

The Democrat. CHARLOTTE, N. C.

N. C. Supreme Court Decisions.

The following are the closing opinions of the Supreme Court of North Carolina:

Manney vs. Commissioners of Montgomery county. Settle, J., delivering opinion. Judgment below modified and case remanded.

Under Sec. 188, C. C. P., an order of injunction may be made by any Judge of a Superior Court in this State in any case arising in the State.

The auditing and allowing by the County Commissioners of claims against a county, outstanding before the adoption of the present Constitution, is not such a payment of them as would place them in the status of claims against the county arising after the adoption of the present Constitution.

Have County Commissioners the power to assess, levy and collect taxes more than once in a year? All taxes shall be levied at their regular meeting on the first Monday in February.

The fact that a writ of mandamus had been issued against the Commissioners commanding them to assess, levy and collect taxes sufficient to pay off the indebtedness of the county could not warrant them in levying taxes in any other manner or at any other time than is prescribed by law.

The constitutional limitation and equitation of taxation may be disregarded as to the old indebtedness, but applied to the new indebtedness.

Duval vs. Rollins, from Ashe, Bynum, J., delivering opinion.

Duval vs. Rollins, 68 N. C. 220, reheard and approved.

On the 5th of October, 1870, A sold and transferred the property in dispute to B, his son-in-law, in consideration of his undertaking to support A and his wife, who were old.

On the 24th of December, 1870, C attached the property for debts of A and took possession, and on the trial of the actions the same day, B appeared and claimed the property as belonging to him, the plaintiff being present and not objecting thereto.

Afterwards, and before the sale by the officer, B being unwilling to become engaged in litigation, recanted the contract so made with his father-in-law.

Afterwards, C sold the property under the judgment so obtained. A being present forbidding and claiming the property as his personal exemption. Held: that A is entitled to recover out of C the value of the property so sold.

Mitchel et al. vs. Trustees of Township No. 8, from Craven. Judgment reversed. Read, J., delivering opinion.

The Trustees of a township have no power to levy and collect taxes, since the passage of the Act, Chapter CVI, Laws of 1873-74.

Even where the taxes were ordered before the passage of this act, they cannot now be collected under an order to collect made by the Trustees of the township.

The same act, S. 3, provides another way for paying the necessary expenses of the township which frees the repealing act from the objection of violating contracts.

N. C. Mutual Insurance Company vs. George Bishop, from Wake, Bynum, J., delivering opinion.

Defendant moved to dismiss plaintiff's suit. Plaintiff asked to be allowed to enter a judgment of non-suit. Held: that the court erred in refusing plaintiff's request. Judgment reversed.

From the Lancaster Ledger, Aug. 20th.

W. H. H. HORTON.—This person who is charged with large forgeries in Charlotte, spent three nights in this county last week.

We understand that he sold his buggy and horse to a gentleman living a few miles South of the Village, and then made in the direction of Camden, at which latter place he was arrested last Friday and held in custody for a short time, but through the strange manipulations of Trial Justice R. W. Cousart was released and permitted to make his escape.

He immediately retraced his steps to this county, and on Saturday last about 1 o'clock, passed through the Taxahaw neighborhood, making the direction of either Cheraw or Wadesboro.

We further learn that after passing Taxahaw, apprehending pursuit, he left his conveyance and travelled through the woods. It is rumored here that a reward of \$1,000 is offered for his arrest and safe delivery in any jail.

FOOLS DO IN THE END WHAT WISE MEN DO IN THE BEGINNING.—This old adage is called to mind by the issue and result of the late election.

Gov. Graham marked out the line of little seven years ago upon which the late victory was won—we mean the line of color. Eighty thousand negroes, led by less than five hundred carpet-baggers, and a few hundred office-hunting natives have ruined and robbed the State.

The negro drew the line of color, and made his race stand by it. There was no rest or toleration for the negro who would dare vote the democratic or white ticket.

The white men of North Carolina have at last come to realize the fact proclaimed by Stephen Douglas and Samuel P. Phillips, that this is a white man's government.

Massacre of Christians in China.

Ten Thousand Native Christians Slaughtered.

The French periodical, Mission Catholique, of the last of July, gives the first authentic and detailed narrative of the recent massacre of Roman Catholic native converts in China.

The account as translated for the London Tablet, says: "The massacre broke out on the 25th of February, when the literates, as the persecuting party is called, opened the campaign by beheading two men in the service of Pere Dure and a Christian, whom they then threw into the river.

The same day they burned the three villages of Trun-Lam, Fie-Vinh, and Bau-Tach, and massacred the inhabitants that were in them. Those who succeeded in escaping to the woods were hunted down with hounds, brought back, and killed on the following day. The river was covered with bodies floating down it from the side of Lareg. At that time the murderers were massacring the Christians of the parish of Holyen, and were burning their villages. Those who took refuge in the cliffs of the neighborhood were hunted down and buried alive.

The Grand Mandarin of Justice was at the market of Sa-Nam with 800 soldiers, but remained an inactive spectator of the massacre of the Christians of Nam-Duong, only a few of whom were able to escape.

The literates, who were the heads of the militia appointed to massacre the Christians, say that the work of extermination carried out under the eyes of the mandarins was concerted between the court and the literates, and was done in reprisal for recent events. The mandarins have just received orders from the court not to employ any other means save those of persuasion to stop the murderers in their career.

One of the chiefs, who had just caused two Christians to be murdered on the high road, went on the parade before the Governor of the Citadel, by whom he was dismissed with honor. On his return twenty women and children fell under the sword of this man and his followers. He had just come from offering sacrifice to the goddess of prostitution, to whom a famous temple that stands near the road is dedicated.

In several localities they take an entire family—father, mother and children—bind them together with bamboos, and then fling the bundle of living humanity into the waves. First, however, they take pains to cut off the man's head. The multitude of dead bodies thus fastened together in groups of from eight to ten block up the principal river, but to the great surprise of everybody does not send forth any bad smell. There are then five parishes, containing 10,000 Christians, which have to be blotted out of the mission, namely: Lang-Thank-Huyen, Nam-Duong, Hoy-Yen, and Doreg-Taank.

Many of the victims died in the midst of flames. A village of more than 400 Christians was attacked by the literates, and soon became a prey to the flames. Among these 400 Christians were 120, more or less, who succeeded in saving themselves by taking refuge in a large village near by. The remainder, about 300, were nearly all massacred. Two small villages of Christians, situated two hours' walk from the place at which I then was, were hemmed in by the pagans. The mayor visited each house, numbered the Christians, and forbade them under threat of most severe punishment, to go out of doors.

A few of the Christian women attempted to go to market to keep themselves from starving. They never returned. Some pagan women who went with them say that the Christian women were captured and beheaded. Two men from one of these same villages hazarded a flight during the night. They passed the great river by swimming, and came to me to tell their misfortunes.

"Alas," writes Archbishop Gauthier, from whose letter this information is chiefly derived, "I could do nothing but weep for them, being unable to do anything to succor them." Two or three days afterward I learned that all the men in the village had had their heads cut off, but the women and children were spared. And as their houses were intermingled with those of the pagans, it was forbidden to burn them down.

From the Washington Chronicle, Aug. 2d.

A New Work on North Carolina. We have received a copy of a work just published at Raleigh, N. C., entitled "A Legislative Manual and Political Register of the State of North Carolina" for this year, compiled by authority of the Legislature of that State, under direction of the Secretary of State, by John H. Wheeler.

Of it the Daily News, at Raleigh, says: "It is brimful of statistical matter, and prepared with great care and accuracy."

The Democrat, at Charlotte, says: "This book should be found in every library."

The Daily Journal, at Wilmington, says: "We have withheld any comment on this work, for the reason that we desired a little time for careful examination. A more useful work we have rarely, if ever, seen."

It combines more and varied information about our State, both present and past, than can anywhere be found. Indeed, it is scarcely possible to ask a question about North Carolina that Wheeler's Manual does not answer. Colonel Wheeler has added another to the obligations the old North State is under to him."

We wish that every State in our Union had such a work. Too little attention is paid to our own local history. We have examined this work, and are much gratified with the glowing record it presents to the modest and unpretending State of North Carolina. It shows the date and place, the first landing of the Englishman on this continent, the date of the first bloodshed of the colonists by the royal arms, and the time and place of the first Declaration of Independence from English dominion. The statistical and historical tables of the executive officers of the United States are invaluable for reference, and the names, dates of terms of every one who has done the State some service, either in executive, judicial, or legislative capacity, is herein preserved.

We congratulate the State on the possession of such a work, and we are gratified to see that it is to be reproduced with additions at each session of the Legislature.

Land Deals for sale at Democrat Office.

North Carolina News Items.

ARREST OF CAPT. D. C. GORMLEY.—Capt. G. was one of the party indicted last year for circulating counterfeit money, but was never arrested, as he gave the Marshals to understand that he would do some killing before he would permit himself taken, and as he was well known to be a man of his word, he was left alone. Recently, however, Capt. W. M. Manchester, the only democratic Deputy Marshal in the State, and a man well known for his cool even reckless bravery, called on Capt. Gormley and effected his arrest without difficulty, and he is now in jail.—Asheville Citizen.

ESCAPED.—Dr. Blackburn, of Mitchell, who has been confined in our jail for some time, under indictment for passing counterfeit money, escaped a few nights ago, and has not yet been caught.—Asheville Citizen.

Judge Bynum, wife and daughter, are at the National Hotel, after a visit to Beaufort for the daughter's health. He thinks sea breezes are delightful as the mountain air, and catching blue fish more exciting than catching mountain trout. We regret to state that Miss Bynum's health was not improved by the trip.—Raleigh Sentinel.

CAROLINA MILITARY INSTITUTE AT CHARLOTTE.—We have received the official register of this Institution for the years 1873-74, with a circular for 1874-75 appended. We are glad to learn the flourishing condition of this Institution. With a corps of Professors such as Thomas, Lynes, Cain and Houston, this Institution must take rank among the first in the South.—Raleigh Sentinel.

BARN BURN.—During the storm of Wednesday night the barn of Mr Yancey Ballenger, a few miles from town, was struck by lightning and burned. Mr B. was absent on business in Rockingham county. There were in the barn at the time three mules and three cows, and under it some hogs. When Mrs. B. first discovered the barn on fire she called a trained dog, went to the barn, opened the door and told him to go in and drive out the mules, which he did; he was then sent in to drive out the cows, which he did; he was then sent under the barn after the hogs, which he had considerable difficulty in driving out, but he stuck to them till the last one was out, although he got pretty badly scorched himself. That dog is worth having.—Greensboro Patriot.

CONVICTED.—Mr Gaffney, late Post Master at Gaffney's Station in Gaston county, on the Air-Line Railroad, who was recently arrested for robbing the mails, was convicted of the crime in the U. S. Court at Greenville, S. C., a few days ago. Mr McDonald, Post Master at Charlotte, was chiefly instrumental in procuring the evidence against Gaffney and in effecting his arrest.

STIGIDE.—We learn that Mr Martin Pivetti, aged about 50 years, living two miles east of Monroe, N. C., committed suicide on Friday, the 14th inst., by blowing out his brains with a shot gun. The deceased had been in bad health for about a year, and at the time he committed the act was laboring under aberration of the mind.—Lancaster Ledger.

REMARKABLE.—Capt. James L. Robinson of Macon county, the Speaker of the last House of Representatives, has been returned to the Legislature by the voice of every voter in his county save one.

CLERK.—Col. J. D. Cameron of the Hillsboro Register is spoken of for Clerk of the House of Representatives in the next Legislature.

HORRIBLE ACCIDENT.—On last Tuesday afternoon, as Mrs Sallie Holt, wife of Mr Wm. Holt of this place, was preparing a fire in the cook stove, she met with a terrible accident which cost her life. She was pouring kerosene oil on the wood, when the oil ignited, bursting the can and enveloping her in one solid sheet of flame. She ran from the house and thus gave the alarm to the neighbors, who came to her assistance, but were unable to extinguish the flames until all her clothing was burned off, and her body almost charred. She lived twelve hours, when death relieved her from her suffering. She was about 22 years old and leaves one child aged four years.—Greensboro Patriot.

POSTPONED.—The Western N. C. Railroad was not sold last Monday as advertised, but the sale was again postponed, indefinitely, we believe.—Salisbury Watchman.

THOMASVILLE FEMALE COLLEGE.—We invite attention to the advertisement of this Institution to be found in another column. The location is healthy and desirable.

Humbugging People with Salt. Oakesmith and Cartaret County.—Oakesmith, the Independent, is elected to the Legislature from Cartaret county. Oak is a curious fish. He swears he is a conservative—but the funniest of all is how Oak played his cards. Sometime ago we learn he was waited on by a committee of that section and advised to leave. Oak said he was going. He said he was going to the Legislature. So he fitted out his ship and took a sail to Liverpool and in plenty time for his summer's campaign he was back from Liverpool with a ship full of salt. He gave out notice for all the fishermen and white men and negroes to assemble at Smyrna on a certain day and he wanted every family in Cartaret county to come and get a sack of salt, or enough to do them free, gratis, and for nothing. He had salt in all sorts of blocks and shapes to be portioned out and distributed. On the day appointed the face of the waters was alive with boats coming in from all the straits and creeks and sounds and bays in this section, and it looked like "going into the highlands," and it took the multitude of fishermen covering the waters. They all got their salt and swore they'd die for Oakesmith. Sure enough they have elected him and Oak says if you want to save Cartaret county give it salt.—Raleigh Crescent.

"\$250,000 for only \$50."

When we first read this offer our brain reeled at the suddenness of the fortune that was thrust upon us, for "only \$50." We felt half inclined to take a couple, and give one to the poor, just to link our name with the Astors and Peabodys of the age. But we lost the desire to purchase so much for so little money by reading and thinking too much of the scheme.

We discovered we were addressed as a mere fraction of a unit, and that unit a big one. The unit purchased the fortune for the benefit of its smallest fraction. In plain English, about sixty thousand persons put in \$50 each to make one person rich. The odds were against us. We tried to figure out the ghost of a chance, but we abandoned it in despair. We reduced it to a sum in proportion. If we always lost in matching pennies, where the chances are equal, how much of a chance would we have to gain the fortune promised for "only \$50," with fifty-nine thousand lucky fellows against us? So we have turned our back on the \$250,000 which has been offered—to any one who can get it—for the modest sum of "only \$50." Other young men may be tempted to part with their hard-earned wages at the instance of this great temptation. We advise them to figure up their chances. If they fail of a clear conception by pencil and paper, let them take 60,000 beans, color one black, throw it among 59,999 in the barrel, shake them thoroughly, and then try to pick out the black bean with their eyes shut. If they do not secure it on the first trial they should avoid all lottery schemes, for they are not lucky; if they should secure it, they have still greater reason to keep clear, for such a streak of luck would not occur to the same person more than once in a century. A fortune is a good thing to have, but the only reliable way to secure it is to work for it. Follow some honest calling, be sober and industrious; deserve the confidence and patronage of the community in which you live; build up your reputation by the thoroughness of your work; and spend less than you earn. These simple rules will in time lead you on to wealth.

INTERESTING DECISION IN BANKRUPTCY.—In Chicago, recently, a merchant bought a stock of jewelry said to have been worth \$30,000 for \$13,000, from a firm shortly before their insolvency, they not disclosing their condition, but giving plausible reasons for the sale. The firm subsequently becoming bankrupt, their assignee in bankruptcy brought suit against the merchant, claiming that the sale was void, being in fraud of the bankrupt act. The Court ruled, however, to the contrary, holding that the good faith of the purchaser had not been clouded; and that he could not at the time of the purchase be supposed to know the truth of the circumstances alleged, nor have then been able to ascertain them upon inquiry. Could he have done so upon inquiry at that time, the Court intimated that the decision would have been otherwise.

A MATRIMONIAL LOTTERY.—There is a chance now for portioneless young orphans to effect marriages and give to the lucky husband in addition to themselves the sum of \$1,000 as a dowry. A society has been formed for this purpose, in imitation of the many in existence in Europe. In the old country, however, the benefits of such a society are not limited to orphans, but are extended to poor Jewish girls in general, and probably if the new society attain any success here, its scope will be similarly enlarged. Its present object is certainly praiseworthy. It offers inducements to good girls to enter the married state without any fear that their poverty will degrade them in the sight of their husbands. We have extensive organizations in which \$1,000 are paid to the widow and next of kin on the decease of a member, and the law is vastly popular. Why may not an equal popularity be accorded to this young organization, which has a most cheerful object?—Jewish Messenger.

POSTAL REGULATIONS.—The following changes in the postal regulations, made by the last session of Congress, will be found interesting to the general public: "Letters with request to return printed or written thereon are to be returned without additional postage. When a subscriber to a newspaper changes his residence and desires his paper forwarded to his new office, transient rates of postage of one cent for each two ounces or fraction thereof must be charged on each copy as received. If a party receives a paper from the office of publication and re-mails it he must pay postage on it at the rate of one cent for each two ounces or fraction thereof. Pamphlets and books cannot be returned at the request of the writer without prepayment of postage at the rate of one cent for each two ounces or fraction thereof. Letters once taken from the post office by the proper parties cannot be forwarded without being prepaid. This applies also to returning request letters once taken out of a post office. Letters addressed to a person not found at the office addressed may be forwarded without additional charge."

A WHITE WOMAN VIOLATED BY THREE COLORED MEN.—Brookhaven, Miss., Aug. 17.—Yesterday morning, at two o'clock, three negroes entered the residence of Mrs. M. L. Burney, and, choking her and her daughter, violated the person of Mrs. Burney, after which they forced her to give up what money she had and then plundered the house, taking away a large trunk filled with clothing, jewelry, &c. One of the negroes has been captured, but the others are still at large. Great excitement prevails concerning the outrage.

SALE OF LAND. By virtue of a decree of the Superior Court for the County of Mecklenburg, made in the case of Wm. M. McCombs vs. Albert Wallace, I will expose at public auction, to the highest bidder, for Cash, at the Court House door in the City of Charlotte, on Tuesday the 15th of SEPTEMBER, 1874, that valuable tract of LAND lying situate and being in the County of Mecklenburg, on the waters of Reedy Creek, adjoining the lands of the late Wm. C. Morris, dec'd, James Noles and others, and known as the James M. Black Tract of Land, containing Three Hundred and Eighteen (318) Acres. GEO. E. WILSON, Commissioner.

When we first read this offer our brain reeled at the suddenness of the fortune that was thrust upon us, for "only \$50." We felt half inclined to take a couple, and give one to the poor, just to link our name with the Astors and Peabodys of the age. But we lost the desire to purchase so much for so little money by reading and thinking too much of the scheme.

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