



RUTHERFORD, N. C.

THURSDAY, MARCH 6, 1869

Another Constitutional Amendment.

Another proposed amendment to the Constitution of the United States has passed both branches of the Congress. In a few weeks it will be submitted to the Legislatures of the several States.

The substance of the amendment is that "the right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude."

This country belongs to all nationalities, and the policy of the Government has always been to encourage immigration and settlement.

The laws of the general government have been liberal and uniform in respect to all nationalities. The people of the Old World have flocked to our shore by the million, and contributed largely to our numbers and national wealth.

Four millions of black people have recently elevated from the condition of personal property, to that of citizens of these United States.

From the very nature of things, time, the equalizes of all things, will produce great changes in the political condition of the country, and the constitutions, laws, and policy of the country must conform to those changes.

The negro is here, and he will remain here. The government allowed him to be brought here, and made him and his posterity slaves, the government has now made him a man and a citizen of these United States, and he should have enjoy and exercise the same rights and privileges as other citizens.

This great principle of equal rights, underlies the proposed amendment. Either shut the gate and stop people from coming here, or else give them the rights of other people.

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our liberty as a free and independent American citizen can be enlarged. This constitutional amendment fixes our liberty, so that it cannot be abridged.

The Stay Law, The Homestead.

In another column of to-day's paper will be found the opinion of the Supreme Court, delivered by Justice Reade, declaring the Stay Law to be unconstitutional, and in substance pronouncing the Homestead to be valid and retrospective, good as to all debts old or new.

We are not disposed, nor do we intend to draw any reflections upon the Supreme Court, that would be uncourteous to say the least of it, but our object is to show the injustice, and oppression that is brought to bear by the present standing of these most important laws, both to the creditor and the debtor.

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"Ephraim is joined to his idols." The object of the attack on Judge Logan and Gov. Caldwell is readily understood. There is no danger of estranging the people of Burke and Rutherford counties. They are not to be gulled and deceived by any such proceedings.

Old Debts.—The following is a Bill reported to the Senate by Judge Osborne, chairman of the Judiciary Committee, to promote the settlements of old debts.

A BILL ENTITLED AN ACT TO ESTABLISH A BOARD OF ARBITRATORS FOR EACH COUNTY. Section 1. The General Assembly of North Carolina do enact, That the County Commissioners shall appoint in every county in this State a Board of Arbitrators, which shall be composed of three citizens of each county, who shall owe no debts contracted before the first of June, 1865.

Section 2. Any creditor, or debtor, whose debt was contracted before the first of June, 1865, may summon his debtor or creditor before said Board of Arbitrators, sitting forth in said summons the amount of the said debt and the consideration thereof, and where it was contracted, and it shall be the duty of said Arbitrators to consider the circumstances as a condition of the said parties, and the losses of property of whatever description which such parties have sustained by the recent war, or of other causes, before 1865, and shall ascertain and report the sum which in their judgment ought to be paid on such debts, and whether such sum shall be paid in cash or secured by note and security.

Section 3. In case such creditor shall refuse to appear before said Arbitrators, or refuse to abide by the award of the Board of Arbitrators, then a certificate of such award, together with a certificate of a refusal on the part of the creditor, shall be given to the debtor, which in any suit thereafter instituted in any Court in this State may be pleaded in bar of the jurisdiction of the Court over such debt or demand, and it shall be the duty of such Court, on the plea and proof of above premises, to dismiss on motion of defendant, any action brought for the recovery of such debt.

Section 4. Judgment of the Court dismissing such suit shall forever bar the recovery of such debt or any portion thereof, and the debtor shall not be permitted to avail himself of any existing law or ordinance regulating the rules of pleading, and known as the stay laws. Action to recover any such debts shall be tried according to the usual course of the Courts of this State.

Section 5. In case any debtor shall fail or refuse to comply with the award so rendered, by a certain period prescribed in said award, then a certificate shall be given to the creditor, setting forth such failure or refusal, and the debtor shall not be permitted to avail himself of any existing law or ordinance regulating the rules of pleading, and known as the stay laws.

Section 6. The Board of Arbitrators shall have power to summon witnesses at the instance of either party, and to examine the parties on oath, and it shall be the duty of the Sheriff to serve all summonses which may come into his hands from said Board, and return the same at such time and place as the Board shall direct.

Section 7. All orders and summonses and awards shall run in the name of the Arbitrators of the County, and shall be signed by one of their number as Chairman, but awards shall be signed by the Arbitrators or a majority of them.

Section 8. The Sheriff shall be entitled, as he is now entitled by law, for the service of process from the Superior Court, and the said Arbitrators shall be entitled, as compensation for their services, and to examine the case decided by them, which, with the other costs of this proceeding, they may tax in whole or in part against either party, as in their discretion may be proper.

Section 9. The provisions of this bill shall extend to all notes given in substitution for debts contracted before 1865, or judgment rendered on such contracts, or judgment rendered on contracts given before 1865.

Section 10. The Board of Arbitrators formed under the provisions of this act shall in no instance award to a creditor more than fifty per cent. of the principal of his debt, as the amount to be paid by the debtor.

Section 11. The Board of Arbitrators shall have power to summon witnesses at the instance of either party, and to examine the parties on oath, and it shall be the duty of the Sheriff to serve all summonses which may come into his hands from said Board, and return the same at such time and place as the Board shall direct.

Section 12. The Board of Arbitrators shall have power to summon witnesses at the instance of either party, and to examine the parties on oath, and it shall be the duty of the Sheriff to serve all summonses which may come into his hands from said Board, and return the same at such time and place as the Board shall direct.

We find the following letter from Hon. T. L. Clingman, in relation to Western North Carolina and her resources published in the Washington Chronicle. We ask for it a careful perusal, as there are many interesting facts stated therein.

New York, Jan. 12, 1869. To William Frazer, Esq., President of the American Agricultural and Mineral Land Company, New York:

DEAR SIR: The short period during which I expect to remain in this city, and the pressure of business engagements, will prevent my replying at length to your inquiries in relation to the western part of North Carolina.

For a great many years I have resided on the west side of the Blue Ridge, the range of mountains which divides the waters falling into the Atlantic from those descending to the Mississippi river. Having for more than sixteen years been a Representative or Senator from that region, I used in my canvasses to visit every part of it. I have also ascended the principal mountains for the purpose of measuring or observing them, while my fondness for geology and mineralogy has carried me into almost every valley. My general acquaintance, therefore, with this entire region probably exceeds that of any other person.

It may be regarded as an elevated table land of more than two hundred miles in length, with an average breadth of fifty miles, and is crossed in different directions by many mountain chains. The height of the lower valleys may be stated as ranging from two thousand to twenty-five hundred feet above the level of the sea, while the principal mountain chains rise four thousand feet high. This elevation, notwithstanding its southern latitude, gives it a delightful summer climate.

Mr. William McDowell, who made observations for the Smithsonian Institute, at Asheville, for several years, informed me that the thermometer during the warmest summer weather did not rise above eighty-two degrees Fahrenheit. Even the climate of Switzerland is not equal to that of this region; not only at Geneva, but in the high valley of Chamouni, I once found hotter weather than I ever experienced in this section; while there, one is occasionally chilled in midsummer by cold blasts from the western North Carolina side of the mountains are high enough to bear snow in summer, yet the region is sufficiently elevated to afford a climate which is cool, dry, bracing, and exceedingly exhilarating. No country is more healthy, being alike free from the diseases of miasmatic regions, as well as those common in rigorous or damp climates.

What especially distinguishes this section from all other mountain regions that I have seen is the general fertility of its soil. This is true not only with reference to its valleys, but also to its mountains. Their sides and even tops are generally covered with a thick vegetable mould, on which the largest trees and grasses grow luxuriantly. At an elevation of five thousand feet above the ocean, the grasses and weeds are so rank as to remind one of the swampy lands of the lower regions. On the tops, and for a considerable distance down the sides of the higher chains, there are several varieties of evergreen or "winter grass," as they are generally called. These are so nutritious that cattle are kept in good condition on them all the winter. A friend of mine before the war kept four or five hundred horned cattle on one of these mountains, and with the exception that they were supplied with salt, occasionally, they subsisted entirely both in summer and winter on these grasses. The older cattle, he assures me, soon learned to understand the effect of the seasons, and without being driven, they led the herds, in the spring, down the sides of the mountains to obtain the young grasses that came up with the warm weather, and when these were destroyed by the autumn frosts they returned to the tops to get the evergreen vegetation, and found shelter under the spreading branches of the balsam fir trees in stormy weather. I have seen in Haywood county a five year old horse that was said to have been bred and reared entirely on the top of Balsam mountain, and was then for the first time brought down to see cultivated land and eat food grown by the hand of man.

Those portions of the mountain that are without timber are, of course, covered by the thickest coats of grass. The balsam trees which cover so great an extent the Great Smoky, Balsam, and Black mountains could be easily gotten rid of at a cost of not more than a couple of dollars per acre. It is so soft as to be easily cut, and if felled and suffered to lie a few months, its leaves would become quite dry, and it might be burned with the greatest facility. When thus destroyed, it would not spring up again, but in its stead a very thick sward of evergreen grass. Immense winter pastures could in this way be prepared, and thousands of cattle thus sustained in the winter, with only an occasional supply of salt.

Where the lands in this part of the State are placed under cultivation, they produce abundantly. On choice spots more than one hundred bushels to the acre of Indian corn have frequently been obtained, and this valuable grain is everywhere produced in sufficient quantity. Wheat, also does well while oats, rye, and barley are particularly good. It is especially suited to the production of grasses—timothy, orchard, and herd grass, or red top, being usually preferred.

Clover and blue grass grow well, but are not so good as in some counties having more lime in the soil. Last summer I went with Mr. N. W. Woodfin over a mountain farm of his, the land of which had originally cost him less than one dollar per acre. It had been cleared by cutting out the undergrowth, and girding the large timber so as to denude it, and then put in grass, nearly twenty years previously. It was covered over with a thick growth of timothy and orchard grass, much of which appeared as thick and as tall as a fair wheat field. In some places we found both of these grasses rising high

enough, as we sat on our horses, for us to take the top of the stalks growing on each side, and cause them to meet above the withers of our horses. I never, in fact, saw better grass anywhere than grew generally over this entire tract of twelve hundred acres.

Irish potatoes, cabbage, and turnips are grown in the greatest quantities, while no country exceeds this for fruit. Its apples, both in size and flavor, excel those that I have seen in any part of the world; while peaches, pears and grapes grow abundantly. Besides the Catawba, there are a great many other native grapes. One gentleman thinks he has obtained a hundred varieties of native grapes, some of which he considers superior to the Catawba. That this country is admirably adapted to the production of grapes and wine there can be no question. The fact that a variety of grapes can be selected, that ripen at different periods of the autumn, will make vintage longer than it is in Europe, and thus increase the amount of wine made. All kinds of live stock thrive in the country, though horses and horned cattle have been more generally raised, because they require less care from the farmer. Sheep are healthy and grow well everywhere. As large sheep as I ever saw were some that were suffered to run in the woods, both in summer and winter, without being tended. Mr. Woodfin also stated to me, that he could, from the stock of his farm above alluded to, at all periods of the winter obtain good mutton and beef from the animals that were subsisted on the grass. Even when sheep are to be kept in large numbers, it is certain they will do with half the feeding they require during the long winters in New England. Snow seldom remains many days at a time, even on the mountain tops in North Carolina; and when the grass is good, little is required in the form of hay or food for the stock.

The minerals of this region have hitherto been turned to very little account. There are some narrow beds of marble and limestone which furnish a sufficiency of lime for use, and from which good marble can be procured at certain points. The different ores of iron, of the best qualities, exists in great abundance in many places, and from them superior iron can be made. Large and promising veins of copper have been cut in several localities in Jackson county, and surface indications leave little doubt but that similar deposit will be found in other counties. Gold has been profitably mined in the counties of Jackson, Macon, and Cherokee, but less extensively than in the section east of the Blue Ridge. It is quite probable that good veins of this metal will in time be opened, and there is encouragement to search for lead and silver at several points. The larytes and chromite ores can be brought into use when the railroads are finished that have been provided for by the State. Though coal does not exist, its want will not be experienced for a long period, as the immense forests will supply fuel for a great number of years, and long before they can become exhausted railroads will penetrate all parts of this district, and will bring in supplies of this valuable mineral from localities not far distant.

The country is everywhere intersected by bold and rapid streams, and the supply, therefore, of water power is beyond any demand that can ever exist for it. These streams, from the elevated valleys in which they are first collected, have a descent of not less than one thousand feet before they escape into the State of Tennessee, and present at various points, therefore, rapids and falls where the water can be conveniently used for manufacturing purposes. Though this region lacks the boldness and grandeur of the Alps, this deficiency is more than balanced by the fact that every part of it is susceptible of settlement and cultivation. The fact that the mountains as well as the valleys are covered by a luxuriant vegetation, gives to them a green and inviting appearance which renders many of the scenes peculiarly attractive to the beholder. The present population, though sparse, is quiet, industrious, intelligent and moral; the negro there is not numerous enough to constitute an important element in the whole society. I know of no country more inviting to industrious emigrants, when one considers its excellent climate, water and soil, its mining and manufacturing resources, and its cheap lands and good population.

Very truly, yours, T. L. CLINGMAN.

THE LAST OF THE RED MAN.—The Columbia Plain mentions that John Harris, Chief of the Catawba Indians was before the Legislature exhorting with his usual eloquence an appropriation for the removal of his diminished tribe on the far west, where one more beyond the reach of the white man, they could again hunt the deer and the buffalo, and again chant their war songs and glory in the deeds of their ancestors. The Catawba remnant is now a mere handful of men huddled together on the "Indian Land" bordering the Catawba river surrounded by civilization, and humiliated by their own insignificance. Such is the fate of the Red Man. Once "Monarch of all he surveyed," he now has scarcely a burial place; has been cheated, and is now despised; has been defeated, and is now little better than a slave; has been driven from his hunting grounds, and is now traveling farther and farther towards the distance Pacific. Thus passed away glow. This race could once boast of a King Philip, of a Red Jacket, of a Black Hawk, of an Osceola, warriors renowned in war and wise in peace chieftains whose glory raised to the highest summit the tottering caused which they represented and whose death signaled the destruction of their tribes.

Gen. Grant, in conversation with Senator Pool of North Carolina, expressed himself as particularly anxious for substantial reconstruction in the South.—North Carolina and Alabama, he said, were among the best reconstructed States of all, and when the rest were as safely and pleasantly back in the Union, he thought ours would be the happiest country on the globe.—Standard.

From the Pioneer.

ERIE, Pa., February 4th, 1869. HON. A. H. JONES:

Dear Sir: Yours of the 2d instant is at hand, and contents noted. I could not have had a more satisfactory answer, and for which you have my thanks. The near completion of the Pacific Railroad stirs up all persons more or less interested in Railroad projects to activity in trying to promote their interests. Never in the history of our country has anything occurred so important to the interest of commerce, and in fact to all kinds of business, as the completion of this road will be. So far as the North is concerned, our facilities for reaping an immense benefit from the Pacific Road is good, very good, but not so with the South at present. But yet, with well directed and proper efforts, your position can be wonderfully improved, and that improvement not so very far off either. As you say, let us look on the map of the South, and can any one be so blind as not see that with a completed line of railroad from Chicago, through Cincinnati to Charleston, (or just as correct to say Beaufort, Charleston and Savannah, all about equal distances) the trade and commerce of the sea-ports more than ten times doubled the value of land, vastly increased, and activity and prosperity instilled in every branch of business in the State south, and contiguous to this great thoroughfare from the Atlantic to the Pacific. In some respects this Southern line and terminus on the Atlantic will be better than our Northern routes. From Chicago to Charleston the winter will not be the thousandth part as troublesome as on the Northern routes—it will be summer "all the year round," early on the Charleston route. There is also on this route undeveloped and untold wealth in the almost unlimited number of lands along and contiguous to this line of road. This man line once completed, and a necessity that knows no law compels the South to build railroads in every direction to connect with it, carrying its benefits with it, developing the untold wealth of the agricultural, as well as mineral, capacity of the country—giving you the advantage of Northern and Western markets for the many products of the South that you can raise in any quantity and we must buy or go without. Is there anything the South cannot raise? Not much. Then you have the finest timber and our supply is getting very short. You have marble, sand and limestone, coal, iron, gold and silver—what more can you ask for except market and accessible and quick transportation? Before railroads, canals or steamboats where I have waggoned wheat two hundred miles to sell at sixty cents per bushel.

The capacity of the South is far ahead of the North for production—all things being equal. But I have said enough about what I presume you already know much better than I do; but all I say I believe to be true, every word of it. I will admit that an indirect interest prompts me to try and urge through this railroad project, and who does anything without some motive for it? We shall want all the seaports on the Atlantic to do business that will pass this great highway of nations, the Pacific Railroad. We shall want all the lines of steamers on the Atlantic that can be gotten up to carry freight and passengers to and from Europe, and which will bring us thousands of emigrants, while the Chinese have millions of them to spare us, and they will come sure. I see by newspapers that the Norfolk Convention, recently held there, advocates a railroad connection with Cincinnati, from Bristol via Cumberland Gap, Barboursville, Ky., Parris, Ky., and Kentucky Central Railroad to Covington and Cincinnati.

What is your opinion of that route through Kentucky? From Cumberland Gap to Paris I believe is about 128 miles, and said to be practical and feasible and is certainly the shortest route. I think Morristown of which you speak is twelve miles west of Bristol; if so, then Norfolk would desire the completion of the Cumberland Gap Road, as well as Charleston and the other seaports. Altogether making a strong influence in its favor, and it would be of equal benefit to all, and no injury to either, for all lines of railroads east and west, or looking towards the Atlantic and Pacific Oceans, will have all the business they have capacity for. As to the Gap between Asheville, Spartanburg and Greenville, of sixty miles, I shall be much mistaken if that cannot be filled up; it must be done. I wrote to a Mr. W. M. Hastie, of Charleston, in relation to this C. C. & Co. line, (almost air line), and in his reply he spoke of the Blue Ridge Railroad, and also said that through other parties I would receive communications on the subject, but I have received none, and wrote to him again some time since, but got no answer from him. I then wrote to the President of the South Carolina Railroad at Columbia, enquiring of him about the Blue Ridge Road, where it commences and where it terminates, and the address of the President of that road but neither from him do I get any answer. I should be glad to know about the Blue Ridge Railroad, what Northern connection they desire, &c. &c. From Paris, Ky. to Cincinnati, is about eighty miles; from Cincinnati to Chicago, 294;

From Paris to Cumberland Gap, 128 in all, from Chicago to Cumberland Gap, about 500 miles, (Road all completed from Paris to Chicago;) from Norfolk to Bristol is about 385 miles; from Bristol to Knoxville, Tennessee, 130; from Charleston to Columbia 180; Columbia to Anderson, 127; Columbia to Belton, 117; Belton to Greenville, twenty-seven; Greenville to Asheville, sixty—thus Asheville to Charleston via Spartanburg or Anderson, is 334 miles. Add 500 miles from Chicago to the State line of Tennessee at Cumberland Gap, making 834; then from Asheville to State line of Tennessee, add the distance to 834, gives the distance from Chicago to Charleston via this route. From Chicago to New York via Albany, New York, 296 miles, and is further than Chicago to Charleston via Asheville to Charleston—has a good harbor—accessible at all times South or below Cape Hatteras, and a little farther from Europe than New York is, but on the whole is quite as good a port for European trade as New York. I see by referring to a railroad map that a road from Asheville to Burnsville is laid down. Russellville is a short distance west of Rogersville Junction the east Tennessee and Virginia Railroad, while Bristol is far East, and on the Tennessee State line. Russellville is on a direct line from Asheville to Paris, Ky., and some distance south of the Tennessee line. How far is it from Asheville to the Tennessee line by Russellville, to a point near Cumberland Gap, say, in Scott County, Tennessee, not far from Old Town, the County seat of Scott County?

Now, I think I have said so much about places, distances, &c., it may tire your patience to investigate them, so I will add that on referring to Mr. Hastie's letter, that the Blue Ridge Railroad begins at Anderson, C. H., and is completed to Wauhatchie, Pickens District, S. C., a distance of thirty miles, and is partly distant towards the Tennessee line, and three millions expended on the road. One thing more, is Morristown, of which you speak, the same place I call Russellville, laid down on the Railroad map as the terminus of a projected road from Asheville?

I know your time must be all taken up in Congress, but will be very glad to hear from you at any time when you can find leisure to write much or little, as the case may be, on the subject. My intention is to follow up the matter to the best of my ability or capacity, and am very glad of anything I can learn to help or give encouragement to it. If the road could be made, all parties would be the better for it. It cannot do any harm to try in an honorable and fair way. I do not care to be known in the matter at present, until some of my arrangements in process are completed, of which I will advise you when done. Many years since, two young men, or boys, went from Berkshire County, Massachusetts, to North Carolina, of the name of Jones. They were playmates of mine. Their first names were Bolus and Egbert. How strange to me it would seem if you were a relative of theirs! Excuse my long letter, and with my thanks again for your valuable letter allow me to expect to hear from you again at your earliest convenience.

Respectfully, Yours, &c., GENERAL SCHOFIELD.—The fact made known by General Grant to General John M. Thayer, Senator in Congress from Nebraska, on Tuesday morning last, that he had decided to invite General Schofield to remain for a brief period in the War Department, was announced in nearly all the Eastern daily papers of yesterday. This intention is not only a mark of General Grant's high esteem of the accomplished young soldier now in charge of the War Department, but is intended to show to the country that the new President desires not to include General Schofield in the necessary displacement of the remainder of the Cabinet of Andrew Johnson. The fact itself was known to us on the same day, but adhering to the rule laid down in these columns from the beginning as to speculation in regard to the Cabinet, we said nothing about it. Now, however, that the matter is public, we feel free to say that nothing could give more satisfaction to the loyal people, and to the Republican party especially than the manner in which the new President intend to convey this significant compliment to General Schofield. He does not conceal his opinion that no regular officer of the army or navy should be retained in civil office unless in a special military emergency, but he seems resolved that this sentiment shall not prevent him from doing justice to a good soldier and an honest man.—Chronicle.

HYGIENAL. MILLS—CRATON.—On the 4th inst. by Rev. V. A. Sharpe, Mr. GEORGE H. MILLS to Miss MARY CRATON, all of this place. May unalloyed felicity and happiness attend them, and innumerable blessings cheer their devoted hearts as they wander hand in hand down the vale of Time. *The happy couple will please accept our thanks for a supply of nice cake. HAYES—CRIGGER.—At Maryville, Tenn., on the 25th ult., by Rev. A. Bartlett, Mr. CADWALLADER J. HAYES to Miss RACHEL O. CRIGGER. "This is the way he long has sought, And mourned because he found it not."