

SALE OF THE WESTERN ROAD SHOULD THE STATE APPEAL?

The Committee to investigate the sale of the Western North Carolina Railroad, have not yet made their report. In the meantime the sale is advertised to take place at Salisbury, on Saturday, February the 22nd, so that less than three weeks remain for action.

On Friday, Mr. Craig, of Rowan, introduced a resolution, authorizing the Governor to pray an appeal from the decree of the United States Circuit Court in the suit of Hiram Sibley, Henry Clews, and others against the Western North Carolina Railroad, and requiring and authorizing the State Treasurer to give an appeal bond in said suit.

From the communication of the Governor on the subject, transmitted to the Legislature on the 21st of January, we learn that on the petition of his Excellency, the Chief Justice of the United States Supreme Court extended for sixty days the time within which the appeal from the Circuit Court may be taken. Sibley, one of the Plaintiffs, lent the Western Railroad Company about two hundred thousand dollars, which with interest, costs and other charges has run up to about two hundred and forty thousand dollars.

To secure the return of the loan in thirty days, the Company hypothecated bonds to Sibley to the amount of one million and fifty thousand dollars, with the power to sell at public auction for cash if the money was not forthcoming on the day of maturity. The money was not returned within thirty days; the bonds were sold and Sibley became the purchaser. He now claims them absolutely and asks that the whole amount, to-wit, one million and fifty thousand dollars be paid him for his debt of two hundred and forty thousand dollars. Henry Clews and holders of the other bonds are also made Plaintiffs in the suit.

The Governor is advised "that the mortgage is absolutely void, as not having been made in pursuance of the power granted by the Legislature, and as being unauthorized by law, and in direct violation of the Act authorizing a mortgage; and it is believed that the said loan was part of a fraudulent scheme concocted for the purpose of having said road sold at a sacrifice under the sanction of judicial authority."

In his communication the Governor says that the fixtures, rolling stock and other property of the Company have cost between six and seven millions of dollars, and that two thirds of that amount was paid by the State. The Company owes several hundred thousand dollars beside Sibley's debt; but the Governor thinks the Road is worth much more than it owes. He recommends that the Legislature ought to provide for a sale of the Road, and that the proceeds of the sale be applied to the liquidation of all its liabilities—the surplus, "as there will unquestionably be a large one," to go in the public treasury. He recommends that the validity of the mortgage be tested by appeal or otherwise, and in case it should be declared void, that the Road be sold at public auction by Commissioners appointed by the General Assembly.

We do not know what evidence the Committee have upon the subject, but in the present state of affairs, we are of opinion that an appeal should be taken to the United States Supreme Court from the decree of the Circuit Court. We presume the Committee will make their report and suggestions during the present week. But whatever that report may be, we think Mr. Craig's resolution should be adopted.

If the bonds are vitiated with illegality or fraud, and the sacrifice of the State's property can be prevented by a postponement of the sale, then the appeal should be taken and the Treasurer required to give the necessary appeal bond.

REMOVAL OF GOV. GRAHAM'S DISABILITIES.

We are pleased to learn from the Daily Globe, that a bill was introduced in the House of Congress on Friday, the 31st ult., removing the disabilities of Ex-Governor Graham of this State, and that it passed by the requisite majority. It now goes to the Senate for concurrence.

The bill was reported by Judge Peters, of Maine, from the Judiciary Committee, who, although a Republican, has exhibited much liberality and kind feeling towards the Southern States and is entitled to our thanks for his efforts in their behalf.

We remember that Judge Peters took an active part in favor of the bill for the removal of the disabilities of Hon. Sion H. Rogers, and to him Col. Rogers is much indebted for his admission to his seat.

Not only on the matter of the removal of political disabilities, but on various other questions affecting the interests of the South, Judge Peters has shown a just, humane, liberal policy, and his influence has been of great service to the Southern members. Now that the bill removing Governor Graham's disabilities has passed the

House, we trust the Senate will speedily give its concurrence to the same. This is but a tardy act of justice, and has been too long delayed.

Few public men in the South have made themselves less obnoxious to the National Government—few were more entitled to favorable consideration and clemency at its hands. While firm in his devotion to the South, Gov. Graham, during the war, pursued a prudent, dignified, conservative course, and no individual act or expression of his can be pointed to, during our conflict of arms, that could cause the Government to deal more harshly with him than with hundreds of others to whom pardon and amnesty have been already extended.

IT SHOULD PASS.

The North Carolina Amnesty Bill which has passed the Senate, will come up at an early day, for discussion in the House.

We expect, of course, from the leading spirits of the Republicans of the House, the same opposition that was manifested by the spokesmen of that party in the Senate. We expect the same inflammatory harangues, the same violent abuse of Ku Kluxism and its atrocities, the same cry of horror at the idea of pardoning cold-blooded murderers, and the same appeals to party prejudices and passions.

The bill has been greatly misrepresented and unjustly assailed, but the principle is right and the bill ought to pass. It appeals to the calm judgment, to the feelings of humanity and mercy, and to the State pride of every member of the Legislature, without regard to party.

We hope the advocates of the bill in the House will see to it that no false issues are made and no irrelevant arguments by its opponents pass unanswerd.

The bill is not for the protection of criminals and murderers, per se. It does not shield any individual from any acts he may have committed in his individual capacity, if we understand it aright. It is only intended to operate upon acts committed by political societies, or by secret organizations composed of members of one or the other of the political parties, when those acts were committed under the orders or decrees of such organizations.

The passage of the bill will restore a better state of feeling in certain sections of the State. It will stop the tide of emigration from North Carolina, which is getting to be a serious calamity in many of our Western counties. It is an olive branch of peace, intended and calculated it passed in the proper spirit, to bury the feeling of bitterness and strife and malice, which has resulted in violent outbreaks and has done so much to retard the prosperity and progress of North Carolina.

We copy elsewhere in our columns today a sensible article on the subject from the Tarboro Enquirer, to which we invite the attention of our readers.

We sincerely trust the bill will pass the House without serious opposition. Let it be discussed upon its merits, and not embarrassed by side issues and imaginary objections.

The Conservative party is not afraid to go before the people upon the principle of magnanimity, justice and charity. By the people that principle will be sustained and endorsed.

THE AMENDMENTS SUBMITTED SEPARATELY.

Senator Morehead, of Guilford, submitted in the Senate yesterday, the various amendments to the Constitution of the State, included in the bill which passed the last Legislature by a three-fourths majority, as required by the Constitution. The amendments have been published six months previous to the election of the members of the present General Assembly, as required by section second, article thirteen of the Constitution, and it will require a two-thirds vote of the Legislature to pass them at this session. If a two-thirds vote is obtained, it will then become the duty of the General Assembly to prescribe a mode by which the amendments may be submitted to the qualified voters throughout the State, and if adopted by the popular majority at the ballot box, then the amendments become a part of the Constitution of the State.

Senator Morehead has introduced the amendments separately, making one bill for each amendment, so that each one may be considered on its merits.

Senator Grandy, Republican, from Pasquotank, is, we believe, the only member of the Legislature, who has publicly expressed a purpose to oppose all the amendments, he being opposed to any alteration of the Constitution. We think he will be found in a hopeless minority, even in his own party. We learn that numbers of Republicans are heartily in favor of some of the proposed amendments, and will advocate them earnestly when the subject comes up for discussion.

THE STATE PRESS ON USURY.

(From the Greensboro Patriot.) THE USURY LAW.—There is, perhaps, no subject connected with dollars and cents on which men's opinions vary more than on the question of usury. There is no country on the civilized globe where laws have not been enacted against it, and no country where the law against it ever amounted to much. The term usury must be defined by law, that is, the law must tell us what a usurious rate of interest is, and hence you find that it is deemed usury to demand

NEW ADVERTISEMENTS.

A CARD

OIL HOUSE OF CHARLES PRATT, New York, Jan. 30, 1873. JULIUS LEWIS & CO., Fishers Building, Raleigh, N. C., Sole Agents.

Owing to several incorrect reports of the late fire at our Works, and in answer to numerous inquiries from our friends, we take this occasion to inform you that our business will not be seriously impaired on account of it, and that we shall continue to fill orders as promptly as heretofore. Below we append extract from the New York World of Jan. 27th, containing the most correct account: "About ten o'clock last evening a fire broke out in Charles Pratt's Astral Oil Works, foot of North Twelfth street, Brooklyn, E. D. Dense volumes of smoke soon followed, and the fire continued to spread until six of the large stoves were in a mass of flames. Steps were at once taken to prevent its spread to the main buildings, containing a very large amount of property. In this they were more successful. The stoves are located on the east end of the works, and are isolated from the storehouses and factory. The losses are as follows: There were fourteen stoves in all, of which were on fire. There were four stoves of 75 barrels capacity, and two of 500 barrels capacity. These were all destroyed, involving a loss of \$20,000. Loss on oil estimated at \$5,000. Loss on buildings about \$2,000. The building was not finished. There are 200 men employed in the factory, but no damage whatever was done to treating and Bleaching Tanks, or Pump Room. The loss is simply the temporary reduction of about half our distilling capacity, to which extent we shall resume on Wednesday, the 29th inst.

Our Gasolene Works are at Hunter's Point—remote from the fire. No delays will occur in shipments of ASTRAL OIL, or other goods, as our distilling plant will be sufficient to meet orders until the Refinery is fully repaired. Yours respectfully, CHARLES PRATT, Sentinel and Biblical Recorder copy.

WAYNE ALLOTT, FAMILY GROCER AND GENERAL

PRODUCE COMMISSION MERCHANT, Manufacturer of Excelsior, Laurel Wreath, and Moss Rose Smoking Tobacco.

Agent for RUSSELL'S Virginia Wagons.

ASSISTED BY J. M. Broughton, B. C. Rogers, J. A. Rogers, Salesmen.

ANDREW A. GREEN, Collector, and in charge of Consignments, Freights, Wagon Agency, Tobacco Works, Weekly Price Current.

Particular attention given to Consignments, and returns made promptly. All letters of inquiry promptly answered and the best possible information furnished.

Send for ALLCOTT'S Weekly Price Current.

REAL ESTATE AGENCY.

The partnership that has for the last year existed between Messrs. KINGSLAND & MILLER having expired, the business will be continued as heretofore, under the

RALEIGH NATIONAL BANK,

BY ANDREW MILLER,

who will endeavor to conduct it in a satisfactory manner and to the best advantage of depositors of lots and tracts of lands for sale. His commissions will be as heretofore, five per cent on actual sales.

NO SALES NO CHARGE.

Mr Miller is constantly selling and offering for sale very eligible building lots in different parts of Raleigh.

Also plantations, large and small, wood and timbered lands, &c., in any quantity in different parts of the State and at prices correspond with the times.

He solicits calls from buyers as well as from sellers.

Now is the time to buy in North Carolina. feb 1-4f A. MILLER.

NOTICE

Notice is hereby given that an application will be made to the State of North Carolina, for a charter to incorporate a Fire Insurance Company.

Jan 14-f

FRESH GOODS JUST RECEIVED.

New Currants, Raisins, Citron, Lemon Peel, Desiccated Cocoanut, Flavoring Extracts and Essences, Candy, Nuts, Green Corn, Pickles, Brandy Peaches and Cream Starch, Strawberry cakes, Ginger Nuts and Snaps, Sugar Cream, Swiss, Oyster crackers, Nic Nacks, &c., New York Buckwheat Flour, Champlain Family Flour, Golden and Mountain Butter, &c., &c. L. D. & W. H. WOMBLE, Fayetteville Street, opposite Market.

NOTICE

GUARDIAN MUTUAL LIFE INS. CO.] Notice is hereby given to all whom it may concern, that the Agency of the Widows' and Orphans' Benefit Life Insurance Company, and the Reserve Mutual Life Insurance Company, and the Guardian Mutual Life Insurance Company of New York, has been withdrawn from the State of North Carolina. S. Y. MEYER is hereby appointed the General Agent of the said Companies for the State of North Carolina. The patrons of the Companies will please communicate with him in reference to all matters connected with their business.

BLACKFORD & CLARK, General Southern Managers, Jan 24-wlm.

A LARGE LINE OF FLUID EXTRACTS and ELIXIRS

At 25-27-f SIMPSON'S Drug Store.

FOR FRESH OYSTERS AND

Hominy Beans, call on A. G. LEE & CO. Jan 25-f

MISCELLANEOUS.

R. B. ANDREWS & CO., CLOTHIERS.

Respectfully asks the attention of PARENTS & GUARDIANS to their large and well assorted STOCK OF

BOYS & YOUTH'S CLOTHING

received this day.

Boys and Youth's Overcoats, Youth's and Boy's Tailors, Boys and Youth's School Suits, Youth's and Boy's Dress Suits, Overcoats and Business Suits

For extra large men, Just received at

R. B. ANDREWS & CO'S, de 1-f

CLOTHIERS.

CHRISTMAS IS COMING.

Brown's Museum Prepared for the Reception of Guests.

THE LARGEST STOCK OF Toys, Fancy Goods, Wonders and Curiosities EVER BROUGHT TO THIS CITY.

The attention of the Members of the General Assembly especially desired.

NAT. L. BROWN, Fayetteville Street,

2 doors South of Southern Express Office, Has in store and receiving daily, the largest and most complete stock of TOYS, CONFECTIONERIES AND FANCY GOODS.

ever received in this city. His stock of the fancy goods of every variety, style and finish, suitable for

HOLIDAY PRESENTS, Is unprecedentedly large and embrace every article that can be desired.

MUSICAL INSTRUMENTS of every style, pattern and price, are a specialty in his line. His

AVIARY has just been replenished with a large number of imported CANARY SONGSTERS, which are in fine health and condition, and the best singers ever before received by him.

Also Mocking Birds and Parrots to order, which can be conveniently and safely shipped to any point. Cages and bird food always on hand.

Members of the General Assembly are respectfully invited to call at the MUSEUM and examine the many curiosities on exhibition.

Come One, Come All, Special inducements offered to the trade de 17-f

CARMERS

Carolina Baking Powder. You should use the "Carolina Baking Powder" because there is no other that gives such satisfaction. It makes charming Bread, Delicious Rolls, Cakes, Biscuits, Waffles, Corn Bread, Griddle Cakes, Pastry and Cakes of every Variety. For making Buckwheat Cakes it has no rival.

Those that have tried it, say it is decidedly the VERY BEST. Feeling considerably flattered at the increasing demand where put in competition to so many kinds now on the market, that I shall hereafter manufacture it on a much greater scale.

It is the only Baking Powder manufactured in Virginia and Carolina, and I guarantee it to give as much satisfaction as any other. Manufactured by

J. R. H. CARMER, Raleigh, N. C. No. 11, Fayetteville Street, Raleigh, N. C. Jan 25-f

THE PETERSBURG, VA., APPEAL

DAILY AND WEEKLY VENABLE, GREGORY & PATTENSON, Prop'rs. A. B. VENABLE and E. S. GREGORY, Ed'rs.

An Independent Organ of the People. Conservative in politics, independent and outspoken in editorial conduct, with rapidly increasing circulation in Virginia and North Carolina, the APPEAL offers unusual attractions as a Newspaper and Advertising Medium.

Its Local Column is full and Sprightly, and its Market Reports carefully prepared. It maintains regular correspondents at Washington, Richmond and Raleigh, and has just appeared in new outfit throughout.

DAILY APPEAL, \$6 per annum. WEEKLY APPEAL, \$2 per annum. Advertisements inserted on Favorable Terms. VENABLE, GREGORY & PATTENSON, Proprietors, feb 1-3f

LARGE STOCK BOOTS, SHOES and Staple Dry Goods.

50 Kits Pure Leaf Lard, 25 Boxes extra Cream Cheese, 500 Blocks Cotton Yarn, &c. Also large lot Bridles, Saddles, Collars and Harness and everything usually kept in a first class store. M. A. PARKER, Jan 5-f

LOST

Yesterday morning between the Fayetteville street Capitol gate and the Postoffice \$100. The finder will be liberally rewarded by leaving it at this office. Jan 24-f

HORSES, HORSES, HORSES.

\$115. One black mare, 9 years old, 13 hands high, sound.

\$120. One sorrel mare, 4 years old, 15 hands high, sound.

\$100. One bay horse, 9 years old, 14 hand high, sound.

\$100. One bay horse, 8 years old, 14 hands high, one eye.

G. T. STROHACH & BRO. A. N. UPCHURCH, Wholesale and Retail LIQUOR DEALER, RALEIGH, N. C.

Begs leave to inform the public that he has on hand a most select and large assortment of Liquors, consisting of Nash Brandies, Holland Gins, French Brandy, Old Rye Whiskies, celebrated brandy, viz: Mcgibbon's, shawhan and Cabinet, Pure M. C. Corn Whiskey, noted for its medicinal properties. Dealers would do well to call and examine the Fine Wines of every description. Liberal inducements offered to the trade. Jan 22-1m

FERTILIZERS! FERTILIZERS!

NO. 1 PERUVIAN GUANO. GUANAPE PERUVIAN.

WHAN SUPER PHOSPHATE. SOLUBLE PACIFIC GUANO. PURE FLOUR OF BONE. FRESH GROUND PLASTER. AGRICULTURAL SALT.

We invite the attention of the Farmers and Merchants of North Carolina to our stock of STANDARD FERTILIZERS, which we offer at

THE LOWEST CASH PRICES.

All Fertilizers sold by us can be relied upon as being what they are represented to be. PERUVIAN GUANO sold by us is bought directly from the Agent of the Peruvian Government, and in no case from any other Person; therefore parties run no risk in getting a spurious article from us. We call especial attention to the fact that we are the Manufacturer's Agents for the sale of

SOLUBLE PACIFIC GUANO - AND - WHAN'S RAW BONE SUPER PHOSPHATE.

both well known and popular articles in North Carolina, and have been largely used in the State for Cotton and Corn every year since the close of the war. We have in our possession testimonials attesting value which we will be pleased to furnish any one upon application.

The Cash price of WHAN'S PHOSPHATE is 45c and SOLUBLE PACIFIC GUANO \$50, at No. 60c. A limited quantity of these articles will be sold on crop time to satisfy factory parties. Special rates of freight made in large quantities, and information cheerfully given. We solicit your orders.

H. H. HANNS & DANCY, 57 Water Street, Norfolk, Virginia. Jan 28-dwlm

W. C. STROHACH, GROCER AND COMMISSION MERCHANT.

A FULL LINE OF FIRST CLASS GROCERIES AT STILL LOWER PRICES.

Mocho and Old Government Java Coffee. Canned Fruits and Vegetables. Choice Laguna and Rio Coffee. Imported Pickles and Sauces. Finest Green and Black Teas. Domestic Pickles and Sauces. Best Grades of Butter and Cheese. Elm Grove Family Flour, our own Brand.

Send for Catalogue Price List. Jan 24-f

GUANO! GUANO! GUANO!!!

BUY THE BEST SOLUBLE SEA ISLAND GUANO!

State Fair Premium at Wilmington for the Largest Amount of Cotton in an Acre. GOLDSBORO, Wayne County, N. C., November 23rd, 1872.

JOHN H. POWELL, Esq.: DEAR SIR—The Soluble Sea Island Guano purchased of you this season was used by the side of other guanos, and as given me more satisfaction than any of the others. The Soluble Sea Island Guano was the one used upon the acre of land upon which my son raised the cotton upon which he took his State premium for the greatest amount of cotton in an acre; and I am informed by the Chairman of the Committee that had he entered for the largest amount of cotton to the acre, premium upon it, he would have also taken that premium, beating all 150 lbs. I am better pleased with than any other Guano I have ever used on cotton, and I shall use it in preference to others next season for my cotton crop. T. A. GRANGER.

ALSO EIGHT PREMIUMS AT WAYNE COUNTY FAIR.

The Amount of Seed Cotton made on an Acre of Upland by Mr. Granger was Three Thousand Six Hundred and Thirty-three Pounds. EDGECOMBE COUNTY, N. C., December 12th, 1872.

Messrs. R. W. L. RAISIN & Co., Baltimore: I bought of Messrs. Raisin & Co., last Spring, one ton of your Soluble Sea Island Guano for myself and three tons for other parties, and find them all well pleased with it, and say it is the best Guano, and paid them more for it than any other Guano I have ever used on cotton, and I shall use it in preference to any that I have used since the war. Very respectfully, J. R. GREEN.

SELMA, N. C., November 12th, 1872.

W. H. AVERA, Esq.: DEAR SIR—The ten bags Soluble Sea Island Guano more than met my expectations. I consider it equal to Peruvian for cotton. It paid me over 100 per cent. I more than doubled the crop. My neighbors who bought it are highly pleased, and will use it in preference to any other when it can be had. Hope you will keep a supply the coming Spring. Truly yours, R. HARE.

LOUISBURG, N. C., December 4th, 1872.

E. W. FULLER, Esq.: DEAR SIR—I tested your Guano this year, and the results, I will use it on my whole cotton crop next year. Yours, &c., ELLIS MALONE.

HENDERSON, Granville County, N. C., November 23th, 1872.

To S. J. PARHAM: The Soluble Sea Island Guano purchased of you was used on tobacco and cotton by me by the side of Peruvian Guano, Stonewell & Co. I like it much better than either, and I observed a marked difference in favor of the Sea Island. Shall use it in the future. S. S. ROYSTER.

HENDERSON, Granville county.

HENRY DURIELL, Esq., has stated to us that he made a test this present year of tobacco crop, using two other higher priced guanos, but was convinced that the Soluble Sea Island Guano is the cheapest guano he has ever purchased, and shall use it again.

YANCEYVILLE, Caswell County, N. C. December 6th, 1872.

Captain W. P. ROBINSON: DEAR SIR—In reply to your inquiry as to how I liked the Sea Island Guano I got of you, I wish to say that I applied it 200 pounds to the acre, alongside of Peruvian, Pacific Guano and Gilman's Tobacco Fertilizer in equal quantities; it stands the drought better more yellow than either of the other fertilizers used. It matured better on the hill and cured better and I expect to use it next season. Yours, respectfully, MARCELLUS MIMMS.

WILSON, N. C., January 11th, 1873.

Messrs. HARRISS & BLACKWELL: GENTS—I used this season, on my cotton crops about 15 tons of your Soluble Sea Island Guano, testing it by the side of Guanape and Vegetator, and up to the time of the guano and better pleased than with the Vegetator. G. W. BAREFOOT, by J. J. B.

Circular of eight pages of Certificates at

WILLIAM C. STROHACH'S, AGENT AT RALEIGH.

A LARGE STOCK OF NORTH CAROLINA ALMANACS

Toilette Sets and Vases SIMPSON'S Drug Store. At 20-22-f

GUANO, GUANO, GUANO

I have on hand a large lot Whan's Raw Bone Phosphate. Would also call the attention of the farmers and planters to the well known Stonewell Fertilizer, which is, by analysis, the best in market. M. A. PARKER, Jan 21-f

FIREWOOD AND BRICKS FOR SALE

NORTH CAROLINA LAND COMPANY, TUCKER HALL, nov 21-4f