

# The Daily Journal.

WILMINGTON, N. C.

FRIDAY, JAN. 22, 1875.

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ADDRESSES,  
ENGELHARD & SAUNDERS,  
Wilmington, N. C.

## EDITORIAL NOTES.

At West Point, Grant stood No. 21 in a class of 39; Sheridan, in a class of 52, stood 34.

The New Herald thinks "If the Republicans had got Grant off their shoulders in the Louisiana row they might have made a fight in '76; but fortunately for the Democrats, he sticks."

The guardians of the poor in Philadelphia have refused to allow homoeopathic physicians access to the clinics of the almshouse hospital, which action has stirred up the chronic war between the homoeopathic and allopathic schools of medicine.

A Mr. Stewart, an Englishman, who is said to have been with Livingstone for years in Africa, has purchased of Messrs. Stuart & Paine, the salt works proprietors, 1,500 acres of land, near West Point, on the Virginia peninsula, for \$75,000.

Mr. L. R. Townsend, of San Francisco, is a lucky man. He is an architect and an artist. Last summer he put up \$1,000 into silver stock, and has sold out lately for \$30,000. Besides this he bought a lottery ticket and won \$10,000 on that. It is safe to say that he will die poor.

A Washington dispatch says there is a strong and growing impression among Democratic politicians at the Capital that the third term movement has not been abandoned, but it is to be vigorously pushed, and that Grant will probably succeed in forcing himself on the Republican party as their candidate. No other candidate is now much talked of.

The military milkshop, Ames, of Mississippi, in his message to the Legislature, recommends the organization of a State police for the protection of the negro race. This is, of course, a mere pretense, the real object being to create an armed body to be used for political purposes. The measure, adopted, will increase the offices and add to the tax burdens under which the people now groan, besides that it will be the means of perpetuating the race animosities and bickerings in which Radicalism finds its chief means of support.

J. M. Seixas, by request of the Congressional Committee has compiled a statement from the files of the *Price Current* showing the depreciation in the value of leading banks and other leading stocks in New Orleans, and the estimated depreciation in securities for two years from August 17, 1872, to August 15, 1874. The following round numbers closely approximate the result: Bank stocks \$10,350,000, shrinkage \$5,500,000; street railways \$4,250,000, shrinkage \$1,250,000; miscellaneous stocks \$3,000,000, shrinkage \$1,000,000; insurance stocks \$7,500,000, shrinkage \$2,500,000; city securities nearly \$22,000,000, shrinkage \$4,125,000—total shrinkage in two years, over \$14,000,000.

The report of the Massachusetts Board of Education shows that sixty thousand children in that State are growing up in ignorance. That is about one-fifth of the whole number of children between five and fifteen. This is a fearful exhibit in so popular a section, where private instruction is so easy of access, and where the public schools provide amply for all. One reason for the amount of ignorance in Massachusetts is the demand made by factories on youthful labor, the scantiness of wages in manufacturing towns, and the necessity of all the members doing something for the support of the family. The remedy for the evil, according to the Boston Post, lies in a stringent factory act and a law for compulsory education.

"**FIXED BAYONETS**" AGAIN!

The New York World, commenting upon Grant's interference at Vicksburg, says:

Grant takes no steps backward! As it was to have been anticipated two or three days since that he would do, the President has repeated at Vicksburg that subversion of the safeguards of constitutional liberty which his agents and accomplices perpetrated in New Orleans two weeks ago last Monday.

There is said to be a dispute over the question who is the lawfully elected Sheriff of the county in which Vicksburg is. The contestants are Flanagan (who was yesterday in possession) and Crosby, who is a colored man. Governor Ames, of Mississippi, telegraphs to the President for soldiers to be used the next day in the master of this dispute; the President telegraphs Sheridan to place the troops at the disposition of the Governor, and Sheridan, of course, promptly obeys. It is to be observed that the troops can only be ordered to the aid of Ames when called for in compliance with the following law:

"Section 5, 297. In case of an insurrection in any State *against the government thereof*, it shall be lawful for the President, on application of the Legislature of such State, or of the Executive when the Legislature cannot be convened, to call forth such number of the militia of any other State or States which may be applied for as deemed sufficient to suppress such insurrection; or, on like application, to employ for the same purposes such part of the land or naval forces of the United States as he deems necessary."

Under this statute such "insurrection" must be a proven fact before the President can move a single soldier. Undoubtedly the President may rely on the telegraphic assertion of the Governor to that effect as sufficient evidence of the needed fact. But was there really such "insurrection" in Mississippi? Not a scintilla of evidence to that effect has been offered to the public and published in this city. There is, to be sure, a dispute as to whether A or B is the lawful Sheriff empowered to execute the functions of that office, but no insurrection against "the government" of the State.

In order that we may not be accused of a partisan coloring of the things done by the President, we will let the Times state what occurred in Vicksburg day before yesterday:

"Vicksburg, Miss., January 18.—Major Geo. E. Head, at the head of a squad of Federal troops, with fixed bayonets, acting, it is said, under orders from General Sheridan, entered the Sheriff's office here and forcibly ejected Sheriff A. J. Flanagan who was in possession by virtue of the recent election, about the validity of which there is a Constitutional question. His right to the office has not, however, been questioned by any legal proceedings. The military appear to have acted upon army orders alone."

Thus the President, on application of Governor Ames by telegraph, orders Sheridan to order Head, "with fixed bayonets," to decide "a constitutional question," in advance of application to the courts, about the election of a sheriff, and to pay for having acted upon army orders alone."

Thus the President, on application

**HARBOR IMPROVEMENTS.**  
WILMINGTON, N. C., Jan. 19, 1875.

C. W. L. DeRosset, President of the Chamber of Commerce:

Says—Four days, from the 14th to the 17th instant inclusive, have been employed by your committee in a tour of inspection of the harbor and its improvements.

Since our visit on the 8th of October last (reported on the 23d) a third dredge has been brought into service and commenced operations upon the shoals above Big Island on the 10th of December, since which time she has been constantly at work with apparent good results, the channel over those shoals being now reported much improved.

The dredge at work upon Snow March channel seems to be pretty generally engaged, but apparently not very effective, having accomplished but little of perceptible results. It was expected, we believe, that the contract for opening this channel would have been completed by or before this time.

No work has been done at Federal Point, and no perceptible change in the status of affairs there.

Zeta's Island appears to be growing, also the beach in front of the breakwater, but the point of beach just beyond the breakwater is very much encroached upon, which, with the long line of narrow beach, extending quite to Smith's Island, we regard as in a very precarious, if not a dangerous condition, requiring attention. We feel that we cannot too strongly urge the importance of some steps being taken for building up this beach and strengthening it by the utilization of grass and other shrubbery.

The upper swash across the beach, (of the two alluded to in our last report) is no worse than it was, and has no dangerous appearance. The lower one is very nearly closed, and has the appearance of being bare at low tide.

Bald Head point has been considerably encroached upon, but not so much as was feared; the point has been thrown around into a hook, leaving a deep pocket, which is in line with the straight shore of Smith's Island up to Bald Head creek, leaving quite a narrow neck of beach to separate it from the ocean, the waves of which break over upon very high tides. There seems no pressure upon this neck by the inside current, which passes outside of the point, the real danger being from the ocean waves opening a passage through the pocket, which would sweep away the entire point.

The suction dredge Woodbury, seems to be doing effective service of late, upon Bald Head channel, although there may not probably be much increase in the depth of water over what was last reported, the general character of the channel was very greatly improved, both in width and straightness, seeming to have concentrated all the conflicting currents of the outlet.

We have been informed by pilots that a cut-off or slue has been opened across the upper end of the Middle Ground Shoals (known as Jo Burch Shoal) from near the rip-buoy of the western channel in the direction of the outer buoy of the Bald Head channel; and, furthermore, that a considerable portion of the upper point of this shoal has been carried away.

If these reports should prove true, it would seem that the channel is disposed to straighten itself into the track of the old eastern channel, which we believe passed out a little east of south (instead of southwest, as the present channel does) and no doubt was the original direction given it by nature.

From all the lights before us we have no hesitation in saying that vessels of 150 feet draught can pass in and out with ease upon ordinary high tides, and upon Spring tides one foot more may pass with perfect ease, while ordinary vessels of 12 feet may beat through at will. This class of vessel, it is to be hoped, will be induced to make use of the new channel.

It is now that the main outlet is being enlarged and adapting itself to the more easy egress of a increased volume of the river's water, it would seem appropriate to commence operations for clearing the flow of water out of New Inlet, and send it down to assist in scouring out the Main Outlet; and, in view of this object, we respectfully suggest to the Chamber the propriety of taking such steps towards securing a full appropriation for this work from the present Congress, as in its judgment may seem necessary and proper.

Respectfully submitted,

H. NUTT,  
(Signed) GEO. HARRIS,  
JAS. H. CHADBOURNE,  
Committee.

Circular enclosing testimony, references and full particulars, mailed to you application to R. R. BALZACAR,

No. 53 Beaver St., New York.

T. & D. & W.

**TRADE MARK.**  
WORCESTERSHIRE SAUCE.

**SUPREME COURT—GENERAL TERM.**

JOHN W. L. A. et al. against SUNDAY COUSINS.

When it is apparent that there is an intention to defraud the public by the use of the name of a place and the word descriptive of an article, such description will not be protected by the practice that these words cannot be used in such manner as to constitute a "trade mark."

Where words and the allusion of words have, by long use, become known as designating and advertising a particular article, and are entitled to a right in them as a trade mark, while competing dealers cannot fraudulently infringe.

The essence of the wrong is the false representation and deception of proof of which an innocent will sue.

The concluding words of the Judges' decision are:

The cause appealed from should be modified and the injunction extended so as to prohibit the use of the words "Worcestershire sauce" on the bills, labels and wrappers of the defendant."

A Good Showing.

"The semi-annual meeting of the Augusta Cotton Factory was held in Augusta, Ga., on the 8th inst. From the report of the President it appears that the company, since the war, has paid in dividends \$1,222,000, and has expended \$500,000 for new machinery. There are now 28,000 spindles and 700 looms in operation. The property of the company is worth \$1,500,000, which is \$900,000 more than the capital stock. The board of directors declared the usual dividend of three percent for the quarter ending December 31, 1874."

These figures indicate a healthy condition of affairs in our sister State, and we rejoice therewith. We do so wish that the prosperity of Georgia might act as an incentive to our people, and induce them to adopt the means that have brought her improvement.—*Rail. News*.

A Spanish woman's mantilla, under the laws of Spain, is sacred and cannot be sold. When a Spanish gentleman is "embarrassed" he buys a hundred thousand dollars' worth of mantillas for his wife and then sells them honorably.

The immense monitor frigate, Independence, built in England for the Brazilian Government, was insured against the accidents of launching in the sum of \$1,250,000, at the rate of one eighth of one per cent. At the first attempt to launch the frigate most of the iron plates having been put on would not start; at the second attempt it struck after moving 130 feet—the stern being immersed. The result was that a considerable portion of the bottom was crushed in, frames were broken, plates torn, bulkheads doubled up, and solid iron pillars, six inches in diameter, bent and twisted, and the beams above broken. It will cost a large sum to repair the damage, but at one time it was feared that the Indepependence was so far incomplete as to render it a total loss to the insurers. After much negotiation on the part of the underwriters, the risk was again covered, and upon the next trial the great structure was successfully delivered to the waves.

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