The Old North State BALISBURY, FRIDAY, NOV. 25, 1870. THE LEGISLATURE - IMPEACHMENT.

The Legislature met at the Capitol in Baleigh se Monday last in pursuance of the law of the State. Up to this time nothing has been done In the shape of legislation. The two Houses organized on Monday and on Tuesday adjourned over to Friday to enable their members to attend the memorial expansioniss in honor of Gen. Lee on Wednesday, and observe thanksgiving day on Thursday. The proceedings thus far will be found in another column, to which the reader is referred.

Mr. A. G. Moore, one of the Alamance prisners, has presented a memorial to the Speaker ers of the House of Representatives favor of the impeachment of Gov. Holden nd Chief Justice Pearson. The memorial sets forth that in the month of July last the county of Alamance "was invaded by an armed force of ruffians, mostly from Tennessee, under the command of one George W. Kirk, who acted under the orders, advice and direction of Gov. W. W. Holden - that the "memorialist with some forty other citizens of said county were arrested by said armed ruffians without warrest actuation"-that they were "removed to Camp Holden in Caswell county and there detained as ners of war under strict military guard"-"twenty voters of said county on the to Camp Holden were not allowed to vote, though they were at a voting precinct on the day of election, while the negroes driving the wagons of said Kirk were allowed to vote"that "Kirk's ruffians appeared at the polls in said county producing such terror and dismay among an unarmed people as to prevent a full, free and fair election"-that "free-born eitizens of said county were imprisoned, manacled, and even hung up by the neck, like dogs, to trees in the woods." Then follows, as a part of the memorial, the affidavits of Lucien Murray, D. W. Weedon, and George S. Rogers, read before his Honor, Judge Brooks of the Circuit Court, in this place, in August last. The memorial and complaint then concludes as follows : . slaves.

"While these outrages against humanity and civilization were perpetrated, A. G. Moore and other good citizens of the county petitioned Chief Justice Richmond M Pearson for write of Aubeus corpus; the writs were granted, but the Chief Justice did wickedly and corruptly refuse to give them the relief which that great writ guarantees and seemes to every citizen. Wherefore, and inasmuch as the said Govern-

or W. W. Holden, and the said Judge R M Pearson did outrage and oppress your petition er and divers others of said county in their persons, and did violence to the dearest and most na; the Governor by acts of commission and the Judge by acts of omission, your petitioner prass that the conduct of said Governor and Chief Justice be enquired into by your honorabody, and if compatible with justice that they be impeached, convicted and deposed. And your patitioner as in duty bound will ever pray, &c."

From the above it will be seen that the the condition of their constituents and to restore ground relied upon for the impeachment of the the State to her former stand point of pro-perity Chief Justice consists only in "acts of omission." and greatness. Much was done by your predecessors calcula It is not charged that he has actually committed ted to advance the State in her onward march

any set for which justice and the last of the to glory and greatness if the intention of the law makers find been faithfully and honestly observ-

opposed to Gov. Holden's military operations as Mr Benaley nominated J T Ball of Wake any man in the State-that we "denounced them in a manly manner." They also know that we denounced the conduct of Gov, Holden, in re-fusing to obey the Chief Justice's write, in strong and decided language, and that we approved of the proceedings in the matter before Judge Brooks. They further know that we denoun

ed the outrages of Kirk's men in the most unmis-takable language. And our opinions have not not inst Hou nst House. The following members appeared and were dergone the slightest change, but have rather been

 table language. And curropipionality atom and an exception of the value language, but have reached by a conversion.
table language. And curropipionality abould rest where it properly belongs-with the Glovering members appeared and were the responsibility abould rest where it properly belongs-with the Glovering members appeared and were the responsibility of acting upon the Glovering members appeared and were the responsibility of acting upon the Glovering members appeared and were the responsibility of acting upon the Glovering members appeared and were the responsibility of acting upon the Glovering members appeared and were the analyse.
We have neaver been in any sense of the word, a partian of the Clovel and the Glovering members appeared and were the mean the Glovering members appeared and were the means the generation were the means the generation of the twe the sense the means the generation were the means the generation of the twe the part of the State.
We have neaver been in any sense of the word, a partian of the Clovel and the theorements of the theorement of the theorements ocnily advarted by some, that the Conservatives in the Legislature should not impeach the Gov. Liolden because it might redound to the good of the Republican party, by placing a better man at the head of it, and of the State Government, is only Pitt, Jordon, Kelly of Davie, Kelly of Moore, Kineaid, Lucas, Luckey, Mills, Martin, McAfee worthy to have emanated from the minds of McNeill, Maxwell, Mitchell, Marler, Nicholson, professional and trading politicians, and deserves Powell, Rankin, Robinson, Reid, Smith, of An the Indignant scorn of all high minded and hon- son, Sparrow, Stanford, Stewart, Strudwick, Setorable men. Whenever the gravest questions Waring, Young of Yancey, York that can be brought before the House of Repre-sentatives, or effect the welfare of the people of the State, are to be determined by such consid-ison, Fisher, Faulkner, Fletcher, French, Gar-rison, Harris, of Franklin, Johnson, Justice, Mr Welc that can be brought before the House of Repreerations, without an indignant protest, political

From the Raleigh Sentinel.

LEGISLATURE OF NORTH CAROLINA.

SENATE. MONDAY, Nov. 21, 1870. The Senate met at 11 o'clock.

The President, Mr. Caldwell, proceeded to ad dress that body as follows: SENATORS:-The assembling of the Repre-sentatives of the people is always an event of

great interest. It is especially so at a time like the present when so many are looking forward with fond hope and expectation for a removal of real or imaginary burdens which they believe are resting upon them.

I fondly hope Senators that the people of on beloved State may not be disappointed in their hopes and expectations, and that this branch of the Legislative department will apply itself assiduously to devise ways and means to improve

Whole number of votes cast 39, of which Mr. Roberson received 29 and Mr Ball 9. Mr R was declared duly elected. On motion of Mr Graham the Senate adjourn-ed until to-morrow morning at 10 o'clock. and Mesoni H

HOUSE OF REPRESENTATIVES. MONDAY, Nov. 21.

MONDAY, Nov. 21. The House was called to order at 12 o'clock, by John H. Boner, Esq., Principal Clerk of the net House

Pitt, Jordon, Kelly of Davie, Kelly of Moore,

erations, without an indignant protest, political and public virtue will have fied the country, and the people of the State be fit subjects to become Robbins, Beavis, Sykes, Tucker, Willis, Young,

f Wake. Mr Hargrove voted for Mr French. Messas French and Strudwick were appointed to conduct Mr Jarvis to the Chair. Mr Jarvis, on assuming the chair made a graceful and eloquent address in acknowledge-

mdnt of the honor conferred upon him, On motion, the election of a Principal Clerk ras gone into. Mr Justice of Rutherford, nominated Mr Jne

Boner, of Wake. Mr Nicholson nominated Mr Gaither of Cald-A ballot was taken and Mr Gaither received 61, and Mr Boner 29 votes. Mr Gaither was declared daily elected.

Mr. French nominated Mr Stradley of Henerson, as Assistant Clerk. Mr Crawford of Rowan, nominated Mr Kerr

Craige of Rowan, for the same position. Mr Craige was elected by a vote of 60 to 33.

An election of doorkceper was then gone into which resulted in the choice of Mr Lewis Quin of Beaufort. On motion of Mr Sparrow, the House then adjourned until to-morrow morning at 10 o'clock.

Sec. 6 SENATE. TUESDAY, Nov. 22, 1870. ate was called to order

d the reading the On the led and the motion preiled by the i Yeas 55-no ballot: ----Mr Sparrow

and a joint resolution raising three on the part of the the part of the Senate, to wait d inform him of the organi-

d, therefore, to dispense with the read-

dvocating the suspension, Strudwick, Gregory and

ww Welch

went over. Mr Sparrow from the committee appointed to

We have provided for the establishment of rule days on which the pleadings and issues can wait on the Governor reported that His Excel-lency would computiente with the House at be made up, and thereby save the time usually consumed in such matters in term time to the half-past 12 o'close. On metion of se, French the House took a people. But while rule days are to established, yet it is left to the option of the plaintiff wheth-

recess until half pof 12 o'clock, er he will make his summons returnable to At half past 12 velock the House was called rule day or to term.

to order. The chair appointed Meson Welch, French, Strudwick and Crawford as the committee to re-Acts commonly called the "stay law" unconsti-tutional, we have stricken out all distinctions a

Mr Welch movie that the members of the tutional, we have strickin out all distinctions as House be requested to meet in this Hall to-mor-row morning at 10 c'clock, to take steps to partheirate as an urganized hody in the Lee memo- every action. rial ceremonics on to-morrow. The motion was adopted.

Here the Private Secretary of the Governor was announced beiring the annual message The message was read at length by the Clerk. On the conclusion of the reading of the me age proper, Mr Welch moved to dispense with the reading of the accompanying documents and the message be sent to the Senate.

Mr Justice moved to amend by directing the Clerk to have the mesage printed and twen opies furnished to each memper.

On the adoption of the amendment by Mr Ju tice, Mr French called for the yeas and nays. The call for the yeas and nays being sustain

ed, the amendment was rejected by a vote of vens 38, nava 64. Mr Welch called the previous question on his

The call for the previous question was sus tained and the motion to communicate the inci-sage with accompanying documents, with adopt-

By Mr Welch, a resolution ordering the flag on the Capital be placed at half-mast and the bell be tolled us on fineral occosions on to-mor-

row when the Lee memorial ceremonics take place. The resolution was adopted. Faulkner, colored, moved that Cook, colored,

CONSTABLES. of Caswell, he allowed to qualify. Cook came forward but being without credentials, Mr Spar-

Code. At the meeting of the Bar there but few objections stated, and all of them been remedied by subsequent logislation, o the Code we have prepared and propose to sent to your body for action in a few days. In addition to the objections alloded to, On Thursday, Nov. 17. by Rev. R. Barrett, Capt. Mack Heitman to Miss ; Earnhardt, both of Lexington, N. C.

In salem. on Thursday the 10th inst., by Rev. Mr. Johnson, Dr. J. H. Shelton to Miss ission has endeavored to ascertain ever Ellen E. Belo.

other objection that might be suggested, and hav received from divers is wyers and hymen specifi-objections. To these the commission has yield ed a patient hearing and investigation, and is In Salem, on Thursday the 10th inst., by Rev. Mr. Oer.er, Mr. S. T. Mickoy to Miss Paulina Hege.

A. Horney and Miss Jennie Johnston.

dren, thirteen grand children, and one great

In this county on the 11th inst., Willie, son George II. and Susan Cauble. Aged \$ years

NEW ADVERTISEMENTS.

CHRISTMAS GIPT to all Year y St

GEN. HOBY. B. LEB'S LIFE Near v ho dy for Publication, the Hopemphy of Gen. Robt. Lee, by John Esten Co ke, ambor o' "Life of Borem Jantann," Wen hep is Group, site. I vol. S vo. B pages, Jimstrated. To be sold by subscription. Apen

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grand child.

In Salem, on Wednesday the 16th inst. by Rev. Mr. Oerter, Mr. Thomas Parnell, Wilmington, to Miss Adelia Zevely.

Nashville Life Ins. Comp'y At the residence of the bride's mother,

Rockingham county, on the evening of the 9th inst., by Rev. Dr. N. F. Heid, Mr. W. JOHN M. BASS, President. WM. HENRY SMITH, See,

V 01. 1. In this county, on the 18th of Oct., 1870. Insures Lives according to all the methods George Kiutts, aged 72 years, 1 month and 11 days. He leaves surviving him five chilknown in modern companies . OT

> It is secured by a joint stock of \$500,000; and has deposited \$100 000 with the Comp

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COSTS AND PEEK. Owing to the great complaint made by attor-neys and people on account of exorbitant fees, we think that the fees must be too high, and in

> ten. It will be remembered that under the name of indemnity to the successful litigant, the attorneys have been receiving from \$10 to \$15 in the Superior Courts and \$30 in the Supreme. The reorous demand for a general reduction by the at-

and reduceded their fees very nearly to the old standard.

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TFRMS-T r + Dollars a V. ar of 52 Numbers, and only Two Dollars a -d a Half in Clubs of Ten. This Quarter's 18 Num bers sont FREE as offered shows. Our Club In-du-swents for 1511 a s angree tented. Specimens, Pro-motant Lis s, Ac., sent fr e to all fore ing Clavis, - and we - and a lis s, Ac., sent fr e to all fore ing Clavis, - and we - and a lis s, Ac., sent fr e to all fore ing Clavis, - and we - and a list s, Ac., sent fr e to all fore ing Clavis, - and we - and a list s, Ac., sent fr e to all fore ing Clavis, - and we - and a list s, Ac., sent fr e to all fore ing Clavis, - and we D. D. T. Moore, 41 Park Rove, N Y. JUSTICES.

We have abolished the fees of Justices of the Pence altogether, except for taking depositions.

We have provided for them the same fees as

er class of debts, and apply the Code practice to

UNIFORMITY.

owence of the decision declaring the

RURAL AND FAMILY WEEKLY. deference to the attorneys we have restored the fee bill and allow them-only four dollars, except For Town and Country The Bursl now in the 21s year, an enly he Largest Ball and Cleap at, but by tar the Largest Circula in Journa efficients in he Word: 'Maitional in Character Abig Kai ed, Superbly ille at area and Printed, it is the in the Supreme Court, where we fix the fee at

It is the Standard auth - ty on all branches -I Agr cul-It is the principal as is if on all branches of Agreu-tare, bioriselize de. As L trar and Fawly raper, it's flavorite in m. ny of the test families all over the Union, transit, Se. in e.d. Moore's tural has make al-in its spher, an' is the Larvest H astrated Journal on the Cost not deal number containing States Fire-Ob-am Fages, (double t e size of ment papers of its class.) It is the pot for the kast, West, North and S at . duction is made at the orgent and almost clamtorneys, and it is to be hoped their self-sacrifi-cing spirit in this behalf will be duly appreciated by a grateful public. We have provided for the abalition of mileage to sheriffs and other officers,

We have greatly curiailed the fees of Clerks, and provided for a maximum sum in any case. We deem this necessary to provide against the tendency to extortion.

ed and their enactments properly executed ; one has attempted to show that he did not lay candor compels me to admit that much also has down the law correctly in his opinion in the been done which it were better had been entirecase of A. G. Moore et party. The only charge | ly omitted.

no ground for his impeachment. The idea that shapid be impeached and deposed for an error at all and every hazard. The good of society in judgment- a mistake-is perfectly monstrous. shall be repressed and punished, and that intel-Let such a precedent be established and but few ligence, virtue and industry shall be cultivated honest and capable men would be willing to and suitably encouraged. Endeavor to make the allowed to present his credentials and be qualihazard their reputation by going upon the bench strong, the wicked and the perverse know and fied. in times of high party excitement.

ence to the mandate of the Chief Justice's writ, and had assumed all the responsibility of his refusal to do so. Here was a direct conflict of an- from what properly appertains to my duty, and thority between the Chief Justice and the Exec-nuise of the State. Gov. Holden had five bun-and thorough investigation to be made into all dred armed men of his own in the field, and was well founded complaints of frauds and pecula-tiens which have been or may be preferred by sustained, as was generally believed at the time, responsible parties, against those into whose emby the Executive of the United States. The President had actually sent a number of 'the regular troops of the United States Army into the State to sustain the Governor, as was believ-ed, in his movements. With these facts before the eyes of the Chief Justice might he not have reasonably, concluded that he had no power, that in the future, as in the past, I shall strive to discharge my duties with such fairness and imwith the posse at his command, to enforce obedience to his authority? Might he not have east endeavored to meet your approbation and reasonably concluded that an attempt to in order to make my task an easy one, I bespend reasonably concluded that an attempt to flict between his forces and those of the Execuenforce his authority would bring on a contive of the State, and of the United States, and that a terrible civil war would ensue ?---Might he not have reasonably concluded that such an attempt would not only fail of success, but that it would entail disasters and wrongs a thousand fold worse than any that could possibly result from a non-enforcement of his authority at the time?- And if he might reasonably do so, we submit, he was instifiable in the "act of omis-sion" of which he stands charged. Nay, if such we believe was the case, then was it not his duty to it. W. W. Standard, G. M. W. Standard, G. Albright, J. A. Gilmer, Manney, W. M. Robbins, F. C. Robbins, S. Ad-ams, D. Corwell, G. M. Wittesides, W. R. Com-it. W. W. Standard, G. M. Wittesides, W. R. Comand actually did come to such conclusions, then, "omit" to issue the writ of Attachment against Kirke with instructions to a Sheriff to summon a posse and enforce it ?

Did the Chief Justice have sufficient reasons to sustain him in the conclusions to which, we believe, he honestly came? We have stated them above, and the reader must judge for him- have an opportunity to be heard. The motion self. We will only say that the reasons brought was discussed at some length and was lost. The our own mind to the same conclusions at the time, as they did the minds of many others, who applanded the Chief Justice then and denounce this case was of a different character from the him now. In our comment upon the opinion in other. (This being one of the insurrectionary the case of A. G. Mooreser parts, in our issue of counties whose citizens were all insurgents.) the 29th of July last, we expressed our gratifi- ed to withdraw his credentials. cation that the decision was what it was, "as it paved the way for peace, if the parties were dis- election of officers, to-wit posed to pence." It is true that subsequent events led as to doubt their correctness, and conclude that we, as well as the Chief Justice, may have been mistaken-that President Grant only intended to support Gov. Holdon in the execu- Mr Dowell 9. , Mr S was declared duly elected. tion of the laws of the State as expounded by the Supreme Judiciary of the State. But, we ask again, must the Chief Justice be impeached for a mere mistake an honest mistake? No right of which Mr. Lopdon received 29 and Mr Harthinking man will answer this question in the ris 7. Mr.L declared duty elected. . firmative.

Qui residers well know that we were as much Mr Allen nominated J J Roberton, of Cra-

that can be sustained against him is that he "amittid" to issue a writ to a Sheriff and order a pose to be summoned to compel obedience to the mandate of his writ. But in "omitting" to do so did he act "corruptly"? We do not believe that he did, and if he did not then there is citizen may thoroughly comprehend and cheer- 30, scattering 7. Christmas was declared duly fully obey them. Above all else I do most carnestly urge you to a venerable Judge, who has occupied a seat on bear in mind that the peace of the State and in- informing that body of the readiness of the Sen the bench for thirty years with credit to himself, dividual rights must be preserved and protected ate to proceed to business

imperatively demands that lawlessness and vice them to bow to its majesty and obey its com-

What ground is there for supposing that the mands; and to make the weak the victorious venerable Chief Justice acted "corruptly," as and the good put their trust in it as a friend charged in the memorial of Mr. Moore? The If you accomplish this the people will rise up Governor, it will be remembered, had directed and proclaim you benefactors to the present and Col. Kirk not to deliver the prisoners in obedi- foture generations, a new era of prosperity will

dawn upon our State, and a fresh impetus given to the general welfare of our people. I trust that you will pardon me for departing

In conclusion, Senators, I beg to assure you partiality as will convince you, that I have at your generous co-operation in enforcing the rules our deliberations, and praying that harmony and good will may prevail amongst us, I announce that we are rrady to proceed with the public business. The roll was called and the following Ser

The toll was called and the following Semi-tors came forward and were qualified, viz: R K Speed, J C Skinner, L C Latham, E J War-ren, J W Beasley, N B Bellamy, J McCoi-ter, L F Baule, R F Lehman, R W King, W A Allen, G W Price, Charles McClammy, J D Currie, R M Norment, W C Troy, C T cil, W W Fleming, W L Love, Moore, of Carteret, C L Cook and J Merrimon-38.

Mr. B. W Lassiter, of Granville, presented his Wake edentiala Mr Graham stated that he was informed that

the seat of the Senator from Granville would be contested, and moved to lay his credentials on the table until the parties who claim the seat

After some discussion the Senator was allow-On motion the Senate agreed to go into the PRINCIPAL CLERK.

"Mr Graham nominated W L Saunders, of Ormorrow ange, and Mr Moore, of Carteret, nominated A H Dowell of Bancombe, Whole number of votes cast, 38, of which Mr Saunders received 20 and

ASSISTANT CLERK. Albright nominated H A London Chatham and Mr King nominated J C L Har-ris, of Wake, Whole number of votes cast 36, PRINCIPAL DOOBKEEPER.

The following Senators came forward and wore qualified, viz; Messrs, Cowles, Linney, Flythe, Morchend and Hawkins-5.

On motion a message was sent to the House

The rules of order of the last session were adoptpd for the temporary use of the Senate. Mr. Robbins moved that the Senator elect Mr W A Smith, from Alamance and Guilford be

After some discussion the motion prevailed by a vote of 43 yeas to 1, Mr Graham voting in the

Mesars Smith and Barnett presented their credentials and were qualified. Mr Graham presented petitions from Mesars

L C Edwards, of Granville, and W A Bradsher, I Person, relating to illegal votes being cust in that Senatorial District, and claiming to have received a majority of the legal votes polled. On motion of Mr Graham, they were laid on the table for the present.

A communication from the Code Commission signed by Messrs Rodman and Bailey was read. Mr Love moved that it be indefinitely post-He afterwards withdrew his motio

indefinitely postpone and moved to lay it on the table, which prevailed. Mr Norment moved that when the Senate adjourn it adjourn to meet again on Friday next at 10 o'clock, in order to allow those Senators, who desired to do so, to participate, on Wednes day, in the memorial cremonies in honor of the late Gen R E Lee and on Thursday set apart as the day for a National Thanksgiving. The motion prevailed and the Senate adjourned.

HOUSE OF REPRESENTATIVES. " TUESDAY, Nov. 22nd.

The House was called to order at 10 o'clock. Mr Speaker Jarvis in the Chair. The journal of yestering was read and ar

The Principal and Assistant Clerks took the isual oath of office. The roll was called and a quorum was ascer-

nined. tamed. The following appeared, qualified and took their scats: Monry, Gore, of Culumbus, Buxton of Northampton, Furr of Stanly, Williamson, colored, of Franklin, Johns, of Rockingham,

Lyon of Granville, Carson, of Alexander, Smith of Warne, Smith, colored, of Halifax, Bryant, colored, of Halifax, Woodhouse of Currituck, and Jones of Northampton. On motion the House agreed to go into the

election of an Engrossing Clerk. Mr Johnston of Buncombe nominated W

Mr French nominated J J Sawyer, colored, of

A ballot was taken and the vote stood, Hardy 71; Sawver 30. Mr Hardy was declared duly eeted The election of an Assistant Doorkeeper being

next in order. Mr Tomlinson nomiuated J II Hill.

Ellison nominated J B Abbott, of Craven. A vote being taken, Mr Hill was elected by ote of 66 to 34.

they voted for Mr Jarvis. A message was received from the Senate in-forming the House of their organization and readiness to proceed to business.

to participate in the Lee memorial ceremonies

On motion of Mr French, it was agreed that when the House adjourn it adjourn to meet on Friday morning at-10 o'clock. positions or conditions of our people, to influ-ence their action, because the people themselves ar Strudwick presented a memorial from

G Moore, of Alamance, in reference to his arrest and ill-treatment by one George Kirk and an armed band, and the intimidation and outrage

d and the r qualify was withdrawn. On motion, the House adjourned until Friday forning et 10 o'clock.

REPORT OF THE CODE COMMISSIONERS. OFFICE OF CODE COMMISSIONERS,

Raleigh, N. C., Nov. 1870. To the Honorable the General Assembly of the State of North Carolina:

Gentlemen :- The time allowed to the Comission by the Convention to prepare and subnit a Code of Practice and Procedure was so tution, Sec. 33, Art. IV., we have been compell imited, and the changes made by the Constitu- ed to retain that feature of the new system, but tion itself so radical and far-reaching, that the think that by a provision touching the waiver apposition is not to be wondered at; the com- of jury trial it will be but rarely demanded. plete uprooting of an old system. grown grey with years, and by long use become greatly en-deared to nearly the entire body of the profes-will commend themselves to the better judgment sion, would naturally have engendered a strenof calm and impartial minds. nous opposition to any Code providing for a novel mode of practice; and the imperfections

of the one prepared two years ago were unavoi-dable, though they furnished food for criticism and fed the flame of prejudgment.

Raleigh, (in which was represented a large por-tion of its first talent,) to discuss the Code and interchange views as to such of its objectionable features as were wishout the scope of constituourselves, tional requirements.

At that meeting, it was conceded on all hands that the constitutional abolition of the distinc tion between the forms of ac ions at law and suits in equity, and the provision for the Supe-rior Couris remaining open at all times, would, proprior is give, have necessitated a new Code; pared and his successor had not been conthat the former practice could not be applied by sioned.

novel

the Courts to meet the emergency creat ted by the constitution, and it seemed also to have been conceded that the codification enjoined by the constitution could be most easily economically

and speedily effected through the machinery However this may be, the constitution ha

provided by sec, 2 of Art. IV for such a Com nission to be appointed by the convention which framed the instrument, and three gentlemen were accordingly appointed. So it will be ob-served that the fundamental law commands a Code to be prepared, and also commands that a commission to effect that object be created. Owing to the short time allowed them to pre-

pare a Code of Practice and Procedure, it was, perhaps, not impertinent for the commission to examine the Code of different States and select some one as a standard and a guide They se-lected, with that view, the Code of New York-the first State to advance the idea of a Code sys-tem, and whose Lagislature had for twenty years prined and trimmed the original act, until, the almost complete cesser of legislative amendments, it had provided for one of the most intelligent and enlightened States of the Union, a

system of practice and procedure adapted to its high state of cultivation. igh state of cultivation. Not impliedly admit our inferiority, by conceding that a system suited to the highest civilization would be unsuitable to ourselves; and, in adopting the New York Code

as the basis of their own labors, conceived that as the basis of their own labors, concerved this they were but following the example of wise law-givers in all ages, in studying for imitation and use the laws of the most enlightened na-

The commission were the more inclined to

take this course, as the scheme of a Code had received its first impulse in the New York Con-vention from the Hon. Charles O'Conhor, one Messrs Atkinson and Ashe stated to the House of the most gified lawyers of America, and was that they had been incorrectly reported as hav-ing voted for Mr Hargrove as Speaker, whereas Dudley Field, Esq., one of the most learned and scientific, as well as talented lawyers, that our

country has produced. It seemed to the commission that any well-di gested Code system of practice and procedure could not need much elimination, and therein A communication was received from the citi-and communication was received from the citi-could not need much elimination, and therein differed from a Code embodying the general principles of jurisprudence. The commission could not allow the general sentiment that a Code practice was unsuitable to the habits, dis-

ence their action, because the people themselves in convention, had declared that if was not, and

during the election by Kirk and his band. sons, (including gentlemen of the Bar,) gave cur-for the presidential nomination in 1872. Sena-tor Trumbull and the Tribune are said to be of during the election by Kirk and his band. During the reading Mr French ages and raid that it was always customary to inform the Gor-ertior of the organization to the House and re-tion in our system of jurisprodence. This was a superficial view, as any intelligent and candid student will admit: for there can be found but there can be found but date for the Presidence on its present whethere is a superficial view, as any intelligent and candid student will admit: for there can be found but

by the Revised Code OUTSTY COMMISSIONERS

The great complaint made from various sour ces against this class of officers has induced us to make this an honorary office by abolishing all fees and mileage.

In short we have endeavored in compliance with the load complaint on all sides in the matter of fees to restore the status quo ante bellum.

JUSTICES OF THE PEACE. We have nearly restored in Justices' courts

the practice as it existed under the old system. As jury trial was provided for by the Consti-There are many other changes scattered thro

We respectfully ask, in all fairness, that the odium of Constitutional requirements benot put upon our shoulders, but il at as our people are compelled to have a Code, and we are the persons designated by law to prepare it, you will

A meeting of the Bar was called and held in give to the new one proposed that dispassionate taleigh. (in which was represented a large por-) examination and impartial judgment which is and expected from you as Legislators toward it as a proposed law. We have the honor, gentlemen, to subscribe

Very respectfully, Your obedient servants,

W. H. BAILEY, W. B. RODMAN

N. B.-Judge Tourgee had resigned his place on the commission before this Report was pre-

A RADICAL BEBUKING ITS PARTY.

The St. Louis Democrat, an unadulterated Radical sheet, despite its name, complains as follows of the course of its own party :

HOW TO SAVE THE PARTY. The elections in other States indicate agener-

al dissatisfaction with the course which the Republican party in Congress and the Republican idministration at Washington have pursued. It for consumption and scroftla, use no other. is easy to see that, unless that course shall - be

UPHAM'S DEPILATORY POWDER promoted and wisely changed, the election of 1872 will result disastrously. No good can be Removes superfluons hair in five minutes, withou njury to the skin. Sent by mail for \$1.95. done by denying or trying to conceal the facts.

The party can be restored to that full measure of confidence which it has enjoyed, only by frankly acknowledging the dissatisfaction which exists, candidly seeking the causes in its own errors of management, and resolutely repairing UPHAM'S ASTHMA CURE Relieves most violent paroxysms in five minute and effects a specify cure. Price \$2 by mail. THE JAPANESE HAIR STAIN

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licanism to hold them in the mastery of a set of men who do no credit to Republican principles. Others, such as Indiana, have been pushed to-Carl and traveling salesmen. A dress tamp) P. H. WALKER, 54 Park R. -, N. Y. \$25 A Day-Greenbacks for all-For partica-lars and circulais, address C. W. Smith. ward Democracy by the failure of congress to reform and reduce taxation. In several more, the Republican majorities have been reduced, and the number of Democratic Congressm \$30 A Day, sure. LATTA & Co., Pittsburgh Pa. has been considerably increased by the public

dissatisfaction with the course pursued at Wash-Southern Land Agency, It is clear, therefore, that the Republican par PERSONS WISHING to purchase SOUTEERN ANDS, will do well to call on Messrs. Crawford

ty, if it would succeed in the future, must cease to excuse the misdeeds of those who claim to the Dunliam, who are prepared to give all necessary gformatic nasit regards lecation, price quality, &c. Ail letters addressed to them, at this place will represent it. It must follow the example of Missouri in the bold assertion of vital principles of true Republicanism, and appeal to the people to defend those principles against fees within as Ail letters addressed to the set of the set CRAWFORD & DUNHAM, Land Agents, nov 18:1y Saliebury, Rowan county, N. C. w. P. GRAVES, J. T. R. M'DRARMON, J. WN. T. LAW Graves' Warchouse DANVILLE, VA., well as without the dominant party.

A New Party Movement .- The Chicago Tribune, Republican, is out in a long editorial in favor of the formation of a new party on the "Civil Service" and "Revenue Reform" form. It is said that this movement is inspired by Senator Trumbull, Republican, who is a part owner of the Tribune, and who recently made a strong speech in favor of "civil service" reform It is rumored that Trumbull's friends propose to

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U.S. M. as Memenge

DISTRICT COURT OF THE U.S. FOR THE CAPE FEAR DISTRICT OF N. C.

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