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WILMINGTON POST

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RATES OF ADVERTISING.

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Fifty cents per line for the first insertion and twenty-five cents per line for each additional insertion.

All advertisements will be charged at the above rates, except on special contracts.

The subscription price to THE WILMINGTON POST is \$2.00 per year; six months \$1.00.

All communications on business must be addressed to THE WILMINGTON POST, Wilmington, N. C.

The Civil Rights Act.

For practical purposes the civil rights act of 1875 has ever been a dead letter. The few and isolated efforts made to enforce it by legal process have barely served to call attention to its existence. It can hardly be doubted that these efforts, and occasional demands by colored citizens under the authority of the law, have tended to irritate public feeling, to keep alive antagonism between the races, and to postpone that gradual obliteration of unreasonable race distinctions which the march of events demands. Thus the act, though sincerely adopted to benefit the colored people, has really done them more harm than good. In quarters where public opinion supports no unjust discrimination against them, no such law was needed, and it could be of no real service. In quarters where old prejudices prevailed, and public opinion sustained unjust discriminations, the law has been practically ineffective to overcome those prejudices, but has often intensified them. The enforcement by law of a right to the enjoyment of the accommodations, advantages, facilities and privileges of inns, conveyances on land and water, theatres and other places of public amusement, is in the nature of things impracticable. A man or woman cannot afford to get out, and bear the cost of suits, every time a bed in a hotel, a ticket to a theatre, or a seat in a particular railroad car is refused. Instead of all a comparatively poor and indolent class of citizens which the loss of time and money which would be involved by a general and persistent endeavor to enforce such rights by legal process. Hence it was from the first inevitable that, in localities where public opinion was adverse to the purpose of the law, it would be commonly disregarded, and the occasional efforts to enforce it would fail to change the prevailing custom.

All this was pointed out, when the civil rights bill was pending, by some of the most earnest and true-hearted friends of the colored people. It is not needful now to recall the names of many who expressed this opinion in debate, in public journals, and in daily intercourse. They urged that it was not an act of true kindness to the colored people to take any step that would tend to keep alive unreasoning prejudice against them; that their free admission to the enjoyment of the facilities in question could only come through feeling of such prejudice; and that positive law would be found ineffective for so long where public sentiment was still so deeply the objection that the measure was not warranted by the constitution, because not in pursuance of the amendments upon which it was based, was also made in vain. It is to be noticed that a majority of the Republican votes against the measure, when it was passed by Gen. Butler in 1875, were cast by Republicans from the southern states. But it was made a serious charge against Speaker Blaine that he did not heartily favor the bill, and a vote against it by Representative Phelps of New Jersey caused his defeat at the next election by seventy. Yet no one could reasonably doubt that these men were true-hearted advocates of full justice to the colored people, and many prominent Republicans who denied the wisdom or the constitutionality of the measure in the form presented.

Experience has shown that the measure has been ineffective for good, and that it has tended to keep alive prejudices of race at the south. Now the Supreme Court holds that the act was not warranted by the fourteenth amendment, because that amendment is prohibitory on the states only, and "the legislation authorized to be adopted by congress for enforcing that amendment is not direct legislation on the matters respecting which the states are prohibited." From this opinion Justice Harlan dissents, and the grounds of his dissent are to be filed hereafter. But the court embraces such Republicans as Chief Justice Waite and Justices Miller, Bradley, Woods, Matthews, Gray, and Harlan, who appear to have concurred in the decision. It will probably meet the approval of a very large majority of Republicans, not because they wish to see the colored people denied any part of their rights, but because they wish to see those rights fully enjoyed without controversy in every part of the land. Nothing can be better than that desirable result except an improvement of public sentiment—the decay and obliteration of a prejudice which denies privileges to a colored man merely because he is a colored man, regardless of his character or intelligence, his manners or worth—will not be retarded, but hastened, we fully believe, by the removal of an irritating law that cannot be enforced from the list of valid statutes.

THE MORMON PROBLEM.

REPORT BY GOV. MURRAY, OF UTAH—CONGRESS DEFIED! AND ITS LAWS NULLIFIED—AID OF THE MILITARY INVOKED.

WASHINGTON, Oct. 15.—Gov. Murray, of Utah, has made a report to the Secretary of the Interior on the condition of affairs in that territory with reference to the "Mormon problem." He says: "I have endeavored to execute the laws of congress and of the territory with fidelity, mercy and with whatever ability I possessed. A combination to nullify the laws of congress has long existed in Utah. This conspiracy held open rebellion at one time, and continues at all times to evade and defeat the plain will of congress and the president and the adjudication of the supreme court."

He continues: "I am impelled to warn you, Mr. Secretary, and through you the country, of dangers that beset the country in this, another irrepressible conflict. * * * The history of all states demonstrates that times come when military aid is necessary to support the civil authority. I know of no reason that takes Utah out of the rule. The Utah militia, organized under the law and the proper proclamation of my predecessors, but purposefully organized to be independent of federal authority, is not and cannot be made available. It therefore only remains for this territory that the military forces of the United States be made available, and I present, with the necessity, the recommendation that it be made lawful for soldiers of the United States to be used for the execution of processes out of the courts of the United States, in the hands of the United States marshal of Utah, and that their services, under proper restrictions, in case of riot, or insurrection, or domestic violence, and for the preservation of the peace, may more readily be made effective than under the present provision of law. I trust, however, such security of person and property as is right, and which every citizen may reasonably expect, will be granted to all alike here."

NO LAWFUL TERRITORIAL GOVERNMENT.

Proceeding, he says that although by the act of congress of 1850 the territory of Utah was formed, there has at no time since 1850 been a lawful territorial government in Utah. Section 7 of the organic act of 1850 provides that all township, district and county officers, not then otherwise provided for, should be appointed or elected as the case might be, in such manner as should be provided by the governor and legislative assembly of the territory of Utah. He cites the clause of this act: "The governor shall nominate, and by and with the advice of the legislative council appoint, all officers, etc. As to the manner in which this provision has been carried out he says: "Under this act of congress the counties of Utah were properly organized, but the legislature joined with Brigham Young, the governor of the territory, and in order to place the territory out of executive control and beyond federal influence, made provision for the appointment and election of officers in ways not authorized by, but directly in opposition to the expressed will of congress. While the officers of the territory, like provisions of law for the selection of their officers, have carried on their governments in accordance with the law, Utah has persisted in maintaining its unlawful government in spite of the act of congress, the adjudication of the supreme court of the territory of Utah, and the late opinion of the committee under the law known as the Edmunds act."

He says that as governor he "nominated to the council persons for the different territorial offices, such officers to be confirmed in the manner designated by congress, their election, in any other way, under the act of the legislative power of the territory, being nullification," and "the council declined to confirm or reject them, as assenting that the power given by congress had passed out of the hands of the governor by different territorial statutes, cited by them, and resolved that the complaint of his excellency the governor is groundless, and that no action thereon is required."

He adds: "And the unlawful territorial government, which for over thirty years has existed in the face of congress and the country, exists today."

LAW OF CONGRESS NULLIFIED.

Continuing, he says: "The failure to hold the August elections in 1882 under the Edmunds law, as only under its provisions it could be held, was provided for by an act of congress, known as the Hoor amendment. In obedience to its provisions, I appointed a number of persons to fill the vacancies occasioned by the failure to elect. Many of those appointed so appointed qualified, over vexatious obstacles thrown in their way by the other, and made legal duty for the officers to which they had been appointed. The unanimity and universality of refusal that followed

over the entire territory could only on this earth, perhaps, be seen in Utah. Many laws of congress have been nullified in Utah, and this law was defeated, and polygamists and worse held on and exercised the functions of office and to-day many so hold on who are not entitled, under the law, to cast a vote."

He says that it is not reasonable to suppose that the governor can execute the laws when he can only rely under the law upon those who combine to defeat it, and adds that congress must provide other agencies to enable the governor to faithfully execute the laws.

With respect to the opinion that interference with liberty of worship, he says that the foundation of the territory of Utah by the Mormons was an attempt to establish a religion.

He calls attention also to the violation of the act of 1852 which declared it unlawful for any corporation or association for religious or charitable purposes to acquire or hold real estate of a greater value than \$50,000 within any county in any territory, by the Mormon Church, which according to the latest census possessed property within one county to the amount of \$2,500,000.

He says he also finds that, notwithstanding the law of 1852 forbidding bigamy, it continues to be openly taught and practiced, and that the Legislature of the Territory created by Congress not only joins, but leads in the successful nullification of this law. He says that, independent of every act of congress relating to the Territory of Utah, an ecclesiastical government exists there today and has existed there for thirty years, intended to meet all requirements as to temporal affairs of men of that Territory. As a remedy for this condition of affairs he asks that if the Legislature elected under the Edmunds law fit to put an end to the evils, congress shall repeal that section of the organic act establishing such a body, and assume control in the government of the Territory. He suggests that in place of the Legislature a legislative council of three or five, or if necessary of thirteen or more, shall be appointed by the President and confirmed by the senate, to provide laws for the Territory.

Southern Republicanism.

The course advocated by the *Courier* for the recognition of southern Republicanism at the hands of the north, has called forth numerous letters of satisfaction from the south. One of the latest is from a business man of Fayetteville, North Carolina. After speaking of Col. Canaday in the highest terms for ability, energy and efficiency, calling him their Thielow Wood and Horace Greeley combined, the writer says:

Republicanism at the south has been very badly treated. Our native Republicans are ostracized and hated by the bourgeois at home, and strange as it may seem, they are ignored or treated in a "no good-out-of-Nazareth" sort of way by the Republican leaders, north. It is a wonder that all traces of Republicanism among good white men at the south have not before now been thoroughly obliterated. Late as it is, we who have shot and killed by our flag under all these adverse circumstances, we think our friends north that they at last seem disposed to take us by the hands and reward our men of merit. The election of Mr. Canaday to the position of sergeant-at-arms of the senate would be of incalculable good and wake up the young men of our state to do better for the only progressive and liberal party in the country.—*Concord (N. Y.) Courier*.

A Boston man has invented a process by which he kills the stray dogs of the corporation at the rate of one each minute and a half. He doesn't reveal the entire process, but remarks that "death results from a differentiation of hydrocephalic conglomeration of the nervous centers." It is not surprising that the process is a success.

City Items.

Mr. Edward Magarile, late captain of the street force, is very sick.

Cumberland county has her fair at Fayetteville on the 6th, 7th, 8th and 9th of November.

The Jewish Feast of the Tabernacles commenced on Monday evening and lasts for seven days.

The Norwegian barque *Ellisif*, which cleared on Wednesday, took out 4,000 barrels of rosin, valued at \$4,974.

Rev. Dr. Pritchard expects to spend two Sundays with his new charge here before going to the State convention at Edenton.

Dr. J. T. Schowald is to open a new drug store in the store corner of Market and Front streets, recently occupied by E. J. Moore & Co.

Dr. T. B. Carr and wife, who have been spending several weeks with a brother in Michigan, have returned home much improved in health.

Mr. J. B. Craig, who has been suffering for a year or two past from the effects of a stroke of paralysis, had a return of the malady a few days ago, and has been very low.

The Independent Order of Rechabites are said to be in a flourishing condition. Harmony Tent No. 139 have just changed their location to the hall over Capt. J. L. Boatwright's store.

Capt. E. T. Williams and bride sailed in the schooner Mary E. Fennick for New York on Monday. The captain was married a few evenings since to Miss Louise Moore, a step-daughter of Mr. Robt. Scarborough.

The State Fair commenced at Raleigh on Tuesday. The attendance is said to be large, but we hear of very few going from this section. The people down this way, as a general thing, seem to have lost all interest in such matters. Mayor Hall has been present.

Mr. J. S. Allen, of Raleigh, who is superintending the erection of the new court house at Burgaw, Pender county, delivered a very interesting address before the Sunday school of the Masonboro Baptist church on Sunday last, which was followed by a sermon from Rev. W. M. Kennedy, the pastor in charge. There was a large attendance.

The Eastern Baptist Association, which met in Pender county on Wednesday of last week, was largely attended. Rev. W. M. Kennedy preached the introductory sermon, and Rev. J. L. Stewart was elected moderator. The next meeting is to be held at Pollockville, Jones county. Rev. T. A. Reid, of Beaufort, and Rev. Theo. Whitfield, of Goldsboro, occupied the preacher's stand. A number of Baptists from this city were present.

A pet pig belonging to Mr. R. Pallen of Pender, followed him fifteen miles to the place of meeting of the Eastern Baptist Association last week. He shut him up twice on the way to await his return, but piggy was determined to go to preaching that time and broke out of the pen on both occasions.

There were no services at the First Baptist Church on Sunday last, and none at the Second Presbyterian in the morning, but Rev. Mr. Peschau, of St. Paul's Lutheran Church, filled the pulpit at night, the pastor, Rev. Mr. Payne, who was recently married to Miss Cora Murphy, of Clinton, being on his wedding tour.

An old resident of Masonboro Sound, by the name of Basley, had his house broken open and robbed on Sunday night last, while the family were at church, of about \$75 in currency. The thief entered by prizing open a window. No other articles were disturbed, and not the slightest clue has been obtained to the burglar.

The British Steamship *Lykus*, Capt. Phillipskirke, cleared for Liverpool, England, on Tuesday last, with a cargo of 3,650 bales of cotton, weighing 1,745,525 pounds and valued at \$174,552. Messrs. Alex. Sprunt & Co., were the shippers. This is the second British Steamship that has cleared from this port with cotton during the present season, and another is now loading.

A young man who registered at the Commercial Hotel as F. H. Cornell, of New York, was arrested Monday afternoon and carried before Justice J. C. Hill on the charge of stealing a watch from Richard Hunter, colored. Here he gave the name of F. H. Harris. When arrested he made a desperate effort to escape, but failed. The magistrate required him to give bond in \$100 for his appearance at the next Criminal Court, failing in which he was assigned to quarters in the Murray House.

Chamber of Commerce.

At the annual meeting of the Wilmington Chamber of Commerce, which was held at the rooms of the Produce Exchange on Tuesday morning last, the following officers were elected for the ensuing year:

President—A. H. VanDokken.
1st Vice-President—E. Peschau.
2nd Vice-President—D. MacKae.
Executive Council—R. E. Heide, H. C. McQueen, Geo. Harris, J. H. Chadbourne, Wm. Calder, and Roger Moore, President of Produce Exchange, ex officio.

County Property.

A joint meeting of the Board of Magistrates and the Board of County Commissioners of New Hanover county was held on Monday morning last, Justice W. W. Harris presiding. The object of the meeting was to recover possession of the Fair grounds property near this city, which was donated to the Cape Fear Agricultural Association in fee simple and is now desired by the county in order to preserve its right of way. A letter was read from Mr. F. W. Kerchner, who now holds the property, offering to dispose of it at \$15 per acre, or \$1,000 as a whole, and it was moved and carried that the purchase be made at \$1,000.

Murder in Brunswick.

On Saturday night last, near Valentine Smith's store, in Waccamaw Township, Brunswick county, two white men named Asa Smith and John Wm. Smith got into a quarrel about some matter, during which Smith was seen to draw a knife. At this juncture one Wm. Andrews, who witnessed the encounter, attempted to separate them, when Smith ordered him out of the way, with the warning that he would kill him if he interfered. Smith then commenced the assault upon Hill, who was badly cut in the hip and entirely across the abdomen, the wounds proving fatal in a few minutes. The murderer fled and up to last accounts no tidings had been received of him. Deceased was a young man, about 26 or 27 years of age, and had no family. Smith, the alleged murderer, has a wife and children. Both men, who were drinking at the time, have had reputations in the community.

LOCAL SHORTS.

Mr. F. M. Foy, of Scott's Hill, Pender county, raises fine stock.

The Baptist State Convention meets at Edenton on the 7th of November.

On one day during the past week there was received at this port 2,161 bales of cotton.

Rev. Oscar Miller baptized 34 persons at Castle Haynes recently, and 9 at Rocky Point.

Mr. A. P. Yopp, a machinist of this city, has accepted a situation in Water Valley, Mississippi.

Newspaper men are getting plentiful about town. Some effort should be made to reduce the number.

Messrs. Empe, Styron & Co., of this place, are about to open a store in Goldsboro, on the 5th, 10, 25 and 99 cents counter plan.

Mr. R. K. Bryan, formerly of the Fayetteville *Examiner* but now of the *Hickory Press*, has been here on a visit during the past week.

The Norwegian Barque *Ganger Rolf* which cleared for New Castle-on-Tyne on Monday, takes out 2,780 barrels of rosin, valued at \$1,200.

The British Steamer *Carvis Bay* brought here from Liverpool a handsome English fox hound, which has been quite a curiosity.

The direct trade of our port is having a boom. Thus far this season three large British steamers have been here after cargoes of cotton.

The lighter *Washington*, sunk on the west side of the river during the late storm, has been raised. She belongs to Messrs. Geo. Harris & Co.

The Sch. John Shary, Capt. Clark, from Charleston for Philadelphia, with a load of phosphates put in at Smithville Tuesday, leaving badly.

The eclipse which was advertised to come off on Monday night last was itself eclipsed by the clouds which very inopportunistly overspread the sky.

An effort is to be made to secure an appropriation from the next Congress to improve the navigation of Black River, and to that end petitions will be numerously signed.

The sum \$68.30 was raised here towards the fund for bringing to Raleigh the remains of the North Carolina Confederate dead from the National Cemetery at Arlington.

Postmaster Bruk states that the Postoffice Department at Washington has as yet made no provision to redeem outstanding 3 cent stamps and stamped envelopes, but will do so.

The Sch. Robert H. Parker, Capt. Steelman, arrived here from Perth Amboy, N. J., on Saturday last, with 500 tons of steel rails for the Cape Fear and Yadkin Valley Railroad.

The steam tug *Harold*, Capt. Crawford, arrived here on Monday to be used by Messrs. Ross & Lara, contractors for furnishing stone and brush for filling up "Corneake Inlet."

Mr. Geo. W. Crapon, an aged citizen of Smithville and father of Mr. Geo. M. Crapon of this city, died on Sunday last, in the 88th year of his age. He was greatly respected by all who knew him.

No city or town in the United States can boast of a more peaceable and law abiding population than Wilmington. Mayor Hall only has an occasional case before him, and then only for offences of a trifling nature usually.

The sermon of Rev. F. H. Wood, addressed particularly to young men, which was delivered at the Front street Methodist Church on Sunday night last, has been much commented upon on account of the boldness of its utterances by the county in order to preserve its right of way. A letter was read from Mr. F. W. Kerchner, who now holds the property, offering to dispose of it at \$15 per acre, or \$1,000 as a whole, and it was moved and carried that the purchase be made at \$1,000.

Mr. William Wescott had a potato on exhibition at Messrs. Holmes & Watters' store, a few days ago, a sweet potato shaped almost exactly like a duck, the head and neck being a perfect representation. It was raised by Mr. John Odom.

The British Steamship *Woodside*, which cleared from this port a few days ago, took out 3,699 bales of cotton, valued at \$242,305, or nearly a quarter of a million of dollars. It was the largest cargo ever shipped from here, and all went from one house—that of D. R. Marchison & Co.

A private letter has been received from Rev. Dr. Taylor, formerly of the First Baptist Church of this city, dated Oct. 1st, at which time he was in Venice, having already visited Rome, Florence and other points of interest. He will return to Rome, where his brother, Rev. Dr. Geo. B. Taylor, is stationed.

NEW ADVERTISEMENTS.

J. G. VOSS.

I HAVE MOVED MY BOOT AND SHOE MAKING AND REPAIRING ESTABLISHMENT ON Princess between Front and Second streets, where I shall be glad to see my old friends.

oct 5-4f J. G. VOSS.

WANTED. Agents for "Life and Times" of Frederick Douglass.

Extra terms to Southern Agents. PARK PUBLISHING CO., Hartford, Conn.

oct 5-4f

Farm for Sale.

I HAVE A FARM CONTAINING THREE hundred and ten acres, about one hundred acres cleared and in a fine state of cultivation, three miles from Sanford on Fishing Creek. It has a very good dwelling, with four rooms and kitchen, three good tenant houses and barns, all new, and a good well of water. Healthy location. Small orchard of young apple and peach trees and a few grape vines. Price \$2,500. Address JULIUS CUTCHINS, Sanford, N. C.

oct 5-4f

A Brilliant Scheme.

DISMAL SWAMP LOTTERY CO.

Norfolk, Virginia.

The franchise of this enterprise is based upon the charter granted by the Legislature of the State to the Dismal Swamp Canal Company, and its legality has been fairly tested before the Court.

The object in view is the "improvement and extension" of the Canal, and that full opportunity may be given for the purchase of the tickets, of which there are only

25,000 with 356 PRIZES.

The Drawing has been fixed for the

22d of November, 1883,

at which time, WITHOUT POSTPONEMENT, it will be made in the city of Norfolk, before the public, and under the supervision of a committee of reliable citizens, and in the manner each succeeding month.

25 Tickets bearing date September 20th hold good for the drawing of 22d November.

SCHEME:

Capital Prize \$5,000.

1 Prize of \$5,000 is.....\$5,000

1 do.....\$2,500 is.....\$2,500

1 do.....\$1,000 is.....\$1,000

1 do.....\$500 is.....\$500

1 do.....\$250 is.....\$250

1 do.....\$100 is.....\$100

1 do.....\$50 is.....\$50

1 do.....\$25 is.....\$25

1 do.....\$10 is.....\$10

1 do.....\$5 is.....\$5

100 do.....\$1 are.....\$100

100 do.....\$5 are.....\$500

APPROXIMATION PRIZES.

9 of.....\$50.....\$450

9 of.....\$25.....\$225

9 of.....\$10.....\$90

36 Prizes, Distributing \$18,000

Tickets only \$1.00.

Plan of Lottery similar to that of Louisiana Company.

J. B. HORNBACH, Manager.

Application for club rates, or for information upon any other business, should be plainly written, giving State, county and town of writer.

Remittances should be sent by Express rather than by P. O. money orders or registered letters.

Express charges upon \$5 and larger sums will be paid by the company.

Address plainly, J. B. HORNBACH, Norfolk, Va.

Agents for the sale of Tickets required throughout the State. Address applications as above.

STATE OF NORTH CAROLINA.

NEW HANOVER CO., SUPERIOR COURT.

BEFORE CLERK OF THE SUPERIOR COURT.

Brook G. Empe, Plaintiff,

vs.

Mary Holmes, Edward R. Dudley, R. R. Colson and wife, R. R. Colson, and others, Defendants.

IT being made to appear to my satisfaction that Edward R. Dudley and R. R. Colson and wife, R. R. Colson, are non-residents of this State, and cannot, after due diligence, be found in this State, and that they are proper parties to this action, and have an interest in property in this State: Now these are to command the said Edward R. Dudley and R. R. Colson and wife, R. R. Colson, to appear at my office, in the city of Wilmington, on the 6th day of November, A. D. 1883, at 10 o'clock in the morning, and answer or demur to the complaint, or judgment will be rendered against them according to the result demanded in said complaint.

Given under my hand and seal of office this 12th day of September, A. D. 1883.

R. V. VARNAMING, Clerk Superior Court New Hanover Co.

sept 14-4w

GET YOUR

MONEY'S WORTH!

DON'T TAKE ANY ONE'S WORD.

COME AND ENQUIRE

MY PRICES.

LOWEST IN THE CITY.

SAM'L O. HALL.

22 PRINCESS STREET

Less Than Cost.

WE ARE OFFERING LOTS OF LADIES' AND MISSES'

SEWING

BUTTON BOOKS,

AND RAILS.

at less than cost to those who want. Goods are worth in value from \$2.00 to \$5.00 and we are selling them at \$1.00 and \$2.00 and \$3.00. Come and get a good lot of them, or the opportunity will pass.

GEORGE FRENCH & SONS.

13 B-4.