A DAY IN CALIFORNIA.

Here is about the stile, or the daily Routeene of a Man's Life—gets up—say at 6—from a hard kot with a kupple of Blankets on it—yorns & looks round, wot is supposed by very Rash persons to be his *Room!* worls and sealing kuvered with Rotten Manter, & filled Rat holes & Rat Nests, stained orl over gladden his eyesite—a half burnt out kandel, wile stumps of rank cigars, quids of Tobakker, odd shoes, dirty woollen socks, bak numbers of old papers, unclean linen, an old dagereotype certane—and an unsitely spitbox, are sure to be seen. He may be fortunait enuff in having a dirty wosh hole in one korner, near witch, on a very rusty nail, a duster or a pudden cloth may be hanging, used by him for a towell—a thing used for years previously as a curry komb by some ded hosler is hard by, wile orl around the most perfekt disorder, rechedness, and want of comfort prevales. He goes out, perhaps taiks his Bitters—*i. e.* twenty-five sents gone to blazes—orl drinks are 2 bits each—mind that. He turns his attenshun to his brakefast—Buckwheet kakes 50 cents a plate, Coffee 25 cents a kup, Beefsteak 50 cents, Boiled eggs, rotton at that, one Dollar. Arter Breakfast he is lost site of By his most intimate Friend, wen of a sudden he is sean Running orl over town, nodding and shaking hands with every Boddy; Bilding Houses, Bying goods, Morgaging Property, Loaning Munny and Borrowing it at the same Time, now an administrator of an Estait, & 10 minutes arfter driving an ox-Teem, this brings him to 12 o'clock, when hearing a triangel jingel, or a going yelling hideously, he is brought up with a jerk, and goes into a Kanvas Tent, with "Miners Retreat" ritten in frunt, where spred out in friteful & greasy disorder, are Bullocks Heds, with the Horns on, and every váriety of dish from a Sandvitch Iland *Poi* to a dyspeptic punkin Pie. He puts this thro' in 5 minutes, and rushes out, fust stopping at the Magnolia, kept by Kernal Johnson of the Suthern Country, on the East Banks of the Mississippy, and getting a drink—25c. more gone. He then runs all about town, By's out 20 konserns and sells em 10 minutes arfterwards, meets 10 friends that he never sor befoar, or ever will again—treats them—5 dollars gone. Triangel brings him up agane; He goes to tea—vulgarly korled supper—and about the time an ordinary man would have sipp'd his fust mouthful, he's 3 miles off & engaged in a large damning operashun; this lasts him till about 8 o'clock, when darknes maiks him loose sight for a time of his daily bisness, and he retires to one of the hundred gambling saloons and drinking shops, gets frightfully cocked, and staggering over stumps of trees, rats in myriads, dekayed Bull's Heds, and filth of every kind, he finds his Room (?) where 50 Rats are engaged in a cordrill, or sumthing else, scamper away, squeaking and wissing and snorting as tho' let loose, like a pack of Hounds. Rats return—run over him—He, unkonshus, dreams of little children in his old Homestead, patting his cheeks, and tickling him with their tiny fingers, and toying with his hair. He dreams of his own bright fireside, and of his snug armchair, he heers the Black bird in the wikker kage, and sees him—yes, sees him—pecking at a peace of Loaf Shuggar. He is so happy—he is agane at home! What are "Town lots" or "Squatter Riots" now? how he presses the hand of his deer little wife, and she looks into his eye, as tho' her very sole wood burst its bounds, as he resites to her his extraordinary doings in the Land of Gold. Oh! that meeting—that meeting—it is Heven on erth—The Reeality of Life and knot the Poetry—a Rat Returns and Nibbles at his toe; He wakes, and the Monoteny of his Californy existence agane commences. He sighs aloud, takes a drink, and goes the Round as I have abuve deskribed.

THE TEMPERANCE TRACT.

BY T. S. ARTHUR.

"There is danger," he at length murmured, folding up the tract as he spoke. Rising he stood irresolute as to whether he should return home, or keep on his way to the tavern. Had any one thrust the tract into his hand, he would have rejected it; but coming to him as it did, it found his mind prepared to hearken unto its appeals. But the love of drink had been formed, and, at the prospect of having its accustomed gratification cut off, began to cry out for indulgence. A combat in the mind of the man was the result; and this continued, until appetite gained the victory so far that he concluded for this time, at least, to go to the tavern, but to give up habit thereafter.

"I hate to turn back after I once start to do a thing," said he as he moved on towards the tavern. It's bad luck."

Still the argument for and against any further indulgence, kept going on, and he could not turn his mind away from it.

At length the sign of the "Punch Bowl," whither he was wending his way, came in view and the sight affected him with the old pleasure. In imagination, the refreshing and exhilarating glass was at his lips, and he quickened his pace involuntarily.

As he drew near, he saw the landlord sitting on the porch. The good natured old fellow did not smile with the broad smile of welcome that usually played over his countenance when a customer approached.

"How are you to-day, landlord?" said the man cheerfully, as he stepped upon the porch.

"Do you know the road you have come?" asked the landlord with a gravity of manner that surprised his customer.

"Yes," replied the man, "I've come the road to the 'Punch Bowl.'"

"Better say the road to ruin!" returned the landlord.

"What is the matter?" inquired the man. "I never heard a landlord talk in that way before."

"It was the road to ruin to poor Bill Jenkins. That I know too well, and has been the road to ruin of a good many more that I don't like to think about. It will be your road to ruin if you keep on: so I would advise you to stop and think a little on the matter. If you want any liquor, you can get it from Jim at the bar; but I'd rather not have your sixpence in my till to-day. I won't feel right about it.

"What's the matter, landlord? What has put you in this humor?" said the man, who, in turn, became serious.

"I found a piece of paper on the road as I walked along just now, and it had something printed on it that has set me to thinking. That's the matter. Ah me! I wish I was in better business. It don't make a man feel very pleasant to think, that in building himself up, he had dragged others down. And I'm rather afraid that's my position. So go home, my friend, and don't let the sin of your ruin be on my conscience. You've got to loving liquor a little too well. May be you don't think so; but I know it. I've seen a great many men go down hill, and I can tell the first steps. You have taken them. Stop and think before you go any farther."

"Look here, landlord," said the man after standing thoughtful for a few minutes, "I'll make a bargain with you."

"Very well, what about?"

"If you'll quit selling, I will quit drinking."

The landlord did not answer for some minutes, but sat with his eyes upon the floor. At length rising up slowly, he extended his hand to his customer, and grasping it firmly, said—

"Agreed! it's a bargain!"

A hearty shake sealed the bargain!

An hour afterwards those who went by the "Punch Bowl" saw the bar closed. And in less than an hour afterwards, the sad hearted wife, who had seen her husband walking in the road to ruin, saw him return as sober as when he left, and heard with gladness his promise, never again to put the cup of confusion to his lips.

Thus it is that truth scattered even in the fields and by the road side, finds its way into the minds of men, and does its work on their hearts. Our most imperfect and defective efforts are often over-ruled by Providence to the accomplishment of the greatest good.

GOLD HILL.

The editor of the Ashborough Herald speaking of this place says:

"Gold-Hill, in the county of Rowan, is the prince of mines in North Carolina. It was discovered about eight years ago by Archibald Honeycutt, Esq., and has since been the field of extensive and profitable operations. There are now three steam engines in operation, which, with machinery thereby propelled, originally cost not less than thirty thousand dollars. The fee simple of the land is held by Mrs. Heilig, who has made numerous leases to gentlemen of enterprise and capital. Many of these have amassed opulent fortunes by their operations here. This business cannot be successfully prosecuted without the most ample means. The nature of operations is such that large expenditures are necessary to insure handsome profits.

The labor done at this place is almost beyond conception. The sound of machinery, the thunder of the blast, and the merry songs of the toiling, (Sundays excepted,) may at all hours be heard. Laborers under ground work eight hours per day, those above twelve. If the reader wishes to know what is going on at a depth of 300 feet, he must go and examine for himself, for we cannot tell, although we explored those capacious subterraneous abodes of the living. There the sound of the hammer and joyous laughs are heard as above, and there are displayed the beauties of the mineral world. Acres have been excavated, and a stranger might wander for days without being able to find his way to the upper world. The traveler can form no just idea of what is going on at Gold-Hill without exploring the depths below, which may be done with entire safety, provided one can look dangers full in the face without trepidation.

AN INFAMOUS PUBLICATION.

We have received a paper called the "Literary Miscellany," professing to be devoted to Literature, Art, Science and Discoveries in Medicine and Phisiology"—published semi-monthly at New York, by I. Trow & Co., which is the most infamous sheet that has yet fallen under our notice. Large numbers of them—a whole mail pouch full—passed thro' the Post office here a few evenings since, addressed to persons residing chiefly in Pittsylvania and Patrick counties, who, we are sure, are not subscribers to it, and whom we take occasion to warn against its immoral and corrupt influence. The paper, professing to be "devoted to Literature, &c.," in order to swindle the Post Office Department, whilst it more effectually deceives the public, is nothing more than an advertising sheet for that base publication called "*The Married Woman's Private Medical Companion*," by a profligate French quack, who brings with him all the polluting practices of Parisian brothels, in which, for the mere love of gain, he impudently seeks to indoctrinate American females. It is necessary to speak plainly that the reader may understand the character of the work, as well as its pimp "The Literary Miscellany," no chaste female can touch without being defiled. We therefore earnestly warn our readers against these corrupt and corrupting publications, the authors of which richly deserve a life-time imprisonment in the Penitentiary. It is a sad commentary on New York Society which tolerates their publication. The whole affair is a Yankee trick, founded on the immoralities of French Society and pandering to the lowest passions of our race, in order to swindle those who are weak enough to be gulled by it, or wicked enough to encourage it, out of their money.

We cannot too earnestly again warn parents against the evil tendency both of "*The Married Woman's Private Medical Companion*," and its co-worker in iniquity and crime, "*The Literary Miscellany*," of either of which every copy that falls into their hands, they would do well to commit immediately to the flames.—*Lynchburg Virginian.*

TRADE WITH NORTH CAROLINA.

At a meeting of the N. York Chamber of Commerce recently, the report of a special committee to whom had been referred a communication from Andrew Joyner, Esq., President of a Convention representing the North-eastern counties of North Carolina, for the purpose of considering and adopting measures to secure the opening of a safer and more expedicious communication between Albemarle Sound and the Atlantic Ocean, was presented.

The Committee regard the matter as one of much importance, affecting the commerce of the whole country, and especially the coasting trade from the Eastern States, to the Gulf of Mexico and the West Indies. The North-eastern part of North Carolina is bounded by a coast of a dangerous character, and it is proposed to remedy existing difficulties by opening an inlet at the foot of Albemarle, where it is said a good ship-channel formerly existed, and to construct a dam or embankment 4½ miles in length, across Croatan and Roanoke Sounds. It is given as the opinion of scientific men who have investigated the subject, that this measure is practicable, one that will involve a comparatively small expense, and one that will result in all that is desired.

The report was accepted, and a copy ordered to be forwarded to the Senate and House of Representatives.—*Raleigh Register.*

It is a notable and impressive fact, that no great cities in the civilized world except those of the English race and language have materially increased in population within the last ten years.

LINEN VERSUS COTTON.

Great Discoveries.—Two discoveries or inventions are announced in the London Morning Chronicle, which, if real will exert a vast influence upon the political, the economical, the moral, and the social condition of the United States, but especially the cotton growing States. One of these inventions is that of a mode of preparing flax, by a combination of mechanical and chemical means, which, at a very trifling expense, renders the filbre fit to be made up in fabrics of either the greatest coarseness or the greatest fineness—either the coarsest canvass or Brussels lace. The other invention is one adapting flax filbre to cotton, woollen or silk machinery, or for mixing it with these materials. The Chronicle says that from one hundred and twenty-five pounds of flax, one hundred pounds of a material, identical with clean cotton, can be produced for less than half a crown. The mixture of wool and flax forms a fabric exceedingly durable, and while wool costs 4s. 6d., the flax prepared and ready for spinning may be obtained for 6d. per pound, so that with flax and wool spun together in equal qualities, the cost would be reduced by nearly one-half.

The present price of cotton in England is about 8½d.

The New York Tribune says, that flax might be profitably grown in nearly every State in the Union for an average of $6 per hundred, or $120 per ton, *provided* machinery existed by which it could be broken and cleared at a cost of not more than $20 per ton.

Even now good flax is worth but little more than *half* the price of cotton in this market, although all knew that the filbre of the former is by far the stronger and more enduring. With the best machinery and ample demand, we believe flax could be produced on the vast prairies of the west to good profit at $100 per ton, and delivered in any part of New York or N. England at $120, while good cotton so delivered, will now command $280.—We say flax could be delivered at the mills for $120 per ton, if machinery were common whereby it could be thoroughly dressed and all the filbre could be saved at a cost of less than $50 per ton; but we trust it need not be sold for less than $150 or $200 per ton. Even at $200 provided it can be manufactured as easily and as rapidly as cotton, or anything like it, an opening clearly exists for a new manufacturing business of signal profit and promise.

A Self-loading Gun.—Mr. Porter residing at or near Memphis, has constructed a most novel and curious fire-arm, called the "self-loading gun," in which the simple operation of cocking to shoot, by the assistance of valves or equivalents, separates from the magazine attached to the gun the materials for each load, and loads the gun. It is capable of being discharged 40 times in a minute, and shoots with tremendous force, and with usual exactness. The Editor of the Memphis Enquirer, after careful examination and repeated experiments, is satisfied that nothing which can bear comparison with it in efficiency has been discovered, and that no "revolver" of any kind approaches it in destructiveness, nor in the adaptation of the means of safety against accidents in their use.

ANECDOTE OF THE LATE BISHOP BASCOM.

While on the Circuit of Western Virginia, I think it was, Bascom stopped, at a log cabin, recently erected by the roadside. He sat down, by invitation, to dine with the family. A lovely little child, about three years old, which attracted his attention by its sweet smiles and rare beauty, was playing in front of the door, while the family were engaged around their homely repast, when suddenly a heart-piercing cry was heard from without.

"My child! my child!" screamed the mother; and quick as thought all rushed to the door.

Father of mercies! what a sight was here presented to the gaze of a doting mother. A terrible panther had sprung upon her unwary darling, and was ascending a tree, bearing the child in its mouth.

"The gun! quick! for God's sake the gun!" frantically exclaimed the father.

Dr. Bascom rushed into the cabin, and seizing the gun from the rack, rapidly returned; but, alas! it was too late! He was only in time to see the innocent, lovely babe torn in pieces, in the presence of the frantic parents, by the infuriated beast. Completely unnerved by the appalling sight, it required several shots before Dr. Bascom was enabled to bring down the blood-thirsty animal. "I can never forget that awful scene," said Dr. Bascom, when relating this incident to the writer, some years since. And well might he say so, for a more deeply affecting and heart-rending scene has seldom been recorded in the history of adventurous pioneer life.

CURING MADNESS.

Cedrone seed, recently discovered in the valleys of Costa Rica, Central America, and said to possess the property of curing madness, and of neutralizing the virus of the bites of dogs and venemous serpents, is attracting the attention of the Faculty in Paris. A Medical Congress, including representatives from different states of Europe, is shortly to be held, to test the efficacy of Cedron seed in mental disorders and epilepsy. From experiments on various animals, great hopes are entertained of its high remedial value. Some of the seed are to be sown in the Jardin dis Plantes.

Nobody blames a rich man for going with his elbows out, because every one knows that he has got money enough to get him a new coat; but it is unpardonable in a poor man to go ragged, because every one knows that it is out of his power to do otherwise.

SAN FRANCISCO AT PRESENT.

The *Pacific News* devotes three columns to a description of San Francisco on the 1st of January, 1851.—We extract the most interesting particulars:

Am't of Gold Dust shipped from Jan. to Dec. 30, 1850.

January,	$448,444	July,	$3,020,000
February,	734,351	August,	5,282,880
March,	1,250,000	September,	918,000
April,	2,201,000	October,	4,598,461
May,	1,731,863	November,	5,337,539
June,	2,669,045	December,	1,250,000
Total amount for the year			$29,441,583

Fixing the amount of gold exported, and which was regularly shipped and entered, for the period named above, at $30,000,000, in round figures and add to it an estimate of $12,000,000, as having gone forward in private hands, and $6,000,000 retained for circulation, and the aggregate shows the enormous sum of 48,000,000; an amount exceeding one-third the total *of all the products of the United States* exported during the fiscal year ending June 30th, 1850, and nearly one-third the amount of imports.

The total amount of bullion received during the year was $1,722,600, the largest proportion of which was from the Atlantic States.

For the time included in the period for which all our statistics have been made up, viz: the twelve months past, there has entered our harbor, from foreign ports, 1,743 vessels. During the same period the number of vessels which cleared, was 1461. The vessels arriving having landed upon our shores, 35,333 males, and 1,248 females. The number which have left by sail vessels and steamers during the same time, was 26,503 males, and 8 females.

The report of the Secretary of the Treasury on commerce and navigation, for the fiscal year ending June 30th, 1849, shows the number of clearances from the port of New York, to have been little more than twice that of San Francisco, for the year ending December 31st, 1850, and the number of arrivals at that port—the same periods compared—to have been 268 *less* than twice the amount.

As compared with New Orleans, the difference in favor of San Francisco is, clearances, 340, and in arrivals 645. When the comparison is made with Philadelphia we find the difference still greater in favor of San Francisco, being in clearances 922, and in arrivals 1,137.—The same would be the result were the comparison made with any of the sea ports in the United States.

The total value of merchandise received by foreign vessels, from Nov. 21, 1849, to Sept. 30, 1800, was $3,354,952 65. The tonnage of the vessels was 151,604.

The total value of merchandise received during the same period in domestic vessels, was $797,275 10.—The tonnage of the vessels $2,949.

In the month of March, 1849 the pioneer steamship entered the "Golden Gates." In less than twenty-two months from that date, we find the following steamers traversing the waters of the Pacific:

Pacific Mail Steamship Company's Line.

California, Oregon, Panama,
Northerner, Tennessee, Sarah Sands,
Unicorn, Carolina.

In addition to these, belonging to the regular lines, are the steamers New-Orleans, Ecuador and Constitution, which have been engaged in the Panama trade; and also the Gold Hunter and the Sea Gull, which have recently been upon the route between this port and Oregon.

There are now employed in the river trade, the following steamers:

NAMES.	TONS.	NAMES.	TONS.
Senator,	754	Sutter,	51
Star,	22	El Dorado,	153
Miner,	75	Libertad,	30
New-World,	527	Com. Jones,	31
California,	61	Fire Fly,	19
Hertford,	251	Lucy Long,	18
Fashion,	87	Linda,	52
Missouri,	27	Wm. Robinson,	46
Ion,	30	New-England,	28
West Point,	239	Jack Hays,	42
McKim,	376	Kennebec,	44
Chesapeake,	392	Gen. Warren,	309
C. W. Grinnell,	10	Victor Constant,	59
P. B. Redding,	8	H. T. Clay,	154
Georgiana,	30	New Star,	48
Elna,	30	San Joaquin,	39
Gov. Dana,	67	Jenny Lind,	61
Maunsel White,	36	Erastus Corning,	86
Bute,	26	Union,	87
Tehama,	83	NOT YET REGISTERED.	
Maj. Tompkins,	151	Confidence, about	450
Mariposa,	60	New Orleans, about	850
Yuba,	19	Benico, about	106
Martha Jane,	15		
Sacramento,	38	Total,	6,632

In addition to this list of steamers, there is also engaged in navigating the rivers and the bay, 270 craft of various kinds. There is also now lying in port, many of them abandoned and others used as store-ships, between five and six hundred vessels, not a few of them of the largest class that can be found in any of the waters of the globe.

The auction business of San Francisco bears no unimportant relation to the trade of the city, and the State. The number which we propose to name as the principal individuals and firms legitimately engaged in this branch, is seventeen.

In addition to what has already been mentioned, we will add, that San Francisco, with a population of over 35,000, sustains *seven* daily papers, while New York, numbering *half a million*, can boast of only *double* that number: We have eight Express Companies, the principal ones being Adams & Co., and J. W. Gregory; over *sixty* brick buildings where six months ago there was not *one*; eight or ten first class hotels, at the head of which stands the Union, just erected by Sclover & Co., and under the management of Isaac M. Hall, the St. Francis, Delmonico's, the Revere, and the National.

But a few months since, the boundaries even of San Francisco were hardly defined with sufficient definiteness to guide the inquirer in his search. Now we have *one hundred and seven miles* of street laid out, *one quarter* of which is built upon and occupied, and over *seven miles* of it substantially planked, and most of that distance properly sewered. We have now a simi-monthly mail, where a year ago it was only an *occasional* one—reaching our shores *now and then*, and half the time not as often! One Marine Insurance Company has already been formed, with a capital of $500,000, and another in progress of organization.

Such is a bird's eye glance at San Francisco, at the close of "Eighteen hundred and Fifty."

Report of the Board of Health, for the week ending Tuesday Feb. 18th.

"The Board" have no new cases to report, and they are gratified in being able to state, that the last cases occurring, some two weeks since, are up and nearly well.

ROBT. F. DAVIDSON,
JNO. A. YOUNG,
R. C. CARSON.

Charlotte, Feb. 18, 1851.

P. S. Later accounts by private letters state that four new cases have occurred.

HEALTH OF CHARLOTTE.

We specially invite attention to the report of the Board of Health for the week ending on the 18th instant. It will be seen that *no new case* has occurred during the week. We think we can safely say that "the prevailing disease" has entirely disappeared and there is no danger for persons to come to Charlotte as usual. We are glad that alarm has been in a great measure removed from the minds of the people, and that our village, for the last few days, has been assuming its wonted business appearance. We understand the Board of Health will continue to act a week longer, and if no further need of their services appear they will make a final report.—*Journal.*

The Slave Trade.—Letters from the British steamship Gladiator, dated Bight of Benin, September 29th, announce that she has taken five prizes, one of which, with 250 slaves on board, was sent to Sierra Leone, and that the Centaur steam-frigate had captured a slaver, with 250 slaves on board, a fortnight previously.

The curiosity of an honorable mind willingly rests where the love of truth does not urge it further onward, and the love of the neighbor bids it stop; in other words, it willingly stops at the point where the interest of truth do not becko .. onward, and charity cries, Halt!—*Coleridge.*

AN ACT

To incorporate the Salisbury and Taylorsville Plank Road Company.

SEC. 1. *Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same*, That William Murphy, D. A. Davis, Joel H. Jenkins, Matthias Boger, Michael Brown, John I. Shaver, Joseph F. Chambers, Thomas H. McRorie, Joseph W. Stockton, Samuel Bell, Joseph F. Alexander, Quincy Sharpe, Thomas A. Allison, John Davidson, William G. James, Thomas S. Boyd, Alfred Carson, A. C. McIntosh, Azel Sharpe, Robert C. Wilson, E. C. Harrington, William Lenoir, C. W. Clark, James Harper, John Hays, Calvin Jones, Ezra Shell, Samuel F. Patterson, together with such persons as now are or may hereafter be associated with them, their successors or assigns, be and they are hereby created a corporation and body politic, by the name and style of the "Salisbury and Taylorsville Plank Road Company," and by that name and style, may acquire and hold, possess and transfer such real, personal and mixed estates, so far as may be necessary for the purpose of constructing the road herein authorized to be made, or of managing the affairs of said Company, and shall have perpetual succession, and a common seal, which they shall have power to alter or renew at pleasure, and shall have and enjoy, and may exercise all the powers, rights and privileges, which other corporate bodies may lawfully do, for the purposes mentioned in this act, and may make all such by-laws, rules and regulations, not inconsistent with the laws of this State or of the United States, as shall be necessary for the well ordering and conducting the affairs of the Company; and by said name may sue and be sued, plead and be impleaded in any of the Courts of this State.

SEC. 2. *Be it further enacted*, That the capital of said Company shall not exceed the sum of Two Hundred Thousand Dollars, in shares of twenty-five dollars each, the payment on securing the stock of said Company, to be made under such rules and regulations as may be prescribed by the Board of Directors hereinafter provided for. The said Company shall have power to construct a Plank Road from the Town of Salisbury via Statesville, to the Town of Taylorsville, by the most practicable route, to be determined by said Company, whenever the sum of ten thousand dollars shall be subscribed to the capital stock of said Company.

SEC. 3. *Be it further enacted*, That after ten thousand dollars amount of stock shall have been subscribed to the capital stock of said Company, it shall be in the power of the members of said Company or any portion of them who may have subscribed the sum of three thousand dollars to call a general meeting of the Stockholders at such time and place as may be deemed convenient for holding the same, by giving public notice in one or more of the papers published in the Town of Salisbury, and by advertising at the Court House and two or more public places in the County of Iredell; at the Court House and two or more public places in the County of Alexander; at the Court House and two or more public places in the County of Caldwell. That to constitute any such meeting, a number of shares entitled to a majority of votes which could be given upon all the shares subscribed, shall be present either in person or by proxy; and if a sufficient number to constitute a meeting, do not attend, shall have the power to adjourn from time to time, until a meeting shall be formed.

SEC. 4. *Be it further enacted*, That the subscribers to the stock of said Company, at their meeting herein before directed to be called, and the Stockholders at every annual meeting thereafter, shall elect five Directors, and the Directors when appointed shall choose one of their number President, who shall continue in office unless sooner removed, until the next annual meeting after their election, and until their successors shall be elected. But the said Directors or any of them, may at any time be removed and the vacancy thereby occasioned be filled by a majority of the votes given at any general meeting. The President with any three or more of the Directors, who may appoint one of their number President *pro tempore*, shall constitute a Board for the transaction of business. In case of vacancy from daath, resignation or otherwise, such vacancy may be supplied by the appointment of the Board until the next annual meeting.

SEC. 5. *Be it further enacted*, That the Board of Directors of said Company shall be, and they are hereby invested with all the rights and powers necessary for the construction and repairs of the Plank Road herein authorized to be made; and also, to make, purchase, and construct all such mills and other works as may be necessary for the construction and the well ordering of said Road.

SEC. 6. *Be it further enacted*, That the said Board of Directors shall have power to make contracts with any person or persons on behalf of the Company for the construction of said Road and of performing all other things respecting the same which they shall judge necessary and proper, and to require from the Stockholders from time to time, such advances of money, on their respective shares, as the wants of the company may demand, until the whole of their subscription shall be paid; to call on any emergency a general meeting of the Stockholders, giving at least twenty days notice thereof, in one or more of the papers printed in the Town of Salisbury, and by advertising at the Court House, and two or more places in the Counties of Iredell, Alexander, and Caldwell, respectively; to appoint such officers as they may deem necessary to transact the business of the Company, taking from them, at their discretion, bond and good security, for the faithful discharge of their several duties, and duly accounting for all moneys coming into their hands; to appoint such superintendants, managers and toll gatherers as may be necessary, and generally to transact all the business of the Company between the general meetings of the Stockholders.

SEC. 7. *Be it further enacted*, That if any stockholders shall fail to pay the sum required of them by the Board of Directors, it shall and may be lawful for said Board of Directors to sell at public auction, and to convey to the purchaser the share or shares of such Stockholders so failing or refusing, giving twenty days notice of the time and place of sale, in manner aforesaid, and after retaining the sum due and all the charges of sale out of the proceeds thereof, to pay the surplus over to the former owner or to his legal representatives; and if the said sale shall not produce the sum required to be advanced, with all the incidental charges attending the sale, the said Board of Directors may recover the balance of the original proprietor, or his assignee, or of the executor or administrator, or either of them, by suit in any Court of Record having jurisdiction thereof, or by warrant before any Justice of the Peace of the county of which he, she, or they are residents; and any purchaser of Stock of the Company under a sale by order of the Board of Directors shall be subject to the same rules and regulations as the original proprietor.

SEC. 8. *Be it further enacted*, That the said Board of Directors, their officers or agents, may agree with the owners of any land over which the said road is intended to pass for the purchase and transfer thereof; and in case of disagreement, or if the owners shall be *femene covert*, under age or *non compos mentis*, or out of the State, on application to any two Justices of the Peace of any county where the lands lie, the Justices shall issue their warrant to the Sheriff of said county to summon twenty freeholders to meet on the land to be valued, on a day expressed in said warrant, not less than fifteen nor more than twenty days thereafter; and the said Sheriff on the receipt of the warrant, shall summon the freeholders accordingly, and when met, shall draw twelve of them, who after being duly sworn, will impartially value the land in question, and ascertain the damages the owner thereof may sustain, and the inquisition so taken, shall be signed by the jury and countersigned by the Sheriff and returned to the County Court to be recorded, and in all cases the jury is directed to describe the land valued, and the valuation shall be conclusive; and the said Company shall pay the sum assessed, and upon payment thereof, the said corporation shall have the same interest therein as if the title in fee simple thereto, had been conveyed to them by the owner.

SEC. 9. *Be it further enacted*, That said Board of Directors or their agents, may agree with the proprietor or proprietors, for any quantity of land they may deem necessary for their purposes, at or near each place or station intended for the collection of the tolls, for the purpose of erecting the necessary buildings and gates; and in case of disagreement may proceed as above directed in the preceding section; *Provided*, That in such case no more than five acres shall be condemned to their use at each station.

SEC. 10. *Be it further enacted*, That it shall and may be lawful for the said Board of Directors as soon as five miles are completed, to demand and receive at convenient toll gates to be by them erected, a reasonable toll from all persons using said Plank Road; said road to be made not less than eight, nor more than sixty-six feet wide; *Provided, however*, That the toll shall be so regulated that the profits shall not exceed twenty five per cent on the capital of said Company in any one year.

SEC. 11. *Be it further enacted*, That if any person or persons shall refuse to pay the toll at the time of offering to pass the place or places designated for the collection of tolls, the toll gatherers respectively may refuse a passage to the person or persons refusing to pay; and if any person or persons shall forcibly or fraudulently pass any gate thereon, without having paid the legal toll, and any and every person or persons, who to avoid paying the legal toll shall with his team, carriage or horse, use said road between the points designated for the collection of toll, without paying the same, shall pay a fine of five dollars to said Company, to be recovered as in other cases.

SEC. 12. *Be it further enacted*, That if any person or persons, shall wilfully or maliciously injure or in any manner damage, or obstruct, or shall wilfully or maliciously cause or advise any other person or persons to injure, hurt, or obstruct the said Plank Road, toll gates or toll houses, belonging to said Company, such person so offending, shall be liable to indictment therefor, and on conviction, shall be fined and imprisoned at the discretion of the Court.

SEC. 13. *Be it further enacted*, That distinct accounts of the proceedings and disbursements of said Board shall be made by them to the annual meetings of the stockholders.

SEC. 14. *Be it further enacted*, That whenever in the construction of said road, it may be necessary to cross or intersect any established road or way, it shall be the duty of said Company so to construct the said Plank Road across such roads or ways, as not to impede the passage or transportation of persons or property along the same; and if in the construction of said Plank Road or of any toll gate or toll house it may become necessary or expedient to use or change any established road or way, it may be lawful for the Board of Directors to change the said road or roads at points where they may deem it necessary or expedient; *Provided, however*, That previous to making any such change, the said Company shall make and prepare a road equally good with the portion of the road proposed to be substituted, but nothing herein contained shall be so construed as to make it encumbent on the Company to keep in repair the portion of any road which they may have changed as aforesaid.

SEC. 15. *Be it further enacted*, That the Board of Directors of said Company shall be, and they are hereby invested with all the right and powers necessary for the construction, repairs and maintaining of a Plank Road, to be located as aforesaid, and they are invested with the same powers and rights for the purpose of extending said Plank Road to Lenoir, in the County of Caldwell, if they should deem it expedient, as are granted by the previous sections of this act for the construction of the main stem from Salisbury to Taylorsville.

SEC. 16. *Be it further enacted*, That this act shall be in force from and after its ratification.

Read three times and ratified in General Assembly this 28th day of January, A. D. 1851.

J. C. DOBBIN,
Speaker of the House of Commons.
W. N. EDWARDS,
Speaker of the Senate.

THE CAROLINA WATCHMAN.

J. J. BRUNER, Editor & Proprietor.

VOL. VII.] Salisbury, N. C. [No 42

THURSDAY EVENING, FEBUARY 27, 1851.

PLANK ROAD, &c.

A public notice has been given for a meeting of the citizens of Rowan and Iredell at Mr. Foard's, on Third Creek, on Saturday next, to take measures for raising the capital necessary to complete the Plank Road to Taylorsville. We can not commend this undertaking too strongly to our friends in this region. There are many who have done nothing for the Rail Road who are abundantly able to help on this work efficiently. In Iredell, except about Mount Mourne, nothing has been done at all for the Rail Road, and nevertheless the amount of subscription for Iredell county for the Plank Road is only about $8,000. For a great county—and Iredell certainly deserves that epithet in many respects—for a county where intelligence and morals are as much cherished as in any other; where industry and enterprise are vainly struggling with muddy roads and declining fields, and worst than all, with the exhausting drain of emmigration, for such a county, to stand counting pittances when her rescue is promised, and a dawn is opened for her entire redemption and resuscitation, seems strange!! Iredell is not up with the age in this respect, that is certain: and if she expects to maintain the high position she has always heretofore maintained, she must not wait for other counties to make her public works. We have faith in Iredell, though she is slow in coming in: Cabarrus was as hard to move on the Rail Road as Iredell has been on this subject, but Cabarrus has nearly, if not quite, the most creditable subscription that was made by any county to this great enterprise. If they who understand these things will only take the pains to inform the people in the counties interested, there is no doubt they will do as the people of Cabarrus have done. Just convince them of their true interest, and all people will alike pursue it, and their diligence and spirit will generally be in proportion to the strength of their convictions. We have said nothing about the people of Alexander and Caldwell, for we do not know what they have done. We presume that they will, at all hazzards, take care of themselves. While we are reading homilies to our neighbors, it must not be supposed that we feel satisfied with what the town of Salisbury has done.—There are many who have not subscribed a dollar to the Rail Road, who might come to the aid of this great artery of the prosperity of our commerce. The merchants will rue the day when they let the trade of the great mountain region go to Charlotte or Concord. They had better make a large sacrifice than to submit to such a state of things.—"*Verbum sat.*"

RAIL ROAD SURVEY.

This work, in the hands of MAJOR JOHN MCREA, assisted by Messrs FRY and SUMNER is progressing on this part of the line quite satisfactorily. The party have located the Road from Charlotte via Concord to within a few miles of this place. The wet weather, and some few unexpected curves which they had to put in on account of private dwellings, have caused some delay, but energy and industry have brought them forward with as much rapidity as the most exacting could have required. To breakfast and get to work by sun up and to work till sun down without stopping for dinner, which is the uniform practice of this corps, is more than is required of slaves, and yet these