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PUBLIC ACTS.

AN ACT FOR THE RELIEF OF EXECUTORS, ADMINISTRATORS, &c.

WHEREAS, Many Executors, Administrators, Guardians, Sheriffs, Clerks of courts, Trustees and others, holding offices or places of a fiduciary character, have, in the discharge of the duties of their offices or places, received in good faith, Confederate money or currency, or the Treasury Notes issued by the State of North Carolina, during the late war, or have invested funds thus in their hands, in the Bonds of the Confederate Government, and the bonds of the State of North Carolina, which have been repudiated, and may thereby have incurred individual liability by reason of said currency and bonds having become valueless in their hands; *And whereas*, Owing to the general insolvency occasioned by the late war, it is expedient to enlarge the discretion of persons holding fiduciary positions in the settlement of claims, contracted prior to May 1st 1865—

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That Executors, Administrators, Guardians, Sheriffs, Constables, Coroners, Clerks of the Superior and County Courts, Clerks and Masters of the Courts of Equity, Trustees, and others holding offices or places of a fiduciary character, shall not be held liable for having received in payment of any debt, demand or claim of any description thus in their hands, or under their control, the currency of the Confederate Government, or of this State, or for having invested funds thus in their hands, in the bonds of the Confederate Government, or the bonds of this State which have been repudiated; but the same shall be presumed to have been thus received or invested in good faith, and no presumption of qualified, or express, implied, or constructive notice shall arise against them by reason of the progressive depreciation or greater or less degree or amount of depreciation of said currency or bonds, Confederate or State.

SEC. 2. *Be it further enacted*, That in all trials of suits or other proceedings, either at law or in equity, in which the question of diligence or negligence, whether of greater or less degree, shall arise; the same shall, on notice of either party to such suit or other proceedings, be submitted to a jury, as a question of fact; such issue, when arising in a Court of Equity, to be made up and sent to a jury, under the discretion of the Court.

SEC. 3. *Be it further enacted*, That if any of the persons mentioned in the first section of this act, holding claims in a fiduciary character, due before May 1st, 1865, shall, in good faith and in the exercise of reasonable diligence, compromise the same, by receiving less than their full amount, such person shall be charable only with the sum so received in the settlement of his accounts, unless it shall be shown that there was a want of good faith or due diligence in such compromise.

SEC. 4. *Be it further enacted*, That in all cases of contracts made for the purchase or sale of any species of property, real or personal, wherein any Executor, Administrator, Guardian or other person holding any office or place of a fiduciary character, shall be concerned either as creditor or debtor, and any deduction shall be claimed by reason of said contract being founded on the Confederate or any other depreciated currency, or affidavit of that fact by the party claiming such deduction, it shall be lawful for said parties, creditors and debtors, each to choose one disinterested man, with power in them to choose an umpire, who or a majority of whom, shall be authorized to assess at its gold value, the property in reference to which said contract was made, at the time of making the same, and make a statement thereof in writing, duly signed by them, and such award shall be conclusive and binding on the parties concerned, and a full protection to such Executor, Administrator, Guardian or other persons so holding an office or place of a fiduciary character, and such persons are authorized to receive or pay the same according to such award.

SEC. 5. *Be it further enacted*, That Executors and Administrators shall have power to prefer any creditor or creditors of the deceased person, whom they represent, over all other creditors of equal dignity, though the creditor or creditors so preferred, may not have commenced suit, and though such Executor or Administrator may have notice by suit commenced of the existence of other debts, equal in dignity to those so preferred, and, such payments shall have like force and effect; and such personal representative shall in all respects be treated in law and equity as though judgment had been confessed in favor of the preferred creditor or creditors, as now allowed by law.

SEC. 6. *Be it further enacted*, That this act shall be in force and take effect from and after its ratification.

Ratified March 2d, A. D., 1867.

AN ACT RESTORING TO MARRIED WOMEN THEIR COMMON LAW RIGHT OF DOWER.

SECTION 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That every married woman shall be entitled to one-third interest of all the lands, tenements and hereditaments of which her husband is or may be seized and possessed at any time during coverture—in which third part shall be comprehended the dwelling house in which her husband and family usually reside, and commonly known and called the mansion house; together with the offices, out houses, buildings and other improvements thereunto belonging or appertaining; which third interest shall not be subject to seizure on execution for the payment of any debt of her husband, during the term of her life. *Provided*, That said interest shall not attach to any lands that may have been *bona fide* conveyed by the husband previous to the passage of this act.

SEC. 2. *Be it further enacted*, That no alienation by the husband, with or without covenants of warranty, under the provisions of this act, shall have any other, or further effect, than to pass his two-thirds interest in the same. *Provided*, That upon the wife joining with her husband in the deed, and acknowledging the same, according to the provisions of existing laws, being privately examined touching her free consent in the execution of said conveyance, any or all of said land may be sold and conveyed, and that the Chairmen of the Courts of Pleas and Quarter Sessions, as to the lands located in their respective counties, shall have the same power to conduct such examination as is now given by law to the Judges of the Supreme and Superior Courts, and the certificate of such Chairmen, touching lands in their respective counties, shall have the same force and effect as if signed by a Judge.

SEC. 3. *Be it further enacted*, That in case of the failure or insolvency of the husband, his creditor, or creditors, having established their claim, by obtaining judgment for the same, may file their petition in the County or Superior Courts of the county in which the defendant resides, setting forth the nature and amount of their claim, and particularly specifying the lands, tenements and hereditaments they may desire to have sold, and praying that the one third interest of the wife, in which shall be comprehended the dwelling and out-houses as aforesaid, may be allotted and set apart to her by proper metes and bounds; whereupon the court shall issue a writ to the sheriff of the county, commanding him to summon a jury of five freeholders, unconnected with the parties by consanguinity or affinity, and entirely disinterested, who, upon oath administered to them by the sheriff, shall allot and set off to the wife one third part of all the lands, in said county, of which her husband may be seized and possessed, and in case such land may lie in more counties than one, the sheriff of the county in which the petition is filed, may summon a jury from one or all of said counties, who shall view, and if necessary, have surveyed all of said lands, and shall not be restricted to each different tract, but may allot the same from one or more tracts, including the dwelling; and shall put the wife in possession of the same. And when the proceedings shall have been reported to the court by said jury, and the court shall have confirmed the same, the title to the land so allotted and set apart to the wife shall be deemed to have vested in her by virtue of her marriage.

SEC. 4. *Be it further enacted*, That the proceedings shall be in a summary manner, and the court shall at the first term hear and determine the same as to them shall seem just and right. *Provided*, That the husband and wife shall have had ten days' notice previous to the sitting of said court, and be served with a copy of the petition.

SEC. 5. *Be it further enacted*, That on the coming in of the report by the jury, and its confirmation by the court, the plaintiff may have an order for sale of the residue of the land including the reversion, after the determination of the life estate.

SEC. 6. *Be it further enacted*, That all laws and clauses of laws coming in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 7. *Be it further enacted*, That the provisions of this act shall be in force, and take effect from and after its ratification.

Ratified March 2d, 1867.

AN ACT GIVING TO THE COUNTY AND SUPERIOR COURTS AUTHORITY TO SENTENCE CRIMINALS TO WORK THE PUBLIC ROADS.

SECTION 1. *Be it enacted by the General Assembly of North Carolina, and it is hereby enacted by the authority of the same*, That the Justices of the County Courts and Judges of the Superior Courts shall have power and authority, in all criminal cases within their jurisdiction, upon conviction of the defendant in all cases where the punishment already affixed by law to the offence does not extend to loss of life, to sentence the defendant to work in chain gangs upon the public roads of the county in which the offence was committed, or upon any Railroad or other work of internal improvement in the State, for such length of time as the Court, in the exercise of its discretion, may see fit, not exceeding one year.

SEC. 2. *Be it further enacted*, That for the management and safe keeping of said criminals, the County Courts, a majority of the acting justices being present, may elect one or more suitable persons, who shall be paid for their services by the day, or by the month, or by the year, such compensation as said justices may deem just and reasonable, and that the said Courts shall have full power and authority to levy taxes on all subjects that are now taxed for county purposes to meet the payment of the same.

SEC. 3. *Be it further enacted*, That, in all cases where any criminal shall be sentenced upon any of the public roads, commonly called "dirt roads," leading through any section of the county, it shall be the duty of the court, at the expense of the county, to provide said criminals with good and wholesome food, and all necessary tools for the purpose of working said roads.

SEC. 4. *Be it further enacted*, That the several county courts shall have full power and authority to make all necessary arrangements for the protection, safe keeping and comfort of all criminals thus employed, and in all cases where it may be necessary to do so, there being no houses within reach of the point where said work is being done, that can be procured for lodging said criminals at night, or to protect them from the weather when it is too inclement to work, that suitable tent-poles and cloths may be provided for the same, with such camp tools as may be necessary.

SEC. 5. *Be it further enacted*, That in all cases where the court may be of opinion that it is not necessary to confine said criminals in chain gangs, by fastening them with ball and chain, the court may sentence them to work said roads without being thus confined.

SEC. 6. *Be it further enacted*, That in all cases where it may be convenient to sentence said criminals to work upon any railroad or other work of internal improvement, in progress in the State, the court may, at its discretion, sentence any criminal to work upon any such works of internal improvement, and in addition to the time for which said criminals may be sentenced as a punishment for the offense, said criminals may be required to work out the fine and costs incurred by the county, together with any prison fees that may have been incurred for their confinement previous to their trial and conviction, said costs to be accounted for and settled with the said county, or such person as the court may appoint to receive the same, upon such terms as may be agreed upon with the directors or managers of said work of internal improvement.

SEC. 7. *Be it further enacted*, That if any prisoner shall make his escape and fail to discharge the work in consequence of his absconding or leaving the service of the county, before the expiration of the time for which he was sentenced to work, he shall be bound to serve double the deficient time, and may be re-captured by the sheriff at any time thereafter, and in all cases where said criminal shall abscond to any other or adjoining county, the Clerk of the County Court may, and he is hereby authorized to, issue to the sheriff of any county in the State a *capias* for his arrest.

SEC. 8. *Be it further enacted*, That in all cases where any criminal may be sentenced to labor on any work of internal improvement, the directors or managers thereof, in consideration of his service, shall furnish a guard or overseer for his safe keeping and control; and in addition thereto shall furnish them with lodging and board.

SEC. 8. *Be it further enacted*, That this act shall be in force and take effect from and after its ratification.

Ratified March 2d, 1867.

AN ACT TO AMEND THE FIFTH CAPTER OF THE REVISED CODE, ENTITLED "APPRENTICES."

SECTION 1. *Be it enacted by the General Assemble of the State of North Carolina, and it is hereby enacted by the authority of the same*, That the 1st section of the 5th chapter of the Revised Code, entitled "Apprentices," be amended by striking out the words "also the children of free negroes where the parents, with whom such children may live, do not habitually employ their time in some honest, industrious occupation, and all free base born children of color," after the word "mother," in the 14th line, and insert, in lieu thereof, the words "and all base born children whose mothers may not have the means or ability to support them," and that the second section of said chapter be amended by striking out the words "if white, but if colored, till twenty one," after the words "eighteen years," in the fourth line.

SEC. 2. *Be it further enacted*, That in all indentures for the apprenticeships of infants heretofore made and entered into without a bond from the person to whom the infants were bound, be, and the same are hereby declared as valid and binding as though a bond had been given.

SEC. 3. *Be it further enacted*, That the 5th section of the said chapter be, and the same is hereby repealed, and that all other laws and parts of laws discriminating between whites and blacks in the apprenticing of children, be, and the same are here repealed.

Ratified the 26th day of January, A. D. 1867.

THE INDUSTRY OF THE COTTON GROWERS IN THE SOUTH.

It is animating at this time to read the agricultural papers of the South, the true exponents of that industrial class which once made cotton the king, not only of the textiles, but of all our agricultural exports.

If we may judge from their correspondence, these brave planters are now, in spite of so many discouragements, making themselves masters of the situation. While folly, idle extravagance and the radicalism of political success is demoralizing so many at the North, the planting South is not only reorganizing its industry, but dignifying and ennobling the labor of the white man in the field and the white woman in the *menage*. Every planter now is not only his own efficient overseer, but he also trains his own white hands to labor, teaching his sons by his own example. The result is, that he now stimulates two or three freedmen to do the work that once required half a dozen slaves and a driver. Industry and saving is the order of the day, and the dignity of labor is universally acknowledged; while both planter and wife are proud of the sacrifices they have had to make to conform to the great and very trying transition from idleness and slave labor, to industry, homely living, and the work of their own hands.—*N. Y. World.*

[From the Maryland Farmer.

The Manufacture of Paper, Crash, Cotton Baling, Coarse Toweling, &c., from Corn Husks and Stalks.

A very interesting discovery in the utilization of corn husks and corn stalks has been put into successful operation in Austria, and has been recently patented in this country. It is nothing less than the production of paper of various kinds from the stalks and husks of Indian corn, leaving the blades of the corn still to be used by the farmer as fodder for his cattle. How important this discovery is to the interests of agriculture by making what has heretofore been regarded as comparatively worthless, of considerable commercial value, we now proceed to show. It is proper to state that our review of the progress of this manufacture is based partly upon an article in the Agricultural Report for 1863, and partly from a pamphlet on the same subject—the correctness of which is attested by Austrian officials, and by gentlemen of the highest reputation. A brief preliminary reference with respect to the materials used as a substitute for paper from the earliest time may not perhaps be regarded as out of place.

Among the earlier materials for paper were those requiring little mechanical ingenuity to fit them to receive impressions from an iron pointed instrument called "a stylus." Thin slips of board covered with a smooth coat of wax, and also papyrus and parchment were all employed at different times. For records, requiring preservation, plates of iron and metal with the letters engraved, were used. In the year 95 of the Christian era, the Chinese appear to have discovered the art of making paper from fibrous materials reduced to pulp and pressed to an even surface. For this purpose they employed the inner bark of the bamboo, and afterwards, to a limited extent, cotton and linen rags and rice straw. The first paper mill was established at Hertford, in England, in the early part of the 10th century, and another in the latter part of the same century at Dartford, in Kent. In 1713, great improvements were made in the manufacture of paper by Thomas Watson, but it is only in recent times that the manufacture has attained to its highest excellence. The intellectual and commercial progress of the present century requires to be fed with an enormous and constantly increasing supply of paper. The only material heretofore regarded as capable of being reduced and pressed to the required firmness having been rags, the greater proportion of which consumed in this country are imported from abroad, the expense of the manufacture of paper has always been large. The substitution of some cheaper and more available article in the place of rags, has long occupied the attention of inventors. Experiments have therefore been made with bark, stalks, tendrils, hop vines, wheat straw and wood fibre and shavings, but with only partially successful results. Several patents of this kind have been granted by the United States, but none of these inventions have proved of such general application as to bring them into popular use. But at length the result so long sought for, has been achieved by the Chavalier Auer Von Welsbach, a native of Austria, Director of the Imperial printing establishment, at Vienna, and Superintendent of the Imperial Paper Mill, at Schlogelmuhl. He has succeed in making from corn husks, corn stalks, &c., every variety of paper form the finest tissue, letter and note paper, and the strongest and best drawing paper, down to the coarse but tenacious kinds used in hardware—every intervening grade being produced by the same process. The drawing and tracing paper for artists purposes, are regarded as superior to any before known, whilst the post, fancy, and colored papers, compete successfully with those made from the finest rags. The improvements thus introduced by the Chevalier Von Welsbach, possess to our agriculturists a peculiar and important interest from the fact that Indian Corn is so largely grown in this country, and that it is the least valuable portion of this product that is thus brought into commercial use. By this discovery the very refuse of our corn fields becomes a valuable part of the crop. In these neglected stalks and husks of Indian corn "are combined three of the more valuable materials used in our manufacturing industry."

By the Austrian process now under notice there is produced—1st. A fibre for textile fabrics similar to jute and hemp, but greatly superior to jute, and presenting many of the qualities of wool and cotton. 2d. A pulp for the manufacture of paper in all respects superior to that made from linen and cotton rags. 3d. A gluten that can be used like oil cake as a food for animals, and can also be employed in a great variety of manufactures. The utilization of these three products of maize at the least possible expense was originally due to one Moritz Diamant, a native of Bohemia, but the perfecting of the process was brought about, as we have stated, by the Chevalier Auer Von Welsbach. It was the latter that completed and carried out, to an eminently successful result, what the former had commenced. It is one of the great advantages of this new process that it requires no alteration in the present machinery of paper mills, as the maize stock is used precisely in the manner for reducing to pulp as is the stock from rags. This maize stock after having been pulped in the usual way, is manufactured as in the case of rags, in moulds, &c., according to the quality of paper required, and the paper so formed is dried and pressed until the particles are so felted together that they cannot be separated without tearing. If the capability of making paper from maize had been the only discovery of the Chevalier Von Welsbach, the process would have been found too costly for practical use. The corn plant, however, was fortunately found to yield certain other products in the following proportions: 20 per cent. of short fibre suitable for making paper. 25 per cent. of long fibre which can be spun like flax into thread, and woven and bleached into coarse fabrics, for crash toweling, bags, cotton baling, and all that variety of covering for which jute and hemp are now employed.

15 per cent. of gluten which can be used as food for cattle, and is also valuable for manufacturing purposes, and for distillation.

This gives but forty per cent. of loss, and this loss is further reduced by using a portion of the waste as fuel to feed the furnaces.

The report of the Agricultural Department, for 1863, estimates the waste at 60 per cent., but improvements in the process have since been made whereby a part of the original loss has been economized, and the amount of manual labor employed very materially reduced.

But taking the wast as estimated in the Agricultural Report, at 60 per cent.—which is now acknowledged to be far too high—the estimate of expenses and receipts, as given in the report alluded to are summed up as follows:

Cost of extracting the fibre from 6250 tons of maize husks and stocks:

Coal and other materials	$15,705
Labor	6,400
Interest and loss	4,296
Raw Material, including local freight	80,000
Other expenses	3,095
Total	$109,496

RECEIPTS.

40 per cent. of produce is estimated at the following values:

10 per cent. of spinning fibre	$64,000
19 per cent. of paper stuff	72,200
11 per cent. of Gluten for animal food, &c.	15,400
	$151,600
Deduct Expenses	109,496
Net Profit	$42,104
The additional 20 per cent. since economized, if it should be practically realized hereafter, would add to the above	30,320
Total profit	$72,424

But putting the actual profits at the lowest figures stated in the Agricultural Report, we submit the per centage of profit is as large as any manufacturing corporation could desire. The cost of the machinery for reducing the fibre and preparing it for market is not more, we understand, than from five to eight thousand dollars. Such is the new manufacture which the American owners of the patent are inviting capitalists to embark in, and from all that we can learn concerning it, the enterprise seems to us eminently worthy of their attention. As the maize paper, specimens of which are now before us, has already largely taken the place of that manufactured from rags in Austria, under far less favorable circumstances than it can be produced in this country, the cost of the raw material and of transportation being infinitly heavier, whilst the long fibre and gluten are likewise of great commercial value, we confidently look forward to the day when mills for the various manufactures from corn refuse will be established throughout the country, and the farmer find a large profit in what he has hitherto regarded as comparatively worthless.

As all the above calculations are based upon an estimate of twenty dollars per ton for corn stalks, it will be seen that if this product should bring but six dollars a ton, it will yield to the farmer at least twelve dollars to the acre, and will thus cover all or nearly all the expenses of the corn, leaving the grain and leaf fodder clear profit.

The Voting Population of the State.

The Wilmington *Journal* gives the following estimate of the voting population of the State. The advice at the close of the extract is worthy the serious attention of all, who have the right to vote, who talk of ever hereafter absenting themselves from the polls:

The largest vote ever cast in North Carolina was that given in the election at which Governor Ellis was elected over Mr. John Pool, the number being a little over 112,000. We suppose there was then not more than 115,000 or 116,000 voters in the State, as the excitement and interest attending that canvass brought out nearly every one entitled to vote who was in the State and able to get to the polls.

There must then be fully 100,000 persons entitled to vote under the operation of the Constitution of the State, of whom not more than 10,000 are disfranchised under the act of Congress, which number will be greatly diminished if General Sickles' interpretation of the act is as has been reliably reported to us. There certainly must be 90,000 white voters under the act. Allowing the same proportion of voters to the total population among the blacks as the whites there were about 45,000 previous to the war, who, under the provisions of the act of Congress, would have been entitled to vote. Added to the ordinary casualties during the war, there has been an alarming fatality among that class during the first twelve months after the cessation of hostilities and a considerable emigration northward, and also a very large exodus to the more Southern States during the past Fall and Winter. We are satisfied that this voting population will not therefore exceed 30,000 or 35,000, making the total present voting strength of the State 120,000 or 125,000.

The number of anti-Johnson white men, for we know not how otherwise to classify the North Carolina Radicals, in the State, can only be a matter of conjecture; but we are confident they are very limited, say 10,000 or 15,000 in all. With whom the colored vote will be cast is a matter also of doubt. We hardly think it will be given as a whole to either of the parties which will exist in the State—the more intelligent and respecteble will go with the Conservatives, while the ignorant will be governed by the views of their employers or led off by the false hopes and promises of demagogues.

We are satisfied that if our people will only unite, without respect to former parties or present names, that the great conservative element can and will control the State—we can by this course shun the dangers which have destroyed the last vestige of justice and law in Tennessee and Missouri; from the fate of those people at least we may be saved.

☞ Gen. Sherman, it is said, has asked for a leave of absence to visit Palestine.

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