

Election of Major A. J. Shaw Judge of Third Circuit.

The Senate appeared on time, yesterday, at 1 P. M., in the House of Representatives, to engage with it in the election for Judge of the Third Circuit. Humbert, of Darlington, nominated a candidate who, he said, had repented, and the repenting sinner ought to be rewarded. His candidate was convicted by his own convictions to pursue the course of the Republican party. He urged that his candidate was simply a gentleman that the world has known. He had fallen in the ditch, but it was proper to help him out. After this exordium, he nominated F. J. Moses, Jr. Boston, of Newberry, seconded this nomination. He admitted that F. J. M., Jr., had a bad name and a bad recommendation, but he had laid the basis of restored credit in the suggestion of the measure to scale the public debt. Mr. Hirsch, of Williamsburg, urged the importance of the Legislature not placing a man in the office of Judge of this Circuit who resided out of it. He nominated Mr. L. C. Northrop, and was seconded by Mr. Ortis, of Richland. Jefferson, of Aiken, presented the claims of W. J. Whipper, and Samuel Green, of Beaufort, came forward to enforce them, mainly, as he said, because there was danger of the election of a worse man. Robertson, of Beaufort, pictured the world as looking on in the intensest interest at the doings of the South Carolina General Assembly. It must now or never retrieve its name, or go down; he didn't say where it was, but to some lower depth than it has yet reached. He offered the name of C. D. Melton, and challenged the Republican party to vote for any other man. Red-hot Jones seconded Mr. Melton's nomination, but steadily and with a flourish voted for F. J. M., Jr. Mr. Hayne, of Marion, presented the claims of Maj. A. J. Shaw, as a man of ability, of attainments and of justice. Warley rose to second this nomination, as it was thought, being the only one not seconded, but wound up with eulogy of F. J. M., Jr. Whereupon the President of the Senate referred to him as one who had lowered the dignity of the Senate by his conduct. Whereat Warley was exceedingly irate, and desired to know whether the President had said what he had just said. Not heeding this demand, the President ordered the Sergeant-at-Arms to repress the irrepressible member, who, as the tall Sergeant laid his hand gently on him, quietly subsided, and all was over. Hamilton, of Beaufort, did very well—what Warley was expected to do and did not. He said that he was bound to vote for the best material. No candidate of equal merit to Mr. Shaw had been brought forward from the Republican side, and hence he would disregard party and look only to fitness.

The balloting commenced and went on smoothly to the end of the 4th, when, at 3 P. M., the Houses separated, each to consider a motion to take recess. On the 1st ballot, Mr. Shaw received 42 votes, Mr. Northrop 42, Mr. Moses 36, Mr. Whipper 7. On the 2d ballot, Shaw got 42, Northrop 41, Moses 36, Whipper 7, Melton 6, scattering 8. On the 3d ballot, Shaw 42, Northrop 45, Moses 37, Whipper 6, Melton 4, scattering 5. On the 4th, Shaw 40, Northrop 47, Moses 37, Whipper 7, Melton 5, scattering 2. The Houses having determined to go on with the election, a fifth ballot was held, with the following result: Northrop 50, Shaw 35, Moses 35. The excitement ran very high at this time, one or two of the friends of Shaw having become despondent and cast their votes for the next best choice as they viewed it. This acted as a precipitant of votes held in solution, and on the next and last ballot, Major Shaw came in with flying colors, having received the handsome testimonial of 75 votes, to 56 cast for Mr. Northrop.

We are highly gratified at this result. Mr. Shaw is a worthy gentleman and able lawyer. He is admirably qualified by his native parts, his legal and scholarly attainments, his large experience, and his unswerving integrity of character, all united to judicial fitness of mind, for the distinguished position to which he has been advanced. We congratulate the General Assembly upon this recognition of merit without reference to political professions, and we congratulate the people of this State upon the selection of a man whose name and ability are so widely known.

The Arkansas Message Likely to Prove a Kicking Case.

The message of President Grant to the Senate in relation to Arkansas affairs is having the effect of opening the eyes of the people of the North, and has already, it is said, caused a split among the Republicans of the House of Representatives. The Senate is his stronghold, and will be the last place where any change will be manifested. The first feeling everywhere upon reading this message was surprise and alarm. Only last spring the President refused to recognize Brooks as Governor of Arkansas. Less than four months ago he declined to interfere with the Garland Government in that State. The wonder is, what has produced so complete a change in his views and policy? He not only says, now, that Brooks was elected in 1872, but intimates pretty plainly that he conceives it to be his duty to take the requisite steps to reinstate him. He complains also of the change in the Constitution, seeming to deny the people the right to make it. This he does just as a respectable committee of Congress has returned from the State, reporting that the new Constitution and the Garland Government are cordially supported by the people; that the Constitution is regular in form and substance, and the State reasonably quiet and peaceful. It is noticeable that his language is modeled upon that of the one dissenting member of the Congressional Investigating Committee which represents the rights of the minority as overthrown. But it is notorious that, since the troubles between Brooks and Baxter were quieted, nothing has occurred in the State of Arkansas which has called for Federal interference. As to the President's complaint that as this State has changed its Constitution, others may do so likewise, and the whole scheme of Congressional reconstruction come to an end, it shows exactly what narrow ideas he has of the rights and liberties of peoples and States. He is evidently of the opinion that these States are still in the hands of Congress, to be cuffed down when it pleases. Whatever technical irregularities may have marked the Constitutional Convention of Arkansas, are common to it with other States which have made changes in their constitutions.

"Not less than twenty-six States," says the Baltimore Sun, in discussing the President's ominous message, "our own among the number, have modified their constitutions without reference to modes prescribed by previous legislation, or even existing constitutions. Various constitutions of Maryland, including that formed by the Republicans in 1864, were thus created. It is known, also, that the present Constitution of New York was framed and adopted in 1846 in disregard of the provisions of the Constitution that preceded it, it being held there, as it had been held elsewhere, that the permission of the Legislature and ratification by a majority of the people was a sufficient warrant. There is just as much authority for President Grant to send an army into New York, Maryland, or any of the other States which have formed their Constitutions in this manner, as there is to subvert Federal bayonets, or by any other agency—if he so contemplates—the existing Constitution of Arkansas. If there is an irregularity in the latter case, it was the same irregularity in our and all the other States, and in all it was the work of the people, who were once supposed to be supreme in this country, especially in making their fundamental law."

From the Washington correspondence of the Sun we are gratified to learn that the majority of the members of the House are disposed to adhere to the Poland report. Republicans from both the West and East regard the course of the President with stern disapproval. A lively discussion is anticipated among the Republican members exclusively. A leading Republican from New England said that this Arkansas message had dashed to the earth whatever hopes might have been entertained of carrying New Hampshire and Connecticut for the Republican party in the spring. The President is fast establishing himself as an obstruction in the way of the success of the best elements of his party. When he effectually divides it, his end will come and his fall be certain.

Captain James Iredell Waddell, the gallant commander of the Confederate cruiser Shenandoah, has recently received the appointment as commander of one of the Pacific mail steamers, plying between San Francisco and the ports of China and Japan. He will enter upon his active duties in a few weeks.

Three sisters of Dubuque are so set in their temperance principles, that they make the hired girl smell the breath of every young gentleman who reports the result before admittance to the parlor can be obtained.

A Bitter Rule than Party.

In an article in reference to the then approaching election for Judge, published by us ten days ago, we deprecated the introduction of party spirit into it. We ventured even further, and expressed our belief that the public opinion of all classes, races and parties had fixed upon a gentleman for the distinguished position upon higher and better grounds than any consideration of mere party ascendancy. We are very much gratified that this anticipation was realized in the election. The choice of Major Shaw was concurred in, yesterday, by Republicans of all political hues, and by representatives of the colored race, just as cordially as by Conservatives. This is very much to their credit, and we note it as an evidence of good judgment and good feeling far above the teachings of their party and political instructors. It was a practical repudiation of the bigoted policy which would apply the narrow party measure to the decision of merit and fitness, for an office which should know no party, race or condition among men. It is a most hurtful rule, and one which, by subordinating talent, acquirement, experience and integrity to lower considerations tends to degrade the public service. The members who rose superior to it are entitled to the commendation and thanks of the country.

Charleston Harbor.

We are pleased to notice in the proceedings of the House of Representatives at Washington, on last Monday, bill by Mr. L. Cass Carpenter, making an appropriation for the improvement of the harbor of Charleston, which was referred to the Committee on Commerce. We trust that he and the other members from this State will not relax their efforts in this direction. It is a shame and a crying injustice, that a liberal appropriation is not voted without delay to this important object.

CARD OF THANKS.—The ladies in charge of the supper for the benefit of Washington Street Church, beg gratefully to acknowledge the kindness of the Phoenix and the Union-Herald in gratuitous printing; to Messrs. Duffie and Chapman in lending their piano; and of Messrs. Kingsland & Heath in furnishing the crockery used on the occasion. They would also return their thanks to Messrs. Denck and Rawls for their moderate charge for the music which added so much to the pleasure of the entertainments; to the committee of gentlemen for their assiduous labors; to the young ladies in charge of the tables for the graceful discharge of their duties, and to the whole community for generous aid and liberal patronage.

MR. EDITOR: I notice that the little place near Alston, on the Greenville and Columbia Railroad, West side of the river, known by name of Peak Station, bids fair to do well, but the inconveniences and disadvantages the business men are now laboring under, causes a great drawback. There is no depot or regular delivery for freight, and the consequences are, that they are put to a great deal of expense, trouble and danger. Having no delivery for freight, renders the place unaccommodating, all goods being unloaded on the East side of the river. There are five or six merchants living three or four miles from Peak Station, who have their goods hauled from Columbia and the South Carolina Railroad depot, just because they cannot get these goods unloaded on the West side, who say they would much rather and prefer getting their freight by railroad, if it was not for the great trouble already explained. Outside of the merchants, quantities of the farmers would ship their cotton by rail, in place of hauling on their wagons, if it was only so they could ship from Peak their cotton down, and get their freight up. The skillful Superintendent, (Col. Dodamead,) we hope, will assist the people around and at Peak Station, by giving them what they necessarily need and ask for—a delivery of freight. The public would be under many obligations to the Colonel, to have them accommodated. The trouble, expenses and disadvantages are noticed by more than one or two—by the public, who know and talk of the inconveniences, &c.

A MERCHANT.

BUCK SHOT FOR A BLOW.—Last Tuesday morning, a negro man, named Levi Thomas, was shot and mortally wounded, about a mile and a third from Langley, S. C., by John Williams, his step-son, aged about eighteen. Thomas was cutting wood with some other parties, when he was approached by Williams, who asked him why he struck his wife, Williams' mother. Thomas denied that he struck her, whereupon Williams fired upon him with a shot-gun, lodging a number of buck-shot in his body, and inflicting wounds from which Thomas died that night. Williams fled, and has not yet been arrested.

It is a melancholy fact that those who declare war are never called upon to do the fighting; if they were we suspect there would be not the slightest amusement of this nature.

Labor Omnia Vincit—No 5.

Never can the South be independent, never can she prosper, until labor becomes popular; until the people go to work with a good and hearty will; never until the people learn to feed their imagination less and to do away with foolish pride; until the young men learn to plough, to hoe, to ditch, to build fences, reap, raise hogs, and until the women learn to cook, to wash, to raise chickens, turkeys, &c., will want disappear and plenty step in. When the people of South Carolina learn common sense, an article they have not got; when they learn how to live cheaply without grumbling; when the mania for speculation and growing rich suddenly shall pass away; when those who pretend to farm shall cease from dealing in "cotton futures," and learn to stick to, plant and cultivate wheat, oats, potatoes, corn, &c., with their own hands, without regard to calling upon colored labor; when agriculture shall become a ruling feature and controlling principle; when there shall be dignity in labor, and men shall be proud as Cincinnatus of toiling in the field—then, indeed, shall and will South Carolina be considered independent and prosperous. Think of it, people of South Carolina—here you live in a State, the owners of millions of acres of land; blessed with a splendid climate; blessed with everything essential to the prosperity and growth of man, cereals and beast; blessed with a fertile soil; blessed with everything, from a partridge to a turkey, from a pea-patch to a cotton-field, from a granite quarry to a gold mine in the mountains, and yet you buy guano imported from distant regions, and raise cotton to buy oats, flour, corn, bacon, molasses and hay with, brought from other countries; all of which you can raise in superabundance yourselves. Just so long as you raise nothing but cotton, and place yourselves as the voluntary patrons of produce harpers, rings and monopolies, who bull and bear, control, operate and direct prices to suit themselves, just so long, we reiterate, you will be the hewers of wood and drawers of water, subject to liens and mortgages, and finally you will be forced to become, for your own security, the movers of repudiation. The remedy is in your own hands. If you will apply it—*Labor omnia vincit*. Time after time you have been deceived and beguiled by promises of "reform," by plausible schemes for improvement and relief, and yet they have proved but "hope deferred." "Hell," it is said, "is paved with good intentions." Such has been and always will be the case, if you mind, heed or believe the fair promises that are held out by the Radical party. It is the mirage of the desert to the dying traveler. Listen not; it is the voice of the syren, leading you to the chamber of death. Be no longer lulled into a false security by promises and declarations; be watchmen on the hills, ready to act when the time comes, summarily and firmly; but be devoted, earnest and true to your wheat, corn, oats and rye fields, chicken-houses, hog-pens and potato patches. Gird on the armor of action, labor, independence; banish false pride; have the firmness and consistency of a Paul. Strip yourself like an athlete for the fight; seize upon the plow, the hoe, the axe, the saw, with your own hands; hold on to your lands; don't sell an acre, except to such as you wish neighbors; earn your own living, and the day will not be far distant when "you will be monarch of all you survey," when peace shall prevail throughout the land and prosperity shall shine on palace, hamlet and cottage.

The rise in gold, which has caused such a flurry, is not an unmitigated evil. It seems to be produced by two causes; one an unexplained continental demand, which has drawn largely on the stock of bullion in the Bank of England, and, second, by the demand here for United States securities, which had to be obtained from abroad, and the gold paid for them. It is probable this explains the outflow of gold from England and the corresponding shipments from this country to supply the vacuum. As this process is one of debt-paying on our part, it is not to be regretted. Another result of the advance, is to stimulate the exports of produce from this country, and thus aid in the re-establishment of the equilibrium. The fact that the Bank of England Directors have made no change in the rate of discount, shows that the financial judgment there is, that the flurry will be of but short continuance. The home demand for Government securities, which has been unusually brisk since the middle of January, indicates that much of the money then received as dividends has sought these bonds for investment.

YOUTHFUL DIPLOMACY.—A little six-year-old girl in Monroe went into a store where her father was, the other day, and, slyly approaching him, said: "Papa, won't you buy me a new dress?" "What! buy you a new dress, Susy?" "Yes, papa, won't you?" "Well, I'll see; I'll speak to your mother about it." Elongation to an alarming extent rapidly spread over that little countenance, but a thought suddenly struck her, and, with a smile, she looked up into her father's face and said: "Well, papa, if you do speak to mamma about it, do it easy, or she may want the new dress herself!" The father at once saw the point, and the new dress was purchased.

Littleton (Mass.) Republic.

"Is that cheese rich?" asked Blodges of his grocer. "Yes," was the candid reply, "there's millions in it."

THE POSTAL SCALE CONTRACT.—We recently alluded to the fact that the award of the contract for post office scales to Messrs Fairbanks & Co. had given satisfaction to the trade and the public generally. The following communication is important in this connection:

WASHINGTON, D. C., Jan. 30, 1876.
To the Editor of the New York Express—Sir: In a late number of your paper I notice an article headed the "Largest scale Contract ever awarded." In this you refer to the fact that 8,000 or 4,000 post offices had to be supplied with scales in a very short space of time, and the satisfaction it gave the public generally that the contract was given to the "champion scale-makers of the world," Fairbanks & Co. As the officer in charge of the distribution of these thousands of scales, by order of the Postmaster-General, I take pleasure in reporting the result—not but any new event can add to the now world-wide fame of the Fairbanks' Standard Scales. You say this is "the largest contract for scales ever awarded," to which I add that it has its parallel shown in the capability and energy with which it was carried out. The Department's order and lists designating the kind of scale and offices to be supplied, found every scale of the thousands required made, boxed and ready for shipment.

To the letter of the advertisement was the contract filled, and but one voice comes like an echo back from the people all over the country, and that is all are satisfied and gratified that they are furnished with scales of the reliable brand of the house of Fairbanks. "Honor to whom honor is due." Respectfully,
N. A. GRAY,
Supt. Blank Agency, Post Office Department.—New York Express.

Minister Schenck rises to a personal explanation. He wrote his immortal treatise on poker, while visiting at a country house, "for the amusement of the party." The first edition of it was struck off on a private printing press without his knowledge. A writer in the London Morning Post, who signs himself "Fair Play," corroborates this version of the affair. The rules of the game—which we learn with interest is "a combination of 'commerce' and 'brag,' with some few special technicalities"—were put down on paper by the Minister at the request of a lady; a lady of high social position at that. "These accusations," says the writer in the Post, "acquire importance on the other side of the Atlantic from the puritanical spirit so strong in the United States, and from ignorance of what is usual in English society. They do not understand that such a game as poker, played, as it is here, for small stakes—usually counters representing pennies and six-pences—is perfectly admissible among ladies and gentlemen, and in the best company."

DRAMATIC SCENE AT THE READING OF A WILL.—A rich dame who recently died at an advanced age at Fontainebleau, left a will, containing, among others, a bequest to her physician of all the objects contained in an olden chest of her cabinet de toilette, for "his enlightened care and the sage instructions" by which he had enabled her to live to such an advanced age. There was great commotion among the heirs when this clause in the will was read, and greater curiosity to know what treasures had escaped them. The notary handed the key to the doctor, who, on opening the chest, found all the drugs and potions that he had ordered for his patient during the past twenty years.

Terre Haute has an enterprising young thief, aged sixteen years. He began business at nine years of age, ostensibly as a boot black. Latterly it has developed that he stole the livery of a boot black to perpetrate a series of bold robberies. His passion, singular to relate, was for revolvers, and he raided extensively through Indiana and Southern Illinois after these weapons. Up to the time of his arrest, which occurred the other day, he had stolen enough revolvers to fill a good-sized arsenal. They had better send this boy to disarm the lawless inhabitants of Southern Illinois and Pennsylvania.

CORRECT BUSINESS PRINCIPLES.—He was yelling "black yer boots!" in front of the post office yesterday, and blowing away at a monstrous quid of gum, when another boy came along and screamed: "Say, Bill, s'posed ye let me chew that for a while, I'll give'er back ter-morrer." "All right—give me a receipt." "What fur?" "What fur? Why, s'posed ye happened to die to-night, and I hadn't anything to show; how'd I ever get this gum back?"—Detroit Free Press.

MARRIAGE OF MILLIONAIRE BACHELOR.—The Hon. Wm. B. Ogden, of Chicago, prominent in railroad and real estate circles, was married on Tuesday to Miss Arnott, of Elmira, New York. Mr. Ogden is in his seventy-second year, and has never been married. He is a millionaire, and was one of the earliest Mayors of Chicago.

The Rev. Mr. Johnson, who resigned the pastorate of St. Paul's Church, Summerville, to join the Reform Episcopal Church at Louisville, Ky., will return to Summerville. It is said Mr. Johnson will return to the Episcopal Church.

'Tis naught when woman hangs a man,
For that's the good old style;
But, oh, man's confidence in man,
Makes countless thousands smile.

CITY MATTERS.—Subscribe for the Phoenix—Don't borrow.

Reading matter in every page. The weather moderated greatly yesterday. The sunshine proved welcome yesterday. A man who desires a crooked course can often find it by taking "whiskey straight."

The alarm of fire last night was caused by a slight burning in Lav Range. There was a collision between a buggy and a mule team on Main street yesterday. Nobody hurt. There will be chicken fighting at Franklin's cook-pit, commencing this evening, at 6 o'clock. Many of the colds which people are said to catch commence at the feet. To keep these extremities warm, therefore, is to effect an insurance against the almost interminable list of disorders which spring out of a "slight cold."

One of the grooms of the candidates for Judge described his nag as like Caesar's wife, above suspicion and beyond reproach. Hamilton thought the compliment dubious, as Caesar's wife the other day was convicted in court for grand larceny. Arrangements are being completed for disposing of, by distribution, a number of desirable building lots in this city, besides several valuable articles of jewelry. Particulars will be furnished in a few days. Tickets to the distribution will cost \$5. Responsible gentlemen will have charge of the matter.

LEGISLATIVE.—Yesterday, Mr. Cochran introduced a bill to authorize the opening of a public road in the County of Aiken, and Mr. Duncan introduced a joint resolution proposing an amendment to Article II, Section 12 of the Constitution of South Carolina. The election of Judge of the Third Circuit occupied a good part of the day.

ENOCH ARDEN.—A Rochester (N. Y.) paper, speaking of this performance, says: "This piece has been compared to Jefferson's Rip Van Winkle, but it seems to us that the resemblance is merely on the surface, and that there is between Enoch Arden and the rollicking Dutchman of the Catskill, the same difference that there is between the genius of Adams, which is essentially tragic, and that of the great comedian."

De MURSKA.—This famous Hungarian nightingale will give a grand concert at the Opera House on Friday evening, the 19th inst. The Raleigh Sentinel says of her: "All the female schools, their principals and instructors, were present, and trained amateurs, critics in swallow-tail coats and white neck-ties—indeed, the very flower of the musical element in this city, were all there, and provided with opera glasses, and the house sat ready to 'come down,' which it did so soon as De Murka opened her mouth and warbled a few of the up-stair notes. She is really a singer of great merit, and her throat is a cage full of Canaries."

COURT OF COMMON PLEAS, COLUMBIA, February 12, 1876.—Hon. R. B. Carpenter presiding.

The following cases were called and tried: The jury returned a verdict for plaintiff in case of Blakely & Ope-laud vs. W. H. Frazier, executor. The two cases of Fred. Schmidt vs. J. H. Rankle were referred to the Judge at Chambers. The case of B. Kaufman vs. O. Hamburg—verdict for plaintiff. Case of Eohardt & Muhler vs. J. B. Dennis was continued. Case of Stewart, Stephen & Co. vs. Niles G. Parker—verdict for defendant. Case of Goldsmith & Kind vs. Thomas B. Lee, Jr.; pending this case, the Court adjourned until 10 A. M., tomorrow.

LIST OF NEW ADVERTISEMENTS. Opera House—De Murka. E. L. Boone—Final Discharge. G. M. Walker—Meeting A. F. M. Enoch Arden—Opera House. Dison & Co.—New Music. Ear-Ring Lost. H. & S. Beard—Auction Sale.

HOTEL ARRIVALS, FEBRUARY 12.—Wheeler House—J. Pettit, Pa.; John B. Fairly, Charleston; A. S. Williams, N. Y.; J. O. Featherston, Va.; P. Duffy, Charleston; P. D. McDonald, Camden; M. Rosenthal, N. Y.; A. W. Caspenter, Covington; N. Carrath, Boston; J. Pepper, S. K. Matkinson, J. A. Marble, N. Y.; J. F. Hart, Yorkville; W. M. Locke, F. H. Ransom, N. Y.; M. Hoffer, Washington; J. Curtis and wife, Boston; E. M. Gerock, Pa.; F. M. West, N. C.; C. B. Fane, J. H. Todd, U. S. A.

Marston House—Thos. E. Lee, E. B. Murray, Anderson; J. H. Witherspoon, Laurens; J. F. Conway, Charleston; O. H. Kirkpatrick, Tenn.; A. Crawford, Ga.; J. S. Oatman, Winnsboro; H. H. Thompson, Spartanburg; B. E. Lewis, Philadelphia; J. W. Tyler, Barr's Mills; G. T. Reid, Hodges.

Mr. Hayne, of Toronto, was knocked down by mistake for another man, recently. He hopes that "his fall" may be on the head next time.