently determines the character of the crime committed or wrong done by the acts of the individual, by circumstances, by indirect evidence, not by the plea of not guilty or the protestations of the accused or suspected. It is not sufficient in the affairs of this life, in a civilized country to meet a charge by the plea of not guilty and by the counter charges of falsehood and cowardice and slander and revolution and treason. No, sir, charges are not met in that way. The law demands something more substantial, and in the conduct of human affairs the interests of society are more exacting.

In the familiar illustration of a man who stands upon a house-top and recklessly throws a bill of wood upon a crowded street below and kills one of the passers-by, whom perhaps he had never seen or heard of before, will it avail for that man to come before a court of justice and say, 'I am not guilty; I never saw the deceased; I had no malice against him; (and malice is a necessary ingredient to constitute murder); it is a cruel falsehood to charge me with murder.' This does not satisfy society, it does not satisfy the law made for the protection of society. So the law intervenes, and says, 'Although you may never have seen or known the deceased, you have a heart devoid of social duty and fatally bent on mischief; and the law implies malice from the reckless act of hurling the bill of wood from the house-top into the crowded highway and destroying the life of the innocent. So there are innumerable examples that I might use to illustrate the proposition, that acts and circumstances sometimes 'speak louder than words,' as true when applied to political action and official life as to law or morals or social duty.

I repeat, I have nothing to do with the motives of the Senator from Virginia. I make no charges against him. I have nothing but the kindest feelings personally for him; but when he and his new political allies rise from their seats in this Senate and charge me with

'revolution and treason,' it is my duty, it becomes necessary for me in vindication of myself to account for the course that I am taking, and for the votes that I cast. If there has been nothing improper, if there has been no political arrangement by which the offices of the Senate are proposed to be transferred from one party to the other for an improper purpose, then my conduct is unjustifiable, but if I believe conscientiously, from the evidence, not from my own say-so, that there has been, it is my bounden and sworn duty to act accordingly and prevent if I can by all constitutional and lawful means the consummation of that which I believe will bring trouble and disaster upon this country and upon the liberties of the people.

'Political bargains' may be established by circumstantial evidence as well as crime. 'Political bargains' are sometimes made by political parties and receive the assent of men who, as individuals, would never think of consenting to them. Where party ambition, party exigency, the love of party power, become aroused and a line of policy is entered upon, every member of that party is swept along before its irresistible power, the honorable and the dishonorable, the courageous and the cowardly, the patriot and the demagogue, the statesman and the time-server, and honorable men sometimes find themselves obeying the behests of party dictation, involved in measures and policies against which their private judgment and feelings revolt. It will always be so, Mr. President, while party tyranny is so unrelenting and exacting, like the cyclone in nature, when it bursts from a cloud and sweeps over the face of the earth, tearing up by the roots the strong, sturdy monarch of the forests, at the same time that it carries before its whirling tempest the chaff and dry leaves of autumn. Many allowances should therefore be made. Many are made for the weakness of partisans who are unwilling to brook the displeasure and encounter the frowns of less scrupulous party friends by resisting the unconscionable demands of party.

But if when I propose to vindicate myself and those with whom I am acting and to justify our official conduct in this senatorial contest I am met with denunciation instead of facts, argument, and reason, the country will not be satisfied, the people will not be satisfied. I had never made any charges upon the Senator from Virginia, I had never charged him with being a repudiationist, I had never charged him with treachery to the party that elected him to the Senate, I had never charged him with a want of fidelity to his trusts; and yet, in the first utterance he made on this floor, he takes occasion to arraign every democratic Senator who did not choose to admit that he was right in all that he was doing.

But, Mr. President, recurring, what is the evidence which demonstrates the existence of a 'political bargain'? What is that evidence? What is that circumstantial presumptive evidence by which it is proven? Hundreds of criminals have been sent to the gallows and hanged until they were dead with not one particle of direct evidence as to the crime with which they were charged. The power and force and efficacy of circumstantial evidence runs through the entire civil and criminal code of this and all civilized countries, and it has been affirmed by men learned in the law to be in many cases the very strongest and most conclusive and convincing of all evidence. Now, what are the facts and circumstances, and the inevitable inferences and conclusions to be drawn from them, going to establish the truth of the charges that have been made? They may be grouped and formulated as follows:

First. The Senator from Virginia [Mr. Mahone] was elected to the Senate by a democratic constituency, as a democrat, and announced to the public until his first vote in this Chamber developed that fact.

Second. His purpose to vote with the republicans was never

announced to the public until his first vote in this Chamber developed that fact.

Third. Following close upon this 'new departure' and that vote, was the assignment of the Senator, by the republican caucus, to the chairmanship of an important committee of this body.

Fourth. In a brief space of time followed the nomination by the republican caucus of Mr. Riddleberger, a democrat, his intimate, personal and political friend, for Sergeant-at-Arms, and the Senator says he is responsible for that nomination.

Fifth. The nomination of Mr. George C. Gorham for Secretary of the Senate, the editor of the republican organ in this city, who had earnestly espoused the Senator in his newspaper, although he (the editor) is an uncompromising 'stalwart' republican, and the Senator a 'better democrat than the Senator from Georgia' [Mr. Hill].

Sixth. The appointment, by the Senator, as clerk of his committee of the brother-in-law of said Gorham.

Seventh. The nomination, by the President, of the personal and political friends of the Senator to important Federal positions in Virginia, although the Senator says, and they say, they are democrats.

Eighth. The President has not appointed other democrats, the political friends of any other democratic Senators in any other State, to important Federal positions.

Ninth. The Senator has voted one hundred and twelve times, up to April 26, since he has been a member of the Senate, and every time with the republicans—never with the democrats—although he said in his speech, printed in the Record on the 31st of March last, that 'I was elected to the Senate of the United States to do their will, [meaning his constituents.] not to a caucus to do its petty bidding.'

Tenth. By said votes the Senator is carrying out the will of the republican caucus as obediently as if he had never belonged to any other party.

Eleventh. He moved his seat from the democratic to the republican side of the Chamber, and appears to obey the dictation and 'bidding' of the republican caucus and republican Senators as abjectly as if they controlled his will and senatorial action.

Twelfth. The republican caucus and republican Senators have refused to transact the business for which the Senate was convened in extraordinary session until they shall have disorganized the Senate and elected the friends of the Senator to the vacancies which they seek to create, thereby paralyzing the executive arm of the Government, preventing the proper discharge of the public business, obstructing the wheels of the government—all this to reward the Senator for his votes and for political power that his vote gives them.

Thirteenth. The Senator still claims to be a democrat, but votes steadily with the republicans.

Fourteenth. The Senator avowed in his speeches that he is the custodian of his own democracy, and yet he has transferred the custody of it to the republican caucus and votes its 'bidding.'

Fifteenth. The action of the Senator and the republican caucus in seeking to turn out faithful officers at an executive session of the Senate and elect and install others, some of whom are untried and inexperienced, is with out precedent in the history of the Government.

Sixteenth. Mr. Riddleberger is, as he avows, a 'democrat' and un-reconstructed; a 'readjuster' or repudiationist, and must therefore be objectionable and offensive to republican Senators.

Seventeenth. The republican Senator from Ohio avows that 'anything' is justifiable in morals and law. 'Corrupt bargains, perjury, murder, piracy, rapine, arson, rape, in-

centiarism—anything' is justifiable, says that Senator.

Eighteenth. The same Senator and others of his caucus propose to buy our acquiescence in their corrupt party policy by tendering pay to the present democratic employees of the Senate until next December, if we will allow the election of Riddleberger and Gorham, and this, too, without the semblance of law or right.

Nineteenth. The Senator from Virginia and other republican Senators have assailed the motives and questioned the official integrity of every democratic Senator on this floor, because they vote as their conscience dictates; and we have a right to assume that they do this to divert the attention of the country from this unnatural alliance, and bolster up and give plausibility to an untenable and wrong position.

Twentieth. The Senator from Virginia has said that he has nothing to apologize for respecting his part in the confederate army, is therefore, unreconstructed, and the President of the United States has said that he will shake hands with no man who has not expressed repentance for his sins of rebellion; and there must, therefore, be some other reason for the interchange of political and personal favors than political affinity and personal regard.

Twenty-first. The Senator from Virginia and some of his new political allies, instead of inviting investigation of charges that have been made, far and wide, of corrupt practices, seek to prevent on this floor free speech and legitimate discussion touching those charges by threats and denunciations.

Twenty-second. The reason assigned for this extraordinary coalition is that the Senator from Virginia is in favor of a 'free ballot and fair count' in Virginia; that it secures a 'free ballot and fair count.' Whereas there is no evidence here or elsewhere that the 'ballot' is not perfectly 'free' and count 'perfectly fair' in Virginia. The elections in that State are managed by three election judges—one republican, one readjuster, and one democrat—and if these is not a free ballot and fair count the fault lies with the republican and readjuster.

Twenty-third. It has heretofore been the unbroken, universal rule and practice of the republicans to nominate none but republicans for Sergeant-at-Arms, and make none but republicans chairmen of the committees, when in the majority, except as to the last, to give unimportant chairmanships to three of the oldest democratic members of the Senate. They have never before made a democratic Senator chairman of one of their important committees—in this case one who has been recently sworn in—and never before have the republican caucus nominated for the important position of Sergeant-at-Arms a democrat unreconstructed and a repudiationist.

suffragans when your powerful corporations and monopolies coerced their employees, dependent upon them for their daily bread, to vote their will and their bidding, and made a travesty and mockery of free elections. 'A free ballot and a fair count!' If I do not show as to Maine before I got through that such a thing as a 'free ballot and a fair count' is scarcely known there, then I shall be more mistaken in the effect of evidence than I have ever been before in my life.

The Senator from Virginia said in his speech:

The desire of our people for cordial relations with all sections of a common country and the people of all the States of the Union, their devotion to popular education, their efforts for the free enjoyment of a priceless suffrage and an honest count of ballots, their determination to make Virginia, in the public belief, a desirable home for all men, wherever their birthplace, whatever their opinions, and to open her fields and her mines to enterprise and capital, and to stay the retrograde movement of years, so as to bring her back from the fifteenth in grade to her original position among the first in the sisterhood of States, forbid that my action here should be controlled or influenced by a caucus whose party has waged war upon my constituency and where party success is held paramount to what I conceive to be the interests of Virginia and the welfare of the whole country.

He asks a blessing for Virginia. He will pardon me for saying that 'the voice is Jacob's voice, but the hand is the hand of Esau.' I think I hear the republican party coming to him, and in the language of Rebekah to her son, exclaiming, 'Upon me thy voice, my son only obey my voice, and go fetch me them.' The republican party says this to the Senator and the Senator responds for Virginia with 'the voice of Jacob, but with the hand of Esau.' He says that he is called upon to defend Virginia from those who attack her and ought to have been her defenders. I have never attacked Virginia; I could not find it in my heart to attack that State. I have seen her fair bosom rent and torn by the rough plowshare of war. I have seen too much of the uncomplaining, unflagging devotion of her fair and beautiful daughters, and splendid gallantry and daring genius of her peerless sons. I have received too much of kindness and hospitality and consideration at their hands to attack Virginia, and I have given some evidence at least of my desire to defend her by taking the chances of death upon her beautiful hills and classic fields, and so has the Senator. I have made no attack upon that old State. My own blood is mingled with her dust, and I would as soon think of attacking the graveyards of my own dead as to attack her. If I had any inclination to attack anybody in Virginia, it would be those of her sons whose course, I believe, is bringing dishonor and degradation upon her. If I had any disposition to attack 'the old mother of States' or her sons, or any of her people, it would be those who are asking blessings in her name and receiving them for themselves. I have not only not attacked Virginia, but I have attacked none of her sons. But I am not content as a southern Senator to permit her junior Senator, or any other Senator, to impugn my motives and asperse my integrity because I see fit to vote as my inclinations dictate in this body.

Mr. President, it is said that you want 'a free ballot and a fair count' in the South; you want to dissolve 'the solid South.' I hope I may not be considered as individually offensive to any republican Senator on that side when I say a 'free ballot and a fair count' is the last thing that you want, and I have only to turn to the record of the last election to show how absolutely empty and unreal that claim is.

'A free ballot and a fair count' when the gallant democratic State which my distinguished friend on my left [Mr. Voorhees] so ably represents in part on this floor was colonized with colored voters from the South immediately preceding the last election to nullify neutralize the democratic vote of that State. A 'free ballot and a fair count!' when you sent your emissaries into Indiana with bags of money, and they camped upon that State prepared to buy every venal voter who offered himself for sale; when you spent millions all over the country buying suffrages and corrupting the

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He arraigned my State. He said we did not have a free ballot and a fair count; and he used this unfortunate expression:

Ab, it is easy to shoot labor when it has been ground down for a hundred years by slavery.

He said that the civilization of the South was founded upon barbarism, and the civilization of the North (meaning I suppose New England) was founded upon the Bible, and the school-book, &c.; that there were two civilizations in this country; there had been an irrepressible conflict between slave labor and free labor, and he arraigned the entire South for her 'barbarism' and want of civilization; that we had been conquered; and he rattled the raw-head and bloody-bones of war and famine and revolution at us with terrible significance. So far as my own State is concerned I would simply say: She needs no defense at my hands.

Her records under democratic government answer the calumnies against her and I confidently refer to them. I wish I had time to run through the catalogue of crimes under the rule of his friends in that State from 1868 to 1876. I could show her debt increased from about five to twenty million dollars; taxes amounting to about ten millions more wrong from impoverished people, stolen, squandered, wasted; race conflicts, riots, lawlessness, ballot-box stuffing, crime, confusion, disorder, anarchy; public officials holding high carnival in debauchery, profligacy, robbery, conspiracy. I could show all this. I could show that in one year the republican Legislature spent for public printing \$385,000. The democratic Legislature spent only \$6,178 for the same purpose. The republican Legislature spent for legislative expenses in one year \$1,583,574, and in four years \$4,187,573. The democratic administration for the same purpose spent in one year but \$84,096, and so on through the list. But I have not the time.

Now, under democratic rule the expenses for the public service are reduced to the minimum of economy and are about one-fourth of the radical expenses. Peace, quiet, order, prosperity, progress, good feeling prevail throughout the State. The Senator would invite us to another republican feast like the one which broke up in confusion, terror, flight, in 1876. I shall decline the invitation. The whole people of the State decline, except the vampires who fattened (and fed) on the vulgar viands of radical debauchery. No, sir, we want no more of it, and we will not have it. I refer the Senator to any twenty of the most respectable, intelligent, patriotic republicans in that State, say to any 20,000, and let him ask them if they would have the State remanded to republican hands such as controlled it in the flush days of radical rule. Let him ask them if it would be a good thing for them, for the State, for the whole country, to exchange the present democratic government for any that the republicans could organize. By their answer I will abide, and this is my answer to his assault upon South Carolina.

And is this eternal, everlasting, insatiable, insistent, crusade upon the South never to stop? If secession was a crime and a mistake, oh, how egregiously has the South suffered for it! If maintaining slavery in her midst was a crime, how the revenges of time have settled with her for it! Is there then never to be a cessation, a stop to tantalizing, misrepresenting, calumniating a people who have had a problem to deal with that no people have ever had since civilization dawned on the earth—such a problem, I say, as no people have ever had to solve. They have been and are doing the best they can to solve it, fairly and honestly and truthfully, and in accordance with that love of constitutional liberty and republican freedom which was born with them. It seems to me that, instead of helping us to solve it, the republican party have thrown obstacles in our way, and then curse and anathematize and abuse and misrepresent us because we act with the northern democracy. In all those dark days, in all those days of terror and suffering and wrong, that the Anglo-Saxon race of the South was subjected to, not a word of kindness, not an expression of relief, not a whisper of sympathy did we get from anybody at the