

# Tir-Weekly Eagle.

T. M. GREEN, Editor and Proprietor.

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MAYSVILLE, KY., JUNE 23, '74.

## THE REVENUE LICENSE.

It has been said by THOS. F. HARGIS, and repeated by the partisan press that would sustain him in spite of any amount of proof of his guilt of the highest crimes, that when the editor of this paper first heard of the matter of the revenue license, he treated it with contempt, and said it did not matter when Mr. HARGIS took out his revenue license. This is partially true, but is calculated, and was published in order to create a false impression. We were first told of this matter by M. C. Hutchins, and shortly afterwards by Thomas A. Davis, and from both we understood that Mr. Hargis had not *applied* for his revenue license until September 1st, 1874; and we did treat the information with contempt in both cases, because we knew that very frequently men did not apply for license until long after the time fixed by law for such application, and that when there was no attempt to evade or avoid the law no penalty had been enforced by the Government. But when we looked at the record itself, and found that not only had not Mr. Hargis *applied* for license until September 1st, 1866, but that he had been *assessed* and had actually *paid* only from that time to May 1st, 1867; and had not been *assessed* or *paid* for the time prior to September 1st during which he claimed to have practiced;—when we ascertained these facts we regarded it as a very *serious matter*. We lost no time in informing Mr. Hargis of the discovery, and in asking him for an explanation. He seemed much taken aback, said he did not know what to say about it; but stated that there had been great intimacy and friendship between Clarke and himself, that Clarke knew his straitened circumstances at the time and that his practice was but small, and he *supposed* had on that account *exhonerated* him from paying the small amount due from the 1st of May to the 1st of September, if this was not true, he said, he did not know how else to explain it. Our sympathy had been keenly aroused for him; we had already seen Alley's certificate that Hargis had been sworn into the practice in the county court in April or May; and we accepted the *supposition* of Hargis as the *true* explanation of the apparent inconsistency between Alley's statement and the record of the internal revenue office. In our anxiety to shield one whom we believed and wanted to believe innocent—we were only too ready to give credence to any statement of his which had about it the coloring of plausibility. But so far from treating it lightly, we warned him that it was a matter which "would give him a great deal of trouble." In the presence of Jno. A. Campbell, in Carlisle, we spoke of it again so seriously as to draw from him that half-despairing declaration, that he had done all that any honorable man could do, and that he could do no more. Almost our last advice on parting with him, was to urge him to lose no time in obtaining from Clarke a statement of the facts, which we did not doubt would verify Hargis' own statement to us, which he promised to do, and for which we were waiting before answering the first letter of C. E. J. But when we met Clarke at Morehead, he emphatically and indignantly repudiated Mr. Hargis' *supposition*; declared that he would not have permitted personal intimacy or the poverty of the subject, to have interfered for one moment with the discharge of his official duty as an assistant assessor of the United States; and that his construction of his duty was, that Thomas F. Hargis would have been liable to tax from the very moment of his swearing in to the practice in any court, and *ostensibly holding himself out for such practice*, without regard to the amount of the practice, or whether he had any at all or not; that if he had known of Hargis having taken the oath in May, or of his having held himself out *ostensibly* for practice at that time, he would have assessed him from the beginning of that month; and that he felt certain he *would* have known it, had it been the case. Mr. Clarke is a man of intelligence, of high

and good character, and a minister of the gospel. However anxious we were to receive Mr. Hargis' *supposition* as fact, we could not permit it to weigh for one moment against such evidence as this, backed up as it was by the record and the requirements of the law itself, which we had not carefully examined at the time the information was first given to us by Hutchins and Davis. Then, when we came to interrogate Alley, we found that his certificate to Hargis was deceptive and absolutely worthless; that he had no recollection of having recorded the order swearing in Hargis in the county court; did not remember ever having seen it on record; did not remember that Hargis ever had taken the oath in the county court; and only *thought* so from such circumstances as that he had been a candidate for County Judge in 1866. Such stuff as this could not weigh against the evidence of the record and the statement of Clarke, and we were regretfully driven to the conclusion that that was true to which so many circumstances pointed: The oath in the circuit court on the 28th of August was the first oath he had ever taken as an attorney in any court of record, and that he was not liable to tax before that time. That was also the date of his first admission to the Bar, as he told Jno. P. Norvell, and that the *practice* he may have had before that time was only, as he himself says, "*some in the Magistrates courts*," which he had, if he had it at all, without having taken the oath in any court, and without being legally and technically a "*practicing Attorney*."

## HON. W. S. BOTTS.

The course of this gentleman as special Judge of the Rowan Circuit Court won for him the plaudits of the Bar and the people. Uniformly courteous to all members of the Bar, and especially kind to the younger and more inexperienced of the profession; patient and willing to listen to the arguments on both sides of every question that came up for discussion; anxious to expedite the business of the court, and yet not harshly or rudely exacting; his mind not jumping to conclusions, but working unerringly to the truth;—such a man and such a course could not have failed to have given satisfaction. Judge BOTTS possesses many of the qualities which are most admirable in a jurist; and among these we particularize unswerving integrity, an unbending love of truth and justice for their own sake, a courage to do that which his judgment points out as the right thing to be done, a temper even and equable and yet firm enough to repel indignity;—a man unswayed by party alities or prejudices, holding every other man innocent until he is proved to be guilty, charitable to human weakness, and chary of condemnatory speech;—not a man of brilliancy, but a sound and sure lawyer, and ready to deal out exact justice to friend and foe alike. The people of Rowan county have rarely had a Judge upon the Bench whom they liked better; the Bar seldom one whom they approved as heartily. His course in the matter of the indictments against TABER was one that will commend itself to all;—firm, just, manly and dignified. It was a case almost anomalous in the history of the criminal jurisprudence of the State, and yet his mind grasped and comprehended the situation and his action was prompt, decided and *right*. In questions of doubt, he held that the citizen accused must have the benefit of the doubt, and when an accused person demanded a trial it should be accorded him unless there were overwhelming reasons why it should not. That the State had no right to keep a man under an indictment, not that known evidence might be had but merely in order that testimony then unheard of *might turn up* against him. That in asking for a continuation the State must *show its hand*. It is a pleasurable thought that this course was pursued towards one destitute of the means to employ counsel—a man poor and almost unfriended—while his prosecutors were men of influence and power. We say with the people. Well done, good and faithful servant.

The Republicans in this section of the country plume themselves on favoring the election of good

and competent men to office. In Fleming county they have an excellent opportunity to make good their words. H. BASIL DOBYNS is a candidate for re-election to the office of Circuit Court Clerk. Although inexperienced when he first entered upon the discharge of the duties of the office, he has since mastered them in all their details. He has made a most excellent officer. He understands his duties thoroughly and discharges them efficiently. He is polite and accommodating. He has been faithful and honest. His habits are good. He earns the salary by his labor, he needs it for the support of his family. His course has been most acceptable to the Bench, to the Bar and to litigants. Now, what more can the Republicans want in a ministerial officer? If he is turned out, the public will be the loser; for this thing of changing clerks every few years breeds confusion. To be consistent Republicans ought to vote for him, and we are not without hope that the more liberal members of the party will do so. It is true that DOBYNS was in the Confederate army, but the war is over, and that ought not to stand in their way. Withdraw your opposition, gentlemen of the Republican ranks, and let DOBYNS have a full swing and a clear field. And then you may with some propriety claim support for your own candidates, without regard to their politics, when you present men with superior qualifications for the offices they seek.

Having heard of the remarkable proceedings of the convenient Jacob Hargis in brow-beating a witness in the Grand Jury room of Rowan county, because his evidence did not help to make out the predetermined case against John R. Taber, we wrote to R. G. Scott for the facts. The following is his reply, viz:

FARMERS, ROWAN CO., KY.)  
June 18, 1874. }

Mr. Green:

DEAR SIR: In answer to yours of June 13th, I will say that I was summoned before the grand jury at our last May term and after being sworn by the foreman, John Scott, (who is a nephew of mine and also a Radical friend to Judge Thomas F. Hargis) he showed me the two forged orders on page 166, I believe, and asked me if I knew whose handwrite those orders were, and I stated that I did not know, but that the words, (in the order appointing Henderson overseer) "ordered and appointed," looked more like Col. John Hargis' writing than any person's that I knew of. Jacob Hargis, who was on the grand jury, jumped up, came to where I was standing, and said 'by God,' or something to that effect, that his father should not be accused of that forged order before the grand jury, and seemed very much excited. I then showed the jury orders that had been made by Col. Hargis when he acted as clerk, and that the words, "ordered and appointed," looked to me like the same as on the forged orders. Jake remarked that they did not resemble a damn bit, and that he could prove it by Wat. Andrews, and that he would have Mr. Andrews brought up and prove that it was not his father's handwrite. But I think he failed to do it. I thought he was going to jump me, whether or no, and as he is a bully in the mountains, and as I always feared bullies, I made my exit from the Grand Jury room at the first opportunity.

Respectfully,  
R. G. SCOTT.

A PROPER DECISION, BUT A CLOSE VOTE—That of the Judiciary Committee of the House to impeach Judge Durell and Judge Busted. The vote was six for the proposition and five against. Let us hope the House, notwithstanding the closeness of this vote of the Judiciary Committee on party considerations, will accede to the recommendation and bring these Judges before the bar of public opinion and the laws. The South needs a riddance of such judicial vampires and firebrands, and a searching and thorough investigation will do much to accomplish that.

A very significant statement concerning the advance of Russian power in Central Asia comes from the Berlin correspondent of the London Times. It is well known that England has lately succeeded in sending an embassy to the capital of the independent State of Kashgar, which lies north of Tibet, and was formerly a province of China, and that the British envoy, Mr. Forsyth, has negotiated a favorable treaty of commerce with the sovereign or Ameer of that little-known country. Now it is announced that China is about to attempt the conquest of this territory with troops armed with European rifles, and that Russia accordingly "is preparing to concert measures of defense with the Ameer of Kashgar." This means that Russia does not like the English influence at the Ameer's court, and sees in the prospective war a fine opportunity to supplant it by an alliance which would lead ultimately to absolute sway.

LOUISVILLE, June 17.—Duchess of Oneida, a 2-year old heifer, purchased by W. J. Alexander at the New York Mills sale last fall for \$19,000, died on the Alexander farm, Woodford county, of pneumonia.