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The Usury Law. Shall it be Repealed?

The question of interest on money is just now engaging much of the public attention throughout the country. The press is almost unanimous in advocating the repeal of usury laws, and demanding a free and unrestricted money market untrammelled by statutory limitation or restraint. The State of Georgia—always the first of the Southern States to catch the spirit of the times and to adapt her policy to the demands of a more enlightened and advanced state of society—has already expunged from her statute book every vestige of a law which had its foundation in the ignorance of a former age, and drew its support from an unenlightened and unreasoning prejudice. Similar propositions are now pending before the Legislatures of Ohio, Virginia and North Carolina; but whatever may be the result in the two former, a recent vote in the House of Representatives at Raleigh would seem to indicate that our Legislature is not yet prepared to follow the example of the "Empire State of the South," and give to our people that relief from an unnecessary, injurious and absurd law so generally demanded by the press of the State.

We say the law is unnecessary, because the matter will be much better regulated if left to the general laws of trade, which fix with unerring accuracy the market value of every commodity that enters into the commerce of the world.

But this law is not only unnecessary, but can readily be shown to be actually injurious, and inimical to the interests of the people. It creates a fictitious scarcity of money by driving it to other markets where, in the absence of statutory limitation, better prices can be obtained; and by locking it up in the hands of capitalists who are not willing to lend at the legal rate, or by accepting a higher, to expose themselves to the penalty of the law prohibiting usury.

It is demoralizing to public virtue, because it denounces and punishes as a crime that which is accepted by the common sense of mankind as founded in the immutable principles of right. It tempts to the evasion and violation of law by stepping out of the legitimate domain of statutory enactment and seeking to counterfeited the operation of a great fundamental principle of universal law; and encourages fraud by placing in the hands of dishonest borrowers the means of legal robbery.

It is detrimental to the public interests, because it enhances the price of money. As already shown, it creates a fictitious scarcity. Those who are unwilling to operate in defiance of the law, either hoard their capital or send it away to foreign markets. The business is thus confined to a comparative few who are willing to trust to their skill in evading the penalty of an unjust and unreasonable law. Enjoying a monopoly of the business and operating in a market drained by artificial means of the commodity, and where the demand is largely in excess of the means of supplying it, their exactions are only limited by their own avarice, and the rate charged must be high enough to cover the risk involved in the violation of a penal statute, besides returning them a legitimate and reasonable profit.

The law is absurd, because it attempts to effect an impossibility. It seeks to regulate by legal enactment that which is subject only to the general laws of trade, and essays to combat a fundamental principle of universal law. Money, like every other commodity, will inevitably command its worth, without regard to the enactments of Legislatures or the decisions of courts, and the attempt to affix by law a different value is quite as ridiculous as the proposition once made to the Athenian Senate, that they should vote their asses horses.

It is agreed that some rate is necessary to be fixed by law, to which reference may be had in the absence of a contract rate between the parties; but beyond this the law-making power has no right to interfere and no power to control. The price of money must be left free to adjust itself, and to be regulated, like that of other commodities, through the operation of those unwritten general laws which have their foundation in first principles and are as fixed and immutable as the laws of nature.

We trust our Legislature will give this subject the mature and earnest consideration its importance demands. Let them listen to the voice of the people as uttered through almost the entire press of the State in favor of the repeal of this law, and they must become convinced that, though the proposition looking to its repeal was first introduced by a radical, it is no less "in accord" with the views and wishes of the great mass of the intelligent people of the State. Bankers and speculators will, of course, oppose the repeal, but the great, honest, toiling, struggling masses who pay the taxes and supply our markets with bread are unanimous in their demand for a free and unrestricted money market.

We shall watch the votes of members on this bill when it comes up again in

the House, and in the Senate, and we intend to let the people know who are for the rings and monopolies and who are for the people.

The Election Law.

In a late issue of this paper we declared in favor of making the payment of poll tax a qualification of voters in this State. The Raleigh News, in an editorial article, a few days ago, takes the same position, and urges upon the Legislature such an amendment of the election law as to require each voter to produce at the ballot-box his poll tax receipt before he is allowed to deposit his vote.

We know not whether the present constitution of the State will permit such a law. We are inclined to think not. But if it can be so framed as to go into operation without a violation of the constitution, we trust the Legislature will not hesitate to adopt such a measure.

It is but just and right that they who pay the expenses of the government should control it; and such as contribute to the support of the government should have no voice in shaping its course. It is enough for them that they enjoy the protection of the laws at the expense of others, without aspiring to make the laws, or to direct the manner of their administration.

Again, the tax on the poll is a sort of debt of honor due by the citizen to the State. If he be without property its collection can not be enforced, and a refusal to pay it under these circumstances is the strongest possible declaration of disloyalty to the government; for if all the citizens should refuse to pay tax the government could not exist for a day. It is, at least, presumable that the citizen who is unwilling to contribute to the support of the government the small yearly pittance required of him as poll tax will not be very careful to use the ballot for the public good.

The election law of Georgia has such a provision, and it works well. The government of that State is controlled by that class of citizens who are really interested in the public welfare, and the results are seen in the enjoyment of a measure of good order and material prosperity witnessed no where else among the reconstructed States.

We regard this as a matter of the very highest importance to the welfare of our State, the purity of our government and the advancement of our material interests; and in urging upon the Legislature the adoption of such a regulation we but express the unanimous sentiment of the Conservative party in this section of the State.

Petty Misdemeanors.

The sessions of our Superior Courts are largely occupied with the trial of small offenses designated in law as petty misdemeanors, which usually result, upon conviction, in a judgment for "a penny and the costs." Cases of affray, assault and battery and other trivial offenses crowd our dockets and consume the time of our courts, often to the exclusion of matters of greater importance, and always to the great disadvantage of the tax-payers.

A large majority of these cases might be, and should be, disposed of in the township courts, and ought not to appear on the docket of the Superior Court, except by appeal. The constitution, Art. IV, Section 23, gives to Justices of the Peace exclusive original jurisdiction of all criminal matters arising within their counties, where the punishment cannot exceed a fine of fifty dollars, or imprisonment for one month. Under this provision we think the Legislature has power, by appropriate legislation, to relieve our superior courts of much of this petty annoyance, and to greatly mitigate the cost to the tax-payers resulting from the present system. Let the laws be so framed as to require all such petty cases to be first heard and determined in the township court or before a Justice of the Peace, and restraining grand juries from finding bills in such cases. This would relieve the grand juries from much needless and profitless labor, and give more time for the consideration of matters more worthy of their deliberation. It would, at the same time, give dignity and importance to the township courts, and greatly diminish the cost of administering the criminal laws. It would also guarantee to the offender a speedy trial, and to the wrongfully accused a prompt vindication and release.

Under the present system our jails are kept full to overflowing of prisoners charged with petty misdemeanors, who, being unable to give bail, have, of necessity, to be confined, often for many months, and sometimes for years, at the expense of the tax-payers of the county, while they await the slow-moving wheels of justice as dispensed through the superior courts. It thus often happens that the term of imprisonment suffered by the accused while awaiting trial is many times greater than the penalty annexed by law to the offense with which he stands charged; and it not infrequently occurs that after six months' imprisonment he is wholly acquitted, the object of the prosecutor being already accomplished in procuring the arrest and protracted imprisonment of an objectionable person on a malicious

The bill to repeal the Deer Law passed its several readings in the Senate. The Senate has adopted a resolution to adjourn sine die on the 17th inst. In the House, on Thursday last, Mr. McNeill, of Robeson, introduced a bill to amend the Act in relation to fees of county Commissioners.—Good.

Petitions, memorials and bills to prevent the sale of liquor in the neighborhood of churches, school-houses, &c., continue to pour in from all quarters.—We suggest a general enactment prohibiting the sale of liquor at all, except upon physician's prescription.

Mr. Watson, of the House, has introduced a bill to prevent any one voting in this State, unless he shows his Sheriff's receipt for poll tax for the preceding year.—Right!

The Senate Committee on Privileges and Elections have reported a bill extending the terms of Justices of the Peace to the first Thursday in August, 1874, and recommending its passage.—

and groundless charge. Whether we consider the interests of the public or of the offenders themselves the present system of criminal justice seems to require modification of some sort; and some such regulation as we have indicated appears to us to be best calculated to bring about the needed reform and to correct existing abuses.

In this connection we would also call the attention of the Legislature to the necessity of some regulation in regard to the division of the time of our superior courts between the criminal and civil dockets. Under existing laws there is no limitation as to the portion of the term that may be devoted to the trial of causes on the criminal docket, the only legal requirement being that the business of the term shall commence with this docket. It thus frequently occurs that the whole of the two weeks allowed for the term are consumed before the civil docket is reached at all, though suitors and witnesses concerned in cases on this docket, as well as the other, are compelled to be in attendance from the first day of the term, at a heavy expense to themselves. Thus it happens in many counties from term to term and from year to year; business accumulates on the civil docket, costs mount up, witnesses die or leave the county, and the ends of justice are thwarted, private rights are unprotected, and a contempt of law encouraged, and a want of confidence in the power of our courts to protect the rights of citizens engendered in the minds of our people.

Our suggestion is this: Let a portion of each term, to be defined by law, be devoted exclusively to business on the criminal docket, and the remainder of the term to the trial of civil causes.—Such an arrangement, it strikes us, would greatly promote the convenience of the people and vastly diminish the costs of litigation.

On Wednesday last the Kansas Legislature met in joint session to vote for a United States Senator to succeed the loyal Pomeroy, whose term expires on the 4th of March next, and who was the administration candidate for re-election. Pending the ballot, Mr. York, a Senator ardent in his place and charged that he had been offered and had accepted from Mr. Pomeroy a bribe of \$7,000; and producing a roll of bank bills from his pocket said: "Here is the \$7,000 paid to me by Mr. Pomeroy, which I now desire to place in the hands of the President of the joint convention." It is needless to say that a resolution was adopted to the effect that the same day Pomeroy was arrested and held to bail in \$5,000.—Behold how pleasant and how beautiful a thing it is for brethren to dwell together in fellowship!

The Legislature. A bill to incorporate the Old North State Insurance Company was introduced in the Senate by Mr. Morehead, and referred. Bill to allow the Commissioners of Columbus county to levy a special tax passed its several readings in the House. Bill to carry into effect the act of 1868—69 to lay off and establish a township road from Marion to Asheville—providing for the payment of warrants already issued out of the general fund of the treasury, and for the payment out of the same fund the balance of the original appropriation of \$115,000—passed its third reading in the House—yeas 52, nays 46—our members voting nay. The resolution to relieve the disabilities of W. W. Holden was defeated in the House—a motion to indefinitely postpone being adopted—yeas 58, nays 51.

The Judiciary Committee of the House of Representatives at Washington have reported a bill increasing the salary of the President of the United States to \$50,000; also increasing the salary of the Vice-President and Speaker of the House to \$10,000, and of the members of Congress to \$8,000.

A resolution introduced in the House of Representatives at Raleigh, several days ago, by Mr. Badger, of Wake, relieving W. W. Holden of the disabilities imposed by the high court of impeachment, gave rise to an animated and protracted discussion which consumed the greater part of the sessions of the House for three or four days, and was finally postponed indefinitely, on Tuesday of last week, by a vote of 58 to 51.—Properly disposed of.

The application of the Territory of Colorado for admission as a State has been rejected by Congress.

On the motion to indefinitely postpone the resolution removing the disabilities of W. W. Holden, in the House of Representatives, on the 28th ult., Messrs. Norment and McNeill from this county voted yea, and their vote is approved by nineteen-twentieths of the members of the party that elected them.

Governor Caldwell has ordered a special election in Edgecombe County on the 26th day of February to fill the vacancy caused by the decease of W. P. Malleson.

Opposed to that. A bill to be entitled "An Act for the Improvement of Agriculture" passed second reading in the Senate. This bill provides for the appointment of two committees to canvass the State and by public addresses teach and induce the people to adopt an improved system of agriculture, &c. Another scheme to provide soft places for "scientific gentlemen" who "can not dig" and are "ashamed to beg."

The "amnesty bill"—providing for the pardon of offenses committed by the Ku Klux, Union League, &c.—recently passed by the Senate, was received in the House and referred to the Judiciary Committee.

By a vote of 61 yeas to 31 nays the House adopted a resolution expelling from the floor of the House one DeWitter, late Greasley nigger, and for a short time past reporter for the Sentinel.

In the Senate, Capt. J. W. Ellis (our Senator) introduced a bill providing that all persons liable to pay poll tax shall be required to exhibit a tax receipt before being allowed to vote, which was referred to the Judiciary Committee.

We regard this as a measure of much importance, and hope the bill will become a law.

Under suspension of the rules, the resolution authorizing the State Treasurer to pay to Jas. McQueen, alias Donahoe, the reward (\$6,000) heretofore offered by the State for the killing of Bass Strong, passed its several readings in the Senate. We learn by telegram from Mr. T. A. McNeill that this resolution will promptly pass the House.

Numerous bills to prohibit the sale of liquor and to incorporate little things and places passed their several readings in the House, among them the bills to prevent the sale of liquor within three miles of Beauty Spot church and within 1 1/2 miles of Mount Horeb church, Robeson county. Also bill to allow the levy of a special tax in Montgomery county to pay the school law.

Amendments to the school law have been proposed and discussed, and the constitutional amendments have been considered, but no definite action to the close of our latest reports by mail.

Hon. A. H. Stephens, the distinguished ex-Vice President of the Confederate States, and at present Editor of the Atlanta Sun, is a candidate for Congress in the 8th Georgia district. He was nominated by the Conservatives of the district to fill the vacancy caused by the death of Hon. A. R. Wright. His election is certain, as he has no opposition. It will be a proud day for Georgia, and auspicious for the whole South when "little Aleck" resumes his seat in the United States Congress. We regard him as to-day the representative man of southern feeling and opinion.

New Counties. We notice two or three propositions before the Legislature of this State for the formation of new counties. This thing has already been carried much too far, and we hope the present Legislature will not add to the burdens of the people by the creation of more new counties merely for the sake of providing a few petty offices for the gratification of small fry politicians and ambitious aspirants. We cannot all be members of the General Assembly, Sheriffs, Clerks of the Courts or county Commissioners; neither can we undertake to build a court house and support a county government in every township for the convenience of the citizens. Instead of cutting our territory up into innumerable little counties with their numberless officials and expensive systems of government, we must check our State with railroads, and thus bring all our citizens in easy communication, not only with their respective county seats, but also with the great centres of trade and commerce.

So long as our State is allowed to lie in the backwoods our people can never catch the spirit of improvement and social progress that is now so rapidly carrying forward the nations of the earth in the scale of physical, moral and intellectual advancement.

The Senate branch of the General Assembly of Pennsylvania has adopted a resolution instructing the U. S. Senators from that State to vote against the purchase or control of telegraphs by the government. On the adoption of the resolution the vote stood, yeas 25, nays 1.

Menigitis has broken out with great violence and alarming fatality among the students of Mercer University, at Macon, Georgia. Three deaths occurred in the College within three days, when the exercises were suspended and the students returned to their homes. The disease is spreading over the town.

A destructive fire occurred at Kingstree, S. C., on the 28th ult., which consumed one half of the business portion of the town. Loss estimated at \$50,000. Work of incendiaries.

Ex-Sheriff Schenck wants to be Mayor of Wilmington.—Better seek a cabinet appointment at Washington, or a directorship in the Credit Mobilier.

We learn from the Wadsworth Argus that the Wm. Char. & Ruth. Railroad will soon commence the erection of a warehouse and offices at that place.

The New York Tribune, referring to the Postal Telegraph scheme, very forcibly says: "Above and beyond all economical arguments, and granting those, great as they are, by its importance, is the danger which postal telegraphy imports to republican institutions. When the employees of a Government like our hands and control the news system of a continent, the end of popular freedom is nearly in view."

The Richmond Dispatch says John Pool, the sealawag Senator from North Carolina, who is urged for a seat in Grant's next cabinet, "is covered with affluent nests of infamy." Bless your innocent soul, what's the use of saying, or proving it, either? You can't scare the rest of the cabinet that way. They've all had it, says the Macon Telegraph.

Press Association.

The Wilmington Journal, a few days ago suggested the formation of a Newspaper Press Association in this State, and in a well-written and forcible editorial article showed the immense advantages to be derived from such an organization. Most of our State exchanges that have since come to hand respond heartily to the suggestion of the Journal, and unite with that paper in urging the necessity of some combination among the newspaper publishers of the State to protect their interests and to promote the cause of journalism.

We are strongly in favor of the proposed Association, and will be happy to meet with our brethren of the State press for this purpose at any time and place that may be deemed eligible and convenient. Supposing suggestions on this point to be now in order, we would name Raleigh as the place and the first Wednesday in May as the time.

A fire occurred in the town of Jackson, Tennessee, on the 1st inst., which destroyed property to the amount of 100,000 in the business portion of the town. Also on the same day fires occurred in New York and Montpelier, Vt., which consumed \$500,000 worth of property.

Commodore M. F. Maury, a naval officer of distinction in the Confederate service during the late war, and author of several scientific works of considerable celebrity died, in Lexington, Va., on the 1st inst.

A new disease, pronounced by the physicians to be a combination of meningitis and pneumonia, in which the patient is taken with a chill and often dies in thirty-six hours, is prevailing with alarming fatality in Montgomery, Ala. Four members of the Legislature have already died from it, and there is intense excitement and alarm throughout the city. It is thought the Legislature will adjourn to Huntsville, and large numbers of the citizens are leaving the city.

The mortality statistics of the city of Boston show a large increase of mortality for the past year. The deaths of 1872 exceed those of 1871 by 37 per cent. Exclusive of small pox deaths the increase is 25 per cent.

A difficulty occurred on the 25th ult., in Forsyth county, Georgia, between U. S. Marshals and citizens charged with violation of the revenue laws.—Seventy-five shots were exchanged.—One citizen killed and two Marshals wounded.

Senator Ransom has introduced a bill in the United States Senate appropriating \$50,000 for the erection of public buildings at Asheville, N. C.

The election for a member of Congress in the 4th Georgia district, in which Hon. A. H. Stephens is a candidate has been ordered by the Governor to take place on the 26th inst.

The "Great Commoner," as Mr. Stephens was justly designated in the antebellum days, is bound to go back to Congress. And woe betide the unclean beasts of that foul menagerie when he gets there!

"Prof" W. C. Kerr, State Geologist, tried to swallow a piece of oyster shell, the other day. It lodged in his windpipe, but we learn that no vacancy is likely to occur in that office.

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these being the most popular styles.

To show the latest styles, I have brought out some very fine Northern Photographs which will be on exhibition for a short time only. Call and see them.

I shall endeavor to take pictures equal to those taken in Northern Galleries. I have on hand a good lot of Stereoscopes and Stereoscopic views, Frames of all sizes, Albums, &c.

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SPECTACLES TO SUIT ALL EYES.

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