

CONGRESSIONAL MATTERS.

For the information of our readers, who have not the opportunity of reading the full proceedings of Congress, we will give a brief outline of the cause and object of the great debate that has so much engaged the attention of the country, for since the assembling of Congress on the 18th of March, the House of Representatives have entered upon one of the most interesting and exciting discussions known for many years.

In the bill making the regular annual appropriations for the support of the army the Democrats have determined to insert a clause forbidding the use of soldiers at elections. This is the cause of so protracted a debate, and yet we cannot understand why any man who values the freedom of elections can oppose it. But the Republicans in Congress have opposed it with all their might, and are endeavoring to fire the Northern heart and inflame the passions of the North against the South, accusing the Democrats of desiring another rebellion and stabbing at the life of the Government. The reason of this opposition, however, is very manifest. They know full well how, in some of the Southern States, they have carried elections by means of armed soldiers intimidating the peaceful citizen. They know full well that by such means they forced a fraudulent President upon the country, and they know full well that without the intervention and intimidation of armed soldiers they have no hope of carrying the next Presidential election. With the desperation of despair, therefore, are the Republican leaders doing their utmost to defeat this measure, which by giving a free and open ballot will assuredly doom their party to destruction. The excuse they offer for their opposition, is that this legislation should be done by a separate bill, and not be tacked on to an appropriation bill. This, however, is too stonewall hypocrisy to deceive any one, for when they were in the majority in Congress such legislation was of common occurrence, and they repeatedly did what is now charged as "revolutionary." They intend to run Grant as their candidate for President next year, and they hope that by the use of soldiers at the polls to control the elections and thus force him upon the people, and with him again seated in the presidential chair they will once more "re-construct" the South, and perpetuate their rule by the bayonets of the soldiers controlling the ballots of the people. The purity and freedom of the ballot box is the only safety of our country, and if we wish civil liberty preserved and our rights protected let our elections be conducted without the presence of soldiers at the polls, and let every voter deposit his ballot without fear or intimidation!

In this struggle, therefore, the democrats will receive the support and endorsement not only of their own party but of thousands of honest republicans, who love their country better than their party, and who have seen enough of military rule. Our people, both democrats and republicans, have had enough of soldiers. They do not care ever to see another. Their experience with them has not been altogether of a pleasant character, and they have no desire for a repetition of their past experience. They rightly think that the civil power should be above the military, that the citizen should be superior to the soldier, and not that the bayonet of the latter should control the ballot of the former. We feel assured that the good, law-abiding people of our country, irrespective of party, will wish success to the democrats in their efforts to forbid the presence of the soldiers at the polls. In the first place there is no need of any soldiers at any election, and if there should be any riot or disturbance, let the civil authorities execute the law, and it will be found that their power is amply sufficient.

From the New York Herald. Republican Insincerity.

It is the fact that the republican leaders who inspire the present excitement are not sincere. They are simply President-making when they cry out "revolution," and this is a fact which ought to be known to the country. When they shout "revolution" they do not believe that a new secession or a revolution of any kind is threatened; they have no fears for the constitution, for free government or popular liberty; what they really fear is that they will lose the next Presidential election, and to prevent this they know of no better way than to try to scare the North into another craze like that of 1874. It is the duty of impartial observers to tell the truth—that there is no revolution impending, and that the men who have now once more started the cry of "wolf" are not shepherds, but men who have a fondness for other people's nutmeg.

There is not the least ground for the excitement and bitterness which are suddenly manifested here by republicans. The democrats have a majority in both houses; they are doing what the republicans have ever and forever done—tacking political legislation on appropriation bills—the only difference being that the democrats have at once opened their matters to a full and free debate, while the republicans' matters are forced through under the gag law known as the previous question. The democrats mean to pass their bills and send them to the President, as they have a constitutional right to do, and there is nothing revolutionary in it, undoubtedly foolish and disastrous to them as it is. If the President, veto the bills, as he will probably do, then the democrats will have to face that fact. If then they should, as Garfield and other republicans without the least reason assert they will, and leave the government without appropriations, they will undoubtedly commit a revolutionary act, and it will require no republicans' stump speeches in Congress to lead the country to punish them for that. They would simply draw ruin on themselves. But suppose they do not commit this huge folly; suppose they should meet the President's veto by passing the appropriation bills without the objectionable legislation, or suppose they should pass a joint resolution continuing next year's appropriations until the 1st of next January, and adjourn to take an appeal to the country, where there would be General Garfield's revolution, or where the sense of "marching over the Long Bridge again?"

Important Decisions.

For the information of our readers who do not have the opportunity of reading the law books, we copy from the Observer two important decisions recently rendered by our State Supreme Court. The first case is State vs. Davis, from Wake.

The defendant and one Lassiter were indicted for an affray and tried before Strom, Judge, at November term, 1878, Wake Criminal Court. The defendant and one Evans were quarreling in the public road leading over the lands and in front of the house of Lassiter's mother. The defendant was cursing in a loud tone and using vulgar language, and Lassiter came out with an ordinary walking stick and remonstrated with defendant, who holding a pistol discharged Lassiter and said he was in the public road and would cause much as he pleased. After the interchange of a few words defendant struck Lassiter the head and the latter struck him with his stick. Defendant attempted to use his pistol, but was prevented by the bystanders. The principal defence of defendant was that he was in the public road and had a right to do what he pleased. Lassiter was convicted and fined ten dollars, and defendant was acquitted and appealed.

Held: The public have only an easement in a highway, that is, the right of passing and re-passing along it, the soil remains in the owner and when one steps in the road and conducts himself as the defendant did, he becomes a trespasser, and the owner has the right to abate the nuisance, and the principal of milliner means &c, does not apply to a case like this when the trespasser armed with a pistol is acting in such beligerent defiance.

The second case is Richardson vs. Wicker, from Moore. This was a *sci fa* to show cause against a judgment nisi for \$100 against the defendant, Sheriff of Moore county, for failing to have in Court at Fall Term, 1878, the amount of an execution issued in the case of the plaintiff against A. McNeil and others, for the collection of a debt contracted before the war. The defendant showed for cause against the making of the judgment absolute, that the defendants had no property, real or personal, in excess of the exemptions allowed by the laws of the State and the decisions of the Courts, and that he had acted with the execution which came to his hands in the manner and upon the reasons stated in his return, which was in the following words: "The defendants filed no petition for homestead and personal property exemptions to be laid off; plaintiff neither pays nor tenders fees to lay off same, and therefore no action; and further, no action taken because of the penalties and prohibitions set forth in chapter 55, Battle's Revised."

Held: The imposition of a penalty for a want of official diligence is a matter of State regulation and is not affected by the decision in Edwards

vs. Kearsey, and it would be no impairment of the plaintiff's right to collect his debt if the Legislature should repeal the amendment law altogether. Therefore we cannot see how it is that the plaintiff has any right to complain, because at the time his execution went into the hands of the Sheriff it should be held, as was the law, that there was no penalty to be imposed on the Sheriff in relation to his execution until after first setting apart the exemptions as provided by the Constitution and statute laws of the State. To impose a penalty under such circumstances is to do so without legislation to authorize it. It cannot be that obedience to the existing law of the State by a ministerial officer can be regarded as an official neglect and subject him to the pains and penalties prescribed by law.

The Road Law.

We have at last obtained a copy of the new road law, which we publish herewith in full for the information of our readers:

THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

Sec. 1. That the justices of the peace in each and every township shall have the supervision and control of the public roads in their respective townships. They shall, with respect to such work, constitute and be styled the board of supervisors of public roads of such township. They are hereby incorporated, and the above shall be their corporate name.

Sec. 2. The said board of supervisors shall meet at some place in their respective townships, to be agreed upon by themselves, or in the absence of such agreement, to be named by their chairman, on the first Monday of February, May, August and November, for the purpose of consulting on the subject of the condition of the roads in their township. They shall, once during the year, proceed with their duties, to wit: to visit all the roads in their township. They shall, annually, at their meeting in February, elect some one of their number chairman. Provided, that the first election for chairman shall be held on the first Monday in May, 1879, and the chairman then elected shall hold the position until the first Monday of February, 1880.

Sec. 3. The said board of Supervisors shall, annually, at the meeting in May, divide the roads of their township into sections, and appoint overseers, and shall also designate the boundaries to which each overseer shall be held to work on said section, and shall, within five days after such meeting, call for each overseer with a notice of his appointment, with a list of the funds assigned to his collection. Provided, that the board of supervisors may, at any time alter the sections or appoint, but shall give notice thereof to the overseer. The overseer may resign after the expiration of twelve months provided his road shall be in good repair and the board of supervisors shall so find, and any overseer resigning and whose resignation has been accepted by the board, shall not without his consent be again appointed overseer until after the expiration of two years from the date of his resignation. That when a public road shall be divided into sections by the board of commissioners of the county, such divisions as to how said road shall be divided with notice of the working of the same.

Sec. 4. Whoever is held liable for persons between the ages of eighteen years and forty-five years, shall be required under the provisions of this act to work on the public roads, except the members of the board of supervisors of public roads, not less than three nor more than ten days in each and every year.

Sec. 5. The overseer of the road shall for at least three days in the year summon the hands of his section to work on the road. The overseer shall be at least two days before the day named for the work, and shall state the hour and the place for the meeting of the hands and what implements the hands shall bring with them. Every person liable to work on the road, who has been so summoned, shall appear at the time and place named and with his implement directed, and shall work on the road under the direction of the overseer until discharged by him. Provided, that no hand shall be required to work on the road for more than two days in succession, nor for a longer time than ten hours in any one day. Any person summoned as aforesaid, who shall be one appointed for work on the road, pay to the overseer the sum of one dollar, shall be relieved from working on the road for one day. The money thus collected by the overseer, shall be by him applied on the working and repairing of the road. Provided, that any person who shall furnish one able-bodied hand as a substitute with the implement directed shall be held to be accepted with the provisions of this act.

Sec. 6. Any person liable to work on the road who shall fail to attend and work as herebefore provided, when summoned so to do, unless he shall have paid the dollar aforesaid, shall be guilty of a misdemeanor, and on conviction shall be fined not less than two dollars, nor more than five dollars, or imprisoned not exceeding five days, or both, in the discretion of the court.

Sec. 7. Every overseer shall at each and every meeting of the board of supervisors of his township, make

report to them of the present condition of his road, of the number of days worked on his section since last meeting, of the number of hands who attended and worked each day, of the number and names of hands who failed to attend and work; whether or not they were legally summoned, and whether or not they paid the one dollar as above provided. That the said overseer shall, before some person authorized to administer oaths, make written affidavit that the report is true and correct. That upon this report sworn to as aforesaid, if it shall appear that any of the hands, after being legally summoned, have failed to attend and work on said road, and that they did not pay the one dollar, then it shall be the duty of said justices of the peace, or any one of them, to issue a warrant for the arrest of any such hand or hands, and shall put him or them upon trial for the offence.

Sec. 8. The said overseer shall at the meeting of the supervisors in February make report of all the moneys collected by him from parties exempted from work on the road for the preceding year, with a statement as to how the same has been expended. That if any overseer shall fail to discharge any one of the duties imposed by this act he shall be guilty of a misdemeanor, and on conviction, shall be fined seven dollars, and in default of payment of fine and costs, be imprisoned not exceeding five days. In case of failure of any overseer to make any report to the board of supervisors of public roads of his township, as provided in this act, then, and in that case, it shall be the duty of the chairman of such board immediately upon such failure to make a sworn statement of the fact before some justice of the peace of an adjoining township, who shall immediately issue his warrant for the arrest of the said overseer and proceed to try him for the offence.

Sec. 9. The board of supervisors shall have the right to lay out and discontinue cutways, subject to all the rules and regulations now in force, and the board of commissioners of the county only shall have the right to lay out and establish and discontinue public roads, subject to the same rules and regulations now in force. Provided, however, that in laying out and establishing roads and cutways, and for the purpose of assessing damage to property by reason of the same, no greater number of jurors than five shall be summoned or be required, any provision in any other law to the contrary notwithstanding.

Sec. 10. The board of supervisors shall annually make report to the first term of the superior court of their county after the first Monday in August, of the condition of the roads of their township, and if the roads are in good repair, and if the roads are in bad repair, and if they are not in good repair, they shall, and the judge holding said term of the superior court shall, after his charge to the grand jury and before they shall retire to their rooms, call upon the clerk of the court for such reports, and they shall then and there be delivered to the foreman of the grand jury, and if any board of supervisors shall fail to make said report or to discharge any other duty imposed by this act, they shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, in the discretion of the court, and the indictment may be returned against the board of supervisors, or against the individual members thereof as justice may require.

Sec. 11. The several superior court clerks and the register of deeds in the State shall within twenty days after the passage of this act, post a copy thereof in some conspicuous place in their respective offices, and to carry out this provision the Secretary of State, immediately upon the ratification of this act, shall cause to be published in convenient form, for this purpose a sufficient number of copies of this act, and he shall mail one copy to each and every superior court clerk and register of deeds in the State. Provided, that the provisions of this act shall not apply to the counties of Alleghany, Ashe, Alexander, Watauga and Mecklenburg.

Sec. 12. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Sec. 13. This act shall be in force from and after its ratification.

The State University Railroad.

The incorporators of the State University Railroad will meet this week at Chapel Hill to open books of subscription. This is preparatory to the organization of the Company. As soon as it is formed the construction of the road will begin and it is understood that it will be vigorously pushed to completion. We know of nothing that is more necessary to the convenience of the public than a road leading to Chapel Hill. The University ought to be easy of access, and supplied with every need and convenience in order to have a fair chance in the race for learning. We hope to see the road built and equipped to Chapel Hill before another snow falls.—Observer.

The Charlotte Democrat says: If our people will inform themselves by reading the useful home information furnished by the North Carolina press, instead of devoting their attention to the sensational effusions of New York, Philadelphia, Chicago, and other such localities, they will be much wiser in many respects and know more of matters that materially, pecuniarily and morally concern them.

Correspondence.

WE WILL BE PLEASANT TO RECEIVE COMMUNICATIONS ON ANY SUBJECT THAT MAY BE OF INTEREST, BUT WE MUST INSIST ON A RESPONSIBLE NAME ACCOMPANYING EVERY ARTICLE, AND ALSO THAT IT BE WRITTEN PLAINLY AND ONLY ON ONE SIDE OF THE PAPER. THE EDITOR IS NOT RESPONSIBLE FOR THE VIEWS AND OPINIONS OF CORRESPONDENTS.

FOR THE RECORD, TALLADEGA, ALA., March 27th 1879.

EDITOR RECORD:—When I first subscribed for the Record I did so, because it was published in Pittsburg, my native land. I now renew my subscription, because I regard the paper as being ably edited and properly conducted. I fully concur with one of the contributors of the Record, "that every man, woman, and child should take the Record," and I would say, take it not only for their own benefit, but for the public good.

Yours truly, JAMES HEARD.

FOR THE RECORD, LAW RIVER CHATHAM CO., March 29th 1879.

DEAR RECORD:—Some time has elapsed since I wrote you, and as the spring term of our Superior Court has just closed, perhaps it would not be amiss to mention a few things that occurred in and out of court, for the benefit of your numerous readers who we now present if there be such in the county, as there certainly was a very large crowd attending on the whole of the first week. You have already mentioned much that occurred, such as the Medicine man and his assistant secured on two long boxes both his Ethiopian and Malay or Mongolian character box one on each knee, Dennis and Stone; also the ludicrous exit of the man with the galvanic battery. There was, however, things that you did not mention, for some of which I saw many of the admirers of Baez who seemed to have drained it to the bottom. What a pity! To such I would say, remember the fate of one of the remotest young orators Virginia ever produced, the great John Burke, and go read upon the tombstone that marks his last resting place—the epitaph of his own selection: O, tender youth turn here an eye, What you see now, that once was I. What I am now, that you may be, Then shun the sin that murdered me.

One of the strange things that occurred in court, and of which I was permitted to hear, was a suit, J. J. Hickey vs. Candace Horton, a widow. It seems that Hickey had indebted his son for damages in the number of twelve pine poles and three hundred in garden on shares, when later he died a perfect right to do. Now the lawyers say that the damages must be material to make it stick, and in order to stick it, the jury value the rails at five dollars and the poles at five dollars, or some where in the bush. Now Mr. Horton, I can buy one half dozen of the best timber trees in the county, that will average one thousand feet of lumber each worth sixty dollars for what she has been assessed for twelve pine poles. But says one, she has still the right to clear, and to clear it up, if necessary to her support. Now pray what does such a right amount to? Just nothing more than to be retained in the work at every step under a system of the staked epithim with a squatter belated every color, and in every corner joint, and at last dragged into court and subjected to a heavy bill of costs. If this be the reverse, I pray God to save the balance of the widows of the county from any such interference. You should have mentioned this case as the eighth wonder of the world, and though not composed of marble or brass, it is nevertheless a rare and interesting affair, as it looks beyond the bounds of time for final adjudication, and to a court whose decisions are just, and from which there is no appeal.

Passage of the Army Bill.

By a strict party vote the House yesterday passed the Army Appropriation Bill, which will also pass the Senate after the usual debate. The President is not likely to veto it. The ground of opposition assumed by his party in Congress is the impropriety of attaching the propriety of attaching the use of troops at elections to a bill appropriating money for the support of the troops. From 1862 to 1875, while radical control of Congress was complete items of general legislation, 387 in number were attached by that party to eighty-four appropriation bills. For such of them as were passed during his service in Congress and among them the most objectionable, Mr. Hayes voted.—Observer.

Directors of the Insane Asylum.

Pursuant to adjournment the Board of Directors of the Insane Asylum met at the Asylum yesterday morning. By laws for the government of the Institution were adopted. Dr. J. L. Craven gave notice of his retiring from the Institution and resolutions complimentary to his skill and efficiency were passed by the Board. An investigation into the offices of the Institution exhibited all its departments and its general conduct in a satisfactory state. No fault was found anywhere. The Board declined to take any action that would commit it in the present contest over the trusteeship.—Observer.

NEW ADVERTISEMENTS.

T. H. BRIGGS & SONS, Briggs Building, Raleigh, N. C. HARDWARE! WAGON AND BUGGY MATERIAL, SASH, DOORS, BLINDS, PAINTS, OILS, COLORS, PUTTY, WINDOW-GLASS, Steam-Engines, Belting, LIME, CEMENT, PLASTER, AND MILL SUPPLIES. Correspondence solicited.

King of Shields, WITH Patent Sleeve Adjuster. The Best and Cheapest in the WORLD! TRY THEM AND BE CONVINCED! Manufactured expressly for and for sale by J. P. STUBBS, Raleigh, N. C. Sole Agent for the sale of Dr. WAINMAN'S BEALFORD CORSET, unequalled for Beauty, Style and Comfort. dec19-4

PESCUD, LEE & CO., Wholesale and Retail Druggists, COL. MARTIN & PATENTIBLE STREETS, Opposite Post Office, RALEIGH, N. C. DRUGS! New Store! New Goods! For the better accommodation of our Customers, we have opened another Drug Store, corner Martin and Fayetteville Streets, and are prepared to furnish Physicians, Country Merchants, and the Public generally with a choice and Fresh Stock of DRUGS, Chemicals, Dye Stuffs, Fancy Goods, Groceries and Glass Goods. Terms: Cash. We can please you in Goods and Prices. dec19-4

H. MAHLER, MANUFACTURER, JEWELER and ENGRAVER AND DEALER IN Watches, Diamonds and Jewelry, Silver and Plated Ware. Keeps a full line of all articles found in a first-class Jeweler's store. FINE and FANCY RINGS Made to order on the shortest Notice. (Send for Patent Ring Size.) Hair Jewelry, College Badges, Medals and Seals, A SPECIALTY. Orders from a distance solicited. Goods sent on approval to any part of the State on satisfactory references. H. MAHLER, Raleigh, N. C. dec19-4

W. C. & A. B. STRONACH, GROCERS and COMMISSION MERCHANTS, No. 1 Fayetteville St., No. 4 Martin St., and No. 6 Market Square. AS GROCERS We offer to the trade and consumers, a large and varied stock of HEAVY and FANCY Groceries. Without attempting to enumerate, we keep EVERYTHING usually found in a first-class grocery store. For our own convenience, and for comfort of our customers, we have recently purchased a twelve Pat. Roller and one of the Enterprise Company's large mills. We are thus enabled to sell perfectly roasted coffee at figures within the reach of every one. AS COMMISSION MERCHANTS, We have unusual facilities for handling Cotton and all manner of Country Produce—one of our Stores being immediately on Market Square. Our W. C. Stronach, who has been engaged in the Cotton business for twelve years, gives his personal attention to consignments of Cotton, and any one shipping to us may feel well assured that their cotton will be properly weighed and highest market price obtained. Liberal advances made on Consignments. AS AGENTS —FOR THE— Bradley Fertilizer Company. We control two of the best Guano manures in the United States, both unsurpassed in the cultivation of cotton, wheat, corn and tobacco. We recommend for soil clay soil, Sea Fowl Guano for light sandy soil, Bradley's Patent Super-Phosphate of Lime. These Guano have been used by thousands in this section, and we number among our customers some of the best farmers in the State. Circulars and certificates furnished on application. Seed Irish Potatoes of the Best Variety. Raleigh, N. C. feb12-4m

NEW ADVERTISEMENTS.

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FOR SALE! I OFFER FOR SALE THOROUGH-BRED BERKSHIRE PIGS ALSO a nice lot of half-bred and three-fourths OTS WOLD LAMBS. Will shear from 6 to 10 pounds of wool at a year old. Send for sample of wool. SYRUP MAKING. I am Agent for Olney's Improved PATENT EVAPORATOR. Send for price list. I. H. CLEGG, St. Lawrence, N. G. ap13-4