BALISDUET, FRIDAT, IFD. 40, 1671.

THE CONVENTION BILL.

The Convention bill, hereofore published in this paper, has been declared a law of the State by source and several series of the Convention bill, hereofore published in the "summoned" to Raliegh to period of source of source concurred in the three conversion, and the summoned to Range and the impogrant as meading of the several series of the Convention of the Convent

and confirmed by additional reflection. Yet under ordinary circumstances we might be induced to so far surrender our own views, in detrust if we did not proclaim our belief.

Our readers know as well as we do that the objects of this Convention go much further than the more making of amendments to the Comstiber of amendments to the Organic law, but to clad," previous to entering, on office under the turn out of their places all the present Execu- Federal government, may have its segnificance tive and Judicial officers of the State. And we will not certainly undertake to say that a litical discbilities originally imposed on the number of them ought not to be turned out.—
Southerners are summed up in two branches; with reading of the Journal of yesterday.

But that is not the most important question continued in the fourteenth amendment, excluding from of Hons. John Pool, Dockery and Abbott in reply. nected with the movement. The important question is, will they quietly submit to be thus turnedsont? Will they not appeal to the ExeSouth in the war, even though not holding of in Washington just at this time, it being near cutive Government of the United States to re- fice before. By act of Congress of July 11, 1868. cognize and sustain them in office, on the ground it was provided that those amenable to the fourthat they have been attempted to be deposed by teenth amendment should, on having the disaan illegal body? Who that is at all conversant bilities thereby imposed removed, take a certain South since the war can doubt it? And, what bill just passing Congress is to allow all who are which deposed, or attempted to depose, them the same outh. The act for those relieved from was not a legal body, because not called in act the fourteenth amendment is as follows: cordifies with the provisions of the Constitution An ACT prescribing an oath of office to be taken of the State? Will he not take the ground that the offestion has been actiled in this State by the a id 1861—that these constructions and precedents of the Lieuted States of America in Constitution of the Lieuted States of America in Legislative constructions and prevedents of 1864 Constitution? Has not Congress expressly delegated to the President of the Luited States, by a elected or appointed to any office or pince of the McMierimon argued that its hould be admitted to the President of the Luited States, by the elected or appointed to any office or pince of the McMierimon argued that its hould be admitted whether a too coment organized in a State is States, he shall before cuteting appointed by the world these refugits are of no validity. They the duly constituted to recomment of the State. And after the President has decided the quetion is it not well settled that the Courts will reheld in vain? In that event will not all the Will it not be worse than wasted, for the reason that we will be left in a much worse condition than if the Convention had never assembled at all? All of these questions we leave for our readers to answer for themselves, and act ac-

Wo are not among those who fear, or pretend to fear another reconstruction by Cengress. A sojourn of several days at the Capitol of the Na. sions of the fourteenth amendment to the contion last week has convinced us that nothing of stitution, shall be elected or appointed to any the kind will be attempted under any circumstances. No legisfation, we think, will follow count of his participation in the late rebellion, the report of the Senate committee on Southern to take the oath prescribed in the act of Conoutrages unless it be of a conciliatory character-except, perhaps, a law to punish future Ku Klux outrages in the Federal Courts and mak- the oath prescribed in act of Congress entitled ing it the duty of a U. S. Commissioner in each county to arrest all such offenders and bind them over to answer for their crimes in said Courts. But if cause, or even a plausible pretext, shall be furnished the President for inter- above bill, the law as to Confederates holding ference, in the affairs of this State under the office is that any man relieved of his disabilities forms of law and the Constitution who can doubt under the fourteenth amendment, or any man what he will do? Is it not well known that never amenable thereto, may hold any office, he is much under the influence of the Southern State or Federal, on taking the oath prescribed Radicals, and that he generally lends a willing in the act of July 11, 1868, above quoted. These eur to their appeals?

We were among the first in the State to advo-

cate the call of a Convention, and none was more anxious to see one called in conformity with the provisions of the constitution. We were anxious that the Republicans should unite with the conservatives in the Legislature in the call of such Convention. And when it is remembered that the Republican party in the ments to Bankrupt Law, passed the House State is responsible for the condition of things of Representatives last week without oppowhich remden a Convention necessary, we can sition and little doubt is entertained by the find no language too strong to express our con- friends of the bill in Congress of its passage demnation of their rejustal. Not only has that by the Senate before the close of the present party falled to meet the just demands of patritriotism in the matter, but it has, in our opintriotism in the matter, but it has, in our opinton, failed to play its best ened. Having imposed a bad Constitution upon the people of the
State, which has entailed upon it much unpopularity, it could have redeemed itself to a great

Be it enacted by the House of Representatives of the United States of America in Congress in sembled. That line live, section twenty-nine, of the set approved March 2. 1867,
onlighed "An act to establish a uniform sysextent by affording them so opportunity of a-mending the same in Convention assembled.— States," be amended by striking out the But with that fatuity and unpatriotic selfishness words "one year" and inserting in lieu therewhich has always characterized the party, and which has always to be feared, will hereafter charac-terize the conservative party, it refused to do so. But, anxious as we were for the call of a all registers in bankruptcy in the several convention by the concurrence of two-thirds of districts within their respective circuits; and all the members of each House, we cannot ac- so much of section three of said act as is in vice our readers in vote for the call of one under conflict therewith is bereby repealed. the present law in view of what the consequenare likely to be, and the bad precedent that law, which we have not.

ty by warning them of what we believe to be the danger of assembling a convention under the prevent law, and if svil comes of it our

The latest rumor from Europe is to the effect that the Emperor of Gesmany and the Pope are not only on intimate but friendly terms. The not only on intimate but friendly terms. The Holy Pather, it is said, is to receive aid from

"CIV18."

We learn that the opinion prevails among mington Journal. many persons in this town and county that the We endorse every word contained in the whose opinions command our highest respect, as on the 6th and 18th of January, were written by it has had the magnanimity and manliness to at one time determined to do. But, upon calm Bailey and the author of "Civis" to say that he and several former articles. High as our respect

THE TEST-OATH BULL.

The bill recently passing both Houses of Congreen to relieve certain classes of persons from tution. It is intended not only to make wnom- the necessity of taking the test onth, or "irenmade clearer by a word of comment. The po-

> by persons from whom legal disabilities shall have been removed. Bo it enacted by the Senate and House of Per-

thereof, in-tend of the oath pre-ribed by the new evidence, if properly returned papers of July 2 1802, take and subscribe the following outless to be shown to be valid when given as lowing outless a fill anticor; if, A B, do solemn - evidence; objection in 6 their competency on wear for affirm, that I will support and de- ly

cognite and tollow his decisions? "And if the fend the constitution of the kinited States against President should see gaire the old- the present all encuries, facing and dome-tie; that I will bear true faith and allegiones to the same; that -officers will not the Convention have been lead to take this obligation freely, without any mental reservation or purpose of evasion; and that lead to the Convention be wasted? I will well and faithfully discharge the duties of the office ou which I am about to enter. So ielp me tiod.

Approved July 11, 1868. The bill just passed for those amenable to the

"Iron-clad" only, reads thus:

Be it enacted by the Senate and House of Repre sentatives of the United States of America in Congress assembled. That when any person, who is not rendered ineligible to office by the proviupon the duties of said office, take and subscribe "An act prescribing an oath of office to be ta-ken by persons from whom legal disabilities shall have been removed."

Approved 11th of July, 1868. So that, with the President's approval of the not relieved from amenability to the fourteently amendment are still disfranchised.

N. Y. World.

AMENDMENTS TO THE BANKRUPT

The following bill, making sundry amend-

Sec. 2 And be it further engoted. That

Sec. 3. And be it further enacted. That n promise hereafter made shall revive any indebtedness from which the deb or shall have Some person by him duly authorized. The the first provise in methou fourteen of and

laws in force to the year 1864." and usert n lieu thereof "equal to that all wed by such State exemption laws, and to be designated and provided by existing laws, but not to ex-That this acction shall apply only to cases

hereufter arising. pothing in said act contained shall be

our opinion that two-thirds of all the members of each House were necessary to pass the bill constitutionally has undergone no change. It is readiness.

It is not the best strengthened in the same of the coverness, is we are necessary to pass the bill constitutionally has undergone no change. It is readiness. great importance demanded the services of men-of ability and position, legal and social.—Wil-

ference to those of many upright and able men articles of "Civis" which appeared in this paper bove-article from the Journal, and rejoice that to offer no further opposition. This we had at Wm. H. Bailey, Eaq. Iv is due both to Mr. take the stand which it has taken in the above at one time determined to do. But, upon calm and mature reflection, we see that we cannot do not only did not write the articles referred to, but that he differs in too from the legal and pendent Journalist, we awa to ourself and the people of the State. We believe that the call constructed in the manner proposed, and a Convention in the manner proposed, and of a Convention in the manner proposed, and that a Convention called in the manner provided in the purposes proposed, will, if these purposed ded in the bill just passed would be a perfectly sion. And this will not only be the werdlet of see be corried out, result in nothing but mischief legal and constitutional body. We wish we the Wilmington Journal and the Old North State, and loss to the people of this State. And hon-could believe so, but we cannot. epinion is worth having.

From the Rateigh Telegram. RIGH COURT OF IMPRACHMENT. Friday, Fels. 3d, 1871.

Hour of 12 M. having arrived, the Senate as milied as Court of Impeachment. Chief Justice appeared and took the chair. Holl of Senators called. 48 Senators being

Mr Graham, of Orange, moved to dispense the close of the session; that they are willing to testily before any commissioner or answer any

written interrogatives.

Mr Dunham, of the board of managers, read with the course of radical office-holders in the form of eath before entering on office, and the in custody by Kirk, asking for write of habeas corpus, together with the affidavits to said petitions. The writ issued by Chief Justice dewill the President do when thus appealed to? not amenable to the fourteenth amendment but manding the prisoners of Kirk was then read. Will be not take the ground that the Conven- are to the "iron-clad" to hold office on taking Mr Boyden objected to the introduction the foregoing as not being evidence. That is

must be proven. Messrs Bragg and Graings contended that i

Chief Justice admitted the papers.

The petition of Adolphin G. Moore, to Chief Justice Pearson, for a writ of habeas corpus was

Mr Contam asked what did the Chief Justice writ. It is the same thing as if he had deputed him in the beginning. It don't matter whe made this service, if recognized at the time i Mr Bragg thought the objection cut of place because it is admitted that this writ was served

The Chief Justice decided that it might be read, so far as it shows the service. McAlister's affidavit being admitted as serv ed, was then withdrawn.
The Chief Justice decided that all documen

tary evidence, unless the defence admitted is should be read. The Chief Justice stated that the reading of

here dominents now would be going over nearv the same ground, and involve considerable ensumption of time.

Mr Moore, of Craven, called for the reading.
It embraced the Chief Justice's opinions, petilid not call for the reading of this to delay, bu

that they had not the opportunity to examine the papers. Chief Justice stated that the defence could put in writing what they admitted in McAlister's affidavit

The defence admitted the service, though not M. Bragg raked how long we were to keen going back to act on things already decided up-on as this admission just filed required. Chief Justice stated that there seemed to be a

nisunderstanding; that counsel wished it attached to each case. Mr Graham said the paper just ment was nohing but a protest of the detence. Chief Instice said the defence have the right

o attach this answer to each case. Mr Wm Larkins was called. Clerk of the United States District Court. Papers shown him. He identified the papers as writs of ha-beas corpus, by Judge Brooks. They, returns,

&c., have been in my possession in my office.

Mr McCorkle objected to their introduction.

Mr Bragg replied that they were all sworn to. It was legal evidence. Argued at some ength.

Mr Smith replied, that the defence objected

more to the manner than the testimony itself. Witness. Mr Larkins said, I attended Judge Brooks and was directed by him to make a record of these papers. 19 1921.

The petition of Hon Josiah Turner, to Judge Brooks, and Judge Brooks order to Kirk was

Mr Graham, of Orange, moved that the Court he matter was argued in a few remarks. The the Stan rosecution then waived objection to save time. Mr McCorkle proceeded with cross examina-

ion which was unimportant.

The following documents were then read The following documents were then read:— relegram of Governor Holden to the President. sking a suspension of the writ of habeas corous; telegram in reply, from Secretary of War, dvising Gov. H. to yield to the decision of the State Judges; a letter of Goy, Holden to Judge Bond, in relation to Burgiu; a letter from Gov. was absent then fill Dec mber, din't say Holden to Kirk, in which he declares he is sure where he was going; said he had been in tained by Chief Instice Pearson and appointing time for the trial of the prisoners by military | Kirk resided in Tennessee, previouslydell county, being a petition for Injunction addressed to Judge Mitchell, upon application of R M Alisson, restraining the Public Trensurer rom paying any moneys out of the Treasurer to Gov. II. for his troops, together with the Injunes thecursed by Masses. Merrimon. Bragg and

A D Jenkins was then introduced and sworn, for the purpose of identifying the warrants of the Treasury. He is Telier of the Treasury.— himes resumed: Rubws Kirk's gener-ways and always should be univ in and at the Identifies warrants of the Governor handed him at the learning marrants of the Governor handed him at the learning marrants of the Governor handed him at the learning marrants of the Governor handed him at the present.

When the is Telier of the Treasury.— himself is a notificially merciless civil authority. Martin law can rever prevail the state of the Governor handed him at the learning marrants of the learning marrants of the learning marrants of the learning

A D McLean catled and aworn: Alamance county, and is Register of Deeds-lound letters in the courthouse after Kirk left forms to the rules of the botch.

Mr. Graham, of Oranges appealed from

Mr. Mercian u. We offer now the peti tion, writs and the returns in the case of A Stoore with the decision of the Chief John Kerr. The affidavit of McAllister beng lelt out in the case of A. G. Moore. Deense offers no objection. A railying proclamation of Cen. W. Kirk offered.

it came from the Executive office; generally Federal troops for aid to assist me in the execuhad written instrucctions on them; knows tion of the law, the Executive's Clerks; papers sent by cross xamined.—Elect d Sheriff, in '60; don't know who took this paper there; man-us ript is kept on file; thinks he knows Gov. Monday, thinks the Judge arrived Monday; Fall Holden's hand writing; summoned to pr term don't remember whether he was there first be a breach of trust to take it away; had it of it Sunday morning; did not go; Albert Murray, in my hands to-day; left it at the Standard Principal Sheriff, my brother, went up Tuesday

be committed for contempt. He had been

summoned to produce this paper.)

trifled with; he is summoned to bring it Boyden as to there being Kn Klux in Alabere; admits he has had it in his tauds and mance was objected to by Mr. Graham wio said put it back on the file.

getting the paper.

Chief Justice-th phathere is no case made o t for contempt on the part of the witness sit till 34 p. m. Adopted. Ayes 42, nays 5. Sheriff Lee seems to be the man who ought to be put in for contempt, unless he produc-Sheriff Lee seems to be the man who ought itness Larkins, but no objection of prosecution | ed the prper, as he seems to | be in charge of

Washington county, Teen. Liwyer. Knows Kirk since the war. Kirk resided to Jonesborb, Teur., two years. Resided there last to be shown here. Mr. Merrimon replied, and said Mr. Boyden summer. Muted his family about the 30th of June to a equalty of Tennessee Kirk left Washington city about the middle of June; North Carolina on his return Since 1868

Objection was here made by Mr. Boyden to the wit ess answering questions as to Kale character there. Competency was tion and all the papers relating to these pro- Graham in favor, and Messrs. Boyden and anth against its introduction.

Chief Justice: The evidence is competent. and must be of general character.

witness then stood seide for the present. . . fernel man. Knows Be gen; came to Jones-Resides in boro' in Decembe or January. 1869 or '70. as a lawyer; brought his family with him; there. Rick had present on of the courthouse there. Rick had present of the courthouse ed in a few day, and left agait. Bergen is the identified some papers, which were banded but there now. Knows H. C. Yates. known him, as in the hand writing of Governor Hol-

reputation in Tenuesce and North Candina (Cross examined.) Was a Confederate bil

Chief Justice retires for a few hutes. Mr. M. J. Edwards sworn: Is a printer; (paper shown suff It was brought to the Standard office in June. It is Gov. Holden's bandwriting. Lower at the procurements of destilles it as the manier as the Governor's manuscript. (Both papers now read. It is

Mr. Johkson, one of the Board of Mana

Section assertion ? and get one of them for him. Court thes. at 3 P. M., adjourned.

Roll of Senators was called 40 present. Senator H. C. Sones was sworn in-Reading of the journal dispensed with. Mr. Boyden said the detence wished to r

examine col. Cocke and capt Rives, tiranted. Mr. Rives said he was with the Conventate irmy, was not in the section of the State where The declarations must be dom fercet | Kirk was | was with General Bragging the We

he Southern army; when formede came t showing the connection between Holder and to be arrested as a non-comparing, be left and was salich a violent and upset condition of affairs

igany thing thoroughly establish de that thus Jonathin Rewlin, Samuel Crawford, T. C. Found evidence, this cer aimy is.

Mr. Graham thought Mr. Boyden very Geo. Rogent L. H. Murray, Jerry H. Astrong, C. D. W. COURTS. Geo. L. Agent for Wintern N. C. R. fin, N. Graham thought Mr. Boyden very Geo. Rogent L. H. Murray, Jerry H. Astrong, C. D. W. COURTS. Geo. L. Agent for Wintern N. C. R. fin, N. Graham thought Mr. Boyden very

Resides in Alamaton county; is Deputy Steritt; been lack streett in taite and in J. Moore with the decision of the thief of any process; no necessity to summon any as-justice, also some in the matters of Hon. sistance to aid in arrest or executing any pro-lohu Kerr. The affidavit of McAllister beterm 1870 was held; Fall term also, don't believe there has been any reestance to execution of law; Kirk arrived in Alamanee in Jone or mation of Geo. W. Kirk offered.

Mr. Edward: sworn: Lives in Raleigh, and a Printer, was employed at the late Standard office. Says the proclamation above sight intervals till after Kirk's troops disband-of February. A. D. 1971. hown was printed in that office, but don't ed; they were quartered at Graham in the know who brought the paper Lere; thinks court House; had no occasion to call upon

day or not; thinks the court set then four days duce manuscript; couldn't don as he had no but not positive; heavy civil docker; State control of files at this time; was not now dockernot large; lives four miles from the court suployed in that office; have seen it to-day; House; was often in Graham; as much as twice week; did'n see Outlaw's dead body; reccol or not; believes he was, but am not positive; thinks he was elected 1st Monday in January; was murdered in February; the latter part; tend, and show cause, if any they have, why the don't know of any indignation at all on account prayer of the said petitioner should not be of his election; he was a black man; heard nothing from any human being of his murder. Here the question asked the witness by Mr. loyden as to there being Ku Kiux in Ala some overt act in reference to going into this

had consumed nearly all his time in discussing the bare question in dispute. The defence i confounding insurrection with other violations returned the latter part of Jame; again left; of the law. He defined insurrection. If was absent then till Dec mber, din't say crowd collected together to whip or drwon; erowd collected together to whip or drwon a man and do not do it, it is a row if the do commit the deed it is a riot, but not an insurrection. A general movent against the Covern-ment is treason; read Webster's definition. They must show that open force was made: they must show what a levying of war amounts to; they must show the overt act; they must first show insurrection, then they must go on with the overt act. The Governor must be governed by the Shuffner act, that was an interpreting act. No Court Insurrection in this or any other county was ever heard of. When the

Soluble Pacific Guano.

CAPITAL \$1,000.000!

BURROUGHS & SPRINGS, Agents,

CHARLOTTE, N. C.

THE use of this Guano in this and adjoining States, for the past five years has given it a standard character for execulence unequalled by any other Fertilizer. In an average reason an application of 200 pounds per acre increases the cop three fold, while a leaser application makes a corresponding increase. The large Capital of this Company enables it to furnish THE BEST FEBULIZER AT THE LOWEST PRICE, THE

and affords the warest guarantees of its continued excellence. This Guano comes.

Cash Price \$60.00 Per Ton BURROUGHS & SPRINGS.

CHARLOTTE, N. C.

PIEDMONT AND ARLINGTON LIFE INSURANCE CO'Y.

HOME OFFICE.

RICHMOND, VA.

Assets 10 h September, 1870 \$2,011,099,70 Annual Income over 1,000,000,00 Policies issued to 1st Dec, 1870 3,000

PREMIUMS ALL CASH REDUCED BY THE ANNUAL CASH DIVIDENDS ON THE CONTRIBUTION PLAN.

OFFICERS:

Court M.

W C CARRINGTON PRESIDENT. The rand law on the subject, the interdedicts of the proceedings of Case of

ACTIVE AGENTS WANTED EVERYWHERE.

BANKRUPT NOTICES.

NOTICE IS HEREBY GIVEN THAT A perition has been fited in the District Court of the United States, for the Cape Fear District of cy; collected taxes, served processes, been all North Carolina, by Charles D. Riggines, in said were the county in 1869-70; probate and regise District, duly declared a banking to under the ration went on as usual then; magistrate's act of Congress of March 2, 1867, for a discharge court held during this time; constables in all and certificate thereof from all his debts, and townships; knows of no resistance to execution that on the 3rd day of March, A. D. 1871, at C., is assigned for the hearing of the same when and where all creditors, who have proved their dehts, and all other persons interested, may at-tend, and show cause, if any they have, why the

of February, A. D. 1971. WM. LARKINS, Clerk. Motice of Assignee. - The undersigned hereby gives notice of his appointment as As-ignee of Crayford W. Williams, of the County been adjudged a bankrupt upon the petition of his creditors, by the District Court of the Uni-ted States for the Cape Fear District of North

THOMAS LONG, Assignee,

Huntsville, N. C. NOTICE IS HEREBY GIVEN THAT A ctition has been filed in the District Court of the United States, for the Cape Fear District of North Carolina, by Daniel S. Sheek, in said District, duly declared a bankrupt under the office; brother let him is the office; presume morning; do not remember the first day he was act of Congress of March 2, 1867, for a discharge there; was the week before he was hing; was and certificate thereof from all his debts, and not there Saturday; pretty certain I dain't go; that on the 24th day of February, A. D. 1871, at Mr. Graham moved that this witness besometimes on public gatherings I went Sature 10 o'clock. A. M., at the office of R. H. Broadbe allowed 20 minutes to produce the copy or days. Outlaw was a town commissioner; don't field, Register in Bankrupter, at Sallsbury, N. know at the time of his death whether he was C., is assigned for the hearing of the same, when and where all creditors, who have proved their debts, and all other persons interested may at-

> Dated at Wilmington, N. C., on the 3d day of February, A. D. 1870. WM. LARKINS, Clerk. Feb. 3d, 1871-3t

NOTICE IS HEREBY GIVEN THAT A Congress of March 2, 1867, for a discharge and certificate thereof from all his debts, and that on the 24th day of February, A. D. 1871, at 10 o'clock, A. M., at the office of B. H. Broadfield, Register in Bankruptey, at Salisbury, N. C., is assigned for the hearing of the same, when and Shoffner act. No where all creditors, who have proved their debts

Dated at Wilmington, N. C., on the 3d day of February, A. D 1871. WM. LARKINS, Clerk.

Feb. 3d, 1871-3t. Motice of Assignee-The undersigned

reby gives notice that a second meeting, un-r the 27th section of the Bankrupt Act, of the reditors of Alexander Sinchir, of Mecklenburg county, and State of North Carolina, who la been adjudged a Bankrupt upon his own petiion, will be held at the office of K. H. Brandfield, Isq., Register in Bankmoney, in Salisbury on the 22d day of February.
S.B. ALEXANDER, Assigner.

Charlotte, N. C., Feb. 3, 1871-31, atawba English and Classical

HIGH SCHOOL Newton, N. C.

THE ELEVENTH SESSION WITH Tour u per session of 20 weeks from \$10 to Board in families from eight to ten dollars

For particulars and catalogue address pro REV. J. C. CLAPP, A. B. " S. M. FINGER, A. M. 7ge 9, 1876 - 3m

MORTH CAROLINA. ? In the Superior DAVIDSON COUNTY. 5 Court. Francis Ryerly Adm'r. of John A. Davis.

adainst bristian Davis, Jackson Davis, Elwood Davis, Nancy Davis, Alex. Gobble and his wife Susan, John Wesley Davis, son of Martin Davis, by his Guardian John Myers. Levi James and Mary his wife, she being formerly the wife of Win. Davis deceased. Cicero Davis, Fanny Davis, Delelah Davis, Roseua Davis, Henry Davis William Davis, minor children of Wm. Davis, deceased. William Warner fore erly husband of Katy Davis, dec'd. Martin Warner, Sarah Warner, Daniel Warner, minor children. Wesley Byerly, formerly husband of Sarah Davis, dec'd.

Barbra Davis, widow, - Defeudants. Petition to sell land for Assets. In this case it is made to appear that Christian Davis and Jackson Davis two of the Yadkin and State of North Carolina, who has defendants in this proceeding, is non-restden s of this State. It is therefore that publication be made in the Wold North State "a newspaper published in Salisbury. N. C., for six successive weeks, summoni the said defendants Christian Bavis and Jackson Davis to be and appear at my office in the Court-House in the town of Lexington on the 15th day of March 1871, then and there to answer or demur to said petition or the same will be taken pro-confesso and heard ex parte as to them. Witnesss, L. E. Johnson Clerk of our Superioa Court, at office in Lexington,

January 26th, 1871. L. E. JOHNSON. Clerk of Davidson Superior C.

GRMARME EARLY ROSE POTATO.

AND Goodrich.

F these truly superior varieties of the Po-tato, two much cannot be said. Both Mr. Buist and Mr. Landreth, the leading Seed Dealers of the country, say, "they are unequalled for every good quality. Having been culthree years, they may be said, to-day, to be vastly superior, as to earliness, large yield, su-perior flavor, mealiness when cooked, and every other desirable quality, to every other kind —indeed, they leave but little to be desired in addition.

It is not unknown, that common and inferior varieties have been sold as the genuine; it would, therefore, he well for purchasers to be sure of getting the genuine, which may be done, at prices much below those of the last season, SILL'S Drug Store, Salisbury, N. C.



A FULL STOCK always on hand of every variety-Name, Iron, Steel, Hoes, Grain Cradle, Serthes 100 Donen Axes at Guns, Pictors, Kriven and Forks, Fairbanks Scales, the bast Wrongla: Iron Plows to be found. We warrant them to give satisfaction. . Thompson's Plows and Subsoilers.

CORN SHELLERS.

STRAW CUTTERS.

and a thousand other things you need. Send in your orders or come and buy. CRAWFORD & HEILIG.

would be set. We could not advise them so to been discharged, under and by virtue of said vote under existing efroumstances, even if we sot unless such promise shall be in writing. had doubte shout the enconstatutionality of the signed by the person to be discsarged or by With this article we take leave of the matter, and have it to the people to wite as to them act he amended by stricing out "not exceed may seem proper. Wohave discharged our do- jug that allowed by such State examption

same will be clear Holy Father, it is said, is to receive aid from pothing in said act contained shall be den. He then stood using a seven were a few present war is over, and to harmonic with the constitution. The Gov. Folden to Kirk, by specified in Washington Co.; knows him performs should have gone with his militia as did it is even hinted that the temporalities of the widow of the call messanger Neathery, instructing him to discovered.

The letter of Gov. Holden to Kirk, by specified in Washington Co.; knows him performed to harmonic with the constitution. The Gov. Holden to Kirk, by specified in Washington and have seen him.

Holy See will be restored.

Cross examined: Has known Kirk bur or was intended den. He then stood using the constitution. The Gov. Holden to Kirk, by specified in Washington and have seen him.

Gen. Washington and have seen that the law widow of the characteristic of the present was in the name with the constitution. The Gov. Holden to Kirk, by specified in Washington and have seen that the law widow of the characteristic of the call messanger Neathery, instructing him to discovered.

Cross examined: Has known Kirk bur or was intended den. He call the hand withing the constitution. The Gov. Holden to Kirk by specified in Washington and have seen him.

Blair sworn; was proprietor from March 19, 1868, till July 1870; identified the register; saw Kirk in the Hatel 20th June, 1870. Don't know Burgin, never saw him.

A D Jenkins re-called: Knows Kirk's hand-

writing, not certain about Burgin's.

Mr Graham moved that the court do now addurn till 12 m. Saturday : mul court adjourned ceedings it was said certain affidavits, before W. Larkiws, Clerk of the District Court of the Uni-

Feb. 4, 1871. Chief Justice announced and took the chair. Proclamation by the Sergeant at Arms Robertside. Roll called 41 Senators present

Reads got Journal dispense with Register of the National Hotel given in a evidence un yesterday, and its admissibility being discussed at the time of the Court's adjournment as do its competence. It was Kick registered at this hotel last summer. 22ud of July, that he registered as a citizen of Ton essee. Mr. Graham aground its competency at some length, rectting va-

fieds cases bearing upon the subject. her smith replieds if the question of reidence is material it must be proved. The register was nothing but a tell book and sting in re that an announcement on the

Kick. Kick was a desperade brought here went to Virginia; came to North Caronna in from East Tennessee to terrify the people of Mr. Bragg admitte the decla ation of the third person was not evidence, but there were exceptions, especially as to domicit. We say Kirk was a chizen of East Tennessee. The

is not evidence, to is cer anny is.

Mr. Graham thought Mr. Boyden very issiste. The expondent is not bound by called and steern. birk's registering at a hotel, he only con

Mr. Robbins, of Rowan, called ayes and uays. | hair was sustained. Ayes 35, mays 2.

nessenger; all State printing was done there; again in 1868, gave up my office in September duce manuscript; couldn't do i as he had no it was in the Standard office; no one prevented my bringing it; but thought it would feets he was hung Saturday night; first

it is there; sure of that; told his brother to put it back on the file.

Mr. McCorkle said this was outrageous, the witness not the custodian of these pa- don't know of any indignation at all on account pers. Do not belong to ... and should not be entertained for a moment.

Mr. Graham said this Court should not be

Mr. Edwards again : I was subprenaed after I saw the paper, and was afraid if A took this paper I would be sued for forcible trespage. I have no control of that office. Don't think there would be any difficulty of my

he Standard office.

Captain Isaac G. Rives sworn: Resides in

he rended there; his bey tration bad; He was a very violent man and very cour! Smor dier during a part of the war. There was no federal troops in Westers North Carolina until the latter part of the warp generally known as busingshers; great many Union into market this season with TEN PER CENT less moisture than heretofore, and men theres, some conflict theres, erteines on is bence thereased in money value to this extent.

bended 'salight point a muander.") -Cut Cucky geoglied? Has neve highe pon-

Had a copy of this proclamation; used it n the compaign last summer; saw them first in the Post Office; would not let him ave one; got one of his toyal friends to go

Monday Feb. 6, 1871. The hour of II having arrived, the Chief Justice appeared and took the chair.

opus. Read law in support of is argument, tern army.

quoting the rase of State v. Haney. The relation between these parties does not ex-

there; came back to Asheville N. C., where I

Soler Terror to describe W. A. Med Chief Justice decides the evidence not ad. gomery, With floice, L. M. carr, Dahler Worth, W. J. Murray culled:

insurrection, must be shown, and proceeded at some length to discuss the point, citing various cases upon the subject.

During Mr. Graham's remarks Mr. Warren moved that the time for discussion be extended cases upon the subject.

During Mr. Graham's remarks Mr. Warren moved that the time for discussion be extended

indefinitely, which was adopted.

Discussion now proceeded as regards to the insurrection. Mr. Boyden, for the defence, next addressed the court. He gave a history of the Ku Kula and the different orders; all of which he contended was for the purpose of subversion of law and order; read the Shoffner act. No officer should be impeached for a mistake of judgment. He had a right under this act and judgment. He had a right under this act and the said petitioner should be granted. surrection; if this is treason its not necessary

the Bill of Rights. A wise preciation, as is now shown in the acts of last summer. He read from the insurrection acts of 1869-70, which distinctly stated that the detailed militial should only be used in aid of the civil authority and for no other purpose. It was intended to harmonize with the constitution. The (inv-

PACIFIC CUANO