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WEDNESDAY, NOVEMBER 9, 1864

THE NEGROES OF THE SOUTH, brought on the present desolating war. By allowing an institution purely municipal—a creature of the States, to be mixed up with National politics—to be made the point between parties contending for power and place in the Congressional arena, the South has been forced in defence of her rights to unsharsh the sword and wade through seas of blood, to maintain what in the infancy of the Republic, was always conceded and never called in question. And now the same restless, agitating spirit, is likely to force upon the South, a contest among ourselves to divide us, involving the identical principles and elements which ignited the match of discord in the old Union, and set the nation on a blaze. The reader will understand at once that we refer to the proposition to arm and free the slaves to fight our battles.

Some days ago, in reply to the Richmond Enquirer's positions on this subject, we presented the following objections, which we reproduce, in order that those who are inclined to favor this wild scheme, may consider and answer them if they can. We said:

1. We object, because as a race they are deficient in natural courage, and in the qualities of mind and heart to make soldiers for the South. In point of courage and intellect, one white man, such as comes our armies, is equal, taking an average of our Southern negroes, to four. Excite their brutal passions by liquor or lust, and they are dangerous for the time. So they are under the influence of anger. But they are incapable of rising to the high of moral courage demanded in a Southern soldier. Their moral feelings also wholly unfit them. For whatever may be said of their attachment to their owners, &c., there is not one in a thousand, if in ten thousand, who believes that the whites have the moral right to hold them in bondage.

2. While as soldiers, it will take every four of them to equal one white man, as laborers in corn and rice fields one of them is an equal of every white man, and in some cases equal to two. We need men, but we need bread and meat as well as men. At one time, the politicians of the Enquirer's school, assumed that the whole of our white population could go into the war, and the blacks could furnish all the food and clothing needed. Now, they would take both white and black.

3. We object, because the proposition fixes upon us and our children a large addition to our free negro population—the most thriftless, corrupting and profitless population taken as a whole, ever entailed upon a people.

4. We object, because it proposes to cut off the chief source of wealth in the South, upon which we must mainly rely for the payment of the war debt, and the recuperation of the country after the war.

5. We object, because the object of the North being to destroy slavery, the plan would furnish an additional argument to the Yankees for the perpetuation of the war.

In what we have heard or seen from the advocates of this measure, there is scarcely an attempt to meet the foregoing objections. Most that has been said is in commendation of the advantages to be gained by it, viewed from a partial and one-sided standpoint, without so much as a serious notice of the formidable obstacles in the way of its inauguration. Its advantages when carefully sifted, will be found to be more imaginary than real, while the dangers which environ the question, are of the most serious character.

The proposition, that the general government shall buy one, or 250,000 slaves, or that it shall conscript them, and in either case, that those who discharge the duties of soldiers shall be freed, in every part and parcel, is unconstitutional, being acts for which there is no warrant in the spirit or letter of that instrument, and directly violative of the rights of the States.

Prior to the war, and during that long controversy which agitated the country from the Lakes to the Gulf, on the question of slavery, there was no political doctrine upon which Southern statesmen were so entirely agreed, as they were that Congress had no jurisdiction over the question of slavery in the States—that in all its phases the institution was entirely within the province of the States themselves. The right of Congress to purchase slaves for the use of the government, so far as we recollect, was never agitated. Its introduction into Congress would have at any time excited the Northern mind beyond measure, while on the other hand, a proposition to impress, conscript or free them for any purpose of the government, would have set the South on fire. Why this certain effect, if Congress had the right to buy, conscript or free them? Was it simply a question of sectional interest? Certainly not, though this would have added to the fire.—Such a proposition would have been regarded as laying the claim of jurisdiction over the question, which the South unanimously denied, and for which the North never once contended during the first fifty years of the Republic. All pretensions to this claim were of a later date, when the virus of abolitionism had spread throughout the North, and the Congress had become infected with it.

Strange as it may seem, some of the most violent in their opposition to the interference of Congress on that subject before the war, are now warm advocates of the proposition. Has the question changed its aspects, and hence the parties change, or has the character of the Constitution of the Confederate States been so materially changed on this point from the old Constitution?

THE SUPREME COURT, at its recent special session, made the following decisions upon writs of Habeas Corpus:

- 1. JOHNSON vs. MALLETT.—A member of the police for the city of Raleigh is exempt from conscription, because he is a civil officer, whom the General Assembly has demanded as necessary to the administration of the laws of the State.
- 2. In the matter of McDANIEL.—A substitute, who becomes such after he was fifty years old, is not entitled to a discharge on account of his principal having been called into service.
- 3. KESLER vs. BRAWLEY.—Senior reserves are entitled under the act of Congress to their discharge, when they arrive at the age of fifty years.
- 4. In the matter of FORT.—One who works fifteen able-bodied hands, between the ages of sixteen and fifty, is not entitled to exemption, if one of the hands be a free negro—all the hands must be slaves.
- 5. The fifteen hands must have been within the ages of sixteen and fifty, on the 1st day of January, 1864. It is not sufficient if one or more of them have become sixteen since that time.
- 6. A farmer having less than fifteen hands, who is detailed to work upon certain terms, is liable to have his detail revoked, and to be called into active service, the government surrendering his bond to him.
- 7. A foreigner, who comes to reside in the State for a longer or shorter time, and who does reside here thirty days, is liable to perform military service in the Home Guards.
- 8. It was decided by Judge Battle, with the concurrence of the other Judges, that a Warden of the poor is exempt from conscription.

The Presbyterian Synod of Ala. have inaugurated a plan for the support and education of the children of deceased and disabled soldiers.

Vol. I.] RALEIGH, N. C., WEDNESDAY, NOVEMBER 9, 1864. [No. 30.

THE MORE we reflect upon the history of this war, the spirit which has always controlled our Northern foes, and the manner in which the war has been conducted by them, the more are we settled in the conviction, that any attempt to bring the dominant party at the North to any other peace terms, than our utter subjugation, by means of negotiation, would be utterly hopeless.

Since the period of the issue of Lincoln's emancipation proclamation, and for some time previous, there has not been the slightest relaxation or abatement in the demand of the ultra-abolitionists, who evidently control the U. S. government, for the entire wiping out of slavery upon the continent, and the appropriation of the land, and property of the Southern people, to the uses of the freed slaves and to defray the expenses of the war. Their subsequent treatment of the slaves, however, has shown that the Yankee nation so far from looking to the benefit of the negro race on this continent have really purposed to effect the abolition of slavery not only by destroying the institution in the South, but by the utter extermination of the slaves themselves as well as their owners. This is manifestly shown by their horrid treatment of the slaves whom they have captured or who have run to them, at Beaufort, S. C., at Roanoke Island, Newbern, and other points in this State, indeed both East and West, forcing the men into the army and leaving the women and children and old men to starve or die from exposure. Thousands of them have perished already, and under the inhuman treatment of the Yankees, the negroes in their possession are melting away like snow before the sun.

Moreover, there has never been the slightest manifestation on the part of the dominant party North, for peace on any term, short of the entire subjugation of our people. If any friend of negotiation or reconstruction, will point out a single well attested fact, which goes to show that the Lincoln party desire peace at all, until the South is subjugated, we shall be obliged to him: There is not a particle of evidence to support the idea, that if the South to-day were to propose to abolish slavery and reconstruct the Union as it was, that the dominant party North, would assent to it. They do not want peace—they do not desire a re-union with the Southern people as equals. Their hellish madness will be satisfied with nothing short of our entire subjugation. Even Andy Johnson, a North Carolinian by birth, and a long resident of Tennessee, and a slaveholder, desires no peace with us short of subjugation. He, the Lincoln candidate for the Vice-Presidency, opposes all propositions for peace in any form, all conventions which look to peace, and actually requires every Tennesseean, by the connivance if not the order of Lincoln, in order to enjoy the right of suffrage in their own State to take and subscribe to a test oath, which entitles among other disloyal and wicked sentiments the following:

"That I will cordially oppose all armistices or negotiations for peace with rebels in arms until the Constitution of the United States and all laws and proclamations made in pursuance thereof shall be established over all the people of every State and Territory embraced within the national Union, and that I will heartily aid and assist the loyal people in whatever measures may be adopted for the attainment of these ends; and further, that I take this oath freely and voluntarily and without mental reservation. So help me God."

Nor has Andy Johnson perhaps, gone beyond most of Lincoln's Military Governors, in their madness against the South and their hostility to peace, except upon our subjugation. This same spirit pervades the bosom of every Lincolnite, whether found North or in the Southern States. They want no peace—they have none, short of our subjugation. Nothing can be more idle, than to build hopes of peace upon propositions coming from us, either made by the President, or a Convention of States, or by separate State action, or by a direct proposition for reconstruction. All such propositions whenever made will be spurned by them, so long as they are in power until we can convince them by our arms that they can not subjugate us.

Let the Southern people look closely to this matter. Let them look at the facts as they really are, and forever cast aside all hopes of reconciliation, till we create them by the sword, or until God in His providence directly interferes. Our only chance for peace is in our own arms under the blessing of God, and a change in the political rulers of the North. We doubt if such a change could bring an early peace, apart from the success of our armies. Such success would bring it speedily.

The indications of a change in the rulers are more encouraging than at first. McClellan's prospects are brightening; and if there be any foundation for the rumors which we doubt, that Lincoln has interdicted the voting of the army, the evidence is stronger in favor of McClellan's success. Let us not however rely upon so frail a hope. The election of McClellan would certainly give us a more honorable contestant, and would go far to settle the idea, that the masses North are for peace, yet the strong desire of McClellan and his supporters for a re-union, which we apprehend the South will never assent to from choice, forces us still to insist upon it that our great reliance, if not our only reliance, be upon the success of our arms and the blessing of Heaven.

Let all the prophecies and strifes and complainings cease. Let derisions and independence must be inscribed on the banner of the South every where, and let all our people, every where, resolve that these shall be planted upon the ramparts of the foe and shall float triumphantly, wherever the foe confronts us, until the great object is obtained.

IN AN interview with a gentleman from east of the Chowan river, we learn that the negroes who have been decoyed and stolen from their masters and kept in confinement at Norfolk, are very anxious to return to their owners, but are prevented by their new masters. Until within the last few weeks they received rations from the Yankee commissary, but now they are left to starve; and, the larger portion of them being women and children, the probability is that they will perish from hunger en masse. This is Yankee sympathy for the negro.

The Mercury and the Southern Field & Fireside have been united into one, W. B. Smith & Co., having purchased the latter. The interests of the two papers being consolidated, only one paper will be issued hereafter, and will take the name of the Southern Field & Fireside. The first number under the new arrangement will be issued in this city next Friday. We wish the proprietors much success in the enterprise.

WE LEARN THAT Mr. Hinton Franklin who was severely wounded in a fight with Mr. James Penny, a few days ago, has since died. Mr. P. will be committed for trial or bailed until the next Superior Court. We learn that the evidence obtained by the Coroner would not convict Penny of murder in the first degree.

Dr. Col. J. R. Cobb of this State, who was wounded in the late battle of Winchester and was supposed to be dead, we are glad to learn is alive and doing well.

WE LEARN the late residence of Mrs. M. Hargrave, in Chapel Hill, was destroyed by fire a few nights ago. Three gold watches were lost.

PROPER RESPECT for the decisions of the Judiciary when made in due form of law, has always been regarded in all free countries as a test or mark of civilization, and of the superior force of law and order in opposition to licentiousness, upon well regulated society. A community, a posse, or an individual can give no higher proof of the reign of demoralization, than is exhibited, when the civil law is disregarded and the decisions of the Courts are set at naught. There are times however, when a nation is invaded or insurrection prevails, and when the power of martial law becomes necessary in an emergency, that the civil law may be adjourned over, not ignored, for the want of time, and when the exigencies of the case require it for the public safety. But we contend that even in such cases, the same principles which control in the execution of the civil law, must be regarded in the enforcement of martial law, and equally so when the code enforced is purely military. We can conceive of no possible exigency, under the rule of military power, among a civilized people, when the principles of the civil law may be ignored, and the divine code of equity and justice disregarded.

The older nations of Europe boast of their superior refinement, literature and civilization, but let this be the boast of the freemen of the Confederacy, that the principles of law and the requisitions of an orderly government rule us. Our people have always manifested this reverence for the law, and the official decisions of the Judiciary, have thus far operated as a re-enactment and confirmation of the law.

The decision of Judge Battle in the case which we published on Wednesday, although the public has manifested but little interest in it, contains doctrines which we consider cardinal and of the highest importance to the people and the cause.

We ventured a few days ago to express an opinion in opposition to the right of Congress to instruct the States or to specify the persons, whom they shall employ in their service. That body had so far trampled upon the States in some of its enactments, as to authorize the Governors of the States to designate who were necessary to the State service. Some of the members of the late Legislature were anxious that the matter of exemption for State service, should be left wholly to the discretion of Gov. Vance. This responsible Gov. Vance steadily refused to assume, and would not consent that it should be imposed on him. In that he exhibited his usual sagacity, and his reverence for the constitution and the laws, and the rights of the State.

We are glad to find our position so strongly sustained by Judge Battle in his opinion yesterday published, and by Chief Justice Pearson, in his concurrent opinion on the same case, by the Supreme Court says:

"The State governments are an essential part of our political system; for upon the separate and independent sovereignty of the States the foundation of our confederation rests. All powers not delegated to the Confederate States by the Constitution, nor prohibited to it by the States, are reserved to the States respectively or to the people thereof; and the Confederate States guarantee to each State a republican form of government."

It is absurd to suppose that the government of the Confederate States can rightfully destroy the States which created it; and all the powers conferred on it must be understood to have been given with the limitation that in executing them nothing shall be done to interfere with the independent exercise of its sovereign powers by each State. Congress can have no right, therefore, to deprive a State of the services of any officer necessary to the action of its government. And the State itself is the sole judge as to the officers that are necessary for that purpose.

His Honor Judge Battle, after a careful review of the law in the case, meets the question directly, in the following clear and forcible manner:

Has the Legislature of the State the right "to demand" these exemptions? It is very decidedly our opinion that it has, and that it has it to the exclusion of every other department of the State government. It is clear, beyond all question, that within the limits of the written Constitution, which the people of the State have imposed upon the government, the legislative power is the supreme power in the State. Among its vast powers of legislation, which are unlimited and unrestricted except by the Constitution, is that of ascertaining what officers, in addition to those specified in the Constitution, are necessary for the efficient management of the affairs of the State, and then of appointing the officers and prescribing their duties. The powers of the other two great departments of government are very different. To the Judiciary is assigned the exercise of expounding the constitution and laws, while the executive has solely the power to enforce their faithful execution. From this it seems to us to follow as a logical sequence, that it is shown that each State is the sole judge as to the officers that are necessary to the action of its government, its Legislature, and its Legislature, alone is the organ by which its judgment is to be ascertained and made known.

Equally clear and forcible is the concurrent opinion of His Honor, Chief Justice Pearson, as published in another column.

Upon the Legislature, therefore, rests the sole duty and responsibility of defining who shall be exempt from the military service of the Confederacy, because it is the proper judge of what the State needs, for the exercise of its legitimate power, its preservation and defence. Were the power lodged in the general government, the States who created it would be at its mercy, to be controlled or crushed as that government might determine.

SEVERAL DAYS ago we alluded to the outrages committed by deserters in Wilkes County. Some weeks ago a meeting of some of the citizens of the County was held at which we learn Col. A. C. Gallo-way and other opposers of Gov. Vance in the late election, made speeches affirming that Wilkes County had been slandered. The said meeting passed a resolution affirming that there were no deserters in the County, that they could defend themselves, and requesting Gov. Vance to remove the troops from the County. Within a few days Gov. Vance has received the following letter from a respectable citizen of the County, which it will be seen puts quite a different showing upon the condition of this County. Facts speak louder than profession. This nest of traitors alluded to by the correspondent should be broken up at once. Read the letter:

WILKESBORO, WILKES CO., N. C. October 30, 1864.

To His Excellency, Z. B. VANCE: I think it would not be amiss to give you a short history of the condition of the country here. Rape, murder and robbery, is the order of the day. The Tories of this country have formed themselves into about four squads. One in the Brushy Mountains is under the command of the Youngers—one on Roaring river is under the Shoemates—one on Mulberry is under Jennings—one in the Flat Woods six miles from town is under your friend Harrison Church. Let me tell you the number of citizens that have been robbed in the last ten days; McGrady, Lovett, McGrady, Mason Brown, Brown again, Abscher, Wyatt, Col. Eller, Jas. Eller, Frank McNeil, Wm. McNeil, Jas. McNeil, Jos. Gray who lives three miles from town. Pretty large sums of money were taken from several of them besides everything that they

robbers wanted. These squads are formed of robbers from every part of the Confederacy and some from the Yankee army. A good many of our best citizens have been driven from their homes and have moved their property and some have been killed in the attempt to move. Now can't you suggest some plan by which this can be broken up? Yours with the highest regard.

THE LAW OF THE LEGISLATURE exempting the militia officers of the State from the operation of the Confederate conscription, has been a most fortunate one. Equally so, was the law passed at an early period of the war, reorganizing the militia, by which the regiments were defined and filled up and the officers commissioned. But for this organization, the Confederate government would have encountered great difficulty in enforcing the conscription. Great credit has been accorded to North Carolina by President Davis for the thorough manner in which the conscript law has been enforced in this State. No where else has it been done so effectually. Confederate officers likewise have appropriated to themselves much of the credit. But is it so? Let the facts speak.

When the conscription law was first passed, to no people in the Confederacy was it more unacceptable than to North Carolina. At that time, no State had so large a number of volunteers in the field in proportion to population as this State. At once, the apparent necessity for the law, neutralized greatly the objections to it, and hence no difficulty was experienced in its enforcement. The State authorities gave it their sanction. But who executed the law? Who performed the most important service in its enforcement? Confederate officers? By no means. Orders were immediately issued to the militia officers of the State to bring those liable in the several regiments to the Camp of Instruction. The order was obeyed with alacrity. The Colonels of the several militia regiments and their subordinates, did the work of enrolling and examination promptly, and every one recollects with what expedition the men were brought into camp and placed under the instruction of Confederate officers. To these same officers has the service been greatly indebted for the assistance they have rendered ever since in this work. What difficulty would have been experienced without them? How could the Confederate service even now well dispense with them, if the Legislature had placed them under the conscription.

But not only have they done signal service to the government in enforcing the conscription, but in other respects they have shown a readiness to work for the cause. Many of the militia officers are exempted from service under the fifteen negro law and many of them are exempted as magistrates, yet they have retained their offices to serve the country. Upon the organization of the Home Guard, they have quietly submitted, many of them, to the suspension of their commissions, and have cheerfully gone in as privates and are now doing the work of regulars in the service.

It is said that the militia officers and magistrates of the State, are making as good soldiers as there are in the Confederacy. That is what we expected. They have done much service getting up conscripts, hunting deserters and other duties, and now when the State is threatened with invasion, to prevent the drawing off of Confederate forces from other points, the militia officers and magistrates rally to the rescue, and the Home Guard does the work, and they will do the fighting too of regular troops. We are proud of them. The State is proud of them, and moreover, she will retain them in the service as long as she needs them.

MEN WHO TALK about putting a stop to the war, by propositions of peace from us made by the proper authority to Lincoln, or by a Convention of the States, or by separate State action, or even by outspoken reconstruction, may be honest, and doubtless many of them are honest, but the evidences before the world, are and have been, for more than a year, so positively contradictory to all such hopes and expectations, that it is difficult for us, when we hear men ring the changes upon "peace, peace,—fighting will not end the war," and such like stereotyped phrases, to attribute to them any thing else but a voluntary blindness to the real aspects of the subject, or to a demagogical spirit, which deludes the ignorant and unwary, and keeps up a spirit of complaining and real opposition to a war, forced upon us, in North Carolina at least, by contingencies which we could not avoid. We are not of those however, who charge men with intentional disloyalty or brand them with opprobrious epithets, for words or acts which exhibit the spirit of discontent or complaint, or even for those imprudencies, which, of course, without their intending it, "give aid and comfort to the enemy."

Treason or disloyalty to one's own country, we regard not only as a high political crime, but an offence of high moral turpitude, which ought to be punished rigorously. But that is a crime which words or acts even of an ordinary character, are not sufficient to fix a man's guilt beyond a doubt, but there must be along with these words and acts, the evident intention, otherwise, in a judgment of charity, we cannot fix moral turpitude on the individual. Moreover, the accused is always entitled to the benefit of his surroundings, in making up a judgment. When an individual, however, whose course has been one of complaint and tacit opposition to the cause, fearful of results, shirks the responsibilities of a citizen altogether, and being of proper age and health to serve his country in the active duties of the war, abandons the country and flies to the enemy, or enters into collusion with him, gives him information and otherwise damages his country, his treason is palpable. Such an one deserves the penalty of death, or should he make his escape to the enemy, he should be forever excommunicated. Perhaps our approaching Legislature could not do the cause a better service, than to pronounce, all such, outlaws, and to bar them forever, from citizenship in the State. The idea has been suggested, that the property of all such persons should be confiscated. We are not prepared to favor that idea, without qualification. In some cases, such persons leave wives, children and relatives who are truly loyal and who are needy. It would be unjust and cruel, to deprive the loyal representatives of such persons of what the law would give them, if the escaped had remained and died. Several cases have occurred of the most bare faced injustice under the confiscation act, we understand. One case in which an unworthy man married an excellent woman with property; lived with her two or three years and went off to the Yankees. The confiscation act seized that which was hers—the man had none before his marriage—and she, a loyal woman and her infant child, we learn, were deprived of the property. Such injustice is too apparent to every one, and it calls for correction.

We regret to learn that Lieut. James W. Huske of Fayetteville was killed in the late battle near Petersburg. He was highly esteemed by his friends and comrades as an excellent young man and a brave soldier.

The Emperor Napoleon III is fifty-six years of age.

The following rates will be charged for all advertisements inserted in the DAILY and WEEKLY CONSERVATIVE: ONE SQUARE OF ENGLISH LETTERS, OR LESS One day, \$3.00 One week, \$18.00 Two days, 6.00 Two weeks, 36.00 Three days, 9.00 Three weeks, 54.00 Four days, 12.00 One month, 72.00 Five days, 15.00 Two months, 144.00

When sent by letter, the money must accompany the advertisement. Outrages, religious and other notices charged as advertisements and must be paid in advance.

MANY persons perhaps, have not yet done making sorghum. The following letter from Mr. Long, to the Confederate, will be valuable and worth preserving:

MESSRS. EDITORS: As most persons have pressed their cane, I regret that I could not have given, through your columns, to the public, before this time, the results of my experiments with the Sorghum or Chinese Sugar Cane. But I hope it is not too late for some this year, and it may be of use to all next year.

I find that by a simple and cheap process, a good yield of excellent brown sugar can be made. I will state my process now, in as few words as possible, and promise at some leisure time to make a more full statement. The juice contains starch and gum or jelly, which it must be cleared of, before it can make good syrup or sugar; and this must be done before it boils. For these purposes, I have a receiver under my iron mill, sufficiently large to hold enough to fill one boiler. Into this I pour a half gallon of clear lime water to 50 gallons of juice. I intend to press in it. The juice being pressed, and the starch having settled to the bottom, I draw it off through a spile hole near the bottom, leaving the starch on bottom, below the spile. It is now carried to the clarifier, which is a sheet iron bottom boiler, on a flue so high that a tube may run from near the bottom to the top of the boiler proper. In this clarifier I simmer three hours. (It must not boil!) During the last half hour of this simmering, I cover the surface of the juice with bits of charcoal, chopped up to about the size of the thumb ends. When it has simmered three hours, I put out the fire and allow the juice to get cold, the colder the better. Under moderate heat, the lime has done its work, a thick jelly has formed on the bottom below the tube, the coal has precipitated the lime and floats on the top, with the scum. I now draw off the juice, through the tube, from under the scum and from over the jelly, into the boiler, and boil the now clarified juice as rapidly as possible until it foams and assumes a beautiful yellow color; then draw out my fire and boil slow, until it has puffed steam for some minutes, then meanwhile stirring with a wooden paddle.

The syrup is now removed to some open vessel to cool and granulate. If made properly, it will granulate before it is entirely cold, but it may take two or three days, or even more. If it does not in 24 hours, I sprinkle a little sugar over it. After it has granulated, it may be put in leaky barrels, or into a bag to drip. I have had it to turn to a solid lump of sugar as soon as cold.

I find that 100 pounds of cane will yield about 80 pounds of juice, or 8 gallons, which will make about, say, from 6 to 8 pounds of sugar, and from 4 to 6 pounds of good molasses, far superior to the syrup that is made without expelling the jelly. If any person, who has boiled his syrup in the ordinary way, desires to see the effects of not getting clear of the gum or jelly, let him attempt to make candy of it, and when he pulls or eats it, I think he will be satisfied that it is akin to gum elastic.

I would like to write more minutely on the subject, but fear I am already too tedious for your columns. I need only say, that if any person will follow the principle above indicated, he will most assuredly succeed in making sugar. But I will further add, if he will have the fixtures and follow my process he will find that he has made a good article of sugar, by a cheap and easy process, that has cost him but little more than the common syrup that he has been making.

W. S. LONG, Yanceyville, N. C.

From the Progress. CONCURRING OPINION OF CHIEF JUSTICE R. M. PEARSON IN THE CASE OF JOHNSON vs. MALLETT.

I concur fully in the decision in this case, for these reasons: What officers are necessary and proper for the administration of the Government, is a matter confided to the wisdom of the Legislature by the Constitution of the State, except in respect to the offices created or recognized by that instrument itself. Whenever the Legislature creates and fills an office, or authorizes a county or municipal corporation to do so, it is to be taken conclusively as a "presumption of law" that such office is necessary and proper, for, otherwise, the folly of creating and continuing a useless office is imputed to the Legislature.

2d. The Governor, members of the Legislature, Judges and other officers of the State, are not liable to conscription, by the force and effect of the Constitution and of our form of government, and stand in no need of exemption either by an act of Congress or the certificate and claim of the Governor, or an act of the Legislature. For the power to conscript is restricted by the condition that it does not include officers of the States, otherwise, the existence of the creator would be made to depend on the will of the creature.

So that part of the act of Congress which enumerated among the persons exempted, "The members of the several State Legislatures, and such other State officers as the Governors of the respective States may certify to be necessary for the proper administration of the State governments"—act 17 Feb. 1864, sec. 19, clause 2, is a matter of supererogation. The certificate of the Governor therein required has no legal effect, and the resolution of the Legislature, which demands the exemption of State officers, in effect a protest by that body against the right asserted on the part of Congress to conscript officers of the State by enumerating them, among the persons whom in its wisdom it is deemed expedient to exempt.

R. M. PEARSON.

EXEMPTIONS UNDER THE "MAY LAW"—One hundred and fourteen thousand exemptions from active service, each hundred to furnish not less than fifteen hundred pounds of bacon and fifteen hundred pounds of fresh beef. Many are under obligations to give two fresh or four times that much meat, but we wish to make a calculation at the minimum figures—114,000 multiplied by 1500—171,000,000 pounds—that for the bacon; and a similar amount, would be the product in fresh beef. Thus the Commissary General has not, subject to his order, \$45,000,000 pounds of beef and bacon.

Now, for a little calculation as to his waste. Say we have 400,000 men in the field to feed—allowing half a pound of bacon to the ration, and a pound of fresh beef, which is ample, as our troops will affirm, by issuing bacon two days and beef one day, and in this way alternate the ration. Northrup has full meat rations for twelve hundred and eighty-two days, or until the end of 1867. Besides this, the lythe is to be counted; and such surplus can be bought. If there be any truth, in figures, we are so strong in food, that we can defy the Yankees for all time to come if the Commissary Department makes itself felt.—Greens, Citizen.

Secretary Benjamin has published a circular giving a statement of the classification, volume and rate of increase of the debt of the United States. The arguments used in discussing the Federal finances, are addressed to the capitalists of Europe, showing that by aiding the United States in the war against the South, they are undermining their own investments.