"NO NORTH, NO SOUTH, NO EAST, NO WEST-OUR WHOLE COUNTRY."

ASHEVILLE, N. C., THURSDAY, SEPTEMBER 16, 1869.

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FLOWERS.

In all ages of the world, flowers have been regartied as things of heauty, and emblems of innocence and virtue. Many of the finest poetical images in all languages are drawn from them. God alludes to the lilies of the field, to convince us of His care for us. He says: "Consider the lilies of the field, how they grow : they toil not, neither do they spin ; and yet I say unto you that Solomon, in all his glo ry, was not arrayed like one of these." A complete flower consists of four parts-the calys, corolla, stamens, and pistil. The two former are rather than essential, as a flower, botanically speaking-can consist of stamens and pistil alone, Stamens and pistils are the essential organs of a flower; but sometimes there is only one of these present, the other organ being in another blossom on the same plant, as in the Indian corn, where the ear is but lialf a flower, having for pistils what we call the sill, while the tassel is the other half, containing the stanens. Flowers speak a varied language, and reach he heart not only in its seasons of joy, but in its hours of sadness also. What can be more natural association of ideas than that which makes the rosebud the emblem of infant lovelines. a full-blown rose the type of blooming womanhood; and which likens extreme old age to the last leaf of authmn. It was the custom in ancient times when a General had gained any great victory to crown him with flowers; thus we find when Alcibiades returned from his exile in triumph, the mul-

Flowers are delightful to every lover of nature; a boquet, or even the simplest blossom, prosented by a friend, interests the heart. How many pleasant just as tenderly replaced the cold, damp earth again thoughts a conwakened by the fresh and perfumed incense which ascends from flowers? What woman does not love flowers? Yet many regard them merely as beautiful objects, without being aware that they might be rendered far more interesting by a scientific knowledge of the relations and uses of their

Flowers are indeed lovely, but like youth and beauty, they are fading and transient; they are, however, destined for a higher object than shor; lived admiration; for to them is assigned the important office of producing and nourishing the fruit. Like them should we improve the bloom of life, so that when youth and beauty shall fade away, our minds may exhibit that fruit which it is the business of youth to nurture and mature.

PASHIONABLE WOMEN.

Fashion kills more women than toil and sorrow. Obedience to fashion is a greater transgression of the laws of woman's nature, a greater injury to her physical and mental constitution than the hardships task will live and grow old, and see two or three generations of her mistresses fade and pass away. The washerwoman, with scarce a ray of hope to cheer her in her toils, will live to see her fashiona- hillocks beneath where the heroes sleep. ble sisters all extinct. The kitchen-maid is hearty and strong when her lady has to be nursed like a

It is a sad truth that fashion-pampered women are almost worthless for all the good ends of life they have but little force of character; they have still less power of moral will, and quite as little mask. On her he exerted all fascination, physical energy. They live for no great purpose in life; they accomplish no great ends They are dolls, formed in the hands of milliners and ser- married since I have had the pleasure of seeing vants, to be dressed and fed to order. They dress you," was the gallant reply. nobody, they bless nobody, and save nobody. They write no books, they set no rich examples of virtue and woman's life. If they rear children, servants me as much." and nurses to all, save to conceive and give them birth. And when reared, what are they? What do they ever amount to, but weaker scions of the old stock? Who ever heard of a fashionable woman's child exhibiting any virtue and power of mind for which it ever bacame eminent? Read the biographies of our great men and women. Not one of them had a fashionable mother. They nearly all sprung up from strong-minded women, who had about as little to do with fashion as with the chang-

MEN WITHOUT HEARTS.-We sometimes meet with men men who seem to think that any indulgence in an affectionate feeling is weakness. They will return from a journey and greet their families with a distant dignity, and move among their children with the cold and lofty splendor of an iceberg, surrounded by its broken fragments. There is hardly a more unnatural sight on earth than one of these families without a heart. A father had better extinguish a boy's eyes than take away his heart. Who that has experienced the joys of friendship, and values sympathy and affection, would not rather lose all that is beautiful in nature's scenery, than be robbed of the hidden treasures of the heart? Cherish, then, your heart's best affection. Indulge in the warm and gushing emotions of filial, paternal, and fraternal love.

THE following days of the week were set apart for public worship in different nations:

Sunday, or Lord's Day, by Christians. Monday, by the Grecians. Tuesday, by the Persians. Wednesday, by the Assyrians. Thursday, by the Egyptians. Friday, by the Turks. Saturday, by the Jews.

THE first instance of election bribery was as early as the 13th of Elizabeth, when one Thomas Longe gave the returning officers and others, of the bo- swearing, I would'nt hesitate to cuss a bed-bug rough of Westbury, 4l. to be returned member, and right to his face." was for that premium elected.

besitatingly for the truth. Candor is always best, | self-denial.

GEO. D. PRENTICE TO HORACE GREELEY.

I send thee, Greeley, words of cheer,
Thou bravest, truest, best of men;
For I have marked thy strong career,
As traced by thy own pen;
I've seen thy struggles with the foes
That dared thee to the desperate fight,
And loved to watch thy goodly blows
Dealt for the cause thou deem'st the right.

Thou'st dared to stand against the wrong, When many faltered by thy side; In thy own strength hast dared be strong,

Nor on another's arm relied. Thy own bold thoughts thou'st dared to think Thy own great purposes avowed; And none have ever seen thee shrink

From the fierce surges of the crowd. Thou, all unaided and alone, Did'st take thy way in life's young years, With no kind hand clasped in thy own, No gentle voice to soothe thy tears.

But thy high heart no power could tame. And thou hast never ceased to feel Within thy veins a sacred flame That turned thy iron nerves to steel. I know that thou art not exempt From all the weaknesses of earth,

For passion comes to rouse and tempt The truest souls of mortal birth. But thou hast well fulfilled thy trust, In spite of love, and hope, and fear, And e'en the tempes t's thunder-gust But clears thy spirit's atmosphere.

Thou still art in thy manhood's prime, Still foremost 'mid thy fellow-men, Though in each year of all thy time Thou hast compressed threescore and ten. Oh, may each blessed sympathy, Breathed on thee with a tear and sigh,

A bright star in thy clear blue sky.

A sweet flower in thy pathway be,

From the Sunday Roublic. OUR DEAD.

A home, a herriage to gain. They marched and fought and bravely died Died, for me and you

Here! here, my own, my noble brother sleeps They made his grave with soldier hands upon the battle-field, already red with crimson human gore. Where the angry blast of war had swept along titude saluted him with wild acclamations, and through the bloody field, in frightful storm and fury, and where the dead and dying—friend and foe-already strewed the field. Tenderly those men, his comrades, with true and loyal hearts, prepared and laid him in his rude and shallow grave, and o'er his pulseless breast. * * Here, here now, in the city of the North, the city which gave him birth, where the years of his happy childhood and early manhood were passed, where all was dear and familiar to him, here at last, far away from the Southern battle-field, we have gathered his mangled form and laid it down to rest deep in the bosom of mother earth, where within his honored grave he sleeps his last sleep, a willing martyr, a ready sacrifice, on the altar of his country. On Virginia's bloody field his life was yielded up, nobly given ties to the issues in such cases. that the nation still might live. We speak his praise | Sec. 8. Proceeding where fraud is suggested. and of his worth in broken utterances; his gallant and heroic death has made his name sacred, and ever will it live green in the hearts around the family hearthstone, and on Fame's unsullied page.

The flowers we placed upon his coffin-lid are scarcely withered yet; the solemn tones of the the appointment directed in section six. funeral bell and of the muffled drum have but just swept through the beautiful valley where we laid him down to sleep, and I am still standing bewildered and grief-stricken in the valley and shadow of death. My brother, noble, young, and true, so good, so strong, and once so full of life and hope! O, noble dead-our dead-all honor to their memory-they who bravely yielded up their lives in the hour of their country's peril! In the unknown grave, deep within the Southern wildwood, or in of poverty and neglect. The slave woman at her the beautiful consecrated cemeteries, sacred and hallowed for that purpose—wherever their ashes such insolvent acquired after his discharge and the lie may the people of this and of untold generations yet to dawn, cherish and love the memory of their ment or decree upon the property of such insolvent country's brave defenders, and honor the little shall not be in any manner affected by such dis-

Sleep warrior, sleep, for thine is the victory.

NICELY CAUGHT.—At a masked fisherman's ball in New Orleans, a gay and handsome man, who had business, was much struck by a stranger, a lady in a

"Oh, sir, you quite put me out with your flattery. suspect you are a married man," sald the lady. "No, indeed; but I confess a willingness to get

'Indeed! but you havn't seen my face yet!" "No, but I know it is beautiful. The exquisite grace accompanies everything you do and say tell

It is true. Until I met you to-night, women have looked to me homely and common place." 'Oh, you are jesting."

"Indeed, I am not," "And you never loved any one before?"
"Never! Your sex appeared to me always deceitful, and my heart refused them all sympathy, but for you I feel a passionate attraction that I have no

power or inclination to resist." "Can this be true?"

"I think we'd better."

And they went.

"It is, indeed." "And you wish to see my face?" "I am mad with impatience, since it will be the no rival impression."

"You are so persuasive I can no longer deny the Sec. 13. Oath. privilege-look !" and the mask was removed. It was his wife. "The devil!" said the discomfited Benedict, indulging in a prolonged whistle.

"Oh, no, my dear, only the face that has no rival impression on your heart!" "Say, Mary, let's call it square and go home."

BARRETT'S CATS .- Yhe anecdotes of the two cats,

which has been told of many learned men, originated with the painter Barrett. His only pets were a cat, and a kitten, its progeny. A friend, seeing two holes in the bottom of his door, asked him for with purpose he made them there. Barrett said it was for his cats to go in and out.
"Why," replied his friend, "would not one do for both?"

"You silly man," answered the doctor, "how could the big cat get into the little hole?"

"But," said his friend, "could not the little one go through the big hole?" "Egad," said Barrett," "so she could; but I never thought of that."

Josh Billings says: "If I was in the habit of

APPEAR rather too liberal than too economical, In a strait betwixt-truth and falsehood, decide un- but never lavish. Economize in little things. Learn OFFICIAL.

Public Laws of North Carolina.

of his creditors and an inventory of his estate, as required in the next section; and shall annex to his petition and schedule the following affidavit, which must be taken and subscribed by him before the Clerk of the Superior Court, and must be certified by auch officer:

----, do swear (or affirm) that the account of my creditors with the places of their residence, and the inventory of my estate, which are herewith delivered, are in all respects just and true; that I have not, at any time or in any manner, dis posed of or made over any part of my estate for the future benefit of myself or my family, or in order to defraud any of my creditors; and that I have not paid, secured to be paid, or in any way compounded with any of my creditors, with a view that they, or any of them, should abstain or desist from opposing my discharge. So help me God." Sec. 3. Insolvent's schedule, what to contain.

1. A full and true account of all his creditors. with the place of residence of each, if known, and the sum owing to each creditor, whether on written security, on account or otherwise. 2. A full and true inventory of all his estate, rea and personal, with the incumbrances existing there-

on, and all books, vouchers and securities relating 3. A full and true inventory of all property, real and personal, claimed by him as exempt from sale under execution.

Sec. 4. Order to show cause. On receiving the petition, schedule and affidavit the Clerk of the Superior Court shall make an order requiring all the creditors of such insolvent to show cause before said officer, within thirty days after publication of the order, why the prayer of the petitioner should not be granted

Sec. 5. Notice of order Notice of the contents of the order shall be pub lished by the Clerk at the Court House, and three other public places in the county where the application is made, for four successive weeks; or, in lieu thereof, for three successive weeks in any newspaper published in said county, or in an adjoining

Sec. 6. Summary proceeding before Clerk. If no creditor oppose the discharge of the insol vent, the Clerk of the Superior Court, before whom the hearing of the petitioner is had, shall enter an order of discharge, and appoint a trustee of all the estate of such insolvent,

Sec. 7. Creditor may suggest fraud.

Every creditor opposing the discharge of the in solvent may suggest fraud and set forth the particulars thereof in writing, verified by his oath; but the insolvent shall not be compelled to answer the suggestions of fraud in more than one case, though as many creditors as choose may make themselves par-

In every case where an issue of fraud is made up. the case shall be entered in the trial docket of the Superior Court, and stand for trial as other causes; Sec. 9. Order of discharge, its terms and effect.

The order of discharge shall declare that the such notice, and if the plaintiff fail to give such person of such insolvent shall forever thereafter be security, then the sheriff may discharge the debtor exempted from arrest or imprisonment on account of any judgment, or by reason of any debt due at the time of such order, or contracted for before that time, though payable afterwards. But no debt, demand, judgment or decree against any insolvent, discharged under this chapter, shall be affected or impaired by such discharge; but the same shall remain valid and effectual against all the property of appointment of a trustee; and the lien of any judg-

CHAPTER II.

Proceeding by debtor, arrested or imprisoned in execution in civil causes, to be discharged from such

refused to take his wife to the ball on the plea of Section 10. Who entitled to benefit of this chapter. The following persons are entitled to the benefit

1. Every person taken or charged on any order of arrest for default of bail, or on surrender of bail in 2. Every person taken or charged in execution of

arrest for any debt or damages rendered in any action whatever. Sec. 11. Where application to be made.

Every person taken or charged as in the preceding section specified, may, at any time after his arrest or imprisonment, petition the Court from which prisoned, for his discharge therefrom, on his com pliance with the provisions of this chapter. Sec. 12. Nature of application.

The petition shall set forth the cause of imprisonment, with the writ or process and complaint on which the same is founded, and shall have annexed to it a just and true account of all his estate, real and personal, and of all charges affecting such es-tate, as they exist at the time of filing his petition, together with all deeds, securities, books or writings whatsoever relating to the estate and the charges thereon; and also what property, real and personal, only face my heart will ever miror. It has upon it the petitioner claims as exempt from sale under ex-

> The petition shall have annexed to it an oath or affirmation, subscribed by the petitioner and taken Sec. 20. Proceeding before court. before any person authorized by law to administer oaths, to the effect following:

"I,, the within named petitioner, do swear (or affirm) that the within petition and account of my estate, and of the charges thereon, are, in all respects, just and true; and that I have not at any time or in any manner, disposed of or made over any part of my property, with a view to the future benefit of myself or my family, or with tice shall return the netition and orders thereon into an intent to injure or defraud any of my creditors. So help me God."

Sec. 14. Notice to be served. Twenty days notice of the time and place at which the petition will be filed, together with a copy of such petition and the account annexed thereto, shall be personally served by such debtor on the creditor or creditors at whose suit he is arrested or imprisoned, and such other creditors as the debtor may choose, or their personal representa-tives or attorneys; and if the person to be notified reside out of the State, and have no agent or attorney therein, the notice may be served on the officer having the claim to collect, or by two weekly

publications in any newspaper in the State. Sec. 15. Suggestion of fraud. Every creditor upon whom the notice directed in the preceding section is served, may suggest fraud upon the hearing of the petition, as prescribed in section seven (7) of this act; and if the case be in tentiary for any term whatever, or in a county jail a court of a justice of the peace, the issue made up, for any term more than twelve months, application respecting the fraud, shall be returned into the by petition may be made by any creditor of the

office of the clerk of the superior court and stand debtor, or by his wife, or any of his relatives, for for trial, as in other cases; and the proceeding in the appointment of a trustee, to take charge of the or that he be disqualified to hold any office of honor, trust or profit, under this State, or both that he eight (8) of this act.

Public Laws of North Carolina.

[Passed at the Session of 1868-69.]

[No. 157.]

An act concerning the estates of insolvent and imprisoned debtors.

[Passed April 8th, 1869.]

The General Assembly of North Carolina enact as follows:

[CHAPTER I.

PROCEEDING BY DEFIOR TO BE RELIEVED FROM LIABBLITY TO IMPRISONMENT.

Section 1. Petition of debtor.

Section 1. Petition of debtor may present a petition in the Superior Court, praying that his estate may at the time of filing his application for the Superior Court, praying that his estate may at the time of filing his application of the sum of the sum of the sum of the superior court, praying that his estate may at the time of filing his application for the sum of the sum o

to the sheriff, he shall forthwith release such debtor commissions therefor. from custody. Sec. 18. In case of sickness or death. Whenever it appears to the court that any debtor. General provisions respecting trustee under this act.

who may have given bond for his appearance under this chapter, is prevented from attending court by Any trustee appointed under the sickness or other sufficient cause, the case shall be the preeceding chapter of this act, in the several continued another day, or to next term, when the cases therein contemplated, is hereby declared a same proceedings shall be had as if the debtor had trustee of the estate of the debtor, in respect to appeared according to the condition of his bond; whose properly such trustee is appointed, for the and, in the event of his death in the meantime, his benefit of creditors, and is invested, from the time bond shall be discharged.

Sec. 19. Order of discharge-terms and effect. The order or discharge, under this chapter, whether granted upon a non-suggestion of fraud or upon the finding of a jury in favor of the debtor, or otherwise, shall be in like terms and have like effect as prescribed in section nine (9) of the preceding chapter; except that the body of such debtor shall be free from arrest or imprisonment at the suit of every creditor, and as to him only, to whom the notice required in section fourteen (14) may have been given; and the notices, or copies thereof, shall in all cases be filed in the office of the superior court

Sec. 20. Judgment on fraud found. If, on this trial, the jury find that there is any fraud or concealment, the judgment shall be that the debtor be imprisoned until a full and fair disclosure on account of all the money, property, or effects be made by the debtor.

Sec. 21. Proceeding after issue. After an issue of fraud or concealment is made up, the debtor shall not discharge himself, as to the creditors in that issue, except by fraud and verdict in the same, or by a discharge by consent.

Sec. 22. Surrender by principal. The surety in any bond, conditioned for the appearance of any person under this chapter, may surrender the principal, or such principal may surrender himself, in discharge of the bond, to the sheriff or other officer of any court where such principal is bound to appear, in the manner provided in the Code of Civil Procedure,-title IX. chapter one (1) section one hundred and fifty-eight. Sec. 23. Debtor swearing falsely; penalty.

If any insolvent or imprisoned debtor take any oath prescribed in this act, falsely and corruptly, and upon indictment of perjury be convicted thereof he shall suffer all the pains of wilful perjury, and he shall never have any of the benefits of this act. but may be sued and imprisoneed as though he had never been discharged.

Sec. 24. Creditor liable for prison fees in certain When any debtor is actually confined within the walls of a prison, on an order of arrest in default of bail or otherwise, the jailor must furnish him with necessary food during his confinement, if the prisoner require it, for which the jailor shall have the same fees as for keeping other prisoners. If Sec. 2. Quorum the debtor be unable to discharge such fees, the jailor may recover them from the party at whose a quorum.
instance the debtor was confined. And when the Sed. 3. Exhibitions of Articles. debtor has remained in jail for twenty days, the and upon a finding by the jury in favor of the petitioner, the Judge shall enter the order and make the sheriff or jailor may give notice thereof to the petitioner, the Judge shall enter the order and make plaintiff, his agent or attorney, and demand se- Senate, who shall, thereupon, cause proclamation curity of him for the prison fees that accrue after to be made in the following words, viz: "All per-

> out of custody. Sec. 25. Who may take prison bounds. Any imprisoned debtor may take the benefit of the prison bounds by giving such security, as required by law, except as follows: 1. A debtor against whom an issue of fraud

2. Any debtor who, for other cause, is adjudged closure or account of his property.

CHAPTER III. or for fine and costs in criminal actions, to be

discharged from imprisonment. Sec. 26. Who entitled to be discharged under this The following persons may be discharged from

imprisonment upon complying with the provisions 1. Every putative father of a bastard committed for a failure to give bond, or to pay any sum on

money ordered to be paid for its maintenance. 2. Every person committed for the fine and costs of any criminal presecution. Sec. 27. Application to be made, how.

Every such person, having remained in prison for sixty days, may apply by petition to the Court, where the judgment against him was entered praycharged upon taking the oath hereinafter pre- the members present, be decided by yeas and nays. scribed.

Sec. 28. Notice to be served. The applicant shall cause ten days of the time and place of filing the petition to be served on the Sheriff or other officer, by whom he was committed, which notice shall, in no case, be waived by such officer nor dispensed with in the discretion of any

Sec. 29. Warrant to bring prisoner. Peace, before whom such petition is presented, shall side over the Senate during the consideration of forthwith issue a warrant to the Sheriff, or keeper said articles, and upon the trial of the person important peached therein. But the Chief Justice shall not the prison, requiring him to bring the prisoner peached therein. But the Chief Justice shall not terested, shall issue a citation to such person to before the court, at the time and place named, for the hearing of the case, which warrant every such sheriff or keeper shall obey.

At the hearing of the petition, if such prisoner have no visible estate, and take and subscribe the oath or affirmation, prescribed in the next section, the clerk of the superior court, or justice of the peace before whom he is brought, shall administer answer the articles exhibited either in person or said oath or affirmation to him, and discharge him by attorney; he shall be entitled to a copy of the from imprisonment; of which an entry shall be impeachment and have a reasonable time to answer made in the docket of the court, and, where the tice shall return the petition and orders thereon into the office of the clerk of the superior court to be

Sec. 32. Who may suggest fraud. The chairman of the of the Board of Commissioners, and every officer interested in the fee bill taxed against such prisoner, may oppose his taking the oath prescribed in the preceding section; and file the particulars of his suggestion in writing; when the same shall be returned to, and stand for trial in the superior court as prescribed in the preceding chapter, in other cases of fraud or conceal-

CHAPTER IV. ? Proceeding for appointment of trustees over the es

tate of any debtor confined for crime. Sec. 33. When and by whom application to be made. Whenever any debtor is imprisoned in the peni-

Sec. 34. To whom application to be made.

be assigned for the benefit of all his creditors, and that his person may thereafter be exempt from arrest or imprisonment, on account of any judgment previously rendered, or of any debts previously contracted.

Sec. 2. Schedule and affidavit.

Sec. 2. Schedule and affidavit.

On presenting such petition, every insolvent shall on previously a schedule containing an account of the shall forthwith release such debtor.

The shariff he shall forthwith release such debtor the commissions therefor.

of appointment, with all the powerss and authorities, and subject to the control, obligations and responsibilities prescribed by law in relation to personal representatives over the estate of deceased persons; but all debts shall be paid by the trustee pro rata

Sec. 38. Where returns made and accounts settled. Such trustee shall make his returns and have his accounts audited and settled in the court of Probat of the county, where the proceeding was had, in like manner as provided for personal representatives. Sec. 39. An oath.

Before proceeding to the discharge of his duty. such trustee shall take and subscribe on oath, well and truly to execute his trust according to his best skill and understanding; which oath must be filed with the clerk of the superior court. Sec. 40. More than one person may be trustee.

The court shall have power, when deemed necessary, to appoint more than one person trustee under any of the provisions of this act; but in reference to the rights, authorities and duties conferred herein, all such trastees shall be deemed one person in law. Sec. 41. In case of disability.

In case of the death, removal, resignation or disability of a trustee, the court, making the appoint ment, may, from time to time, supply the vacancy and all proceedings may be continued by the successor in office, in like manner as in the first

Chapter fifty-nine (59) of the Revised Code, an all laws in conflict with this act are repealed. Sec. 43. When to take effect. This act shall take effect from its ratification

Ratifled the 10th day of April, A. D., 1869. [No. 156.] Proceedings of impeachment. 2 Passed March 220, 1009.1

The General Assembly of North Carolina do en CHAPTER -Section 1. Trial Court of Impeachment.

The Court for the trial of Impeachment shall be

A majority of the members shall be necessary to All impeachments must be delivered by the House

sons are commanded to keep sifence on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of North Carolina articles of impeachment against --- " After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the House of Representatives that the Senate will take proper be the duty of said board to cause such insane perorder on the subject of impeachment, of which due son to be conveyed to the State Asylum, there to notice shall be given to the House of Representa- receive the best medical attention. So, also, it shall

Sec. 4. Powers of the Court. The Senate, as a Court, shall have power to compel the attendance of parties and witnesses, to enforce obedience to its orders, mandates, writs, pre-Proceeding by party committed in cases of bastardy | cepts and judgments; to preserve order, to punish. in a summary way, contempts of its authority, orders, mandates, writs, precepts or judgments; to adjourn from time to time, and to make all lawful mand. rules and regulations which it may deem essential or conductive to the ends of justice.

Sec. 5. Powers of the Presiding Officer. The presiding officer of the Senate shall have

1. To direct all necessary preparations in the Sen-2. To make and issue by himself or by the Clerk of the Senate all orders, mandates, writs and precepts authorized by law, or by the Senate.

3. To direct all the forms of procedure during the trial not otherwise specially provided for. 4. To decide, the first instance, without a divising to be brought before such Court at a time and ion, all questions of evidence and incidental quesplace to be named in the petition, and to be dis- tions; but the same shall, on demand of one fifth of

Sec. 6. When Chief Justice to preside When the Governor of the State, or Lieutenant Governor, upon whom the powers and duties of the office of Governor have devolved, is impeached the Chief Justice of the Supreme Court shall preside; and in a case requiring the Chief Justice to preside, notice shall be given him, by order of the Senate, of the time and place fixed for the consideration of the articles of impeachment, with a re-The Clerk of the Superior Court, or justice of the quest to attend; and the Chief Justice shall presaid articles, and upon the trial of the person imvote on any question during the trial, and shall pronounce decision only as the organ of the Senate with its assent.

Sec. 7. Process against the accused to appear and The Senate, upon the presentation of articles of impeachment and its organization as a Court, shall

Sec. 8. Accused entitled to Counsel. The person accused is entitled, on the trial of the impeachment, to the aid of counsel. Sec. 9. What done when issue is joined. When issue is joined in the trial of an impeach-

trial thereof. Sec. 10. Oath of members. At the time and place appointed, and before the the commencement of the trial, the presiding officer of the Senate shall administer to each member of the Court then present, and to other members as they appear, an oath or affirmation; truly and impartially to try and determine the charge in question, under the Constitution and laws, according to the

such oath or affirmation.

Sec. 11. Two thirds required to convict.

No person shall be convicted on an impeachment the expenses of said county, by submitting it to such oath or affirmation Sec. 11. Two thirds required to convict. without the concurrence of two thirds of the Sena- the qualified voters of said county.

tors present.

ec. 12. Judgment upon conviction. Upon a conviction of the person impeached, judg- | Ratified the 12th day of April, A. D. 1869.

or, trust or profit, under this State, or both; but no judgment can be pronounced.

2. Habitual drunkenness. 3. Intoxication while engaged in the exercise of 4. Drunkennesse in any public place.
5. Mental or physical incompetence to discharge the duties of his office.

6. Any criminal matter, the conviction whereof would tend to bring his office into public contempt. Sec. 17. When act to have effect. This act shall have effect from the date of its rat-

Ratified the 10th day of April, A. D. 1869.

[No. 160.]

An act providing for a board of public charities, and prescribing the duties thereof. [Passed April 7th, 1869.]

Section 1. The General Assembly of North Carolina do enact, That the General Assembly shall, immediately on the ratification of this act, proceed by concurrent vote to select five electors who shall be styled, The Board of Public Charities of the State of North Carolina. One of the persons so elected shall hold office for one year; one for two years; five years; the term to begin from the first of July 1869. Appointments to fill vacancies in this board caused by resignation or removal from the State, death, or from any other cause, may be made for

the residue of such term by the Governor. Sec. 2. The board of public charities shall hold regular meetings on the first Tuesdays in January, April, July and October, and as often besides as they may deem needful. They shall make such rules and orders for the regulations of their own proceedings as they may deem proper. They shall investigate and supervise the whole system of the charitable and penal institutions of the State, and shall reccommend such changes and additional provisions as they may deem needful for their economical and efficient administration, and no changes shall be made in the management of any of the institutions without the advice or consent of the board. They shall receive no compensation for their services except their traveling expenses, which

shall be allowed and paid. Sec. 3. The general condition of the State as effected by crimes, vagrancy and pauperism, shall also come under the view of the board, and it shall be their duty to report to the General Assembly when, in their judgment it may become needful for the erection of the several reformatory institutions, whose organization is provided for in article eleven

of the constitution. Sec. 4. The board shall also give special attention to the causes of insanity, defect or loss of the several senses, idiocy and the deformity and infirmity of the physical organization. They shall, beside their own observation, avail themselves of correspondence and exchange of facts of the labors of others in these departments, and thus be able to afford the General Assembly data to guide them in future legislation for the amelioration of the condition of the people, as well as to contribute to en-lighten public opinion and direct it to interests so

vital to the prosperity of the State. Sec. 5. Personal visits may be required by the board, of one or more of its members, or otherwise, to make careful investigation into the condition of the several county jails and alms houses, of Representatives to the presiding officer of the and the treatment of their unfortunate inmates, and report on these points, so that the provisions of section six, article eleven of the constitution may be

Sec, 6. Whenever the board shall have reason to believe that any insane person, not incurable, is deprived of proper remedial treatment, and is confined in any alms house or other place, whether such insane person in a public charge or otherwise, it shall be their care that all the unfortunate shall participate in the charities of the State.

Sec. 7. The board may require the Superinten-dent, &c., of the several charitable and penal institutions of the State to report to them of any matter relating to its inmates; their manner of instruction and treatment, with structure of their buildings, and to furnish them any desired statistics at their com

Sec. 8. The board of Public Charities shall annually prepare and submit to the General Assembly a complete and full report of their doings during the preceding year, showing the actual condition of all the State institutions under their control, with such suggestions as they may deem necessary and pertinent, which they shall print.

Sec. 9. This board shall make a special report to the General Assembly of eighteen hundred and sev-

enty on the cause of crimes, pauperism, &c. Sec. 10. This act shall be in force from and after Ratified the 10th day of April, A. D. 1869.

An act to add another section; to be marked section a, to Chapter VII, Title XIX, of the Code of Civil Procedure.

[Passed April 6th, 1869.] Section 1. The General Assembly of North Carolina do enect, That the following section, to be marked section 460a, be added to Chapter VII, Title XIX, of the Code of Civil Procedure, to-wit: 460a. When person entitled to administration deemed to have renounced:

If any person, entitled to letters of administration, fails or refuses to apply for such letters within thirty days after the death of the intestate, the show cause, within twenty days after service of the citation, why he should not be deemed to have re-nounced. If, within the time named in the citation, he neglects to answer or to show cause, he shall be deemed to have renounced his right to administer, and the Judge of Probate must enter an order accordingly, and proceed to grant letters to some

Sec. 2. That this act shall take effect from and after its ratification.

Ratified the 12th day of April, A. D. 1869. An act supplemental to an act entitled an act to raise revenue. Section 1. The General Assembly of North Carolina do enact, That wherever the words Clerk of ment, the Court shall fix a time and place for the the county commissioners occurs in section four, of Schedule C, the words "Clerk of the superior

court" be substituted therefor. Sec. 2. That this act shall go into effect after its Ratified this 10th day of April, A. D 1869.

An act authorizing the commissioners of Polk coun Section 1. The General Assembly of North Caroevidence. No member of the Court shall sit or give his vote upon the trial, until he shall have taken lina do enact, That the commissioners of Polk coun-

Sec. 2. This act shall be in force from its ratifi-