

# THE NEWTON ENTERPRISE.

"Unawed by Influence—Unbribed by Gain."

VOL. 1.

NEWTON, N. C., SATURDAY, MARCH 8, 1879.

NO. 5.

The Newton Enterprise,  
PUBLISHED EVERY SATURDAY,  
—BY—  
GEORGE A. WARLICK.

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One year, \$2.00  
Six months, 1.00  
Three months, .75  
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No advertisement considered less than a square.  
Address all letters,  
"THE ENTERPRISE,"  
NEWTON, N. C.

OUR INDEBTEDNESS.

A BILL TO COMPROMISE, COMMUTE AND SETTLE THE STATE DEBT.

Section 1. The General Assembly of North Carolina enact: That when any person or persons, holding and owning any bond or bonds of the State of North Carolina, issued in pursuance of any act of Assembly, passed at any time before the 20th day of May, 1861; or in pursuance of the act of the General Assembly, passed at its session in 1865, it being chapter three of the laws of 1865; or in pursuance of an act passed by the General Assembly at its session in 1867, it being chapter fifty-six of the laws of 1867; or in pursuance of an ordinance of the convention of 1868, it being chapter nineteen, these being bonds issued for the Chatham Railroad company; or in pursuance of all ordinance of the same convention, chapter twenty, these being bonds issued to the Williamston and Tarboro Railroad company; or in pursuance of an act, entitled "an act to provide for the payment of the State debt contracted before the war," ratified on the 10th day of March, 1866; or in pursuance of an act, entitled "an act to provide for funding the matured interest on the public debt," ratified the 10th day of August, A. D. 1868; or any registered certificate or certificates belonging to the board of education, issued in pursuance of an act of the General Assembly of 1867, shall surrender and deliver such bond or bonds with the coupons attached thereto, or registered certificate or certificates to the treasurer of the State, then, and in that case, it shall be the duty of the treasurer of the State, and he is hereby required to issue and deliver to the person surrendering such bond or bonds, certificate or certificates, a new bond or bonds of the State, due and payable thirty years from the first day of July, A. D. 1880, bearing interest at the rate of 4 per cent, per annum, payable semi-annually, on the first day of January and July, in each successive year, at the office of the public treasurer.

Sec. 2. The said bonds are to be coupon bonds of the denomination of fifty dollars, one hundred dollars, five hundred dollars and one thousand dollars, and are to be numbered from one upwards, in accordance with the order of issue. They shall be signed by the Governor and treasurer, and sealed with the great seal of the State; but the coupons thereon may be signed by the treasurer alone, or have a *fac simile* of his signature printed, engraved or lithographed thereon.

Sec. 3. The said bonds shall be exempt from all State or county or corporate taxation or assessment, direct or indirect, general or special, whether imposed for the purposes of general revenue or otherwise. The said coupons shall be receivable in payment of any and all State taxes, and the same shall be expressed on the face of each coupon; the coupons shall bear the same number as the bonds to which they are attached, and in addition be numbered from one upwards, in accordance with the date of their maturity.

Sec. 4. These bonds shall be exchanged for the old bonds of the State,

mentioned in the first section of this act, at the following rates:

Class I. For the bonds issued before the 20th day of May, 1861, 40 per cent. of the principal of the bond or bonds so surrendered.

Class II. For the bonds issued since the close of the war, by authority of acts passed before the war to aid in the construction of the Western North Carolina Railroad, and the bonds issued in pursuance of the said act of Assembly of 1865, chapter three, and act of Assembly 1867, chapter fifty-six, and the said Chatham Railroad bonds issued in pursuance of an ordinance of the convention of 1868, chapter nineteen, and the said Williamston and Tarboro Railroad bonds issued in pursuance of an ordinance of the convention of 1868, chapter twenty, these being bonds issued October first, 1861, by authority of act of 1860, and 1861, chapter 137, for Western (Coalfield) Railroad, the bonds issued October first, 1861, by authority of act of 1854-55 chapter 228, section thirty-five, and resolution September 12th, 1861, and the said registered certificates of the literary fund, 25 per cent. of the principal of the bonds or certificates so surrendered.

Class III. For the bonds issued July 1st, 1862, by authority of act of 1860-61 chapter 143, for the construction of the Wilmington, Charlotte & Rutherford Railroad and those issued in pursuance of the said funding acts of March 10th, 1866, and August 20th, 1868, fifteen per cent. of the principal of the bond or bonds so surrendered.

Sec. 5. The bonds so to be issued, shall be in the usual form of bonds of this State, except as modified and provided by this act, and shall have printed on the face of the same the words, "issued in pursuance of an act entitled an act to compromise, commute and settle the State debt," ratified the—day of—A. D. 1879 and in large red letters, "The consolidated debt of the State."

Sec. 6. That all State taxes levied and collected from professions, trades, incomes, merchants, dealers in cigars, or three-fourths of all the taxes collected from wholesale and retail dealers in spirituous, vinous and malt liquors, shall be held and applied to the payment of the interest on said bonds, and the provisions of this section shall be deemed and taken to be a material part of the consideration for which the bonds of the State shall or may be surrendered.

Sec. 7. That if the whole fund raised by such taxes shall not in any one year be required to pay such accruing interest, then and in that case it shall be the duty of the treasurer, with the sanction of the Governor and the auditor, to buy with the surplus such of the consolidated bonds as he can buy at the lowest price after thirty days advertisement in at least two papers, published in Raleigh, and he shall forthwith cancel any such bonds so purchased.

Sec. 8. That the Treasurer shall provide a substantial bound book for the purpose, in which he shall make a correct descriptive list of the bonds so surrendered, which list shall embrace the number, date and amount of each, and the purpose for which the same was issued, when this can be ascertained, and the name of the person surrendering the same, and after such list shall be made, such surrendered bonds being ascertained to be present, shall be consumed by fire in the presence of the Governor, the Treasurer, the Auditor, the Attorney-General, the Secretary of State and Superintendent of Public Instruction, who shall each certify under his hand respectfully in such book that he saw such described bonds so consumed and destroyed.

Sec. 9. That the Treasurer shall provide a well bound book in which shall be kept an accurate account and descriptive list of the new bonds to be issued, and such descriptive list shall embrace the date, number and amount of such bond or bonds, for which the same issued and the name of the person to whom issued.

Sec. 10. That it shall be lawful for any executor, administrator, guardian, trustee, director of any corporation, and any and all other persons acting in a fiduciary capacity, holding bonds

of the State, to make the exchange provided in this act, and they shall be absolved from all liability on account of said exchange.

Sec. 11. The provisions of this act for the exchange and issue of bonds shall continue in force until the 1st day of January, A. D. 1882.

Sec. 12. That as a further provision for the purpose of paying the interest on these said new bonds, if the taxes for any one year upon the subjects of taxation hereinbefore mentioned, shall be insufficient to pay said interest, then and in that case the Public Treasurer shall be authorized to apply any funds in the treasury not otherwise appropriated to that purpose.

Sec. 13. That in the event that the taxes collected in any one year, upon the aforesaid subjects of taxation, and the funds not otherwise appropriated in the treasury when added together shall be inadequate to pay said interest, then and in that case, and in order to provide for the deficiency, the Public Treasurer be and he is hereby authorized to issue coupon bonds of this State of the denomination of five hundred dollars, bearing date of the first day of October or April of the year of the issue, according as the one or the other of said dates shall be nearest in point of time to the date of the issue. Said bonds shall be payable forty years after date, but redeemable after ten years, at the option of the State, with interest at the rate of six per cent. per annum, payable semi-annually on the first days of April and October. Said bonds shall bear upon their face in red letters, the words, "Contingent Bonds," and shall be numbered from one upwards in accordance with the order of their issue. They shall be signed by the Governor and Treasurer and sealed with the great seal of the State; but the coupons thereon may be signed by the Treasurer alone, or have a *fac simile* of his signature printed, engraved or lithographed thereon. The said bonds and coupons shall be exempt from all State, county or corporate taxation or assessment, direct or indirect, general or special, whether imposed for purposes of general revenue or otherwise, and they shall be lawful investments by all executors, administrators, guardians and fiduciaries generally. The coupons on said bonds shall bear the same number as the bonds to which they are attached, and shall in addition be numbered from one upwards in accordance with the date of their maturity, and they shall be, and shall so express upon their face, that they are receivable at and after maturity in payment of all taxes, debts, demands and dues to the State, of every nature and kind whatsoever.

Sec. 14. That the Public Treasurer shall be authorized to sell so many of said bonds at par as shall be necessary to provide for the deficiencies aforesaid: *Provided, however,* That the Public Treasurer shall not issue and sell in the aggregate more than six hundred of these bonds.

Sec. 15. That all the provisions of this act for paying the interest on the consolidated bonds shall apply as well to the payment of the interest on these said contingent bonds.

Sec. 16. That for the purpose of carrying out the provisions of this act in relation to the furnishing of proper blank bonds and coupons, the Public Treasurer is authorized with the approval of the Governor, to use any funds not otherwise appropriated in the treasury, not exceeding the sum of five thousand dollars.

Sec. 17. That the Public Treasurer is authorized to give public notice of this plan for a settlement of the State's indebtedness by advertising in such newspapers as he may select.

Sec. 18. This act shall be in force from and after its ratification.

The best and about the only way to get even with a treacherous mule—and who ever saw any other—is to take his shoes off, lead him on to smooth ice and then blackguard him. He dare not indulge his natural propensity, and the vexation of spirit exhibited in his intelligent contenance is really interesting.—*Edinburgh Review*.

SPEECH OF  
Hon. Walter L. Steele,  
IN THE HOUSE OF REPRESENTATIVES,  
FEBRUARY 25, 1879.  
On the Southard amendment to the legislative executive, and judicial appropriation bill to repeal the law for supervisors and deputy marshals of elections.

Mr. Steele. Mr. Chairman, when the pending subject was last under consideration in this House, the gentleman who represents the eighth district of Ohio, [Mr. Keifer,] and who, it is to be presumed, spoke with deliberation and said nothing which he was not prepared to fortify with respectable authority, saw proper to allege that "fraud, violence, intimidation, and murder are known to exist all over the South at each recurring election." I fear, very much, that the party zeal and sectional animosity of the gentleman have so eluded the avenues of his mind and blinded his sense of justice as to make him incapable of seeing things as they really are. It occurs to me that a little calm reflection on his part would have caused him to know that such sweeping assertions, such comprehensive allegations, could hardly be sustained by trustworthy testimony, and hence could add nothing of value either to a personal or political reputation.

What evidence has the gentleman to support his assertions? I undertake to say that he mistakes the suggestions of an unbridled imagination and the statements of corrupt and malicious slanderers for such testimony as should be addressed to the understandings of men with the view of controlling their judgments instead of the passions for the purpose of inflaming them into improper hostility toward the weaker section of the country. Speaking for one congressional district, which is a part of the South, and believing that I am fully warranted in speaking for the whole State of North Carolina, I aver that there have never been such acts as the gentleman charges to be common all over the South. No election was ever held in the gentleman's own district where the rules of propriety and the requirements of the law have been more faithfully observed, or where there has been a more honest desire that the public will shall have a fair expression than have marked the wishes and conduct, at least, of the Democratic party, in every election in North Carolina. So far, therefore, as we are concerned, the charge is utterly untrue. We desire nothing but a just and peaceable election, where there is neither fraud nor force, either moral or physical.

But let me tell the gentleman (and I think I may safely claim to know much more of the subject than he does) that all the instances of which I have ever heard of either "fraud, violence, or intimidation," which have been practiced at elections in any State, were practiced by the political organization of which he is a conspicuous and leading member. At every election in which much interest was felt since the passage of the acts of Congress which deliberately violated the constitution and ruthlessly invaded the universally acknowledged right of the States to determine the qualifications of electors, persons calling themselves Republicans have resorted to fraud and intimidation to operate upon the minds of the ignorant negroes and make them carry out the main purpose for which these acts were passed—ministration to the supremacy of the gentleman's party. He will permit me to say, that with his political views and associations, it is not quite becoming in him to speak so zealously of the purity of the ballot-box, when, as I suspect, he is the apologist and defender of the most stupendous fraud upon its rights which the history of civilization and constitutional government records.

The South simply asks to be let alone and be made no longer a football for the amusement of political gladiators, who hope in our sorrows to riot in all the glories of a party triumph. We are not only able but willing, if allowed freedom of action as the people of other sections are, to protect all the existing rights of all our citizens, however wrongfully those rights were

secured. We believe—and men of the North of our own blood, will ye gain-say it?—that our race is the superior race, and that it will and should govern, but govern with wisdom and moderation and justice. We will earnestly protest against depriving the negro of the ballot which party necessity, I will not say malice, placed in his hands; and we shall oppose his forcible removal from his native land and the destruction of all the tender recollections of his life, associated with and hallowed by the spot where he was born and where he hopes his bones will be buried.

But the gentleman seems to be alarmed lest another war shall be inaugurated: Surely he is only indulging in fancy. I am astonished that any one not bereft of reason should believe as he seems to believe. Well known as the gentleman is for his great talents and "for gallant and distinguished services during the campaign ending in the surrender of the insurgent army under General R. E. Lee," it is a matter of wonder that he should have allowed his imagination to mislead him or his desire for party success to carry him so far away from what is right as to do injustice to his own race who inhabit the sunny land of the South. Our people, it is true, are not entirely free from those faults which are common among men; but they can never be truthfully charged with the commission of certain offenses which have stained the character of some of the public men who have occupied prominent positions in the politics of other parts of the country. Our representative men, in all the history of the past, have observed the commandment, "Thou shalt not steal," whatever may have been their other errors, and we think common justice demands that we may expect all to be equally observant of that other law which requires that "Thou shalt not bear false witness against thy neighbor."

JUSTICES' CRIMINAL JURISDICTION.

THE ACT AS PASSED FEB. 26TH, 1879.  
A Bill to be Entitled an Act to Define the Criminal Jurisdiction of Justices of the Peace.

THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

Section 1. Justices of the Peace shall have exclusive original jurisdiction to hear, try, and determine the offences enumerated in sections 43, 55, 112, 116, 117, 119, 120 and 139, of chapter 32, of Battle's Revisal, as amended by chapter 176, of the laws of 1873-74. And the punishment for every such offence shall not exceed a fine of fifty dollars, or imprisonment for thirty days.

Sec. 2. Justices of the Peace shall also have exclusive original jurisdiction of all such peace warrants and proceedings thereunder, as they shall assume jurisdiction of, and of all bastardy proceedings and issues thereunder, and to take from the defendants in such proceeding, with approved security, as heretofore required by law to be taken in the Superior Courts of this State; and also of all assaults, assaults and batteries, and affrays, where no deadly weapon is used. And the punishment for the offences enumerated in this section shall not exceed a fine of fifty dollars, or imprisonment for thirty days; and the allowance made to the woman in bastardy proceedings when the putative father admits the paternity of the child, or the issue has been found against him, shall in no case exceed fifty dollars, and the defendant shall also pay a fine of ten dollars, which shall go to the school fund, as heretofore provided by law: *Provided, however,* That Justices of the Peace shall have no jurisdiction over assaults with intent to kill, or assaults with intent to commit rape, except as committing magistrates.

Sec. 3. The party convicted before a Justice shall always be adjudged to pay the costs, and if party charged shall be acquitted, the complainant shall be adjudged to pay the costs and may be imprisoned for the non-payment thereof. But in no such case shall the county be liable to pay any such costs.

Sec. 4. The words "imprisonment for one month," wherever used in any of the statute laws of this State, shall be construed to mean "imprisonment for thirty days," by all the judges and courts of the State.

Sec. 5. Section six of chapter 176 of the laws of 1873-74, is hereby repealed.

Sec. 6. Section 111, chapter 32, Battle's Revisal, shall be amended to read as follows: In all cases of an assault, with or without intent to kill, or injure, the person convicted shall be punished by fine or imprisonment, or both, at the discretion of the court; *Provided,* That where no deadly weapon has been used, and no serious damage done, the punishment in such case shall not exceed a fine of fifty dollars, or imprisonment for thirty days. But this proviso shall not apply to cases of assaults with intent to kill, or assault with intent to commit rape.

Sec. 7. Justices of the Peace shall have exclusive original jurisdiction of all criminal matters arising within their counties where the punishment now, or which shall hereafter be prescribed by law, shall not exceed a fine of fifty dollars, or imprisonment for thirty days.

Sec. 8. Section 119, chapter 33, of Battle's Revisal, is hereby repealed.

Sec. 9. Whenever any person complained of on a peace warrant, shall be brought before a Justice of the Peace, such person may be required to enter into a recognizance, payable to the State of North Carolina, in such sum not exceeding one thousand dollars, as such Justice shall direct, with one or more sufficient sureties to appear before the court of some Justice of the Peace, within a period not exceeding six months and not depart the court without leave, and in the meanwhile to keep the peace, and be of good behavior towards all the people of the State, particularly toward the person requiring such security.

Sec. 10. The party against whom judgment shall be given may appeal to the Superior Court from the same. And the party injured may appeal, if he shall be dissatisfied with the judgment, if he will authorize the Justice to endorse his name upon the warrant as the *prosecutor*. When an appeal is taken the whole matter shall be heard anew in the Superior Court.

Sec. 11. Nothing in this act shall be construed to prevent the Superior, Inferior and Criminal courts from finally hearing and determining such affairs as shall be committed within one mile of the place, where, and during the time such court is being held; nor shall this act be construed to prevent said court from assuming jurisdiction of batteries, assaults, and assaults and batteries, if some Justice of the Peace shall not, within six months after the commission of the offence, have proceeded to take official cognizance of the same.

Sec. 12. This act shall not apply to proceedings now pending in the Superior, Criminal or Inferior courts.

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

THE GREAT MISSOURI OUTLAW.—Sam Hildebrand, the prince of Missouri outlaws, who, with a price on his head, has often been sought by sheriffs but never captured, was supposed to have died a few years since, and the people of southwest Missouri promptly celebrated the event and have breathed freer ever since. It now appears that this report of his death was inspired by himself to mislead his enemies, and that he has been in Mexico. He was recently seen and interviewed in the woods by a St. Louis merchant, who was on a hunting expedition, and stated that he had stopped killing men, that he would never be taken alive, and that his sole desire now is to see his children in St. Louis. He entered the Confederate service during the war, but finally deserted and joined the bushwhackers. He never forgot or forgave an injury, and his vindictive nature induced him to kill every enemy so far as possible. He has probably killed more men and has furnished more subjects for dime novel writers than any other outlaw in the West.—*Washington Post*.