

Carolina Watchman.

VOL. 2. THIRD SERIES.

SALISBURY, N. C., MONDAY, FEBRUARY 18, 1867.

NO. 7—WHOLE NO. 1750.

LEGISLATURE.

SENATE.

Thursday, Feb. 7.

The committee on the stay law reported a bill recommending its passage. Mr. Cowles moved to suspend the rules and put the bill on its several readings. Agreed to, and the bill was read a second time.

Mr. Cowles moved an amendment which was carried after considerable discussion, and then the bill was recommitted for further alteration, with instructions to report immediately.

A message was received from the house, enclosing a resolution proposing to adjourn on the 18th inst.; sine die. Laid on the table.

Also a bill to incorporate the town of Rocky Mount.

Also a bill to alter the times of holding county courts in Stanly county. Passed its several readings.

A resolution to place the sum of \$5,000 as a contingent fund in the hands of the Governor to pay freight for supplies from benevolent associations. Passed its several readings.

SPECIAL ORDER.

The bill to declare valid an act of the general assembly, ratified January 1863, amendatory of the charter of the Chatbam Coalfields R. R. Co., and the larger part of the day was consumed in its discussion.

The bill was defeated.

The stay law reported and went over until to-morrow.

The Senate then adjourned.

HOUSE OF COMMONS.

Thursday, Feb. 7.

The house was called to order at half past 10 o'clock.

The bill to authorize the public treasurer to negotiate a loan for the relief of the treasury, and to establish a North Carolina savings bank, was reported back from the committee on finance, with a recommendation that it do not pass.

On motion of Mr. McKay, this bill was made the special order for Tuesday next.

A bill to incorporate the Duplin manufacturing company, reported back from the committee on corporations, passed its 2d and 3d readings.

The memorial of the mayor and commissioners of Raleigh, praying relief from an anticipated nuisance, was reported back from the committee on propositions and grievances, and referred to the committee on public buildings and grounds.

BILLS AND RESOLUTIONS.

Mr. Crawford of Macon, a bill to incorporate the Tennessee river mining and manufacturing company.

Mr. Houston, a bill in favor of C. A. Boon, late sheriff of Guilford county.

Mr. Davidson, a bill in favor of Mount Pleasant Academy.

Mr. Guess, a bill for the relief of executors, administrators, guardians, and others.

Mr. McKay, a bill to authorize the county court of Cumberland to appoint inspectors of crude turpentine in the town of Fayetteville.

Mr. Cowan, a bill to amend the charter of the Cape Fear steamboat company. [This bill passed its several readings.]

Mr. Perry, of Carteret, presented a memorial from citizens of Carteret county, asking legislation for the protection of established fisheries.

A bill to incorporate the town of Nahunta; a bill to establish a criminal court in the county of Craven; and a resolution in favor of William Gordon, passed their 2d and 3d readings.

SPECIAL ORDER.

The house resumed the consideration of the bill to transfer the land scrip donated by the United States for an agricultural college, on its 3d reading.

Mr. Durham offered a substitute for the bill, authorizing the sale of the land scrip by the public treasurer—the election of seven trustees—and the location of an agricultural and mechanical college near the centre of the State but not in the vicinity of the University, or of any city or incorporated town.

Messrs. Long, Dargan, Davis and Morehead opposed the substitute.

Messrs. Durham, Everett and Henry supported it.

The substitute was rejected by the casting vote of the speaker—yeas 53, nays 55.

Mr. Russ opposed the bill.

Mr. Logan offered a substitute.

Mr. Cowan urged the passage of the original bill.

Pending final action the house adjourned, on motion of Mr. Everett.

A gentleman in California having made a lady a present of a pair of pistols, after several trials of skill they concluded to go through the forms of a duel. They took their positions, fired at the word, and, to the terror of the lady, the gentleman fell. She threw herself frantically upon the corpse, embracing and kissing it with every emotion of endearment. Under such magical influence the gentleman revived, and rose unharmed from the ground, and—and—they are to be married.

NEWS OF THE DAY.

Congress.

Washington, Feb. 7.—Mr. J. M. Ashley rose to personal explanation regarding some newspaper correspondence, in which he took occasion to denounce the President; but denied complicity with Gen'l Butler, or any intention of stabbing General Grant in the back.

House.—The retrenchment Committee reported favorably to the official conduct of Mr. Van Dyke assistant Treasurer at New York.

The Reconstruction Committee's bill was taken up.

Mr. Stevens had not made up his mind beyond desiring to vote as early as possible. And would not agree to postpone the vote till Monday.

Mr. LeBlond, said the bill struck down civil government in the South, ignored State lines and broke down the Judiciary.

Mr. Raymond proposed in view of its importance to allow twenty minutes.

Messrs. Stevens and Bragg made characteristic speeches in favor of the bill. The latter says the bill commences where Grant left off two years ago. He saw, promise that the sword of the Republic was about to be again unsheathed.

LeBlond and Finch opposed, and Pike favored. Farnsworth followed on the same side.

Mr. Rogers spoke an hour in opposition. He said rather than see military government established in this country, he for one, would use the power the Almighty gave him in resisting the invasion of his liberties. Mr. Thyer interrupted Rogers about its costing his neck.

Mr. Rogers continued, that if the South had the blood of Washington, Jefferson, Madison, the sages and heroes of the revolution, they would protest, as their fathers had protested by their blood, against the despotism of King George. He hoped the President of the United States would resist, and use the powers the Constitution gave him, to compel traitors to obey the laws. If Andrew Johnson would submit to see the country destroyed, his name would go down with ignominy to posterity, as a coward and a traitor.

Mr. Bingham spoke very briefly, placing himself squarely in opposition to the measure, when the House took recess till 7 o'clock.

In the Senate, the Clerk read a dispatch from Nashville announcing universal suffrage in Tennessee.

The Judiciary Committee reported bills enrolling and calling out the militia, and preventing corporal punishment.

Liverpool, Feb. 8.—The broker's circular reports the total sales of cotton for the week ending last evening, at 43,000 bales. The market had a downward tendency, and middling uplands have declined fully 1/4 during the week. The market to day is unchanged, with a prospective day's sale about 7,000 bales, middling uplands 14 1/4.

Washington, Feb. 8.—The Ways and Means Committee will favor the exemption of incomes, under a thousand dollars. Over that amount five per cent.

Speculations regarding the fate of Stevens' bill, say that it cannot reach the Senate before Monday, where it will be detained as long as its opponents have wind to speak against it, there being no Senate machinery curtailing speeches. If kept from reaching the President till after the 24th, it will die with the adjournment.

Stevens' "Bill" Dead.

Washington, Feb. 8, P. M.—The House refused to second the previous question on Stevens' bill. It is dead.

Congressional.

Washington, February 9.—Senate.—The memorial of Mrs. Mary Leoup, whose husband was killed in the Orleans riot, asking relief, was referred to the Committee on Pensions.

A motion to reconsider the vote against the bankrupt bill was carried. The consideration of the bill was postponed.—The Senate considered District bills, and after executive session the death of Hon. Henry Grider, was announced. Mr. Davis, of Kentucky, pronounced the eulogy.

Adjourned.

House.—The consideration of the Stevens' bill was resumed. M. Banks, of Massachusetts, took the floor. He believed the States lately in rebellion still to be States, but they may be regarded in a state of siege. He would not object to placing them under martial law, but this bill went further—establishing a government responsible neither to Congress nor the people, but only to the commander of the army. Another objection is that not a letter or line looking to the establishment of any other than military government is contained therein. Mr. Ashley rose to a question of order and called upon the Nebraska voted bill and the Senate's action thereon. The veto message was read and the bill passed over the veto by 130 to 44.—Messrs. Davis and Raymond voting nay. The Stevens bill was resumed. Mr.

Raymond said it was clear that there was not unanimity enough to secure the effectiveness of the measure. None of the propositions before the House had sufficient friends to enforce them, even if passed. The time had arrived for Congress to concoct some measure which would secure effective unanimity and command the support of every department of the government. He proposed that the whole matter be referred to a committee of five or seven, of which Mr. Stevens should be chairman, to report a bill by Wednesday for the protection of life and liberty in the South, and for the speedy readmission of those States.

In course of a long debate Mr. Shelbarger said the New Orleans Riot Committee would, on Monday next present a bill for the civil organization of the Southern States.

Mr. Raymond said he was glad to hear it.

The death of Hon. Henry Grider was announced, and, after passing appropriate resolutions, the House adjourned.

From Washington.

Washington, February 9.—A small quantity of superior Chinese sugar cane seed is to be distributed on application to Isaac Newton, Agricultural Department, Washington.

A delegation of Masons will leave here to-morrow for Columbia, South Carolina, to present Masonic jewels to a Lodge there.

President Johnson called upon George Peabody to-day as a private citizen. In the course of conversation he paid that gentleman high compliments for his magnificent gift in behalf of the educational interest of the South. Mr. Peabody replying, said he had some knowledge of the official cares bearing upon the Executive, and appreciated his efforts to restore the lately rebellious States to their full relations to the Federal government. Alluding to his residence in England he said there was more friendly feeling among the people of the government of that country towards the United States than heretofore.

The New Orleans Riot Committee will report to-morrow, condemning Mayor Monroe and censuring the President.

They say the loyal people of the city were not protected. They will, in connection, report a bill appointing a Governor and Council under whom the State can reorganize, only loyalists, regardless of color, being permitted to vote.

The Committee of Ways and Means will report at an early day, probably to-morrow, the internal revenue bill.

The leading idea is a riddance of the tax on manufacturers at the earliest possible moment. The present government wants to forbid this immediately, and hence the partial action. Articles entering largely into the present cost of living, such as salt, leather, cooking utensils, scales, engines, clothing made from taxed staples, are exempt. Many articles now paying two per cent. such as glue, wagons used for farming, butter and cheese, are exempt. A section is added refunding the amount paid on raw material entering into the manufactures. Many articles are exempt because the expense of collecting exceeds the tax. Boxes, bottles, barrels, the contents of which are taxed, are exempt.

The cotton tax remains unchanged.—The tax on cane sugar is placed at a uniform rate of one cent per pound.—The liquor tax is unchanged, but the license for distilling is increased from one hundred dollars. Distillations from apples and peaches are free. Grape brandy fifty cents per gallon. Incomes under \$1,000 are exempt, and those in excess of that are taxed five per cent. Rent, taxes, insurance and repairs are to be deducted from incomes, making the average exemption \$1,500. For violation of the distillery law is punishable with fine and imprisonment of not less than two nor more than ten. Liquor sold at less than the tax is to be seized.

Mr. Banks' Speech.

Washington, February 9.—Mr. Banks, in the House yesterday, in appealing to Stevens against pressing a vote, used the following language: "I believe that a day or two devoted to the subject of reconstruction, will bring us to a solution in which we shall agree, in which the two Houses shall agree, in which the people of the country shall sustain us, and in which the President will give us his support." This speech gives rise to various speculations. It is understood that Banks was frequently in council with Southerners recently here, and that he favors their proposed policy. Mr. Banks intimated that any Congressional policy would be futile in its operations, if opposed by the Executive. We must, he said, have laws in which the Executive will cooperate in order to make those laws effective. If we fail to secure his co-operation in the laws it is our duty to stop making them, and consider the power and purposes of the President himself.

National Democratic Committee.

Washington, February 9.—The National Democratic Committee met to-day, with a view to the election of dele-

gates to the conventions of each State, held to consider the state of the country. A proposition of the Pennsylvania State Committee to hold a National Convention at Harrisburg, May 31st, was favorably entertained, and its adoption is probable, with instructions to State committees to elect forthwith delegates who may act in an emergency.

IMPEACHMENT—SUSPENSION OF THE PRESIDENT.

Mr. Curtis, of New York, has done a good service to the country in bringing to light the action of the Convention which framed the Constitution of the United States upon the subject of suspending the President from office until tried and acquitted, in cases of impeachment. From Mr. Madison's own report, Mr. Curtis quotes the following:

"On the 14th of September, Mr. Rutledge and Mr. Gouverneur Morris moved

"That persons impeached be suspended from their office until they be tried and acquitted."

"Mr. Madison.—The President is made too dependent already on the legislature by the power of one branch to try him in consequence of an impeachment by the other. This immediate suspension will put him in the power of one branch only. They can at any moment, in order to make way for the functions of another who will be more favorable to their views, vote a temporary removal of the existing magistrat."

"Mr. King concurred in the opposition to the amendment.

"On the question to agree to it: "Connecticut, South Carolina, Georgia—Aye, 3; New Hampshire, Massachusetts, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina—No, 8. (Madison's notes; Elliot, vol. 5, page 541-542.)"

Upon which the New York World makes the following remarks:

"If Congress shall attempt to suspend President Johnson, he has the most solid constitutional grounds for resistance.—Congress has no more right to suspend him during the trial than they have to put him out of office previous to the impeachment. In the light of Mr. Curtis's exposition it is a case that admits of no doubt, and Mr. Johnson would be false to his oath to 'preserve, protect, and defend the Constitution,' if he permitted it to be thus wantonly and flagrantly violated. If Congress shall have the hardihood to undertake what the authors of the Constitution deliberately decided should never be done; if Congress shall attempt to invent against the Constitution a power which knocked in vain for admission and had the door shut in its face, the proceeding will be so revolutionary as to justify and demand the most resolute and unshrinking resistance. To suspend the President in defiance of the Constitution will be as daring a rebellion as was that of the South in 1861. It will deserve to be confronted with measures equally decisive and crushing.

President Johnson would have the public opinion of the world on his side, because the evidence is of that plain, untechnical, and conclusive character which the whole world can appreciate."

Of course we do not agree with the World in its estimate of the merits of the "lost cause." On the contrary, because the Convention which framed the Constitution refused to give the General Government power to coerce the States, we argue that in the case of the secession of the Southern States, neither Congress nor the President had either any right or any constitutional power to make war upon them.

AN ERROR CORRECTED.

It will surprise some people to learn that the Federal military occupy the Executive Mansion, at Raleigh, N. C. to the exclusion of the Governor of the State.

We see the above going the rounds in the papers. It is incorrect and unjust to the military authorities. While General Ruger was in command here, he notified Governor Worth of his readiness to surrender the Executive Mansion, whenever it was desired. It has not been asked for, for the reason that the Legislature has failed to make any appropriation for the repair of the buildings and lot, rendered necessary by the depredations committed upon them; and it has been thought advisable to leave them in the hands of the military, to prevent the damage which might be done by having them unoccupied, until an appropriation was made to put them in repair.—Governor Worth occupies his own house from choice, until the buildings and grounds are put in a proper condition to occupy.—Raleigh Sentinel.

St. Augustine is said to be a delightful residence. The Examiner, of that place, speaking of the great crop of oranges, says that 60,000 will be picked from one grove. A gentleman there writes that "they hang in rich yellow clusters from trees on the sides of the streets, and the soft air is redolent of their rich perfume."

"We see," said Swift, in one of his most sarcastic moods, "what God thinks of riches by the people he gives them to."

THE STAY LAW.

AN ACT TO CHANGE THE JURISDICTION OF THE COURTS AND THE RULES OF PLEADING THEREIN.

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 all warrants issued by a Justice of the Peace in civil cases, shall not be returnable within twelve months after the execution of the same, before some Justice of Peace for the county.

SEC. 2. Be it further enacted, That the jurisdiction of Justices of the Peace shall extend to one hundred dollars, principal money, on all bonds, bills, promissory notes or accounts stated, and shall extend to sixty dollars principal money, upon accounts for goods, wares and merchandise sold and delivered or for work and labor done, or for specific articles, and all balances of sixty dollars and under, due on such last mentioned debts or demands, and on all judgments rendered therein, and on all forfeitures and penalties not exceeding one hundred dollars: Provided, That this section shall not be construed to take from the Courts the jurisdiction in cases of less than one hundred dollars, upon which writs have been issued prior to the ratification of this act.

SEC. 3. Be it further enacted, That all warrants issued by a Justice of the Peace, for any debt or demand within his jurisdiction, according to the provisions of the above section: Provided, That said debt or demand is due upon any contract, whether by bond or note or liquidated account, or any parcel agreement made or entered into, and due prior to the 1st day of May 1865, shall not be returnable for trial, within twelve months after the execution of the same and at the return of the same, if the defendant or defendants shall pay to the plaintiff his agent or attorney, or to the officer executing the warrant, one tenth of the principal and interest, and all costs that may have occurred thereon, he, she or they, may have twelve months longer to plead, at the end of which being again notified of the time and place of trial, if the defendant or defendants shall pay one fifth of the principal, interest and costs, he, she or they, shall have twelve months longer to plead, at the end of which time, if the defendant or defendants shall pay one half of the residue of said claim, he, she or they, shall have twelve months longer to plead, at the end of which time the plaintiff shall have judgment for the remainder: Provided, That executions on justices' judgments on debts contracted prior to May 1st 1865, already rendered, shall be stayed for twelve months from the date of the ratification of this act.

SEC. 4. Be it further enacted, That on all debts contracted since the first day of May, 1865 and all warrants issuing for the same, shall be returned and tried according to the provisions of the Revised Code, chapter sixty-two, (62) and the remedy in all such cases shall be the same as in 1860.

SEC. 5. Be it further enacted, That all writs in actions of debt, covenant, assumpsit or account, issued to Fall Term 1866, or Spring Term 1867, of the Superior Court shall be returnable to Spring Term, 1868, and all said actions now pending in the Superior Court shall be continued to Spring Term 1868: Provided, That the Sheriff shall not be allowed in any case to levy execution before the first day of January succeeding the rendition of judgment.

SEC. 6. Be it further enacted, That all writs in debt, covenant, assumpsit or account, shall be returnable to Spring Term of the Superior Court, and shall be served at least thirty days [Sundays included] before the return day. If during the return term, the defendant pay to the plaintiff or into Court for his use, one tenth of the debt or demand [principal and interest] and all costs to that time, he shall be allowed until next term to plead. At the said Spring Term should the defendant pay to the plaintiff, or into Court for his use, one fifth of the residue and costs, he shall be allowed until the succeeding Spring Term to plead; provided, however, the plaintiff if required shall file his debt or demand in writing, and if the defendant shall not justly due, or that he has a counter claim, all of which shall be particularly set forth by affidavit, then the defendant shall only pay the instalment required of what he admits to be due; and the Court shall order a Jury at the same or subsequent Term to try the matters in dispute between the parties, and at the next Spring Term the defendant shall be allowed to plead only upon the payment of one fifth of the residue of the admitted amount, and whatever the Jury may find him indebted over and above the same: Provided further, that should the defendant fail to pay the first or any subsequent instalment, then and in that case, the plaintiff shall be entitled to judgment and execution for said instalment; provided however, any debtor tendering or paying to his creditor on any debt contracted prior to the first day of May A. D. 1865, the one tenth of his indebtedness without a suit having been brought on the same, the said one tenth shall be entered as a credit on the evidence of said indebtedness; thereafter the remainder of said indebtedness shall not be sued on for twelve months after the payment or tender of said one tenth.

SEC. 7. Be it further enacted, That so much of the ordinance of the Convention, passed on the 23d of June 1865, as shall come in conflict with this act, together with all other laws coming in conflict with the same, be, and the same are hereby repealed.

SEC. 8. Be it further enacted, That the time elapsed or elapsing from the twentieth day of May, 1861, until the first day of January 1870, shall not be counted so as to bar actions, or suits, or to postpone satisfaction of judgments of rights.

SEC. 9. Be it further enacted, That this act shall be in force from and after its ratification.

—Sentinel.

If there had been an Atlantic cable telegraph during the last war with England, the battle of New Orleans would not have been fought. Gen. Jackson won his victory fifteen days after peace was made at Ghent.

SOUTHERN ENTERPRISE—AN ENCOURAGING EXHIBIT.

The *Saunderville Georgian* gives the following favorable account of Southern enterprise:

Virginia is acting an example to her sister Southern States. Her magnificent water power is being laid under contribution by the hands of genius and industry. The hum of the spindle and the loom, the noise of busy machinery in every department of the mechanic arts, is making the echoes of these lovely valleys where but a few months ago "a crow in flying over them would have had to carry his rations."

Tennessee is reported to have twelve mills in successful operation, with an invested capital of \$700,000, and producing an annual aggregate of manufacturing goods to the amount of \$1,000,000.

South Carolina brings into play from her ashes, eleven cotton factories, running 27,000 spindles and 996 looms. In the vicinity of Fayetteville, in North Carolina, there are one dozen factories.

At Raleigh, in the State, a mammoth building is to be erected for the manufacture of cotton and woolen goods, while Charlotte is now producing cloths and cassimeres of superior quality. This latter mill alone runs 25,000 spindles, and consumes about 3,000 pounds of wool weekly. Mississippi are working out the problem of their independence, while Georgia, our own scornful State sends out a loud amen from seventy-two mills in operation and twelve in process of erection. Of these latter, some are projected on a scale to rival the notorious Lowell or the pretentious establishment of Senator Sprague. Three miles from Covington, and but sixty from this office, has grown up since the war the village of Steadman. Under the magic touch of its founder, Mr. E. Steadman, mills for the fabrication of prints, woolen goods, homespun and yarns are rapidly rising, and will soon supply a demand which has filled heretofore the pockets of our New England tax assessors.

The old Puritan was not simply content to believe himself right; He sought to force others to recognize the fact.—Nor was this sufficient. He was not scrupulous about the means resorted to to compel co-operation with him. Hence intolerance and dictation were of the very essence of his nature. Indeed, it is a noble nature only that is content with conscientiousness of being right, and that so respects the manhood of another as to be unwilling to invade it by forcing the adoption of its own convictions. It is far more natural to say, "I am right, and so far as I can, shall compel you to agree with me." But the Great Ruler of the Universe leaves man the power of choice, even of seeking the wrong. That is a stretch of magnanimity of which certain types of the New England mind are incapable. Mr. Boutwell, of Massachusetts, is a shining example. He stoops to a petty malignity and a narrow intolerance that belong to the days of the Long Parliament, and his recent legislative career evinces a proscriptive, bitter, unmanly bigotry, deplorable even in a private citizen, but disgraceful to one who aspires to be a leader of "the great party of freedom." His proposition to prevent citizens engaged in the late rebellion from practicing in the United States courts is but one of a brood of similar measures. It is bad enough to have a man of such a spirit as a citizen amidst a nation of freemen, but to have him in a position to shape national legislation is to make the records of the nation a dishonor.—In his brief speech in support of the bill he talked about "the respectability and dignity of the nation" being affronted by the action of the Supreme Court, which if unwilling to protect itself from the contamination and presence of traitors, should be protected by act of Congress. From this we infer that Mr. D. is a lineal descendant of the Pharisee who thanked God that he was not as other men. For the nation it is fortunate that other men are not as he is.

National Intelligencer.

From the Banner.

At a called communication of the Fulton Lodge, No. 99 A. Y. M., held in their Hall in Salisbury, on the 9th of February A. L. 1867, the following preamble and resolutions were unanimously adopted.

WHEREAS, Fulton Lodge No. 99 A. G. M. has mourned with sentiments of profound sorrow the death of our R. W. Grand Secretary, Bro. W. T. Bain, who for so long a period, and with such honor to himself, and usefulness to our Order, filled one of the highest Masonic Offices in this jurisdiction, therefore

Be it Resolved, That in this sad dispensation of our Heavenly Grand Master, our brethren have sustained an irreparable loss, the community at large an excellent citizen, and his family all that could be desired in a father or husband.

Be it further Resolved, That we tender to the family of our late Brother our warmest sympathies in their sore affliction, and that in accordance with the Order of the Grand Lodge, and the promptings of our own feelings, we will wear the usual badge of mourning for thirty days.

Resolved, That those proceeding be sent to our city papers with a request to publish, and a copy be forwarded to the family of our deceased Brother.

J. V. BROWN,
Secretary.