

AN ELECTION FOR ONE HUNDRED AND TWENTY DELEGATES TO A CONVENTION TO AMEND THE STATE CONSTITUTION WILL BE HELD ON THURSDAY THE TWENTY-THIRD OF APRIL NEXT. THE CONVENTION WILL MEET AT RALEIGH ON THE 5TH OF THE FOLLOWING SEPTEMBER.

THE UNITED STATES JUDGE IN TENNESSEE DECLARES THE CIVIL RIGHTS LAW UNCONSTITUTIONAL.
The Civil Rights law, over which all Radicalism made such a splutter for so many years, has been declared unconstitutional by a Federal Judge almost as soon as it was enacted.

The decision was rendered by Judge Emmons at Memphis last Monday. It is quite elaborate and was delivered as a charge to the grand jury. The Judge regretted that a question of such exceptional importance should go before his court in that form. He had been advised that an attempt to enforce the severe penalties of the act on the prosecuting attorneys and other officials would be made should the grand jury fail to indict.

The Judge said: "The court's every consideration makes it a duty to answer your questions at once. You ask whether it is a crime for which you have a right to find an indictment, that a negro has been denied the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of theatres and inns of the State. Such denial is not an offense over which Congress can give this court jurisdiction. Those are matters which the State governments alone control. Parties who think themselves aggrieved can bring their civil action in this court at once. Any decision we may then make can be reviewed by the Supreme Court."

He then gives his reasons for entering into the details of the case, which are mainly the excited condition of the classes whom the law intended to affect. "Until the three recent amendments to the National Constitution which abolished slavery and attempted to protect the civil and political rights of the freedmen, all parties conceded that the Federal Government had no power whatever to restrain such an offense as this, the punishment of murder, arson, assaults and batteries, trespasses, frauds, injuries to reputation, obstructions to the right of attending the church, the public schools, the theatres, and forcing the right of being accommodated in inns and by common carriers within the State, were matters not only not granted to the general Government, but in the Constitution itself expressly reserved to the States. The vast mass of civil and political rights included in the compendious phrase, "the right to life, liberty and the pursuit of happiness," rested entirely under State protection. To this familiar and unquestioned truism there was universal assent then, and is now. The only question presented for judicial determination is, have these amendments completely revolutionized the whole character of our government? Because it is entirely evident that if Congress has the power of regulating the theatre and other places of amusement in Memphis and other cities of the Union, this necessarily involves the power of protecting the more sacred and important rights of the colored citizen."

He then reviews the thirteenth amendment, and declares that it abolished slavery and did no more. He also reviews at length the Fourteenth amendment, and says: "The clauses forbidding the States to deprive any person of life, liberty or property without due process of law, or to deny to any person the equal protection of the laws, have no application to this subject. They are intended solely to prevent the arbitrary transfer of property from citizen to citizen without legal adjudication or process, and to prevent the establishment of tribunals for one class of persons varying from those which determine the rights of all. These inhibitions too, beyond all controversy are aimed at the action of the State only, and have no reference to individuals." He cites decisions in Michigan and Ohio in support of this, and also the slaughter-house cases of the Supreme Court (16 Wallace).

Judge Emmons has decided with wisdom and justice. He is an upright Judge certainly in this instance, and his ruling will be sustained beyond any shadow of reasonable doubt by the Supreme Court of the United States. When Congress passed the Civil Rights bill it knew that it was enacting a law that could not stand the fire of the Courts. The Senators and Representatives of the dominant

party were too good lawyers and too astute men not to know that they were simply getting off a little buncombe to "fire the Southern heart," and amuse Sambo. For the most part Sambo has not chosen to be amused and the Southern heart has not taken fire worth a cent.

The Louisville Courier-Journal gives the valedictory at our college commencement some excellent advice. We quote a single pungent paragraph from its well prepared article. It says: "The style, the brilliancy and the poetry of an oration should never be made to overshadow its truth and usefulness. Find what lesson our young men and young women need most and inculcate it. Do not select a subject because some brilliant writing can be done on it or some captivating allusions introduced. One pebble of truth, if properly directed against error, typified by the conflict of David and Goliath, is worth many thousand pages of manuscript that contains either no truth or has it so clogged with learning and oratoricalness that it can not fly at the mark. A simple sling with one of these pebbles in it can beat back an entire army of errors by destroying one giant error, just as all the heathen flew when Goliath fell. Sink the ambition for display, and yield to the ambition to do good. One fact planted in a young mind, if it be a vigorous, strong young mind, may grow and grow, and produce scions until it spreads a forest where everything was bare before."

The scientific world is now about to have a comprehensive treatise on medicine, understood and practiced in the valley of the Nile 3,400 years since. A large papyrus, written in hieroglyphics and in excellent preservation, found in a pyramid, has been translated in Europe, and is now printed by steam, to satisfy the doctors that their learning and their ignorance do not date from yesterday.

The Abbeville Medium has been zealously employed of late in getting the editors of South Carolina to consent to have a press association. It is confident of the success of the undertaking. The Press Association of North Carolina will meet in this city in May.

Circular of the Mecklenburg Centennial Committee.
As citizens of the native sod of the Mecklenburg Declaration of Independence, made at Charlotte, North Carolina, on the 20th May, 1776, which marks a brilliant epoch in our States' history, we appreciate the responsibility devolving upon us, to receive and entertain the multitude of the sons of the State, and visitors, on the approaching Centennial Celebration.

As our fathers, in throwing the gage to the proud Monarch of the mother country, relied upon the co-operation of their fellow-citizens in the colonies, to aid in redeeming it, we turn to our fellow-citizens of the State, and our friends in other States, who, with us boast of a common heritage in the renown of a noble ancestry, and invoke your aid to make the 100th natal day of liberty in our great country, a historical event.

Believing that the citizens of your section will consider it a privilege to contribute to the commemoration of this kindling of the first fire of liberty on American soil, as well as to participate with us in the enjoyments of the occasion, and to the rearing of a suitable monument on the spot, rendered sacred to every North Carolinian, upon which our declaration was issued, we ask you to afford them an opportunity by circulating lists for subscription in such manner as you may deem best, and that you will collect such amounts as it may be the pleasure of the people to give, and forward it to J. C. Burroughs, Esq., Treasurer of the Centennial Association, Charlotte, N. C.

JOHN A. YONES, Ch'mn.
CHAS. J. JONES,
F. A. MCNINCH,
A. MACAULAY,
S. P. SMITH,
D. G. MAXWELL,
J. W. WADSWORTH, Committee.

A Thousand Skeletons.
A Chattanooga correspondent tells a singular story of several acres of skeletons laid bare by the recent floods in the Tennessee river.

The high water of the recent flood washed about four feet of earth from ten or fifteen acres of land lying along the Tennessee river on the farm of Mr. James Prater, near Louisville, in Blount county. About two feet of soil was removed from the same ground by the high tide of 1861. When the waters subsided after the last flood, a strange spectacle was presented. The whole of the denuded area was covered with skeletons. Some were straight, some reclining, some doubled up, and some in a sitting posture. There were the osseous forms of infants, of children, and of full grown persons. Mr. Prater has counted over a thousand forms.

Persons who have lived in the vicinity of this mysterious cemetery for sixty-five years never heard of any human bones being discovered there before.

The skeletons, we understand, are not found in a mound nor in what appears to be an artificial formation of the earth.

We understand one or more mounds were partially washed away in Meigs county, disclosing skeletons, some hatchets, and pipes, and implements common among the Indians.

The skeletons in Blount county probably occupy a burying ground, which, perhaps, centuries ago, was covered up by the same agency which has now exposed its occupants to view.

STAR DUST.

Small-pox is spreading in North Georgia.

Black store fronts, tipped with gold, are coming into style.

One of the Brooklyn papers prints a column of "scandalets."

Frank Goodness, of Providence, has died of a beating by Frank Dusenit.

Samuel Hairton, of Pittsylvania county, Va., died last week. Before the war he was the second largest slave owner in the United States.

Sylvanus C. Putnam, of Montpelier, Vt., 12 years old, has just died from the effects of picking the palm of his hand with a pen a fortnight ago.

Mrs. Matilda Sapp, living at Ravenna, Ohio, was born in Philadelphia on the 10th of March, 1775, and married in Maryland October 7, 1796, at Hagerstown. In 1808 she and her husband emigrated to Ohio, and he died there September 17, 1855. She celebrated her one hundredth birthday on the 10th inst., at which forty-eight of her descendants, including five of her children, were present. At the age of ninety years Mrs. Sapp spun flax enough to make thirty yards of linen.

Rienzi in Rufus.
[Corinth (Miss) Sub-Solier, March 19.]

The sad news reached our city early on Monday morning last that our pleasant neighboring town, Rienzi, had been a terrible sufferer by the tornado which passed over it the night previous. Several of our citizens visited Rienzi on Monday evening to render such assistance to the sufferers as lay in their power.

We are indebted to Mr. John W. McAnulty, for the following particulars of this sad visitation, he being one of the parties who visited Rienzi.

The storm on Sunday night commenced about 2 o'clock in Rienzi, and blew down several houses.

The following persons were killed: Porter Walker, in Rienzi, Jordan Reese and daughter about two miles from town, also Miss Mattie Palmer one mile from town.

Those wounded badly were M. B. Armor and wife, John D. Norman, Mrs. Porter Walker and son, Mrs. Martha Ross, Henry T. Joney, Jeff Palmer and Mrs. Winnie Palmer, and three or four colored persons, their names not known.

Those slightly wounded were two sons and two daughters of M. B. Armor, Mrs. J. D. Norman and child, Mrs. J. M. Martin and daughter Kitty, Mrs. Kellum, Mrs. J. M. Bynum and child, Mrs. Jourdan Reese and child, Mrs. E. P. Hoshell, child of W. T. Nash and Mr. Alexander. Rev. O. D. Fitzgerald was slightly wounded, while five miles from Rienzi, at Mr. Bray's, Bray's house was blown away.

The houses blown away and utterly demolished, were W. C. Gibson's, J. D. Norman's brick, Giles Savage's, W. B. Armor's, J. C. Covey's, W. M. Ross's, J. F. Arnold's, J. M. Martin's, Dr. J. M. Bynum's, H. T. Joney's, O. A. Gordon's, E. P. Hoshell's and a vacant house belonging to Thomas Dilworth, Baptist Church Academy, two colored Churches, foundry of D. & L. Fitzgerald, blacksmith shop of W. C. Sledge, shop of Posy Martin, W. T. Nash's dwelling, W. B. Gibson's, Mrs. Palmer's, one mile from Rienzi, Jordan Reese's, two miles from town, Thomas Davis', one mile from town, and several negro houses.

The houses of Mrs. Martha Ross, Dr. J. W. Stevens, and Mrs. Henry Nance were unroofed.

The following houses were damaged: C. P. Church, store-house belonging to J. W. Austin, used for plow-shop; J. T. Barton, W. P. Hall, Sam. Clark, B. F. Yonig's residence and gin-house; C. A. Taylor's residence, and many others slightly.

H. T. Joney lost \$300 to \$400 in money, Rev. H. G. Savage lost \$100; W. B. Armor lost about \$170—blown away. Mr. Armor found his about 100 yards from his house. One mill of Mr. Armor's house about 45 feet long, was blown near 100 yards. The floor of one room of his house was blown entirely across Tusculum, into Mr. Rhinehart's field, about one and a half miles from Rienzi. Eight or ten houses were blown down between Blackland and Jumptown; no one seriously hurt, except Mrs. Ellis and Mrs. Adair; others slightly wounded. The great mystery to all is that no more were killed. Mr. Armor and family were found about 350 feet from where the house stood. The brick pillars on which this house rested, were blown down, and nearly all the trees that were within the scope of the storm were blown down. Porter-Walker was killed in the brick house of John D. Norman, his son-in-law.

It is utterly impossible to imagine the damage done without visiting the scene. All the fencing near Rienzi blown down. A great many corn cribs blown down, and some stock killed. Robert Henderson had one horse killed. Dozens of families are left homeless, and if they had a house their furniture and provisions are destroyed. Loss variously estimated at from \$75,000 to \$125,000 within the corporate limits of Rienzi.

Mr. Lusk found a lady's dress just after daylight, three miles northwest from Rienzi, with a collar and breast pin fastened to it; the dress pocket contained a letter or note with a lady's address that is supposed to live in Tippah county, at least 15 or 20 miles from Rienzi.

The wounded are being taken care of by the fortunate few who are not wounded. They are showing a generous disposition to help those who are in need.

BUSINESS CARDS.

THOMAS GRAEME,
Gen'l Insurance Agency,
FIRE, MARINE AND LIFE.

Princess Street, between Front and Water Sts. May 19-34

ADRIAN & VOLLERS,
Corner Front and Dock Sts.,
WILMINGTON, N. C.

B. F. MITCHELL & SON,
COMMISSION MERCHANTS

N. A. STEDMAN, Jr.,
Attorney at Law,
ELIZABETHTOWN, N. C.

MISCELLANEOUS.
Sale of Real Estate Under Mortgage.

BY VIRTUE OF AND IN ACCORDANCE WITH the provisions of a certain deed of mortgage heretofore referred to, the several lots or parcels of land and premises, all situate within the present limits of the city of Wilmington in the county of New Hanover State of North Carolina, conveyed by said deed respectively to the Wilmington Building Association as hereinafter set forth, and sold for cash by public auction at the Court House in said city, at 12 o'clock M. on Thursday the 22d day of April 1876—that is to say—

1. A certain parcel of land conveyed by Alexander M. Shoar to the said Michael Cronly, in Rienzi, and Robert Calder as trustees of the Wilmington Building Association, by deed of mortgage dated the 29th day of July, 1860, and registered in the office of the Register of the county of New Hanover aforesaid in Book Y. Y. at page 412, and conveyed by said Cronly, Calder and Calder to said Association by deed of mortgage dated the 12th day of August, 1870, and registered in the office aforesaid in Book R. R. at page 129, conveyed to said Association as follows:—Beginning at the southeast corner of Fourth street with N. S. street, thence running eastwardly with the Southern line of N. S. street 58 feet, thence southwardly and parallel with N. S. street 58 feet to the eastern line of Fourth street, and thence northwardly with said line of Fourth street 58 feet to the eastern line of N. S. street, thence eastwardly and parallel with N. S. street 58 feet to the eastern line of Second street, and thence northwardly with said line of Second street 58 feet to the eastern line of Church street, and thence eastwardly and parallel with Church street 58 feet to the eastern line of Second street, and thence northwardly with said line of Second street 58 feet to the eastern line of N. S. street, and thence southwardly and parallel with N. S. street 58 feet to the eastern line of Church street, and thence eastwardly and parallel with Church street 58 feet to the eastern line of Second street, and thence northwardly with said line of Second street 58 feet to the eastern line of N. S. street, and thence southwardly and parallel with N. S. street 58 feet to the eastern line of Church street, and thence eastwardly and parallel with Church street 58 feet to the eastern line of Second street, and thence northwardly with said line of Second street 58 feet to the eastern line of N. 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