

# The Lenoir Topic.

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LENOIR, N. C., WEDNESDAY, FEBRUARY 11, 1885.

NUMBER 21.

Wallace  
Bros.,

STATESVILLE, N. C.

Wholesale Dealers

General Merchandise

Largest Warehouse

and best facilities for handling

the State.

RESPECTFULLY

Wallace  
Bros.

August 27th, 1884.

J. M. SPAINHOUR,  
Dentist.

Lenoir, N. C.  
Uses no Impure Material for Filling Teeth.  
Work as Low as Good Work can be Done.

F. LEE CLINE,  
ATTORNEY AT LAW,  
Lenoir, N. C.

EDMUND JONES,  
ATTORNEY AT LAW,  
Lenoir, N. C.

CLINTON A. GILLEY,  
Attorney-At-Law,  
Lenoir, N. C.  
Practice in All The Courts.

## LETTER FROM THE SEA-SIDE.

WILMINGTON, Jan. 29.  
At 8 o'clock P. M., on Jan. 2nd, 1884, I boarded the train at Charlotte for Wilmington, via, of the Carolina Central R. R. All night long we travelled and when the daylight came again it seemed as if I had arrived upon a new planet, so different was the face of the country—flat as a floor, and covered with a dense growth of the long-leaf pine of "tar, pitch and turpentine" fame. The rapid transit from the hills to low lands, from mountain-boomers to sand-lappers, called to my mind the mysterious stories that I had read long ago in the "Arabian Nights." Houses and men were about the only familiar objects to be seen—the men in the country generally looked pale and swarthy as if the blood had left the face to care for itself while it fled to parts unknown, to one minus medical knowledge.

The houses down east are very generally inferior to the country farm houses in the west—smaller and less valuable. But this may be said to the credit of the down easters that while the outward appearance of their homes are inferior to ours in the west yet they display more taste on the inward arrangement. Give more attention to esthetics.

But now the train is nearing Wilmington and I am anxiously looking from the window to catch the first glimpse of the "city by the sea." This glimpse the traveler gets as the train moves by the N. Y. & W. Guano works which stand on the banks of the west branch of the Cape Fear about 3 1/2 miles from the city. By reference to the map you will see that the Cape Fear divides into two large streams just opposite the Carolina Central depot. The large body of land between the rivers is under cultivation in rice—now and there the people eat a little rice and hominy down here. But I must keep my gaze on the city—the meaning is "dark and dreary" like the one on which Longfellow so naturally penned the "Rainy Day" and only dim outlines of the city can be seen through the fog, drizzling rain, and curling smoke and steam from work-shop, factory, furnace, train and steam-boat engines. The most entertaining and interesting sight that meets the eye of the "mountain boomer" as he crosses the Cape Fear R. R. bridge is the vessels that carry the burdens of commerce across the deep, "dark blue" ocean.

Reader I know you have often stood and watched the limble trunks of dead-trees in newly cleared land as they moved to and fro in the winds of March, and this is the best idea I can give you of the view I had that morning among the mast-heads of 60 or 70 vessels that lay at anchor on the rolling, restless bosom of the Cape Fear in front of Wilmington. The ideas that rush into the mind when first one takes in a view of this kind can more easily be imagined that related. So come and get a view for yourself. Just this; as you look, thought flies on instant wing to many a distant land from whence come these blackened "trees" within whose bosoms lives a love for distant wife and child. And these tall masts call to mind the lines of Milton:

"The pine  
Hewn on Norwegian hills to be the  
mast  
Of some tall ammiral,"

Within the scope of your vision will appear the manner of water vehicles, from the oar, and skiff boat, to the mammoth vessel, or ocean steamer. Little boats, big boats, sharpies, steam yachts, steam tug-boats, (for drawing or towing large vessels from the ocean to the port at Wilmington) ocean steamers, sailing vessels, two, and three masted schooners, Barques and Brigs, some talking in, others putting out their cargoes. At some other time you will be asked to take a view of things. But just now the train rolls slowly into the city at the foot of numerous little sand hills on each of which is nervously situated a negro shanty looking as it were about ready for the return of "re-construction days" of "forty acres and a mule." The train at the depot (at the head-quarters for the groves, which is it? Did this mountain boomer ever see the like? No! Dark, deep black, "died in the

wool." How can they tell when daylight comes? It reminds us of the darkness that Moses describes in Egypt. That could be felt—so can this.

But every dark cloud has its bright "silver lining" and here comes Burge Crisp full of smiles, as the bright side of this African painting. How pleasant to meet a familiar face unexpectedly at a strange place—'tis like finding a cool spring of water in a desert land. So while the colored "buss-men" were insisting on "dis, dan au de udder hotel" my friend led me away to his excellent boarding house where I met his father, Rev. J. C. Crisp, who by the way is very popular on the Topsis circuit near here. Brother Crisp is yet jolly and frisky—the happiest man under all circumstances that I ever met.

In the city, Wilmington appears to best advantage, has broad streets and well laid out. Has a good city government under the management of mayor Hall who is a perpendicular man every way you take him, officially, morally and physically. Has many beautiful and costly residences, fine business houses, and excellent church and school buildings. The post office, court house and hotel buildings are not in keeping with the present demands of the city. But we understand that movements are on foot for improvement in all these buildings. One other fact; I'll venture that Wilmington has more chicken stealers than any city of same size in America. I see the cause of this as I walk the streets in day-light, namely: So many idle negroes. Now I tell you its hard on Methodist preachers to live where all the chickens are stolen—hard on the Baptists to live where the ducks are stolen—hard on Episcopalians or Presbyterians to live where the turkeys are stolen, hard on all to live where there are so many sinners to steal.

But Wilmington is not just by the sea-side—30 miles away if you go via of Cape Fear river—7 miles if you go to the sound via of shell road. At 2 P. M. I go on board the steamer Louise at her wharf, foot of Market street, and take passage for Smithville. The river is rough, and the boat rolls considerably. The boomer is now having his first experience on the water and he is fearfully afraid of getting sea-sick. If once the crew or local travelers find out that a fellow is green in the business of travelling on water they will begin to describe sea sickness; talk about swallowing a piece of fat bacon with a string tied to it to pull it back, etc.; all this to aggravate the tendency to sicken, and to test a fellow's capacity to keep this inside dinner bucket from turning bottom up, and divulging the contents. So your boomer did his utmost at "putting on airs" walking back and forth on deck as if he were calmly viewing the familiar scenes of his early life. As the boat neared the ocean the river became more and more rough and the boomer had to put on more nerve strength, especially about the throat in order to keep up the "airs" and keep down the dinner, but he succeeded. Since that I've often thought that I needed only the influence of example to lead me into experimental knowledge of that marine malady. These are some of the symptoms: A lightness about the head, a conscious desire on the part of the heels to take its place. Then two fears come, 1st fear is that you are going to die. The second fear is that you won't die. This is followed by a feeling as if you were going to vomit the buttons on the back part of your pants, or the heel taps of your old boots. During all this time you're feeling about for something steady where nothing steady is found—as white as a sheet, as limp as a dish-rag, you reach the railing just in time to bid a long farewell to your "bacon and beans" as they disappear in the dark blue ocean. Then after a few hours of convalescence you feel like one who had taken a dose of nature's most cleansing medicine—your life is "renewed like the eagle's."

From Wilmington to the ocean the Cape Fear widens from about 1/2 to 5 miles in width. On the right bank as you go down large rice farms are seen. On one of these 10,000 bushels of rice has been grown this season. Machines are busy winter months threshing out the grain. Nothing more of especial interest meets the gaze until on the

left bank of the river we come in full view of the ruins of Fort Fisher, the story of which has already been told in the end history of a lost, but glorious cause.

At 4 P. M. the steamer glides gracefully to her wharf at the picturesque sea-side town of Smithville. The large number of "live oaks" the foliage of which remains green during the entire winter gives the town at all times an inviting and cheerful appearance. Here I had expected to meet all strangers but another familiar face brings joy and gladness to the heart. Junius Scroggs has heard of my coming and meets me at the boat. He is Prof. Scroggs now. What a noble face he has, the index of a noble heart! He has a fine reputation as a teacher and a man of character and the fact that I hailed from the same county gave me prima facie character to begin with. But while I pen these few lines Prof. Scroggs is moving to Mt. Olive N. C., to begin a school on more enlarged plans and with more promise of usefulness.

In my next we will go along the beach and talk about the great waters. HERNDON TUTTLE.

## WHAT CONGRESS IS DOING.

The United States Senate, Feb. 2, took up the Pacific Railroad bill, but after a brief debate it went over until tomorrow. The interstate commerce bill was further discussed and several amendments voted down. In the House a large number of bills and resolutions were introduced. A bill was passed increasing to \$1,500,000 the limit of appropriation for a public building at Pittsburg. Mr. Holman introduced a bill to protect the purity of the ballot-box. An effort was then made to take up the bankruptcy bill, which led to filibustering tactics by the opponents of the bill, which were continued until an early hour this morning.

The United States Senate was not in session, Jan. 31. The House passed a bill having for its object the removal of certain burdens from the American merchant marine, and devoted the remainder of the session to debate on the river and harbor appropriation bill. The case against Druggist Drew for presenting fraudulent claims against the Navy Department was given to the jury on Saturday night, and the jury was locked up until Monday.

In the United States Senate, Feb. 3, a bill was introduced to promote telegraphic communication between America and Asia. The interstate commerce bill was further discussed and amended, and finally the Senate bill was substituted for the House bill. A vote on the bill will be taken today. In the House Monday's session was continued until 2:15 yesterday morning. Senate amendment to concurrent resolution making arrangement for counting the electoral vote was concurred in, and a bill was passed regulating the forms of bills of lading. General debate on the river and harbor bill was concluded, and the bill will be considered by sections today. The findings of the general court-martial in the Swain case have been filed with the adjutant-general, to be transmitted to the President, and new charges have been preferred against Gen. Swain. Mrs. Grant has signified her desire to turn over to the government at once the swords, medals and other relics of Gen. Grant, which by the terms of the agreement with Mr. Vanderbilt she is to present to the United States.

## SUPREME COURT.

Court met this morning at ten o'clock. The entire morning was consumed in the examination of applicants for license to practice law. The following are the names of those who were examined:

John B. Lewis, Nash county; Emery E. Raper, Davidson county; T. E. Whittaker, Halifax county; Adolphus E. Poyer, Henderson Co.; Sidney T. Beckwith, Hyde county; John T. Strayhorn, Orange county; Edward F. Lovill, Watauga county; William L. Williams, Bertie county; George G. Wilson, Guilford county; Tasker Polk, Warren county; Sam'l. W. Dick, Guilford county; Henry C. Hilliard, State of Virginia; Marcellus C. Bansom, Granville county; Henry Stewart, Macon Co.; Phillip Bayard Pico, Hertford Co.; James W. Summers, Mecklenburg county; Bartlett Shipp, Mecklenburg county; John D. Shaw, Jr., Richmond county.

## CONCERNING CENSURE OF JURIES.

EDITOR TOPIC.—With your permission I will give you and your readers a few thoughts on the Ray case, as there have been some persons who have been pleased to cast some reflection, either directly or indirectly, on the jury in regard to their verdict in said case.

Now allow me to say that they—the jury—were sworn men, acting on their solemn oaths, to give a verdict according to law and the evidence in this particular case; not from what the papers say or have said; not from rumor or hearsay; not even what their own opinions were as individuals, but from the evidence sworn to in this particular case.

If Ray had killed five men or ten men and the jury had every reason to believe it, yet it would have had no weight whatever, as you doubtless remember that the judge was explicit in his charge to the jury, that anything not on evidence was to be considered as not existing at all.

Again editors and outsiders have a wide range for forming and expressing their opinions and are privileged to do so, but quite different with men acting on their solemn oaths, where they are pledged to go according to law and the evidence, and that in one particular case—that of killing Miller.

Now I wish to call attention to a few points, that are perhaps not considered by a great many persons when expressing their opinions. First, the difficulty of Saturday, before the homicide, was compromised and Miller and Ray were friendly. Secondly, that Ray did not go down in that shaft voluntarily, but was knocked in by William Burleson, one of Miller's partners.

Again, if you remember the judge's charge to the jury, that if at any time the prisoner expressed a willingness to quit the fight, it would be excusable homicide, if the jury did not believe that he (Ray) brought on the fight, and you doubtless further remember that the evidence was that Ray proposed to stop the fight and go out and behave himself, but they, Miller, Burleson and Buchanan, said no, "drag him back, take his arms from him and keep him until morning." About the same time a pistol was heard at the mouth of the shaft and Ray said, "some one is killed." Miller said, "yes, and some one will be killed here, too."

Now the question is whether Miller meant Ray would kill him or that he would kill Ray; besides that, Miller had hold of Ray at the same time, whether in an imploring attitude or in a fighting position, is another question to be settled by circumstances, there being no evidence as to Miller's intention.

Again, Judge Gilmer in his charge to the jury, said they would be allowed to place themselves in Ray's condition, and I think the reasonable conclusion of any sane man, with a gun and pistol cocked and presented at him, would be that he was in imminent danger and would defend himself and risk the consequences.

Ray was being tried for killing only one man, and his character as a dangerous man was not in question before the jury, and to sum up the character of Ray and all of his past life, including five or six murders, as some of the papers have it, is very ungenerous, to say the least, and is a reflection on the twelve men who felt and realized the responsibility that rested upon them, and still greater responsibility of condemning an innocent fellow man whose life was at stake, and a slight error in them might suffer the most shameful death known to civilization and I must say that I prefer that ten, or even twenty guilty persons go unpunished than punish one who is innocent.

Now, Mr. Editor, I have tried to give these points and facts in the case as briefly as I possibly could, not caring to please the fancy of any one—he jumps at conclusions without hearing the evidences.

And those who have been so free and hasty in expressing and publishing their opinions, are guilty of doing that jury a great wrong, one calculated, if believed, to make the world think them a set of perjured wretches, not worthy the confidence of honest men, and those who have published these reflections are requested to give this an insertion in their papers.

ONE OF THE JURY.

## LEGISLATIVE TOPICS.

SENATE—Feb. 2.

Bill to levy a special tax to build a jail in the county of Montgomery passed its third reading.

Bill to amend section 549 and 550 of the Code to regulate appeals from the Superior Courts. A substitute from judiciary committee was adopted and passed its several readings.

Bill to make it unlawful for persons to practice medicine in the State without license was laid on the table.

On motion of Mr. Cooper the rules were suspended and the bill to amend section 2834 of the Code relating to the unlawful killing of wild turkeys was taken up and on his motion was amended so as to include the counties of Macon, Cherokee, Jackson and Swain within its provisions. Mr. Buxton moved to amend so as to include also the county of Stokes and after some discussion the bill was laid on the table.

Bill to amend section 2764 of the Code in regard to the entry of public lands.

Mr. Buxton offered to amend as follows: Provided that the provisions of this act shall not be construed to relate to entries made by parties who have not taken out grants at the time of the passage of this act. Adopted and the bill passed its second reading.

Mr. King moved to reconsider the vote by which the bill in regard to killing turkeys in certain counties was this morning tabled and moved to lay that motion on the table. The motion to reconsider prevailed. Mr. Means offered the second motion to table, pending further consideration the Senate adjourned until tomorrow at 11 o'clock.

HOUSE—Feb. 2.

Bill to prevent stock running at large in Alamance county passed its third reading.

Bill authorizing the commissioners of Wake county to levy a special tax, passed its third reading.

Bill to amend the charter of the town of Statesville, passed its third reading.

Bill changing the line between Wilkes and Ashe counties. Mr. Henderson sent forward a petition against the bill, stating that certain parties wished the change made in order that Washington Woody might be in Ashe county, and there be a magistrate. Mr. Galloway said that as the two Senators from Wilkes and Ashe and the members from Ashe were all favorable to the bill—three Democrats against one Republican—he thought it ought to pass.

He said the Republican party had been the political humiliation and financial ruin of the State, and now that it had been restored to prosperity he thought now was a good time to sit down on the Republican member from Wilkes. He thought that the member from Wilkes was a rara avis, and that he was like a lone rose in the wilderness to show where the garden once existed. Mr. Henderson said he came here as a representative of white people, and at least 300 white voters of his county were opposed to the bill. Messrs. Plummer and Lovill spoke in favor of the bill, stating that it would be a great convenience in many respects to have the county line changed, and especially in regard to school facilities. Mr. Overman stated that he had received a letter from the chairman of the Democratic County Executive Committee in opposition to the move, and moved to postpone until Thursday, Feb. 12th, which motion prevailed.

Bill to amend section 3448 of the Code. Mr. Overman explained that the bill for hiring prisoners for public work outside of the county in which they were confined, and that as this would place the regular prisoner by the side of the striped suited convict. The judiciary committee reported adversely. Mr. Green said he thought there was merit in the bill, and that it should not be hurried over, and as he wished time to more fully investigate it, he moved to postpone action until Thursday next at 12 o'clock m. Carried.

Bill in regard to the charter of the town of Lenoir, passed its second reading.

Bill to amend section 3148 of the Code, passed its several readings.

Bill to amend sec. 2017 of the Code. Mr. Peun said the bill authorized the overseers of public

roads to extend the time at pleasure, and as he desired to have them restricted, he opposed the bill. Mr. Felton thought that six days was enough each year. The bill was tabled.

SENATE—Feb. 3.

UNFINISHED BUSINESS.

On yesterday bill in regard to the unlawful killing of wild turkeys in certain counties in the State was laid upon the table.

Mr. King moved to reconsider the vote by which the bill was tabled and moved to lay that motion on the table.

Mr. Means said he hoped the Senate would reconsider the vote by which the bill was tabled, but he was opposed to the latter motion, as it would have the effect to prevent any further action in regard to the measure this session, and he hoped the Senator from Guilford, as it was merely a local matter, would withdraw the latter motion and allow the bill to be referred to the committee on propositions and grievances.

Mr. Cooper also advocated this reference, and appealed to the Senator from Guilford to withdraw his motion, which was done. The vote was reconsidered and the reference was made.

SPECIAL ORDER.

A Bill to be Entitled an Act to Provide a Suitable Room for the Supreme Court and State Library.

Messrs. Pool, Graham and Robins addressed the Senate in advocacy of the measure, and it passed by a vote of ayes 34, nays none.

HOUSE—Feb. 3.

CALENDAR.

Bill in regard to the charter of the town of Lenoir passed its third reading.

Bill for the relief of disabled soldiers came up as special order at 12 o'clock.

Mr. Robinson, amended so as to make the year for this bill to begin July 1st, 1885.

Mr. Williamson offered an amendment to include all soldiers who lost one eye during the war, which was adopted.

Mr. Overman offered to amend, so that all persons who speculated in these would be liable to indictment. Adopted.

Mr. Lockett said it would be a sad day for the State when this bill passed. It will keep away northern capitalists who would otherwise come here. He said the bill was unjust, because it taxed one class for the benefit of another.

Mr. Pearson asked if he thought it was right to tax the white people to educate the colored children. He thought it was right to impose this tax to educate the negroes, because it was of more interest to the property-owners for the negro to be educated than it was to the negro himself. He said the best plan would be to get up a subscription.

Mr. Barringer offered an amendment striking out that provision which provides for the colored people, and supported his amendment with a very strong speech.

Messrs. Busbee, Cale, Dixon and several other gentlemen spoke against the amendment, which was lost.

Mr. Tate called the previous question, which was sustained, and the bill passed its third reading by a strict party vote, except that Mr. Cale, colored, Republican member from Pasquotank county, who, after making a very sensible and enthusiastic speech, voted for the bill.

A Law Against Obscene Publications.

The Senate of North Carolina has passed a bill directed against the importation or sale of obscene books, papers or prints within the limits of the State, which, if it becomes a law, and is rigidly enforced, will remove this source of moral contagion from before the eyes of the people.

The telephone business is a big thing. On the first of January there were 306 exchanges in this country, 85,896 miles of wire and 47,062 employees.

The hard weather out West has killed up the cattle. Thousands are dying in Western Kansas and a third of a million have died from exposure and hunger on the Cherokee strip of the Indian Territory.