The Semi-Weekly Sentinel.

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RALEIGH, N. C., WEDNESDAY, JULY 12, 1871. VOL. 5.—NO. 94.

THE SENTINEL

INJUNCTION

We publish to-day the injunction of Joseph B. Stafford, of Baltimore, against the stockholders of the North Carolina Railroad. The deputy marshals are out on the seashore, in search of Speaker Warren and the others; on the mountains in search of Speaker Jarvis, to serve copies of the injunction.

This is nothing less than a lawless raid upon the state and the citizens of the state, to force a lease of the road at the stockholder's meeting on the 13th of July, instant.

Joseph B. Stafford it seems, is the owner of only nine shares. He is a troublesome partner of the concern, and it behooves the other partners to make Joseph behave himself.

Joseph says:

Your orator also apprehends that from want of consideration, or otherwise, the majority of the private stockholders of said company, residing in said state of North Carolina, may admit said appointees of the president and speaker to occupy the offices of proxy and directors, as aforesaid.

He need not be alarmed. We think certain sharpers have already collected proxies enough to receive Gov. Caldwell's lease, with a view of leasing the road to the Pennsylvania Central. Major Smith, who has now a majority of proxies, and second fiddle for the lease. He has been [illegible] will not hesitate to use the patronage of his position to secure them. Major Smith, Sion, Billy Head, Sion and the board succeeded in Dr. Hawkins in a secret, sneaking manner. The Major actually got his papers, though the *Standard* denied it for him. We know he did.—

We believe some of our judges have recommended to Gov. Caldwell to make the issue of the injunction the occasion in making proclamation for an election for convention. If Mr. Phillips had not been satisfied that our judges were against him he would not have sneaked off to Baltimore to look for a federal judge who turned Burgess out of jail in a manner calculated to bring reproach upon the judiciary.

Let the stockholders prepare to meet all manner of threats, bribes and persuasions. Let none of them sell out as cheaply as Judge Watts for $5,000 of worthless bonds. Let none be alarmed by the threats of the Pennsylvania Central, that they will build a road from Greensboro' to Charlotte, thereby making the stock of the North Carolina worthless. President Smith reports the net profits of the road, over and above all operating or necessary expenses, to be for the present year $164,[illegible]. This wants only $15,201.31 of making money sufficient to declare a dividend of twelve per cent instead of six.

The state of Georgia leases its road, about one third as long as the North Carolina, at $75,000 per month—$900,000 a year. If we will lease, seven per cent is not enough, and we believe the Pennsylvania Central will give eight rather than fail to enjoy the monopoly. We have deemed it proper to say this much to the stockholders. No offence is intended by our plain talk, and none will be taken except by those who will probably yield to the golden arguments of the Pennsylvania Central.

MUSIC ASHLEYS. Iowa, says the Washington *Patriot*, has evidently more than one brother of the Praise God Barebones stamp who sneaks under cover of religion into political prominence. A few days since we had Senator Harlan seeking a reelection by dancing on the church tightrope to the music of a soft letter from Parson Newman, of Washington, reading "I am glad to say to you that Senator Harlan is regular in his attendance at church, and his influence is in the right direction;" and now comes another sample of the way radical politicians use the holiness of faith. At the Iowa State Republican Convention a reverend Mr. Wilson opened proceedings with what is set down in the report as a prayer, and in the course thereof bawled forth, "O Lord! by all means give us this year our usual 40,000 majority, and if possible, O Lord! give us 80,000 majority." This "suffication" was greeted by applause on the part of the convention, many of the more devout recipients of the word clapping their hands and shouting out, "Bully for you, brother Wilson;" all of which gives a fine picture of Iowa republicanism in state convention met.

WILMINGTON, CHARLOTTE AND RUTHERFORD RAILROAD.—At the meeting of the board of directors of the Wilmington, Charlotte and Rutherford Railroad, held in Charlotte Tuesday of last week, Hon. R. R. Martin tendered his resignation as president, which was accepted, and M. Cronly, Esq., of Wilmington, was elected to the position.

Mr. Martin's ill health rendered necessary this action on his part.

WORK FOR CONVENTION. The Charlotte *Democrat* says we hope the friends of convention will be active in explaining the question to the people between this and election day, the first Thursday in August. We tell the people (as they will certainly learn by experience) that unless a convention is held and the present constitution changed they will be oppressed with a heavier tax than they have ever heretofore paid. If they permit convention to be voted down, they will have no right to complain when the sheriff levies on their property to pay taxes.

OUR STATE AS SEEN BY OTHERS.

"Wad some power the giftie gie us
To see ourselves as others see us!"

The Baltimore *Gazette*, one of the ablest journals in America, thus treats of the present condition of North Carolina. Can any lover of his state hesitate to go for convention in view of these deplorable truths:

The people of North Carolina are in great trouble. They have been fleeced and plundered in every possible way by the radicals who have ruled over them. The financial condition of the state is deplorable. The bonded and floating debt amounts, in round numbers, to thirty six millions of dollars, including six millions of back interest due and unpaid. The legislature, which recently closed its session, had in it a majority of democrats and conservatives, but under the constitution that has been framed by the radicals, it found itself incapable of passing any measures that would relieve the people from the evils of misgovernment, or from a rate of taxation, which, if enforced in their present impoverished condition, would be simply ruinous. By one of the provisions of the existing constitution a convention to amend it, or frame a new one, cannot be called unless by a vote of two thirds of the members of the legislature. As this vote could not be had, it was finally determined that the people should decide, by a vote to be taken throughout the state on the 3d of August next, whether or not a constitutional convention shall be held on the first Monday in September, and if the decision is in the affirmative, to elect delegates to it.

* * * * * * *

Irrespective of the financial question, there is much dissatisfaction with the judiciary. Nearly all the judges of the supreme court are republicans, and it is alleged that most of the lower courts are presided over by men who are [illegible] in politics, and that the imposition with which they have been committed is due to the partisanship manifested not only on the supreme bench, but also by the inferior courts. Before the war the government of North Carolina was carried on more economically than any other government at the south. The total annual expense did not exceed from $175,000 to $200,000. The present state government costs the people over [illegible] a million annually. The extravagance and corruption of the radicals have burthened the state with debt. The bonded and floating debt of the state has been increased from fourteen millions—the point at which it stood when the radicals came into power to thirty six millions. Of this debt sixteen millions are made up of new bonds. They were issued ostensibly for railroad purposes, and principally for the alleged benefit of the western counties. The bonds were turned over to speculators. Swepson and Littlefield being the chief operators, and on the whole amount of bonds so issued the state has not actually realized more than a million of dollars. The bonds have been sold or hypothecated, and the money pocketed by confidence men and radical thieves.—The infamy of the transactions stands further confessed by the fact that, although these sixteen millions of special tax bonds were issued in 1868 and 1869, the radicals who authorized them did not dare to levy a tax to pay the interest either on them or on the old and universally recognized bonds of the State. The courts have, nevertheless, decided that the new bonds in question are valid; but other railroad bonds to a large amount, which were also authorized under the guarantee of the state, were declared by the courts to be invalid, because they were not issued in accordance with law. Whether it was either wise or politic on the part of a majority of the Legislature of North Carolina to take steps to ascertain the sense of the people in regard to the propriety of calling together at this time, a state constitutional convention, we do not undertake to say. That question must be settled by the people themselves. But that some action requires to be taken to relieve the state from its difficulties, must be perfectly evident from the exhibit we have made of its present condition.

TIM LEE IN A "FIX."

If Tim Lee were capable of a blush, the following card would crimson his brassy phiz:

For the Sentinel.

RALEIGH, N. C., July 10th, 1871.

In the *Telegram*, of the 9th, issued on Saturday evening, appears a card from T. F. Lee, chairman of republican county executive committee, placing me in the light of having neglected my duty as chairman of the conservative executive committee of Wake county, in failing to furnish him with an answer, as to the intention of the conservative candidates in the approaching canvass. The two letters that form the major part of the card, are correctly set forth.

On Saturday morning I stated to Capt. Lee that I would answer him that day, provided Judge Merrimon returned in time, and should he not return in time I would answer him early Monday morning.

At seven o'clock Saturday evening, I went to the office of Capt. Lee, and finding him absent, I left word with W. W. White, register of deeds, A. Magnin, deputy sheriff and Capt. Lee's driver, requesting them to so inform Capt. Lee.

Now the said Lee has the unblushing effrontery to say, in the card referred to, that he waited for an answer until 7 o'clock, p. m., Saturday, when I am credibly informed by gentlemen who were with him that he was absent, about thirteen miles from the city, at a public speaking on Saturday, and remained so absent until 9 o'clock, p. m.

I furthermore say that the said Lee wrote the card Saturday morning before he left the city, totally disregarding the promise he had made to defer the matter, that the said Lee had, as early as Friday, sent out the republican notices for speaking, and had them distributed, plainly showing that he and those whom he represents were not awaiting the action of the conservatives, but the said card was written for political effect, and the offer to canvass was as disingenuous as the publishing of the card was untrue and unjust to me.

GEO. H. SNOW,
Chairman Con. Ex. Com.

The Chicago *Tribune* asks and receives $22,000 for a column of advertisements one year. The business men of Chicago are keen to pay it. There is one house in Cincinnati pays $5,000 a week for advertising. There that are several in Cleveland, even, who pay as high as $10,000 a year. Somehow these men don't break up; a liberal advertiser never does.

The friends of convention in Richmond county hold their county nominating convention on the 17th inst.

[From the Asheville Citizen.]

FRANKLIN, N. C., June 20, 1871.

MESSRS. EDITORS: Some great force must necessarily have acted in order to produce this inverted order of rocks already alluded to. Many geologists have ascribed this physical condition of things to active volcanic forces. They have supposed that these forces pushed up the mountain masses to their present elevations. If this theory be true then the summit of the Blue Ridge would be one continuous anticlinal with the superincumbent strata, according to geological age and epoch, resting upon either declivity of the principal mass.

If, as has been supposed, the Blue Ridge and parallel Smoky Mountain chain were pushed up by volcanic forces, such for example as the expansion of internal heat seeking to relieve itself [illegible] then there must have been two parallel axial lines of force, and we would naturally expect to find granite brought to the surface and exposed upon the summit of the Smoky as well as upon the Ridge. This theory would involve endless complications, for there must have existed a system of cross forces corresponding to the transverse mountain chains with intervening valleys extending from one to the other of these great axial lines. This, it seems to me, would have produced a corresponding exposure of the primordial rocks along the crests of these cross chains, many of which are equal in elevation to the main elevations of the principal parallel masses. It is a fact fatal to this theory, however, that the respective inverted beds, in the principal features of their strike and inclination have been disturbed very little, if at all, by these transverse chains. Indeed, the gneiss, mica slates, hornblend beds, and taconic series traverse these angles, with strike and dip corresponding to the great axial line of the Blue Ridge [illegible] the crests of the Smoky Mountain chain conform in strike and inclination to these older beds. The evidence in support of this theory of volcanic upheaval does not sufficiently agree with the facts as they are here developed. We must then look to some other source for the forces which have produced this great upheaval and super position of the older upon the newer rocks.

It is a prevailing opinion amongst geologists that the center of our globe is a mass of igneous matter, such as is emitted by active volcanoes. These volcanic vents allow the constant escapement of heat from the center of the globe. It is a fact generally conceded that there is a general, as well as constant escapement of heat from this igneous center through the crust of the earth. The crest as we see it here exposed bears an air of great antiquity, and hence it is reasonable to suppose that at the time when this great cataastrophe and upheaval took place, the crust of our globe was thinner than it now is, and hence the escapement of heat must have been more then than now. The escapement of heat by these various agencies, no doubt, diminished the volume at the center, or at least relaxed the tension upon the envelloping crust and created a vacuum. To fill up this vacuum the crust gave way and broke in, thus making the Atlantic bed. This oblique downward motion of the crust heaved up, from its horizontal position, this portion of it, and crimped it into one long grand fold, which breaking on the crest brought to the surface and exposed the bottom rocks, and at the same time lapped the superincumbent series under the primordial. In this inverted order we find the strata from the Blue Ridge northwestward to the carboniferous at the base of the Cumberland mountain.

On the southern slope of the Ridge there is evidence of a succession of inferior folds, some of which are lapped over and folded under like the strata on the northwestern slope, while others are only raised into crests like waves forming anticlinal and sinclinal axis.

Here we have gneiss, mica slates, talcose rocks, hornblend beds, narrow zones of taconic rocks lying upon the granite of the Blue Ridge, having considerable regularity of strike but great diversity in dip.

This theory of the forces by which the crust of the earth was elevated into these mountain chains is supported by several facts, some of which, we now introduce. The first of these is found in the regularity with which the Atlantic coast line corresponds to the main direction and elevation of the Blue Ridge. This correspondence indicates the sinking down of the crust along the line of the Atlantic bed and a corresponding upheaval of the crust into the Blue Ridge mass. This view seems to be more reasonable than any theory which attributes the elevation of these mountain chains by the exposition of internal heat or volcanic force. It accounts also in a more rational way for the superposition of the azoic upon the sedimentary beds. Again, this theory of folding the superincumbent beds underneath is abundantly sustained by the fact that the gold bearing belt on the south of the Blue Ridge, which traverses Habersham, White, Lumpkin, Dawson, Forsythe and Cherokee counties, Ga., is duplicated on the north of the Ridge (though folded under its primordial rocks) in a gold bearing belt which traverses Gilmer, Union and Towns counties, Ga., and Clay county, N. C. These gold bearing zones both on the north and south of the Bule Ridge are lithologically the same and abound in the same minerals, gold, magnetic iron, rutile, auriferous pyrites, tourmaline, kymite and stauratide. They evidently constitute an unbroken horizontal bed until folded up and detached by the protruding granite and gneiss of the Blue Ridge, and one part being lapped under on the north, and the other left resting upon the base of the fold on the south. In Macon, Jackson, Haywood, Buncombe, Madison and Yancey counties these duplicate beds do not appear in any appreciable dimensions, though occasional intercalations of gold bearing slates are found. It seems that they were either nipped out by the enclosing rocks or were swallowed up and concealed by the general subsidence of the under folding strata. That Mica slates often disappear and then reappear at other points will be shown in a subsequent paper. Yours truly,

C. D. SMITH.

THE "Hon" John Pool, U. S. senator from North Carolina—the man who advised Holden last year to arrest the leading citizens of the state and *lose them*—is out in a lengthy paper upon "the pending events in North Carolina." We read sufficently far to discover that it was in keeping with the damnable kuklux "outrage" speeches made by him in the United States a few months since. John Pool evidently has the good of his party and Senator Pool at heart, but as for the real welfare of North Carolina and her people he does not care, farther than to see both the state and white people plunged into utter ruin.—*Roanoke News.*

Correspondence of the SENTINEL.

Mississippi Kuklux Trials.

United States District Court—Trial of Supposed Kuklux of Monroe County, Miss.—Great Interest Manifested in their Behalf—Many of them the most Respectable Citizens of Mississippi—Charged with killing one Alexander Page, (colored.)—Progress made in the case.

OXFORD, Miss., July 3, 1871.

The United States District Court is in session at this place, Judge U. A. Hill presiding. There are many lawyers in attendance, among whom we may mention Gen. Gholson, Col. Reynolds, Mr. Turner, District Attorney Wells, and Judge Blockman.

[illegible] certain parties of Monroe county, [illegible] charged with

KUKLUXING

one Alexander Page, colored. This is the first case, in this state, which has been considered under the infamous act of Congress, known as the

KUKLUX BILL,

or Grant's electioneering scheme, in order to be enabled again to disgrace the White House with the presence of his contemptible person.

Many of the persons arrested are of the first families of this state, who have always been respected and honored by the highest society to be found, and who stand above suspicion in the eyes of all true sons of peace and law. Some of them show that their heads have grown hoary with the frosts of seventy winters, and that they have never before been arraigned before any judicial tribunal, to answer for offences committed against the "best government the world ever saw." It is an affecting scene to visit the court [illegible] integrity and honor, sitting as prisoners, under the opprobrious eye of some colored man of Hale, a member of the loyal family of African "scent," but the day of retribution will come to us and by.

The people of Mississippi are shocked and disgusted at the proceedings which are now going on in this part of the state in reference to the action of the district court. But these chivalric people are preparing to cast off the shackles of oppression at the next presidential election, and also in their state and county elections. From almost every quarter comes stirring news for the

DEMOCRACY OF THE LAND.

The case now in court is rapidly progressing. The defendants in the case tried to prove an *alibi* and sue out a writ of

HABEAS CORPUS.

They completed the examination of their witnesses two days ago, and the witnesses for the United States are now being examined. There is great fear among the people of this vicinity and the state at large, that many of the prisoners will be convicted. I will give you further information in a short while. J. R. P.

WHAT IT COSTS.

The people will be delighted to know what it costs them to keep the White House, at Washington, up to the military standard of our new ruler for a single year. In order that they may the more pleasingly reflect upon the minor burdens of taxation which they are compelled to endure, we present the list of expenditures in that establishment, as they may be found reported in the *Congressional Globe*, page 1,381, second session of the forty first congress, embracing the expenses of the White House, from July 1, 1870, to June 30, 1871:

Salary of the President,	$50,000
" Private Secretary, R. Douglas,	2,500
" Assistant Private Secretary, J. T. Rich,	2,500
" Executive Clerk, L. P. Buckley,	1,800
" Executive Clerk, C. C. Smith,	1,800
" Disbursing Clerk, W. H. Crook,	1,600
" Detail Clerk, W. H. Fox,	1,600
" Military Secretary, Major and Brevet Brigadier-Gen. Horace Porter,	2,500
" Military Secretary, Major and Brevet Brig.-Gen. O. E. Babcock,	2,250
" do. Adam Badeau,	2,250
" Military Secretary, Brig.-Gen. F. T. Dent,	2,000
" Steward,	2,000
" Messenger,	840
" Farm Keeper,	720
" Policeman,	1,320
" Watchman,	900
" Watchman,	900
" Doorkeeper in chief,	1,000
" Assistant doorkeeper,	600
" Secretary to sign land patents, N. G. Brooks,	1,500
Stationary and contingent fund,	5,000
Lamp lighters,	1,080
Laborers on sidewalks,	1,000
Laborers on grounds,	3,000
Fuel,	8,000
Manure and hauling,	3,000
Painting exterior,	15,000
Gas,	5,000
Plants, &c., for green houses,	5,000
Annual appropriation for refitting upand refurnishing,	25,000
Additional do	30,000
Total, only	$157,800

Those who can remember the "gold spoons" story, told by Ogle, of Pennsylvania, and which elected General Harrison president of the United States, will look over these figures with considerable surprise, but what will the plain farmers, who pay the taxes, say? *Albany Argus.*

To Senator Pool, of North Carolina, belongs the discredit of having first presented to the United States a paper purporting to be the petition of 1,500 citizens of Wilmington, which was deliberately fabricated by his partisans there, and was never signed by any of the persons whose names were thus used. This fraud was detected by Senator Thurman, who upon examining the paper, found all the signatures in the handwriting of two or three persons. An attempt was made by Pool to counteract the effect of his exposure, by certificates from the parties, who alleged they had signed for negroes at a public meeting, and who had requested their names to be written. But this second fraud was exploded like others in two ways; first, by the handwriting of the men who made the certificates, which differed entirely with that of any of the signatures to the petition, and next, by the fact that it was a physical impossibility, for one man to have signed 1,500 names during the time of the public meeting.

This example now seems to have been imitated in a pretended petition, sent to the president from Fayette county, Ala., which is nearly all in the same handwriting, and was evidently concocted by some radical rogue, who took this way of manufacturing opinion. There is one striking fact about all this "outrage" business, come from what quarter it may. Every case yet presented is tainted with fraud, falsehood, forgery, or perjury. There is hardly an exception, from beginning to end.—*Wash. Patriot.*

Robert S. Gilmer is the convention candidate in Surry county.

Fruits and vegetables of all descriptions are abundant in this market.

For the Sentinel.

CONVENTION IN ALEXANDER COUNTY.

The good, sterling and patriotic citizens of Alexander, in pursuance to previous notice, assembled in convention at the courthouse in Taylorsville, on the 3d day of July, 1871, for the purpose of nominating a candidate for a delegate to represent them in the proposed state convention to alter or amend our present constitution.

On motion of R. J. Linney, Esq., Maj. E. C. Harrington was elected chairman, and Q. M. Little and J. A. Stephenson were elected secretaries.

A. M. Bogle being unwelling, and advised that the necessity of a convention, in a manner highly creditable to himself and greatly to the satisfaction of his friends.

The attendance of delegates was quite large and the meeting was composed of most of the best men of the county.

On motion, a committee of five were appointed to draft resolutions expressive of the views of this convention.

The committee on nomination returned and reported that J. B. Pool was the nominee, having received the unanimous vote on the second balloting.

Mr. Pool being present, came forward and accepted the nomination in a very handsome manner.

The committee on resolutions having retirned, reported the following, which were advocated by R. S. Linney, Esq., in some appropriate remarks, and unanimously adopted:

Resolved, 1. That a convention is, in our opinion, the only means by which the many novel and objectionable features in our state constitution, which, if continued and enforced, must begger the state, can be abrogated.

[illegible] the slower but more deliberative mode, and more likely to effectuate the change desired, [illegible] work at once, and is unattended with that hazard which must attend the legislative mode, when it is remembered that the legislative mode requires a three-fifth, and then a two-third vote of the general assembly, and changes which, if the settled will of a majority of the people were to prevail, would be made, would fail to receive the three fifth, and two third sanction of the general assembly, more than one third of whom are the present voting status, would be likely to embrace the side of the present official incumbents.

3. That we have no confidence in the pretended sincerity of the opposition to our present movement, on the grounds that the bill should have passed by a two-third majority, where it is known to all that to obviate this objection, just such a bill was proposed to the general assembly, and the independents and republicans (save one honored exception,) after submitting the necessity of changes in the constitution, voted against the bill when framed to suit their notions.

4. That we cannot regard the many sections of the bill of rights which so clearly enunciate the rights of the people over this matter, as "flowers strewn over the grave of popular rights," but we regard the restrictions upon the general assembly as in no way conflicting with sections second and third, which vest all political power in the people, and make their will (and that only) the basis upon which all government must rest, and give to the people the sole and exclusive right of altering or abolishing their constitution or form of government.

5. Therefore, that we endorse the course of the general assembly in providing the necessary forms of law, whereby an expression of the well settled will of the people may be brought into action to effectuate the changes desired in the organic law of the state.

6. That J. B. Pool is a suitable candidate for the convention in our county, and it is the duty of all good conservatives who desire harmony in our ranks to recognize him as their candidate.

7. That we are opposed to lawlessness, violence and outrage by whomsoever committed, and are gratified at the remarkable good order that exists in our county, and believe that neither of those baneful sources of evil, the leagues or the kuklux, exist in our county.

This was one of the largest and most harmonious conventions ever held in Alexander, and its nominee will carry the county by an overwhelming majority.

E. C. HARRINGTON, Ch'm.
Q. M. LITTLE, J. A. STEPHENSON, } Secretaries.

For the Sentinel.

RAILROAD MEETING IN CASWELL.

At a large and enthusiastic meeting of the citizens of Caswell, together with quite a number of gentlemen from Alamance and Danville, held in the court house, in Yanceyville, on Tuesday, the 4th of July, 1871, in the interest of the Yanceyville, Danville & Coal Field Railroad,

On motion, Col. Ro. B. Wait was called to the chair, and Mr. P. Bouldin, of the Danville *Times* and J. A. Hopkins of Caswell, were appointed secretaries.

The chairman, in a few remarks, explained the object of the meeting was to take steps to build a railroad from Danville by way of Yanceyville to the Coal Fields in Chatham county.

The meeting was then addressed by Hon. Samuel P. Hill in a forcible speech, showing to the people the great benefit that would be derived, and the importance of such a work.

Maj. W. T. Southerlin, as a delegate appointed by the board of directors of the Richmond & Danville Railroad, then addressed the meeting, showing the practicability of narrow gauge roads, and demonstrated his position by lines now in successful operation in other states, as feeders to main lines, and that they were paying investments. He concluded by growing his confidence in this road by a subscription of $1000, and promising to use his influence with the road that he represented, to aid in its construction.

Dr. N. M. Roan then addressed the meeting and explained the provisions of the charter, which were considered by all to be liberal, and as soon as $25,000, the requisite amount to secure the charter was subscribed, the company would be organized. An informal subscription was then taken, and over $13,000 subscribed.

The meeting then had a recess, when the large crowd in attendance repaired to a beautiful grove where they found a bountiful barbecue prepared by the citizens, to which full justice was done.

At 2:30 o'clock, the citizens reassembled, when Col. B. M. Jones, of Danville, addressed them in a very able speech, showing the probable cost of narrow gauge roads, together with much valuable statistical information which he has acquired from his long connection with public improvements.

On motion, resolved that these proceedings be published in the Danville *Times* and *Register*, Raleigh SENTINEL, and Fayetteville *Eagle*.

RO. B. WATT, Chairman.
P. BOULDIN, J. A. HOPKINS, } Secretaries.

N. C. RAILROAD—INJUNCTION.

[illegible] COURT OF THE UNITED STATES, *For the District of North Carolina.*

Joseph B. Stafford, vs. Ed. J. Warren, Thos. J. Jarvis, the North Carolina Railroad Company, Wm. A. Smith, Josiah Turner, Jr., Wm. T. Dortch, Wm. H. Willard, *et ala.*	*In Equity.*

To the Honorable Hugh L. Bond, and George W. Brooks, Judges of the Circuit Court of the United States, for the District of North Carolina:

Joseph B. Stafford, a citizen of the State of Maryland, brings this his bill, on behalf of himself and all other stockholders of the North Carolina Railroad Company, who are not citizens of North Carolina, who shall come in and contribute to the expenses of this suit, against

Thomas J. Jarvis, of Dare county, and Edward J. Warren, of Beaufort county, both citizens of the state of North Carolina, together with all such persons, citizens of said last mentioned state, as by color of any pretended appointment which, during the year 1871, by the said Jarvis and Warren, may have been, or shall hereafter be, constituted proxy or directors upon the part of the state of North Carolina, to represent said state in the North Carolina Railroad Company or among the directors thereof, and the North Carolina Railroad Company, a corporation chartered and organized under an act of the general assembly of North Carolina, together with William A. Smith, Josiah Turner, Jr., William T. Dortch, and William H. Willard, citizens of North Carolina, and herein on behalf of them [illegible] in said company, as are citizens of North Carolina.

[illegible] and alleges:

1. That the citizenship of the various parties to this bill is correctly above set forth, and that your orator is a stockholder in the said North Carolina Railroad Company, holding nine shares of its capital stock:

2. That the said company was chartered by an act of the general assembly of North Carolina passed at its session of 1848 '49, being chapter 82 of said session, and that the various acts of the said assembly, passed subsequently, to which your orator craves leave, if it shall in the progress of this suit become necessary, to make reference, the said charter has been amended, such charter and amendments having been duly accepted, and the company organized and prosecuting its business under the same;

3. That the capital stock of the said company was originally thirty thousand shares of one hundred dollars each; but that by an act passed, at the session of 1854 '55, by the said assembly, it was raised to forty thousand such shares, as will be seen by reference to chapter 32 of the said session;

4. That of said stock, the state of North Carolina held originally, twenty thousand, and afterwards, by virtue of the act of 1854 '55, above mentioned, thirty thousand shares, and private citizens subscribed and held ten thousand shares;

5. That by such charter and the amendments thereto, accepted as aforesaid, the state was authorized, for the protection of its interests, to appoint eight of the twelve directors who control the ordinary affairs of said company, besides a *proxy*, to represent the state in the meeting of the stockholders, and that the state of North Carolina is still authorized to make such appointment;

6. That by the said charter and various amendments thereto, accepted formally, or virtually, by the said company, the governor of the state was designated to make such appointment of directors and proxy upon behalf of state, sometimes by and with the consent of his council, and at other times as president of the board of internal improvement; and that, by the act of said assembly ratified upon the 24th of March, 1870, which your orator is advised and believes to be still in force upon that subject, and which was virtually accepted by said Company, the provisions of the original charter were re-enacted, and such appointment vested in the governor, with the advice and consent of his council:

7. That your orator is advised and believes that the right to appoint said proxy and directors upon the part of the state is now rightfully vested in the governor as aforesaid;

8. That by color of a pretended act of the general assembly of North Carolina, passed at its session of 1870-'71, and ratified" upon the —— day of April last, the above mentioned provision in regard to the appointment of state proxy and state directors is attempted to be repealed, and it is provided that from henceforth, such appointment shall be made by the president of the senate and speaker of the house of representatives of said assembly, jointly;

9. That the said Edward J. Warren is now president of said senate, and the said Thomas J. Jarvis is now speaker of said house of representatives, and that either they have made, or are now about make, such appointments for the purpose and with the design that their appointees shall intermeddle with, and control, the action of the said corporation and its directors;

10. That your orator believes that such appointments have been made by said Warren and Jarvis, and that their names are purposely concealed from all persons except such appointees, with the view of preventing them from being enjoined by this honorable court from such meddling and control as aforesaid, until the time has arrived for such interference by them;

11. That your orator is informed and believes that such appointments were made on or about the 1st day of July, and that the day upon which the general meeting of the stockholders of said company is to assemble for the purpose of organizing and officering it for another year, is the 13th day of this month;

12. That Tod R. Caldwell is at present governor of North Carolina, and your orator is informed and believes, that he is advised and believes that the act of April 1871, above mentioned, is unconstitutional and void, and that therefore he will appoint a proxy and directors to represent the interest of such state in said company;

13. That your orator is advised and believes said act of April, 1871, to be null and void, (1) because it conflicts with the charter rights of the said North Carolina Railroad Company, such act not having been accepted by said Company as an amendment to its charter, (2) because thereby, in contradiction to article III, section 10 of the constitution of the state of North Carolina, the said Warren and Jarvis have been, by the general assembly, appointed or elected to an office created by law since the adoption of said constitution, and for other reasons, and (3) because, thereby, the fundamental nature of the speakership of the house of representatives, and the presidency of the senate, and the distinctions between the executive and legislative departments of the government of the state of North Carolina, are attempted to be changed and overthrown:

14. Your orator represents to your honors, that the confusion necessarily incident to the conflict of jurisdiction between the appointees of the governor, and the pretended appointees of the aforesaid president and speaker, will, of itself, and without reference to the manner in which it shall ultimately be decided,—and much more if said [illegible] of said company, prove very injurious to his pecuniary interests as a stockholder therein, as well as to the interests of all other such stockholders:

15. Your orator also apprehends that from want of consideration, or otherwise, the majority of the private stockholders of said company, residing in said state of North Carolina, may admit said appointees of the president and speaker to occupy the offices of proxy and directors, as aforesaid.

16. That such private stockholders, resident and citizens, as aforesaid, are very numerous, amounting to more than one hundred, in number, and many of them are unknown to your orator, and therefore he has prosecuted this suit against the said William A. Smith, the said Josiah Turner, Jr., the said William T. Dortch, and the said William H. Willard, who are private stockholders in said corporation, on behalf of themselves and all other such stockholders:

17. That your orator being ignorant of the names of said appointees of the speaker and president aforesaid, has not been able to make them parties to this bill, and, if he had, such parties defendant, when discovered, such parties defendant, with apt words to charge them jointly, and severally, [illegible]

To the end therefore that the said Edward J. Warren and Thomas J. Jarvis, with their joint, or several, attorneys, agents and servants, however constituted, heretofore or hereafter, be perpetually enjoined from intermeddling in any way, under said act of April, 1871, with the affairs of said company as aforesaid, and that said company, and said W. A. Smith, Josiah Turner, Jr., William T. Dortch and William H. Willard, together with the other private stockholders in said company, the same being resident in, and citizens of said state of North Carolina, be also perpetually enjoined from themselves entering upon the offices of proxy and directors as aforesaid, under appointment from said Jarvis and Warren, and also from admitting to such offices of proxy and directors, any persons pretending to have been thereunto appointed by said Warren and Jarvis, and that your orator may have such other and further relief in the premises as to your honors shall seem meet: May it please your honors to order that writs of injunction be issued, together with writs of subpœna, to the said Edward J. Warren, president, &c., to the said Thomas J. Jarvis, speaker, &c., and to the said North Carolina Railroad Company, the said William A. Smith, Josiah Turner, Jr., William T. Dortch and William H. Willard, commanding them and each of them, their agents, attorneys, and servants, &c., &c., &c.

And your orator will ever pray.

S. F. PHILLIPS,
Attorney for Compl'nts.

STATE OF MARYLAND,
CITY OF BALTIMORE.

Upon this 3rd day of July, A. D., 1871, before the undersigned, came Joseph B. Stafford, and made oath that the contents of the above bill are true, except so far as they are stated upon information and belief, and those statements he believes to be true.

Subscribed and sworn before me,

JOSEPH B. STAFFORD.
JAS. W. CHEW, Clerk Circuit Court, and U. S. Commissioner *Ex Officio.*

For the Sentinel.

DISCUSSION AT PLYMOUTH.

PLYMOUTH, N. C., July 6, 1871.

MESSRS. EDITORS:—Thinking that you would like to hear from this part of the state, and as this is my first communication to your paper, I take this method of informing you of the celebration of the fourth of July. Of course the day was celebrated by the negroes of both colors by marching up and down the streets with drums beating and flags flying until 11 o'clock, when they all assembled (numbering about 500 negroes and 10 white negroes, including his honor Jaybird Jones) to a stand erected for the speakers. When everything was quiet Sam Wiggins, col., arose and said, I renounce to you that Col. McLindsay will deliver to you the 4th of July an address, whereupon the said McLindsay arose and addressed the crowd for 22 minutes, using the words fellow-citizens 62 times in the 22 minutes.

After McLindsay took his seat, Solicitor Martin arose and said, as Mr. McLindsay had delivered them the 4th of July address he would address them on the subject of convention, and went on by saying that the convention would take away the homestead and deprive the negro of his rights; and that the convention would be unconstitutional, for Judges Pearson and Rodman said so, and it must be so; and that the convention would abolish free education, and he defied contradiction; whereupon Maj. L. C. Latham, our able senator asked him if he would be allowed to reply. Mr. Martin said it was just as the committee said, (of course it was understood between him and the committee that Maj. Latham should not reply,) when no, no, was sounded by all the committee. Maj. Latham then told him to stop challenging contradiction if they were not going to let him reply.

Mr. Martin continued for ten or fifteen minutes when he finally wound up by saying that the greatest objection he had to the convention was that he should loose his office.

Sam Wiggins then introduced his Honor ex-Jay Bird Jones who talked about the convention as being the next thing in war and that the radical party was as honest and pure as Cæsar's wife.

A quart bottle of whisky was then placed on the table and his Honor took a drink for nearly every ten words; anyway when the bottle was emptied his Honor quit speaking. The drums then commenced beating and they all marched up town.

Maj. Latham then addressed a large and respectable crowd of white people and made the best speech I have heard in a long time, in which he completely wore the radical party out and nearly took the hide off of those gentlemen that preceded him.

The white people, Messrs. Editors, are rampant for a convention and we expect to carry this county for it.

You will please publish this for the good of a convention in our county.

ONE WHO WAS THERE.

OPINIONS DELIVERED BY THE SUPREME COURT.—By DICK, J.: Blackburn vs. Brooks, a note given for land sold in November 1864, upon a credit, with the understanding at the time of said sale, that payment would be required in "undepreciated currency," does not mean specie or its equivalent. The times and circumstances are to be considered in ascertaining the intention of the parties, and these things, together with the conditions of sale, indicate that payment was to be made in money receivable in the ordinary commercial and business transactions.

Conway vs. H. M. Houston.—Credits in [illegible] by endorsers on such on a note payable in specie, are payments only to the amount of the value in specie of such credits at the respective dates of payment.

BEADE, J.: Hughes vs. Wheeler.—Under the old system, if the declaration is in case, and it does not further appear whether the action is in *tort* or contract, it will be regarded as ambiguous or doubtful pleading. When the defendant understood the action to be in *tort*, and the plaintiff did not disclaim it, but offered evidence to establish a breach of contract, such action cannot be sustained.

BATTLE, J.: State vs. Deaton. Justices of the Peace have exclusive original jurisdiction of offenses mentioned in chapter 209, act of 1868-'69, entitled "an act to protect married women from the wilful abandonment or neglect of their husbands."

Wherever justices of the peace have exclusive original jurisdiction in criminal offenses, it is not necessary that there should be a compliance with the requisites prescribed in sec. 6, *sub. div. IV, of chap.* 178, *act of* 1869. But such requisites must be strictly complied with in all cases where the jurisdiction of the superior court is concurrent.

Whether a husband who abandons his wife prior to the ratification of the act recited fact and continues after said act is guilty; quere!

RODMAN, J.: Williams vs. Dixon. The plaintiff owned an ass which he knew to be dangerous, and in the habit of pursuing and injuring stock, and with a knowledge of such vicious qualities, he permitted him to run at large; *Held*, if such an animal is found pursuing a cow, which he threw down and was in the act of stomping her, when the defendant believing it was necessary to kill him to save the life of his cow, killed the ass, that defendant was justifiable.

BRAME, J.: An administrator is guilty of gross *laches* who sells property of his intestate on a credit and takes no other security than the bond of the purchaser.

For the Sentinel.

MEETING IN HERTFORD.

At a meeting of the conservative party of Hertford county, held at Winton on the 3d July, 1871, John A. Vann, Esq., was called to the chair, and G. W. Beverly appointed secretary.

On motion, a committee of fifteen, W. O. Pender, Sr., R. G. Cooper, Dr. W. J. Gatling, D. V. Sessoms, J. L. Anderson, Dr. P. H. Arthur, J. W. Perry, Geo. Cowper, J. T. Wynne, John W. Harrell, Thos. Wynne, A. Darden, H. C. Maddry, W. D. Hollimond, and James Mitchell, were appointed a committee upon nomination and resolutions, who reported the name of Major J. Yeates, as the nominee with the following resolutions:

Resolved 1. That we strictly approve of the action of the legislature in submitting to the people of the state on the first Thursday in August next, the question of calling a convention to amend our present constitution, which in our opinion, is not suited in many respects