REMARKS OF MR. JARVIS, OF TYRRELL,

On Revenue and Taxation, delivered in the House of Representatives, Feb. 17, 1869.

The bill to raise Revenue being under consideration, on the 15th of February, Mr. Jarvis introduced the following proviso to section 1, class 1:

[Section 1, class 1, reads, subject to the exemptions allowed by law, there shall be an *ad valorem* tax of two fifths of one per cent, in addition to the special taxes, which have been or may be levied to pay interest on bonds issued to or for Railroad or other corporations, levied for the purpose of paying the expenses of the State government, the interest on the public debt; and such other liabilities of the State as the General Assembly may direct, upon the moneys, credits, investments in bonds, stocks, joint stock Companies or otherwise; on the real and personal property.]

The proviso of Mr. Jarvis to come in at the end of the above quoted section reads: "Provided, that all the taxes imposed upon the real and personal property of the State for State and county purposes shall, in no case, exceed two-thirds of one per cent."

The proviso was adopted by a vote of 48 to 39.

A motion was immediately made to reconsider the vote by which the proviso was adopted.

Pending the motion to reconsider, on the 17th of February, Mr. Jarvis said:

Mr. Speaker—Having introduced this proviso to the Revenue bill on Monday, I feel it my duty to give some of the reasons which induced me to do so, and to state why I think the motion to reconsider should not prevail. I am influenced by motives worthy of the thoughtful consideration of this House.

First—The proviso is the plain provisions of the Constitution according to my understanding of that instrument. Sec. 1 of Art. V of the Constitution reads:

"The General Assembly shall levy a capitation tax on every male inhabitant of the State over twenty one and under fifty years of age, which shall be equal on each, to the tax on property valued at three hundred dollars in cash. The Commissioners of the several counties may exempt from capitation tax, in special cases, on account of poverty and infirmity, and the State and county capitation tax combined shall never exceed two dollars on the head."

For our purposes of investigation, this section may be made much shorter and much plainer by letting John Smith represent the class of persons subject to capitation tax in the first sentence of the section. In the second sentence of the section, we can leave out all in regard to exemptions in eliding the word "infirmity," without, in the least, changing the sense so far as it effects the subject under consideration.—Then the section, thus simplified, will read:

"The General Assembly shall levy a capitation tax on 'John Smith,' which shall be equal to the tax on property valued at three hundred dollars in cash. And the State and County capitation tax, combined, shall never exceed two dollars on the head."

This section, as it now stands, as well as in the original, is composed of two sentences. The first, I will call the first division of the section, and the second, the second division. The meaning of the word "equal," in the first division, is not variable and uncertain, but is fixed and determined. The word "equal," in the first division, thus defined and used, establishes an absolute equality in value between the tax on John Smith (the capitation tax) and the tax on three hundred dollars worth of property.—The capitation tax and the property tax must go hand in hand. If one is increased the other must, in order to keep up the EQUALITY. If the tax on John Smith is one dollar, the tax on my three hundred dollars worth of property must be one dollar also. I suppose all will agree, that if the section contained only the "first division," the General Assembly would be compelled to keep good this equality, and that this would be the only restriction upon its action. If the section stopped with the first division, the General Assembly would not be limited as to the extent of the tax, but only as to the manner of levying it. It would be *compelled* to preserve the equality, and nothing more. It might tax John Smith five dollars, but it would be required to tax my three hundred dollars worth of property five dollars also. Whenever the tax on John Smith and on my three hundred dollars worth of property is not the same in value, the equality is destroyed, and the provisions of the first division of the section violated. Hence, we see that the whole scope and meaning of the first division of the section is to establish an absolute and unalterable equality between the tax on property and the tax on persons. The object of the framers of the Constitution is very apparent and praiseworthy. They did not intend that persons should oppress property, or property oppress persons, but that all should feel the weight and responsibilities of the Government alike. Now, it is a principle in mathematics, that things equal to the same thing are equal to each other. The converse of the proposition is also true, to wit: that things equal to each other are equal to the same thing. Suppose I say that Tom's house is equal in length to Bill's house, and that John's house is also equal to Bill's house. Then, if I tell you that John's house is twenty feet long, do you not at once know the length of Tom's house? Hence, I lay this down as an established principle in physics and in ethics, that when two things are declared to be equal, any limitation upon the one will operate as a limitation upon the other; and that to limit the one, it is only necessary to limit the other.

Then, the question arises is either the tax on the head or on property limited; for according to the principles just laid down if the one is, the other *must be*. In the second division of the section we find the following language: "*And* the State and county capitation tax combined, shall never exceed two dollars." Here is a clear and distinct maximum limitation upon the tax on the head. It may be anything less than two dollars, but can never be greater. So long as the poll tax is less than two dollars, we are only required to look to the equality established in the first division, but when it reaches two dollars the second division commands us to stop, for the limit is reached. On the other hand so long as the tax on three hundred dollars worth of property is less than two dollars, we are only required to preserve the *equality* of the first division, but when we make it more than two dollars and the capitation tax being compelled by the several divisions, to stop at two dollars, is it not clear that we violate the provisions of the first division—to wit: the equality? From this I conclude that when you undertake to tax John Smith FIVE dollars on his head, and to tax me only TWO dollars on my three hundred dollars worth of property, you violate the section under consideration. It is also true, that when you undertake to tax John Smith TWO dollars on his head, and to tax me FIVE dollars on my two hundred dollars worth of property, you destroy the equality, and therefore violate the same section. The true meaning of the section is, that we must tax both alike, till we reach two dollars, and then stop. Any other mode is a violation of the section. It is worthy of notice, that the two divisions of the section are connected by the conjunction *and*. After declaring the equality in the first division it does not say, but the capitation tax shall not exceed two dollars, thereby intimating that the property tax might, but the equality of the first division is connected with the limitation of the second division by the conjunction *and*, thereby showing that the equality and the limitation are the great leading ideas of the section, and that both must be preserved. Hence, I conclude, that property can only be taxed under this section, two thirds of one per cent, which is the principle contained in my proviso.

I know, sir, that the law of construction requires the instrument to be taken together as a whole. I propose now to go briefly through the whole Article to see if there is anything in conflict with the construction I have put upon its first section.

The 2nd section provides how the capitation tax shall be applied—nothing in conflict there.

The 3d section provides how all other things, except real and personal property, shall be taxed, and it requires the laws taxing them to be *uniform*. It also requires the laws by which the money value of the real and personal property is ascertained to be *uniform*. Here again we see this great idea of equality in levying the tax. No conflict in this section.

The 4th section provides that a part of the money raised under the 1st and 4th sections shall be applied to the payment of the interest on the public debt. No conflict in this section.

The 1st sentence of section 5 directs how new debts may be contracted on the part of the State. It provides that no new debt shall be contracted in behalf of the State unless there is a special tax levied to pay the interest on the same, except it be to supply a casual deficit, to suppress insurrection or invasion. Here I think we have a strong proof that it was the intention of the framers of the Constitution to limit the powers of the Legislature to levy taxes. They excepted from this restricted power of the Legislature, the three great emergencies when the very existence of the State government might depend upon the prompt action of the General Assembly in obtaining money. It was not deemed expedient to put any check upon the action of the General Assembly if any one of these great emergencies should arise. In all other cases the Legislature is required to levy the tax. Now if the levying the tax is the only restriction, why make an exception in the three cases above referred to. It is clear to my mind, that the makers of the Constitution required the tax to be levied so that the legislators should be compelled to keep before their minds the limitation in the 1st section. The other part of the section directs how the legislature may aid railroads and other corporations, but this aid must be in conformity with the limits of the 1st section. I think this section is in harmony with the first section.

The 6th section provides for exemptions from taxation.

The 7th section provides how Counties may raise Revenue. Here some suggests a difficulty, but to me there is none. It says taxes "shall be levied in like manner with the State taxes, and should never exceed the double of the State tax, except for a special purpose, and with the special approval of the General Assembly." When the Constitution was made, the authors of it had before their mind the fact that, heretofore, the State tax was but ten cents on the hundred dollars worth of property. Taking this as the State tax they intended to allow the counties to tax twenty cents on a like amount of property, but not to go beyond that, except by special permission of the Legislature. So, if the State only taxed five cents, the counties would be limited to ten, unless by special permission of the Assembly. The Legislature may give this special permission to the counties, to exceed the double of the State tax, until it reaches the limit established in the first section, and then it must stop. I think this section harmonizes with the others. I have thus briefly taken up the whole Article on taxation, and I nowhere find any thing in conflict with the construction placed upon the first section. There is no jarring or discord between the two different sections of the Article; but all are in perfect harmony, and, taken as a whole, form a more complete canopy to the people against oppressive taxation than any Constitution of North Carolina has ever furnished.

The first section establishes the orbit of taxation in which the Legislature is to move. The other sections prescribe the manner in which it is to move. While the planets move in their regular orbits harmony prevails among the heavenly bodies; but when one shoots madly out of its orbit, it produces confusion among the others. So, as long as this Legislature moves in its regular and well defined orbit, the people will be at rest, but, when it goes outside of the orbit, the people will rise up in their might, and drive those from power who produced the confusion.

But it is argued, that if we place this construction upon the Constitution we cannot raise money enough, by taxation, to carry on the government and to pay the interest on the old bonds. I assert that we can. The Chairman of the Finance Committee, himself, admits that two fifths of one per cent, on the real and personal property of the State, together with the tax on incomes, professions, trade, &c., will raise *one and a half million of dollars*. Ought not *this* to be enough? Under the new order of things it may not be sufficient to meet the wants and to supply the demands of those who administer the affairs of State. But who will say that, in the good old honest days of North Carolina economy, it would not have been enough, and to spare? If, however, it does not yield money enough, shall we, on this account, trample the Constitution under our feet? If it serves as a check upon the wild extravagance of this Legislature and the Republican party, shall we, on this account, violate it? If we find that, under a policy of strict economy, the necessary funds cannot be raised, let the Constitution be changed. If not enough to encourage extravagance, let our expenses be curtailed; but, under no circumstances, let the Constitution be violated.

Now, Sir, for the policy of this proviso. It is said, by gentlemen on this floor, that if we adopt this proviso, as a permanent feature of the tax bill, it is death to the system of Railroads contemplated by this Legislature. A direct appeal is made to those who voted for these appropriations to be active to defeat this proviso, by striking it from the bill. Even if it be true that the proviso would be injurious to the Railroad interest, which seems to be so dear to some gentlemen, shall we be more awake to the interest of these projected lines of Railroads, which are not yet begun, and may never be completed, than we are to preserve the Constitution of the State?—Shall we be less mindful of the interest of an impoverished and over-taxed people than we are of soulless corporations? The warmest opponents of this proviso admit it is not clear that the Constitution does not limit taxation. If this doubt exists, is it not better to give the Constitution and the people the benefit of the doubt?

But sir, if the Constitution does not limit taxation, the ability of the people to pay, does. It is an easy matter for us to pass tax bills and direct the Sheriffs to collect them. It is but the work of a day and a few strokes of the pen to prepare these bills. But in levying these taxes, we should not lose sight of the people's ability to pay them, for it is useless to levy the taxes if they are to remain unpaid. I contend that two dollars on the three hundred dollars worth of property, is all the people in their present impoverished condition can pay.—It will be remembered that last year the State tax was only ten cents on the hundred dollars worth of property, and that but little of the personal property of the State was taxed, while under this bill everything is to bear its part. It will be remembered that last year the entire revenue of the State for State purposes was less than three hundred thousand dollars. Will you look back over the Journal of the Legislature at the large number of Sheriffs we have been called upon to relieve from fines, because they could not collect this small amount? As before stated, this bill will raise *fifteen hundred thousand dollars* for State purposes alone, besides the tax for County purposes, to carry on the County governments. Here you have increased the amount of taxes which the people are to pay for State purposes, five times. Have you increased their ability to pay? Not at all. From all sections of the State there comes up a cry of want, of poverty, of scarcity and "hard times." If the people found it difficult to pay the small tax last year, will they not find it almost impossible to pay five times that amount this year?—But that is not all. In the section to which I propose to add this proviso, you read that this tax of two-fifths of one per cent. shall be in addition to the "*special taxes*" levied for Railroad purposes. The aggregate of the "special tax" is six tenths of one per cent. levied for Railroad purposes. This bill, as it now stands, authorizes the collection of that tax. Now, putting the estimated value of the property of the State at two hundred millions of dollars, and we have under this "special tax" twelve hundred thousand dollars as a "special tax" to pay interest on bonds issued or authorized by this Legislature. Now add the "special tax" and the general tax together, and we have a tax of *twenty seven hundred thousand dollars*, to be paid by the people during this year. Only nine times the amount we paid into the State Treasury last year. Can the people pay it? The answer comes up from every hamlet in the State, *No!* Is this the cheap and economical government the Republicans promised the people under the new Constitution? Is this what Republican orators meant when they held up that Constitution to the people and told them that under it their taxes could never be high? Will the people call this a cheap government, think you?

Mr. Speaker, it is known that when this Constitution was before the people for ratification, the Republican speakers, from the seaboard to the mountains, told the people that it limited taxation to sixty six and two-third cents on the hundred dollars worth of property. The people ratified it with that belief, and this is the construction they put upon it. They were educated to this opinion by you gentlemen of the Republican party. You know you urged this upon them as one great reason why they should ratify the Constitution. You told them it would throw a wall of protection around them, over which the Legislature could not go. Will you, to day, assist in tearing away that wall of protection?—Many of you hold seats upon this floor, to day, that would be at home digging in some corn-field, had you told the people you would not respect their expressed and known will on this great question of taxation. This proviso proposes that you shall do, officially, what you told the people you would do. My proviso proposes to put that limit upon the Legislature which you told the people the Constitution did. It proposes to give the people that protection which you said the Constitution gave them.

Republicans, I call upon you to day, to redeem your promises! To act out here, in practice, what you preached last Spring and Fall. If you do not, the people shall know who have deceived them!

Mr. Speaker, you will remember that the Railroad bills, which passed this House, did so by a combination known as the "Omnibus," and those who voted for these appropriations are said, by gentlemen on this floor, to be riding in the "Omnibus,"—each passenger being pledged to each other on the principle, "you tickle me and I will tickle you." Not a single one of these bills could have passed this House on its own merits; but by putting them all into the "Omnibus" together, they have been driven through. This proviso has created quite a stir among the passengers, and I see them begin to gather around the old "Omnibus" again, which is hardly being put in motion to gather up all the Railroad men to defeat this proviso. Already, the "*whipper in*", with his burly form, is in his seat, and with powerful and strong muscular arm, is cracking the whip over those who are halting by the way because they love the Constitution and do not wish to violate it. The bugle of the "Manager" has sounded for it to move forward! In the name of the people of North Carolina, I cry, stop! Republicans, let not that Omnibus move an inch! The Constitution of your State lies in its way! I have thrown it there by this proviso. It is your Constitution! It is the work of your own hands. Will you preserve it, or will you drive rough shod over it, as you go thundering along the high road, to the ruin of the people and the bankruptcy of the State. Railroad men, I appeal to you to stop and think what you are doing before you go farther. Your combined bills of "special taxes" levying a tax of 60 cents on the one hundred dollars worth of property; the Revenue bill in addition to the "special tax" levies a tax of forty cents on the same hundred dollars worth of property, and then, finally, the counties must tax thirty or forty cents more. All of these taxes together amount to at least one dollar and thirty cents on the one hundred dollars worth of property, which is just twice the amount your Constitution permits you to tax. I know, in your eagerness to have a railroad to run by your door you are apt to forget the ruin you are about to bring upon the people. I must think you all mean to do right, but you have allowed railroads to run away with your better judgment. In your heated imagination, you hear nothing but the whistle of the steam engine as the iron horse, with his hoofs of iron and ribs of steel, goes dashing by your door. Let me tell you, before you hear that shrill sound, you will hear other sounds that will be more piercing, and that will carry sorrow instead of joy to your heart. If you strike out this proviso and persist in collecting this large amount of tax, you will hear, instead of the rattling of the cars, the murmur of the populace for relief—instead of the sweet notes of the maiden, the wailing of the mother as she surrenders some cherished household god to the taxgatherer—instead of the merry songs of the son, the curses and imprecations of the father against those who have brought this trouble and ruin upon him, as he gathers around him his wife and children to bid farewell to the home of his childhood which he has been compelled to vacate to give place to its new occupant from a foreign land who has just purchased it at the Sheriff's sale, "for taxes."

But, Mr. Speaker, what do we hear said in reply to these unpleasant truths. It is said let us levy the tax and then if any one thinks it is unconstitutional, let him test it before the Supreme Court of the State.—Now, sir, I have confidence in the Judges of the Supreme Court, but I do not wish to leave this an open question. It will cost more to take a case up to the Supreme Court than to pay the tax, and there are but few men able to incur the expense. I know, sir, the Judges occupy a high position in the confidence of the people of North Carolina, because they are men incorruptible, and learned in the law. So far the waves of party faction have broken harmless at the base of the throne upon which they quietly sit. But after the innovations and attacks that have been made upon the Judiciary of our land, who can say that this bulwark of the peoples rights, may not soon be swept away and all be left to the pitiless mercy of the cormorants that hover around the capitol of the dear old State, feeding upon the life blood of the people, and whose constant cry is a few more millions of bonds. It is to avoid the costs of suits of injunction, to check mate these men who are too selfish to be just, to save the credit of the State and to prevent the utter ruin of the people, that I have offered this proviso.

I demand of the Republicans to stand by it. You are already committed to its doctrines, and, if you reject it, you shall not escape the responsibility. It was placed in this tax bill, in part, by your votes. Keep it there, and the people are safe. Strike it out, and the ruin of the people is as certain as your political death. Everywhere, the people of all parties are uneasy on account of the alleged extravagance of this Legislature, and the Republican party. I confess there is a just cause of alarm. The papers have gone out to them containing the glad news that this proviso has been adopted. A new life springs up within them.—A new energy quickens their every motion. Their countenance, so lately shaded, again beams forth with joy and gladness. They see that they are not to be stripped of their homes and their all to pay the interest on the millions of bonds authorized by this Legislature. The same paper contains the names of those who voted for my proviso. They read this list with eagerness to see if the name of their Representative is there. Just below that list, of which they approved, they see a motion has been made to reconsider the vote by which the proviso was adopted. They are again anxious, thoughtful and uneasy! Their eyes are beseechingly turned towards the Capitol of their State. Methinks I hear neighbor ask friend, "will our Representatives stand firm? Will they redeem the pledges they made us when we sent them here, or will they desert us now in this the hour of our peril? When the Democratic and Conservative speakers told us, last spring, that our taxes, under Republican rule, would be eight or ten times as great as ever before, these men, whom we have trusted with our interests, told us that it was a "Rebel lie." The Republicans told us the Constitution limited taxation, and, if we would ratify it, we would be safe. The Democrats told us, in reply, that the Republicans would find some way to dodge the limitation. The Republicans retorted that it was a lie, that the provisions of the Constitution in this respect were plain, that it limited the tax to two-thirds of one per cent, on property, that they would stand by the limitation, and that all the talk about high taxes, by the Democrats, was simply to frighten us. We believed the Republicans, we ratified the Constitution, and we selected Republicans to guard our interests, expecting them to be faithful servants. The hour has now come when their integrity, their fidelity to principle, and their devotion to truth, is to be tested.

Mr. Speaker, to those who in good faith redeem their pledges, their constituents will say, "well done, thou good and faithful servant," enter thou into the full confidence of thy people. To those who do not, they will say, depart from me ye recreant servants, ye have deceived me once, you shall not deceive me again.

Legislature of North Carolina.

SENATE.

FRIDAY, Feb. 26, 1869.

REPORTS OF COMMITTEES.

Mr. Welker from the Committee on Education, reported favorably on the bill to authorize the Board of Education to sell certain stock.

Mr. Moore, of Carteret, from the Committee on Corporations, reported favorably on the bill to incorporate the Wilmington Steam Fire Engine Company, and on bill to extend the corporate limits of the town of Lumberton.

A message was received from the House, transmitting the following bills, viz:

Bill to incorporate the Sparkling Catawba Springs. Referred to the Committee on Corporations.

Bill to raise revenue. Referred to the Committee on Finance, and, together with such amendments as the Committee may suggest, was ordered to be printed.

INTRODUCTION OF BILLS.

By Mr. Shoffner: A bill to alter the rules of procedure in the Courts. Referred to the Committee on the Judiciary.

By the same: A bill requiring suits on official bonds to be brought in the counties in which they are given. Referred to the Committee on the Judiciary.

By the same: A bill to protect Constables serving under the Provisional Government of the State. Referred to the Committee on the Judiciary.

By Mr. Barrow: A bill for the relief of S. A. Warren, late Sheriff of Northampton.—Referred to the Committee on Propositions and Grievances.

By Mr. Sweet: A bill to amend an act to amend the charter of the Oxford branch of the Raleigh and Gaston Railroad. Referred to the Committee on Corporations.

Bill to incorporate Newbern Fire Company, No. 1. Referred to the Committee on Corporations.

UNFINISHED BUSINESS.

Bill to provide a system of Public Instruction.

Mr. Robbins moved to amend the 42 section, 53d, and 54th, lines, read as follows "To exclude from school and from school libraries all books, tracts, papers or catechisms of a sectarian character.

Mr. R's amendment comes in after the word sectarian *in religion or partisan, in politics*.

Mr. Jones, of Wake, moved an amendment to the amendment nor the doctrine of Secession of the lost cause. Lost.

AYES.—Messrs. Blythe, Davis, Jones, of Wake, Moore, of Carteret and Stephens. 5

Mr. Love moved to amend, nor teach the sentiments embodied in that well known song, "John Brown's soul is marching along."

The Chair ruled it out of order, as being irrelevant to the question.

Mr. Love appealed from the decision of the Chair, and stated that he did so because he had recognized an amendment offered, by Mr. Jones, Senator from Wake, of a similar character.

The President stated that he did not so construe it. The question was put to the Senate, and the Chair was sustained.

Mr. Robbins' amendment was rejected.

Mr. Osborne moved to insert after the word sectarian, *or infidel*. Adopted.

Mr. Love moved to amend line 13, as follows: Provided said Committee shall never employ any colored teacher, male or female, to serve as such in any school, wherein white children are to be instructed.

Mr. Hayes moved to amend the amendment as follows: Nor employ white teachers to serve in any school wherein colored children are to be instructed. Mr. Hayes' amendment was adopted.

A. H. Galloway, colored, moved to amend, nor employ any white Democrat to teach colored girls. The President ruled it out of order.

Mr. Love's amendment was rejected.

AYES.—Messrs. Barnes, Beall, Beeman, Brogden, Eaves, Graham, Harrington, Lindsay, Love, Melchor, Moore, of Yancey, McLaughlin, Osborne, Respass, Robbins, Scott, Shoffner, Winstead, and Wilson—19.

NAYS.—Messrs. Barrow, Beasley, Burns, Colgrove, Cook, Davis, Eppes, colored, Forkner, Galloway, colored, Hayes, Hyman, col., Jones, of Wake, Legg, Long, Moore, of Carteret, Smith, Stephens, Sweet, Welker, White, and Wynne—21.

The 51st, section provides that the Committee of any Township shall when *they deem it advisable*, call a meeting of the voters who either reside or pay taxes in the Township and submit to them the proposition, for a continuance of the school's beyond the four months required by law.

Mr. Osborne said it was evident to every one what effect this proviso would have, there are Townships in the State where the non-taxpayers largely predominate, and they will have authority to vote a tax on the property holders to extend their schools for an indefinite term, he did not think it right or just, and moved to strike out the section.

Mr. Lindsay concurred in the views presented by Mr. Osborne, he was in favor of striking out the whole section, or of amending it by striking out the words in the 3rd line, "*either reside or*."

Pending its consideration the Senate adjourned until to-night at 7½ o'clock.

HOUSE OF REPRESENTATIVES.

House called to order at 10 o'clock.

Prayer by the Rev. B. W. Morris, colored, of the House.

Leaves of absence were granted to Messrs. French, Estes, Harris, of Franklin, White, Justice, of Henderson, McMillan, [illegible], and Barnett.

A message was received from the Senate informing the House, that House bill No. 93 in relation to Lake Phelps had been laid on the table.

On motion of Mr. Pearson, the rules were suspended and the bill to extend the corporate limits of the town of Goldsboro was taken up.

Mr. Smith of Watauga, said as he had some amendments to offer, he would move to postpone, and make special order for to day week.

After some debate the motion to postpone was put to a vote and lost.

On motion of Mr. Seal, the amendments reported by the Committee to whom the bill was referred, were concurred in.

Mr. Smith of Wayne, moved to amend the bill, so as to include the town of Mellville on the east side of Goldsboro. Lost.

Mr. Smith moved to amend again by saying that the citizens of Little Washington shall pay the expenses of opening new streets, draining, &c.

Mr. Pearson opposed the amendment and called the previous question.

The call was sustained and the amendment was put to a vote and lost.

The bill then passed its several readings.

By consent J. S. Leary, colored, introduced a bill to extend the corporate limits of the town of Fayetteville. The bill was appropriately referred.

By Mr. Gunter: A resolution regulating the *per diem* of members absent without leave. Lies over.

SPECIAL ORDER.

Mr. French's resolution authorizing the Governor to negotiate for certain counties of the State of Virginia to be annexed to this State.

Mr. French offered the following substitute which was adopted: Whereas the city of Norfolk, from its geographical position and the channel of trade centering there, properly belongs to the State of North Carolina, Therefore

Be it resolved, (Senate concurring,) That the Governor be requested and empowered to correspond with our Senators and Representatives in Congress, the authorities now governing the State of Virginia, and the municipal authorities of the city of Norfolk, with a view to securing the annexation to this State of the counties Nansemond, Norfolk and Princess Ann of Virginia, and to report to this Legislature the proper method to pursue, to submit the question to the people of said counties, and to the people of this State, as may be required by section 34 of the Declaration of Rights of the Constitution.

The resolution was then put to a vote and adopted and ordered to be transmitted to the Senate.

By consent, Mr. Estes introduced a bill authorizing the Public Treasurer to supply temporary deficiencies in the Treasury.—(The bill empowers the Treasurer to borrow money at a rate of interest not exceeding 8 per cent, to meet the interest due January 1st, 1869, and April 1st, 1869.) Lies over.

Mr. Hawkins, from the Committee on Enrolment, reported the following bills, as being correctly enrolled, to-wit:

Bill to incorporate the Wilmington Life Insurance Company.

Bill to incorporate the North Carolina Real and Personal Estate Agency.

Bill providing for an official declaration of the result in the late Congressional elections in the State.

On motion of Mr. Shaver, the rules were suspended and the bill to authorize the Commissioners of Salisbury to issue bonds, was taken up and passed its second reading by a vote of yeas 80, nays none.

On motion of Mr. Estes, the rules were suspended and the bill establishing a Turnpike Road in Carteret county, was taken up and passed its third reading, by a vote of yeas 55, nays 19.

By consent, Mr Allison introduced a bill to incorporate the town of Durham, in Orange county. The bill was appropriately referred.

On motion of Mr. Wilkie, the rules were suspended, and the bill authorizing the Commissioners of Jones county to levy a special tax, was taken up and passed its third reading, by a vote of yeas 73, nays 0.

On motion of Mr. Bowman, the rules were suspended, and the bill laying the homestead and personal property exemption, was taken up.

The question recurred upon Mr. Moore's substitute for section 7 of the bill.

After a long discussion, the previous question was called and the substitute was adopted by a vote of yeas 51 nays 34.

On motion, the House adjourned until 10 o'clock to-morrow morning.

EQUESTRIAN STATUE OF GEN. GRANT.—Some of the prominent friends of General Grant proposes to erect an equestrian statue of him on the Southern portico of the Treasury Department. A model of the statue was received here yesterday, and is in possession of Gen. Spinner. It is executed by a Boston artist. At life size would cost $35,000, heroic $50,000, and colossal $75,000, the material to be of cannon captured by Grant and the pedestal of granite.—*Evening Express.*

We regret to learn that the residence lately purchased by Sheriff Collins, about one and a half miles from the village, was entirely consumed by fire last Saturday night. The house was nearly new, large and commodious, and is quite a serious loss at this time. It is supposed to be the work of an incendiary.—*Marion, S. C., Star.*

MARRIED.

At the residence of the bride's mother, on the 24th inst., by Rev. J. B. Bobbitt, Editor of the Raleigh *Episcopal Methodist*, Mr. JAS. W. BEARD, of New York City, and Miss SUSAN J. PHILLIPS, of Northampton County, N. C.

DIED:

In this City yesterday, 28th inst., Col. T. T. Hood, an old and respected citizen. Funeral will take place this afternoon from the residence of his nephew, Dr. Hogg, at 4½ o'clock.

NEW ADVERTISEMENTS.

Notice.

OFFICE NORTH CAROLINA LAND CO., RALEIGH, N. C., Feb. 27, 1869.

This Company makes no charge for advertising Lands, Farms, Houses, Mines, &c., placed with them for sale. They only charge 5 per cent. on the amount obtained, and this not until the sale is perfected.

GEORGE LITTLE, President.
R. W. BEST, Sec. & Treas.
Feb. 27-tf

Carriage at Auction.

WILL BE SOLD AT TOWLES' AUCTION, to-day, a neat Family Carriage, and one good Buggy. Also one Cow and Calf.

JAS. M. TOWLES, Auctioneer.
Feb 27-1t

MOLASSES! MOLASSES! MOLASSES! NEW CROP! NEW CROP!
50 hhds New Crop Molasses, to arrive.
10 [illegible] on hand.
At UPCHURCH & DODD'S.
Feb 27-tf

Raleigh National Bank of North Carolina.

THE DIRECTORS have resolved to increase the Capital Stock of this Bank FIVE HUNDRED THOUSAND DOLLARS. Persons wishing to subscribe to the same will please communicate with
C. DEWEY, President.
Feb 27-1t

Sentinel and Episcopal Methodist, [illegible] Journal of Commerce, [illegible] copy once a week for [illegible] and send bills to Bank.

FLOUR,
WM. R. HOWARD,
FLOUR DEALER
AND
COMMISSION MERCHANT,
No. 2 SPEAR'S WHARF, Baltimore.

GOOD TO CHOICE FINE, SUPER, EXTRA AND FAMILY FLOUR SUITABLE FOR [illegible] CONSTANTLY ON HAND.
Feb 27-lawtm

[illegible] R. W. MEANS.
MONTGOMERY & MEANS,
ATTORNEYS AT LAW,
CONCORD, N. C.
Feb 26-tf

NEW CROP MOLASSES.

CARGO OF BRIG "JOHN BALCH," from Cardenas, [illegible] hhds, very choice CUBA MOLASSES now landing and for sale by
WORTH & DANIEL, Wilmington N. C.
Feb 26-tf

S. S. HEATH. G. W. FRAZER.
HEATH & FRAZER,
ATTORNEYS AT LAW,
MEMPHIS, TENN.
Feb 24 3m

FLOUR! FLOUR! FLOUR! All kinds, at all prices. DOUGLAS BELL.
Feb 4-tf

Ayer's Sarsaparilla,

FOR PURIFYING THE BLOOD.

The reputation this excellent medicine enjoys, is derived from its cures, many of which are of a truly marvellous character. Inveterate cases of Scrofulous disease, where the system seemed utterly given up to corruption, have yielded to this compound of anti-strumous virtues. Disorders of a scrofulous type, and affections which are merely aggravated by the presence of scrofulous matter, have been radically cured in such numerous instances, in every settlement in the country, that the public do not need to be informed here that it is in most cases a specific and absolute remedy.

Scrofulous poison is one of the most destructive enemies of our race. Often, this unseen and unfelt tenant of the organism undermines the constitution, and invites the attack of enfeebling or fatal diseases, without exciting a suspicion of its presence. Again, it seems to breed infection throughout the body, and then, on some favorable occasion, rapidly develop into one or other of its hideous forms, either on the surface or among the vitals. In the latter, tubercles may be suddenly deposited in the lungs or heart, or tumors formed in the liver. These facts make the occasional use of the *Sarsaparilla* as a preventive, advisable.

It is a mistake to suppose that so long as no eruptions or humors appear, there must be no scrofulous taint. These forms of derangement may never occur, and yet the vital forces of the body be so reduced by its subtle agency, as materially to impair the health and shorten the duration of life. It is a common error, also, that scrofula is strictly hereditary. It does, indeed, descend from parent to child, but is also engendered in persons born of pure blood. Low living, indigestion, foul air, licentious habits, uncleanliness, and the depressing vices generally, produce it. Weakly constitutions, where not fortified by the most constant and judicious care, are peculiarly liable to it. Yet the robust, also, whose turgid blood swells the veins with an apparently exuberant vitality, are often contaminated, and on the road to its consequences. Indeed, no class or condition can depend on immunity from it, nor feel insensible to the importance of an effectual remedy.

In *St. Anthony's Fire, Rose or Erysipelas, for Tetter, Salt Rheum, Scald Head, Ringworm, Sore Ears and Eyes*, and other eruptive or visible forms of the diseases caused primarily by the scrofulous infection, the *Sarsaparilla* is so efficient as to be indispensable. And in the more concealed forms, as in *Dyspepsia, Dropsy, Heart Disease, Fits, Epilepsy, Neuralgia*, and other affections of the muscular and nervous systems, the *Sarsaparilla*, through its purifying power, removes the cause of the disorder and produces astonishing cures.

The Sarsaparilla root of the tropics does not by itself achieve these results. It is aided by the extracts combined with it, of still greater power. So potent is this union of healing virtues, *Syphilis* or *Venereal* and *Mercurial Diseases* are cured by it, though a long time is required for subduing these obstinate maladies by any medicine. *Leucorrhœa* or *Whites, Uterine Ulcerations*, and *Female Diseases* in general, are commonly soon relieved and ultimately cured by the invigorating and purifying effect of our *Sarsaparilla*. *Rheumatism* and *Gout*, often dependent on the accumulation of extraneous matters in the blood, have their remedy also in this medicine. For *Liver Complaints*, torpidity, inflammation, abscess, etc., caused by rankling poisons in the blood, we unhesitatingly recommend the *Sarsaparilla*.

This medicine restores health and vigor where no specific disease can be distinguished. Its restorative power is soon felt by those who are *Languid, Listless, Despondent, Sleepless*, and filled with *Nervous Apprehensions* or *Fears*, or who are troubled with any other of those affections symptomatic of weakness. Many, after taking it for *General Debility*, have written us of the youthful vigor imparted to their nervous system, which seemed buoyant with that prolific life they thought had departed on the advance of age. Others, whose fountains of life were always sterile, acknowledge their obligations to it for an obvious change.

Ayer's Ague Cure,

For Fever and Ague, Intermittent Fever, Chill Fever, Remittent Fever, Dumb Ague, Periodical or Bilious Fever, &c., and indeed all the affections which arise from malarious, marsh, or miasmatic poisons.

As its name implies, it does *Cure*, and does not fail. Containing neither Arsenic, Quinine, Bismuth, Zinc, nor any other mineral or poisonous substance whatever, it in nowise injures any patient. The number and importance of its cures in the ague districts, are literally beyond account, and we believe without a parallel in the history of medicine. Our pride is gratified by the acknowledgments we receive of the radical cures effected in obstinate cases, and where other remedies had wholly failed.

Unacclimated persons, either resident in, or travelling through miasmatic localities, will be protected by taking the AGUE CURE daily.

For Liver Complaints, arising from torpidity of the Liver, it is an excellent remedy, stimulating the Liver into healthy activity.

Prepared by DR. J. C. AYER & Co., Practical and Analytical Chemists, Lowell, Mass., and sold all round the world.

PRICE, $1.00 PER BOTTLE.

SOLD BY
WILLIAMS & HAYWOOD, and P. F. PESCUD, Raleigh, and all Druggists and Dealers everywhere.
dec 19-eodwdm

To the People of the Southern States.

NEW YORK, Nov. 3, 1868.

When the pure medicinal restorative, now so widely known as Wolfe's Schiedam Schnapps, was introduced into the world under the endorsement of four thousand leading members of the medical profession some 20 years ago, its proprietor was well aware that it could not wholly escape the penalty attached to all new and useful preparations. He, therefore, endeavored to invest it with strongest possible safeguard against counterfeiters, and to render all attempts to pirate it difficult and dangerous. It was submitted to distinguished chemists for analysis, and pronounced by them the purest spirit ever manufactured. Its purity and properties having been thus ascertained, samples of the article were forwarded to ten thousand physicians, including all the leading practitioners in the United States, for purposes of experiment. A circular, requesting a trial of the preparation and a report of the result, accompanied each specimen. Four thousand of the most eminent medical men in the Union promptly responded. Their opinions of the article were unanimously favorable. Such a preparation, they said, had long been wanted by the profession, as no reliance could be placed on the ordinary liquors of commerce, all of which were more or less adulterated, and therefore unfit for medical purposes. The peculiar excellence and strength of the oil of juniper, which formed one of the principal ingredients of the Schnapps, together with an unalloyed character of the alcoholic elements, give it, in the estimation of the faculty, a marked superiority over every other diffusive stimulant as a diuretic, tonic and restorative.

These satisfactory credentials from professional men of the highest rank were published in a condensed form, and enclosed with each bottle of the Schnapps, as one of the guarantees of its genuineness. Other precautions against fraud were also adopted; a patent was obtained for the article, the label was copyrighted, a fac simile of the proprietor's autograph signature was attached to each label and envelope, his name and that of the preparation were embossed on the bottles, and the corks were sealed with his private seal. No article has ever been sold in this country [illegible] of Schnapps prior to the introduction of Wolfe's Schiedam Schnapps, in 1851; and the label was deposited, as his trade mark, in the United States District Court for the Southern District of New York during that year.

It might be supposed by persons unacquainted with the daring character of the pirates who prey upon the reputation of honorable merchants by vending worthless trash under their names, that the [illegible] so carefully thrown around Wolfe's Schnapps would have precluded the introduction of counterfeits. They seem, however, only to have stimulated the rapacity of impostors. The trade mark of the proprietor has been stolen; the endorsement which his Schiedam Aromatic Schnapps alone received from the medical profession has been claimed by mendacious humbugs; his labels and bottles have been imitated, his advertisements paraphrased, his circulars copied, and worse than all, unscrupulous retailers, after disposing of the genuine contents of his bottles, have filled them up with common gin, the most deleterious of all liquors, and thus made his name and brand a cover for poison.

The public, the medical profession and the sick for whom the Schiedam Aromatic Schnapps is prescribed as a remedy, are equally interested with the proprietor in the detection and suppression of these nefarious practices. The genuine article, manufactured at the establishment of the [illegible] in Schiedam, Holland, is distilled from a barley of the finest quality, and flavored with an essential extract of the berry of the Italian juniper, of unequalled purity. By a process unknown in the preparation of any other liquor, it is freed from every acrimonious and corrosive element.

Complaints have been received from the leading physicians and families in the Southern States of the sale of cheap imitations of the Schnapps in those markets; and travelers who are in the habit of using it as an antidote to the baneful influence of unwholesome river water, testify that cheap gin, put up in Schiedam bottles, is frequently palmed off upon the unwary. Also agents of the undersigned have been requested to institute inquiries on the subject, and to forward to him the names of such parties as they may ascertain to be engaged in the atrocious system of deception. In conclusion, the undersigned would say that he has produced, from under the hands of the most distinguished men of science in America, proofs of the purity and medicinal excellence of the Schiedam Aromatic Schnapps; that he has expended many thousand dollars in surrounding it with guarantees and safeguards, which he designed should protect the public and himself against fraudulent imitations; that he has shown it to be the only liquor in the world that can be uniformly depended upon as unadulterated; that he has challenged investigation, analysis, comparison, and experiment in all its forms; and from every ordeal the preparation which bears his name, seal and trademark, has come off triumphant. He therefore feels it a duty he owes to his fellow-citizens generally, to the medical profession and the sick, to denounce and to expose the charlatans who counterfeit these evidences of identity, and he calls upon the press and the public to aid him in his efforts to remedy so great an evil.

The following letters and certificates from the leading physicians and chemists of this city will prove to the reader that all goods sold by the undersigned are as they are represented to be.

UDOLPHO WOLFE.

I feel bound to say, that I regard your Schnapps as being in every respect pre-eminently pure, and deserving of medical patronage. At all events, it is the purest possible article of Holland gin, heretofore unattainable, and, as such, may be safely prescribed by physicians.

DAVID L. MOTT, M. D., Pharmaceutical Chemist, New York.

26 PINE STREET, NEW YORK, Nov. 21, 1867.

UDOLPHO WOLFE, Esq., *Present:*

DEAR SIR:—I have made a chemical examination of a sample of your Schiedam Schnapps, with the intent of determining if any foreign or injurious substance had been added to the simple distilled spirits.

The examination has resulted in the conclusion that the sample contained no poisonous or harmful admixture. I have been unable to discover any trace of the deleterious substances which are employed in the adulteration of liquors. I would not hesitate to use myself or to recommend to others, for medical purposes, the Schiedam Schnapps as an excellent and unobjectionable variety of Gin.

Very respectfully yours,
(Signed,) CHAS. A. SEELY, Chemist.

NEW YORK, 53 CEDAR STREET, November 26, 1867.

UDOLPHO WOLFE, Esq., *Present:*

DEAR SIR:—I have submitted to chemical analysis two bottles of "Schiedam Schnapps," which I took from a fresh package in your bonded warehouse, and find, as before, that the spirituous liquor is free from injurious ingredients or falsification; that it has the marks of being aged and not recently prepared by mechanical admixture of alcohol and aromatics.

Respectfully,
FRED. F. MAYER, Chemist.

NEW YORK, Tuesday, May 1.

UDOLPHO WOLFE, Esq.:—

DEAR SIR:—The want of pure Wines and Liquors for medical purposes has been long felt by the profession, and thousands of lives have been sacrificed by the use of adulterated articles. Delirium tremens, and other diseases of the brain and nerves, so rife in this country, are very rare in Europe, owing, in a great degree, to the difference in the purity of the spirits sold.

We have tested the several articles imported and sold by you, including your Gin, which you sell under the name of Aromatic Schiedam Schnapps, which we consider justly entitled to the high reputation it has acquired in this country, and from your long experience as a foreign importer, your Bottled Wines and Liquors should meet with the same demand.

We would recommend you to appoint some of the respectable apothecaries in different parts of the city as agents for the sale of your Brandies and Wines, where the profession can obtain the same when needed for medicinal purposes.

Wishing you success in your new enterprise, We remain your obedient servants,

VALENTINE MOTT, M. D., Professor of Surgery, University Medical College, New York.
JOHN M. CARNOCHAN, M. D., Professor of Clinical Surgery, [illegible], N. Y. Medical College, etc., No. 14 East Sixteenth Street.
LEWIS A. SAYRE, M. D., No. 795 Broadway.
H. P. DEWEES, M. D., No. 789 Broadway.
JOSEPH WORSTER, M. D., No. 120 Ninth St.
NELSON STEELE, M. D., No. 37 Bleecker St.
JOHN O'REILLY, M. D., No. 230 Fourth St.
B. I. RAPHAEL, M. D., Professor of the Principles and Practice of Surgery, New York Medical College, etc., No. 91 Ninth Street and others.

The proprietor also offers for sale

Bottled Wines and Liquors,

imported and bottled by himself, expressly for medicinal use. Each bottle has his certificate of its purity.

Nov. 23-3m UDOLPHO WOLFE.