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JOSIAH TURNER, Jr., EDITOR.

TUESDAY, JANUARY 20, 1870.

CAUSE AND EFFECT.

INTERVIEWED HIM IN JAIL.

We interviewed John L. Leitherer last Saturday, in the jail of Orange county. We have before alluded John, and his case as illustrating the conduct of the Governor, will bear repeating.

John gave us this account of himself; he was sentenced by Judge Henry to the Penitentiary for twenty-five years, for breaking into the house of Rufus Edney, who lives eight miles from Hendersonville in the county of Henderson. John was raised by William Leitherer seven miles from Hendersonville; he reached Raleigh on the 18th of December, in company with George Corland, negro, and Hacket Pegues, white, all bound for the Penitentiary. John was pardoned without being committed to jail; he worked his way to his mountain home and got as far as Chapel Hill, when and where he was arrested for larceny, and brought to jail on the 24th. We asked for his pardon, which he presented; the paper is well rubbed and parts of it missing. It will be on exhibition in our office for a few days. It is not our property but John's, he lent it to us to be returned. We gave the jailer fifty cents to be expended in tobacco for John for the use and loss of his pardon.—We think the pardon reates a plain, palpable falsehood in this, "And whereas it has been made to appear to me that the case is one fit for the Executive clemency."

We don't believe any such thing was made to appear or that any respectable man ever attempted to make it appear to the negro's governor. We have heard that *Judge Henry* sentenced John for 30 years, and the bar begged piteously for him and the Judge relented and modified the sentence to twenty. John, however, says the sentence was for twenty-five years. We were induced to visit John, because the Jailor informed us that he had sent word to a retailer of the town, that he would give him a mule, eight hands high, and 40 acres of land, for as much whiskey as he could drink during his imprisonment.

When the inquiry was made, as to the location of the land and the whereabouts of the mule, John said they were both in the hands of the Governor. In talking of the mule and 40 acres, Henry Maley, one of the Bialock murderers, spoke out and said, the "Governor had promised the mule if we would vote for him, and I know I done the voting and I am entitled to it."

We said "you ought to have had more sense than to believe him." Henry replied, "any man is liable to be cheated." We should have questioned the Bialock murderers, but as the matter will be for the consideration of the jury, we did not wish to prejudice their cause by any publication of facts which we might have elicited from them in conversation.

Where is the security for life, liberty or property, with 70,000 negroes in a Secret Society, taught by such carpet baggers as Judge Tourgee, General Lellin, General Littlefield, General Estes and Major Totten. This last named Radical gentleman has been indicted for stealing fodder from a negro.

DOES HE HOLD THEM.

When we charge the Governor with writing certain editorials for the *Standard*, Pike usually speaks after this wise, "We are authorized by the Governor to say, he has no time to write for the *Standard* or any other paper," then Pike says he feels complimented, that his editorials should be attributed to so able a pen &c.

We heard that the Governor had bought, and now holds or did hold, a portion of the North Carolina Railroad Eight per cent mortgage bonds. The bonds were sold to George W. Swepson, for 65 cents in the in dollar, and he resold to the Governor, or to some one who sold to the Governor.—These bonds are at par to day. Now this is a more serious matter than writing editorials; shall Pike be authorized to say, the Governor does, or does not hold the bonds. Speak, Governor, once again; speak through Pike once more; have you, or did you have, any of these bonds?

GRAND JURY AT WORK.—There is work for the Grand Jury of this county, if they be properly sustained and assisted. When Judge Watts suddenly adjourned the Court, upon its presentment of Gen. Littlefield, by the Grand Jury, he showed in an unmistakable manner, that they need not expect much from the Court.

Judge Watts is fully aware of the suit of A. W. Shaffer against Littlefield, Smith (the myth) and Dewees. The case was up before him, last August. The complaint and answer in this case clearly showed fraud and villainy.

That stern old Jurist, Judge Caldwell, on reading such a complaint and answer, would have sent for the Grand Jury, instanter, and given them a special charge to present the parties.

If it had escaped the Judge, the old Bellefonte, such as Poindexter or Ed. Jones, would have called his attention to it.

But it is now too late. Judge Watts can yet call the attention of the Grand Jury to this matter. It is as clear a case of conspiracy to commit fraud as was ever presented to a Jury, and its investigation would throw much light on the manner of accomplishing a good deal of the legislation that has bankrupted the State and ruined our credit. We shall see whether anything will be done in the matter.

Weyley the following from the Tarboro North Carolinian, in regard to our young townsman, whom he calls, "our best North Carolina poet."

Our best North Carolina poet, Thos. H. Hill, Esq., of Raleigh, is kindly reviewed in that eldest exponent of Southern thought and culture, the Southern Review, edited by Albert Taylor Bledsoe. As the critic is confessedly the most consummate intellectual battery now at work in this country, it is a compliment to our young poet to be noticed by him. The article upon Mr. Hill is not all praise, but is discriminative and kindly. He mentions that Mr. Hill has written many gifted verses, and that he affects a refined taste more frequently than many of the standard poets. No one can read "Today & Then," or "Our Above the Mountains," and detect other shorter poems without recognizing in the author a "poet born."

Remarks of Hon. T. A. Nicholson, OF BRUNSWICK,

In the House of Commons, Jan. 13th, 1870, on the bill for military law.

Mr. Speaker: Sir, it has not been my custom to occupy much of the time of this House, for the reason sir, that the political party with which I affiliate is so much in the minority that we are patiently powerless and hence it is a needless consumption of breath for me to address this house; now, Sir, would I attempt it now but for the reason that the defeat of the bill under consideration is of such vital importance to the people of North Carolina.

In addressing this House I propose to calmly canvass this bill section by section, and the first reason that I propose to offer why the first section of this bill should not pass, is that there is no necessity for it. I stand here and assert most positively without the fear of successful contradiction, from all that I have been able to learn from the papers of the State and other sources of information, that there is not a single county in the State where there is the least opposition to the enforcement of the civil law by the civil authorities; notwithstanding the great array that has been made before this house during the discussion of this bill of perjured jurors and desperate outrages that are alleged to have been committed in some of the counties of the State. Has there been the slightest reliable evidence produced before you, Sir, that any Sheriff of any county has been successfully resisted in the execution of any writ that has been placed in his hand to serve on any accused party? Not one. Has there been any reliable testimony brought before this House of a single instance, where a grand jury has failed to find a true bill against a violator of the law, where there has been evidence brought before them of a character that the law of the land requires to influence a jury of men acting under a solemn oath to base such a finding upon? Not at all. Has there been any evidence paraded here, Sir, to show that there is a single county in the State where the Courts cannot be kept open to hear all the grievances and redress all the wrongs? No such proof has been offered. And yet, Sir, the friends of this bill tell us that it must pass or the country is ruined. The next reason that I propose to offer why this section of this bill should not pass, is that it is impolitic and unsafe, if enlarges the powers of the Governor to an extent unprecedented in any free government. Let us examine the wording of the section; does it say, Sir, that whenever the civil authorities in any county in the State, shall find that they are unable to execute the law in their respective county, they shall notify the Governor of the existence of such a state of things, and he shall call into active service a sufficient amount of the militia of the State to aid the civil authorities to administer and execute the law in such county or counties? No Sir. But what does it say it says that the *Governor*, whenever in his *judgment* the civil authorities in any county are unable to protect its citizens in life and property he is to declare such county in a state of insurrection and call into active service the militia of the State to such an extent as may become necessary to repress such insurrection. Now Sir does not the passage of this bill with this section as it is, constitute the Governor of the State of North Carolina a military *Dictator* to all intents and purposes? and Sir I appeal to the representatives of the people of our beloved old State on this floor assembled, are you tired of a free and republican form of Government where the laws are administered by the civil authorities and all men have a right to trial by a lawful jury, that you are going to pass this bill and place yourselves under a military Dictatorship to rule over you by military power? I ask gentlemen to weigh well the force of this section of the bill. The Governor by the exercise of this unprecedented stretch of power may when he sees fit declare any county in a state of insurrection and send the military power there to take the rule of the county, no matter how well the civil authorities may be administering the law. (It Sir will be a matter of discression with him) and thus bring about a conflict between the military and civil authorities of the State and produce such a condition of things in North Carolina, such as I pray God we may never witness. Gentlemen well know that when the conflict does come, the civil power will be overridden by the military, and we all know that the result will be disastrous enough. And Sir I stand here for one opposed to clothing the Governor of the State of North Carolina with any such unprecedented power, I care not to what party he may belong.

I proceed now Sir to advert to the second section of the bill. It is true Sir that this House in its wisdom has stricken out this section and it is not because of the fact that it is likely to be couched in the bill it passed this House in at all, but Sir I notice it because of the great claims the friends of the bill set up for it, after the striking out of the section; they allege that every thing objectionable is stricken out and therefore the bill ought to receive the hearty support of this House. Now Mr. Speaker the striking out of this section alters the force of the bill but very little so far as military rule is concerned. It is true Sir that the section under review provides for the writ of *habeas corpus* the great writ of right, the great bullwark of civil liberty, the writ that secures to every man the right of trial by jury. But Sir if the suspension of this writ had been effected at all which is a matter of great doubt with me it must be obtained through the President of the United States by the consent of Congress, which would place us under martial law and subject us to the control of United States troops that are well disciplined and under competent commanders; but in the name of all that is dear to a North Carolinian, in the name of all that is humane, do not place us under so much suffering and by the name of mild is undisciplined under incompetent officers. A militia, Sir, that will be sent out to effect political ends, a militia that will glory in overawing and over-riding all who differ with them in political opinion, a militia that will be guilty of rapine, outrage and robbery, every day that they are in active service. The third section of the bill says, that upon motion of the Solicitor of a district, it shall be the duty of the Judge thereof to remove the trial of an person indicted for murder, &c. from the county where such offence may have been committed, to such other county as the Solicitor may designate.—Now Mr. Speaker this section compels a Judge to remove the trial of a prisoner, *the language is he shall*, upon the mere motion of the Solicitor, without oath, without affidavit, without assigning for a motion from the Solicitor of the district, perhaps, of some enemy of the prisoner; but the hands of the Judge are tied, the motion of the Solicitor says he shall. Sir, this is giving the accuser too much power over the accused; what I ask, pick up a prisoner in Cherokee and carry him to Currituck, or any where the feeling against him would be effective, and all the days of his trial among entire strangers, about nothing is known of his former character, not a friend to attend to his interest; and he perhaps a poor man that has no means of getting witnesses away there from his native county, from whence he was brought, and to him before men and a jury who are under the influence of such information as I say they are incapable of rendering a fair verdict. Is this justice sir, is there any hope that a prisoner can have a fair trial, under such circumstances? Gentlemen may sneer at the idea of the influence of prejudice, but I will show you from the history of the United States before I am done, something of what has been done under the influence of prejudice that has led to the punishment of innocent persons. The forth section of this bill provides that the Governor of the State shall draw upon the Treasurer for the payment of all the expenses of the militia service; and that the Commissioners of the county where the militia are sent to operate must reimburse the State Treasurer within a year. Here sir, the Governor is empowered to send to any county in the State any number of militia he may choose, pay the officers any wages he may think fit, pay the privates as large a price as he may be disposed, keep the men in the county just as long as he in his judgment and view of things may desire to do; and then turn round (no matter whether there was any necessity for the militia or not) and tax the county to pay the expense and collect it out of the hard earnings of the people of the county. Now sir, this is an outrage upon any people under a free and republican form of government. How I ask, is any people ground down by taxation as the people of North Carolina now are to bear it? Sir, the people are already taxed to the utmost of their ability to pay, and many counties in the State, heavily in debt, and their representatives are applying to this Legislature, for special tax bills to levy still further taxes on their counties. And then comes this bill with all this absolutely unnecessary burden of expense that must fall upon the unfortunate counties that may come under the ban of this nefarious bill. But sir, it goes further; it proposes to confiscate the property of every unfortunate prisoner that is *convicted* no matter whether he is *guilty* or not. His wife and children must be stripped of the last cent of their hard earnings turned out of doors upon the cold charities of the world, without a place to lay their heads, but upon the cold damp earth. And now sir, what is all this unprecedented stretch of power, all this injustice in the removal of the trial of prisoners, all this lavish of treasure? for simply to give one secret oath bound political society the strong arm of the military power to put down another supposed secret oath bound political society, that's all. Sir, will not members of the House of Representatives of the State of North Carolina, wake up to the idea that all political secret organizations are dangerous to civil liberty, and incompatible with a free and republican form of government? They ought to be held in utter contempt by every lover of his country. But sir, what is the taxpayers of North Carolina to pay by this *extraordinary legislation*? The bill tells us that it is for the better protection of life and property, but the friends of the bill, in their discourse of it, intend it to mean to hunt Ku Klux? Yes, to hunt Ku Klux!!

Mr. Speaker, who are the leaders of this bill in this House, who are urging its passage, sir, with so much zeal and energy? It is a set of men, sir, from other States that have come down here, adventurers after power with a hate against the people of the South as bitter as old Lucifer himself, and A prejudice as black as the lower regions of the bottomless pit, for the express purpose of preying upon the people of the State. Sir, can any man with an unprejudiced mind sit here and see the nature of the Legislation that is done here in the way of the increase of offices and filling them at high salaries and infusing their old puritanical ideas of force and high taxation in every possible way, but what can see that the intention of these men is to confiscate the property of the people of the State by taxation, if no other way, and drive our people to the wall. In the name of all that is dear to a free people, natives of North Carolina, whose sires fought and bled and died, and whose bones bleached upon the soil of our once noble old State in the revolutionary struggle of 1776, for the liberties for which I stand here in this hall and most solemnly contend. In the name of our departed dead, whose bodies now sleep silently beneath the sod of our beloved old State, are we to give up all those liberties and be ruled by a military *dictator* to gratify the unbottomed lust of these adventures after power, filled with all their old puritanical notions.

Mr. Speaker, have these adventurers who are in favor of so much cold and unwarrantable legislation, got through with witch hunting up in their own blessed land, that they have come down here to hunt hobgoblins in the shape of supposed ku klux? And now Sir, in order to form some idea of their footing under this bill, how will they accuse? Upon what kind of evidence will they convict, condemn and execute innocent persons? Let us see how their forefathers operated in their hunt after hobgoblins in the shape of supposed witchcraft. (And, Sir, I think I am fully justifiable in drawing the comparison, when we recollect that there can be no doubt but puritanical hate and prejudice runs as high in these adventurers against our people as it ever did in their forefathers against those that happened to differ with them in opinion. And, Sir, human nature is the *same*; and they seek under this bill to vent their spleen upon the defenceless heads of North Carolinians, who differ with them in political opinion. And here, Sir, let me present to this House a case in point. Hildreth's history of U. S., Vol. 3, page 199. The new Court thus organized, proceeded to Salem, and commenced operations by the trial of an old woman who had long enjoyed the reputation of being a witch; besides "spectral evidence," that is the tales of the ill-tuned. A jury of women were appointed to make an examination who found upon her a wart or excrescence adjudged to be a Devil's teat. As soon as this was announced, a number of old stories were raked up. The hens of some of the old woman's neighbors had died; others had cattle murdered; another fellow's part bull had been spoilt, all of which was ascribed to the incantations of the old woman. On this evidence she was brought in guilty and hanged. Sir, we have here an evidence of what has been done under the influence of prejudice and hate; where innocent persons were pressed by the judicial power to condemnation and death, without a particle of proof of their guilt that any same man would pay the least attention to. And Sir, the evidence offered here for the necessity of the passage of this bill is no better than the evidence above cited. We are told here to day of perjured jurors, because they dissent from a true bill when they have no evidence to base a finding upon.—Sir, we have reason to believe that wrongs do exist in some communities; but let the civil authorities are not reasoned to give them the necessary evidence and they can convict the parties and correct the wrongs. Sir there are numbers of other cases in this history equally as pertinent to the case, but I do not propose to notice but one more and that but briefly. Page 199. After Grand Residence, a magistrate of Andover, declines to pursue the work of witch-craft, what? Why of being a wizard, because he would not help to punish them. And the poorer were after, on the charge of bewitching a dog. Both were obliged to fly for their lives and their property was confiscated. Here Sir is another case of what prejudice and hate can do. Still Sir, the Conservative party are charged here to-day of being in affiliation with the outrages that are being committed in the State, because we don't see fit to help to pass this notorious bill. And Sir, the parties that make the charge, would confiscate our lands, and our property if they had the power, and they are seeking to do it by taxation; and if it can't be done by rules and by right, it is to be done by force. Mr. Speaker, we have witnessed enough on this floor to give unmistakable evidence of this fact. Sir, when this bill was upon the passage in this House on Friday, before we took a recess for Christmas, just at the close when the party was determined to put this bill through, Mr. French (and I am sorry he is not in his seat now to hear, and defend his course if he can) he Sir, in direct opposition to the well established rules of this house moved to appoint pages enough, to encircle the entire bar of this House, and force those who differ with him in opinion to vote on this bill; nor Sir, did his tyrannical attitude stop here, but when one or two gentlemen on this floor of his own party, asked to be excused from voting from conscientious scruples, he refused to excuse them; but *dictated* to them that they might vote no; and why was he so ready to allow them to vote no because Sir to his great extremity to get a quorum; no answered *his purpose* as well as yes. This shows conclusively these leaders of the party are determined if they can't rule by Constitution and by right, they rule by force. Representatives of the freemen of North Carolina! has it come to this: That you are to sit here and be dictated to by a set of adventurers after power? you are to vote on the great questions of the day? how it is, sir, to the native North Carolinians I appeal—are you going to truckle to any such usurpation of power? And now sir, the very gentlemen that so vehemently urged the passage of this bill on the day alluded to, come forward now and offer several amendments to the bill which shows that we sir were right and they were wrong. One more point, sir, and I am done: We have shown that there is no necessity for the bill; that the bill is unsafe, and contrary to the genius of free government; that it subjects men to great wrongs; that it is a wanton expenditure of the hard earnings of the people; that it is all founded in prejudice, and will be executed in hate. And now, sir, what is the object of the whole thing? I unhesitatingly submit that it is for political ends, and that the croppings out in the discussion here begun to show some of the counties that are to suffer. Sir, the dastardly scheme of the dominant party in this Legislature to hold over for two years longer, has exploded; the great masses of the people are speaking out regardless of party, and the plotters are afraid to face the music, and the only just inference is that they want this bill to give them the strong arm of military to intimidate—and by force carry the next election.

Sir, I say shame on any political party that is afraid to come before the people and ask for their support upon the merits of the party and meet their opponents upon manly and open principles, without resorting to the cowardly subterfuge of calling on the strong arm of the military for help. Sir, such a party is unworthy of the confidence of the people of the dear old State of North Carolina which has been the home of our fathers, and I pray God that it may be the heritage of our children; and I hope, sir, the bill will not pass.

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Attorney and Counsellor at Law,

SCOTLAND NECK, N. C.

Practices in the Courts of Halifax, Martin, Bertie and Northampton.

Refers to Chief Justice Pearson, Raleigh, and the parties thereto.

Collections made in any part of the United States.

JUST RECEIVED AND FOR SALE BY

25 Bushels Red and White Beans.
25 Boxes Factory Cheese.
A lot of nice N. C. Bacon Hams.

jan 12-tf G. V. ZOLLICOFFER.