

DAILY OBSERVER.

JOHNSTONE JONES, Editor.

Thursday, January 16, 1873.

OBSERVATIONS.

Chick Boots is the queer name of a defendant in a case up before the Superior Court of Wake.

The French Republican government holds itself in an attitude of hostility to Napoleon's remains. They fear the Lion, though dead.

The Legislature convened yesterday. Nothing is likely to occur to disturb the "harmony" of the session.

A strong effort will be made in the Legislature to obtain the enactment of a law establishing the system of cumulative suffrage in Raleigh. The property holders are moving in the matter.

One Thomas C. Durant intimates that President Grant is interested in Credit Mobilier Stock. The country will not be surprised if this be true. Grant never lets slip an opportunity of making money.

The Christian Advocate has commenced its 19th volume. It is one of the most popular Methodist journals in the South. Robt. S. Gray, Esq., has become local and news editor, and will give additional interest to the paper.

Napoleon's son Lewis is reported to have assumed the kingly title of Napoleon IV. He will wear an unseen crown and wield a phantom sceptre. But France may grow sick of Republican rule and return to the glorious House of Napoleon.

The corner stone of the pioneer Protestant Church in Rome has been laid. The bold Protestants who prosecute this work dare beard the lion of Catholicism in his den. The funds for this church are being raised in the United States.

Mr. W. Plummer Batchelor, son of J. B. Batchelor, Esq., of Raleigh, delivered his maiden speech at the Bar Tuesday, in the trial of the State vs. Simpson Mordecai. His effort is spoken of as being quite fine, and gives good promise for his future reputation as a pleader.

Napoleon's remains while lying in State were viewed by two hundred persons every hour. This was the limited number. The body lay in state forty-eight hours or more; so about ten thousand inquisitive persons had the satisfaction of gazing on the pallid face of a dead, and dethroned monarch.

The impeachment of Durell, the Federal Judge who has played the tyrant in Louisiana, is threatened by Congress. A resolution for an inquiry into his conduct has been adopted by the House. This is an evidence that Congress is disposed to do the South justice.

The Congressional Committee on Commerce has under consideration a bill favoring an appropriation for the James River and Kanawha Canal Company. Col. Carrington, President of the company, and Col. R. M. Hughes, of Virginia, are engineering the bill. Both are in Washington.

This sentence from Hon. Kemp P. Battle's letter of acceptance of the office of Superintendent of Public Instruction, has "the ring of true metal."

"To aid in relieving the intellectual famine of the rising generation, in removing from the State the blight of ignorance, in rekindling the extinguished fires of our venerable University, once so honored and useful, in placing North Carolina abreast with the most cultured of English-speaking people, is surely worthy the ambition of any man."

What will christian people think of the following speech, which recently fell from the lips of a Federal Judge, the infamous Durell of Louisiana? In the progress of a case before him he allowed himself to be transported into the most violent rage, and among much else that was unseemly he used this blasphemous language: "I am the viceregent of Almighty God, sitting here to dispense justice; and as His agent I intend to see justice done."

SUPERINTENDENT OF SCHOOLS.

The appointment of Hon. Kemp P. Battle as Superintendent of Public Instruction, will give general satisfaction. He is "intelligent, educated and honest." A native North Carolinian, free from partisan bitterness, and full of energy, he will no doubt do much towards advancing the greatly neglected cause of education in this State.

This appointment shows that his Excellency, Gov. Caldwell, is getting into a healthy state of mind relative

to the discharge of the grave duties which devolve upon him as Chief Executive of North Carolina. It is a good sign when a Republican Governor has the moral courage to dis-appoint the numerous office-seekers in his own party and appoint a man from the ranks of his political opponents. He is the only Republican Governor in the South who would have done such a thing; and he deserves commendation for it.

A COMPLICATED STATE OF AFFAIRS.

The muddle in Louisiana thickens apace. The world perhaps has never seen such a tangle in governmental affairs. The general of the army stationed in New Orleans telegraphs to the authorities in Washington that the situation is daily becoming more and more complicated, and that he can do nothing more with his soldiers than to keep the peace between the contending factions. The condition of things in that unfortunate State is "confusion worse confounded!" It is "a master-piece of confusion," for the working of which the negro Acting Governor Pinchback; the Governor and Senator, Kellogg; the Federal Judge, Durell; the Attorney General, Williams, and President Grant share the honors between them. These choice spirits may gather around their intricate work and sing with the poet, "O, what a tangled web we weave, When thus we practice to deceive"—the people.

The President successfully untangles a post-office difficulty, but he cannot untie the Gordian knot of Louisiana politics. Like Alexander the Great, he resorted to the sword; but unlike this ancient hero, he makes a lamentable failure in his attempt to cut asunder this Gordian knot. He is not bold enough to play the despot; he lacks daring; he is afraid of the People, afraid to risk his chances of re-election in '76 by making the military arm of the government supreme.

The United States is not quite ripe yet for the sword. The New York Herald which is the mirror of the public sentiment of this country plainly showed President Grant that Justice must be done in Louisiana; that the majesty of the Law must be respected; that he must stand aside with his bayonets and brass buttons; and not infringe the sacred rights of the People. The men of this country are not yet ready to surrender up their liberties, and bow obsequiously before the throne.

The double inauguration which took place in New Orleans on Monday is the latest important feature in Louisiana affairs. Two governors were inaugurated, and each claims that he is the lawful executive of the State. Gov. McEnry is the champion of the Conservatives of the State, and there is no question as to his having received a majority of the votes polled. He is the lawful Governor; and has the support and sympathies of the good people of Louisiana. Thousands assembled at the public square to witness the ceremony; hundreds of ladies were present; the beauty, the virtue, the manhood of the Crescent City graced the occasion.

The ceremonies were opened with prayer by Rt. Rev. Wilmer, Bishop of the Protestant Episcopal Church of Louisiana; and the venerable Bishop Pierce of the Methodist Episcopal Church South, delivered the valedictory address. After the inaugural speech, a benediction was pronounced, and the vast assemblage of citizens dispersed.

The other inaugural, that of Kellogg, the leader of the Radical faction, was quite different. The ceremony was performed, not "in the broad light of day, under the open eye of heaven," like that of McEnry's, but, in a hall, with doors guarded by Federal troops. A band of wicked usurpers, conscious of the wrong they were doing, they were afraid to assemble except under the protection of bayonets. The negro Pinchback delivered his valedictory, and Kellogg, the carpet-bag Governor elect, took the oath of office.

And thus Louisiana has two Governors, and two conflicting administrations. The soldiers under Grant's recent orders will do nothing more than preserve the peace. How the difficulty will be settled it is hard to foresee. The President has submitted the whole matter to Congress, and the country will await with anxiety their action.

BACK-PAY.

In regard to the division of the back-pay, we reproduce a portion of Gov. Vance's letter in reply to Humphrey and Love. He says:

"Another circumstance is the division of the back pay. They sneer at this and say it is a 'novelty in North Carolina politics,' and ask why it was not also divided with Graham and Manly, who once held

certificates and were refused their seats. I grant their right to think the proceeding novel. That which is counter to one's own feelings and conduct always strikes us as strange. Without one word ever said to or by me on the subject, Gen. Ransom procured the passage of a resolution in the Senate, directing the payment to him of the salary due to the Senator from N. C. for the year 1871. This was done, as he says, expressly for my benefit, and with the approbation of all the Democratic Senators. The first intimation I had of all this, was in June after his return from Washington, when he tendered me the money—the whole of it. I refused to take any. He explained how and why he got it, and declared he would return it to the Treasury if I did not accept it, or part of it. On consultation with friends, I agreed to take one-half, which about repaid me for time and money expended in trying to get my seat. Now to these gentlemen it no doubt seems strange, that Ransom should have offered me this money when nothing but honor and decency prevented his keeping it; and as also strange, that I didn't take it all when it was offered to me. But they must know that there are refined and generous instincts still existing among men, though they may feel them not. Their favorite candidate, Judge Merrimon, when I explained this thing to him, said candidly and without hesitation, that it was perfectly right and proper, and that he had intended, if he had been elected instead of Ransom to do the very same thing! As to why Gen. Ransom did not also divide with Graham and Manly, the answer is, he drew no money for their terms, and was not their successor. This question they should ask of their new friends and co-workers against the Democracy, Pool and Abbott."

A correspondent writing from Bertie county says in relation to this subject:

"Our people here know nothing of the \$5,000 business. The general remark is that Gov. Vance ought to have had every cent of it, the whole \$5,000, and a wish is equally general that it had been ten times as large."

This is a plain, common sense view of the matter: Gov. Vance of course had a right to receive the back pay due the Senator from North Carolina, as he was duly elected and only kept out by the partisan vindictiveness of a Radical Congress. The attempt on the part of Messrs. Humphrey and Love to tarnish the reputation of Gov. Vance by giving a false coloring to this transaction, must signally fail: the folly of the attempt is only equalled by the unworthiness of the motive that prompted it.

STATE NEWS.

The Danbury Reporter says that Mr. Drury Smith, of Rockingham county, was drowned in Dan river recently.

Capt. R. B. Peebles, says the Raleigh News, recently killed 4 fine deer in one day.

The Eagle is rejoiced to hear that there is a hopeful prospect of locating a bank at Hickory at an early day.

The Raleigh Era learns that the Western Railroad suit of Howerton and others against Tate and others will be tried in the Supreme Court on Thursday.

The wife of W. P. Welch, Esq., Senator in the present General Assembly, died at her husband's residence recently. Mr. Welch himself has been seriously ill.

The city of Wilmington and county of New Hanover has a debt of \$626,021.69. The bonded city debt amounts to \$564,200 and the bonded county debt to \$64,000. The floating city debt amounts to \$7,821.

Some of the citizens of Burke are getting up a petition to the Legislature asking the passage of an act prohibiting the sale of intoxicating liquors within one mile of the Court House.

The Wilmington Star learns that a man by the name of John Armstrong employed at Abbottsburg, met with a fatal accident on Wednesday last. He was attempting to cross the railway of the company at that point, just in front of a loaded car, when he accidentally fell and the car passed over his body, inflicting wounds from which he died in about six hours.

The local of the Raleigh Era is ahead of anybody in the State on the marvelous. Here is his latest: Capt. Davies of Goldsboro owned a fine scotch and bull terrier named Nellie, and the father of her litter of pups was a large bull in that place who used every morning to go with the market basket in his mouth for beef. It hasn't been long since the puppies were born, and that very morning came the bull with the basket of beef and took out a piece for Nellie, and so kept it up every morning the same way for several days.

THE GREAT PYRAMID OF EGYPT.—At a recent meeting of the king's College Engineering Society, a paper by Mr. Jacob "On the Great Pyramid" was read. The author first gave a general description of the Pyramid, as to its position, foundation, internal and external masonry, and the chambers and passages which it contains. He then propounded the theory originated by Mr. Taylor, of London, and which has been recently more fully developed by the astronomer Royal for Scotland. This theory supposes the great Pyramid to have been built for a standard of weights and measures, from the wonderful relations existing in the dimensions of this stupendous structure, almost inexplicable on other hypothesis.

Superintendent of Public Instruction—Acceptance of Mr. Battle.

It will be seen from the correspondence below that Gov. Caldwell has appointed Hon. Kemp P. Battle, Superintendent of Public Instruction which position has been accepted by that gentleman. The correspondence speaks for itself:

RALEIGH, Jan. 14, 1873.

Kemp P. Battle, Esq.: DEAR SIR—The office of Superintendent of Public Instruction having become vacant by the death of Rev. James Reid, it devolves upon me to fill the vacancy. This is an office of great importance to the people of both races, and the success or failure of our common schools is largely dependent upon the qualifications and fitness of the Superintendent of Public Instruction. After maturely considering the matter in all its aspects, I have determined to tender the office to you. From a long acquaintance, I believe you possess, in an eminent degree, all the qualities and qualifications which are necessary and requisite to make our common schools a success, and that your appointment will give general, if not universal, satisfaction. I am further persuaded that your freedom from political prejudice and intolerance will prompt you to take as much interest and manifest as much zeal in behalf of the education and moral culture of one race of our fellow-citizens as of the other; and that you will know, or favor, or ignore no one on account of his or her race or previous condition, but that you will administer this office and discharge its duties impartially, and without favor or fear.

I trust, sir, that you will accept the accompany commission and give me your valuable aid in an honest effort to build up and maintain a good system of common schools in our State.

I am, sir, very truly, Your obedient servant, TOD R. CALDWELL, Governor.

RALEIGH, Jan. 14, 1873.

His Excellency Tod R. Caldwell, Governor of North Carolina: DEAR SIR—After careful deliberation I deem it my duty to accept the position of Superintendent of Public Instruction in North Carolina, which you have so unexpectedly tendered me.

The cause of popular education should be raised above partisan considerations. Reciprocating and honoring your motives in endeavoring to effect this great object, as shown in the appointment of one not of your own party, I shall labor with earnest desire, as the constitution provides, to diffuse the light of knowledge equally and impartially among all the youth of the State, without bias of politics or bias of race.

To aid in relieving the intellectual famine of the rising generation, in removing from the State the blight of ignorance, in rekindling the extinguished fires of our venerable University, once so honored and useful, in placing North Carolina abreast with the most cultured of English speaking people, is worthy the ambition of any man.

Deeply impressed, notwithstanding your favorable opinion, with a sense of my want of the requisite qualifications to accomplish the task, yet intending to bring to the work industry and zeal, I will enter on my duties, relying on your efficient aid, as well as on the co-operation of the Board of Education, the Trustees of the University, and most of all, of the Legislature of the State.

Thanking you for the kind terms of praise with which you accompany my commission, I am, Very respectfully yours, KEMP P. BATTLE.

[From the Raleigh News.]

John Pool After Creswell's Place. John Pool, the expiring Senator from North Carolina, is working very energetically to secure a place in the President's Cabinet.

He has obtained from the Radical party in this State, a certificate of meritorious conduct for services rendered in defeating Vance, and his recommendation for the position of Post Master General is said to be numerously signed by leading Southern Radical politicians.

Mr. Pool clings to office with a death-like tenacity. As he vacates his seat in the U. S. Senate he is anxious to step into a snug berth in the President's Cabinet.

It is said that his chances for obtaining Creswell's position are very good, as the President is disposed to reward him for his eminent services, sacrifices and patriotic labors for the Radical party in North Carolina. The following is the certificate which Senator Pool took to Washington City in his pocket, from the Republican member of the Legislature:

SENATE CHAMBER.

At a Republican caucus held in the Senate Chamber, Dec. 13, 1872, it was resolved by the Republican members of the General Assembly of North Carolina, in joint caucus assembled, that for his services to the Republican party in this State and in the Union, for his labor in behalf of equal rights, and for his efforts, in the Senatorial contest which mainly brought about the defeat of the Democratic nominee, Hon. John Pool is entitled to the thanks of the nation, and especially to the thanks of the Republicans of North Carolina.

It was further resolved that a copy of this resolution be furnished the Hon. John Pool.

RICH'D C. BADGER, Chm'n. E. R. DUDLEY, Acting Sec'y.

William H. Huribert, of the New York World, and one of the best writers connected with the press in this country has gone on an expedition through the Mexican and South American States to report upon their present condition, politically and commercially.

The Cotton Refunding Tax.

A despatch from Washington states that the friends of the cotton tax refunding scheme are making a powerful and what they think will prove a successful, movement in furtherance of their object. A circular accompanied by the argument of Judge E. R. Curtis and Messrs. Hughes and Sharkey and Herschel V. Johnson, as well as a memorial and resolutions of nearly all the Southern States and cities, has been signed by all the members from the cotton States present. This circular which with the accompanying papers will be laid on the desk of every member, is a declaration that they intend to pass the passage of an act at this session to refund the tax collected by the general government after the close of the late war.

They set forth that in their belief the law imposing the cotton tax was unconstitutional; that it was unjust and oppressive in its operations; that it fell essentially upon producers, and was passed when their States were wholly unrepresented, under the mistaken idea that it would fall upon consumers. They ask of Congress a fair examination of the arguments submitted, which they claim demonstrate the correctness of their positions and the reasonableness of their demand.

It is stated that this paper is signed unanimously by all the members of the House of Representatives now present from the cotton States, irrespective of politics or color; and it is expected it will have a powerful effect and give dignity and force to the movement.

Usury Law.

The Raleigh Sentinel contains the following:

HILLSBORO, Jan. 12, 1873.

MR. EDITOR: What will the Legislature do on the subject of usury and interest?

To make eight per cent lawful and allow parties to contract for as much more as suits them is to establish eighteen per cent as the lawful interest, who has borrowed of banks at less than eighteen per cent? I will vote for no man who allows a money lender more than eight per cent, and that is too high by half.

As many robbers as we have banks in North Carolina could not do more mischief to morals and property than that banks who loan money at eighteen per cent.

Yours, AGAINST UTURY.

The Richmond correspondent of the Petersburg Index says:

"Governor Woodson, of Missouri, who has just been inaugurated, is a native of Goochland county, Va., and left here some eighteen or twenty years ago, and established himself a practitioner of law in Kansas City. He has brothers and other near relatives now residing in this vicinity."

The war vessels Powhatan and Saugus now under sailing orders at Norfolk, Va., will leave for Key West this week.

LATE TELEGRAPHIC NEWS.

Arkansas Election Matters—Decision of the Court.

LITTLE ROCK, Jan. 13.—Judge Caldwell rendered a decision to-day in the case of Judge Harrison, against Gov. Hardley, and others. He sustains the defendant's demurrer to the jurisdiction of the Court. He says the Court has no jurisdiction under the Enforcement Act of any election except where the parties have been deprived of their right to vote by reason of race, color, or previous condition of servitude. In the complainant's bill, no averment of this kind is made. He gave leave to the counsel to re argue the case before a full bench in April, when it is thought Judge Miller of the Supreme Court and Circuit Court Judge Dillon will be present.

Referring to the decision of Judge Durell, of Louisiana, he says the Court in that case decided in had jurisdiction solely on the ground that the averment in the complaint set up that the parties had been deprived of their right to vote by reason of their race, color or previous condition of servitude. In this suit no such averment is made, and the complainant is remitted to the Courts of this State for relief.

Washington Affairs.

WASHINGTON, Jan. 14.—The Judiciary Committee of the House did nothing this morning regarding the Louisiana complication. They will wait till the papers submitted to them are printed.

The Credit Mobilier Committee had a long session, and will meet again to-night.

Col. Carrington, President of the James River and Kanawha Canal Company, will address the Committee on Commerce in favor of the appropriation for that work. Many Virginians are present. The Committee holds a special meeting to-morrow to hear Col. R. W. Hughes, of Virginia, on the subject.

The Finance Committee reported that there is no law for re-issuing the forty-four million of legal tenders retained by McCulloch.

Foreign.

PARIS, Jan. 14.—Marshal Bazaine is deeply affected by the death of Napoleon. The news rendered him quite ill. His wife has gone to Chislehurst.

LONDON, Jan. 14.—Arrangements are made for the admission of 200 persons hourly, to view the remains of Napoleon while lying in state.

From New York.

NEW YORK, Jan. 14.—The thaw continues and the weather is mild. The Herald states that the steamer "Edgar Stewart," which recently left Aspinwall with a full cargo and some recruits for insurgents, safely landed on the Cuban coast.

The Hickory Tavern Eagle says that Capt. Willoughby Avery, of Burke, is to be Associate Editor of the Western Expositor, the new paper to be published in Asheville, by Col. Thos. D. Carter. Capt. Avery is an excellent man of fine talents and an excellent writer.

New Advertisements.

MASONIC.

THERE will be a regular communication of Excelsior Lodge No. 261 A F & M, held at Masonic Hall this (Thursday) evening at 7 o'clock, for work. Brethren of other Lodges invited to attend. By Order of W M T. ROANE WARING, Secretary.

Furniture at Auction.

I will sell on Saturday 18th, at my Auction Room, a lot of FURNITURE, SEWING MACHINES, GLASS WARE, &c., &c. T. H. GAITHER, Auctioneer.

NEW BAKERY

JUST opened at the old Bakery opposite the Market House, where you will find fresh Bread, Cakes, Pies, Buns, Rolls and Buns, every day. Citizens are invited to give us a call. Also, Oranges, Lemons, Cocoanuts, Raisins, Currants, Figs, Nuts, Candies, Citron, Jellies, Sardines, Pickles and a general assortment of Confectioneries kept constantly on hand at low figures. Smoking and Chewing Tobacco and Cigars. Fresh Bread at Four o'clock to-day. C. L. HOLTON & CO. Jan 16-tf

Land Sale.

BY Virtue of an order of the Superior Court of Alamance county, I shall proceed to sell at public auction in the City of Charlotte at the Court House door on the 15th day February, 1873, a certain lot of land situated in the City of Charlotte on Tryon street adjoining the lands of A. B. Davidson, J. H. Carson and others, containing one acre more or less. The title to said land is unquestionable. Terms of sale are 4 cash and the balance of purchase money to be secured by bond with approved security. Sale subject to confirmation by said Alamance Superior Court. J. E. ECTOR, Comm'r. T. H. GAITHER, Auctioneer. Jan 16-30t eod

Wanted to Purchase.

1000 Bushels Corn, 1000 do. Peas, 500 do. Oats, 200 Sacks Flour, 1000 lbs. Choice Live Geese Feathers. Parties desiring to make sales are required to furnish samples with the names and prices written thereon. G. W. CHALK, Office upstairs over Wilson & Black's, Jan 16-2t

TO THE LADIES.

DR. HOOPER'S FEMALE PILLS, a positive cure for Suppression, or Irregularity, arising from any cause whatever. They are perfectly harmless. Every Lady should keep a box of the Pills on hand for use in case of need. Price, \$1.00 per box. Sent secretly sealed to any address on receipt of price. Direct all orders. HOOPER & CO., Philadelphia, Pa. Jan 16-1y

J. T. SUGGS,

(Successor to Coit and Suggs.) Trade St., next door below Merchants' & Farmers' National Bank.

GROCERIES & LIQUORS.

WHOLESALE & RETAIL. KEEPS constantly on hand a large and well selected stock of BACON, LARD, MACKEREL, FLOUR, MOLASSES, SUGAR, COFFEE, TEAS, SPICES, CANDIES, SODA, SOAPS, CANDLES, SEGARS, TOBACCO, &c., &c. ALSO, Corn, Wheat, Rice, Oats, &c., bought and sold on commission. Jan 14-6m

Charlotte Dance Club.

THERE will be a meeting of the members of the above named club at the office of Capt. J. C. Mills, on Thursday evening at 7 o'clock. All are requested to be present. By order of J. C. MILLS, President. GEO. E. WILSON, Secretary & Treasurer. Jan 15-2t

Books at Auction.

I will sell at my Auction Room on Saturday 18th, commencing at 11 o'clock a. m., a large lot of Valuable Books, some very ancient works. Sale Positive. Terms Cash. T. H. GAITHER, Jan 15

CANNED FRUIT, JUST RECEIVED at the Auction Store: 1,500 cans of fresh Peaches, Cherries, Damsons and Blackberries, which will be sold very cheap by the case. T. H. GAITHER, Jan 15

J. M. LEAK & CO.

No. 4, Granite Row, Opposite CENTRAL HOTEL, CHARLOTTE, N. C. Manufacturers, Wholesale and Retail dealers in Manufactured Tobacco, Smoking Tobacco, and Cigars of all grades. Dealers in the above goods will do well to examine our stock before purchasing elsewhere as we can offer greater inducements. Jan 14-tf

DISSOLUTION.

The copartnership heretofore existing between McMURRAY, DAVIS & CO., has this day been dissolved by mutual consent. The business will be continued by McMURRAY & DAVIS on a larger scale than ever. With many thanks to a generous public for the very liberal patronage extended us for the past five years, we beg a continuance of the same. J. W. McMURRAY, J. N. DAVIS. Jan 12, 1873.

A CARD.

With many thanks to our friends and patrons generally, for the liberal patronage bestowed upon McMurray, Davis & Co., we beg to state that we have withdrawn, and in doing so we respectfully ask that our friends will still bestow upon McMurray & Davis the patronage so liberally extended to us. W. H. H. HUSTON, Jan. 12, 1873. WM. CROW.

MACARONI. A fresh supply at dec 10 SCARR'S.