# Carolina Watchman.

#### MAY 24, 1877.

The 20th May fell this year on Sunday The annual observance of the day in Meckleuburg was therefore set for Monday 21st, which was celebrated with speeches and parades. Gov. Vance was expected good reason why the people should not fix there Monday evening.

the Charlotte Observer, to Mr, O, R. Jones, all these roads from Salisbury to the Counwho thus becomes sole proprietor. Mr. ty line, -not in the usual way, perhaps, but editoral connection until his place can be supplied,

The Statesville American thinks that the Watchman should, as a matter of justice, publish Gen. Leach's letter to the Raleigh Observer. The Watchman thinks it has done all in the premises that "justice" has a right to claim of it, and thereupon it rests. The American will pardon us for not seeing things in the light viewed by it.

Postal Commission .-- It has been announced that a postal commission will leave Washington on the evening of the Elst, to proceed South, for the purpose of inquiring into the wants of the Southern States in respect to faster and more extended mail facilities. The Commission was appointed by the President under an act of Congress, The chief object seems to be to moertain whether the wants of the country will justify the additional expense of a fast mail line ; and if so, over what route it will be best to arrange it. The Commission will stop at Richmond, Greensboro', Charlotte, Atlanta, Knoxville, &c.

N. Y. Times: A wealthy man in Salisbury, N. C., on conviction of ill-using his for six months and to pay a fine of \$300, than how well and cheaply it may be entered a plea to the jurisdiction for the cause der a law of the United States, even between a and put under bonds of \$1,500 for his done? good behavior for 12 months.

How fond the people are of telling of good actions. The newspapers in passing late letter, rather longer than we wish to

There are three railroad schemes which claim the attention of the people of Rowan: The North Carolina and Virginia Road, the Cheraw and Salisbury, and the Coalfields project, Now, it is quite certain the County will not undertake to help all these schemes at one and the same time ; but admitting the importance of any one of them separately, we can see no JESSE F. HOSKINS

their attention upon one of them and endeavor to push it forward. We believe

Mr. McDowell has sold his interest in the County is abundantly able to build which is justified by its surroundings. With McD. will continue for a short time his by the county taking the contracts and do- appropriate remedies may be applied to any ingthe work herself, and holding the stock wrongs which are found to exist, in her own right : If the county can lay out

bed and do all the work required to make it ready for the trains. Labor is cheap and abundant; and with the whole subject under her own control, the county could regulate the business with reference to the ford. Capiases were issued and the defendants case arising under a law of the United States,' financial condition of her people. It might arrested and bound over to make their appear take a longer time to accomplish the work in this way, but if when finished the county was clear of debt, or was bound for no

more than she could easily carry, her condition would certainly be vastly im-

proved, We throw out these suggestions for what they are worth, hoping they may engage the serious attention of others. We can think of no more practical mode of proceeding on the subject; for we think the time has passed to raise large sums of money for railroad purposes by private or ndividual subscriptions ; and it may also have passed for counties to subscribe large sums to a joint stock company to be paid in cash. Will it not be more satisfactory to counties to work out their subscriptions, through agents of their own selection, accountable as other county agents are, than to pay cash into the hands of a joint stock company officered by men who too

often study how not to do a thing rather

STATE AND U. S. COURTS. Decision of Judge Cox.

following decision in a case pending before him at Greensboro : SUPERIOR COURT, GUILFORD COUNTY, Spring Term, 1877.

STATE

and others. Cox, Judre. The case to be determined one of political and legal importance, and the consideration is approached with that diffidence the mere political question, this court has nothing to do, as to other departments of the govarhment such questions properly belong, where

from the discussion of any subject, the judiciary spirit and true meaning of the constitution, the United States, and hence under the Revised new dirt roads and build bridges, why may should remain calm and fearlessly declare the she not organize a force to build a railroad haw without encroaching upon the prerogatives parent as to override the words which its fram- "for acts done under color of his office," the ers have employed. (Ibid, 6th Wheat, 380.) of the co-ordinate departments of the govern-

In this case, the defendants are indicted for an assault and battery upon one Levi Humble, committed within the limits of the State, on her soil and within the body of the county of Guilnce at the present term of the court, and answer the charge of the State against them. Thereupon they presented their petition to

the Circuit Court of the United States for the ginia, supra, Western District of North Carolina, at Greenshoro, wherein they had set out that they 'were officers appointed under the revenue laws of claimed to exercise the right under an act of Yet, as hitherto suggested, such objections canthe United States, and that this prosecution

was commenced against them on account of an act done by them "under color of their office:" which petition was verified by their affidavits, was first taken up upon a motion to dismiss for now under consideration. Grant, however, for accompanied by a certificate signed by an at- want of jurisdiction, as this was, it was urged that the sake of argument it be so; grant that the torney of this court, reciting that as counsel for he petitioners, he had examined the proceedings ia, and that her sovereignty alone had been viola- and abuse their authority-still, in the lauguage in this court against them, and carefully in- ted, that Congress could not prescribe a pun- of the Supreme Court of our State in the case

unired into all the matters set forth in the petition, and that he believed them to be true. And therefore they pray that the prosecution ernment's claiming and exercising judicial court can only say, the law is so written." against them should be transferred from the powers in such cases, would be to prostrate "And," says Algernon Sydney, "the law n

Superior Court of Guilford county to the Cirenit Court of the United States, which latter enit Court of the United States, which latter government and react their own citizens against malefactors ten reason, retaining some measure of the try them for this alleged breach of the peace; who claimed to be acting under an act of divine perfection \* \* \* inflexible, inexor- GENTLEMEN'S FURNISHING

and that any further proceedings in this court Congress. under said indictment would be null and void. Fully imbued with the doctrine of States rights, Virginia left nothing unurged to pre-Before the defendants were called for trial in his court, a copy of an order from the Circuit vent the exercise of judicial authority deciding Court of the United States, purporting to trans-

ere their cause to the said Circuit Court, was tried and punished by the State. Yet the Su- warranted by the circumstances. The clerk of preme Court held that the judicial power of the this court will take due notice of this order and duly served upon the clerk of this court; and when the defendants were called to answer, they United States extended to all cases arising un- act accordingly.

above stated, to which the Solicitor for the State and her own citizens, for breach of the criminal laws of the State. And though the State, by replication, demurred. The defendants' claim is founded upon the Supreme Court ultimately held that the act of

Revised Statutes of the United States, page 115, Congress under which he claimed to be acting HOW IT STARTED .- Gen. Leach, in his sec. 643. No question is taised by the State in did not authorize the sale of lottery tickets in this court, as to the regularity of the proceed- Virginia, yet the Court further held, nem. con., around the above item have dropped the publish, gives the subjoined account of ings in the Court of the United States, by which because he claimed that it did, the case was one

arising are embraced." cause arising under a law of the United States ?" "The sigh article declares that the constitution If so, then the duty of the court is manifest. and the laws of the United States which shall Now "whenever in a judicial proceeding any be made in pursuance thereof 1 \* \* \* question arises touching the validity of a treaty, His Honor, Judge Cox, has delivered the shall be the supreme law of the land. The grant or statute, or authority exercised under the of the judicial power contains no such qualifi- United States, or touching the construction of cation. It is declared to extend to all cases any clanse of the constitution or any statute," arising under the constitution and laws of the etc., it is defined to be "a cause arising under a United States, without distinction or discrimi- law of the United States." (Story on Constination as to the latter. Nor is there any re- tution, vol. 2, section 1,647. Martin vs. Hunstriction as to the tribunals in which they may ter, 1 Wheat, 304.)

arise, wherever found. They are within the The questions involved need not all be of a reach of this authority and subject for its exer- federal character; if there is a single ingredicise to the law-making power of the nation," ent in the mass it is sufficient, and there is no The Mayor vs. Cooper, 6 Wall, 251, 252.) distinction in this respect between civil and criminal cases. (The Mayor vs. Cooper, 6 The judicial power therefore seems to "exend to all cases arising under the laws of the Wall, 252.)

United States." "If there be any exception, it In view then of these decisions of the highis to be implied against the express words of est court in the land and of others, not here the article." (Cohens v. Virginia, 6 Wheaton enumerated, this court is of the opinion and so 378.) Those who would withdraw any case decides, that this case is one "arising under a arising under the laws of the United States, a law of the United States," within the mean-Whatever may be the interest which arises "must sustain the exemption they claim on the ing of the terms as used in the Constitution of

> which spirit and true meaning must be so ap- Statutes now being considered, a revenue officer preliminary steps being taken, has a right to If this indictment for assault and battery have his cause transferred for trial to the Cir-

committed on the soil of the State in which the cuit Court of the United States, notwithstanddefendants claim to be revenue officers of the ing the prosecution may have originated by the United States and that the act complained of State against one of her citizens for a breach of was done "under color of their office," be "a her criminal law. 1158.

It is insisted, however, that after the cause is it seems clear the judicial power must extend so transferred, the Circuit Court, having no common law jurisdiction, cannot proceed to try

selling lottery tickets contrary to her laws. He are to be tried by the laws in force in the State.

Congress. The case was carried to the Supreme not arise in this preliminary inquiry, as we are

Court of the United States, under the 25th sec- only to determine the right to transfer. What

tion of the Judiciary Act. In that case, which is thereafter to be done is beside the question

able

It is possible a distinction may be sustained and punish the accused. That may or may between the present case and Cohens vs. Vir- not be true, or it may be true that this statute cents a box. has provided that the cause shall proceed as in Cohens was indicted in the State Courts for the State courts by necessary implication they

ENNISS' CHICKEN AND HOG CHOLERA FOUNDRY & MACHINE WORK CURE. We have located at E. H. Marsh's shop, cor. ner of Fulton and Council street, where we are prepared to do all kinds of casting in either The best and most efficient cure and preventive known. Said by those who have used Iron or Brass. We are now manufa it to be an untailing remedy. Read the following testimonials from citizens of the highest

NEVER KNOWN TO FAIL

IF TAKEN IN TIME.

one and two horse Plows, of the improved Farmers pattern-at prices to suit the times respectability in the State. We are also prepared to do all kinds of Wood SALISBURY, N. C., June 2, 1874. and Iron work : such as Pattern Making, Ger

IR. ENNISS: Dear Sir :- I have used with great satisfac- eral Repair Work, and Manufacturing all kinds tion your Hog Cholera Cure, and can truthfully of Agricultural Implements at short notice and at reduced prices for cash or barter recommend it to all hog raisers as a great preventive and Sure Cure, when used before the hog is too sick to eat.



Just received an entire stock of new Spring the offence was purely against the laws of Virgin- collectors are obnoxious; grant that they exceed goods, which were purchased at the lowest market prices, consisting of Staple and Fancy ishment for such an offence committed within of the State vs. Dunlap (65 N. C. Rep.) we say Dry Goods. A great variety of all kinds of the State; that the result of the Federal gov- "these are results deeply to be regretted. The Notions. HAMBURG EDGINGS AT 10 CTS. PER YARD &C.

Also a large and well selected stock of the States at the feet of the United States passion can disturb. 'Tis void of desire and government and leave them powerless to pro- fear, lust and anger, 'Tis mens sine affectu, writ-CLOTHING, HATS, BOOTS, SHOES, &

> GOODS. This court will proceed no further in the

MR. ENNISS :

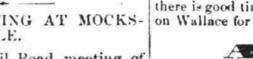
prosecution of this cause until informed of the If you want to drink good coffee, come and try final action of the Circuit Court of the United whether her citizens should or should not be States, when such steps will be taken as are

> Complete stock of Groceries, Crockery and Cutlery constantly on hand, which I can sell as low as any house in the city. Since the great political questions have been settled there is good times ahead for the people. Call on Wallace for cheap goods.



the most perfect and light running Machine in the market. They have no rotary cans. cog wheels or ever arms to make a noise, run hard, or get ont of Wallace's Rio. order. We warrant every Machine. If they don't please we take them back and return the money. Call before buying 12d see them. SALISBURY

A MI>



At an adjourned Rail Road meeting of the citizens of Mocksville and surrounding

RAIL ROAD MEETING AT MOCKS-VILLE.

WM. R. Cox.

Judge, &c., presiding.

name of the Judge (Kerr) before whom the case was tried, and the name of the his punishment. Many a poor and suffering wife far and near has read the above and blessed the Court that sought to protect a sister in distress.

now in jail in whose possession the following articles of property were found, which it is believed were stolen from persons either in this county, Cabarrus or Mecklenburg, to wit:

One Photograph Album, gilt edge, about 2 inches thick, pretty well filled with pictures of white people, unknown to those who have examined them. No name in the book.

One new set of Buggy Harness. A number of Oil or Kerosine lamps. Knives and forks, never used.

These are only a few items of the fel lows stores. He has a miscellaneous stock. not yet been identified as stolen property. Persons interested are referred to A. C. Carnheart, Esq., near Gold Hill, for further information.

#### JUDGE COX'S DECISION.

one of the ablest Judges on the Superior Court bench in a case involving the quession against the opinion of other able eral officials ever since the war. And yet if it is a righteous decision-if the laws, accept it.

an the protection of the Federal Courts crime. We have no idea that our system legal accountability. There must be a way to bring the guilty to justice, and wicked. just what that way is, is the subject of so much vital interest to our people, The decision of Judge Cox surrenders to the

revival of the old whig party originated. offender, (Poston), who is now undergoing Referring to his visit to Statesville on pro- to the requirements of the statute. fessional business, he says:

> on the streets, and being asked my views on the political situation, and the news-

become demoralized and disintegrated, 1 the constitutionality of the law. [Cooley's In Martin v-, Hunter, 1st Wheat, 304, the the best elements and materials of both [cs, Cooper, 6 Wall, 247.]

taken and understood by every one pres- careful and mature consideration. ent, and as a compliment to the old Whig party of other and better years: because neither then nor now would I advise and attempt to build up and revive the Whig party or any third party, for the reason

that I deem it both impracticable and un-

tion of judicial authority as between the of policies, should imperatively demand it her sovereignity, and a special consent in such stitution; and the removals themselves originate be appointed a special committee to notify State of North Carolina and the United in the name of the people's liberty, I cer- Farticular case is not indispensable. It may be from an apprehension that justice will be more the Commissioners, above named, of the States. Judge Cox has rendered a deciand body I possess, and all the affection-ate fealty that a loyal son owes to his divided in the judicial authority was in-ambitions might occasionally operate upon the the wishes of those citizens of the State State and country, because no man is en- the State so transferred in order to confer jur. The Slaughter House cases and Rees and who have suffered by the excesses of fed- titled to respect who loves party more isdiction. And the question is to be determin- Cruikshank cases are relied on by the prosecuthan country.

shall come to the Democratic party, (which If therefore upon a just interpretation of the a totally different principle, turning upon the State and national, sustain the views of for years after the war was known in this constitution, it shall be found that in a certain construction of the 13th, 14th and 15th Articles the Judge-it becomes the duty of all to State as the Conservative party.) and it class of cases the general government has the of amendment to the Constitution of the

against the legal consequences of wanton ty, whom they shall fail to coerce and dragreviling, with indiscriminate censure, the cumspection. nents, whether right or wrong, wise or

"I confess I am, and always have been, ed while executing federal duties, impli-wisdom; and this is peculiarly true of and that the offence committed as against the should be adverse to him. The authority which J. Fire.

edly to answer his federal master for the alleged crimes and according to the laws if the State There is certainly real and the leaders of any who the state There is certainly real if the State and the leaders of any who is the state There is certainly real is the leaders of any who of the State. There is certainly rea- ganizations ; and the leaders of any who tion itself, and not by showing that Congress has non in this view of the case, for otherwise deal freely in vituperation instead of the not and cannot provide for the punishment of original jurisdiction may be removed to United it would be monstrous to abandon an a- gentle means of reason and conciliation, mere assaults and batteries, committed within the States Courts, I refer to Gaines vs. Fuentes, 3 are seldom successful, and never ought to State, by demonstrating that her peace and Am. L. T. & Rep. 361.

how the story concerning himself and the the defendants insist their cause has been re- arising under a law of the United States, and country, held in the Court House at Mocksmoved to that court. Their petition and the within the meaning of those terms as used in ville, on Monday night, May 21, 1877, on certificate of counsel conform in all particulars the constitution of the United States. Upon motion E. Frost, Esq., of Clarksville

to the trial of the same.

It is not denied that the act of Congress re-It is not denied that ferred to includes the defendants' case, and if party, as well as the other, and may truly be "When there I met several leading men valid, gives them the right of transfer for trail said to arise under the constitution, or a law of to the Federal Court ; and hence this court is the United States, whenever its correct decision relieved from the necessity of considering these depends on the decision of either." [Ibid 6th, paper rumors of a third party, I replied subjects, as the resistance to the defendant's Wheat. 379]

substantially : That the Radical wing of right of removal is predicated alone upon the Here, however, it is insisted by the prosecu-Stolen Property.-There is a negro man the Republican party were heaping un- unconstitutionality of the act of Congress relied tion, that while it is true that the Supreme Court Legislature in 1857. Mr. Williamson, the measured abuse on General Hayes on ac- on by them. It will not be questioned that of the United States may have appellate juris- chairman of said meeting, being present count of his Southern Policy, while the this court has the right to declare an act of diction in such cases, yet it can only proceed to made the report by having the Charter of moderate, sensible men of the Democratic Congress repugnant to the Constitution of the hear and determine them after being decided the Rail Road read to the meeting. After party, of which I claimed to be one, as United States, and indeed it would become its in the State courts, and that they cannot be some remarks by Mr. Williamson as to well as quite a number of Conservative imperative duty to do so where the repugnancy transferred for trial to the inferior courts of the the validity of the Charter, and the pracnewspapers, were not only commending is plain, and in such case it would not hesitate United State; which are established under the tability and great necessity of having this but heartily endorsing him; and that, if by reason of this division and split in both parties, their existing organizations should repugnancy is clear and the conflict irreconcila- authority to Congress to confer original juris ble. Every doubt is to be resolved in favor of diction upon them.

> would be in favor of building up out of Const. Lim., ch. 7, pp 159 et seq. The Mayor Court says: "This power of removal is not to be found in express terms in any part of the parties, a National Henry Clay party, While fully impressed with the dignity and constitution. If it be given, it is only by ind. Preamble and Resolution was adopted : co., 4 miles west of Mocksville on which said freed from sectionalism and war issues, and importance of the questions involved, an ela-plication, as a power necessary and proper to intent only on the general welfare and borate discussion is not here proposed, but only carry into effect some express power. The prosperity of the whole country ; and this a brief statement of the reasoning by which the power of removal is certainly not in strictness "North Carolina and Virginia Rail Road," was said in a spirit of pleasantry and so court has been led to its conclusions, after a of language an exercise of original jurisdiction, should be built, therefore be it Resolved, It is readily conceded to the prosecution that tion to have attached elsewhere. Thee xistence Charter, to-wit : James E. Kerr and Wilif the defendants committed the offence charg- of this power of removal is familiar in Courts ed in the indictment, and by so doing, the peace \* \* in criminal as well as in civil cases." of the State was alone broken, why their Con- In regard to the removal of criminal prose gress could not constitutionally enact a law for cutions. Justice Story remarks that the evils the punishment of this simple misdemeanor, would be insurmountable without the exercise

and Congress, by the act now under considera- of this right. [Story on the Const., vol. 11, wise, and that no necessity has arisen yet, tion, has not sought so to do. It is further [1,746.] and never may; though no one can fore- conceded to the prosecution that neither the lf the power of removal exists in civil why see what a few years or even months may United States nor any State has the right to not in criminal cases? The same purposes are greatly changed condition of parties and may consent to a relinquishment of a part of in effectuating the beneficent ends of the con- sin. Thos, B. Bailey and Caswell Harbin set of tire-iron.

of such a party with all the energy of soul claiming the right to try one of her citizens for national judiciary than in the various State them the necessity of attending to this

ed by an examination of that instrument by tion to sustain the distinction between civil and "I will venture a prediction : If trouble which the surrender was made.

should lose alike its prestige and its pow- judicial power to try and punish offences against United States. Still they do not overrule the er, it will not be by the fault or misconduct her laws, then the State in such cases has part- principle contended for, and indeed have no Nevertheless, it is absurd to suppose of the moderate and thoughtful men of the ed with her right by criminal prosecutions in reference whatever to the removal of causes. that there is no remedy against those who party, but on account of the rashness and her own courts, to protect her own people Cruikshank's case decides that in an assault made break the laws of the State, presuming partisan bitterness and intolerance of extreme men, and newspapers, denouncing moderate and wise men of their own parmoderate and wise men of their own par-ty, whom they shall fail to coerce and drag-ty, whom they shall fail to coerce and dragpowernment is so miserably defective policies and principles, and continually that each step should be taken with proper cir- the cause to the United States Circuit Court; will deliver the literary address before the to deal, and the great importance that arises of office, he (by statute) is authorized to remove

policy and measures of political oppo- That North Carolina surrendered some por- States might determine the same question in tion of her sovereignty to the government of different ways. There would be no uniformity the United States, in her adoption of the con- of decision, for every act of an officer, civil or stitution, is universally conceded. The main military, of the United States, including alike unalterably opposed to extreme measures question in this instance is to ascertain whether the highest and lowest, done under their au--in church and State-in public or social she has surrendered to the judicial authority of thority would be liable to harassing litigation life-because perjudice and passion, in the general government, the power to try and in the State Courts. However regular his confederal government a federal agent accus- their mad struggle for the ascendancy, can punish in the federal courts, offences committed duct, neither the Constitution nor the laws of ind of crimes against the State perpetrat: in while executing federal duties, impli-wisdom; and this is peculiarly true of

I have determined to start the Herb and Root Business that occasion, Marshall, C. J., said, "A case in Township was called to the chair, and A. in this city, in order to give many a chance to

the object of the meeting to be the hear-29:2m. ing of the report of the committee appointed at the last meeting in regard to the ex-

istence of the Charter as passed by the NOTICE By virtue of a mortgage deed executed by Geo. W. Hinkle and wife Mary Hinkle, to J. payment of a certain bond given by them to the said J. R. Rice, bearing even date with said

were assigned by the said J. R. Rice to the un letsigned on the 19th day of March 1871, shares. some very appropriate remarks in regard we will soll to the highest bidder for cash at to the enterprise, and urged the importance the Court House door in Mocksville on Monof getting the people enthused upon the day the 4th day of June, 1877, the tract of land subject. When, on motion the following in said mortgage deed described lying in Davie

"Whereas, it is of most vital importance Hinkle now lives, containing about 60 acres. to the citizens of Davie county that the April, 28, 1877. (29:4t) It presupposes an exercise of original jurisdies that the Commissioners named in the liam Overman of Salisbury, and William

B. March, A. M. Booe, John M. Clement and A. G. Carter of Davie County, be requested to proceed immediately to advertise in some one of the newspapers in the State that the books to receive subscription to the capital stock of said Rail Road will be opened, when individuals, cities. from date and make claim according to law, or We copy in this paper the decision of disclose; for if party tyranny or unjust try and punish the defendants, citizens of North to be subserved, the idea of the national Legis- towns, counties and corporations can have the same will be declared forfeited to the Unioppression of the people, or utter disre- Carolina, for this breach of the peace of the lature being that the judicial courts of the nation an opportunity to take stock in said Rail ted States: gard of Constitutional obligation, or a State, except by her own consent. But a State cannot be detrimental, but must be beneficial. Road Company; and that J. A. William- 1 horse, 1 wagon, 1 keg whiskey, and one

> important matter immediately." The meeting then adjourned E. FROST.

A. HENLY,

Mocksville, May 21st, 1877.

A postal card from Rutherford College states that Prof. John Moffat, of New York, for, says the Court, "the Courts of the several societies at the commencement on the 23d

of June.—Charlotte Observer.

## MARRIED.

In Cabarrus county, N. C., May 17, 1877, by Rev. San'l Rothrock, Mr. GEORGE W. BARRINGER and Mrs. MARY A. SMITH.

DIED.

ence, and expressed himself prepared for

NOTICE.

In pursuance to the authority vested in me,

The deceased bore his affliction with much pa-

Mill Bridge, May 9, 1877.



OF ALL KINDS.

SALISBUY, N. C.

Also Agents for the Remington Sewing Machine

FLOURING & SAWING.

The subscriber having purchased the above Mills, respectfully solicits the patron age of the citizens of Salisbury and surrounding country. He hopes for the continuance R. Rice on 2nd day of Nov. 1874, to secure the of the patronage heretofore given these Mills

and by close attention to extend the busimortgage, which said mortgage deed and bond ness in both branches. By special contract timber can be sawn ca

> CALL AND SEE ME. W. M. NELSON. 21.4y. pd

National Hotel Mortagees.

RALEIGH, N. C.

OFFICE INTERNAL REVENUE. Board by the Day, \$2.00. STATESVILLE, April 21, 1877. The following property having been seized

for violation of the Internal Revenue Laws, Beautiful situated next to Capital Square. the owner or claimant is hereby notified to appear before me, at my office, within thirty days Col. C. S. BROWN, Propr.

J. J. MOTT,

Collector.

J. A. WILLIAMSON,

D. W. LEACH,

ADVERTISEMENT.

29:3t

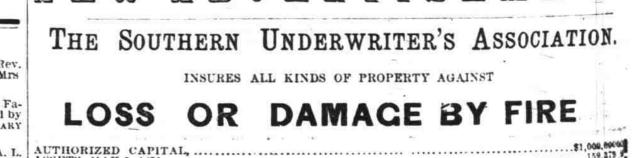
Cend 25c. to G. T. ROWELL & CO., New York, for Pamphlet of 100 pages, containing lists of 3,000 newspapers, and estimates showing cost of advertising. March 9, 76: ly.

C

G. W. BLACKNALL, Treasurer



STAND. Will keep constantly on hand a full and complete stock of all goods in his line. Especial attention given the Prescription Department, which is under the sole management of Mr. C. R. BARKER. THE TE THE SA THE TAL THE TA THE



HOME OFFICE

RALEIGH, N

Sec. criminal cases. These cases were decided upon

cle said 190,000 in an hour.

DEAR WATCHMAN:-A very valuable article in your paper last week contained one error. Light travels about twelve millions of miles per minute. That arti-

Yours truly, A. D. BETTS.

Chairman.

gent who had got into trouble with the State while performing a federal mandate.

The law and a way to enforce it no doubt exists, and we trust the Judges of the State will at least agree on the one point of our citizens. Nor should this be diffialishing the ends of justice; and we see no reason why such harmony should not be fully equal to the desired end.

people to believe that he was an honest, to the State than any other. upright man. He has their full confidence, be was chosen.

Co" Mr. W. M. Munday, living in Lemly's Township, in this county, showed us some large human bones found near the of sottling the question as to how the law bank of the Catawba River. They were is to be made available for the protection found in what is supposed to have been an Indian Mound, and must have belongcalt where the authorities, State and fed- ed to larger-sized men than are seen at eral, harmonize in the purpose for accom- the present day .- Charlotte Democrat.

### Department of Agriculture.

This department is in daily receipt of applications to register for sale lands. The election of Willard as Chief Justice water-powers, mines, &c., also inquiries of South Carolina, seems to have been en- from Northern and Western States in redorsed by the Democrats with a singular gard to the resources, climate, soil, &c., pnanimity. It is true that he was not a of this State. This feature of the departnative of the State, but his recent deci- ment is a most important one, and will ajons in the late exciting campaign led the probably result in more permanent good (Art. III, sections 1, 2)

The department is sending out forms of is a man of learning and will no doubt, application for the proper registration of tion and laws of the United States. reflect bouor upon the position to which property which parties in the State wish to dispose of.

dignity alone is invaded, nor by indicating the

disastrous consequences that may follow to the ance has been placed were civil cases, yet after State, if the general government shall abuse a careful examination of such authorities as are this delegation of judicial authority; for as available, an inability to find any criminal above indicated these matters do not belong to cause in point argues a singular acquiescence the judicial department. The people are sev- on the part of a profession whose Argus eyes ereign and in the proper way and manner have literally never close, in a law which has been the right at all times to make such changes in enforced since 1866. their government as experience may dictate are

calculated to promote the general welfare, First, then, if this judicial authority has been of this law, as to direct the Solicitor of the dissurrendered by North Carolina, does the con- trict in which the Circuit Court should be held, stitution empower Congress to vest it in the Circuit Courts of the United States? Second, if Congress is so empowered by the constitution. has that body by the Revised Satutes of the United States (sec. 643) conferred this authority on the said courts?

power of the United States shall be vested in 1874-'5.) one Supreme Court and such inferior courts as

cause.

In Cabarrus county, N. C., May the 12th, 1877, af-ter a lingering sickness, Mr. CRAWFORD J. GOODMAN, It is true that all these cases on which reli in the 27th year of his age. change.

Furthermore, the Legislature of North Carolina in 1874-'5, so far recognized the validity (with the permission of the court) to follow and

prosecute or assist in prosecuting, all cases which might be transferred from the courts of the State to said court, thereby giving legislative construction as to its constitutionality; and such constructions are always deferred The constitution provides that "the judicial to by our courts. (Laws of North Carolina,

Now the question of jurisdiction properly as Mortgagee by Mortgage Deed made to me Congress may from time to time ordain and arises in this case when the defendants by their on the 6th day of March, 1874, by M. A. Mofestablish," and that this power shall extend to affidavits and the certificate of counsel, allege fitt and his wife Harriet R. Moffitt, I shall pro-ALL cases in law and equity arising under the that they are revenue officers, for the manner ceed on the 18th day of June, 1877, at 12 constitution and the laws of the United States. in which the question is made to appear, is not o'clock, at the Court House door in Lexington, essential; and it may be done as it is in the to sell to the highest bidder for cash two tracts

Now if the judicial mthority extends to the Revised Statutes of the United States above of land, the first adjoining the lands of G. S. criminal prosecution under consideration, it is cited, and in section 643 is made conclusive Darr and others, containing seventeen acres, because it is a case arising under the "constitu- evidence of jurisdiction at this stage of the the second adjoining the lands of Phillip Kanoy, D. V. Moffitt and others, containing

"The power here under consideration is giv- And here the question arises (and it is really hity acres more or less, en in general terms. No limitation is imposed. the only one presented for the determination The broadest language is used. All cases so I of this case) in view of the facts, is this "a May 14, 1877. (31:1m.)

J. W. CECIL

R. W. BEST, Secretary. Parties desiring to insure their property should patronize this Company, for the following reasons: s a safe corporation, combining solvency and stability, (two of the most essential points in an insurance FOR SALE! Company), as the following certificate from the Secretary of State sets forth : STATE OF NORTH CAROLINA, DEPARTMENT OF STATE, Raleigh, May 5th, 1876. At a little over Half price, one second hand Buck Eve Mower and Reaper combined, or a To all whom it may concern : This is to certify, That I have thoroughly examined the "business affairs and finances" of "The South New Champion Mower and Reaper. Terms to suit purchaser. Apply to J. S. McCUBBINS,

**ARMISTEAD JONES, President,** 

ern Underwriter's Association," Raleigh, North Carolina, in accordance with the provisions of an Act to I-mend sections 42, 43, and 44, "Battle's Revisal," chapter 26, ratified 19th March, A. D. 1875, and do find that said company is "doing business upon sound principle, within the provisions of its charter, and in compli-ance with the laws of the State of North Carolina," and that they are possessed of the following securdes, which will more fully appear from statement on file in this office: ----

\$70,200 00 19,000 00 19,875 00 33,196 00 10,106 19 United States Bonds, (market value). N. C. Rall Road Bonds, (market value) N. C. County and City Bonds, (market value), Mortgages on Real Estate in North Carolina, (first liens), Cash on hand, in Bank and in hands of Agents, \$159,379 19 Total the Report In accordance with the authority delegated to me by the Legislature, I hereby app said Company filed this day. Given under my hand and seal of office WM. H. HOWERTON, Secretary of State.

It protects the policy holder, for its Charter requires 5 per cent, of the premiums received to be depos ed with the State Treasurer for that purpose. its stockholders are among the prominent business men in North Carolina. It is under the control and management of native North Carolinians. Its officers are known throughout the State. t will Insure your property on the most reasonable tarms. It will keep your money at home. Live, Active, Reliable Agents wanted in every part of the State. Address R. W. BEST, Secretary, Raleigh, N. C June 1, 1876. 1y.

Morigagee. MURPHY, Local Agent, Salisbury, N C.