

WATCHMAN & OLD NORTH STATE.

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By HANES & BRUNER,

"The Old North State Forever."—Gaston.

NEW SERIES.]

SALISBURY, N. C., FRIDAY, JANUARY 10, 1868.

[VOL. I. NO. I.

IMPORTANT ORDER.

HON. THE SECOND MIL. DISTRICT,
Charleston, S. C., Dec. 31, '67

General Orders, No. 164.

I. Paragraph II of General Orders No. 10, from the Headquarters of the Second Military District, dated April 11, 1867, is modified as follows:

Judgments or decrees for the payment of money between the 20th of May, 1865, and the 19th day of May, 1866, shall be entered by the sheriff of the county in which the same are rendered.

II. General Orders, No. 25, of May 20, 1867, is revoked; and on and after the first day of January, 1868, the distillation of spirituous liquors in this Military District will be subject to such restrictions only as are imposed by the laws of the United States and of the States of North and South Carolina, respectively.

III. Paragraphs VI and VII of General Orders No. 32, dated May 30, 1867, are revoked, and the power to grant licenses for the sale of spirituous or intoxicating liquors is committed to the proper local authorities, to take effect on and after the first day of January, 1868, and to be subject to the following conditions:

1. The municipal authorities granting the license shall be answerable that the parties to whom such licenses are granted, together with their sureties, shall be responsible persons, and of good moral standing in the community, and that both principal and sureties shall be able to pay individually in double the amount of the bond required, and that the bond shall be a lien upon the personal property of both principal and sureties, and upon proof of default shall warrant the summary seizure and sale of so much of the property of either or both as may be necessary to satisfy the forfeiture or fine and costs.

2. Drunkenness and disorderly conduct on the premises shall work the forfeiture of the license and of the penalty of the bond.

3. The owner or keeper of any bar-room, saloon or other place at which intoxicating liquors are sold, and all other persons interested or connected therewith, shall be regarded as principals in any action of damages growing out of any assault, riot, affray or other disorder occurring on the premises, or directly traceable thereto.

4. All bar-rooms, saloons or other places at which intoxicating liquors are sold, shall be closed on the day or days of any general or local election, and for the twelve hours next preceding the opening and next succeeding the closing of the polls at such election; and the sheriffs of counties and districts and the chief of police of cities and towns, shall have power to direct the closing of bar-rooms and other places for the sale of intoxicating liquors whenever it may be necessary in their judgment to preserve order and quiet.

5. The proceeds of all licenses, forfeitures and fines, under the local regulations or under the provisions of military orders, will be devoted to the support of the poor, and as soon as realized will be turned over to the commissioners or overseers of the poor of the district, county, city or town in which they accrued, and commissioners or overseers will at the end of each month report to the Provost Marshal-General of the District the amount received by them during the month, specifying the names of the parties from whom it was received.

6. The penalties imposed by this order or by the local police regulations may be enforced in any civil or military court, and upon conviction the court may award to the informer a sum not exceeding fifty per cent. of the forfeiture or fine, and it is made the duty of all sheriffs, constables and coroners of counties and districts, and the police of cities and towns, to be vigilant in the enforcement of the police regulations and the provisions of this order in relation to the sale of intoxicating liquors.

7. The provisions of this paragraph will be held to apply to such licenses granted under General Orders No. 32, to inu granted, as remain unexpired after the 1st of January, 1868.

IV. To promote the speedy trial of prisoners confined for minor offenses, and diminish the cost of their maintenance, all committing magistrates will on the 10th and last days of each month, report to the judge of their county or district court all commitments made by them during the preceding half month, specifying the date of commitments, the names of the prisoners and the offenses for which they were committed, to the end that the judges may, whenever in their opinion the number of prisoners or other considerations of public interest call for it, hold special terms of their courts for the purpose of disposing of such cases. The ad-

ditional expense of holding such special terms will be a charge upon the State Treasury, and the accounts therefor will be audited and paid as accounts of a similar character are now audited and paid, and if the salaries now paid the judges should be inadequate in view of the additional labor performed by them, a reasonable addition upon the proper representations through the Governor of the State, will be allowed.

V. The pilotage regulations now existing in the States of North and South Carolina are so far modified that on and after the first day of March, 1868, all passenger steam vessels, regulated by the laws of the United States, and carrying a pilot commissioned by United States Commissioners, shall be exempt from the compulsory payment of pilotage.

NORTH CAROLINA POLL TAX.

VI. So much of the act of the General Assembly of the State of North Carolina, entitled "An act to raise money," passed on the 26th day of February, 1867, as makes it "the duty of all persons and corporations to list and pay the (poll) tax of such persons liable to the same, as are in their employment, on the 1st day of April of each year, as laborers," is rescinded, and hereafter all individual taxes will be assessed directly upon and collected directly from the individuals from whom they are due; provided, that the provisions of this order shall not apply to the taxes levied for the current year, except that double poll tax shall not be enforced if the original tax be paid on or before the 1st day of March, 1868.

By command of Brevet Major General D. D. B. S. CANBY.

LOUIS V. CAZARE,
Aid de Camp, Act'g Ass't Adj't Gen.

OFFICIAL: Louis V. Cazare, A. D. C., A. A. General.

The following are the paragraphs of General Order No. 10 referred to in, and modified by the foregoing order:

I. Imprisonment for debt is prohibited, unless the defendant in execution shall be convicted of a fraudulent concealment or disposition of his property, with intent to hinder, delay and prevent the creditor in the recovery of his debt or demand. And the proceedings now established in North and South Carolina, respectively, for the trial of and determination of such questions may be adopted.

II. Judgments or decrees, for the payment of money, on causes of action arising between the 19th of December, 1860, and the 15th of May, 1865, shall not be enforced by execution against the property or the person of the defendant. Proceedings in such cases of action, now pending, shall be stayed; and no suit or process shall be hereafter instituted or commenced, for any such causes of action.

III. Sheriffs, Coroners, and Constables, are hereby directed to suspend for twelve calendar months the sale of all property, upon execution or process, on liabilities contracted prior to the 19th of December, 1860, unless upon the written consent of the defendants, except in cases where the plaintiff, or in his absence his agent or attorney, shall upon oath, with corroborative testimony, allege and prove that the defendant is removing, or intends fraudulently to remove, his property beyond the territorial jurisdiction of the Court. The sale of real or personal property by foreclosure of mortgage is likewise suspended for twelve calendar months, except in cases where the payment of interest money, accruing since the 15th day of May, 1865, shall not have been made before the day of sale.

IV. Judgments or decrees entered or enrolled, on causes of action arising subsequent to the 15th day of May, 1865, may be enforced by execution against the property of the defendant; and in the application of the money arising under such execution, regard shall be had to the priority of liens unless in case where the good faith of any lien shall be drawn in question. In such cases the usual mode of proceeding adopted in North and South Carolina, respectively, to determine that question, shall be adopted.

V. In all sales of property under execution or by order of any court, there shall be reserved out of the property of any defendant who has a family dependent upon his or her labor, a dwelling house and appurtenances, and (if in the country) twenty acres of land, or so much thereof that the whole shall not exceed in value the sum of two thousand dollars; and in a town or city, the immediate lot upon which such dwelling house is situated; and necessary articles of furniture, apparel, subsistence and implements of husbandry, trade, or other employment, to the value of five hundred dollars. The homestead exemption shall inure only to the benefit of families. In other cases the exemption shall extend only to clothing and implements of trade or employment usually followed by the defendant, of the value of two hundred dollars. The exemption hereby made shall not be waived or defeated by the act of any defendant who has a family dependent upon him or her for support, and the exempted property shall be ascertained and defined by the sheriff or other officer enforcing the execution, who shall call to his aid two impartial citizens to make the necessary appraisement, and shall make report thereof to the court.

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North Carolina, or of South Carolina, recognizing or sanctioning the investment of the funds of minor heirs, or of females, or of insane persons, in the securities of the late rebel government, or the securities of the States of North Carolina or South Carolina, created for the purpose of carrying on war against the Government of the United States, will be suspended until the question of the validity of such investments shall have been determined by the courts of the United States, or by national legislation. And nothing in the provisions of this, or of the Order No. 10 above cited, shall be held to bar, or hinder the recovery, by suit, or the estate of any minor heir, female, or insane person, (cestui que trust), whether in the hands of executors, administrators, trustees, guardians, masters or clerks of equity courts, and other fiduciary agents, or invested by them in their fiduciary character.

Distilleries.

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X. In suits brought to recover ordinary debts, known as actions on contracts, bills of

hereof authorized, shall not be demanded by the suit, nor taken by the Sheriff or other officer serving the process. In suits for trespass, libel, wrongful conversion of property, and other cases known as actions ex delicto, and all heretofore authorized may be demanded and taken. The prohibition of bail in cases ex contractu, shall not extend to parties about to leave the State; but the fact of intention must be clearly established by proof.

XVI. Nothing in this order shall be construed to restrain or prevent the operation of proceedings in bankruptcy, in accordance with the acts of Congress in such cases made and provided, nor with the collection of any tax, impost, excise, or charge levied by authority of the United States or of the Provisional Government of North and South Carolina; but no improvement for revenue taxes shall be allowed. Nor shall this order or any law of the Provisional Government of North or South Carolina operate to deny to minor children, or children coming of age, or their legal representatives, nor to suspend as to them, any right of action, remedy, or proceeding, against Executors, Administrators, Trustees, Guardians, Masters or Clerks of Equity Courts, or other officers or persons holding a fiduciary relation to the parties, or the subject matter of the action or proceeding.

For the Watchman & Old North State
COL. DANIEL BOON.

A brief account of this remarkable man may be consistently given, though only incidentally connected with Salisbury; and it is deserving special attention as a signal illustration of the toils and perils of American pioneers.

There is considerable discrepancy in the dates and some difference in the facts of his eventful history, in the different accounts which I have in my possession. By a critical examination I give the version that is most likely to be correct.

He was born in Bucks County Pa., about twenty miles from Philadelphia, about the year 1730. During his boyhood his father moved with his family to North Carolina and was probably among the first pioneer settlers in this region. He settled in a valley of the Yadkin, not very far from Wilksboro'. His two sons, Daniel and Squire, both possessed a fondness for adventure and pioneer life—owing doubtless to the long journey from Pennsylvania in their youth, and their constant pursuit of hunting, which in those days was followed as a livelihood, as well as a sport. The name of Squire Boon, stands on the Clerk's Register for Rowan county as witness to early instruments. In active revolutionary days the store of William Newell stood on the lot now occupied by the residence of Thomas E. Brown, on the S. W. corner of Fourth and Church streets. In 1817 Dr. Alexander Long occupied the building as a medical office, and one day in taking up a piece of old paper to wrap up a prescription he discovered the name of Daniel Boon, and examining it found that it was for a quantity of powder and shot and yellow ferretine—the latter material being highly prized, and much sought after by the Indians. In the credit column was an entry of 150 deer skins, the fruits of his skill in hunting and trading with the savages.

Here doubtless, he made all his purchases, and disposed of all his furs and skins. While residing on the Yadkin, he married Miss Bryan, possible from the locality, a sister of Bryan who commanded a body of Tories on the upper Yadkin during the Revolution.

There are still remaining some relics of his little house in this county—used while on his hunting excursions.

Influenced by the description given by John Finley of the Valley of the Ohio, he determined to penetrate that virgin wild, and on the 1st of May, 1770, left his home on the Yadkin in company with John Stuart, Joseph Holden, James Monay, and William Cook, journeying Westward. Reaching the Cumberland river they pitched their camp and engaged in hunting. It was not long before Boon and Stuart were captured by a band of savages, while returning from a hunt. They deluded their captors that night and escaped, but were deeply mortified on returning to camp, to find that their three companions had become frightened about the savages and fled. Boon then concluded to return to North Carolina, but before he had completed the necessary preparations, his brother Squire, with a single companion arrived. This was about the 1st of January, 1770. In a fight which occurred soon after, Stuart was killed and no cartridges could induce the companion who came with Squire to remain. The two brothers thus left alone, managed by care to make their supply of salt and ammunition last until the winter was over. Then Squire returned for supplies, and left his daring brother the solitary denizen of the boundless wilderness—exposed to the fury of the wild beasts, and the cunning of the savages. It is seldom that a human being has occupied a position so perfectly insulated from all the race—one apparently so forlorn and cheerless. And yet he tells us that the beauty and grandeur of those peculiar scenes brought joy to his heart peculiarly delightful and profound.

We can well imagine the pleasure with which he greeted his brother as he rode up to the little cabin on the 27th of July, leading a horse or two, and bringing a quantity of much desired articles, such as salt, powder, lead, &c. They then made an exploring tour to the Cumberland river— anxiously and at great hazard seeking such knowledge of the country as might guide them in their future operations.

They spent the subsequent winter in their little cabin, and in March 1771, visited their old homes and friends in Rowan. For nearly two years Daniel had been separated from his family. Remaining with them a little over two years, he again started for Kentucky, this time with six families, including his own. They left on the 25th of September 1773. In Powell valley they were joined by 40 more sturdy and enterprising spirits. While peacefully moving on, on the 16th of October they were attacked by a body of Indians; and though they repelled them, they lost 6 killed and one wounded, and fell back to Clinch river. In this fight a son of Colonel

Boon, a brave and manly boy, was slain. On the 6th of June 1774, Gov. Dunmore of Virginia called upon him to set as guide to a company of surveyors to the falls of the Ohio—an arduous task, but promptly performed. On his return he was promoted to the command of the military posts on the frontier of Virginia, a war being then raging with the Shawanoes. He attended the council of the Cherokee at which they relinquished the lands south of the Kentucky.

In the next month he built a fort on the present site of Booneville, and moved his family there. His wife and daughter were the first white women who are known to have visited the Kentucky river.

In December 1775 the fort was attacked and some of its defenders killed and another wounded. The loss of the Indians was heavy. This severe punishment seemed to have completely disheartened the savages, and the settlers enjoyed a long respite from their wily assaults. But in July 1776 when Miss Boone and the Misses Caloways were quietly and carefully walking in the woods adjacent to the fort, they were set upon and captured by the Indians, and bound away speedily as captives. Boone returning and learning the facts, knowing the danger of delay, put off in pursuit, overtook them—slew two of the number, rescued the young ladies, Elizabeth Caloway, married Samuel Henderson, a brother of Judge Richard Henderson, and therefore a relative, of the Hendersons now residing in this place.

Again in the spring of the next year the fort was attacked by a powerful band of savages, but they were again defeated and driven off. During the summer two additional white settlers were made to the Colony, from N. C. and Va., amounting in all to 125. This reinforcement gave them security within the fort and enabled them to assume the offensive. The next year Col. Boone began aggressive. The next year Col. Boone began aggressive. The next year Col. Boone began aggressive.

to work at the Salt Licks, and made enough salt for the whole settlement. This article became an article of trade with the old settlements, and in 1778 all but Col. Boone and 27 of the men, visited the settlers in Va., to traffic salt for such articles as they needed. While they were absent, Col. Boone being out hunting alone, was seized by a large party of Indians; and finding that they were about to attack the fort, he surrendered it to them on favorable conditions, knowing it could not be successfully defended by so small a number. They were all carried to Chillicothe, thence to Detroit, where the rest of the pioneers were left, and Boone carried back to Chillicothe. This town was 160 miles from Booneboro. But on finding that another formidable attack was contemplated against the fort, he escaped on the 10th of June, and travelled all the distance in about four days, having but one meal to refresh him in that time. His escape amazed them; and he forego their purpose. On the 1st of August he took 19 men and went in search of a body of Indians at Point Creek. Before reaching that place, he met them on route for the fort and gained a complete victory, not losing a single man.

But one of the most thrilling incidents of his exciting life occurred in August. On the 8th of that month nearly 450 Indians and 11 Frenchmen, invested the fort. Boone asked for a truce—to consider terms, his object being to gain time for strengthening the defenses. On the 9th he informed Capt. Duquesne, the French officer, that he would resist to the last extremity. The crafty soldier determined on a wicked stratagem, and proposed a treaty. Boone agreed, and marching out, signed the pledge of peace. Duquesne then urged, that according to inviolable and ancient custom, each white man should give his hand to two Indians. Cunningly suspecting some secret design, he hesitated, but at length consented. As the hands were given they were grasped with fearful violence, and stern warriors saw in an instant that they were deceived. The contest was terrible. Boone soon succeeded in driving a knife to the heart of one of his adversaries and falling the other. The whole party escaped and fled to the fort. In the Rotunda of the Capitol at Washington is a representation of this scene in sculpture.

Boone visited North Carolina once more, his family having moved back during his captivity. He remained two years, and sought his tortures again in the dangerous border scenes.

He and his brother were attacked on their return one day from the Salt Licks, and Squire was killed. Col. Boone escaped, and the Indians putting a huge dog on his trail, he killed the animal and reached the fort.

During his warfare with the hostile tribes, he lost another son.

In the attack on his fort, Duquesne lost 37 men, and Col. Boone assures us that when the attacking force retreated, he found 125 lbs. of bullets on the ground near the fort, besides those that had lodged in the wood. About 1787 he discovered that his titles to the land he had taken up and purchased were defective and would not stand in law. All his blood bought possessions being thus taken from him, he became bitterly incensed against the unscrupulous and unjust treatment of Virginia, and determined to seek a home in the receding frontier in Missouri, he left Kentucky, which he first settled with a numerous population. He pursued his favorite occupation of hunting for a number of years. In his latter days, Congress voted him a small pension—a poor return for the eminent services he had conferred upon his country, in carrying the torch of civilization into the dark, benighted regions of the wilderness West.

In 1813 he was called to bear the crushing calamity of the death of his wife. To this his brave spirit bowed, the first live trial of any kind that was known to bend it. This cast a shadow over the beauty of his hunting grounds, that weakened their spell upon his spirits; and now the baying of his faithful hounds and the shrill report of his rifle, though still loved, were no longer so grateful to his soul as they once were. Ah! death will teach us that our earthly treasures are too mutable—too transient; for the reliance of our immortality.

Boone down by this great sorrow; Col.

Boone sought the home of his remaining son, and continued to hunt, and trap beavers, &c., until 1818. When he was so old and feeble that he could no longer traverse the forests, the ruling passion still strong in his heart, he would take his dog, and rifle, and sitting down, gaze upon the green woods with a sad, longing look—an affecting monument to the undying desire of the human soul. How vain to expect this world to satisfy us! We change as how soon! He still fondly lay by his side, all ready for the chase. His trusty rifle had rights as true, and a flint as full of fire. The door were leaping through the forests or browsing in the glades. The beavers still busily plied their wily works that instinct taught them; and the heart of the old hunter was full of the long-cherished passion, and lured by the desire for the exhilarating sports which had enlivened many a long and joyous year. But the knees were feeble, the feet were numb, the strength of the once lofty warrior form was departed, and a deep disappointment for which this life had no balms, settled in thickening gloom upon his spirit. So with all whose chief hope and joy are bound to the pleasures, and treasures and pursuits of this vain world. There is a better way.

THE DEAD OF 1867.

The close of another year, reminds us that our country has been called upon to regret the loss by death of many eminent citizens. The Boston Journal gives a long list of the dead. We note the following:

Ex-Governor Andrew, of Massachusetts, ex-Governor Hunt, of New York, Hon. George Evans, of Maine; ex-Governor Joseph A. Gilmore, Rev. David Dudley Field, Rear Admiral Ringgold, Commodore Paulding, Mr. Wright, United States Minister to Berlin, Hon. Albert Smith, of Maine; Justice Wayne, of the United States Supreme Court; General Thomas F. Meagher, ex-Governor John A. King, of New York; ex-President Day, of Yale College; Senator McDougal, Professor Charles King, Elias Howe, the inventor of the sewing machine; ex-Chancellor Walworth, of New York; Rear Admiral Sloat, General Griffin, Admiral Palmer, and Professor Chester Dewey.

The literary world has been called to mourn the departure of those whose names in this country were esteemed by thousands. N. P. Willis, who died at Idlewild; Byron Forceythe Wilson died ere he had reached the maturity of his poetic powers, though he left many sweet songs; Thomas Bunnell, author of the Age of Chivalry, etc.; Fitz Green Halleck, the poet, and Catherine Maria Sedgwick.

Among the artists and those known by their talents we may recall Jacques Burkhardt, the life-long friend of Professor Agassiz; W. H. Furness, the artist; Sallie St. Clair, the actress, Paul Julien, W. F. Briggs, the Aldridge Nanner Dickey and A. Vontis Jones.

Among the writers and journalists who have gone are James F. Childs, of the New York and New Orleans press; Charles F. Brown, ("Artemus Ward,") the writer and lecturer, and Geo. William Kendall, of the New Orleans "Picayune."

The scientific world has been called upon to part with several of its most brilliant men, whose attainments made them the benefactor of the whole human race in their various departments. Professor A. D. Bache, superintendent of the United States Coast survey, Professor Faraday, of England, the eminent chemist, and Earl Ross, the astronomer.

MR. AND MRS. SUMNER.

The some-time ago report that Mrs. Sumner was to go to Washington to reside in her husband's establishment, has failed of verification, and the "Home Journal" of last week has the following, indicating that there is no likelihood that such will ever be the case:

"We have good authority for stating that the difference between Mr. and Mrs. Charles Sumner, which has caused so much unpleasant gossip and scandal, have been finally settled by a permanent separation with the mutual consent and desire of both parties, and their best friends. The direct cause of this separation is simply the certainty—discovered only too late—that there exists between the parties an incompatibility of temperament and opinion upon certain social questions, which precludes the possibility of their living happily together as man and wife."

Richmond Engineer.

CONSERVATIVE ORGANIZATION IN MISSISSIPPI.

In the Mississippi Index a call from the Central Executive Committee appears, summoning a Convention of the Constitutional Union party of Mississippi to meet in Jackson on the 15th of January next, for the purpose of "thorough organization, consultation, and action." All citizens of the State who are in favor of peace and Union under the Constitution, regardless of former political association, are invited to send delegates.

GEN. GRANT'S PROSPECTS FOR THE PRESIDENT.—Prominent Republicans mentioned West and Southwest, in discussing the prospects of the different gentlemen mentioned for the next Presidency, are by no means so enthusiastic about General Grant as they were some time ago. They are anxious to get some positive declaration of views from Gen. Grant, especially in reference to suffrage in the South, saying that some positive expression of opinion on the issues of the day is due to the loyal people of the country.—N. Y. Tribune.

NIGGER RIGHTS IN WASHINGTON.—Nigger coming round the corner runs against white man coming round the corner, and nigger perceives that his "civil rights" are interfered with. So he draws a revolver and kills the white man.—N. Y. Herald.

The single State of North Carolina now pays annually more direct taxes to the General Government than the entire amount Great Britain proposed to levy on the Colonies, which attempt produced the war which made the then American Colonies free and independent States.