

The Western Democrat

WM. J. YATES, EDITOR AND PROPRIETOR. Terms of Subscription—Three Dollars, in advance.

CHARLOTTE, N. C., TUESDAY, OCTOBER 6, 1868.

SEVENTEENTH VOLUME—NUMBER 839.

THE Western Democrat PUBLISHED BY WILLIAM J. YATES, Editor and Proprietor. Terms—Three Dollars per annum in advance.

CHARLOTTE HOTEL, CHARLOTTE, N. C. This first class and well known House, formerly kept by Maj. J. B. KERR, having been recently repaired and refurnished in every department, is now open and ready to receive guests.

Robert Gibbon, M. D., PHYSICIAN AND SURGEON, Tugon Street, Charlotte, N. C.

J. P. McCombs, M. D., Offers his professional services to the citizens of Charlotte and surrounding country.

A. W. ALEXANDER, Surgeon Dentist, CHARLOTTE, N. C. (Office in the Bevelly Building, opposite the Charlotte Hotel.)

Dr. JOHN H. McADEN, Wholesale and Retail Druggist, CHARLOTTE, N. C.

JOHN T. BUTLER, PRACTICAL Watch and Clock Maker, AND DEALER IN JEWELRY, FINE WATCHES, CLOCKS.

WANTED. Every person who desires Cheap Goods and Good Goods, is wanted at Springs Corner, where, for the next thirty days, I will sell at a slight advance over New York rates.

Great Bargains in Millinery. Ladies' Bonnets and Hats, trimmed and untrimmed, Bargains in Summer Dress Goods.

ANOTHER NEW STORE. McMurray, Davis & Co., Have opened a new Grocery Store in Bryce's Building, and invite attention to their

Stock of Groceries. They keep a supply of everything usually found in a Grocery Store and wanted by farmers, such as Sugar, Coffee, Salt and Iron.

A. HALES, Watchmaker and Jeweler, Next Door to the Mansion House, CHARLOTTE, N. C.

NEW ARRIVALS At J. Kuck & Co's Grocery Store. 5,000 POUNDS OF MOUNTAIN BACON.

Fresh Rice. Prime Carolina Rice at NISBET & MAXWELL'S, July 27, 1868.

Sugar, NISBET & MAXWELL'S. All grades, at July 27, 1868.

Preserves. A fresh lot of Ginger Preserves at NISBET & MAXWELL'S, July 27, 1868.

A WEALTHY CONGREGATION.—The Jewish Messenger says that at the auction sale of pews in the new Temple Emanuel, in New York, the amount received reached about \$750,000.

REMOVAL! REMOVAL!! Important Notice. H. M. PHELPS Has the honor to inform his friends and the public that on account of an enlargement in his business, he has found it necessary to remove from his old stand, opposite the Court House, and that he can now be found at the handsome and commodious

STOREROOM ON TRADE STREET. Next to STENHOUSE, MACAULAY & CO., where he will be pleased to receive his old friends, ensuring them the same attention and treatment they have always received at his old quarters.

Considerably Reduced Figures In order to make room for his Fall stock, a full assortment of Dry Goods and Domestics, Dress Goods and White Goods, Clothing, Cassimeres and Jeans.

Groceries, Hats, Boots and Shoes, Notions, Hardware, &c. &c. Remember the place. H. M. PHELPS, next to Stenhouse, Macaulay & Co's, At the stand formerly occupied by the Farmers & Mechanics Association.

Wall Papering. Just received 1,000 pieces of Wall Papering. Also, 100 pieces Bordering Paper, 200 pair Window Curtains, 100 Fire Screens, &c., for sale at New York prices. H. M. PHELPS, August 10, 1868.

DISSOLUTION. The firm of JOHNSTON & ELLIOTT is this day dissolved by mutual consent. All claims against the firm will be settled by S. R. JOHNSTON.

Receiving daily at S. Grose & Co's, A select stock of Groceries recently purchased, which we offer very low. Call and examine our Goods before you purchase. S. GROSE & CO., Trade Street, nearly opposite the Post Office.

Hams and Syrup. A choice lot of Sugar Cured Hams, and Maryland Golden Syrup and New Orleans (new crop) Syrup, at S. GROSE & CO'S.

Wanted, 500 Bushels of ONIONS, at S. GROSE & CO'S, Sept. 7, 1868.

BOOTS AND SHOES. S. B. Meacham, (The first Shoe House below the First National Bank.) Has just received one of the largest stocks of Boots and Shoes, Leather, SHOE-FINDINGS, BELTING, &c.

Charlotte Female Institute, CHARLOTTE, N. C. The next Session will commence on the 1st October, 1868, and continue until 30th of June, 1869.

OFFICERS AND INSTRUCTORS: REV. R. DENWELL, Principal and Instructor in Mental and Moral Philosophy and Mathematics.

Pictures! Pictures!!! The undersigned Photographic Artist, of Baltimore, Md., calls the attention of his friends, and the public in general, to his newly opened PHOTOGRAPH and AMBROTYPE GALLERY, where he is now prepared to take A No. 1 Pictures of each and every style and finish.

Blank Writs, (New Form) printed to order at this Office.

The Herring Torture in Russia. M. Emile Andreoli, who took part in the last Polish insurrection, and on his capture by the Russians was sentenced to twelve years' imprisonment in Siberia, has just published in the Revue Moderne the first part of his prison recollections, in which he describes what he calls the herring torture, practiced by the Russian police. He says: I knew several who underwent the latter, and they told me that nothing could compare with the sufferings they endured. They were confined in a well-warmed apartment, salted herring with bread and water for the first few days being their only food.

We Keep the Best of Everything in our Line. CARSON & GRIER Are now receiving their Fall Stock, embracing a full line of Groceries, &c., &c., to which the attention of buyers is desired. A lot of prime Northern Red and White Wheat for seed. Also, a fresh supply of new crop Clover Seed. The best English Dairy, Nutmeg, Cheshire and Factory Cheese.

FARMER'S HARDWARE, And a fine assortment of Wooden Ware. 48 inch Bagging, Waley & Beard's Buckle Ties. Bate Yarn, Domestic, &c., &c.

Hemlock Leather, And in fact everything in our line of business. These goods are all paid for, and will be sold for Cash on such terms as cannot fail to give satisfaction.

CHILLS CURED! No Cure no Pay!! I have obtained a remedy that I think cannot be surpassed. If you have little or much money it will spend it where there is no risk to run.

NEW STOCK OF GROCERIES. Hammond & McLaughlin, (At Oates' Corner.) Have received a full stock of new Groceries, consisting in part of A large lot of Bagging, Iron Cotton Ties and Rope.

REMOVAL. We have removed our stock of Groceries to that new and handsome Corner Store "Grays Building," Corner Trade and Church Street, nearly opposite the Court House, where, in addition to our choice stock of Family Groceries now on hand, we will be receiving in a few days a very large and carefully selected stock of goods.

Concord Mills. Having opened a House in Charlotte, near the Post Office, for the sale of our own manufactured goods, we invite the attention of merchants and others to our YARNS, SHEETINGS, SHIRTINGS, OSNABERGS, CARPET CHAIN, STOCKING YARNS, &c., &c.

State of North Carolina, Catawba county. Superior Court of Law—Fall Term, 1868. Peter Mosteller, et al., vs. William Mull, et al. Petition for Partition.

The City Bank of Charlotte Solicits the Accounts of business men and others, and promises satisfaction. W. A. WILLIAMS, Cashier. July 6, 1868.

Bank Money. The highest market price paid for old Bank Notes, and orders for the same solicited, at the City Bank of Charlotte. W. A. WILLIAMS, Cashier. July 6, 1868.

Speech of Hon. William H. Battle, Late Associate Justice of the Supreme Court of North Carolina, at Chapel Hill, Sept. 12th, 1868. Fellow Citizens:—Many of you are aware that I was, by appointment, to have addressed you two weeks ago upon the great topics which now agitate the country.

ly, North Carolina was once more invested with all the rights and powers of one of the States of the United States. But, upon the supposition of some persons, that the concurrence of Congress was necessary to give validity to the action of the President, the Chief Justice went on to say, as follows: "Whether the act of the President was one which required the concurrence of Congress is a question into which we need not enter; for, taking it to be so, Congress has, in many ways, recognized and confirmed the action of the President in regard to the re-organization of the State government by filling its offices. No other need be referred to than the joint resolution by which certain amendments to the Constitution of the United States are proposed to the Legislature of the State of North Carolina, for adoption or rejection, thereby recognizing the Legislature as a lawful body, and, of course, recognizing, in like manner, the Convention, under whose authority the members of the Legislature were elected, &c. &c."

Here, then, is a clearly expressed opinion of the Supreme Court that North Carolina was, in January, 1867, a "State" in the Union. This must have been so, otherwise the Court did an act of gross injustice in ordering Hughes to be delivered up to the agent of the Governor of New York for the purpose of being carried back to that State. Art. 4, sec. 2, par. 2, provides that "A person charged in any State with treason, felony or other crime, who shall flee from justice and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime."

That North Carolina had been completely reorganized as a State, in January, 1867, was also settled by the case of the State vs. Bell, 1 Phil. Rep. 76, in which the question was whether the Convention which sat in October, 1865, had the power to tax Merchants who did business in the town of Beaufort between the 1st day of January, 1865, and the close of the war in April or May of that year. Beaufort was at that time in possession of the Federal forces, and the decision turned upon the question whether the capture and occupation of the town was the capture and occupation by the Federal army of a foreign territory, or merely the suppression of the rebellion in that part of the State. The latter was held to be the true doctrine, as is shown by the following closing language which I used in delivering the opinion of the Court upon that point: "The capture of Beaufort by the military force of the United States was not, therefore, the conquest by a foreign enemy of the territory of the State of North Carolina, but merely the suppression of the rebellion in that part of the State, and when afterwards the State was rehabilitated, its loyal Government was restored to all its former powers, including the power of taxation, over all its inhabitants in every part of its territory. This view is fully sustained by the opinion of Judge Sprague in the case of the Amy Warbeck, before the United States District Court of Massachusetts, and by that of Judge Nelson, of the Supreme Court of the United States, in the matter of Jones Egan, on a writ of habeas corpus." Here then we have the case of a State, admitted by every department of the general and State governments, to be invested with all the rights, powers, privileges and immunities of one of the States of the Federal Union, and I ask where Congress got the power to overturn the government of North Carolina, or intermeddle with its domestic administration? I defy any man to show any rightful authority to interfere with North Carolina, any more than with New York or Massachusetts.

The Reconstruction acts of Congress were passed after January 1867, and I am aware that Chief Justice Pearson has recently written and published a letter in which he asserts their validity, and seeks to sustain his assertion by declaring that, "if these Reconstruction acts are void, so are the Reconstruction measures of President Johnson, and the negroes are still slaves." The Standard newspaper, of Aug. 26, alludes to this declaration, and asks, with an air of triumph, whether it is not logically true. I respond to the question, and assert that it is not true, either logically or otherwise. It will be recalled that the Chief Justice had, long before his letter was written, pronounced judicially that the State of North Carolina had been reconstructed by the act of the President, and that such act had been fully confirmed by the concurrent action of Congress. His argument must be then that Congress had the power to reconstruct the State a second time. Is that the line of the argument? If so, I should like to know how many times Congress has the right to reconstruct the State, and whether it can ever be considered as finally reconstructed? "If the Reconstruction acts of Congress are void, so are the Reconstruction measures of President Johnson," says Chief Justice Pearson. If the Reconstruction measures of President Johnson were valid, as the Chief Justice and I have both adjudicated, then the Reconstruction acts of Congress are necessarily null and void, say I, and I prove it thus: If the Legislature grant a tract of land to one person, and afterward grant the same land to another, will not the latter grant be void because the first grant is void? And will it not be a perversion of the rules of logic to say, in such case, that if the second grant be void, the first must be so too? Of such reasoning nothing less can be said, than that it is manifestly absurd. The case of a second State grant is precisely the same in principle with a second re-organization of a State by the President and Congress. Chief Justice Pearson, in his letter, admits the authority of the decision in the case of ex parte Hughes; that is, he admits that North Carolina was, at the time when that case was before the court, completely re-organized and restored to all the rights and bound to all the duties of a State in the Union, and being so I defy him or any other man to show any authority in the Congress of the United States, or in the law of Nations, to thrust her out of the Union for the purpose of attempting to restore her a second time. It is very certain that the logic of his letter cannot do it.

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successfully performed my task, by showing that the Reconstruction measures of Congress are, in the language of one of the articles of the National Democratic and Conservative platform, "usurpations, and unconstitutional, revolutionary and void;" and it is my firm belief that they will be decided to be so by the Supreme Court of the United States. Now suppose such a decision to be made, will it not be the duty of all the people of the United States to acquiesce in it? The friends of Seymour and Blair, undoubtedly, will do so; and if the celebrated invocation of General Grant to "let us have peace," is sincere, then his friends must acquiesce likewise. Away, then, with the fear of the war spoken of by the Chief Justice! I call upon you, then, my fellow-citizens, you, above whose heads floats the flag of the United States, with the glorious name of Seymour and Blair inscribed upon it, to vote as you may think right,—to fear God, and to fear nothing else.

Cheese-Making in North Carolina. Correspondence of the Raleigh Standard. ASHEVILLE, N. C., Aug. 10, 1868. Five miles from Asheville stands Elk mountain, owned in part, by a company, (with N. W. Woodlin at the head) who are busily engaged in the manufacture of cheese. I propose to give rather a detailed account of the way cheese is made, and matters connected with it.

Mr. David J. Edwards, a noted cheese-maker of New York, was first brought out to look at the Buncombe County grazing lands and examine their qualities for cow pasturing. Mr. E. readily pronounced them equal to the New York pastures. A company was formed immediately. Mr. E. was employed to superintend the factory here, and he was dispatched immediately to purchase the implements in New York.

Up to this time not a tree had been cut down, nor a single made, but, by the time Mr. E. had returned, the houses were all up—log buildings—and there was room for the future. These arrived soon after, April 27th 1868, and the next day after they had arrived, April 28th, a forty pound cheese was made. This was a big day for Elk Mountain.

MILKING.—Night and morning the cows are milked. This is done at convenient points through the farm. There are several milking stations. A small wagon passes round from station to station, and gathers on the tin barrels which contain the milk from each station. The nights milk is poured into an immense milk pan at the dairy, holding some five hundred gallons, say twelve feet long, four wide and three deep.

THE MODUS OPERANDI.—The night's milk is poured in soon after milking, but is not made into cheese until next morning. This big milk pan sits in a large box of water, and this water runs all night. A stream is made to pass through it to keep the milk cool, and to keep the milk from curdling, a sort of wooden rake is made to pass up and down in the milk to keep it in motion. The commotion and the cold water together keeps the milk cool and sweet until morning. Now comes the morning's milk from the milk stations. As soon as the morning's milk is poured in the process of cheese making begins.

Underneath the outside water-box runs a stove pipe, lengthwise, connected with a furnace. A fire is made in the furnace, and as the water warms, the milk of course warms also. The heat of the milk is in this way raised to eighty degrees, stirred all the time, never suffered to be quiet a second. When it reaches eighty degrees it is suffered to become perfectly quiet and curdle, which it will do in twenty or thirty minutes. After the curdling is perfect, a set of knives, arranged like fingers, is passed up and down and crosswise to cut the curds into pieces. Now begins the stirring again, and the heat is carried up to ninety degrees. It is stirred for an hour or two. When ninety degrees are reached, it is again suffered to become still, and it conglutates or solidifies in twenty or thirty minutes more. It is again cut to pieces and the stirring again begins, and the heat is raised to one hundred degrees. When this point is reached the stirring ceases, and the curds are suffered again to become quiet. The heat is kept up quietly until the curd reaches a certain point known only to cheese makers, and found out by frequent tasting. It gets to this point all in a moment. It is then quickly dipped out and strained in a large flat strainer, twelve feet long by four wide and one deep. It is strained through cloth. The whey goes through to bottom and is conveyed by troughs to the logs outside, while the curds remain in the cloth. They are rubbed dry and a little salt stirred in them.

They are now put into moulds and pressed into cakes. It remains under press till next day, and when taken from the press it is put into a drying house, where it remains ninety days, and is then ready for the market.

The news from Japan is again highly important. The Northern Daimies who support the cause of the ex-Tycoon Stotsbashi against the Young Mikado, or rather against the Southern Daimies, who have complete control of the Young Mikado, have appointed a new Mikado. This measure has spread alarm among the Southern party, who now desire the Young Mikado to abdicate—advice which it is said will be accepted. The brother of the ex-Tycoon, who has been educated in Paris, has succeeded his father as Prince of Mito, and will thus become one of the chiefs of the Northern party. He, of course, fully shares the friendly sentiments of his brothers toward foreigners. The Southern party has lost one of its most powerful members by the defection of Prince Toss. All this indicates that the Northern party is on the point of obtaining a complete success, an event which would be hailed by the civilized world with delight.

A Justice, better versed in law than Gospel, not long since married a couple in this way: "Hold up your right hands. You solemnly swear that you will perform the duties of your office jointly and severally, according to your best skill and judgment, so help you God. Fee, one dollar."

A man in Norwich dropped a live coal into a bombshell "to hear it fizz." You may bet he heard it.