THE MERCURY.

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DEMOCRATIC TICKET.

FOR LEGISLATOR.

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OF NICHOLAS.

FOR STATE TICKET.

FOR GOVERNOR.
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Of Jefferson County.

FOR LIEUTENANT GOVERNOR.
JAMES E. CANTRILL,
Of Todd County.

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FOR REGISTER OF THE LAND OFFICE.
JOSEPH HOWELL PICKETT,
Of Fayette County.

FOR SUPERINTENDENT OF PUBLIC INSTRUCTION.
RALPH SHELDON,
Of Boone County.

THURSDAY, JULY ..... 24, 1879.

AUGUST ELECTION. ATTENTION, DEMOCRATS.

It is of great importance to the Democrats of Nicholas County that a full vote be polled at the approaching State election on the 4th prox., the first Monday in August. Their quota of representation in Convention for the next two years will be regulated by the August vote—one vote for each 200 cast for BLACKBURN for Governor. A vote will also be taken on the question of calling a Constitutional Convention, which, in order to carry, must have a majority of all votes in the State at two elections, and to be held this year, if carried, another to be taken two years hence. All who do not vote for it are counted against it. The present Constitution is thirty years old, and defective in many respects, and the changes and experience of time suggest many improvements which would be beneficial to the State.

BUFORD CONVICTED.

The jury in the Buford case this morning returned a verdict of guilty, and sentenced BUFORD to confinement in the penitentiary for life.

VOTE "yes," on the Constitutional Convention.

ASPECT Forty-second. Vote yes, and let us have some nine-hundred revisions.

EVERY election in Kentucky costs the State $100,000. Vote "no" on calling a Constitutional Convention.

FROM $100,000 to $200,000 can be saved to the State every year by adopting a new Constitution. Voters, remember this.

AT the elections for Appellate and Criminal Judge a good level head should count for much. Let it be used.

A SOUTHERN great man gone wrong. NATHAN BEDFORD FORREST, colonel, was hanged at Sardis, Mississippi, yesterday, for the murder of TOM BUTLER (colored), committed the 6th of last August.

CITIZENS of Nicholas and adjoining counties, Democrats, Republicans and Conservatives, your attention is called to Article 47, printed in this issue of the Mercury. Read it and vote for or against the proposition to call a Constitutional Convention.

COLONEL PERRY FIELDS, who lives in Brooklyn, is the brother of Mrs. SARAH H. IRVINE, who, before her death, visited, Mississippi, on July 4, left all her property, worth at least $100,000, to her nephews DAVID, Mrs. IRVINE'S elder brother, and COLONEL FIELDS, the younger brother, colonel FIELDS, her sister, Mrs. ELIZA PEARSON, living in Texas Parish, Louisiana, and her nephew, the son of her brother, Mr. WM. FIELDS, her brother, will contest the will.

THE last great contract for the East-river bridge, New York, signed by the Edgemoore Iron Company for 10,720,000 pounds of steel at 4.15 a pound, making 44,000 pounds of iron at 4.85 a pound, making in all $500,147. The bridge over New York and over the town of Glasgow is the first all-wheel bridge in this country, and the East-river bridge will be the second. There has been much opposition to the use this bridge, and it is likely to cost $1,500,000 more.

THE last thing Kentucky can do is to barricade the State against powder and lead, shotguns and pocket-pistols. It wouldn't be so much novelty in the State. Indeed, it would seem almost customary.

THE best thing Ohio can do is to build no wagons for fool-minded editors, who are so deeply interested in the welfare of Kentucky that they let the machinery of their own state clog up with crime of the most revolting nature, while a few strokes of their statesmanlike pens would set her to running smoothly as a rubber-wheeled street car on a glass track.

THE news from Memphis is by the effect that yellow fever has broken out in an epidemic form in that unfortunate city. The deaths have been on the increase since the middle of last week. All the cities of the South and those on the Mississippi and Ohio River considered against her. The terrified citizens are flying by the hundreds from the dread-ful scourge and seeking refuge in different parts of the country, and soon the awful suffering of last summer may be repeated.

UP to Sunday night there had been fifteen deaths from yellow fever in Memphis. The Memphis Avalanche attributes the bad sanitary condition of that city and the repeated attacks of epidemic to their wooden pavements and bad sewerage. It says what Memphis needs is and must have is stone pavements and good sewerage.

THE SYSTEM OF UNINTELLIGENT JUDGES.

The judgment and long-suffering of the American people with that imbecile of the national Shady known as the jury system is simply wonderful. In the first place, it was comparatively easy to find a dozen men who had heard of the murder for which the prisoners was to be tried, and were reputed, therefore, as competent to try him. In New York, with its teeming population and more venerable newspapers, it was more difficult to find a complement ignorant jury to try COL. the murderer of Mrs. Hall. But even in New York, the feat was accomplished. The panel now sitting and hearing the evidence in the case is composed of men who have not read enough concerning a murder that excited all the religious of New York to conceive any impossible supposition as to who have the requisite degree of ignorance. It is in the hands of such men that the fate of COLE rests. And, what is of quite as much importance, it is in the hands of such men that the protection of the public from murder is committed.

It is one of the most transparent farces ever played, this trial by jury in murder cases. To throw the object of trials is to find out the truth, to decide whether the accused person is guilty or innocent, and whether he should be punished with death. In a case of such importance as this to the people and the accused, it would naturally be supposed that men would be sought for who could be expected to bring ordinary intelligence to the work of examining and sifting evidence, and whose opinion as to the probability or reliability of the testimony of the various parties would be of some value. But instead of doing this the community seeks diligently and painfully for men who have not a trace of these qualifications. The man of ordinary intelligence either reads the papers or hears from some source the news of the day. Being intelligent, he naturally forms some impression from what he reads or hears. He is likely, moreover, to know that his views as to the propriety of imposing the death-penalty have nothing to do with the preponderance of one set of considerations over another. He would probably, if on the jury, listen to the evidence and form his opinion as to the truth or falsity of what he had heard without reference to what he had failed to perceive to be true, except to note confirmation or discrepancies. A jury to examine the case of ordinary intelligence is excluded from the jury box, and its place is filled by the man who has no intelligence, ordinary or extraordinary, or who is willing to say that he has not.

The intelligence of the country has long been aware of the farcical character of jury trial in capital cases; but the system is still adhered to out of a mistaken notion that it is necessary to the protection of innocent men from unjust conviction. It is high time the mistake were corrected. Experience shows that the real danger in these cases is not that innocent men will be unjustly convicted or punished, but that the rights of society will be jugged with and its enemies turned loose with a certificate of innocence to which they have no claim. An imposing parade is made in every murder case to guard the rights of the accused in the manner above described, but there is no doubt whatever that the proportion which these cases bear to those where the guilty have been acquitted is infinitesimally small. Nor is there much doubt that the same number of wrongful convictions, small as it is, would be much smaller had there been the same demand for intelligent jurors that there has been for unintelligent ones.

The innocent man, surrounded by unfavorable circumstances which indicate his guilt of crime, is quite as safe in the hands of intelligent fellow-citizens who read the papers and form opinions upon what they read and hear, as he can be in the hands of those who never read the papers, or when they do read them, do so having read them they have received no impression from them. And for the guilty man, he is quite as safe in the hands of intelligent jury as a corrupt jury, or one that is willing to be corrupted with the welfare of the community. Such a jury is not only not necessary, but is positively unimportant if it regarded as desirable that the jury should know or do something. It is not rare, indeed, for counsel in a case to complain bitterly if the jury is incapable of casting its interest correctly or performing other duties indicative of learning. But in criminal cases, where life-interests and the welfare of the community are always, is at stake, intelligence is regarded by the greater profession as a bar to qualify of. Is it not about time that we had our pay to this super-fine examination against the important in behalf of the comparatively unimportant? It undoubtedly is better that ten guilty men should escape than that one innocent man should suffer unjustly. But it does not follow that the system which offers ninety-nine chances for the best chance of escape is the only one whereby the innocent can be protected. It is the best one we have, we want is a system that will punish the guilty as well as protect the innocent, because the present system does not do this it ought to be condemned and abolished.

COMMUNICATED.

A CARD

To the Editor of the Mercury:

During the past few days I have been repeatedly asked if I was not going to leave Carlisle. It is true that I on week ago for the establishment of a Normal School to be controlled by the State, but I do not see that any one has a right to ask this. It may be that Nicholas County will have the good fortune to secure the desired school under State auspices, but it is not probable that I could carry on work in the Normal School here, will probably be located at some point, but with a special view to provide for local patronage. All There are quite many young men and women in this county who ought to attend school, and many young people who would to short time make competent teachers. The past year has been one of better results than any previous one, and if the people of Carlisle will become a unit on the subject of educating their children there is no reason why the best department of this school should not be equal to the best in the State. The next term of Green Mon day, September 8. I hope that every citizen of Carlisle and vicinity may see that it would be to his interest in every respect, but especially in point of thorough education, to give us an undivided patronage.

Respectfully, T. C. H. VANCE.

YELLOW FEVER.

THE SITUATION AT MEMPHIS AND RAPID IS SPREADING.

MEMPHIS, July 23.—Two deaths and twenty-nine new cases reported up to midnight to-day. The city is in a state of some excitement and people are fleeing in every direction. The announcement that the last train on the Louisville Road would leave to-night has sent a number of lower strata flying, contemplating the establishment of new quarters in a high circle of hovel, and already beginning to be heard signs of suffering their prospective elements by disease and death. Every preparation for the transportation are in active, and these moving rooms are filling with a speed beyond belief. Dispatches this afternoon give 200 cases in all, nineteen, new ones and seven deaths since yesterday. The Annual Grand of United Workmen and Knights of Honor are also sending numbers of their families out of the city, thinking it cheaper to pay fares than board and nurse bills. The Evening Ledger reduced its size to a half sheet, and has only six printers at work. All the papers have suspended their entire outlet neither notice.

MEMPHIS, July 23.—Midnight.—The official report for the past twenty-four hours has been received by the Board of Health. Number of cases, 19; deaths, 7. Total number of cases to date, 1,000; deaths, 120.

NEW ORLEANS, July 23.—Midnight.—Eight cases from Hazlehurst, Miss., 60 the effect that yellow fever has broken out there beyond a doubt.

LITTLE ROCK, July 23.—Midnight.—Two cases of yellow fever were admitted to the hospital yesterday. One died to-day. The brig L. P. Morrison, from Memphis, now on a brig flying signals of distress. She ran to her, and found the brig in charge of the dead body of the New York, with her Captain and three sailors down with yellow fever, one man having died the day previous, and her former Captain having died at Memphis. Assistance was put on board.

SPECIAL TO THE COMMERCIAL.

LOUISVILLE, July 23.—This evening a gentleman named Frank Fuchs arrived from Memphis and went to Alexander's hotel, but being sick, the proprietor refused to receive him and sent him to the Health Office from whence he was sent to the Yellow Fever Hospital, the attendant having pronounced him afflicted with the fever.

MEETING OF THE KENTUCKY STATE BOARD OF HEALTH.

FRANKFORT, Ky., July 23.—Governor Blackburn has issued a call for a meeting of the members of the State Board of Health.

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, FRANKFORT, July 23, 1879.

Members of the State Board of Health—GENTLEMEN: Pursuant to the call of the President of the Board, you are hereby called to consider matters pertaining to the possible appearance of Yellow Fever in this State.

JAMES B. MCCREARY, Governor.

Pursuant to an act passed by the last Legislature the Governor appointed Dr. Joseph Desha, of Henderson; Dr. H. W. Dunlap, of Danville; Dr. R. L. Maupin, of Bowling Green; Dr. James Shackleford, of Maysville, and Dr. Wm. Bell, of Louisville, members of the State Board of Health. While the law is not as comprehensive as it should be, yet is highly proper that authorities should meet and take such steps as may prevent the invasion and spread of the terrible disease.

AID FROM THE GOVERNMENT.

WASHINGTON, D. C., July 23.—The Administration views with a great deal of alarm and apprehension the spread of the yellow fever in Memphis, and has already taken the initiative to relieve the suffering people. Surgeon-General Hamilton, of the Marine Hospital Service, has been ordered to that city. Surgeon Woodworth, of the Navy, has been ordered to Memphis, and has already gone. To-day an order was issued to send 2,000 rations of bread, meat, coffee and sugar to Memphis