

The Rutherford Star.

File Vol 4 No 9

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

VOL. IV.

RUTHERFORDTON, N. C. SATURDAY, MARCH 26, 1870.

NO. 9.

Professional Cards

J. B. CARPENTER,
ATTORNEY AT LAW,
RUTHERFORDTON, N. C.
Collections promptly attended to. 1-17.

R. W. LOGAN,
ATTORNEY AT LAW,
RUTHERFORDTON, N. C.
Will give prompt attention to all business entrusted to his care. Particular attention given to collections in both Superior and Justice Courts.

J. L. CARSON,
ATTORNEY AT LAW,
RUTHERFORDTON, N. C.
Collections made in any part of the State if possible. feb. 61

M. R. JUSTICE,
Attorney at Law,
RUTHERFORDTON, N. C.
Claims collected in all parts of the State. dec. 19 47-11

L. F. CHURCHILL, G. M. WHITEHEAD,
CHURCHILL & WHITESIDE
ATTORNEYS AND COUNSELLORS
AT LAW,
RUTHERFORDTON, N. C.
Will practice in all the Courts of Western North Carolina, in the Supreme Courts of the State and in the District, Circuit and Supreme Courts of the United States. feb. 61

Dr. J. W. HARRIS,
WILL GIVE PROMPT ATTENTION to all Professional calls and hopes to merit a continuance of his long established practice. Has constantly on hand a full supply of PURE DRUGS at his office in Rutherfordton. 2-17

DR. J. M. CRATON,
RUTHERFORDTON, N. C.
OFFERS his professional services to his old friends and the public generally. Office at his Drug Store. dec. 19 47

Dr. O. HICKS,
RUTHERFORDTON, N. C.
CONTINUES the practice of Medicine, Surgery and Midwifery, in Rutherfordton and the surrounding country. Charges moderate. mch. 18 61

W. M. SHIPP,
ATTORNEY AT LAW,
Charlotte, N. C.
Will attend to all business entrusted to his care in the 13th Judicial District, in Rutherfordton and in all parts of the State. 45-17

H. CABANISS,
ATTORNEY AT LAW,
SHELBY, N. C.
Will practice in the Courts of Rutherfordton, Cleveland and Gaston.

John T. Butler,
PRACTICAL
Watch and Clock
MAKER AND JEWELER, &c.,
Main St., Charlotte, N. C.
Dealer in Fine Watches and Clocks, Jewel 77, Spectacles and Watch Materials, &c. Fine Watches, Clocks and Jewelry of every description repaired and warranted for twelve months. Work left at the VINCINATOR OFFICE will be forwarded at any expense. 45-17

ALEXANDER & MASON,
(C. M. Alexander, late Col. of 1st U. S. Vol. and 1st Lieut. of 1st U. S. Cavalry, Washington, D. C.)
(J. M. Mason, Attorney at Law, late Capt. 1st Regt. D. C. Vol.)
SOLICITORS OF
AMERICAN AND EUROPEAN PATENTS,
AND
COUNSELLORS AT PATENT LAW.
(15 years experience as solicitors of Patents)
460 Seventh St., Opposite the Patent Office, Washington, D. C.
Patents Carefully Prepared, and Patents secured without delay. Examinations in the Patent Office Free of Charge, and no individual fee asked in any case, unless a Patent is allowed. Send for Circular of terms, instructions and references. aug. 5-17

CHARLOTTE HOTEL,
W. M. MATTHEWS & SON,
PROPRIETORS,
CHARLOTTE, N. C.
TAKE this method of returning their sincere thanks to their friends and the public generally for the very liberal manner in which their House has been patronized under the charge of Matthews & Stegall, and they pledge themselves that no pains shall be spared to make their patrons comfortable. Their table shall be furnished with the very best the market affords. Attentive and polite servants will always be on hand and every effort will be made to give entire satisfaction. Their stables are large and commodious, sufficient to accommodate all who may come to see us. Horses and Vehicles always on hand to supply the wants of customers.

**RUTHERFORDTON
MALE ACADEMY.**
The Spring session of the Rutherfordton Male Academy will commence Jan. 24th, 1870. Rates of Tuition per session of twelve weeks (as agreed upon by the Trustees) \$4. \$10 and \$15.00 according to grade of studies. W. L. TWITTY, Pres. Jan. 1870. 1-17

DRUG TRADE!

MILGORE & CURTIS,
WHOLESALE AND RETAIL
DRUGGISTS,
CORNER TRADE AND TRAVEL STREETS.
Invite attention to their large and well selected stock of
Drugs,
Medicines,
Paints, Oils,
Varnishes, Dye Stuffs,
Window Glass, Brushes, Combs,
Fancy and Toilet Articles,
Perfumery Soaps,
Kerosene Oil,
Lamps,
and everything kept by a first class
DRUG HOUSE.
Merchants Physicians and others are invited to examine our stock and prices.

T. K. CURETON,
RESIDENT PARTNER,
CHARLOTTE, N. C.

W. M. WILSON, W. J. BLACK,
WHOLESALE AND RETAIL DEALERS
In Drugs, Medicines, Paints, Oils, Dye Stuffs, Chemicals, Window Glass, Lamps, Lamp Chimneys, &c.
Corner Trade & College Sts.,
CHARLOTTE, N. C.
Vindicater copy 17.

1000 SACKS
LIVERPOOL SALT delivered any Depot, \$2.30 to the Trade.
STENHOUSE, MACAULEY & Co.
Paid for country produce by STENHOUSE, MACAULEY & Co. 45-3m

GROVER & BAKER'S
ELASTIC STITCH
FAMILY SEWING
MACHINES,
181 Baltimore St., Baltimore, Md.
POINTS OF EXCELLENCE—Beauty and Elasticity of Stitch. Perfection and simplicity of Machinery. Using both threads direct, it from the spools. No wasting of thread. Wide range of application without change of adjustment. The work retains its beauty and firmness after washing and ironing. Besides doing all kinds of work done by other Sewing Machines, these Machines execute the most beautiful and permanent Embroidery and ornamental work. 35-17

Fresh Garden, Flower, Fruit, Herb, Tree, Shrub and Evergreen Seeds, with directions for culture, prepared by mail. The most Complete and Judicious assortment in the country. Agents wanted.
25 Sorts of seeds for \$1.00, prepaid by mail. Also Small Fruits, Plants, Bulbs, all the new Potatoes, &c., prepaid by mail. 4 lbs. Early Rose Potato, prepaid, for \$1.00. Conover's Improved Apples, \$3. per 100; \$25 per 1000 prepaid. New variety of ever-blooming Japan Honeysuckle, 50 cts. each, prepaid. True Cape Cod Cranberry, for upland or lowland culture, \$1.00 per 100, prepaid, with directions. Priced Catalogue free. They address, gratis, also trade list. Seeds on commission.
B. M. WATSON, Old Colony Nurseries and Seed Warehouse, Plymouth, Mass. Established in 1842.

TO WHOLESALE BUYERS.
Thinking our numerous friends who in the past so liberally bestowed their patronage upon us and thereby placing us among the
First of the Mercantile of
Charlotte,
a title which we recognize with proud satisfaction, which we will endeavor to maintain by
Fair Dealing
and
Extraordinary Inducements
this coming season, to present the first and largest stock of goods ever brought to this State by any house, which we respectfully invite our numerous customers and all others who come to this market to purchase.
Very Respectfully,
WITKOWSKY & RINTEL'S.
MR. A. R. MAYER
is now with the above famous and well known house where he will be pleased to see his friends.

**FASHIONABLE MILLINERY
AND
Dress-Making,
BY
Miss BETSY WILLIAMS.**
Over WITKOWSKY & RINTEL'S Store.
45 1/2 Charlotte, N. C.

NOTICE.
I will attend at my office from the 7th to the 12th of this month to list the taxable property, and also all special taxes for the Town of Rutherfordton. Persons failing to list are liable by the ordinance of the Town to pay a double tax. See Ordinance in another column. March 26 1870.
J. B. CARPENTER, Mayor.
6-21
Vindicater copy 17.

SENATE INVESTIGATING COMMITTEE.

REPORT.

To Lieutenant Governor Caldwell, President of the Senate.

The Commissioners appointed under "Senate resolution for Investigation," of January 24th, 1870, ask leave under the instructions to that effect recently received from the Senate, to submit the following report:

Although duly notified of their appointment shortly after it was made, it was deemed proper by the Commission not to enter upon their duties, until after the passage of a law which was prepared in the Senate, to ascertain and confirm the powers with which they had been invested under the original resolution. This occurred the 16th of February last, and upon the 18th, the Commission completed their organization by the appointment of Mr. Henry M. Miller, as Clerk, and ordered that certain persons should be summoned to attend before them as witnesses, upon various days in the orders mentioned.

For these names and days, as well as for other details of like character, the Commission ask leave to refer the Senate to their Journal, which is herewith submitted.

In the course of their labors, the Commission have examined, at length, the following persons, to wit:

Messrs. Edward Belo, Jesse R. Crabbe, William Johnson, Robert H. Cowan, I. F. Alderman, William Sloan, J. J. Mott, Samuel McD. Tate, R. F. Simonton, Calvin J. Cowles, A. J. Jones, Rufus Y. McAden, K. P. Battle, W. J. Hawkins, M. S. Littlefield, T. F. Lee, D. G. Fowle, H. C. Cowles, W. R. Richardson, J. H. Davis, W. F. Askew, T. S. Lutterloh, S. W. Watts and B. S. Guion.

None of the persons summoned before them have failed to appear except Mr. Geo. W. Swepson, for whom a summons, directing his appearance on the 3d day of March was placed in the hands of the Sheriff of Wake County upon the 22nd day of February. This was served upon him personally, on the 1st day of March, as appears by the Sheriff's return. Other notices of the same sort were issued for Messrs. Good M. Roberts Treasurer of the Western North Carolina Railroad Company, W. D. and R. W. Pulliam, but owing to their absence in New York, as appears from the return, these were not served.

It is proper to say here, once for all, that with the above exception no difficulty has been made by any one in regard to attendance; nor any in regard to interrogatories except in two instances which were allowed by the Commission; and that the officers of the State to whom there has been occasion to apply for information or assistance, have rendered it at once and cheerfully.

The Commission presume, that the chief object of the Senate in their appointment has been attained in the procurement and recording of the mass of evidence herewith submitted. The statements made by the witnesses under oath have been taken down in their presence, read over to them; first answer by answer; and, then, in the whole; and are further verified by their respective signatures. The Senate will judge whether the Commission have prosecuted their investigations in the proper direction as regards witnesses, and with the proper range of inquiry in each individual case.

The testimony will be found to cover two hundred and five manuscript pages. Although now in considerable bulk, it is not com-

plexed in detail; and the comparative magnitude of the interests which it involves is such, that the Commission do not feel themselves justified in detaining the Senate with remarks upon the particulars of which it is composed, or in acting upon the supposition, that every part of it will not be subjected to an impartial and thorough scrutiny.

The Senate will find most of the results summed up in three schedules, which are hereto attached. Of these:

The first contains a statement of the details connected with the issue of State Bonds to the various Railroad Companies by the Treasurer, and was compiled by that officer for the use of the Commission.

The second gives an account of the disposal of the Bonds after they came into the hands of the Companies.

The third shows the amounts in money for which the Bonds have been sold or hypothecated.

The Commission desired to propose a fourth, to exhibit at one view the principal items of expenditure by which these amounts had been partially, or totally exhausted; but upon consideration it was thought better to present this view in a body of the Report. The more because the information in regard to this matter is very general, and more nearly an approximation to the truth. It was not expected that the Commission should examine and verify vouchers for expenditures in detail. With the general objects this was impracticable. An examination of the testimony will show other reasons why, in any case, only an approximation could be had. In deed this is true as well in regard to the figures representing the amounts received by the companies upon the sale or hypothecation of the Bonds. By reference to the testimony of Messrs. McAden and Jones, explanations will be found going to show that by the rules of New York stockboard a deduction is made for all North Carolina Bonds issued after July 1st, 1868, at the rate of six per cent per annum upon their face. So not a Bond dated Oct. 1st 1859, if apparently sold at twenty-five dollars in the hundred would in the first instance be subject to a deduction of seven and one-half dollars, and they net to the company but seventeen dollars and a half, less taxes and commissions for sales.

To complete, then, the general view afforded by the schedules, the commissions and the following statements, obtained from the evidence herewith submitted, in regard to each one of the companies that have received appropriations from the State since May 1st, 1865.

I. THE WESTERN N. C. R. R. COMPANY. (W. D.)

To this, issued between January 20th October 2nd, 1869, through George W. Swepson 8367 State Bonds. Of these 3182 are said to have been sold, and 1824 hypothecated; and of the amounts received upon this account, our attention has been drawn to some \$1,845,000, which appears in papers submitted by Gen. Littlefield. No testimony except hearsay has been submitted to the companies as to the dealings of Mr. Swepson with either the bonds or their proceeds. In the evidence of Gen. Littlefield will be found certain papers, unverified in any way, which he reports as having come into his hands from either Mr. Swepson, or Souther and company, of New York. He could give no assurance that they were correct. Mr. Swepson has at no time rendered to

him an account of his transactions as President.

Gen. Littlefield charges himself with a certain sum of money as received from Mr. Swepson, and gives a statement of the manner in which that has been expended; but, excepting certain Florida Railroad Bonds turned over by Mr. Swepson, he could give no account of the manner in which the latter had disposed of either Bonds or proceeds. The papers and statements above referred to show that Mr. Swepson sold and hypothecated the 5056 bonds mentioned above; that of their proceeds, he turned over to Gen. Littlefield \$136,277 63; expended \$277,383 31, of which for contractors and the Treasurer of the company, \$27,311 41; invested \$990,638 39, in Bonds of the Pensacola and Ga. Railroad Company and otherwise; and leaves unaccounted for about \$640,000. The bona fide of Florida investment is understood to be a question not settled betwixt Mr. Swepson and the Company. It also, appears, that the figures submitted to the commission in this connection do not include the whole of the proceeds of that part of the Bonds which was hypothecated.

Gen. Littlefield's statements show he received as President of this Company from his predecessor, Mr. Swepson, \$18,925 83 in cash and \$113,946 13 in an order upon the New York National Trust Company, which held Bonds hypothecated by Mr. Swepson, and that of this, he paid the entire of the Company \$127,471 96, and otherwise \$4,400—in all \$131,871 96. He explained that the "protection" consisted in relieving these Bonds from certain legal difficulties, by which they had been encumbered, previously to his taking office, in Florida. He believes, that within a few days, this property of the said Company will be entirely disentangled and available.

II. THE WESTERN N. C. R. R. COMPANY, (E. D.)

It will be seen that all of the Bonds issued to this Company have been either sold or hypothecated and the amount raised therefrom was \$1,284,760 42. It appears from the evidence that all of this has been expended in various matters connected with the construction of the Railroad. The evidence of Messrs. Tate, Simonton, Mott and H. C. Cowles will be found interesting in this connection.

In addition thereto, there will be found exhibits, printed and in manuscript, containing official accounts rendered by the above persons to the Company, and to the Commission.

III. THE W. C. AND R. R. CO.

The proceeds and hypothecation of the bonds issued to this Company are \$1,029,548 67. Of this it appears that all excepting about \$10,000 now on hand has been spent in such matters as are ordinarily connected with the construction of Railroads. The facts connected with this Road will be found in the evidence and exhibits submitted by Messrs. Cowan, Sloan, Alderman and C. J. Cowles.

Upon reference to Schedule No. 1, it will be seen that twenty-three of the bonds issued to this Company are charged to H. H. Robinson, and none delivered under the authority of the Act of 1866-'67, ch. 56. On reference to that Act, it will be found that these items have no connection with the subject matter of this investigation, being merely an exchange of that number of Bonds for others then in his possession.

IV. THE WILLIAMSTON AND TARBORO R. R. COMPANY.

All of the Bonds issued to this Company were sold to or by John E. Pickrell, of New York, for \$160,948 57, and by the accounts rendered through the affairs of the Company, it appears to have been expended in the ordinary details of constructing Railroads. The evidence upon this item is in the deposition of Gen. Stubbs and the exhibits filed therewith.

V. THE NORTHWESTERN N. C. R. R. COMPANY.

All of the bonds issued to this Company have been returned to the State, "without prejudice," as is understood. Mr. Belo's deposition shows, that no use whatever was made of them while in his possession.

VI. THE CHATHAM R. R. COMPANY.

Of the 3200 bonds issued to the Company 1650 have been returned, "without prejudice," to the State. The proceeds from the 1502 that have been sold, are \$935,627 29. The 48 under pledge are bound for a running account in the purchase of iron, the amount of which is not ascertained. The money realized from the sale of bonds appears to have been applied to the ordinary expenses of constructing Railroads, as well as, in small profits, to regular expenses connected with the defence of the Chatham Railroad case, as it is called. There is still upon hand \$250,067 82. The evidence upon this item is given by Dr. Hawkins and accompanied by an exhibit from W. W. Vass as Treasurer.

The proceeds from the sale of 55 State bonds and some coupons, are \$51,193 13. Some \$7,500 of this has been paid out for ordinary expenses and the remainder, \$43,693 14, is upon deposit in the banking house of Jones & Lutterloh, at Fayetteville. Certificates were exhibited by the President, in the names of Utley & Dougherty and L. P. Bayne & Co., of New York, acknowledging that they hold for the Company, unencumbered, 1258 bonds; and 12 other bonds were shown the Commissioners in the hands of the President himself. The evidence is furnished by Messrs. Jones, Davis & Lutterloh.

It will be seen, that no use has been made of these bonds in connection with the end for which they were issued; and no use whatever except in connection with the action brought in Wake County in the name of Robert C. Kehoe against the said Company and the State Treasurer, of which a transcript is herewith filed. The object of that suit apparently was to restrain the issuing of bonds upon the allegation that they were unconstitutional and thus void. An injunction was obtained upon that allegation. The suit, however, was compromised, and the injunction vacated before any term of the Court had occurred, by the Company's agreeing to pay to the attorneys of the plaintiff seventy-five bonds, after the same should be issued. In the event, it happened that 77 bonds were so paid; and besides, that 86 others were expended by the Company in some connection with the suit. It does not appear what their connection was, or that the plaintiff was interested therein. Apparently his claims were satisfied by the 77.

The commission refer to the evidence of Messrs. Johnson, McAden, Sloan, Battle, Fowle, Littlefield, Watts, Lee and Askew in this connection. It appears from a certificate of the Treasurer that 1597 of these bonds have been returned to the State.

The evidence of Messrs. Hawkins, Tate, Sloan and Guion, details, amongst other matters, circumstances bearing upon the questions: How far any of the Bonds, issued since May 1st, 1865, or the proceeds of such Bonds, have been used to forward Legislation, for these and like appropriations. For the rest, it will be seen that with two exceptions, in which persons claimed and were allowed the privilege of not testifying upon that point, direct and full details have been made, by every witness supposed to have any information thereabout, of any knowledge in regard to such use of the said Bonds or their proceeds.

It will doubtless be borne in mind, that the investigation of the Commission into these matters was by the Senate expressly limited to any improper employment of those Bonds, or any of their proceeds.

Some evidence of an application of those Bonds or their proceeds to private purposes, will be found in the depositions of Gen. Littlefield and Messrs. Jones, Tate and Lutterloh. Otherwise, such application has been denied.

The Commission have not drawn upon the funds set apart by the General Assembly for their expenses.

A certified statement thereof accompanies this report. It would be found that including the fees of officers for summoning witnesses, and of the Clerk of Wake County, for a transcript, they amount to \$20 13. This does not occasion to say, has been very laboriously employed—often late into the night. The Commission, in order to comply with the instructions of the Senate for an early report, have been under the necessity of employing a second Clerk for the last night, and two days of their session.

Respectfully submitted,
THOS. BRAGG,
S. F. PHILLIPS,
WILL L. SCOTT.
Raleigh, March 12th, 1870.

To Young Men.

The only way by which capital can increase is by saving. If you spend as much as you get, you will never be richer than you are. It is not what a man gets, but what he saves that constitutes his wealth. Go, learn the first two rules of Arithmetic; learn addition and subtraction. Add to your present capital, any amount will not be the same as the first. Every man should, in every year of his life, make some addition to his capital. You say you get but little. Never mind; spend less than little; then next year you will get more, for you will have the profit upon the sum you save.

The practice of running up stairs, so often exercised by young people especially, is said to be ruinous to health. An eminent physician is reported to have once said that he would not go up stairs faster than a walk; if the house was on fire, and he had valuable property to save. Much walking up stairs is especially injurious to women, and frequent running up stairs is a sure ticket to heart disease.

The farmers in the neighborhood of Vienna, Fairfax county, have given public notice that they will enforce laws against trespassers on their lands for the purpose of hunting. This is done to protect the birds which live principally on insects, and consequently are the farmers best friends. Persons who have made close observation on this subject say that insects injurious to vegetation are multiplying to a fearful extent. Alexander Gazette.

A wrought iron chimney, two hundred and seventy five feet high, is in the course of construction at Pittsburg.