THE SENTINEL.

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THE SENTINEL.

SEMI--WEEKLY.

"I WOULD RATHER BE RIGHT THAN BE PRESIDENT".--HENRY CLAY.

VOL. 1. RALEIGH, SATURDAY, DECEMBER 8, 1866. NO. 56.

NORTH CAROLINA LEGISLATURE.

SENATE.

THURSDAY, Morning Dec. 6.

The Senate was called to order at 10½ o'clock A. M.

Prayer by the Rev. Dr. Mason, of the Episcopal Church.

The Journal of yesterday was read and approved.

Mr. Cunningham, from the Committee on Propositions and Grievances, to whom was referred a bill to authorize the Justices of the County of Cumberland to fund the interest due on its bonds issued in payment of its stock in the Western Railroad, reported back the same with an amendment, recommending its passage.

Mr. Gash, from the Joint Select Committee, to whom was referred so much of the Governor's message as relates to a Penitentiary, reported by bill, in favor of the establishment of a Penitentiary, recommending its passage and asking to be discharged from its further consideration. On his motion, it was taken up at this and ordered to be printed.

Mr. Leach, from the Joint Select Committee, to whom was referred the duty of investigating the Constitutional Amendment, reported at some length, recommending the rejection of the Amendment. Only one member of the Committee dissented from the report, Mr. P. A. Wilson, of Forsythe County.

On motion of Mr. Harris, of Rutherford, it was ordered to be printed and made the special order for Thursday, the 13th inst., at 12 o'clock M.

A message was received from the House proposing to go forthwith into the election of Comptroller of the State, recommending Messrs. Winslow Burgin, of Buncombe, and W. H. Cowles, of Yadkin, and withdrawing the names of Messrs. Cowper and Holderby, which was concurred in, and Messrs. Richardson and Snead were appointed to superintend the election.

(Mr. Love arose and stated that he could not allow the use of his name in opposition to either of the above gentlemen named from the House. Spoke of Mr. Burgin in a complimentary manner, he having been a gallant soldier, having lost his leg, but was in every way competent to fill the office.)

Messrs. Leach and Moore spoke in very flattering terms of Mr. Cowles. Mr. Moore stated that he had served with him in the army and that he was a gallant soldier, had also received a wound, and that one of his arms was paralyzed, but he would make a capital officer.

The Senate proceeded to vote, which resulted as follows on joint ballott: Burgin 62, Brogden 60, Cowles 36. No election.

A message was received from the House transmitting the report of the Committee who superintended the election of Councillor of State, which resulted in the election of Wm. Eaton, Jr., of Warren. Also a message proposing to go forthwith into a second ballot for Comptroller of the State, which was concurred in, and the vote on joint ballot stood as follows: Burgin 63, Brogden 53, Cowles 40. No election.

Mr. Cunningham asked leave of absence until Tuesday next, for Mr. Perkins, the Senator from Pitt. Granted.

A message was received from the House proposing to go forthwith into a third ballot for Comptroller of the State. Concurred in, and the vote on joint ballot stood as follows: Burgin 70, Brogden 57, Cowles 31 and Collins 1. No election.

RESOLUTIONS AND BILLS.

Mr. Thornton, a resolution proposing to increase the committee on Public Buildings.—Laid over under the rules.

Mr. McLean, a bill to amend an act to incorporate the Bingham Coal Mining Company.—Referred to the committee on Corporations.

Mr. Koonce, a bill authorizing T. J. Whitaker, late Sheriff of Jones County, to collect arrears of taxes. Filed.

A message was received from the House proposing to go forthwith into a fourth ballot for Comptroller, the name of Mr. Cowles having been withdrawn. Concurred in, and the vote stood on joint ballot, Burgin 89, Brogden 67 and Cowles 1. Mr. Burgin was elected.

The bill to grant aid to the Cherawand Coalfield Railroad Company came up and was debated at some length, in which Messrs. Hall, Wilson, Wiggins, Speed, Leach, Jones and Covington took part, which we are not prepared to report; pending its discussion Mr. Thornton moved to adjourn until to-morrow at 10½ o'clock. Adjourned.

[Mr. Kelly moved the adjournment on yesterday instead of Mr. Adams, as reported.—Reporter.]

HOUSE OF COMMONS.

THURSDAY, Dec. 6.

The House was called to order at 10½ o'clock, A. M.

Prayer by Rev. Mr. Hudson of the Methodist Church.

The Journal of yesterday was read and approved.

Mr. Long presented memorials from citizens of Stanly and Union counties, asking relief. Referred to the Committee on Propositions and Grievances.

Mr. Garris from the committee that superintended the election held on yesterday, for six councillors of state, reported the election of Wm. Eaton, Jr., of Warren. No other elections.

RESOLUTIONS AND BILLS.

Mr. Davis introduced a resolution in favor of Hon. A. S. Merrimon.

A message was received from the Senate, transmitting the following proposed resolution; which passed its several readings under a suspension of the rules. Resolution authorizing the Governor to accept the aid proffered by the U. S. Government.

Resolved, That the Governor be instructed in order to ascertain the extent of the destitution in the several counties of the State, to open a correspondence, with the Chairman of the Warden Courts in their respective counties, and report the result of such inquiry to the Chief Assistant Commissioner of the Freedmen's Bureau in this State.

Resolved, further, That the Governor be authorized to do all other acts necessary to carry out the objects contemplated by the foregoing resolution, and that each county shall make provision to pay the expenses of transportation and all other expenses upon such supplies as may be received for the benefit of the poor of such counties respectively.

Mr. Latham, of Craven, introduced a resolution that the committee on Military Affairs inquire as to the practicability and expediency of recovering and re-interring the remains of N. C. soldiers who fell in the late war. Adopted.

By Mr. Latham, of Washington, a bill to amend sec. 1st chap. 29 Acts of 1865-'66, in relation to roads, ferries and bridges. This bill passed its several readings under a suspension of the rules. It repeals the provision requiring persons over 45 years of age to work on the public roads.

By Mr. Bright, a bill to allow persons convicted of crimes and misdemeanors who are unable to pay the costs, to work the costs out on the public roads.

By Mr. Durham; a bill to amend sec. 1, chap. 7 Revised Code.

By Mr. Allen; a bill to incorporate Black Rock Lodge No. 193 in the county of Wilkes.

By Mr. DAVIS; a bill to amend an act to prevent wilful trespasses on lands and stealing any property therefrom.

By Mr. Guess, a bill to extend the jurisdiction of Justices of the Peace.

By Mr. Black; a bill to prevent litigation and the ruinous sacrifice of the property of honest debtors.

By Mr. Everett; a bill in relation to dormant judgments. [To prevent sales upon executions issued on such judgments.]

By Mr. Baker; a bill to render valid, a sale heretofore made of the old jail lot in the town of Tarboro, and for other purposes.

BILLS ON SECOND READING.

A bill providing Homesteads, was rejected, under an unfavorable report from the Judiciary Committee.

A bill for the relief of the people, was laid on the table under a like report.

A bill concerning working the public roads—[Exacting such work from males between the ages of 15 and 55] was amended so as to apply only to the county of Caswell, and was then rejected.

On motion of Mr. Lowe a message was sent to the Senate, proposing that the two Houses proceed to elect Comptroller.

Mr. Dargan withdrew the name of Mr. Holderby and nominated Winslow Burgin of Buncombe County.

Mr. Morehead nominated, Col. William Cowles of Yadkin County.

Mr. Whitfield withdrew the name of Col. Love.

Mr. Hutchison withdrew the name of Mr. Cowper.

The Senate by message announced its concurrence and the House proceeded to vote.

The joint vote on this ballot stood, Brogden 60, Burgin 62, Cowles 36. Whole vote 158. Necessary to choice 80. No election.

Mr. Russ presented a memorial from members of the colored Baptist Church of the city of Raleigh praying the grant of a portion of the public square known as the Baptist Grove, on which to erect a house of worship. Referred to the committee on Public Grounds and Buildings.

A second ballot was had for Comptroller resulting, as follows: Whole vote 155. Necessary to choice 79, Burgin 63, Brogden 53, Cowles 40. No election.

Mr. Hutchison (by leave) introduced a bill to empower the county court of Mecklenburg to hold extra terms.

A bill to enable the Western Railroad Company to complete its road from the Coalfields in Chatham County, to some point on the North Carolina Railroad, failed to pass its 3rd reading by a vote of 15 Yeas 58 nays.

A third ballot was had for Comptroller, resulting as follows: Whole vote 159. Necessary to a choice 80. Burgin 70, Brogden 57, Cowles 21. Scattering 1. No election.

A fourth ballot was had with the following result, the name of Col. Cowles, having been withdrawn from nomination. Whole vote 157. Necessary to a choice 79, Burgin 80, Brogden 67, Mr. Cowles 1. Mr. Burgin elected.

The House then adjourned.

SENATE.

Friday, Dec. 7.

The Senate was called to order at 10½ o'clock A. M.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Harris of Rutherford until Wednesday next.

Mr. Hall, from the committee on Internal Improvements, to whom was referred a bill to prevent fraud upon the revenue of the State, reported back the same, recommending that it do not pass.

Mr. Love, from the committee who were appointed to wait on his Excellency the Governor, reported that the Governor had fixed Saturday the 15th of this month, to receive the oath of office.

Mr. Clark, from the Committee on Corporations, to whom was referred a bill to incorporate the McLean Fire Engine Company, in the town of Fayetteville. Reported back the same, recommending its passage.

Mr. Moore, from the Committee on Corporations, to whom was referred the bill to incorporate the Pasquotank Lodge No. 103, reported back the same, recommending its passage.

Mr. Johnson, from the Committee on Corporations, to whom was referred the bill to incorporate the Hiberalan Benevolent Society in the city of Wilmington, reported back the same, recommending its passage.

RESOLUTIONS AND BILLS.

Mr. Hall, a resolution in favor of Daniel G. Fowle, referred to the committee on Claims.

Mr. Avery, a resolution proposing to send a message to the House relative to referring so much of the Governor's message as refers to the office of Comptroller on public accounts to the committee on Finance. Concurred in.

The resolution to increase the joint committee on Public Buildings was taken up under the rules and passed its several readings.—Messrs. Berry and Marshall added to the Senate branch, subsequently a message was received from the House concurring.

Mr. Leach introduced a bill to incorporate the North Carolina Dental Association, referred to the committee on Corporations.

Mr. Avery, a bill to amend section 19, chapter 111 of the Revised Code. Referred to the committee on the Judiciary.

A message was received from the House transmitting an engrossed bill to incorporate the Bladen Land Company. Referred to the committee on Corporations; also a bill to incorporate the Bladen Manufacturing Company in the county of Bladen. Referred to the committee on Corporations; also a bill to amend an act relating to Roads, Ferries and Bridges.

Mr. Clark, by leave, introduced a bill to change the mode of holding the Superior Courts, requiring each Judge to hold the Courts in the Circuit in which he resides, regularly, but allowing the Judges to change their Circuits at their discretion. Referred to the committee on the Judiciary.

UNFINISHED BUSINESS.

The bill to grant aid to the Cherawand Coalfield Railroad Company was taken up. Mr. Jones stated his intention to offer a substitute and on his motion it was laid on the table.

On motion of Mr. Gash the bill to establish a Penitentiary was taken up.

The bill to authorize certain counties to subscribe for stock in the Cherawand Coalfield Railroad came up and on motion of Mr. Covington the rules were suspended and the bill passed its several readings.

On motion of Mr. McRae the bill relating to the appointment of Justices of the Peace was taken up, for which he offered a substitute. The question arising on the substitute, Mr. Paschall moved it be laid on the table. Upon this motion Mr. Cowles called the Yeas and Nays and the motion prevailed by a vote of 24 Yeas to 18 Nays.

The bill for the relief of such persons as may have suffered from the destruction of court records or other papers in the several counties of the State and for other purposes, came up and on motion of Mr. Cowles the rules were suspended and the bill passed its several readings.

A message was received from the House proposing to go forthwith into the election of five Councillors of the State. Concurred in. Mr. Wilson put in nomination the name of the Hon. Thos. S. Ashe. Messrs. Lloyd and Marshall superintended the election.

The bill to amend the law of evidence came up on its second reading and was rejected.

The bill to authorize a majority of the Justices of the Peace to fix jailor's fees, came up and on motion of Mr. Covington, the rules were suspended and the bill passed its several readings.

The bill to authorize the Justices of the County Court of Cumberland to issue bonds for the payment of the interest on stock subscribed in the Western Railroad came up, amended, and passed its second reading.

On motion of Mr. Love the engrossed bill to extend the time for the collection and return of taxes in certain counties was taken up, under the suspension of the rules. Mr. Respass moved to amend by including the county of Beaufort—which was rejected, and on motion of Mr. Gash, the rules were suspended and the bill passed its several readings.

Leave of absence was granted to the following gentlemen: Messrs. Harris, of Franklin, Hall, Wiggins, Paschall and the Principal Clerk. Mr. Engelhardt.

On motion of Mr. Paschall the Senate adjourned until to-morrow at 10½ o'clock.

HOUSE OF COMMONS.

FRIDAY, Dec. 7, 1866.

The House was called to order at 10½ o'clock A. M.

Prayer by Rev. A. Smedes, D. D., of the Episcopal Church.

The Journal of yesterday was read and approved.

On motion of Mr. Kenan, the use of the Commons Hall was granted to the Young Men's Christian Association to-morrow evening, for the delivery of a lecture by Hon. Z. B. Vance.

Mr. Moore, of Hertford, presented a memorial from John H. Wheeler, of Washington, asking that he be paid the sum of one thousand dollars for services rendered in procuring the scrip appropriated by Congress for the establishment of an Agricultural College in North Carolina. Referred.

On motion of Mr. Holderby, a message was sent to the Senate proposing to raise a joint select committee on so much of the Governor's message as relates to the office of Comptroller.

BILLS AND RESOLUTIONS.

By Mr. Davis; a resolution that the committee on Agriculture inquire whether any changes in the laws of the State are necessary to insure a better labor system, and whether additional legislation is needed to perfect the laws against vagrancy. Adopted.

By Mr. Jenkins of Granville, a bill to incorporate the Henderson and Western Railroad Company.

By Mr. Rountree; a bill placing Physicians services and accounts on an equal dignity with Bonds.

By Mr. Everett; a bill to regulate and change the Fees of county solicitors.

By Mr. Moore of Hertford; a bill in aid of the Literary Fund.

By Mr. Baker; a bill for the relief of Henry Williams of Edgecombe county.

By Mr. Jordan; a bill concerning surveyors.

The Joint committee to wait on Gov. Worth and inform him of his election reported that His Excellency had designated Saturday the 15th of December, as the day on which he would appear before the Assembly and take the oaths of office.

A bill to amend the charter of the Washington Toll Bridge Company, was amended, and passed its second and third readings, under a suspension of the rules.

Mr. Moore, of Hertford, moved a reconsideration of the vote by which was rejected, on yesterday, the bill to enable the Western Railroad Company to complete its road from the Coalfields in Chatham county, to some point on the N. C. Railroad.

Mr. Cowan addressed the House in support of the motion, and expressed surprise that the bill should have been defeated on yesterday, when it had passed its second reading on the day before, without objection. Mr. C. argued forcibly to show the advantage resulting from the inception and extension of the Internal Improvement system and the benefits which would accrue to the State at large from the completion of the Western Road. The bill he said, did not propose to increase the indebtedness of the State one iota. It merely asked an exchange of its own bonds, idle in the State Treasury, for stock in the road.

Mr. Moore (who voted against the bill on yesterday) also advocated the motion being entertained, from the explanation made by Col. Cowan, that the bill ought to pass.

The question recurring, the motion to reconsider prevailed. The bill then passed its third reading by yeas 84, nays 40.

A bill to repeal section 6, chapter 49, Revised Code, and a bill to amend an act to provide hands to work on the public roads, passed their third reading.

Mr. Ross, by leave, introduced the following resolution:

WHEREAS, this General Assembly has unmistakable evidence that there are persons in the State who consider themselves interested in misrepresenting the condition of things and the state of public sentiment here with reference to the Federal government; and whereas, it is understood that these misrepresentations are used for subversive ends, where the rules of the House do not allow them to be heard; and ing the whole people, [illegible] with their views, may be [illegible] ment of the community, therefore

Be it Resolved, That the charges of disloyalty, of persecution towards those styling themselves the original Union men and of the partial administration of justice are false, and known by those in our midst, who make them, to be without the shadow of foundation.

Resolved, That no better evidence of the law-abiding character of our people can be afforded than their honorable forbearance towards native citizens who utter, publicly, the grossest slanders on the land of their birth, and for their own selfish ends, would invoke upon a people struggling with adversity, and assiduously devoting themselves to the arts of peace, the stringent measures justified only in cases of actual treason.

Resolved, That this Assembly deems it due to itself and to the people whom it represents to record, in this solemn form, its sense of the injustice attempted to be done by unscrupulous partizans, to a community as devoted to peace and to the cause of law and order, and to all their Constitutional obligations, State and Federal, as any in the United States.

Mr. Davis said he was gratified at the introduction of these resolutions. The condition of North Carolina was an unhappy one. She had emerged from the late struggle poor in all else but honor, an honor hitherto maintained unsullied. He adverted to slanders upon the State—accusations of disloyalty among her people, based in a measure upon their tender reverential memory of fathers, sons and brothers who had perished in the war. These accusations as well as those of harsh treatment to Union men were being used to the prejudice of our people by those who wished to see the Southern States remanded to the condition of Territories. It was time that these calumniators should be rebuked and the character of our citizens vindicated from the aspersions.

Mr. Crawford of Rowan, said (substantially) that W. W. Holden and his coadjutors were the only traitors in the State. If there were no bad sinners, as he [illegible] what he should be [illegible] to create a hell for those who were unwilling to subscribe and endorse the resolutions pending.

Mr. Lyon rose to a point of order. Such language he said was unbecoming any member of the House.

Mr. Crawford here observed, that he had said all he wished to say. Mr. Blair moved to lay the resolutions on the table, which was not agreed to.

YEAS.—Messrs. Allen, Autry, Baker, Barden, Boyd, Bowe, Bradsher, Bright, Brown, Bryson, Carson, Chadwick, Clark, Clements, Cowan, Crawford of Macon, Crawford of Rowan, Dargan, Davis, Davidson, Durham, Everett, Farrow, Freeman, Galloway, Gambril, Garris, Gorham, Granberry, Guess, Harding, Harper, Henderson, Hollmel, Holderby, Horton of Wa, Horton of Wa, Houston, Hutchison, Jones, Jenkins, Kenny, Kenan, Kendall, Latham of Washington, Lee, Long, Lowe, Lutterloh, May, McArthur, McClenny, McDougan, McKay, McNair, McRae, Moore of Hertford, Morehead, Morrisett, Murrill, Neal, Patton, Perry of Carteret, Perry of Wake, Rainhardt, Richardson, Rogers, Rosebro, Russ, Scott, Shelton, Simpson, Smith of Duplin, Smith of Guilford, Stevenson, Stone, Sudderth, Trull, Turnbull, Umsted, Walker, Waugh, Westmoreland, Whitley, Williams of Harnett, Williams, of Pitt, Womble, York—88.

NAYS.—Messrs. Ashworth, Beasley, Blackblair, Blythe, Garrett, Hinnant, Jenkins of Gaston, Jenkins of Granville, Jordan, Lyon, Moore of Chatham, Morton, Rountree, Scoggin, Teague, Vestal, Williams of Yancey—18.

Mr. Blair offered the following amendment.

Resolved further, That it is the opinion of this General Assembly that the persons who instigated the late war, the men who fired the Southern mind and influenced the Southern heart, are unworthy of the confidence of the people of North Carolina, and should never be allowed to vote or hold office.

(The reading of the amendment was received with hisses. The disorder was promptly checked by the Speaker.)

Mr. Blair asked the Yeas and Nays on the amendment, but the call was not sustained.

The amendment was rejected.

Mr. Russ addressed the House in support of the resolutions. He had introduced them in good faith. He had reason to believe that an effort was being made to secure at the hands of Congress, the overthrow of existing State Governments and the establishment of Territorial Governments in their stead. He believed that there existed no people more loyal than those of this State, and thought her maligners should be silenced and the fair fame of the State authoritatively vindicated by its Representatives.

Mr. Blythe, regretted the introduction of the resolutions. He could not conscientiously support them because they were untrue, in that they asserted that the Union men of the State, had not been persecuted. People in other sections of the State might be loyal. He did not undertake to question their loyalty. The reverse of this was true to a considerable extent in his section of the State.

Mr. Davis, suggested that gentlemen representing disloyal constituencies, if there were any such, might support the resolutions with a proviso specially excluding their counties from its purview.

Mr. Freeman, was for peace and harmony and deprecated the exposition of old wounds and the agitation of old differences.

Mr. Lyon, expressed similar sentiments. He regarded the resolutions also as a "reconstruction" movement entirely calculated to injure rather than benefit the people, and the State. He moved an indefinite postponement. Not agreed to.

Mr. Lowe moved to adjourn. Not agreed to.

The resolutions were amended, on motion of Mr. Lyon, by inserting, in the last of the series after the words "law and order," the words "and union."

The resolutions, as amended were then adopted as follows:

YEAS.—Messrs. Allen, Autry, Baker, Barden, Boyd, Bowe, Bradsher, Bright, Brown, Bryson, Carson, Chadwick, Clark, Clements, Cowan, Crawford, of Macon, Crawford, of Rowan, Dargin, Davis, Davidson, Durham, Everett, Farrow, Freeman, Galloway, Gambril, Garris, Gorham, Granberry, Guess, Harding, Harper, Henderson, Hollmel, Holderby, Horton of Wa, Horton of Wa, Houston, Hutchison, Jones, Jenkins, Kenny, Kenan, Kendall, Latham of Washington, Lee, Long, Lowe, Lutterloh, May, McArthur, McClenny, McDougan, McKay, McNair, McRae, Moore of Hertford, Morehead, Morrisett, Murrill, Neal, Patton, Perry of Carteret, Perry of Wake, Reinhardt, Richardson, Rosebro, Russ, Scott, Shelton, Simpson, Smith, of Duplin, Smith, of Guilford, Stone, Sudderth, Trull, Turnbull, Umstead, Walker, Waugh, Westmoreland, Whitley, Williams, of Harnett, Williams, of Pitt, Womble and York—85.

NAYS.—Messrs. Ashworth, Beasley, Blair, Blythe, Garrett, Jenkins, of Granville, Jordan, Lyon, Moore, of Chatham, Scoggin, Stevenson, Teague, Vestal and Williams, of Yancey—14.

Mr. Stevenson said he voted in the negative not because he believed the people of the State disloyal, but because he thought the resolutions should not have been introduced.

The House then adjourned.

[A vote was had to-day for five councillors of State, but the result was not announced before the adjournment.]

Emigration to the South.

Considerable interest has recently been excited respecting the subject of European emigration to the South. Information from foreign sources and from the North indicates that the numerous and important advantages of soil and climate presented by the South, are having their effect in determining the course of those contemplating a change of residence with a view to bettering their fortunes. Texas appears to be just now the favorite destination for emigrants. It is stated that within a short time past more than 6,000 foreigners, many of them Scotch farmers, have left Liverpool for Texas. Numerous emigration movements, generally embracing small but valuable accessions to our population, are announced as tending towards various sections of the South.

It is evident that our interest dictate the offering of every inducement that can accelerate [illegible] agriculturists. Our advantages for profitable employment of emigrants are unrivalled, and our need of skilled and industrious labor unprecedented. We must look chiefly to the thrifty, capable and industrious European settlers for that agricultural and mechanical development which our condition so imperatively demands, and of which we have such ample assurance in the extent, fertility and resources of our section. Great material triumphs inevitably await the South, and though postponed by the delays and obstacles interposed by malignant party and sectional feeling they cannot be long deferred, provided we are earnest and energetic in making known to the world the incomparable inducements to residence and business in the South.—*Rich. Examiner.*

MARTIAL LAW IN MISSOURI.—A telegram from St. Louis says that Governor Fletcher has declared martial law in Ray and Platte counties of that State, and has marched a strong force to those counties. Some disturbances have occurred lately growing out of political excitement, and horse thieves, robbers and murderers infest the frontiers of Missouri, Kansas and Nebraska, but detectives are there at work. It is expected they will pick them all up.

The Confederate navy yard at Charlotte, N. C., was sold at auction on Monday by Major Johnston, United States Quartermaster. The sum realized was about $4,000. One of the principal purchasers was Mr. John Wilkes, a son of Commodore Wilkes.

NEGRO SOLDIERS FOR LIBERIA.—A company of black soldiers are now organizing in Philadelphia to emigrate to Liberia. The American Colonization Society has purchased a clipper ship of 1,000 tons for the transportation of the soldiers. Applicants for emigration are daily received.

U. S. SENATOR FROM FLORIDA.—Governor Marvin was re-elected United States Senator from Florida, on Saturday. He will remain at home until the question of Southern representation is settled.

Dr. Peters, who killed Confederate General Earl Van Dorn for seducing his wife, had a quarrel with one Lobby in Arkansas last week, and cut him so badly that he is not expected to live.

The sloop R. R. Parker, Captain Hill, of Currituck, N. C., was seized yesterday by the U. S. Marshall, having been libeled by W. J. Poole, agent for the Board of Underwriters and contractor for selling the wrecked goods of the steamer Sheridan in this city.—*Norfolk Virginian, 4th.*

BOUND WITH RATTLESNAKES.—The following facts from the Wadesboro Argus furnish a good argument for building Railroads:

"GOOD PRICE FOR LAND.—We learn that a body of four hundred acres of land, the greater part of it cultivated, located within three miles of Old Hundred, (Trollinger's Depot,) Wil., Clay and Pee D. Railroad, in Richmond county, was sold one day last week, at public auction, for $7,000 (or $17.50 per acre,) gold each. That land, before the railroad was projected to run through Richmond, could have been bought for considerably less than $5 an acre.

Can the President by Pleaded of the Pardoning Power?

The bill, which has been set on its travels through the two Houses, for repealing the amnesty section of the treason act, is little less than nugatory, like the matter it aims to supersede. The President derives his pardoning power, not from any act of Congress, but from the Constitution; and no legislation can either strengthen or impair it. We suppose this question yesterday; on which the *Sunday Post*, in the [illegible] of its wisdom, delivers itself as follows:

"We are prepared to read in a thoroughly partisan assertion that the President may continue to issue pardons to rebels before trial, under the general pardoning power conferred by the Constitution. Of course this is claimed. He has no such authority. He is empowered to grant pardons after intelligent conviction, and no more.

"Surprise" is the daughter of ignorance, as the Post will, in this case at least, presently be in a position to see. That power of mercy to which we give the name of clemency always preceded conviction. That assumption was established under the constitutional authority in discussing that subject in the Federalist; an opinion supported and endorsed by Story in his Commentaries on the Constitution, an opinion officially acted on by Washington in the case of the rebellious insurgents in Pennsylvania, whom he pardoned without Congressional authority. In the constitution of the French republic of 1848 this amnesty power was expressly exempted from the pardoning power of the executive, and reserved to the legislature, which shows that without such express exception, it would have been included under the general power to grant pardons.

In executive pardon precedes conviction from the nature of the case. Individual pardons may precede or follow conviction according to the pleasure of the President. Webb, the great and eloquent lawyer, William Wirt, and Mr. [illegible] which the power of [illegible] requires that it shall be preceded by a sentence of conviction on the verdict of a jury. There is nothing in the force of the term pardon, which implies a previous condemnation. A pardon presupposes an offence and nothing more. If the party confesses his guilt" (and the application for a pardon is a confession,) "every degree of certainty as to the fact of the perpetration of the offence is gained which a trial could gain; because if he were arraigned and pleaded guilty, no jury would be summoned, and no evidence would be heard in the case, but judgment would be entered on his own confession." (Opinions of Attorneys-General, vol. I, p. 930.) John M. Berrian, another great lawyer, when Attorney-General, advised the President against the frequent interposition of the pardoning power previous to trial; taking the constitutional authority for granted, and resting his advice solely on expediency. "It is not denied," he said, that cases may exist in which such interposition would be proper; and it is admitted that the case presented, on the evidence furnished by the memorialist, is a strong one." (Opinions Attorneys-Gener l, 786. Felix Grundy, another very distinguished Attorney-General, also asserted the pardoning power in the utmost latitude, as to the time, form, and manner in which it should be exerted. "The pardoning power," he said, "given by the Constitution is plenary, cases of impeachment only excepted. Its exercise, and the mode of its exercise, are placed without condition or limitation, wholly in the discretion of the President. (Opinions, &c., II. 1,042.)"

The blunder of the *Sunday Post* would not have deserved all this array of authorities, if the doctrine it assumes were not acted on by Congress, and it was used as a weapon against the President. It is on this ground that we feel called upon to contest it point by point, and to prove our [illegible] to it superfluously conclusive. It was begotten by a perverse party spirit, and is born of ignorance.—*N. Y. World.*

"Send them Back."

Under this head we find the following extraordinary statement in the New York *Observer*, a religious journal:

Rev. Dr. Adger, of South Carolina, in a letter to Dr. Backus, of Baltimore, lately published, makes the following statement, and vouches for the fact:

"When Gen. Sherman's army passed through Winsboro', S. C., a Captain F——, and six others of that army robbed one of the ruling elders of Scion Presbyterian Church there of an elegant silver communion set, the gift of a dying female member of the same, costing in New York some hundred dollars, and having the church's name and the donor's name engraved upon each article."

Dr. Adger makes the following additional statement, which, for the honor of humanity, as well as Christianity, we would hope cannot be true:

"A certain congregation of your body now has that silver communion set, which Captain F—— presented to them, and are now using it for their communion purposes, with those words of the Church and its dying sister staring them in the face as they eat the bread and drink the wine, which set forth the body and blood of our common Master."

The idea that a Christian church can celebrate the holy ordinance of the Lord's Supper in the use of vessels thus obtained, is too monstrous to be entertained for a moment, unless they are held only until the church from which they were taken can be ascertained. This notice may assist the church in ascertaining it, and we are sure that if the sacred vessels should be sent to Dr. Adger, Columbia, S. C., he would see that they were restored to the church to which they belong.

We echo the sentiment that the idea that a Christian church can retain such articles, is monstrous. We should imagine that the communicants in the church, while using those vessels, would see the vision of their Master entering the temple with the scourge in his hand, and saying to them, "It has been written that my house shall be called a house of prayer, but ye have made it a den of thieves."

What can we expect for the future of our country if we do not reform this great wrong, which has cursed churches as well as families. An old friend of ours, a Union man in the South through all the war, told us that his chandeliers were in a certain house in Massachusetts, his piano in another and various family treasures in others. He had traced them to their locations. We have heard of a southern lady sitting down at a Northern table and recognizing silver on that table as her own. We have heard a lady receiving from an officer a present of jewelry, which she recognized as the jewelry of a Southern lady who had been her own valued mate and friend. Public sentiment needs to be aroused to this subject, and the holders of such goods should be compelled, by the indignation of their honest fellow citizens, to "send them back."

BRIGHAM YOUNG buried his twenty-fourth wife on Wednesday and married his forty-fifth on Friday. They say he oscillates between a stove pipe hat and white gloves.