

A SERMON—WITH ITS MORAL.

There is no doubt but that the Radical propose to carry North Carolina in the Presidential campaign, and we may expect that they will make every effort to do so.

The great work in hand is to secure that end. To accomplish it, all minor questions must be subordinated. We must have no divisions among ourselves.

But what is now, what was the result? We find a "negro Captain" introducing to the people of Petersburg, at a grand demonstration, Gen. Wm. Mahone.

Now what would be thought of any political proceeding in which "Colonel Mahone, colored," should introduce one of these gentlemen, say to the people of Tarboro, (and so on down the list), at some grand demonstration in honor of their joint success?

We have an inkling of what is going on in Virginia. Col. Cameron has announced his new departure. He has cut loose from the Democratic ranks.

Now does the matter stop there. It seems to be feared that Gen. Mahone has already introduced to the people of the Radical party in Virginia. It is the first steps that costs.

In North Carolina we understand an effort is being made to make an issue out of the question of completing the Western North Carolina Railroad.

The New York Post's financial article of the 19th, says that the large and increasing numbers of outsiders who now throng Wall street, having come from all parts of the country to seek to become suddenly rich by speculation, and who are known as "The Lambs," have to day been shown by the professional speculators that prices can go down as well as up.

Not only has Beaman, of Michigan, refused the appointment of United States Senator, tendered him by Gov. Crosswell, but now comes one Mr. John J. Griffin, of Norfolk county, Virginia, who declines to take a certificate of election to the Virginia Senate, because he is convinced that he was not chosen to the position.

ADD ALL IS NOT LOVING IN THE Radical camp. There are said to be factions springing up that will render their chances for success in New York State more hopeless than they are already, with the Democratic majority of 88,000 staring them in the face.

The moral of this sermon is, that the Democrats of North Carolina ought to see to it that no outside matter is allowed to be forced upon us and set us by the ears, but that we should seek to be steadfast, strong, united, and thus attain the victory that is within our reach.

The Boston Merchants' Association November 18, appointed a committee to co-operate with other organizations in an effort to secure the enactment of a national bankruptcy law.

THE TRADE-MARK LAW GOES

The decision of the Supreme Court of the United States, sweeping away the trade-mark law, and retiring it to the list of acts of Congress that the Court have solemnly declared unfit for service, was as much a surprise to the bar as it was to the commercial community.

The most wholesome restraints against piracy are gone. Infringements of trademarks may doubtless be restrained by application to the courts, both State and Federal, but the penalties of fine and imprisonment, which the statutes of 1870, revised in 1873 and re-enacted in 1876 created, no longer hang over those who are disposed to counterfeit patented rights and privileges, or to deal in these counterfeit.

Unless there is some state law that effect punishment by indictment will be impossible and parties complaining of damage done their business will be left to seek redress in the civil courts. This is tedious and uncertain and will require proof of ownership of the trade mark in each particular case, as we understand it, whereas under the law just pronounced unconditional, proof of registration of the trade mark was sufficient.

The decision of Judge Dyer of Wisconsin, concurred in by Judge Harlan, of the Supreme Court, in November last had the effect of unsettling the law. Its soundness was questioned by able and distinguished lawyers, but the law is finally settled now by the decision of the Supreme Court, recently rendered in the cases certified and sent up from the United States Circuit Courts, of New York and Ohio.

Mr. Justice Miller writes the opinion: The court holds that a trade mark is not an invention or a discovery within the scope of the patent laws, and that it is not a writing or a product of authorship within the province of copyright legislation.

Hence trade marks are not embraced within the meaning of that designation of the Constitution which empowers Congress to legislate for the protection of inventors and authors. While it was necessary for the court to consider this constitutional provision in determining the power of Congress to pass a trade mark law, it is not a feature of that law, if it exist at all, that must be found elsewhere in the Constitution.

The clause on whose meaning really depended the decision of the question is that which empowers Congress "to regulate commerce with foreign nations and among the several States." But this constitutional grant of power to Congress is restricted to international and inter-State commerce. It does not authorize that body to regulate the internal or domestic commerce of a State, which is wholly a matter of local legislation.

The real difficulty in the case of trade-marks is that they are a feature of both inter-State and State commerce. Legislation, then, for the protection of trade-marks must regulate, or relate to, not only commerce among the States, but also commerce within the States. Such legislation, the Supreme Court now decides to be beyond the constitutional powers of Congress.

In answer to the argument that the law should be held constitutional so far as it relates to inter-State commerce, the court ruled that there was nothing to show that the trade marks in controversy were of that kind, and furthermore that "it is not within the judicial province to give the words used by Congress a narrower meaning than they are manifestly intended to bear. To do so, would be virtually to make a law which would be only partial in its operation."

The value put upon the statute by the mercantile community, says the Times, is shown by the fact that, notwithstanding the large fee for registration, about 8,000 trade marks have been registered since the law was passed in 1870. Hereafter there can be no statutory protection excepting that which may be provided by the several States. But State laws for this purpose cannot prove otherwise than unjust.

THE "LAMBS" LEARN A THING OR TWO. The New York Post's financial article of the 19th, says that the large and increasing numbers of outsiders who now throng Wall street, having come from all parts of the country to seek to become suddenly rich by speculation, and who are known as "The Lambs," have to day been shown by the professional speculators that prices can go down as well as up.

To many of them it is their first lesson, and they have undoubtedly paid full tuition rates. During the first two hours of the stock market on the 19th, there was great excitement, and prices fell 1/4 to 1/2, the latter, Washab, which sold as low as 68; C. C. & I. C. fell from 26 1/2 to 23; I. C. & L. fell from 15 1/2 to 11; Union Pacific from 90 to 87; Pacific Mail, from 84 1/2 to 83; Jersey Central, from 86 1/2 to 84; Delaware, Lackawanna and Western, from 89 to 87; Delaware and Hudson, from 86 to 84; Erie, from 47 to 45; the preferred, from 74 to 73; Lake Shore, from 104 to 102; Lake Erie and Western, from 96 to 93; and Western Union Telegraph from 104 1/2 to 104; a little before noon the downward tendency was checked, and prices have recovered 1/4 and 3/4.

The latter, Washab, the only stocks which have ruled higher than yesterday, are the San Francisco and St. Louis shares, and the purpose of the break was to buy stocks which had been sold at the higher prices by leading speculators; the market has at the decline the support of good buying, although it is not unlikely that it will be feverish for several days, whatever the ultimate course of affairs.

This proposition that some of the leading Republicans of the North should make speeches in the canvass in Louisiana will have to be abandoned, as none of those who were wanted can go. Senator Conkling is suffering with malarial fever and Senator Blaine, who promised to go, must remain in Augusta to get the fruits, if possible, of the frauds he and his party committed there at the last election. Sherman has dreams of Eliza Pickens, like snakes before his tormented vision, and the other invited guests say, "Oh, it would never do, for they know if they should answer Louisiana the State would go Republican, and that would be an end of the 'solid South,' and the boom they are running to fire the Northern heart would fall stillborn. And therefore it is that Don Far-ber, Kellogg & Co. must go it alone. Well, they will get crushed all the same.

"GOING TO INDIANA TO VOTE."

The National Republican chronicles the fact that sixty North Carolina negroes arrived in Washington on Wednesday going to Indiana to vote. The Republicans say with some show of surprise, that they are clean and intelligent looking people. We will thank the Republican to understand that whenever North Carolina sends her darkies to Indiana for voting purposes, she sees to it that they are clean before they start. If they should look somewhat sooty when they reach their destination it will be perhaps only natural under the circumstances. They, however, seem to have stuck at Washington, and may not reach Indiana before election day. The Republican says the leader of the party proceeded to the office of the Emigrant Aid Society, at No. 934 F street, and requested assistance in continuing their journey westward. Some of the emigrants had been able at the time of their departure from home to purchase through tickets to their destination, but by far the larger number of them lacked sufficient means to continue their journey from this place. The society's funds at the present time are quite limited, but the emigrants were made comfortable at the Baltimore and Ohio depot for the night.

Well now, if our Radical friends at Washington can't do any better for our strolling voters, than that—penning them up in the Baltimore and Ohio depot—like the ponies down at the banks, we suggest that they be returned to us and sent out as an exhibit to our Colored Industrial Fair, now in progress at Raleigh.

If this is done, while they may not learn so much about voting, they will learn how industry is rewarded in North Carolina, and how our colored people are improving in all that constitutes real happiness in life.

Dr. George W. Lawrence, of Hot Springs, Arkansas, urges consumptives, asthmatics and all persons suffering with bronchial and pulmonary ill to eat raw oysters. He states that salt oysters, especially when raw, or fresh direct from the shell, surely excite the secretory functions of the mucous follicles belonging to the whole respiratory tract, and tends to relieve irritative action. The delicate bivalves, that contain the greatest amount of phosphates and saline properties blended are most active in awakening the secretions. Good salt oysters may be obtained along the margin of the Western Atlantic coast, from New York, Delaware and Galveston bays. In a low state of vitality, when the lungs are threatened, formative neoplastic deposits—tubercles from engorged mucous and parenchymatous structure—when "phthisis pulmonalis" is pending, the agreeable "valvular husks" are prompt in nutrition and desirable food. As a regimen, oysters supply material for brain and nerve matter, and are good diet for those suffering with nervous affections. Some temperaments are much more susceptible to the stimulus or impress than others, and mucous, glandular, mucous-bronchial and mucous-bronchial secretions are soon aroused after free indulgence in eating oysters. Oysters, he thinks, will support the statement that the mortality from consumption is less in the percentage in proportion to the population in cities where salt oysters are abundant and freely used.

For our part, we do not know any food more palatable than the salt oysters that are found along the coast of this State, called rapoon oysters, whose flavor is very high and delicate. If anything could prevent a consumptive from shuffling off this mortal coil it is these North Carolina oysters. Massachusetts ought to move down to our sounds.

A FRIEND HANDS US A SLIP TO THE effect: That the last work of the North Carolina Congress of 1878, held at Halifax, on November and December, 1778, being the Congress that adopted our State Constitution, was the passage of the following resolution:

"Resolved, Cornelius Harriot, Esq., Vice-President of this Congress, be authorized to sign the journals thereof, and all ordinances not already signed, and all such ordinances shall be as valid and effectual as if signed in Congress."

From the above resolution it appears that the Congress deemed it necessary for the ordinances to be signed in Congress in order to be valid, and that in the absence of any resolution to the contrary, that they would not be valid if signed out of Congress. Those old folks know what they were about.

Not only has Beaman, of Michigan, refused the appointment of United States Senator, tendered him by Gov. Crosswell, but now comes one Mr. John J. Griffin, of Norfolk county, Virginia, who declines to take a certificate of election to the Virginia Senate, because he is convinced that he was not chosen to the position. When politics fall into the hands of such nervous purists as these, where are its profits?

ADD ALL IS NOT LOVING IN THE Radical camp. There are said to be factions springing up that will render their chances for success in New York State more hopeless than they are already, with the Democratic majority of 88,000 staring them in the face. Arthur wants Cornell to resign from the national committee so that he can get on, and be chairman. This Cornell flatly refuses to do. Cornell on the other hand is smacking his lips over the possible chance of his succeeding Governor Kernan in the Senate, where he can sit by and sustain his maker, Conkling. But Arthur holds up his hands in well feigned horror, and declares this governorship of New York quite good enough for a fellow like Cornell, and that he wants the senatorial plum himself. And while the heads and leaders are quarreling over the bigger spoils, the lesser lights are snarling over the bones. Well, let 'em at it.

NEW YORK.

A correspondent of the World, writing from Utica, sets up a plea for harmony, and urges the Democrats of New York to bury the hatchet and cultivate amicable relations. He says that there is no doubt about the result there in 1880, if they are united. Among other things, he makes the following remarks:

"Thousands, who like myself, voted for Governor Robinson, saw and dreaded the result, especially when we saw the high hand with which matters were carried at Syracuse. Although urged and begged by some of the best men out of the State, the Syracuse Convention would make no concession. 'We can beat Tammany and all the rings,' was the reply in effect, when the convention was asked to drop one man and save the party. Without approving the undemocratic advance declaration of Tammany, that it would not vote for Governor Robinson if he were nominated, the execution of the threat was what might have been expected, and was feared by men with cool heads in view of the interposition of the friends of the party, and the friends of Governor Robinson and Mr. Tilden. It is very much in accordance with human nature and experience that they are dared to do under a threat. The Democratic party had an easy job in defeating Mr. Conkling's ticket if the Syracuse Convention had not persisted in ignoring the old motto, 'Everything for the party; nothing for men.' It is no sufficient reply to get Mr. Tilden out of the way. That was just what most of them intended, for one thing.

The 77,000 votes for Mr. Kelly do not show the wide of the defection. Large numbers of Democrats, scattered over the State, offended at what they considered the obstinacy of the Syracuse Convention in not dropping Governor Robinson and taking up some other man, refused to vote, or, if very angry, voted the Republican ticket. If this class had voted with their party, the balance of the State ticket would have been elected. When the Democratic party is united in a determined effort to carry its State ticket, it is a matter of course, that it is a determination on the part of a portion of the party to ride rough shod over the minority, who shall be beaten."

Our dispatches from Ireland indicate that the horrible condition of the tenantry there, a full description of whose sufferings we lately published, has at length brought about its natural consequence.

The leaders having broken the law, and being arrested, the people will probably engage in an emeut—and be driven by harsh measures to deeds of desperation.

There are times when it is criminal to tender in dealing with lawless folks; but in this instance it would be criminal to over-ride in judging them. Their sufferings distract them.

A MOMENTOUS DUTY. The next National Democratic Convention must be composed of our wisest and our most patriotic citizens. They must be men who comprehend the situation—men who are quick to sink out of sight all personal considerations—to the grand, historic purpose of the hour—the preservation of the Democratic party. Never in the annals of nations—never, certainly, in the past of the American Republic, has so weighty a responsibility rested upon a group of men as it rests upon those that, in a few months more, must meet to name the leaders who are to bear the banner of the Democracy in the great struggle of 1880.

Surely no unprejudiced person—no sincere patriot, who, for several years past, has been witness of events, and who sees the political situation as developed by the recent elections can longer doubt as to the issues involved in the mighty struggle upon which the two great parties of the world are now engaged. That struggle, beyond all doubt, must end either in a glorious triumph for civil liberty and the preservation of the government of the people, and for peace and good will among all sections, or else it must, in the bitterness of the Radicalism in the midst of whose night of despair will have forever the bloody shirt of sectional hate, and along whose mournful borders the only light that can give life to our most patriotic citizens, the South—men who are quick to sink out of sight all personal considerations—to the grand, historic purpose of the hour—the preservation of the Democratic party. Never in the annals of nations—never, certainly, in the past of the American Republic, has so weighty a responsibility rested upon a group of men as it rests upon those that, in a few months more, must meet to name the leaders who are to bear the banner of the Democracy in the great struggle of 1880.

When Grant is nominated or not, it will be all the same. An insane hatred of the South—a fanatical hostility to the rights of the States, and a despotic "strong government"—corruptions in elections and frauds in counting—in—these are but some of the horrible traits of the party whose leaders are bent on getting control of the government in 1880. As a stepping stone to the Democratic party, it is necessary to carry a number of Northern States. Never we repeat was a graver responsibility reserved for any body of men as that which is in store for the next National Democratic Convention. It is a long and arduous task, and it is one which will not be accomplished unless it is unquestionably a Democratic State. Not that it is necessary to carry the Empire State to the Democratic party. We cannot afford to take any risks as to New York. Thank heaven there is no need to take risks. There are men who can carry it, beyond a peradventure—men whom the country would delight to honor, and whose names would be a glory to the party would be an honor to the country itself. They are men of unquestioned statesmanship—men whose splendid fame no sin has ever touched—no cloud has ever dimmed.

On our outside is printed to day an article which presents to the country the name of Horatio Seymour, of New York. It is a name which patriots all over the land have learned to respect and delight to honor. A grand presentation of Seymour for a unanimous nomination by the Democratic Convention comes from the city of Utica, Mr. Seymour's own home. It is well known that he does not seek the nomination; that he wishes to spend the remainder of his days in the quietude of his own blessed and beautiful home. But loving his blessed country as he does, true to duty as he is, he could not refuse his name and his services if they should be called for by a unanimous voice of the Representatives of his party. As is well known, he carried New York in 1868 for Governor by a large majority, when the war and the war spirit was at its height. He again carried it in 1869, for President against Grant, when the Republican party was wilder than ever with the delirium which its power had provoked. As he carried it before he could carry it again. Before him the Kellyites would ground their arms and around him the Tildenites would rally. Tammany and anti-Tammany, Tilden and anti-Tilden and indeed patriots from all parties and all factions would set aside their prejudices and forget their differences, to honor the man who stood by the statesman whose large heartedness, whose love of country, whose purity of character and whose wisdom are

illustrious at home and abroad—unquestioned and unquestionable. We do not say that we do not believe that Mr. Seymour is the only man who can carry New York. But we do not hesitate to assert as our profound faith, in a view of all the surroundings, that such a ticket as Seymour's, of New York, and McDonald, of Indiana, would certainly save both those States to the Democratic party.

We do not advocate that ticket. We are for the success of the party. But we give it as our solemn and sacred opinion that either this ticket or one like it, is such an one as must be nominated if the country is to be saved from the dangers and ruin which threaten it. Let the country that stare it in the face. Let the country weigh well the situation. Let its representatives that shall go up to the convention to name the leaders for the Democracy consider long and well. The crisis party consider long and well. The responsibility is momentous. There must be no mistake. For once let the hour and the man meet!

Sherman and the Solid South. Secretary Sherman's letter declining an invitation to participate in the Republican canvass of Louisiana, under guarantees of either this ticket or one like it, is such an one as must be nominated if the country is to be saved from the dangers and ruin which threaten it. Let the country that stare it in the face. Let the country weigh well the situation. Let its representatives that shall go up to the convention to name the leaders for the Democracy consider long and well. The crisis party consider long and well. The responsibility is momentous. There must be no mistake. For once let the hour and the man meet!

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