MORNING EDITION.

WEEKLY NEWS at \$2 per annum.

The Paleigh Daily News.

FEBRUARY 25, 1873 All parties ordering the News

Local Column will be charged (20) Twenty Cents per line.

Messes, Griffin and Hoffman, Newspaper Advertising Agents, No. 4 South Street, Buildingere, Md., are duly authorized to contract for advertisements at our lowest rates. Advertisers in that City are requested to leave their favors with this house.

LOCAL MATTER.

E. C. WOODSON, City Editor

For latest news by telegraph ace Fourth Page. Correspondents will please write

on one side of the paper. IN CAL BRIEFS.

Dinnes high. No case before the Mayor's Court on

vesterday. meet on Wednesday.

Yesterday morning was one of the coldest we have had this winter.

Rose and Harry Watkins are "bookof " for this place at an early day,

elsewhere, and call and see their stock. "Fron" J De Witter, the colored re-

If J. Milenell & Son, of Oxford, N. C. however it may have heretotore been in The miles off red by them are situated this State, it is plain, that since the

field on vesterday by the Justices in the

By Phanson, C. J. Welser et al, vs M. A. Bledsoe et al, harmony. It is only where the powers No error-judgment affirmed.

S sas vs Joseph R. Branch. Errorjudgment affrmed,

The People vs P. McGowan. No error -judgment affirmed.

judgment stirmed.

The People on relation of J. Nichols. et al, vs W. H. M. Kee et al. No error appointing power. It elected the Gov-- judgment affirme t. By Hodman, J.

error -judgment reversed.

me it reversed. Br BOYDEN, J.

tend at's appeal affirmed. Jona McCalloch vs James W. Doak, ceed now to enquire to which of the

No error-judgment affirmed. Br SETTLE, J. State vs W. H. White. No error-

judgment affirmed. State vs Racker. Venire de novo.

SENATOR - MURRAY DENIES THE "Sec. 22. The Senate shall choose its taised a letter from Alamance county, office of Governor."

allering that serious outrages had re- The foregoing are all the grants of negative operated in that county by par- powers of appointment to the Legislas tion. So that, one side insists upon that the variancies, it they disapprove of ties belonging to the ku klux organization. And it will be To 1, and staying that the whole com observed, that even these are not grants same months upon reading 1', "not other - The question is, and the Legislature many was in a state of terror. Sen to the L g stature as a body, but only to wise provided for in the Constitution," a or durray gesterday morning rose to each branch to choose its own disciss It has already need said or two are prontonent of the brit establishing a new

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the ribe paragrison, regret in, General Assembly.

"Ex-ep rice original ribe is not continued by the expression of paragrison of the expression of the expre one with a nearly as charge a son as quarters of the powers of an action of coid. Communication attacked to, as well as a manufactors of the Given a; what is the same power in regard to other to be unler's control of the Given a to same power in regard to other to be unler's control of the control green many or hits from that perturn of express profitment or the tier er a - created thereafter or which of the Anist or San and San my codate, and I mard nothing of any senior as a body, in regard a all till created before? And why should the unit of not nothing of any senior as a body, in regard a all till created before? And why should the if a brokes of any kind, nor der I be vers So, it is plan, that there is no Constitution expressly promite " bees that there is an word or if it in only no expects goint of power come General Assembly " from electing an the wante statement. The Gradi July steparament to appear to the wante statement. The Gradi July steparament to appear to the wante statement. white statement. The Water tracking and I think office; but there is an express prohibi permit the Governor and not man seen some of the energies spoker of built of assert is extitence that the state of tion afford in that county is not as repres 2 In the secon! place we will county the Constitution reserves to the peo-

ous and false labriention." the notice elsewhere of the sale of the entire livery stable stock of Messis, S. General Assembly." M. Duan & Co., which occurs on the sale will positively take place.

VOL. 1.

RALEIGH, N. C., TUESDAY MORNING, FEBRUARY 29 1873.

NO. 279.

WHERE UMBRELLAS COME FROM .-

The trouble with us is not to ascer-

SHALL WE HAVE THE FAIR GROUNDS

BUILT OR NOT ?- The following sub-

F Moore, \$10; A W Fraps, \$25; David

Clubs. - We are under many obliga-

tions to several friends in the shape of

new clubs of subscribers in various sec-

to the subscription lists of Daily and

These evidences of the good-will and

kindness of our friends will encourage

GET YOUR CORNS CURED .- Dr. J.

arrived and taken rooms at the Yarbo-

Mr. Editor :- In your issue of the 23d

inst., you misrepresented me grossly, but

protest, I stated that the laws are to be

distributed "in 40 days after the close

My protest was in opposition to giv-

ing you further time after the expiration

of 'the 40 days," within which to get

posed to publishing the laws in 40 days.

For three years, I have labored to ac

and passed three bills, looking to this

I protest giving you more than fifty

extra and additional days, in which to

get out about 970 volumes, when you

Yours respectfully,

The Public Printer only asked for

the same time hitherto granted for

being willing to the 40 days required in

which the laws shall be printed, deem-

ing it impossible, with the force that

such a positive knowledge thereof.

of Holden.

MESSRS EDITORS .: - A communica-

tion touching the right of the Legisla-

of There can be no other solution

as if that the Legislature has pass

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want of same securi positical or-

Contract S. J. 1998 P. S.

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"Aggreen that had be seen the trade

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A releasing of the pendis usual

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cal organizations, as well as any

her member of any of them

a d hence there can be no grounds of

composint on that score. And so lar a

the complaint against the Legislature

for not removing the disqualifications to

rold office from him, it is groundless

and unrasonble also, for the disqualifi cation is imposed by the Constitution.

The second defence of the Legislature

is that the Legislature has no constitu

it is well known to every lawyer and

legislator, as well as every Justice of

case where the fine and penalty

transaction and another a sec-

amore say beer and vong adir of the

[For the Daily News.

W. L. LOVE.

end, and have at last succeeded.

get out 2,700 in 40 days.

of the session," &c.

the laws-not the laws.

[For the Daily News.

acceptable to the reading public.

and Western Wards.

THE PEOPLE EX REL. JOHN NICHOLS vs. W. H. McKee.-Below we give the decision of Judge Reade, filed in the relation to this case. This decision sustains the Governor's claim to have the right to nominate the Directors of the will please send the money for the Deaf and Dumb and Blind Asylum. The Special Notices inserted in the of the decisions rendered as to the Insame Asylum, the Penitentiary, Keeper of the Capitol &c. It will be seen by Constitution, shall be filled by the apply to nor remedy that the Governor, by and with the opine that this is the trouble also with case already tried and convicted; the Article VII, section 11, the Governor Scribed? If it was the best, why allow the Court sustains Governor Caldwell in Charlotte, N. C. He is duly authorized for advertisements and receipt for subscriptions.

Article VII, section 11, the Governor Scribed? If it was the best, why allow was authorized to appoint Justices of it to be altered? And especially why leave the mode at sea so as to engender that the offices should be filled counties between the Departments?

Superinter leave to our list of opinions that was not the best, why allow being of great public month to conflict between the Departments? Superintendent of Public Instruction: The people ex. vel. Nichols et al. vs.

McKee et al.

is, "that all political power is vested in for, is given to the Governor alone; and administered, and must fall; because no and derived from the people." Con. that, whether the Legislature is in ses- provision is made in the Constitution Art. 1, Sec. 2. The Constitution is sion or not, and without calling the for filling cacancies in the county officers; their grant of powers; and it is the Senate. their grant of powers; and it is the Senate. only grant which they have made. "And all powers not therein delegated remain with the people." Art. 1, Sec. given to the Judiciary. It seems that in the former Constitutions of the State. Supreme Court, is to appoint its clerk; and to the Superior Court, to fill vacanvide the government into three depart- cies in their clerkships. ments, Legislative, Executive and Judi-The price of shad in this market con- cial, and makes a grant of powers to Oroceries of all kinds can be found expounding the laws.

they are distinct -as where the who takery figured in this city Governor appoints and the Senate conas expelled from the floor of firms; or where the Governor fills vacanreceivly, is now figuring in cies in the judicial d portment. It folah and (V.) Courts as reporter lows that it is not true, as contended for upon the argument, that the Legisattention of persons who lature is supreme, except in so far as invest their capital in mill it is expressly restrained. However Legislative, just like the other depart-Suparse. Count. - Opinions were ments, acts under a grant of powers, and cannot exceed them. This being so, it is radispensable to good government that each department should confine itself and part of the State polity, and that its own existence; and the electors may strictly to the exercise of its legitimate The People of the State of North lunctions, And then, however they may profina in relation of George W. shade into each other, there will still be are brought in conflict that they become entangling and dangerous.

The first question is, to which of the departments has the constitution granted the power of appointment to office? The People of North Carolina on It the Constitution does not in capress relation on Wesley Whitaker et al, vs C. terms grant the power to any one of the question by construction or implication, tuen we would have to consider whether the duty in any given case, is a Legislative, or an Executive, or a Ju-The People on relation of Kemp P. diciai one; but if there is an express

Bat de vs Alex. McIver: No error- grant, then, of course, that must govern. Under the first Constitution for the State, the Legislature was the general ernor, his Council and other Executive officers, the officers of the Military, the Judges of the Courts, Justices of the John H. Powell, administrator, vs Peace, &c. The Governor had no Wilmington and Weldon Radroad. No appointing power, except to fill vacancies when the Legislature was not in the Worten administrator vs John session. Under the present Constitu-V. Suerard and others. Error-judg- tion there is an entire change. The people have resevered to themselves the election of almost all the offices in the State. There are still some of the H. D. Carrier vs J. Jones et al, (two officers, which, for convenience, are care-) Plantaff's appeal reversed, de- otherwise appointed or elected, or chosen, as the case may be, and we pro-

> 1. We will first consider, what express grant of appointing power is other departments, acts under grant of act abolishing the Board of Directors, made to the Legislature. "Art II, Sec. 20. The House of Representatives shall choose their own

departments the power is given.

speaker and other officers.

a or officeray yesterday morning rose to United in third arrives, which is the marks to the control of the Charles with the charles w the first proposed proposed proposed in the second of the second proposed p

M. Dunn & Co, which occurs on the Sth of March. The proposed rafil for Sth of March. The proposed rafil for Covernor the general appointing power. 8th of March. The proposed rains for the same has been abandoned, and the general appointing power, and the same has been abandoned, and the general appointing power, and to the cleenton of half dozen Director of half dozen Direc and to exclude the Legislature arrogerner. Put the election of half dozen Direct nominated at that time- the action of no apology necessary for so doing.

Supreme Court yesterday afternoon, in the duty of the Governor to appoint, enormous. But then it is said, that ments. Indeed the Senate was not in whatever which did not receive the dant is convicted the penalty is fixed,

Deaf and Dumb and Blind Asylum. The dicial article, section 31, it is provided, it was the purpose of the Constitution argument in this case covers the scope that "All vacancies occurring in the to allow the Legislature to appoint sion, and the powers of the Executive of the Capitol, &c. It will be seen by wise provided for," &c. And, under tion was not the best, why was it pre- advice of the Senate, has the the general reader.

From the foregoing it is plain, that the general appointing power is given to the Governor, with the concurrence of the Senate; and that the power to Legislature power to provide for filling The theory of our State government fill vacancies, not otherwise provided offices, then the government cannot be

4. In the third place we are to consid-37. This last clause will not be found | the only power expressly granted to the | which we have been considering, but

without any Lypercriticism, it is plain, each department, under its appropriate | that such officers as are not elected by head, and directs that they shall be "fer- the people at the polls, and most of were no mode of filling them, still the ever seperate and distinct from each them are so elected, are to be appoints result might not be disastrous; beother." Neither is superior or interior to ed by the Governor, the Senate concur- cause, most of the offices are filled by The Board of City Commissioners the other, but each has its appropriate ring, except the immediate offices of several; and if one should die, a mafunctions, and in the exercise of them, each branch of the Legislature, and jority might act; but still it would be is independent and supreme. To the the immediate officers of the Supreme an inconvenience, which ought not to J. See The People ve. Bledsoe et al. at Legislative department is granted the Court; and that all vacancies are to be exist; and it is true also, that some of this term. power of making laws; to the Execu- filled by the Governor alone, except the offices are filled by a single officer. tive department the power of executing such as are otherwise specifically pro But suppose the fact be, that there is laws; and to the Judicial, the power of | vided for. And the Legislature has no | no express power in the Constitution-for more right to appoint the Directors of filling such vacancies, does it tollow It is true that their several functions | the Asylums, than the Governor has to | that the Legislature has the inherent appoint the clerks of the Legislature. | power to fill them? Why the Legisla-

> whether the Directors of the Insane Asy- Legislature has no power to fill vacanlam, Deaf and Dumb Asylum, Peniten- cies on any other case, why assume it in tiary, &c. are officers; or, whether they this? And if the Governor has the are only servants, employees, on con- power to fill vacancies in every other tractors of the State. The arguments case, why deny it in this? It it be a upon this part of the case were exhaus- casas omissus, and necessity implies a tive, and the citations of authorities power somewhere, it ought to be imabundant. The learned coursel who pried to reside with the general power insisted that they are not officers, defined to fill vacancies -the Governor. But, an office to be, a lodgement of some por- there is another, and, probably, a better tion of the sovereignty of the State; | way of meeting the difficulty. A counadoption of our present Constitution the and an officer to be, one who exercises ty is a corporation; and, after its offisome position of the sovereign power, cers have been elected by the people Take that to be so, for the sake of argu- according to law, and a vacancy hapment, or put it in another form, and say, pens which it is necessary to fill, it is that, an office is a part of the government, in the corporation to preserve an officer is one who takes part in the hid a vacancy, just as the electors may that test. The Constitution establishes such legislation as, would be necessary tain charitable institutions for the care | Legislature itself to full the vacancies; of the unfortunate, and penal institutions or to prescribe that they shall be filled

for the punishment of criminals; can otherwise than by the electors; unless these institutions exist without a board | the corporate authorities have the inheof directors? And is not such a board rent right to fill the vacancies; in an office, a lodgement of a portion of the | which case appropriate legislation to E.J difficult et al. No error-judgment the departments, and we have to solve government? And are not the direction to enable them to exercise their rights ters officers, taking part in the govern- would be legitimate. And there is alment? The statement of the case is ready such legislation. enough. We do not propose to follow | Our conclusion is, that the Legislature the argument farther; because, the Con leas no power to elect or appoint any stitution not only makes them officers, officer in the State, except its own offi

officers; and the directors of the Pub- tors. that their appointments are with the of the public institutions of the State Governor and Senate, unless otherwise at the time of the adoption of the Conprovided for. It is not pretended that stitution in 1868, governed by a Board STATEMENT OF DISTURBANCES IN ALA- other officers, and also a speaker pro have had with the Senate under Art. 3. And then the Act proceeded to find the MANCE. - The Era of last Sa urday con-Governor, or when he shall exercise the | (cd, in regard to this last position, that | vide that the Governor should fid a the legi tative article. And it will be provided for by law." And the other nor.

the first provided privilege, I matrix in prome, all fill is, & and no such off con; "one rows were dieta and one is a constant of the constan

officets there after to be created ! scated. Ith ak that a there is a citis er, what express grant of appointing pie the election of almost all the citi Zensed. The harmonic that is so tar debased power is made to the Executive De cus to the state. For such as they di. duties, he allowed the diffice to remain word of the reported disturbance, and his name at least should be given, so that the could be held up to the gaze of shall nominate, and by and with the ventent other mode was prescribed; tomot choose to elect, or, it was not con- vicant until 1st of March, 1872, after he did not believe that there was a that he could be held up to the gaze of the world as a vite and malicious traducer of his own people. I pronounce the whole thing a malicious, slandertion, or, which shall be created by law, body with two branches and is very January, 1873, and until their success permitted, assassin like, to shirk the A LIVERY STABLE FOR SALE.—See and whose appointments are not other there may have been start to solve and whose appointments are not other there may have been start to solve and an are causen." shall be appointed or elected by the not the evil exist in electing officers Governor, on the 1st day of January the whole statement to be faise, thereafter to be created, as well as offi- 1873, to nominate to the Senate the That section, read without any ver- cers named in the Constitution? Doubt- successors of the Relators. And then,

offices provided for by this article of the other modes for filling offices than the and Legislative Departments being was authorized to appoint Justices of it to be altered? And especially why being of great public moment the Peace in each county, until elections leave the mode at sea so as to engender that the offices should be filled ac-

It was insisted by Mr. Battle with much confidence, that unless the 10th section is so construed as to give the Governor to fill them. The county offi ces and officers will not be found under any of the articles of the Constitution, under the article, "Municipal Corpora tions." And while the election of all the county officers are provided for by Reading the whole Constitution, and the people at the polls; yet, if vacancies occur in some of them, the mode of filling them is not named. If there 4. In the next place we are to inquire | ture rather than the Executive? If the overnment, and then try our case by fail a vacancy in the L gislature. And -i. e., "secures the permanent existence to conduct the election, would be legit-"-as a part of the State polity, cer- imate. But it is not in the power of the

but in express terms calls them officers- | cers. Nor has it the power to provide which seems to have been overlooked for the appointment, or election, of any by the learned counsel. Art. III., sec. 7. officer, whose office now exist, or which The officers of the Executive Depart | may be reafter be created; so as to take ment and of the public institutions of the appointment away from the Govthe State, shall report to the Governor," ernor and Senate, or other appointing &c. And note, that this is under the power, or the election away from the Executive Article of the Constitution. | people. Nor can the Constitutional The Governor with the advice of the rights of the Governor or the people be Senate, having the appointment of all evaded by letting the offices to contrac-

inc Institutions being officers, it follows. The Deaf and Dumb Asylum was one they are otherwise provided for by cl. Directors. The 14th Article, Sec. 5, of express terms in the Constitution, but it | the Constitution continues them in office is insisted that they are provided for by until other appointments should be implication: (1.) because the Legisla- made by the Governor. The Governor ture has all powers, except wherein it is made other appointments, who were in restrained. But, we have seen, that is office 21st January, 1871. At which not so; for the Legislature, like the time the General Assembly passed an powers. (2.) Because they have been and providing for a "Board of Trustees." provided for by law, to wit, by ap We assume that the General Assembly pointment of the Legis ature, which, it | had some sufficient reason for changing is insisted, takes the appointment from the name of the Board, but left the the Governor which he would otherwise | Board, the office, to be filled by officers "not otherwise provided for," means, cancies, "subject to the approval of the not otherwise provided in the Constitu- General Ass unbly, who themselves shall

the power to fin the office by the aps

he Servic, because it was the originally a constraint of the great and the a ling to wife, and not the figure a way as while interchange & Kax &c., is concerned, W. O. communicate to the Senate, but, as we as | in the communication in the Era, signed same, out of respect for the Legislative "on," as well as others from that portion action, and under a unstake as to his of the county, and he did not hear one

Sec. 13 Enumerates the principal tors, for half dezen Institutions each, the Governor, as we assume, being post-Executive officers, and provides, that, in the General Assembly, and circum- poned for this decision as to his At a soirce of the umbrella trade in with the Judge or Justice of the Peace If the office of any of said offices shall stances would often occur which would powers and duty, and as to the powers Glasgow the other day the chairman (as the case may be) before whom the be vacated by death, &c., it shall be make the expense and inconvenience of the Legislature over the appoint said there was no country of any extent case is tried; but as soon as the deferribs. - Exchange.

> 1t cording to law; it is to be supposed scriptions were received yesterday :- B that the Relators successors will be immediately appointed; and then, their term will end. But all that we can authoritatively decide is, that the departments, unlawfully hold and exercise the office of "the Board of Trustees of the Asylum for the Deaf Dumb and Blind;" and the Relators are entitled.
>
> Blind: "and the Relators are entitled of the Committee in the Middle ward. mediately appointed; and then, their Blind;" and the Relators are entitled of the Committee in the Middle ward. to hold and exercise said office, until | We now await to hear from the Eastern their successors, are appointed according to law. There will be judgment that the defendants be excluded from said office, and that the plaintiffs recover their costs. The statute, C. C. P., S. 375, authorizes the Court, in its discretion, to fine each of the defendants a sum not exceeding \$2,000. But, as the defendants, went into the office under an act of the General Assembly. we assume that they had no criminal intent, &c., therefore, in the exercise of our discretion, and in respect to the General Assembly, no fine is imposed. There is no error-affirmed. Reade

McIver Sticks .--- 1 ne Supreme

Consider the case as if Ashley had not resigned. His term would have ex pired January 1, 1873, if his successor had been elected and qualified. As his successor was not elected and qualified, he would have held over. Consti tution, Article 3, section 1. Up to Jan. 1, 1873, he would have held as filling I do not think intentionally. You say solding over for the election and equali- of the resolution, requiring the laws to

fication of his successor. As Ashley did resign, and the de- be farther from my purpose, as express tendant, McIver, was put in his place; ed in the "protest," or in the "resoluhe was put in his place to all intents tion" to which you refer. The word and purposes, and up to January 1, laws is not in the resolution, and in my 1873, fided the vacancy caused by Ashley's resignation, and after that time, as holding over for the election and qualification of his successor. How long he may be entitled to hold over. or when and how his successor is to be "elected and qualified," may be beyond the purposes of this decision; but it would seem that it will be only until You say it was my "opinion the time the people can elect his successor at the | could be lessened." I had no purpose next "general election," to-wit : Aug., 1874, Article 3, sections 1 and 3. It has been suggested, that as term for which Mr. Reid was elected was four years, from and after January 1, 1873; and as the defendant, Mr. McIver, is in to fill the vacancy caused by Mr. Reid's failure to quality; he is in Mr. Reid's place to all intents and purposes, and is entitled to hold for the whole four years. But the Constitution is express that Mr. McIver shall hold only until the next election, "and the person then chosen shall hold the office for the remainder of the unexpired term fixed in the first | get ing out the documents and journals, section of the Article," to-wit: four years from Jan. 1, 1873, Article 3, sec-

It has been suggested that the Govenor, instead of appointing Mr. Battle, the work done in the time specified. or allowing Mr. McIver to hold over, We asked for ninety days, and the Senought to have nominated some one to ate gave it to us, by a vote of 33 to 3. to the Scuate to fill the vacancy on Jan. | On Saturday Senatar Love filed his pro-1, 1873. The answer is, that the Govenor never nominates to the Senate to fill vacancies. He does that alone in all cases. But where officers have to be appointed to fill a regular term, then be nominates to the Senate, unless it be an | former requiring three times the amount officer who is elected by the people; of composition required for the latter. and then he never nominates to the Let him acquaint himself more thor-Senate but fills the vacancy or term by oughly with the practical workings of his own appointment, [unless there is the printing business before he expresses an officer holding over] until the people can elect as in this case. Besides the provisions in the Constitution al ready quoted, we refer to the numerous authorities cited by defendant's counsel which were to the point and conclusive. See also People vs Bledsoe et al. and People vs McKee et al, at this term. There is no error. Judgment affirmed, READE, J.

LEGISLATURE - The Senate was yes terday morning occupied principally in he consideration of private bills, doing more work than they have done during any one se ting this session. The con-

responsibility under the garb of an lional power to do any such thing. Now Regularly, it was the duty of the anonymous slanderer. He pronounced to iliustrate this case, we will say that

We surrender our local space to-day the Peace of the State, that in every

DAILY NEWS RATES OF ADVERTISING. One square, one insertion.. One square, two insertions One square, three insertions One square, six insertions... One square, one month....... One square, three months.... One square, six months ... One square, the elve months, 50 00

For larger advertisements, liberal contracts will be made. Ten lines solid non-pareil constitute one square.

there is no discretionary powers left

is concerned. The Legislature could repeal the law or amend the law by a tain where umbrellas come from, but to | change of the penalty, but that change only remedy in that case would be the pardoning power of the Governor-the Governor has that power under Article 3, and Section 6, of the Constitution. That section is in these words: The Governor shall have power to grant reprieves, commutations and pardors after conviction for all offences (except in cases of impeachment) upon such conditions as he may think proper, subject to such tegulations as may be provided by law relative to the manner of applying for pardon, &c. The impeachment court set upon the trial of W. W. Holden under the organic law of the State and that law provides that the Senate presided over by the Chief Justice of the State shall constitute the court for the trial of impeachment, and lays down and fixes the penalty to be tions. We have recently added largely imposed after conviction. The penalty is the disqualification to hold office; Weekly NEWS, and the cry is still they and hence as soon as the Court found W. W. Holden guilty of high crimes and misdemeanors in office, there stood the penalty in the organic law already us to strive to make our paper still more | imposed on any State officer so convicted. The question now arises where is the pardoning power? We have already seen that the only pardoning power Lindoman, the Surgeon Chiropodist, has after conviction is vested in the Governor, and the organic law or Constitution rough House, where he will remain a prohibits him from the use of that Court yesterday delivered the following few days. If you have corns, bunions, power in case of impeachment. That opinion, settling the Battle Iver case : or bad nails, he will cure them without pardoning power cannot be in the pain. Don't fail to give him a call .- Legislature, for the Legislature is sub-Ludies attended at their residences with- | ject to the Constitution, and the Conout extra charge. His charges are mod- stitution nowhere gives the pardoning power after conviction to the Legislature; and hence, the Legislature has no Constitutional power to remove after conviction from any State officer the disqualification to hold office imposed by the Constitution upon convichis own term, and after that time as I "entered a protest against the passage tion of misdemeanor in office. The question still is where does the pardonbe publised in 40 days." Nothing could ing power rest in the case of impeachment? The answer is found in Article 1, Section 37, of the Constitution. The answer is in these words: This enumeration of rights shall not be construed to impair or deny others, retained by the people; and all powers, not herein delegated, remain with the people. The pardoning power in the case of impeachment is one of the powers that the people have reserved to out the "Documents and Journals," not memselves. They, in convention assembled, made the organic law; they in convention assembled, can if they choose to do so, alter or change the to lessen the 40 days. I was not op-Constitution, and remove the penalty imposed in the case of impeachment. complish this purpose-have introduced

NEW ADVERTISEMENTS.

MILLS FOR SALE the subscribes having determined to change locations will seil, on very mode-rate terms, their SAW and GRIST MILLS. They are situated on a never falling stream, with timber in abundance in the

neighborhood. Address
R. J. MITCHELL & SON. Oxford, N. C. A UCTION SALE OF A

LIVERY STABLE.

We have determined to close our STOCK can be obtained in Raleigh, to have all 8th Day of March Next, if not sold privately before that day. The raffle heretofore annouaced will be withdrawn, and those who hold paid ticktest, saying he knew the work could be

ets will get their money by pres nting done in less time. He does not mention them to the undersigned S. M. DUNN & CO., the fact that the journals and docu-J. M. TOWLES, Raleigh, N. C. ments embrace three different torms, while the laws embrace only one-the

WHAT A FEW OTHERS WHO ARE USING THEM SAY OF THE ADJUSTABLE

SPRING BED BOTTOM.

The Amnesty Bill and the Pardon INSTITUTION FOR THE DEAF AND DUMB AND THE BLIND. Raleigh, N C., Jan. 25th, 1873. After a trial of the "Adjustable Spring Bed," it affords me pleasure to recon mend ture to remove from Ex Governor W. .t to the c manualty, as a great addition to one's comport in siceping. A trial will sat-W. Holden the disqualification imposed by the Constitution, the agitation of

Very respectfully, the subject and the introduction of the s. F. 10MIANSON, Principal. resolution into the Legislature for the removal of the disqualifications to hold INSANE ASYLUM OF N. C. office from W. W. Holden, was gone Raleigh, N. C., January 7to, 1878. to for political ends, as I believe, for I have used Ba tiett & P meroy's "Adhe purpose of making political capiusiance pring Bea," and with a mattress of nerwis, find it exceedingly comfortaand convenient, I turns it well worth be matter. The bue and cry is to b

> EUGENE GRIS OM, M. D. ALITAGE , June 181, 1 72. constant the set PoMa oyares. us u y u Adjustable at an a, a , m et lin my estre In a sulph long and emilie. an compare a coes within the rach I up of s, and dell during renders them

confic to the ficilost. I. S. BE. TSON. i dama nou e - Tin Tsi, 1572. en de prince de prince de la companse de la compans s secure GILM UIL & SONS,

Banw House. rundre is or other entificates on hand. end for a net. See production pry E jos ac might that you may enjoy the av. enourage nome in anu actu e an dogo d to s and yourserves.

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