

The Rutherford Star.

"BE SURE YOU ARE RIGHT AND THEN GO AHEAD." — DAVEY CROCKETT.

VOL. III.

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OFFICIAL.

PUBLIC LAWS OF NORTH CAROLINA.
PASSED BY THE GENERAL ASSEMBLY OF 1868-'69.

[No. 1.]
An Act in regard to obtaining License to Practice Law in this State.

Section 1. The General Assembly of North Carolina do enact, That all applicants for license to practice law, who have had license from the Supreme Court of the State, to practice in the County Courts as they heretofore existed, shall now be allowed to practice in all the Courts of the State.

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

Ratified the 7th day of December, A. D. 1868.

[No. 2.]
An Act to Provide for the Collection of Taxes in Carteret County for the year 1868.

Whereas, From unavoidable cause, the tax list of Carteret county for the year 1868 have not been placed in the hands of the sheriff of that county, as required by existing laws, and the means of raising revenue for the support of the poor, and for other county purposes, and for the payment of the taxes due the State; therefore,

Section 1. The General Assembly of North Carolina do enact, That it shall be the duty of the commissioners of that county to cause a copy in alphabetical order of the list of taxpayers of said county, which have been returned by the list takers for the year 1868, to be made by their clerk, showing the amount of taxes due thereon, for State and county purposes, at the rates imposed by law, to be transmitted to the sheriff of said county, on or before the first day of January, 1869; and also to cause such an abstract of the said lists as existing revenue laws require to be transmitted to the Auditor at Raleigh on or before the fifth day of January, 1869.

Sec. 2. The sheriff of said county, on receiving said copy shall proceed forthwith to collect the taxes due thereon, under the rules and regulations prescribed by existing laws for the collections of such taxes; and shall act in concert with the Treasurer of the State, at the time now prescribed, or which may hereafter be prescribed by law, for his settlement with said officer, for the taxes of the year 1868. And shall pay the taxes collected for the poor, and for other county purposes, at the rates imposed by law, and before the first day of the Spring term, 1869, of the Superior Court of Carteret county, to such person, or persons, as the said county commissioners may direct; and on failure of the said sheriff to pay the said taxes to the Treasurer as herein required, the Treasurer may recover the same in the manner now prescribed by law for the recovery of State taxes from delinquent sheriffs.

Sec. 3. This act shall be in force from and after its ratification.

Ratified the 11th day of December, A. D. 1868.

[No. 3.]
An Act to Provide for the Registration of Voters in all Special Elections in this State.

Whereas, doubts and uncertainty exist as to the true construction of the registration law of the State,

Section 1. That all persons heretofore registered as voters in this State, shall be allowed to vote in a special election.

Sec. 2. That in all special elections held in this State under proclamation of the Governor or otherwise, if shall be the duty of the judges holding said election in the several precincts, to register, on application all persons who have not heretofore been registered, subject to all the requirements of the general registration law of the State.

Sec. 3. This act shall take effect from and after its ratification.

Ratified the 15th day of December, A. D. 1868.

[No. 4.]
An Act to Amend the Charter of the Cheraw and Coalfields Rail Road Company.

Section 1. The General Assembly of North Carolina do enact, That the charter of the Cheraw and Coalfields Rail Road Company, be and the same is hereby so altered and amended as to authorize the said Company to continue the construction of the said Road, from said point on the South Carolina line as may be selected by the said Company, to a point on the line of the Wilmington, Charlotte and Rutherford Rail Road, at or near Wadesboro', with the privilege of extending the same across the track of the said Wilmington, Charlotte and Rutherford Rail Road at such point on the North Carolina Rail Road as may be selected by said Company.

Sec. 2. That the provisions of an ordinance entitled an ordinance, to repeal the ninth section of the charter of the Cheraw and Coalfields Rail Road, as amended by the Legislature of 1867, be and the same is hereby repealed, and that the said Company be allowed five years, from the ratification of this act, to complete their Road to the crossing of the Wilmington, Charlotte and Rutherford Rail Road, and five additional years thereto to complete the extension hereinafter authorized.

Sec. 3. That the name of the said Company shall be and the same is hereby changed from that of the "Cheraw and Coalfields Rail Road Company," to that of the "Cheraw and Salisbury Rail Road Company."

Sec. 4. Provided, further, That no discrimination shall be made in the rate of fare in favor of either North or South Carolina Rail Road, crossing or connecting with this Road.

Sec. 5. This act shall be in force from its ratification.

Ratified the 16th day of December, A. D. 1868.

[No. 5.]
An Act to Provide for the Holding of Municipal Elections in North Carolina.

Section 1. The General Assembly of North Carolina do enact; That no person not actually residing within the limits of any town in this State shall be entitled to vote therein in any municipal election, or to hold any municipal office in said town.

Sec. 2. An actual residence of ten days within the corporate limits of any town in this State shall constitute any citizen of the United States a qualified voter therein in any municipal election, and such qualified voter shall be eligible to any municipal office within any corporation; Provided, That said person is in other respect a qualified voter in the State.

Sec. 3. All acts or charters, or parts of the same inconsistent with the provisions of this act are hereby repealed.

Sec. 4. This act shall go into effect from and after its ratification.

[No. 6.]
An Act to Amend the Charter of the Wilmington and Tarboro' Railroad Company.

Section 1. The General Assembly of North Carolina do enact, That an act entitled "An act to amend the charter of the Wilmington and Tarboro' Railroad Company," ratified the 17th day of August, A. D. 1868, and all the provisions thereof, and the same are hereby re-enacted and in all things confirmed, and they are hereby constituted a part of this act; and all bonds of the State heretofore made and issued to and for the railroad companies and for the purposes in said acts specified, and in pursuance of the same, are hereby ratified and made good to all intents and purposes as if issued under and in pursuance of the provisions of this act.

Sec. 2. That on the surrender of any of the bonds heretofore issued under and by virtue of any of said acts, the Treasurer is hereby authorized and required to issue and substitute new bonds of the State, of like tenor as the bonds so surrendered, and in all respects similar, for such bonds so surrendered, except that such new and substituted bonds shall be issued and purport to be issued, under and by virtue of this act, and the bonds so surrendered shall be burnt by the Treasurer as herein required, and the Governor and Auditor, who shall cause to be made and sign a certificate specifying the number and date of each bond so burnt and the acts under which the same were issued, and the Treasurer shall report such action and certificate to the General Assembly.

Sec. 3. In order to provide for the payment of the interest that may, from time to time, accrue upon such bonds so issued under said acts and the bonds to be issued and so substituted under this act, there shall be annually levied and collected a special tax of one twentieth of any cent of the taxable property of the State to pay the interest that has accrued and may, from time to time, accrue on the bonds so issued and to be issued to and for the said Wilmington and Tarboro' Railroad Company, and a like special tax shall be annual levied and collected of one twentieth of any cent of the taxable property of the State to pay the interest that has accrued and may, from time to time, accrue on the bonds so issued and to be issued to and for the said Wilmington and Tarboro' Railroad Company.

Sec. 4. The Public Treasurer is hereby directed, whenever the President of the Cheraw and Coalfields Rail Road Company shall certify that the grading of the road between Cheraw in South Carolina and the Gulf or some other point on the Chatham Railroad, between Raleigh and the Gulf has been let to contract, to subscribe to the capital stock of said company two million dollars in behalf of the State, which subscription shall be paid by delivering to the President of said company coupon bonds of the State at par of the denomination of one thousand dollars, dated October 1st, 1868, and payable in twenty years thereafter, bearing six per cent interest, payable semi-annually, principal and interest payable in the city of New York, said bonds to be signed by the Governor, countersigned by the Treasurer and sealed with the "Great Seal of the State," and issued under the provisions of chapter 90, Revised Code; Provided, That said bonds shall only be issued on the surrender of a like amount of bonds of the State heretofore issued under an act to amend the charter of the Chatham Railroad Company, ratified the 15th day of August 1868. On which surrender the same amount of bonds delivered by said company to the State under the said act shall be canceled, and said subscription shall be preferred stock and pay a dividend of six per cent before any dividend shall be declared on the other stock.

Sec. 5. In order to provide for the payment of the interest which may accrue on the bonds issued as above mentioned, there is hereby and shall be annually levied and collected, a special tax of one twentieth of any cent on the taxable property of the State, collectable and payable into the Treasury as other public taxes.

Sec. 6. In all meetings of stockholders of said Company the State shall for a vote equal to one third of that cast by individual stockholders, and all the officers of said Company shall be elected by the stockholders as heretofore.

Sec. 7. The capital stock of said Chatham Railroad Company is hereby increased to three million two hundred thousand dollars.

Sec. 8. This act shall be in force from its ratification.

Ratified the 18th day of December, A. D. 1868.

[No. 7.]
An Act in favor of Builders of Public Mills.

Section 1. The General Assembly of North Carolina do enact, That all powers conferred upon the County Courts by Chap-

ter 71 of the Revised Code, in reference to the building of public water mills be and the same are hereby conferred upon the County Commissioners.

Sec. 2. This act shall be in force from and after its ratification.

Ratified the 21st day of December, A. D. 1868.

[No. 8.]
An Act to Authorize the Public Treasurer to Supply Temporary Deficiencies in the Treasury.

Section 1. The General Assembly of North Carolina do enact, To enable the Public Treasurer, in advance of the collection and return of public taxes, to raise moneys to meet the wants of the Treasury, he is hereby authorized to borrow such moneys as may be necessary to meet the interest due January 1st, 1869, at a rate of interest not to exceed eight per cent, and on such terms as to time and place of payment, as may be agreed on, the time of payment not to be later than the date fixed by law for the payment of public taxes into the Treasury.

Sec. 2. As collateral security for the payment of the amount borrowed as above mentioned, the Public Treasurer is authorized to pledge such amount from the first moneys received on the list of 1869, and to pay the same from the first moneys received into the Treasury, from this or any other source.

Ratified the 21st day of December, A. D. 1868.

[No. 9.]
An Act for Holding Special Terms of Superior Court in Craven County.

Section 1. The General Assembly of North Carolina do enact, That a special term of the Superior Court be held for the county of Craven, on the first Monday of January, next, to be the first day of the term, for the trial of criminal cases.

Sec. 2. That said court shall continue until the criminal calendar is exhausted.

Sec. 3. That a grand and petit jury shall be summoned as provided by law for regular terms of the county, and in pursuance of the provisions of this act.

Sec. 4. This act shall take effect from and after its ratification.

Ratified the 21st day of December, A. D. 1868.

[No. 10.]
An Act in Relation to Municipal Elections.

Section 1. The General Assembly of North Carolina do enact, That the commissioners of the several incorporated towns in the State of North Carolina shall appoint three persons of their respected towns to hold their municipal elections for mayor and commissioners, and said inspectors shall make out two statements of the election so held and return one to the register of deeds of their county, and return the other to the Secretary of the town in which the election was held.

Sec. 2. This act shall be in force from and after its ratification.

Ratified the 21st day of December, A. D. 1868.

[No. 11.]
An Act to Incorporate the Silver Hill Rail Road Company.

Section 1. The General Assembly of North Carolina do enact, That for the purpose of constructing a Railroad, to be used and operated by steam, horse, or other motive power from Silver Hill in Davidson county, to the city of Raleigh, and to connect the same with the existing lines of the North Carolina Railroad, Bennett, Irving, E. R. Bennett, J. B. Stafford, Thaddeus Ford, Henderson Adams, P. A. Long, and such other persons as they may associate with them, their successors and assigns are hereby constituted a body corporate, to be known and corporate, in fact, and in law, by the name in full of the Silver Hill Rail Road Company, with all the corporate powers and authority hereby created and granted, to be held and exercised by said company and their successors and assigns in perpetuity; and that the names of the subscribers to the capital stock of said Company, together with the names of the owners and possessors of the lands, privileges and immunities, and be subject to the limitations and restrictions of corporate bodies under the laws of this State.

Sec. 2. That for the purpose of creating the capital stock of said company, the persons named in the first section of this act or a majority of them, may appoint commissioners to open books of subscription at such places and times as they may deem expedient, and under such rules as they may prescribe.

Sec. 3. That the capital stock of said company shall be one hundred thousand dollars, and may be increased to three hundred thousand dollars, whenever the said company may direct, to be divided into shares of one hundred dollars each.

Sec. 4. When the sum of ten thousand dollars shall have been subscribed to the capital stock of said Company by its subscribers, a general meeting of the stockholders shall be called by the said commissioners, after due notice; and such general meeting, a majority of the Stock subscribed being present, either in person or by proxy, shall have power to appoint a Board of Directors, and such other officers as they may desire, and to do and to perform all other acts and things necessary for their organization as a Company, and to carry into effect the objects of this charter; and to continue its operations under the provisions thereof.

Sec. 5. That one of the Board of Directors shall be a resident of Davidson County, and notice of process upon the President, any Director or acting agent of said Company shall be deemed a writ notice of serving process upon the Company.

Ratified the 21st day of December, A. D. 1868.

[No. 12.]
An Act making an appropriation for the Deaf and Dumb and Blind Asylum.

Section 1. The General Assembly of North Carolina do enact, That a special term of the Superior Court be held for the county of Craven, on the first Monday of January, next, to be the first day of the term, for the trial of criminal cases.

Sec. 2. That the Public Treasurer be authorized to pay the said amount of thirty thousand dollars to the treasurer of said asylum out of any moneys in the Treasury not otherwise appropriated.

Sec. 3. This act shall be in force from and after its ratification.

Ratified the 19th day of January, A. D. 1869.

[No. 13.]
An Act to amend an Act entitled an Act concerning the Government of counties.

Whereas, doubts have arisen in regard to the construction of sub-division fourteen of section eight of an act, approved August fourteenth, eighteen hundred and sixty-eight; and the commissioners of counties in some parts of the State have been advised that it was their duty to cause new surveys of their counties to be made and maps of the same filed with the Secretary of State before January first, eighteen hundred and sixty-nine, contrary to the intention of the framers of said act; therefore, for the purpose of removing all doubts in the premises,

Sec. 6. That said Company shall have the exclusive privilege of conveying and transporting over and along their Road persons or produce, merchandise, minerals and ores, and all other such things as are usually carried on Rail Roads in this State, at such rates and fares for freight and passage as they may determine.

Sec. 7. That in the absence of any contract with said Company in relation to the land through which said road may pass, it shall be presumed that the land upon which said Road may be constructed, together with the necessary space not exceeding one hundred feet on each side of the centre of said Road, has been granted to the Company thereof, and said Company shall have good right and title thereto, and shall have, hold and enjoy the same, as long as the same shall be used for the purposes of the Road, and no longer unless the owner of said land shall apply for an assessment of the value of said land, according to law, within two years next after that part of the Road which may be upon said land was finished; and in case the said owner, or those claiming under him, her or them, shall not apply within two years next after the said part was finished, he, she, or they, shall be forever barred from recovering said land, or having any assessment or compensation therefor. Provided, that nothing herein contained shall affect the rights of some co-tenants, infants, until two years after the removal of their disabilities.

Sec. 8. That this act shall be in force and have effect from and after its ratification.

Ratified the 25th day of December, A. D. 1868.

[No. 14.]
An Act making an appropriation for the Deaf and Dumb and Blind Asylum.

Section 1. The General Assembly of North Carolina do enact, That a special term of the Superior Court be held for the county of Craven, on the first Monday of January, next, to be the first day of the term, for the trial of criminal cases.

Sec. 2. That the Public Treasurer be authorized to pay the said amount of thirty thousand dollars to the treasurer of said asylum out of any moneys in the Treasury not otherwise appropriated.

Sec. 3. This act shall be in force from and after its ratification.

Ratified the 19th day of January, A. D. 1869.

[No. 15.]
An Act to transfer cases from the docket of the Criminal Court in Craven county to the Superior Court of the same.

Section 1. The General Assembly of North Carolina do enact, That the Clerk of the Criminal Court in Craven county, abolished by act of General Assembly, ratified the 11th day of August, A. D. 1868, be and he is hereby authorized and directed to transfer the cases on the docket of the same at the time it was abolished to the Superior Court of Craven county, on or before the third Monday in January, A. D. 1869.

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

Ratified the 26th day of January, A. D. 1869.

[No. 16.]
An Act to authorize W. D. Justice, former Sheriff of Henderson county, and other sheriffs to collect arrears of taxes for the years 1866-'67.

Section 1. The General Assembly of North Carolina do enact, That W. D. Justice, former sheriff of Henderson county, and other sheriffs herein named: O. R. Colquhoun, Jones; E. F. Cox, Lenoir; T. W. Patterson, Rockingham; E. A. Gupton, Franklin; Geo. Credle, Hyde; N. R. Jones, Warren; G. J. Williams, Chatham; Wm. Haymore, Surry; W. E. Pearey, Vance; R. M. Stafford, Guilford; K. H. Worley, Moore; S. B. Bentley, New Hanover; Lewis Bond, Bertie; E. H. Ray, Wake; Nelson Slough, Alamance; Jno. L. Harris, Person; W. A. Murray, Cabarrus; David Lofton, Davidson, be, and they are hereby authorized and empowered to collect all arrears of taxes due them for the years 1866-'67, under the same rules and regulations, and restrictions as other collection of taxes by virtue of the laws of the State; Provided, That if any person shall have paid his tax and lost their receipt, may make oath to the same, and it shall have the same effect as a receipt.

Sec. 2. Be it further enacted, That the power and authority hereby granted shall cease with the year 1869.

Sec. 3. Be it further enacted, That this act shall be in force from and after its ratification.

Ratified the 26th day of January, A. D. 1869.

[No. 17.]
An act to amend the charter of the Wilmington, Charlotte and Rutherford Rail Road Company to provide for the completion of said road, and to secure to the State a representation in the company.

Section 1. The General Assembly of North Carolina do enact, That the capital stock of the Wilmington, Charlotte and

Rutherford Railroad Company be increased to the sum of seven millions of dollars, and in order to complete the Road, the Public Treasurer of the State is hereby directed, as soon as this amendment shall be accepted by the stockholders in said Company, provided it shall be done within ninety days of the ratification of this act, to subscribe in behalf of the State, four millions of dollars to the capital stock of said Company upon the terms and conditions hereinafter provided.

Sec. 2. For the payment of the subscription of said four millions of dollars, directed in the foregoing section, the Public Treasurer shall cause to be made and issued coupon bonds of the State, in sums of one thousand dollars each, bearing interest at the rate of six per cent, per annum, payable semi-annually, and the principal thereof at the end of thirty years; said bonds to be signed by the Governor of the State, and countersigned by the Public Treasurer, and sealed with the great seal of the State, and to be delivered to the President of said Wilmington, Charlotte and Rutherford Railroad Company as hereafter provided.

Sec. 3. That two millions of dollars of the subscription so made shall be applied exclusively to that portion of said road which is west of Charlotte, called the Western Division, the first portion of said amount expended to be expended in completing said road to Rutherfordton, and two millions of dollars of it shall be exclusively applied to that portion of the road east of Charlotte, called the Eastern Division.

Sec. 4. That the Directors of said Company, as provided for in the charter, shall be limited to the number of thirteen, of which number the Governor of the State shall appoint seven, and the stockholders shall elect six, and upon the acceptance of this act by the stockholders, and the payment of one million of dollars of the bonds of the subscription authorized on the part of the State, the sixth day after such acceptance, be a meeting of the stockholders of the company and directors elected and appointed, as herein provided for, and a reorganization of the company immediately effected which shall conform to the true intent and meaning of the charter of said company as amended by this act.

Sec. 5. That the acceptance of this act by the stockholders shall in no wise affect any of the liabilities, contracts or obligations of the said Wilmington, Charlotte and Rutherford Railroad Company.

Sec. 6. For the purpose of providing for the payment of the interest upon the bonds hereby authorized, and the principal at its maturity, an annual tax of one eighth of one per cent is hereby imposed upon all the taxable property of the State which shall be levied, collected and paid to the Treasury as other public taxes, and the amount so received shall be used in the purchase of United States securities of the United States or other safe securities and kept as a sinking fund for the payment of the principal money at maturity.

Sec. 7. Provided, That on or before the day upon which the first coupon of the bonds authorized to be issued by this act shall come due, the President of the above named Railroad company shall pay to the Public Treasurer, either in cash or in matured coupons of bonds upon which the Public Treasurer is made to pay the interest under this act, the sum of one hundred and twenty thousand dollars; and on or before the day upon which the second coupon of the bonds authorized by this act shall become due, the President of the above named Railroad company shall pay to the Public Treasurer in like manner, the sum of eighty thousand dollars; and on or before the day upon which the fourth coupon as aforesaid shall come due, the President of the above named Railroad company shall pay to the Public Treasurer, in like manner, the sum of forty thousand dollars.

Sec. 8. Provided further, That of the bonds authorized to be issued under this act, seven hundred and twenty thousand dollars shall be retained by the Public Treasurer as collateral security for the faithful performance of the conditions of the preceding section; and the balance of the sum of one million and twenty thousand dollars as aforesaid, the Public Treasurer shall be authorized to deliver to said railroad company two hundred and forty thousand dollars of the above named seven hundred and twenty thousand dollars of bonds; and upon the payment of the succeeding amounts named in said section, the Public Treasurer is authorized to deliver bonds to the amount of double the sum paid, until all said bonds are delivered to said railroad company; Provided, also, That at the expiration of two years from the date of the first coupon of the bonds authorized to be issued, the Public Treasurer shall be authorized to issue to said railroad company an additional amount of bonds equal to their par value to the amount paid in cash by said company in behalf of the State according to the provisions of section seven of this act, said bonds to be in all respects similar to those authorized to be issued by this act.

Sec. 9. All dividends that may hereafter accrue to the State upon the stock owned by the State in said railroad company, or so much thereof as may be necessary for that purpose, shall be applied exclusively to the payment of all interest on the bonds of the State authorized by this act.

Sec. 10. No discrimination shall be made by the Wilmington, Charlotte and Rutherford Railroad company in rates of charges for the carrying of passengers or freights over any part of said road, but the rates charged for freights and travel between intermediate points and between either terminal points and any intermediate point, exceeding fifty miles, not exceeding fifty per cent; for any distance over fifty and not exceeding one hundred miles, not exceeding thirty per cent; for any distance over one hundred and not exceeding two hundred miles, not exceeding twenty per cent; and for any distance over two hundred miles, not exceeding ten per cent, and accepted, as soon as this amendment shall be accepted by the stockholders in said Company, provided it shall be done within ninety days of the ratification of this act, to subscribe in behalf of the State, four millions of dollars to the capital stock of said Company upon the terms and conditions hereinafter provided.

Sec. 11. Nothing in the foregoing section shall operate to prevent said company from arranging local rates, for any distance under twenty-five miles.

Sec. 12. That the directors in this company shall have power to receive subscriptions to stock in said company in lands, money, bonds, stocks or any other property. And in case land be subscribed as stock, the directors may provide the mode in which the value of the same may be ascertained and conveyed as the law executed.

Sec. 13. That any laws, or clauses of laws, conflicting with or repugnant to this act, are hereby repealed.

Sec. 14. That this act shall be in force and take effect from and after its ratification.

Ratified the 29th day of January, 1869.

The Situation.

The noblest and most elevated position that is occupied on the fact of the earth, is that of an American citizen. The citizen of the United States in contemplating his country, looks upon her mountains, hills, dales and vales, and views them occupied and cultivated by none but freemen. It is here only that the true principles of government prevail; it is here every man when meeting his fellow-man can claim as his birth-right equality; it is here that every man can claim and demand the right of trial by his peers; it is here that every man can claim the liberty of speech; it is here that the press is free; it is here that man can claim and worship Almighty God according to the dictates of his own conscience; it is here that none can be put on trial for crime but by impeachment, or by presentation of a grand jury, composed of his equals and peers, and it is here in free America that none can be imprisoned, without due process of law, and the right of the writ of *habeas corpus* to inquire into the justice and cause of his detention. In a great country like this, stretching from ocean to ocean, with a population of 38,000,000 freemen, every man can say and feel with a truth that "this is my country."

Possessing such a country, why should we not improve it? Should we not by its little minor differences, and move forward to the work that God has set before us to dress and beautify the land He has given us? True patriotism demands and urges us to do so.

Instead of pursuing the course with our duty and interests required, we find in this land of plenty partisan conflicts. Instead of improving our lands and houses, we find the great struggle to be, who shall rule the government? We find civil feuds, contentions