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THE COMING ELECTIONS.

We copy the following article from the Raleigh Register at the request of Mr. H. H. Hays, an expressing his views on the subject of the coming elections, and we most heartily endorse all that Mr. Hays says on the subject of the approaching elections for State officers and members of Congress, &c., but we are compelled to enter our dissent to the proposition that the Government of the United States "very properly interposed to prevent a Republican form of government to the Southern States." We have seen the first enactment that the reconstruction acts were unconstitutional.

PLANNING OF HOLDING TWO ELECTIONS.

We think that a body called to frame a Constitution for a State, as large as North Carolina, might have been entrusted to designate the day for its ratification by the people. If there is any thing in any one of the several reconstruction acts which requires upon the military commander his duty, we have no recollection of it; and we will venture the remark that any such provision in the law would be very absurd. It seems, however, that the Commission has thought proper to consult the military commander on the subject, and that it could be well to hold the election a week or two after the election in North Carolina, and that all the votes for ratification, and all officers should be cast on the same day, and in one lot. The commander of the department is a military man, of high character, and as such he has never given attention to civil affairs. He has never given this subject very little thought. We do not see that the arrangement made here in Raleigh, and sent to Charleston for the General's approval. The Congress of the United States has provided by law, that the election for President and the several States shall take place on the same day; and in like manner, the election for members of Congress. The first thought was two-fold. Uniformity was a spontaneous expression of the people will from all parts of the country, at the same time, and avoid the undue expense which was exercised under the present system, by certain States, which voted first to order. It also prevents the migration of voters from one State to another, by which every ignorant or unprincipled voter on the borders, could be a vote for the dominant party. The ratification of the law, which requires uniform elections in all the States, was never more essential than on the present occasion. If the election in North Carolina shall take place a week or two after that of South Carolina, it will be impossible to prevent the influx of the newly enfranchised voters to this side of the line. The poll kept in most cases, will be Northern men, and if they are situated by honest men, they will not know one voter from another. The recent acts of Congress, which require but ten days residence, in county or county, will remove every vestige of wholesale frauds, if there are any interposed by the ordinance for election.

AN ORDINANCE FOR THE SUBMISSION OF THE CONSTITUTION TO THE PEOPLE, AND THE ELECTION OF CERTAIN OFFICERS.

Be it ordained by the people of North Carolina, in Convention assembled, That the Constitution adopted by this Convention be submitted for ratification, to the voters of this State, registered and qualified, as provided by the acts of Congress, known as the Reconstruction Laws, on the 21st, 22d and 23d of April, 1868. The vote on said Constitution shall be "For the Constitution" and "Against the Constitution." The said election shall be held at the places and under the regulations to be prescribed by the Commanding General of this military district, and the returns made to him as directed by law.

Sec. 2. An election shall be held at the same time and place as the ratification of the Constitution, for Senators and Representatives in the General Assembly and for all State and County officers, who are to be elected by the people under this Constitution.

Sec. 3. An election for members of the United States Congress shall be held in each Congressional District, as now established, at the same time and place as the election for ratification of the Constitution. Said elections shall be conducted by the same persons and under the same regulations as before mentioned in this ordinance. The returns shall be made to the President of this Convention, who shall give the persons chosen certificates of election.

Sec. 4. The Commanding General of this Military District is requested to enforce this ordinance.

Sec. 5. The President of the Convention is hereby directed to forward a certified copy of this ordinance to the Commanding General of this Military District.

Our people of all classes have tried and approved our system; they understand it; it secures their rights, meets their wants and extends to every man exact justice.

Why, then, are we called upon to reject our well tried and established system?

To what end are we invited to adopt the new and untried system, embraced in the proposed new Constitution? The proposed new system overturns absolutely the vitality of the old system; it destroys the old distinctions in pleadings and rules of practice, and many of the principles of law heretofore settled at immense expense, as above described, and leaves the whole matter of jurisprudence and the administration of right at sea, without a compass. The proposed system is new and untried, and it will cost millions of dollars to settle it; indeed, it cannot be settled in this generation, and more than this, the judgments of the greatest Judges in the world is that it can never be settled like our present system. Ten thousand questions of law, that no one can publicly foresee, will arise at once, that will lead to endless litigation, uncertainty and cost.

Under the proposed Constitution, a new system, entirely of rules of practice, and a new code of laws, are to be established by three men, at the cost of six hundred dollars per month, and these

It had no right to go beyond that, and order an election for the public officers by the same registered voters, when the whole adult male population is enfranchised by the constitution. At most, it could only order an election for such officers, by all the qualified voters under the constitution, and this procedure would only be legitimated by its acceptance on the part of the people.

The very act of ratifying the constitution which rendered void the "Legislature," which was elected by a part of the voters, and the people will rightfully repudiate its pretensions. They will demand new elections for members of the Legislature, and for all State officers, Executive, Administrative and Judicial. The Congress now elected under this unconstitutional ordinance may be admitted to seats, but they will have no right to them. The constitution of the United States provides that "The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." Now these qualifications, under the constitution which will be in force when the representatives to Congress apply for their seats, will be entirely different from those of the electors who will send them to Washington, and they will be still more repugnant to the existing constitution. The members elect under the ordinance, therefore, will carry with them to Washington the evidence that they have not been legally elected, and their admission would only prove the predominance or revolutionary passions over the Constitution.

We call these matters to the attention of General Canby and of Congress. If the ordinance ordering the election could not be made without military consent previously obtained, it can be revoked or modified by military power; and at any rate, Congress can make it conform to the constitution. An election should first be held to ratify the constitution, and afterwards, an election should be ordered for members of the Legislature, State officials and Congressmen. The constitution is to be ratified by the registered voters, while the other elections must be made by the voters qualified under the constitution. These propositions are too plain to admit of controversy.

THE JUDICIARY ARTICLE!

RADICAL INNOVATION.

It may be said, without fear of contradiction from any responsible source, that in no State of the Union has public justice been so well, so certainly, and so economically administered as in North Carolina. Our Judiciary system has operated so satisfactorily to all classes of our people, that no person, much less any political party, has ever assailed it. The dignity, the virtue and learning of our Judges have always been above reproach; indeed, these distinguishing characteristics have been so prominent as to elicit the most honorable and complimentary commendations at home and abroad. No one ever before complained of our Courts or our Judges.

The theory of our Judiciary system has been growing and maturing for centuries, and the wisdom, learning and experience of the greatest and purest legal minds that ever graced the world have contributed to its completion, and have sanctified it as the best adapted to the just and economical administration of public justice.

The particular system of judiciary in this State has been growing and maturing for more than a hundred years, at a cost of study and money incalculable. It would be impossible to estimate what it has cost to settle the tens of thousands of questions of law that have arisen under our system, from time to time, and that must necessarily arise under any system. A good judicial system, we say, is the work, not of a day, or a week, or a year; it is the work of centuries; it is not the workmanship of one man or a set of men, it is that of the wisest, greatest and best men of different ages, all contributing something. It takes a long time, and a vast expense of study and money, to settle any system, and, whenever established, it should not be abandoned except for the most weighty causes. To do so, is to keep public justice in a constant state of uncertainty and to give rise to endless litigation and expense.

Our people of all classes have tried and approved our system; they understand it; it secures their rights, meets their wants and extends to every man exact justice. Why, then, are we called upon to reject our well tried and established system? To what end are we invited to adopt the new and untried system, embraced in the proposed new Constitution? The proposed new system overturns absolutely the vitality of the old system; it destroys the old distinctions in pleadings and rules of practice, and many of the principles of law heretofore settled at immense expense, as above described, and leaves the whole matter of jurisprudence and the administration of right at sea, without a compass. The proposed system is new and untried, and it will cost millions of dollars to settle it; indeed, it cannot be settled in this generation, and more than this, the judgments of the greatest Judges in the world is that it can never be settled like our present system. Ten thousand questions of law, that no one can publicly foresee, will arise at once, that will lead to endless litigation, uncertainty and cost.

Under the proposed Constitution, a new system, entirely of rules of practice, and a new code of laws, are to be established by three men, at the cost of six hundred dollars per month, and these

men are to sit and make rules for Courts and new laws, at this price, for an indefinite time.

The Supreme Court is to consist of five Judges, instead of three, as now. There is no occasion for the two additional Judges, except to sit up two more places for political favorites, who will thereby draw from the Treasury of the State \$5,000 or \$7,000 a year! The present Judges do all the work and are not engaged over a third of the year.

The number of Superior Court Judges is increased from eight to twelve. This makes four more high officers for political pats, at a cost of 12,000 to \$15,000 a year. This involves four more Solicitors, lucrative places for politicians.

The Constitution provides for the new office of Attorney General of the State, at a cost of \$3,000 or \$4,000 a year. What is he for? The State has done without this officer from its foundation. It, too, is for a political favorite.

This new system provides that each Judge shall reside in and ride his own circuit—thus causing that he shall become familiarized with every case on the circuit and exposing him to temptations of bribery and corruption.

It abolishes the County Courts, the People's Courts, that have operated so well for the convenience of the people; and turns most of the business of that court over to the Clerk of the Superior Court.

Such a system of offices and confusion never was set up before. All the lawyers in the Christendom cannot understand it; the makers of it themselves can't tell all it means and how it is to operate; it is "confusion worse confounded."

Then this new system provides that the Judges of the Courts shall be elected by the voting population of the State. Our people have always been averse to this; they have refused to adopt the system when the voting population was white and intelligent. This is, above all other things, the worst to adopt this method of choosing Judges. Scarcely a thousand negroes are to vote; they don't know how to vote, except as they are told, and we see, by the light of our experience, that they are mere tools in the hands of the unscrupulous white men in the land. They have learned, in a few months, to vote solidly against decency and the white man.

See what this system will lead to: If the Radical ticket succeeds, with a few exceptions, and they were placed on the ticket as a mere matter of policy, what a bunch of Judges we will have! One half of the candidates of the Radicals, for Superior Court Judges, are utterly incapable, notoriously so; they don't know any law, and they never will, for the lack of capacity to learn it. With such men on the bench, what safety will there be for right, or property, or life? What citizen can tell when he is to have the laws of his country administered? It will be a solemn mockery of the Court, and to place such men on the bench, but they will take them there. LET WHITE MEN CONSIDER OF THIS!

These Radical and ruinous changes are the offspring of the vanity and ignorance of some Yankee upstarts in the convention. They ruled it, and introduced these innovations, without knowing or caring a fig about the consequences to our people. They want to be able to say, that they introduced what they call reforms in constitution-making. Three changes were not required by the legislation of Congress. On the contrary, twenty, or thirty of the prominent and most radical members of Congress wrote leading members of the late so-called convention, urging them to make just a few changes in our State constitution as possible, only to secure negro suffrage, and then to go home. They told these upstarts, that the consequences would be, that the people, of all parties, would repudiate their work, if they undertook to press upon the people strange innovations!

Will the people submit to these outrageous and disastrous innovations? If they do, certain, inevitable ruin will be the consequence. Let every man take up the constitution and read it, and see if all that is here said of its demerits is not warranted. Every one will be forced to say, that much more might be said against it. Then go to the polls AND VOTE IT DOWN! Let every white man in the State bestir himself, for all our hopes of a just, enlightened, impartial dispensation of law, of right, and of justice, all our hopes for the future—are at stake!

(From the Raleigh Sentinel.)

THOUGHTS FOR THE PEOPLE.

(No. 5.)

A FAMILIAR CONVERSATION ON THE NEW CONSTITUTION.

Radical—Good morning, neighbor Joe.

Conservative—Oh! yes.

Radical—Well, it is pretty good under the circumstances, ain't it?

Conservative—Well, I have read the Constitution, carefully. Indeed, I have studied all of its most important provisions, and I have come to a different conclusion. It is no more like the old Constitution, handed down to us by those old firm patriots, Gaston and Macon, than Turner's Almanac is like the Bible.

Radical—Oh! Polaw! you are prejudiced against the framers of the new constitution. You don't like Holden, Ashley, McDonald, Tourgee, and the other members who had most to do with fixing it up;

and, for this reason you go against the constitution.

Conservative—No, my friend, you are mistaken. It is true, I have neither fancy nor ear for the men you name—and I should receive with far less hesitation a constitution made by such men as Graham, Worth, Bragg, Eaton, Ashe, Sharp, and the like, than from the hands of these men you name—and, hence, I have given the new Constitution a more thorough and critical examination than if the last named gentlemen had had the making of it.

Radical—Well, what is there in it that you don't like?

Conservative—There is a great deal in it which I don't like—but much more out of it, which I would have in it. Upon this point I—and I am sure, neighbor Joe—you cannot have considered this matter well to be in favor of it.

Radical—You talk as if you have studied and thought over this matter more than I have. I have read carefully the printed constitution, and I find in it nothing particular to find fault with—but, I confess, I have not thought about what was out of it which ought to be in it. What is there in it if you object to it?

Conservative—In the first place, this constitution increases immensely the taxes which our impoverished people have to raise, by multiplying the number of offices with heavy salaries. Should this constitution be adopted, we shall have six more Judges and a Superintendent of Public Works, a Superintendent of Public Instruction, a Superintendent of the Penitentiary, an Attorney General, a Lieutenant Governor, and dozens of other offices and commissions, heretofore unknown to our laws, for all of whom large salaries are to be provided; so that the increased annual expenses of the State officers will not amount to a less sum than \$100,000, or more—a sum, of itself, sufficiently large, exclusive of Asylums, to pay the expenses of the State Administration. If these new offices were necessary to the due administration of the government, nothing could be said against it. But the reverse is true, and they have been created for no other purpose than to provide for such irresponsible "adventurers" as Manning, Ashley, Tourgee, and the numerous families of Franches, and the like, who, now that "burning" has ceased, are to be made high officials of by negro votes.

Radical—But, these offices are necessary to the proper carrying on of the government, and cannot well be dispensed with.

Conservative—Could not eight Judges ride the circuits as well as twelve?—and could not three Supreme Court Judges have done better than five? Have not the three Supreme Court Judges, heretofore discharged their duties, and fully maintained the judicial character of the State?

Radical—I confess that, in the main, the Judiciary has done well enough.

Conservative—Well, my friend, it is best to "let well enough alone," especially when not to let it alone is to cost the already impoverished people of the State the sum of fifteen or eighteen thousand dollars every year.

Radical—In the matter of the Judges, I think it would have been better to let the old Constitution stand as it was. But it should be our first duty to get back into the Union.

Conservative—That is the general argument of your party friends. We are already in the Union, never having been out of it. I set out to tell what I thought was in the constitution, which should impose on us the absolute duty of rejecting that document at the coming election. The most objectionable feature of this new constitution, is that which makes obligatory upon the Legislature to levy a tax, at the present time, and in the present crippled and impoverished condition of our people, to pay the annual interest on the State's indebtedness.

Radical—You are not in favor of Repudiation, are you?

Conservative—No, Sir, I am far from it, and this feature of the new Constitution will do more towards making our people repudiate than all the legislation which has been done in twenty years, not excepting the secession of the State, and its delay. Our own courts are closed against the citizens of the State by this very constitution, while Northern creditors are allowed to collect their debts in the Federal courts, and in doing so, to sell your roof over the heads of your wife and children. And while such is our situation this constitution declares that these people, (whose lands and whose ALL, are to be taken from them by these Northern "Shylocks") shall be taxed to the tune of \$1,300,000 a year to pay the interest on the State debt, which is almost entirely in the hands of these Northern men. It is an outrage, a villainous outrage upon the poor tax payers, who cannot hardly make a support for their families.

Radical—But, my dear Sir, you say you are not in favor of Repudiation: Then what do you propose to do, when you object to paying only the interest on what the State owes?

Conservative—I will tell you. I would tell these Northern bondholders, that the debt is a just and honest one—that we will pay it, but not before we are admitted to our rights in the Union, and labor shall become regulated, order restored, industry revived, and the wealth and prosperity of the good old days shall return to bless us and our good old North Carolina. The bond holder is rich—we are poor. He can afford to wait without injury to him or his.

Radical—You are making a strong case

for your side, but still, you have not paid what you owe.

Conservative—That is true; but we are going to pay it. When an honest man is unable to pay an honest debt, all that can be required of him, morally or legally, is to acknowledge the debt, and promise to pay it, when he has the ability to pay it.

Radical—Our State debt is not over fifteen millions of dollars and we ought to be able to pay the interest on that amount.

Conservative—I grant you that we ought to be able to pay it. Let us look at this matter as it is, and without party prejudice. The State debt, by the end of the present year, will not be less than \$19,000,000. The interest on this sum, at 6 per cent, amounts to \$1,140,000. Under the new constitution, we shall have to raise not less than \$500,000 for the purpose of carrying on the public Schools. This makes the sum amount to \$1,640,000. Then we have to raise a tax to support the State Government, which, since the increase of the number of Judges and other high salaried officers, by the new constitution, will not amount to less than \$300,000. This brings it up to the sum of \$1,940,000. But this sum, even, does not begin at all. The new constitution requires work-houses, &c., to be constructed, and the county taxes will not amount to a less sum than \$600,000. This brings our taxes, for State and county purposes up to the enormous sum of \$2,540,000! In addition to this, the Federal tax will not be less than \$1,500,000! So, it is reduced to an absolute certainty that, under the proposed constitution, the people, poor as they are, will have to raise each year, in the way of public taxes, the stupendous, the unreasonable, and infamous sum of over FOUR MILLIONS OF DOLLARS!—and the greater portion of this sum is to go into the pockets of Northern "Shylocks" and brokers.

Radical—There must be some mistake about this, for our people cannot pay one tenth of this sum. You are mistaken.

Conservative—I do not give you my word for it. I give you the figures. There cannot be any mistake, for "figures do not lie."

Radical—Why, sir, our people could not raise this amount of money, if their individual lives depended upon it.

Conservative—That may be true, and that fact only makes the necessity to defeat the Constitution the more urgent and obligatory upon the people. The truth is, this proposed Constitution, in a financial point of view, is an absurdity; for it requires that to be done which is impossible to be done. Four millions of taxes could not be collected out of the people of North Carolina, without forcing three-fourths of the bonded property of the people under the auctioneer's hammer. The legislators who framed such a requirement were either idiots or knaves, and the people will so find out when they shall have ratified it.

Radical—I confess, these figures rather surprise me. You said awhile ago that you had as much objection to what was not in the proposed Constitution, as you had to that which was in it. What is there out of it, which ought to be in it?

Conservative—In the first place, I would have placed in the Constitution a clause compelling the Legislature to provide separate schools for the education of white and negro children, to prevent my children from being placed upon an equal footing with negroes.

Radical—The constitution does not require them to be educated in the same schools.

Conservative—But the action of the convention meant this, if it meant anything. When the subject was being considered by the body, it was moved that separate schools should be provided for the two races, and the motion was almost unanimously voted down—and that, too, when they had put a clause in the constitution compelling children, whose parents are unable to educate them, to send them at least 16 months to the public schools—thus forcing the children of poor white men to associate with negro children on terms of equality.

Radical—To be sure, the Convention did not do this!

Conservative—The record of the convention show this to be true. And, besides this outrage upon the white children of the State, the convention refused to forbid the enrollment of whites and blacks in the same companies and regiments of militia, and carried it infamously to the extent that it refused to forbid the mustering of white men under negro officers.

Radical—I would suffer myself to be hanged before I would be mustered by any negro.

Conservative—That's the way your party all talk, but you act differently. And your acts have inevitably so social equality with the negro, and in the very month for which you exhibit such aversion. But this is not all. I was proposed to insert in the constitution a provision forever forbidding the intermarriage of whites and blacks; and this proposition WAS VOTED DOWN. The convention not only did this, but actually passed an ordinance legislating marriages of whites and blacks!

Radical—This cannot be true. If I believed the convention had perpetrated such an outrage upon the white race as that, I would vote against a constitution framed by such traitors to their race and country.

Conservative—The record can be produced to prove it. But, my dear Sir, the convention not only did this, but it absolutely voted down a proposition forbidding that a WHITE CHILD should ever be bound out, as an apprentice, to a

NEGRO MASTER—and should the constitution be adopted by the people of North Carolina, your children may be bound out to one of your former slaves. The truth is, in the Eastern counties, where the negroes are largely in the majority, under the system of election by the people of all subordinate officers, which is incorporated in the constitution, there will be a majority of Justices of the negro race, and it is not only probable, but certain, that poor white children, whose parents are dead, will be turned over to negro masters!

Radical—This is hardly likely to happen, notwithstanding the convention has done these things, the white men in that convention will so choose their men in social equality with the negroes than you will.

Conservative—You are mistaken again. The whole platform, upon which you and your party have been acting, is made up of the word EQUALITY. They sing it, pray it, and preach it, night and day.

Radical—I know this, and admit it; but we mean political "equality." You ought to make the distinction.

Conservative—Now, you see wrong again. The delegates to that convention met the negro delegates outside of the convention, on terms of social equality. The change has been made, and never denied, that CALVIN J. COWLER, the PRESIDENT of the Convention, went into an eating house in the city of Raleigh, and called for two plates of oysters, and sat down at the same table, side-by-side, with A. H. Galloway, negro delegate from the county of New Hanover, and the two, Cowles (white) and Galloway (negro) ate together, entertaining each other, at the time, by familiar SOCIAL conversation. It has been charged, first, and never denied, that Saml. W. Wats, delegate from Martin county, and Radical candidate for JUDGE in the 6th Judicial circuit, went into a grog-shop, in the city of Raleigh, with a notorious negro character, of that city, known as "Boots the barber," and the two, Wats (white) and "Boots" (negro) drank together a "social glass," passing each other's good looks! Is not this SOCIAL EQUALITY?

Radical—Why, you astonish me! Do you tell me it is true that the President of the Convention has been charged with associating in that manner with a nigger, and has not denied it? And that another white man of the Convention so acted, and that he was afterwards nominated for the office of Judge by the Republican Convention!

Conservative—Yes, I know these charges have been made, and that they have not been denied. And these acts are not alone done by the men whose names have been mentioned—the members of the Convention, generally, acted towards these negroes in the Convention with a consideration equal to that with which they acted towards white men. I tell you this, and am prepared to prove it. Why, on the night before the day of the adjournment, these delegates, "in convention assembled," resolved themselves into a general spree, into a regular "Carnival of frolic," and there, in the Hall of the House of Commons, of the Capitol of the State of North Carolina, this glorious old State, whose people have been famous, the world over, for their steady morals and correct deportment—there, in that Hall, sanctified by Stuart's living representation of the Father of his Country, and made immortal by the names of the sainted Gaston and those grand old statesmen of former days, Macon, Badger, Mangum and Morehead—there, in that once sacred place, was commenced the most disgraceful, the most infamous transaction, that ever occurred "outside of a grog-shop." Members of the convention, black and white, and black outsiders, formed a circle, joining hands, immediately in front of the Speaker's chair, and dancing to all sorts of tunes, different persons singing different tunes, among which the most popular were such as "Sally in the garden sits and," "old John Brown's body is moldering in the clay," "Come out of the wilderness," "Oh! Yellow gal can't you come out to night," &c. "Sir, it was a scene that made the heart sick and the eyes weep." Candidates for Subships were seen prominently among those creating a bedlam of the State Capitol, and delegates of the people were seen to stagger from the effects of whiskey and exhaustion!

This scene was kept up until a late hour at night and the departing speaker could see, here and there, in the lobbies and passages, on the benches, and on the floor, bodies of many of the revellers, white and black, in slumber, snoring away their stupor and weariness. God grant, in his mercy that poor old North Carolina may never again be cursed by such a scene in her proud old Capitol—and that her people may be spared the infliction, upon them and their children, of such a scene as the establishment of the infamous Constitution which these wicked and unprincipled men would fasten upon them!

Radical Amen!

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