TUESDAY, JANUARY 1, 1867.

FIRST GRENADIER OF FRANCE.

tude involved in this controversy, respects the corporate property and pecuniary obligations of the deposed States. The public buildings, For many a year there was a touching records, and other property will cease to be-long to the States when they become extinct, and beautiful custom to be witnessed in a and beautiful custom to be witnessed in a certain regiment of French grenadiers, and which meant to commemorate the heroism of a departed comrade. of a departed comrade. United States will assume all the Southern State

debts. It is an established principle of public When the companies assembled for palaw that the conqueror becomes liable for all rade and the roll was called, there was one the just pecuniary obligations of a conquered name to which its owner could not answer State. This follows from the fact that the -it was that of La Tour d'Auvergne. conquered State, by losing its sovereignty,

When it was called, the oldest sergeant loses its control over the property of the citi-zens, and with it all ability to satisfy the just present stepped a pace forward, and raising his hand to his cap, said proudly: demands of public creditors. If it be said "Died on the field of honor." that the property of the Territories may be

For fourteen years tom was continued, and only ceased when the restored Bourbons, to please their foreign masters, forbade everything that was calculated to preserve the spirits of the soldiers

France. La Tour d'Auvergne was not unworthy in life the honor thus paid him after his death. He was educated for the army, entered in 1767, and in 1781 served under lost forty-five men, of whom ten were And even if they were to choose legislatures, the Duke de Crillion at the siege of Port killed. they would refuse to tax their constituents to Mahon. He served always with distinction, but constantly refused offers of prothe federal government. But what, it may be motion, saying that he was only fit for the command of a company of grenadiers; but finally, the various grenadier compauies being united, he found himself in command of a body of eight thousand men, while retaining only the rank of captain. Hence he was known as the First Grendier of France.

> But it is of one particular exploit of his that we wish to write, more than his career in general.

When he was forty years of age he went

truce retired, and in about ten minutes a of the tower, and within easy musket range

will defend this pass to the last extremity."

The officer who had borne the flag of

of it. They had scarcely got the gun in position, when a rapid fire was opened on

your after the gun was withdrawn the Austrian Colonel ordered an assault. As the troops entcred the difile they ere received with a rapid and accurate

had lost fifteen men. Disheartened by this, they returned to the mouth of the defile. Three more assaults were repulsed in

this manner, and the enemy by sunset had

The firing from the tower had been rapid and accurate, but the Austrian commander had noticed this peculiarity about it-every shot came from the same place. For a while this perplexed him, but at last he came to the conclusion that there were a number of loop-holes close together in the tower, so constructed as to command the ravine perfectly.

At sunset the last assault was made and repulsed, and at dark the Austrian commander sent a second summons to the garrison.

This time the answer was favorable. on a visit to a friend, not far from a section The garrison offered to surrender at sunrise of the country that was soon to become the the next morning if allowed to march out den to lay any tax on real estate, or direct tax scene of a campaign. While there, he was with their arms and return to the army

ACCIDENTS OF SPEECH.

THE FLOWERS COLLECTION

Pat has long labored under the imputasarily indigenous to Irish soil.

A Frenchman named Calino, who died speech. in Paris not many years ago, was remark- Then there are low, deep, stong voices,

soon as possible."

It is said of this same character that on dupe me" intonation. one occasion he took a lighted taper to find his way down a pair of stairs without that says "sycophant" as plainly as if it accident, and after getting down brought uttered the word. It cajoles and flatters it back with thanks, leaving himself at the you-its words, "I love you; I admire you; top of the stairs in the dark as at first.

A lady once asked the Abbe de Martingon how old he was. "Why, I am only passionate voice, that sometimes goes with thirty-two," said he, "but I count myself sharp features, (as they indicate merely thirty three, because a little boy was born intensity, of feeling,) and sometime with a year before I was, and died, evidently blunt features, but always with genuine keeping me back a whole year by accident." benevolence. It was a Scotch woman who said that

the butcher of her town only killed half a beast at a time. It was a Dutchman who said a pig had no ear mark except a short purpose your voice proclaims it. tail. And it was a British magistrate who, being told by a vagabond that he was not married, responded "that's a good thing tive, your voice will be equally truthtelling. for your wife."

At a prayer meeting in New Hampshire, a worthy layman spoke of a poor boy whose mother was a widow.

VOICES-WHAT THEY INDICATE.

{NO --39

There are light, quick, surface voices, tion of making more "accidents" than any that involuntarily seem to utter the slang, of his fellow mortals; but it can be very "I won't do to be to." The man's words readily shown that the "bull" is not paces- may assure you of his strength of purpose and reliability, yet the tone contradict his

position, when a rapid fire was opened on it from the tower, and continued with such marked effect that the piece was withdrawn after the second discharge, with a loss of five men. This was a bad beginning, so half an hour after the gun was withdrawn the Aus-

There is also a note to he wife, which he sent home with a basket of provisions, the postcript to which read: "You will find are not are at the bottom of the basket. If to understand a cown insignificance." fail to do so, let me know as There is the incredulous tone, that is full of a covert sneer, or a secret "You can't

There is the whining, beseeching voice you are every thing you should be."

Then there is the tender, musical, com-

If you are full of affectation and pretence your voice proclaims it.

If you are full of honesty and strength of

If you are cold, and calm, and firm, and consistent, or fickle, and foolish, and decep-You cannot wear a mask without its

being known that you are wearing one. You cannot change your voice from a natural to an unnatural tone without its being

Editors and Proprietors, FAYETTEVILLE, N. C. and will, of necessity, accrue to the conqueror. In pursuance of the same principle, the TERMS: One year, Six months Bates of Advertising. One Square, [1 inch or less] first insertion,\$ 1 00 For six months, For three months. For Quarter Column, 5 squares, 3 months, assertion discredits the intelligence of him For Half Lolumn, 10 squares 75 125 For One Column, 20

THE NEWS

PUBLISHED EVERY TUESDAY.

H. L. & J. H. LYBOYER,

VOL 2.

From the New York World, Dec. 12th. Practical Difficulties of the Territorial Scheme.

A newspaper article can exhibit no more than detached glimpses of so large a subject; but the specimens we offer will suffice to show asked, shall prevent Congress from imposing that Congress has undertaken a task for taxes on the property of each Territory to pay

the debt incurred when it was a State? The One of the first effects of degrading the Constitution of the United States prevents, by States into Territories would be to shatter completely forbidding it. We copy its lanand demolish the judicial system of the U. guage States as established therein. We hope to States as established therein. We hope to All duties, imposts, and excises shall be uniform make this very clear, but the argument will throughout the United States. No capitation or other direct tax shall be laid unless in propertion to the census or enumeration herein before require the fixed attention of the reader. It is necessary to premise that the judicial sysdirected to be taken. tem of the United States has no application to the Territories. Chief Justice Marshall in land and the improvements upon it, the (American Insurance Company v. Canter, 1 public debts of the States would necessarily Peters, 546,) speaking of Territorial courts, be met, if paid by themselves, chiefly by thus expounded their character: " These taxes on real estate. But Congress is forbidcourts are not constitutional courts, in which the judicial power conferred by the Constitution on the general government can be deposited. They are incapable of receiving it They are legislative courts created in virtue of the general right of sovereignty which exists in the gov ernment. * * * The jurisdiction with which they are invested is not a part of that judicial power which is conferred in the third article of the Constitution, but is conferred by Congress. in the execution of those general powers which that body possesses over the Territories of the United States." All the judges of the regular judiciary hold during good behavior; but the Territorial judges for only four years. The United States circuit and district courts can be held only in States, the two systems being entirely distinct and inconsistent. The consequence, then, of reducing States to a Territorial condition, would be to demolish all the jud cial courts within those States, and introduce a judicial chaos. The effect would be a denial of justice to all Northern citizens, in the courts of the United States, against debtors and other persons with whom they may have business relations in the South. An inhabitant of a Territory has no standing in any of the United States Courts. The Supreme Court has decided (the Corporation of New Orleans v. Winter et. al. 1 Wheaton, 91) that "the fact that the plaintiff is citizen of a Territory and the defendant of a State does not enable the courts of the U. States to take jurisdiction." The Constitution confers jurisdiction in suits "between citizens of different States," inhabitants of Territories not being included in this designation. It therefore appears that not only would the courts of the United States be abolished in the States degraded into Territories, but they would be without jurisdiction over the inhabitants, even if they could continue to exist.

the State debts be collected? It must be either by the authority of the Territorial legislatures, or by the authority of Congress. No other is possible. But Territorial logiclatures there will be none, for the simple reason that the people will refuse to recognize the act 200 constituting the Territorial governments, and will refuse to choose any legislatures under it. pay debts which had legally devolved upon

held for the

which no ingenuity is sufficient.

A point of the first consequence in this connection, is, that this very Congress, so recently as its last session, repeatedly recognized the continued existence of the Southern States, as States, by several laws it passed relating to the judiciary. It is necessary to bear in mind that the circuit and district courts of the United States can have no existence in Territories, but only in States. In the light of this incontrovertible truth, read the following act of the last session :

CHAP. COX -An act to fix the Number of Judges the Supreme Court of the United States, and to change certain Judicial Circuits.

Be it enacted by the Senate and House of Representa tives of the United States of America in Congress assembled That no vacancy in the office of associate justice of the Supreme Court shall be filled by any appointment until the number of associate justices shall be reduced to six; and thereafter the said Supreme Court shall consist of a Chief Justice of the United States and six associate justices, any four of whom shall be a quorum; and the said court shall hold one term annually at the seat of government, and such adjourned or special terms as it may find necessary for the despatch of bul

SEC. 2 .- And be it further enacted, That the first and second circuits shall remain as now constituted; that the districts of Pennsylvania, New Jersey, and Dela-ware shall constitute the third circuit; that the districts of Maryland, West Virginia, Virginia, North Carolina and South Carolina shall constitute the fourth circuit; that the districts of Georgia. Florida, Mississippi, Ala-bama, Louisiana and Texas shall constitute the fifth circuit; that the districts of Ohio, Michigan, Kentucky and Tennessee shall constitute the sixth circuit; the the districts of Indiana, Illinois and Wisconsin shall constitute the seventh circuit; that the districts of Minnesota, Iowa, Missouri, Kansas, and Arkansas shall constitute the eighth circuit; and the districts of California, Oregon, and Nevada shail constitute the ninth circuit. Approved, July 24, 1866. It will be seen that every one of the ten ex cluded States is here mentioned by name and recognized as a State in the Union, since it is only in States in the Union that these courts with having pocketed a handsome sum can be held. Congress has therefore estopped itself from denying their statehood now. they have lost their standing as States, must have been either by their acts of secession, or by the completion of our conquest in the surrender of the confederate armies; certainly by nothing that has taken place since the passage of the above recited act of Congress. But by that act Congress virtually declared that, in spite of the acts of secession, and in spite of the surrender, they were, at its famous Civil Rights bill is full of such admis- base it will heature ten feet square. Its courts of the United States are the pivots on which the whole legal machinery turns for its execution. Another consideration of the first magni

The inevitable consequence of the Territorial scheme would be the assumption of the Southern State debts by the federal government, and their payment by taxes upon the whole people.

The bulk of Southern property consisting

. of the defunct States, the

who makes it. For how will the taxes to pay

case of the other, Territories. Nothing is more certain than that the people would refuse all voluntary participation in the Territorial governments. There would, therefore, be no Territorial legislatures, nor any local flicers of any kind, only such as were appointed from Washington. The consequence would not only be burdened with the South-would not only be burdened with the South-march. It matters not how he heard the h ern State debts, in addition to their own, but news. It is sufficient to say that he de- to him after the last assault, he consented with the whole expense of maintaining internal order in the South. The difficulty and friction resulting from the refusal of the people to co-operate in the Territorial governments, would quadruple the expense as well off for the pass. He knew that the pass as transfer it.

wide ramifications, the points we have touched able to warn the men of their coming upon should convince Congress that they have danger. embarked in an undertaking of which they will have abund...nt reason to repent.

Corresponden of the Chicago Tribune, Radical. CONFEDERATES IN PARIS.

dash along the Boulevards and through thirty excellent muskets. the Champs Elysses every afternoon is frequently to be seen that of Mrs. Benjamin, wife of Judah P., late Secretary of State of Her husband lives in London, at No. 10, it such articles as he could find. Sackville street, most of the time, and is said to have done very well, pecuniarily, since his admission to the English bar.

Nearly every pleasant morning last summer, there sat, for an hour or two, on the pavement in front of the Grand Cafe, a short man, with one of the reddest faces imaginable, by the side of a decanter containing the best quality of cognac. The name of the man was, and perhaps still is, George N. Sanders. He is reported to have left here suddenly several weeks ago, and his present address is said to be London. He is said to be broken down financially.

John C. Breckenridge was here during the tower. The original garrison of thirty the summer, but I understand he has been rusticating at Versailles for several weeks. While here his wardrobe was in first-rate condition, and did not give the least idea that its owner was in need of pecuniary as-

of any kind, except by distributing it over the busy in acquainting himself with the fea-whole country in proportion to the census. tures of the country, thinking it not unlike-terms were accepted. ly that this knowledge might be of use to him; and while here the brave grenadier sed an anxious day in the tower. He had was astonished to learn that the war had opened the fight with an armament of thirty been rapidly shifted to this quarter, and loaded muskets, but had not been able to Another consequence would be the relief of that a regiment of Austrians were pushing discharge them all. He had fired with the Southern people from all taxes for the on to occupy a narrow pass about ten miles surprising rapidity, but with surprising ters may have." support of local officers, whose salaries would from where he was staying, and the pos- accuracy, for it was well known in the be paid out of the federal treasury, as in the session of which would give them an op- army that he had never thrown away a portunity to prevent an important' move- shot. He had determined to stand to his ment of the French which was then on post until he had accomplished his end, foot. They hoped to surprise this post, which was to hold the place twenty-four and were moving so rapidly upon it that hours, in order to allow the French army they were not more than two hours dis- time to complete its manœuvre. After tant from the place where he was staying, that, he knew the pass would be of no con-

> termined at once to act upon it. He had no idea of being captured by the enemy in their advance, and he at once set

was defended by a stout tower and a gar-Without pursuing this subject through its rison of thirty men, and he hoped to be pass out.

the tower in a perfect ordition. It had down with muskets, came out and passed just been vacated in inison, who had heard of the approach of the Austrians, and had been seized with a panic thereat and Among the many gay equipages that had fled, leaving their arms consisting of

La Tour d'Auvergne gnashed his teeth rode up to him, and asked in French, why have done something, and my word and with rage as he discovered this. Searching in the building be found several boxes of the deceased Confederacy. It is a well-got- ammunition which the cowards had not soldier proudly. ten-up affair, and its appearance indicates destroyed. For a moment he was in desthat Mr. Benjamin is not in a suffering con- pair, but then, with a grim smile, he began dition, so far as finances are concerned. to fasten the main door and pile against

> When he had done this he loaded all the the reply. guns he could find and placed them, together with a good supply of ammunition, under the lcop-holes that commanded the road by which the enemy must advance. Then he ate heartily of the provisions he with undisguised admiration. Then, rasing had brought with him, and sat down to his cap, he said, warmly: wait. He had absolutely formed the heroic resolution to defend the tower alone proved yourself the bravest of the brave." against the enemy.

such an undertaking. The pass was steep | collected, and sent them all, with the grenand narrow, and the enemy's troops could adier, into the French lines, together with my explanation was given there were wet The last time I saw George he looked rough. enter it only in double file, and in doing a note relating the whole affair. this would be fully exposed to the fire from

vision, and now one man was about to hold accept the promotion, saying that he preit against a regiment.

Meantime La Tour d'Auvergne had pas-

to it upon the conditions named.

The next day at sunrise the Austrian troops lined the pass in two files, extending from the mouth to the tower, leaving a space between them for the garrison to

The heavy door of the tower opened slowly, and in a few minutes a bronzed He hastened on, and arriving there found and scarred grenadier, literally loaded down the line of troops. He walked with difficulty under his heavy load.

fellowed him from the tower.

the marrison did not come out.

"What!" exclaimed the Colonel, "do

you mean to tell me that you alone have held that tower against me?" "I have had that honor, Colonel," was

"What possessed you to make such an

attempt, grenadier?" "The honor of France was at stake." The Colonel gazed at him for a moment

"Grenadier, I salute you. You have The officer caused all the arms which There were some things in his favor in La Tour d'Auvergne could not carry, to be

When the knowledge of it came to the ears of Napoleon he offered to promote La men could easily have held it against a di- Tour d'Auvergne, but the latter declined to for my strength, had to give way also to ferred to remain where he was.

At a negro ball, in lieu of "not transfer- known that you are doing so. able," on the tickets, a notice was posted over the doors. "No gentleman admitted

unless he comes himself." An American lecturer of note solemnly said one evening: "Parents, you may have children, or, if you have not, your daugh-

A Western editor once wrote: "A correspondent asks whether the battle of Waterloo occurred before or after the Christain era. We answer it did."

A Maine editor says that a pumpkin in that State grew so large that eight men could stand around it; which statement was way equaled by that of the hoosier who saw a flock of pigeons fly so low that he could shake a stick at them.

Those two observing men, one of whom said that he had always noticed when he lived through the month of May he lived through the year, and the other of whom said at a wedding that he had remarked that more women than men had been married that year, were neither of them Irish-

CLINCHING A SERMON .--- I heard a sermon once from a venerable itinerant preacher on benevolence. I thought the effort very

lean, but one thing impressed me To the surprise of the Austrians, no one "Go", said he, "and do something after I am done preaching. Have it to say, when In astonishment, the Austrian Colonel I come back, four weeks hence, that you

God's word for it, you will be a better and "I am the garrison, Colonel," said the happier man." I knew a poor widow living on the edge of some woods about a mile from my home. Her husband had dy by lettin another feller taste it for him. been dead two years, and with three helpless little girls she had a hard conflict with poverty. I had often spoken kindly to her and thought my duty ended when these words were uttered; but when the sermon of other folks can. the old white-headed preacher was done, the resolution was formed to go and do something. Next day I visited the cellar and measured out a bushel of potatoes, a bushel of apples and a variety of other practicing on the tomahawk. things, and having put them into a wagon, started for the cottage of the widow. A load of wood, for which I paid three dollars, preceded me. An hour's drive brought both loads in front of the house, and when eyes and warmer hearts in the party. The widow wept for joy and the children joined in, while I, finding my feelings too much

tears. The act was one that gave me a new spiritual start, and when the preacher

Agnes Leonard.

JOSH BILLINGS'S PROVERBS.

There seems to be four styles of minds: 1st. Them who know it is so! 2d. Them who know it ain't so! 3d. Them who split the difference and ruess at it!

4th. Them who dont care a darn which way it is!

Necessity begot invention, invention begot convenience, convenience begot pleas- . ure, pleasure begot luxury, luxury begot riot and disease. riot and disease bet them begot povity, and povity begot necessity again-and this is the revolution of man, and is about all he can brag on. It is dreadful easy to repent of other folks' sins-but not very profitable. There is but few men who hev character enough to lead a life of idleness. True love is spelt just the same in Choc-

taw as it is in English.

Those who retire from the world on account of its sins and peskiness, must remember that they have got to keep company with a person who wants just as much watching as a wholy else.

A puppy ; "hevery pup he meets, but old dogs but few associates. It costs a good deal to be wise, but it dont cost anything to be happy.

Most people decline to learn only by their own experience. And I guess they are more than 1 right, for I do not spose a man can get a perfect idee on molasses can-Success in life is very apt to make us forgit the time when we wasnt much. It is just so with a frog on a jump; he cant remember when he was a tadpole-but

An individual to be a fine gentleman has either to be born so, or brought up so from infancy; he can't larn it sudden any more than he can larn to talk Injun correctly by

I wonder if there ever was an old maid who ever heard of a match that she thought was suitable.

If a man wants to get at his actual dimensions let him visit a gravevard. Precepts are like cold buckwheat slapjacks-nobody feels like being sassy to them, and nobody wants to adopt them.

LEARN ALL YOU CAN .- Never omit any opportunity to learn all you can. Sir Waiter Scott said that, even in a stage coach, It was dark when La Tour d'Auvergne This brave soldier met his death in an came back I thought the discourse one of he always found somebody who could tell him something he did not know before. Conversation is frequently more useful than books for purposes of knowledge. It is, therefore, a mistake to be morose and si-HENRY VIII. AND HIS NIGHT IN THE lent among persons whom you think to be CALABOOSE .- King Henry VIII. used to ignorant; for a little sociability on your able to teach you something, no matter Indeed, some of the most sagacious remarks are made by persons of this descripand carried to the Poultry Compter. He knowledge, and one evil, which is ignorance.

sistance. Nearly every "exile" in Paris is said to be in comfortable circumstances. They have, in some measure, a society of their own, into which all who were given to the bad habit of wearing gray clothes a couple of years ago, can be admitted without much formality.

ment the sound came nearer, and at last he Duke Gwinn left here for the United heard them entering the defile. Immediate-States last month. Rumor credits him when the Sonora colinization scheme colof their presence and intentions, and he lapsed; however that may be, it is certain heard the quick, short commands of the it that he supports his expensive family here officers, and, from the sounds, he supposed in grand style, and is in the habit of wearthat the troops were retiring from the pass. ing clothing quite as fine as that worn by Until the morning he was undisturbed. his friend, the Emperor of France.

The Austrian commander, feeling assured that the garrison had been informed of his It is intended to forward to the Paris Exhibition a pyramid representing the space movements, and was prepared to receive which would be occupied by all the gold him, saw that he could not surprise the date, States in the Union. The act prescrib- produced in this country during the last fif- post as he had hoped to do, and deemed it a barrister-her life having been insured made acquainted with the rank of his pris- and is not fool enough to throw them away ing the time for holding the circuit courts in icen years. The height of the trophy will prudent to wait till daylight before making for a very large sum, lately committed sui- oner, he dispatched a messenger to the because he hopes to find a huge lump some Virginia implies a similar admission. The be fifty-nine fort ten inches, while at the his attack.

sions, inasmuch as the circuit and district cubic capacity will be equal to 1,994 feet, surrender. A grenadier answered the sum- his debt. In most cases in Paris it is the drawn and quartered; but instead the sof never despise an opportunity, however unand it will represent a weight of 1,071 tons mons. three quarters twelve pounds, of the value of fourteen million pounds.

action at Aberhausen in June, 1800, and reached the tower, and he had to wait some time for the enemy. They were longer the simple and expressive scene at roll-call in coming than he expected, and for a while in his regiment was commenced and con- his preaching. he was tempted to believe they had aban- tinued by the express command of the Emdoned the expedition.

peror himself.

About midnight, however, his practiced WASHINGTON COLLEGE .- There are now ear caught the tramp of feet. Every mo-359 students at Washington College, Lexington, Va., presided over by General Lee, who hail, in the numbers given, from the ly he discharged a couple of muskets into following States: the darkness to let them know that he knew Virginia 130.

Virginia 130, Tennessee 49, Kentucky 37. Texas 22, Louisiana 17, Alabama 14, Mississippi 12, Maryland 9, North Carolina 7. Georgia 7, West Virginia 6, Florida 5, Missouri 5, South Carolina 4, Arkansas 3, District of Columbia 2, New York 2, Kansas 1, California 1, New Jersey 1, Massachusetts 1, Pennsylvania 1.

cide, in order that her husband should get constable, who came trembling with fear, time. At sunrise he sumin the int garrison to the insurance money, and free himself from expecting nothing less than to be hanged, reverse-the husband commits suicide to the King applauded his resolution in doing "Say to your commander," he said in free himself from his wife's debts. The his duty, and made him a handsome pres- spend it over good or instructive talking reply to the messenger, "that this garrison | heroism of the German case is curious. ent.

the most eloquent I had ever listened to. The change was in myself, not in him or

walk his rounds by night in and about the part will bring them out, and they will be city of London. One night on going his rounds as usual, with his large walking how ordinary their employment. staff, to see that the constables did their duty, he was stopped by one of those officers near the foot of London Bridge, who tion, respecting their particular pursuit. demanded what he did with such an un- Hugh Miller, the Scotch geologist, owes lawful weapon at that hour of the night, not a little of his fame to observations made upon which the King struck him; but the when he was journeyman stone mason and constable, calling the watchman to his working in a quarty. Socrates well said assistance, his Majesty was apprehended that there was but one good, which is lay confined till morning without either Every grain of sand goes to make the heap. It is said that a Saxon lady-the wife of fire or candle, but when the keeper was A gold-digger takes the smallest nuggets,

So in acquiring knowledge; we should promising. It there is a moment's leisure, with the first you meet.