

mentioned. First, the office and the oath, and afterwards, engaging in rebellion or giving aid or comfort. A person who has held an office within the meaning of this law and has taken the official oath, and who has not afterwards participated in a rebellion, may very safely take this oath, and so too the person who has fully participated in the rebellion, but has not prior thereto held an office and taken the official oath, may with equal safety take this oath. My duty here is simply one of construction. I do not deem it proper to enter upon any question of the constitutionality of this part of the act.

Taking it as granted, for the purpose of construction, that Congress has the right to impose such an oath, it is not only allowable, but essential that it be in view its essential characteristics. It is something more than a legislative act, as a consequence of acts done at a prior time, and which, at the time they were done, entailed no such consequences. In the late cases before the Supreme Court of the United States, upon the test oath prescribed by an act of Congress to be taken by lawyers, by which the exclusion from the right to practice their profession, was made to arise from prior participation in the rebellion, the court says, "as the oath prescribed cannot be taken by these parties, the act as against them operates as a legislative decree of perpetual exclusion, and exclusion from any of the professions or any of the ordinary avocations of life, for past conduct, can be regarded in no other light than as a punishment for such conduct. The execution of the oath is the mode provided for ascertaining the parties upon whom the act is intended to operate, and instead of lessening its objectionable character, all enactments of this kind partake of the nature of bills of pains and penalties." The court further says the deprivations of any rights, civil or political, previously enjoyed may be punishment, the circumstances attending, and the causes of the deprivations determining this fact. The characteristics of this class of acts are therefore retrospective, penal and punitive. Of course, there can be no question as to the rule of construction which is here to be applied. Those who are expressly brought within its operations, cannot be saved from its operation, or for any other reason, a reasonable doubt, arises, that doubt is to be resolved against the operation of the law and in favor of the voter. What acts, then, within the meaning of the law, make a party guilty of engaging in insurrection or rebellion against the United States or giving aid and comfort to the enemies thereof? The language here comprehends not only the late rebellion but every past rebellion or insurrection which has happened in the United States. So, too, it comprehends every foreign war in which the United States has at any time been engaged. The first part of the sentence covers cases of domestic war existing in the form of rebellion or insurrection, whilst the last part applies to foreign wars. The words "giving aid and comfort to the enemies of the United States" are the same used in the constitutional definition of treason, and the enemies there meant must be taken to be foreign enemies. These words originally found in the early statutes of England against treason have received that settled interpretation in English and American courts. They are used in this act without any qualification, and we give them full force and application when they are made to apply to adherence to giving aid and comfort to foreign enemies. Such an act as to the breach of the oath of duty of allegiance stands upon the same policy of qualification as engaging in rebellion or civil war. A person therefore who gave aid and comfort to our enemies in the war with Great Britain in 1812, and in the war with Mexico in 1847, would, in that particular, come within this clause. In laying down this rule I do not forget that for certain purposes, and in a certain sense every citizen in the rebel States during the late rebellion is to be considered a public enemy as in respect to the liability of his property to capture as a prize of war and in respect to various acts of Congress passed during the rebellion which, as to property, declare its liability to capture, forfeiture or confiscation when used in aid of the late rebellion. But whenever in any of these acts of Congress the terms "aid and comfort" are used in any other than the commonly received adaptation, some qualification or description is added to make them apply to the rebellion. Nevertheless, although I strongly incline to think that the "aid and comfort" here mentioned should strictly be confined to its acknowledged legal interpretation, I am not quite prepared to say that Congress may not have used it as applicable to the rebellion. I shall therefore allow it due weight in the next enquiry in giving construction to the clause now to be considered.

We are now to enquire what is meant by engaging in insurrection or rebellion against the United States. The force of the term to engage carries the idea of active rather than passive conduct, and of voluntary rather than of compulsory action. Take, as an instance, a rebel soldier compelled to service by force of conscription. Take, as another instance, the case of a slave, who, by the command of his master or by military order, has served in the ranks, or aided in the construction of military works. It would be an abuse of language to hold that in these instances the parties engaged in rebellion within the meaning of that word as used in this law. But whilst in my opinion a conscript or slave forced into the ranks, or other military service, is not included, it does not follow that other classes than those who actually levied war, and voluntarily joined the ranks of the rebels, are to be excluded, taking it to be clear that in the sense of the law persons may have engaged in the rebellion without having actually levied war or taken arms. All those who in legislative or other official capacity, were engaged in the furtherance of a common unlawful purpose, or persons who, in their individual capacity have done any overt act for the purpose of promoting the rebellion, may well be said, in the meaning of this law, to have "engaged in rebellion." All persons who, during the rebellion, acted in an official capacity where the duties of office necessarily had relation to the support of the rebellion, such as members of the rebel Legislatures and rebel conventions, and rebel conventions, diplomatic agents of the rebel Confederacy, or such other officials whose duties more especially pertained to the support of the rebel cause, must be held to come within the terms of exclusion. Officers in these rebel States who during the rebellion, discharged official duties not incident to war, but in the preservation of order and administration of law are not to be considered as thereby engaged in rebellion. The interest of humanity requires such officers for the performance of such official conduct in time of war or insurrection, as well as in time of peace, and the performance of such duties can never be considered as criminal, it cannot be regarded as the conclusion that Congress could have meant

that such purely civil and necessary offices involved the incumbent in the guilt. Nothing but the most cogent language, such as was used in the test oath for lawyers, could manifest such a purpose. The supreme court, in construing that test oath, and in reference to the clause to which I have alluded, uses this language: "The third clause applies to the seeking, acceptance or exercise not only of offices created for the purpose of more effectually carrying on hostilities, but also, of any of these offices which are required in every community, whether in peace or war, for the administration of justice and preservation of order." I find no such purpose in the use of any of the terms of the act now under consideration. I am accordingly of opinion that holding a simple judicial office, or other executive office, or public employment as are of purely civil character, such as county offices, municipal offices, and all others of like nature, which were not created for the purpose of more effectually carrying on hostilities, and which did not involve the performance of duty expressly in furtherance of the rebellion, do not, within the meaning of this part of the act, fix on the incumbent the guilt of engaging in the rebellion. So much for official participation.

I now recur to what amounts to individual participation in the rebellion. In the attempt to arrive at classes of persons or of acts intended to be comprehended in the matter of engaging in rebellion, we must have due regard to the subject matter. Undoubtedly, although every rebellion against the United States is comprehended, it is the late rebellion which almost, if not altogether can be said to be the proper subject matter—a rebellion which extended over eleven States of the Union, involving more or less millions of the people, continuing for more than four years and maintained by vast military authority, which as to all these people for a time and as to most of them during its continuance excluded them from all protection under the lawful government. The obligations of allegiance when thus separated from the corresponding right of protection and the breach of that allegiance are necessarily modified. Under such circumstances the obligation is less stringent and a breach of that obligation less reprehensible than in cases of temporary or local insurrection. Nor must we forget that throughout these rebel States there were large classes of their population more or less opposed to the rebellious movement, and who were yet more or less necessarily involved in its support. I have already said that the language used in that act as to participation carries the idea of voluntary participation, and I am satisfied that these considerations growing out of the nature of the rebellion induced Congress to use the word "engaged" in the sense of voluntary participation. When an insurrection by its continuance and power takes the form of a *de facto* government and prescribes and enforces laws over the people within its territory, individual rights and obligations undergo an inevitable modification and the rightful and lawful authority when it again comes into place must, in a measure accommodate its action to circumstances, and consider many things as rightfully done which in a mere insurrection would have no color of legality. This principle is recognized by all civilized nations; has been especially enforced in England by statutes and by the decision of courts as early as the reign of Henry VI. Obedience to the *de facto* government, established under an usurping monarch, has been held not to involve the subject in the guilt of treason to the lawful king. Giving due weight to these well established principles, I proceed with the enquiry. I am of the opinion that some direct overt act, done with the intent to further the rebellion, is necessary to bring the party within the provision and meaning of the law. Merely disloyal sentiments or expressions are not sufficient. The person applying for registration is not required to clear himself from the taint of disloyalty. The meaning of Congress here becomes yet more evident. When we look at the last clause of the prescribed oath, he is required to swear that he will faithfully support the constitution and obey the laws of the United States, and will, to the best of his ability encourage others to do so. This part of the oath is not exclamatory but promissory. It looks to the future and not to the past, and the purpose is here manifest to omit as to the right to vote the disqualification from the right to exercise office. Mere acts of common humanity and charity cannot be considered as involving the party in participation in the rebellion. So, too, are forced contribution by the rebel authorities or the compulsory payment of taxes in aid of the rebellious cause. It would involve the person and it must work disqualification under this law. Voluntary contributions in furtherance of the rebel laws, or their organized contributions of food or clothing, or necessary supplies, except of a strictly sanitary character, are to be classed with acts which disqualify.

The Board of Registration: The original act contains no provision as to the manner and time of holding an election of delegates to a convention, or ratification of a constitution framed by that convention, or for other purposes. The last section of the supplemental act provides that a registration of voters shall be made before the 1st of September, 1867. The 4th and subsequent sections provide for the means by which this registration is to be effected. The Commanding General is directed to appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons to make and complete the registration, superintend the election and make return to him of votes, lists of voters, and of persons selected as delegates by a plurality of votes cast at said election, and upon receiving said returns he shall open the same, ascertain the persons elected as delegates, inspect the returns of the officers who conducted said election, make proclamation thereof, and if a majority of votes given on that question shall be for a convention, the Commanding General, within sixty days from date of election, shall notify the delegates to assemble in convention, at a time and place to be mentioned in the notification, and said convention when organized, shall proceed to frame a Constitution and civil government according to the provisions of this act and the act to which it is supplementary, and when the same shall have been so framed, said Constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act, an election to be conducted by the officers or persons appointed or to be appointed by the commanding General as hereinafter provided, and to be held after the expiration of thirty days from date of notice thereof to be given by said convention, and returns thereof shall be made to the commanding General of the district. The sixth section provides that all elections in the States mentioned in said act to provide for the more efficient government of the rebel States, shall, during the operation of said act, be by ballot, and all officers making said registration of voters, and conducting said elections shall, before

entering upon the discharge of their duties, take and subscribe to the oath prescribed by the act approved July 2, 1862, entitled "an act to prescribe an oath of office," provided that if any person shall knowingly and falsely take an oath in this act prescribed, such person, on conviction, shall be subject to the pains, penalties and disabilities which by law are provided for the punishment of wilful and corrupt perjury.

The only oath prescribed by this act and the oaths to be taken by the persons applying for registration and the oath to be taken by the persons comprising the Board of Registration. The duties of the Board are: first to make and complete the registration, and to superintend the elections. The first question is as to the duties and powers of the Board in making and completing the registration. The first section provides that the commanding general shall cause a registration to be made of the male citizens of the United States 21 years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the act aforesaid and who "shall have taken the following oath or affirmation." By this oath the person applying for registration must swear or affirm to every qualification provided for by the original act. The first question which arises here is whether any other oath can be required of the person applying for registration or any oath can be administered to any other person or persons touching the qualifications of the applicants by the board of registration. The last clause of the 1st section provides as follows: "which oath or affirmation may be administered by any registering officer." The oath here referred to is the oath to be taken by the person applying for registration. I have very carefully examined all the provisions of this act and I can find no authority for any other oath to be taken by any one touching the qualifications of the applicants for registration but only this oath. I am clearly of opinion that any other oath touching the qualifications of the applicants would be extrajudicial and without authority, and that false swearing could not be assigned as perjury upon such unauthorized oath, especially as the proviso to the sixth section above quoted, which declares what false swearing shall amount to perjury, is expressly limited to "any oath in this act prescribed."

On arriving at this conclusion, I have given due weight to that part of the first section of the act which declares that the registration shall include only those persons who "are disqualified to vote for delegates by the aforesaid," and who "shall have taken the following oath." If we read these words to themselves, without regard to the other provisions of the act, the impression is made that two things must concur to authorize the registration of the applicant. First that he actually possesses the qualifications required by the original act, and second that he is required by this oath to swear to every one of these qualifications, and that no authority is anywhere given to enter upon any other equity as to his qualifications or to administer any other oath to him, or any oath to any other person touching his qualifications, and that his oath, and his oath alone, is punished with perjury.

It is impossible to resist the conclusion that the oath itself is the sole and only test of the qualification of the applicant. When, therefore, a person applies to the board for registration the power of the board is confined to the administration of the prescribed oath, and if the applicant takes that, his name must go upon the register. The Board can not enter upon the enquiry whether he has sworn truly or falsely. That enquiry must be reserved to the court, which may afterwards have jurisdiction to try him on an indictment for perjury. Next to the duties of the board after the registration is completed, they are to superintend the election and make return of the votes, list of the voters, and of the persons elected to the commanding general. It is very clear from these provisions that in superintending these elections the duty of the Board is to receive the votes of the persons whose names are upon the registration, and to reject all others. There is no provision to exchange or falsify, or to add a single name to the registration, or to erase a single name which appears upon it.

Nearly all the Catholic clergy of Poland who have been exiled to Siberia have been authorized to return to their dioceses.

A couple of children died recently at Lyttelton, N. J., from eating night shade gathered with mint.

KENTUCKY ELECTION.—The official returns of the election in Kentucky for members of Congress, show a Democratic majority of 40,042 over the Radicals, and of 41,353 over the independent and Radical candidates combined. The total vote of the State, however, is only 113,473, against 154,014 cast last year.

**NEWS OF THE DAY.**

**News.**

Brazos, via Galveston, May 27.—Letters from the American consul at Monterey confirm the capture of Maximilian.

The reply of President Juarez to Minister Campbell recounts the grievances of his party at the conduct of Maximilian. He justifies the previous executions, and refuses to promise safety to Maximilian.

**From Texas.**

Galveston, May 27.—The attempt to collect taxes levied during the war, which would sacrifice the property of Union men, has called forth an order from General Griffin forbidding the collection of such taxes.

Judge Reeves, of the ninth district of Texas, has decided that negroes are not competent witnesses in trials of white men.

The Sheriff of Victoria county refuses to take greenbacks as a legal tender.

**Liberal Bequest for the Education of Freedmen.**

Providence, R. I., May 27.—The will of Shubal Hutchings, a leading merchant of this city, who died last week, bequeaths \$10,000 for the education and improvement of the negroes of the South.

**Surratt on Trial.**

Washington, May 27.—John H. Surratt was brought into the criminal court to-day, to be tried for murder, and conspiracy to kill President Lincoln.

His brother Isaac has been brought from Texas, and was in the court room.

The defence were ready for the trial but the government was not.

They represented that they had used due diligence, but as yet had been unsuccessful in procuring the attendance of four or five important witnesses.

**Fenian Convicts.**

London, May 27.—The question whether the death sentences of the Fenian convicts will be carried out or not engrosses the public attention.

The press of England and Ireland generally urge that the sentences be commuted.

It is said that minister Adams will interpose to save McClure from the scaffold.

**From Washington.**

Washington, May 28.—Cal. A. H. Long, of the President's household was before the judiciary committee Saturday. Credited reports of his evidence falsify detective Baker's allusions to the President.

Washington, May 28.—An Omaha dispatch reports a fight with the Indians near Pine Bluff. One white and six Indians were killed.

Gen. Joseph E. Johnson was in the city to-day and left for Baltimore.

The President and Gen. Grant and Thomas had a prolonged interview to-day. The Cabinet was in session afterwards until 2 o'clock.

The Internal Revenue receipts of to-day are \$430,000.

The President's nominee for the Austrian Ministry having been rejected by the Senate, he has appointed John Hay Charge d'Affaires.

**Hon. Jefferson Davis.**

Montreal, May 28.—Hon. Jefferson Davis remains so secluded that no one has seen him to identify him on the street.

**Mexican News.**

San Francisco, May 28.—The Sierra Nevada has arrived from Mazatlan with advices to 17th. The Americans are leaving Mazatlan and Progreso. The cotton crop has failed for the three years past.

Advices from the liberal headquarters of May 1st, say that if Maximilian is captured Juarez dare not save him.

**Time for Registration Extended in Louisiana.**

New Orleans, May 28.—General Sheridan extends the time for registration until June 1st.

**Markets and Financial.**

New York, May 28, P. M.—Cotton firm, in good demand. Sales 12,000 bales, 27.

Flour heavy. State \$104.13. Southern \$12.00-17.50.

Corn active. Western mixed \$1.25-1.30 for new. \$1.35 for old.

Stocks rather heavy. Gold \$1.36 1/2. 5 20's of '62 \$109.

Baltimore, May 28.—Cotton quiet, low grades of Uplands 25-25 1/2.

Corn steady. Prime white \$1.15-1.16.

Wilmington, May 28.—Cotton firmer, 24.—Spirits Turpentine dull, 52. Rosin quiet at \$3.60.

Liverpool, May 28, p. m.—Cotton continued quiet. Uplands 11; Orleans 11 1/2. Sales 12,000 bales.

**From Richmond.**

Richmond, May 28.—The Mayor to-day closed the investigation of the recent riot, and sent on for indictment two colored men and two white firemen.

**Object of Gen. Thomas' Visit to Washington.**

Washington, May 29, M.—General Thomas' visit here refers exclusively to Tennessee matters. Prosecutions have been taken for prompt Federal action in the event of a quarrel between Brownlow's militia and the people.

**Markets.**

New York, May 29, M.—Stocks very strong. Money 6. Gold \$137 1/2. Sterling, 60 days, 4 1/2. Sight 104-105. 5 20's of '62, registered, 106 1/2-107 1/2. Cotton quiet and firm, 27.

Liverpool, May 29, M.—Cotton firm. Sales estimated at 12,000 bales. Uplands 11. Orleans 11 1/2.

**Carolina Watchman.**

WEEKLY BY J. J. BRUNER.

**SALISBURY, N. C., JUNE 3, 1867.**

At a convocation of the Salisbury Royal Arch Chapter, No. 20, in Salisbury, N. C., on the 30th May, A. D. 1867, A. I. 2397, the following were elected officers for the ensuing year:

M. E. LUKE BLACKBURN, H. P.  
E. WILLIAM MURDOCH, K.  
F. JOHN M. COFFIN, S.  
Comp. D. A. DAVIS, C. H.  
" DELAYAN BATES, R. A. C.  
" GEORGE H. SYDAM, P. S.  
" EDWIN C. BRACKER, M. T. V.  
" WILLIAM H. BALEY, M. T. V.  
" P. A. FRANCES, M. I. V.  
" ODBAHL WOODSON, Sec'y.  
" JOSEPH W. HALL, Treasurer.

Delegates to the Grand Chapter: Comp. Wm. Murdoch and Clinton A. Ciley.

**RADICAL MEETINGS—SPEECHES, &c.**

It is a feature of the times in the South, that all the political meetings, speeches, &c., are by the Radical party. No one rises up in opposition. The newspapers in all directions teem with notices of "Union League," meetings of whites and blacks, on all sides, from day to day. If there is any other party organization it does not show itself, and is unknown.

This state of politics occurs naturally under the present constrained political South. The citizen is deprived of his political freedom unless it shall suit him to agree with the dominant party, or provoke, by his opposition, the wrath of that party. He is in the lion's mouth, and without the chance of escape, and is quiet because it seems to be the pleasure of the monarch that he should be so, and because there is no use in resistance. The time will come, perhaps, when freedom of speech and action shall be restored, and when there will be no monarch's wrath to intimidate, and will strain a choice between sub-servience to party will, or in opposing it. We can see in the future no change in the present condition until that time arrives; and until then it is the part of wisdom to preserve patience.

It is truly gratifying to observe that although all the political meetings of the day are in the Radical interest, it frequently happens that they give out some relative truth from wise and colored people of the South have been schooled to a reverence for the everlasting principles of truth, justice and righteousness in reference to their fellow-men, which form the base-work of conservatism; a reverence to that which is wise and good, instead of running wild after, and risking all upon, an abstraction. We are pleased to notice, in this connection, two speeches reported by the *Wilson Carolina*, delivered in that place on Saturday last, by Rev. Wm. Grimes, and Emerson Hunsant, both colored men. They ably firm in the conviction that their highest and best interest is also

joined to the peace, prosperity and dignity of their native South, and inseparable bound to the welfare and happiness of the white man, their former master. They declined against those who sought to disturb the harmony between the two races as enemies to both.

We would be glad to give the *Carolinian's* report of the meeting in full, but our limited space excludes it.

"But let not the released traitor [Davis] dream that he is safe—that the vengeance of an outraged people is quenched—or the wrongs of the murdered brave ones forgotten. They will live as long as memory lasts, in the hearts of this generation, and the fate which he plotted against that noble martyr of liberty, Abraham Lincoln, may yet be his, and richly will it have been deserved. Justice will not be satisfied until the monster has received his due.—*Union Register, Greensboro.*"

Multum in parvo! Four beautiful (3) figures of speech, four falsehoods and almost a threat of assassination.

Where are Mr. Sec. Stanton and Mr. Holt, chief of the Bureau of Military Justice? They ought to "goose" this editor of the *Register*. He is the very fellow they have searched the world for, but could not find. The witness they need is at Greensboro, N. C. Surely, they will send for him. And when Mr. Davis bail expires, if not assassinated before that time, this witness will put him through as ever as there is murder in his heart.

He ought to be in the condition of the red head scoundrel and owe nobody anything.

The case of John W. Thomas vs. Wm. B. March and — Hampton, we see by a published statement of the Defendants' able counsel, Messrs. BLACKMAN & McCOLLER, has been arranged to the credit of the Defendants and the praise of themselves for their skill and devotion to the cause of their clients. It will be remembered that Messrs. March and Hampton were, upon the complaint of Thomas, put under military arrest on the charge of stealing, improperly appropriating, or failing to secure to the benefit of the stockholders, the specie of the Bank of Lexington. The charge, upon examination, is not sustained in the form of a breach of trust or purpose to defraud; but turns out to be negligence on the part of stockholders themselves in not obtaining the renewal of Defendants' bond for the money, as they might have done upon application to them.

Maximilian and all his troops are prisoners of war in Mexico; and latest intelligence is to the effect that Juarez has ordered him, and all his Generals to be shot.

Commencement exercises at Thomsville Female College take place the 5th and 6th of June. Rev. W. H. Wheeler will deliver the sermon, and W. M. Robbins, Esq., (both of Salisbury), will deliver the address.

It has been announced that President Johnson will visit Raleigh, to-day, to witness the ceremony of dedicating the monument to his father, Jacob Johnson, which will take place to-morrow, at 11 o'clock, A. M. The address on the occasion will be delivered by ex-Gov. Swain.

It is expected the President will attend the Commencement exercises at Chapel-Hill, on Thursday.

Gen. Sickles will meet the President at Raleigh, and also accompany him to Chapel-Hill.

**REMARKABLE.**

We visited the Court-House for a few minutes on yesterday evening and found the cause of Baker vs. Harris on trial before the Superior Court of Law for the County, now in session. In this suit the Plaintiff charges the Defendant with having aided in the removal of a debtor of the Plaintiff beyond the limits of the State with intent to hinder, delay and defraud the creditors of said debtor.

The Counsel for the Plaintiff are an Ex-Governor of the State, the present Speaker of the State Senate, and an Ex-Solicitor of the sixth Judicial Circuit. For the Defendant, an ex-member of the Federal Congress, an Ex-Judge of our Superior Court, an Ex-Attorney General of the State, an Ex-Confederate Colonel, and the author of "Cousin Sally Dillard,"—presenting an array of talent quite equal to that of their existing and defunct dignities and literary distinctions.—*North State.*

It may also be mentioned, as an item of some local interest, that this case occupied the attention of the Court for two days, and I was thoroughly investigated. It was given to the Jury about 8 o'clock, Friday evening, who returned a verdict, an hour or two afterwards, in favor of the Defendant.

**MARRIED:**

In this County, Tuesday evening, 28th May, by A. M. Brown, Esq., Mr. ELIAS L. HEILIG to Mrs. LUSANNAH RUSHER, of Mocksville, N. C.

Also, on the 23d May, by H. Barringer, Esq., Mr. CHARLES F. KLUTTS to Miss SOPHIA E. KESLER.

**ARREST HIM.**—A negro man in my employ on the farm, took advantage of a brief absence of myself and family from my dwelling, on Tuesday the 28th instant, entered the house and carried off a pair of boots, a full suit (new) of dove colored corduroy—coat, pants and vest—a self-cocking five shooter pistol, two shirts and two pair of socks, and, may be, other articles not yet missed. His name is Andrew, formerly the slave of Jehu Foster. A liberal reward will be paid for the apprehension of the thief and the recovery of the property.

JOHN BEARD,  
Salisbury, May 31, 1867. tr it-wit

**State of North Carolina,**  
MONTGOMERY COUNTY.  
*Superior Court of Law, Spring Term,*  
1867.

Dewitt C. McAuley, Attachment.  
George W. Sigley, Attachment.

It appearing to the satisfaction of the court, that the defendant Geo. W. Sigley is not a resident of this State, it is therefore ordered by the court that publication be made for six weeks in the *Salisbury Watchman*, notifying the defendant to be and appear at the next term of this court, to be held for the county aforesaid, at the Court House, in the town of Troy, on the last Monday in August next, and reply and plead, or final judgment will be rendered against him.

Witness—James B. Ballard, Clerk of our said court at office, in Troy, the last Monday in February, A. D. 1867, and in the 91st year of American Independence. J. B. BALLARD, C. S. C.  
Issued the 12th April 1867. 17-6w

**NOTICE.**

A Special Administrator I will proceed to sell, at the late residence of R. J. Lyles, dead, on Tuesday, the 11th of June, next, a part of the personal property belonging to his Estate, which is as follows, viz: Horses, Cattle, Hogs, Sheep, &c.; Cart, three wagons & gear, two 2-horse carriages & harness, one buggy and harness, one Reaper, a mill interest in a Thrashing Machine, a Straw Cutter, Corn Shelter, 2 wind mills, set of blacksmith tools, set of saw mill tools, a great many carpenter tools, and all kinds of farming tools, together with household and kitchen furniture, a quantity of Bacon and lard, and various other articles too tedious to mention.—Terms made known on day of sale.

1867  
J. J. SUMMERELL, M. D.  
Special Agent.

Office at his residence, West Ward,  
SALISBURY.