

Hillsborough Recorder.

WEDNESDAY FEB. 20. 1878

THE BANK TAX.

We have frequently before urged the rescinding of the imposition of the ten per cent tax on the issue of State banks as the measure above all others pregnant with good for the South. We are glad to have an endorsement of our views by the ablest of our State press, and by gentlemen throughout the State experienced in financial operations. And we are specially pleased to find confirmation given to the soundness of our opinions from a quarter where interests and habits might have been expected to create opposing tendencies. In a recent New York letter in the Raleigh Observer, we see quoted the remarks of a prominent official of one of the leading Raleigh National Banks. He is represented as expressing a hearty concern for the restoration of the old State banking system, as one among other commendable features, better suited to the habits and practices of our people than any other; but above all, as having the qualities of economy in management by which aid is given to the operations of business at reasonable charges. He says that money could be easily loaned by such State banks at a rate of interest not exceeding six per cent per annum; whereas the National Banks cannot or will not agree to accept a less rate than 12 per cent. There are many reasons for this. Among others, the capital invested in them is largely foreign; consequently there is not the slightest tie of sympathy between lender and borrower. Again, these banks are restricted by their constitution to a circulation not so large as their capital stock, which is frivolously small in proportion to the needs of business. Their ability therefore to enlarge their powers of accommodation is dependent upon deposits. Depositors expect to draw interest upon their money, and this is added as an additional charge upon the borrower. This then, with the ordinary items of expense incidental to banking operations, increases the inability of the National Banks, if it were their desire or policy to do so, to make loans at a less rate than 12 per cent. And the National banks do not look so much to loans as the principal source of their profits as to buying of exchange, and such operations as were once the peculiar province of commission houses. If they had the amount of currency needed to give ease to the country by liberal loans, it is not their policy to use it in that way. The whole system is not in harmony with the customs of our section.

The State bank system had its defects and might have had its abuses. Experience of these in their past history would probably avoid a recurrence of them should they be revived. For this, there is an urgent demand. With the rescinding of the tax which now suppresses them, they would spring again into existence. They would invite as capital, the hoardings and the earnings of the thrifty who look for safe places of investment. They would attract the capital of the more prosperous, which hesitates to go abroad, which is distrustful of manufacturing ventures, but which will not put confidence in the national banks, owned and controlled abroad, and complicated in the destiny of all similar institutions over the country, all trembling in accord at one breath of disaster, all shocked by the same calamity which assails any one of them, even the most remote. The State banks, restored to their legitimate functions, would issue their own currency, discount liberally as the chief source of their profits, and at once give relief to the people of the State, or of the whole country. Supposing that their notes will be a little below par; that will not impair their capacity for home usefulness, and in the transmission of funds abroad, the premium demanded will be paid more easily than present bank accommodations are now had.

This relief in connection with the passage of the silver bill would seem to our comprehension all that is needed to restore prosperity to the South. A larger circulation we must have, and that we will never have, dependent upon the national banks alone.

THE WAR

As we write, there is so much in the course of action which a few days will determine, that we will not venture upon any comments upon the decisive act of England in forcing the passage of the Dardanelles with her iron clad fleet, or the equally decisive act of the Russian armed occupation of Constantinople. To us, it means war; war not only between England and Russia, but between England and Austria and France on one side, and Russia, Germany, and probably Italy and Denmark on the other. But diplomacy may yet possibly avoid such a calamity as a general European war. We give the latest news up to time of going to press.

The text of the Silver bill as it passed the Senate in our seat.

JUDGE KERR.

THE SUPREME COURT.

The card of Judge Kerr, appealing to public sentiment from the unjustness of a rebuke administered to him by the Supreme Court for punishment imposed upon one Driver, convicted at the Spring term of 1877 of Yadin Superior Court for brutal treatment of his wife, is a manly and strong protest against the injury done his character as a Judge. We wish we could give the card in full, but it is too long for our space. It will be enough for our purpose to state that the said Driver was tried for brutalities to his wife of an atrocity and degree of unmanly cruelty almost impossible to be believed; that these acts of cruelty were not single acts, or done in secret, but they were many, and in the presence of witnesses, the hardened brute having no shame in the exposure of his ferocity; that on a trial, the acts were distinctly proven; that a distinguished member of the bar who had assumed the defence, upon hearing the evidence, threw up the case at once; that the jury quickly returned a verdict of guilty, and that the Judge thereupon sentenced the prisoner to five years confinement in the county jail.

The sentence of the Court was carried out; and months afterwards, the prisoner made application, supported by his sole affidavit, to bring the case before the Supreme Court. No notice of such application was ever served upon Judge Kerr; no call was ever made upon him to make out the case to be sent up to that august tribunal, though the Act of Assembly prescribes such course; but solely upon Driver's statement, the Supreme Court proceeds to set aside the verdict, and rebukes Judge Kerr for inflicting cruel and unusual punishment.

In their action in this case, the Supreme Court goes back upon its own rulings. A correspondent of the Raleigh Observer cites the case of the State vs. Ray, in which the Court says: "The statement of the presiding Judge is, in our opinion, a substitute for a bill of exceptions which sets forth the errors complained of. If no such statement accompanies the appeal, and no error appears in the record, the judgment will be affirmed."

The action of the Supreme Court adds another item to the load of infamy which marks the existence of that body, and fuses the impatience with which every one looks forward to the day of its dissolution. We hope the new Chief Justice will relieve himself of all participation in so discreditable a transaction. It is said he was absent at the rendering of the decision. If so, he will be wise to make it known. In the reconstruction of the Supreme Court, the people are resolved to tolerate nothing that will recall the body that came into existence in 1868, and with two years of fraudulent life added to it, has lived a hateful and hated existence of ten years, a constant menace to liberty and a constant reproach to good government.

THE WESTERN DISTRICT.

We have avoided all participation in the discussion which has warmed up so many of our brethren of the press on the abolition of the Western District. We have thought there was sufficient tendency in the Democratic press of the State to find subjects of disagreement on national as well as local issues through which the warring fortunes of the Republican party might draw new inspirations of hope, without the introduction of another, which least of all, ought to assume the character of factious acrimony. It is granted that the affairs of the Western District have been carelessly (or worse) administered by the Judge, especially or offensively conducted by the officers of the Court, tyrannically or cruelly enforced by the ministers of the law. For all which there has gone up a loud cry for redress or reform. We had supposed that the bill of the Hon. A. M. Waddell to abolish the Court was introduced as the most imposing method of drawing the attention of the Administration and of Congress to the grievances complained of; and that a hearing having been obtained, then remedies would be applied by holding the offending officers of the Court to answer. To the total abolition of the District, there seems to be so much and such well founded objection, that even if the offending parties are not immediately punished, it seems wiser to leave them to the workings of public opinion. Better to bear the ill, with the probabilities of its mitigation by the force of that public opinion or the operations of time, than to run the risk of discussion by urging a measure in which it is evident there is a wide diversity of view. To destroy the Court to get rid of its present objectionable officers is much like burning a costly house to get rid of vermin. There are other modes of purification than by destruction. Smoke them out, but don't burn them out.

The Rail Road bridge at Milton is 267 feet long and 40 feet high, which puts it 6 feet above high water mark. So says the Danville Register.

STATE DEMOCRATIC CONVENTION.

THE NOMINATION OF SUPERIOR COURT JUDGES.

We quite agree with the Wilson Advance that it is the duty of the next State Convention to nominate the Judges of the Superior, as well as those of the Supreme Court. Although selected to fill vacancies in certain districts, the seventh, eighth and ninth, with judges, yet under the system of rotation, they will be Judges for the whole State, and for that reason are nominated to be elected by general ticket. If Judges for the whole people, then the whole people through their representatives in Convention assembled should have a voice in selecting them. The Advance well says that it is true that the wisdom and the preference of the District from which a Judge is to be selected will naturally have their weight, and deference to such will be fair and judicious; but the Convention should select within a narrow field of choice, and make the selection more easy. And there could be accomplished at one stroke what would otherwise necessitate the assembling of three distinct District Conventions. We hope the suggestion of the Advance will be followed.

SILVER BILL PASSED.

We are gratified to announce that the Silver Bill as amended in the Senate, passed that body after an all night session at 5 o'clock Saturday morning by a vote of 48 to 21, and goes to the House for concurrence in the amendments of the Senate. It will of course pass the House. It is safe over the President's veto; for though 31 votes, two thirds of the whole number of the Senate were not given, yet that number can easily be obtained. Senator Ramsey was detained from his seat by sickness; Harrison Patterson was absent, and Sharon can be had if needed. So the bill is an assured certainty. A glorious victory for the people of the West and South over the bondholders. Now for the repeal of the bank tax, and life will be given to business.

HORRIBLE AFFAIR.

In another paragraph, we take from the Raleigh News an account of the horrible murder of James Worley and his wife on the plantation of W. F. Adkinson (who lived during the war at Dickson's Mill in this county). Since that account was in type, the News gives us the information of the arrest of the murderer, a negro named Noah Cherry. The murder was one of the most brutal on record. The murderer, about 9 o'clock at night, entered the house of Worley, who was sitting by the fire-side with his wife, their three little children—the oldest 3 years, the youngest ten months, and told him he had come to kill him and struck him with an axe. Worley staggered out of the house, and was followed by Cherry who despatched him and left the body by the chimney, a fierce dog in the meantime giving Cherry much trouble. He then returned into the house, seized Mrs. Worley, tried to strangle her, violated her, and then killed her. The principal witness to the awful deeds was the little girl Tildie, who was the terrified spectator of the tragedy. Other facts fit the guilt upon Cherry without the shadow of a doubt. If there were a case for the prompt action of popular resentment, this is it. But the law will take its course, we hope quickly and inexorably.

A MAN AND HIS WIFE KILLED.

(Special Dispatch to the Raleigh News.) GOLDSPRO, N. C., Feb. 12.—James Worley and his wife (white) were murdered on the farm of W. F. Adkinson, near Gold's Ferry, in Wayne County, last night. Their three children who were in the house at the time were not hurt. A coroner's jury has been empanelled and has gone out to view the bodies. The mother was one of the most attractive in the female sex. The husband was found lying about ten feet from his log cabin door, with his head cut to pieces with an axe. His wife was lying just outside of the back door. She was evidently choked to death, though her head was badly bruised from blows with an axe. There were pools of blood around each, presenting one of the most horrible scenes ever witnessed. The oldest child, when asked "who struck your papa?" said: "Uncle Noah," meaning Noah Cherry, an old negro man who was engaged getting staves cut by the Coroner, Dr. Kirby, with the jury who are holding the inquest, will remain in session all night. The evidence thus far, seems to show Noah Cherry as the murderer. He is in custody.

State of North Carolina, Superior Court.

ORANGE COUNTY. V. J. D. Jan. 78. C. L. Dunning, Adm'r. of W. H. Dunning, dec'd.—Plaintiff. vs. John H. Dunning, James J. Dunning, Mary A. Dunning, and Jesse E. Dunning, as Infants, all being heirs of W. H. Dunning, dec'd., living at Boxville, Union County, Ky.—Def't.

Petition filed by said dec'd. Feb. 10. John H. Dunning, James J. Dunning, Mary A. Dunning, and Jesse E. Dunning, the last being an infant, are hereby summoned to appear at my office in Hillsboro, N. C., on the 20th day of March 1878 and answer to the petition of Plaintiff. The above entitled case and judgment will be given against you for default.

GEO. LAWS, Clerk and Ex-Officio Judge of Probate, Feb. 13th/78.

WAR NEWS.

LONDON, Feb. 14.—The Standard's Vienna correspondent says the Russians are provided with a number of torpedo boats at Souda, and intend to sail on closing the Bosporus as a preliminary condition to the granting of armistice for the passage of the Dardanelles.

A special to the Times dated St. Petersburg, Wednesday, contains the following: "Late last night the Government received information that the Sultan refused positively to grant a firman for the entrance of the British fleet."

A Russian diplomat in an expectant attitude and has taken measures for the advance of a part of her troops now before Constantinople as soon as any Firman of entry under the Straits. The entrance of troops is not intended as an act of hostility by Russia, it is felt that an incident or collision might occur. If the troops enter it is thought the Sultan will retire to Broussa. In that event it would be extremely difficult to establish even a shadow of the Turkish Empire in Europe. The Russian government does not for the present desire such a radical solution of the question. In view of all this, negotiations for the moment fall into the background. An Anglo-Austrian alliance is now spoken of as a possibility. The Times Vienna correspondent reports that torpedoes have actually been shipped from Odessa for the Russians presumably for use in the Bosporus. The prohibition against the shipment of war material in the straits is more strict.

CONSTANTINOPLE, Feb. 14.—The British fleet passed through the Dardanelles Wednesday afternoon. The Turkish Government concluded that a mere protest meets the necessities of the situation. The Russians will declare that they will enter the city, and fears of considerable disturbance should they do so now.

The destination of the fleet is said to be Princess Island, the Sea of Marmora, 43 miles south of Constantinople, which is also reported to have been occupied. MELTA, Feb. 14.—Her Majesty's tug Escort has arrived here from Finns with a cargo of Whitehead torpedoes. The torpedo ship Devastation, 4 guns, nine thousand nine hundred and ninety tons, is to leave Malta to-day, and another vessel has been sent to Finns with more torpedoes. Any available ammunition is being sent to strengthen the crews of the ships under Vice-Admiral Hornby will join the Devastation.

LONDON, Feb. 14.—The Admiralty has a telegram from the English Consul at Chusan Kales, Antoin on the Dardanelles, 23 miles south-west of Gallipoli, confirming the report of the passage of six ships of the British fleet up the straits yesterday. The Turkish Pasha made a formal protest at Chanak Kalesi, but no active measures were taken to prevent the passage. The Admiralty orders were to enter the straits with or without leave and make arrangements to secure his rear. The ships were prepared for action.

WASHINGTON, Feb. 14.—The silver bill was resumed, Jones of Nevada, speaking in its favor.

Senator Coke, of Texas, made a strong legal argument in favor of the bill. He argued against the constitutional power of Congress to demonetize silver, and said it was a constitutional right of the people to have a currency of both gold and silver. The constitution itself established a bimetallic standard. After a brief discussion, the Senate passed the House joint resolution declaring that the reduction of tax on distilled spirits is inexpedient—yeas, 40; nays, 9. Messrs. Bailey, Conway, Davis, of West Virginia; Dennis, McCortney, Merrimon, Moggart, Randolph and Remondoting in the negative.

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