THE WILMINGTON JOURNAL,

ENGELHARD & PRICE, Proprietors,

To whom all Letters on Business must be addressed

Terms of Subscription.

Weekly Paper, one year, in advance,.......$3 00
Do. Six months, " 2 00
Daily Paper, one year, in advance,.........$10 00
" six months, " 5 00
" three months, in advance,.....3 00
" one month, " 1 00

Wilmington Journal.

VOL. 22. WILMINGTON, N. C., THURSDAY MORNING, DECEMBER 13, 1866. NO. 45.

TERMS OF ADVERTISING.

1 square, of 10 lines or less, for each andevery insertion, $1.

Special Notices will be charged $2 00 per square for each and every insertion.

All Obituaries and private publications of every charac ter, are charged as advertisements.

☞No advertisement, reflecting upon private character, can, under ANY CIRCUMSTANCES, be admitted.

METHODIST EPISCOPAL CHURCH SOUTH.

Appointments—Wilmington District—First Round.

Smithville and Brunswick, at Bethel, Dec. 15 & 16.
Wilmington—Fifth Street, " 22 & 23.
Whiteville, at Whiteville, " 29 & 30.
Topsail, at Union, Jan. 5 & 6.
Elizabeth, at Elizabethtown, " 12 & 13.
Wilmington—Front Street, " 19 & 20.
Onslow, at Richlands, " 26 & 27.
Cokesburg, at Bethany, Feb. 2 & 3.
Clinton, at McGee's, " 16 & 17.
Duplin, at Magnolia, " 23 & 24.
Bladen, at Centre, March 2 & 3.

The District Stewards' meeting will be held at the Parsonage, in Wilmington, January 19th, 1867, at 9 o'clock, A. M. The District Stewards are, W. H. Drew, Samuel W. Smith, W. A. Savage, W. J. Barker, T. L. Pugh, Rev. Levi Culbreth, D. S. Sanders, E. H. Costin, D. W. Carr, Dr. W. E. Freeman and W. S. G. Andrews.

A full attendance is earnestly desired.

L. S. BURKHEAD, P. E.

State of North Carolina,

COLUMBUS COUNTY.

Court of Pleas and Quarter Sessions—August Term, 1866.

Robert Strange vs. James O. Barefoot. } Original Attachment.

ON MOTION, it is ordered by the Court, that publication be made for six weeks in the Wilmington Journal, a newspaper published in the city of Wilmington, for the defendant to appear at this Court, on the second Monday in February, 1867, and replevy or plead to issue, or judgment by default will be rendered against him.

Teste, D. P. HAIGH,
Clerk County Court for Columbus County.

Nov. 23 [Pr. Adv. $15] 42-6t

State of North Carolina,

RICHMOND COUNTY,

In Equity—Filed October 18th, 1866.

R. James Powell, *et. al.* vs. John W. Patterson and Wife, Judith Ann, *et al.* } Petition to sell Land for partition.

IT APPEARING that Jno. W. Patterson and wife Judith Ann, and Franklin Alsobrook and wife Sarah F., defendants in the above cause, reside beyond the limits of the State, publication is hereby made notifying them to appear at the next term of this Court, to be held at the Court House in Rockingham, on the third Monday in March next, then and there to plead, answer or demur to the above petition, or the cause will be heard *ex parte* and judgment given *pro confesso*.

Teste: JNO. W. COLE,
Clerk and Master in Equity.

Nov. 8 40-6w

CLERK AND MASTER'S SALE.

Solomon Reeves and others, *Ex Parte.* } In Equity, Fall Term, A. D., 1866.

BY VIRTUE of a decree of the Court of Equity for New Hanover county, made in the above entitled cause, I will sell, at public auction, to the highest bidder, at the Market House, in the City of Wilmington, on the 20th day of December, 1866, the following tracts of land situate in the county of New Hanover, viz: Beginning at a large cypress on the edge of Black Swamp, running thence South 40 deg., E 40 poles to a stake, thence North 79 deg. 6 min. 40 poles, to a pine; thence South 38 deg. E. 98 poles to a pine, Montgomery's corner; thence South 470 West, 206 poles to a stake; thence North 76 deg., West 25 poles to a stake; thence South 75 deg., West 36 poles to a black gum on the run of a small branch; thence North 15 deg., East 71 poles to a stake formerly a pine known as Snead's corner; thence North 47 deg., West 148 poles to a stake; thence North 31 deg., East 108 poles to a pine; thence North 25 deg., West 88 poles to a spruce pine on the edge of a swamp, an arm making out of Black River swamp; thence North 79 deg., East 100 poles to a stake in or near the edge of said Black Swamp; thence direct to the first station.

Also another tract beginning at a black gum, with three chops in said black gum, on the West side of Black Swamp, at the run of said Swamp; thence running a Westwardly course along a line of marked trees to a stake on the West side of the road leading from the crossing place of Black Swamp to Gordon's old mill; thence a Southwardly course with the West side of said road along Montgomery's fence to the corner of said fence; then about a West course in a straight line to a marked pine at the foot of Montgomery's new road; thence a Northwardly course to Montgomery's three Pines Corner, known as the old Atkinson Corner; thence with the said Montgomery's or Daniel Atkinson's line to the run of Black Swamp; thence down the run of said Swamp to the beginning.—The premises above described belong to the estate of James Montgomery, deceased. The said tracts of land will be sold upon the following terms: One-fourth of the purchase money cash, the balance upon a credit of six, twelve and eighteen months, interest from date, the purchaser giving bonds with approved securities for the deferred payments.

FREDERICK D. POISSON,
Clerk and Master.

Nov. 9 37-d1t-w5t

S. T.--1860--X.

PERSONS OF SEDENTARY HABITS TROUBLED with weakness, lassitude, palpitation of the heart, lack of appetite, distress after eating, torpid liver, constipation, &c., deserve to suffer if they will not try the celebrated

PLANTATION BITTERS,

which are now recommended by the highest medical authorities and warranted to produce an *immediate* beneficial effect. They are exceedingly agreeable, perfectly pure, and must supercede all other tonics where a healthy, gentle stimulant is required.

They purify, strengthen and invigorate.
They create a healthy appetite.
They are an antidote to change of water and diet.
They overcome effects of dissipation and late hours.
They strengthen the system and enliven the mind.
They prevent miasmatic and intermittent fever.
They purify the breath and acidity of the stomach.
They cure Dyspepsia and Constipation.
They cure Diarrhœa and Cholera Morbus.
They cure Liver Complaint and Nervous Headache.

They make the weak strong, the languid brilliant, and are exhausted nature's great restorer. They are composed of the celebrated Calisaya bark, wintergreen, sassafras, roots and herbs, all preserved in perfectly pure St. Croix rum. For particulars see circulars and testimonials around each bottle.

Beware of impostors. Examine every bottle. See that it has an unmutilated metal cap over the top of each bottle, and green label for exportation, around each neck. See descriptive circular around each bottle.

P. H. DRAKE & CO.,
New York.

April 19 12-1y

BENNETT, VANPELT & CO.,

23 WHITEHALL STREET, NEW YORK.

SHIPMENTS OF COTTON, NAVAL STORES, Provisions, &c., will be forwarded to us by Messrs. Wallace & Southerland, of Wilmington, who will pay revenue tax and other charges. All goods covered by insurance, with or without advices.

Feb. 15 2-tf

E. TURLINGTON. W. M. MONROE

TURLINGTON & MONROE,

INSPECTORS OF TIMBER AND LUMBER,

WILMINGTON, N. C.

PROMPT personal attention given to all business intrusted to their care.

Oct. 4 35-wtf

S. D. WALLACE. J. B. SOUTHERLAND.

WALLACE & SOUTHERLAND,

GENERAL COMMISSION MERCHANTS,

OFFICE NO. 57 NORTH WATER STREET,

Wharves & Warehouses foot of Walnut St.,

WILMINGTON, N. C.

☞ Will give prompt personal attention to all consignments of Naval Stores, Cotton, Spririts Turpentine, Rosin, Tar, Provisions, &c., &c., either for sale or shipment. Also, to forwarding Merchandize, &c.

Feb 8. w-1-tf

Goshen Land for Sale.

I OFFER my place for sale; 5 miles from Kenansville, on Goshen; Land cleared sufficient to make a ten horse crop; Buildings all new. *Come and see.*

JERE PEARSALL.

Kenansville. Duplin county, N. C.

Nov. 29 43—1m

From the Land we Love.

A HERO'S DAUGHTER.

She boasts no Amazonian charms,
Minerva's helmet never bound her;
And tho' she finds delight in arms,
'Tis when her father's are around her.

She does not aim to make a mark,
Like Phillippa—as Froissart wrought her,
She is modern Joan D'Arc,
Like Garibaldi's wife and daughter.

And while there meets in her young veins,
Ancestral blood—the patriot's—sage's—
Whose fame, rung out in trumpet strains,
Goes gathering glory down the ages—

She is not proud, nor cold, nor grand,
No haughtiness her tone evinces;
Her heart is open as her hand—
Her hand is liberal as a princes.

She does not awe you with her eye,
And yet its glance goes straightway thro' you
A latent fire to warn you by—
A steady, stellar light to woo you.

Her smile is like the golden day's,
Irradiating every feature;
You catch its influence as you gaze,
And own—"She is a gracious creature."

So genial her responsive mind,
With every varying mood agreeing;
You wonder how she comes to find
The very key-note of your being.

Beneath her sparkling surface flow,
The breezy freshness, and the laughter—
Wells deep and strong and undertow
Of rare and racy wisdom, after.

Sweet, fire-side graces all are her's;
The chatalaine beside the bodice,
Is but one token that avers
She is a very household goddess!

Accepting with unmurmuring lips
War's stern decree, its griefs, its losses;
And nobler thro' that blood eclipse,
And stronger for its burdening crosses.

She folds no hands in languid pause—
Child of her father—true to duty,
She weeps at heart the dear "lost cause,"
Yet fills the busy hours with beauty.

Her heroism holds in view
Our people's strife for life—the lesser,
Yet bitter one! There's work to do
And well she does it; so—God bless her.

REPORT OF THE JOINT SELECT COMMITTEE ON THE CONSTITUTIONAL AMENDMENT.

The Joint Select Committee on Federal Relations, to which was referred that part of the Governor's message relating to a communication from the Honorable Wm. H. Seward, Secretary of State for the United States, covering an attested copy of a resolution of Congress, proposing a fourteenth Article as an Amendment of the Constitution of the United States to be submitted to this General Assembly for ratification or rejection, have had the same under consideration and ask leave to report:

The committee, impressed with the importance of the subjects embraced in the proposed Constitutional Amendment, as affecting the commonwealth of North Carolina, not merely for the present, but in all human probability, for ages to come, have given the whole matter a careful and respectful consideration, and now offer the reasons for the conclusions at which they have arrived.

A number of radical changes, in the fundamental law of the country are proposed to be embraced in one article, and to be accepted or rejected to-gether, and if but one of these Amendments is disapproved, this General Assembly will be under the necessity of rejecting all; leaving no alternative of accepting some of the sections in the proposed Article and rejecting others; and it is submitted that this mode of amending the constitution of the United States, is evasive and without precedent, and ought not to find favor in any portion of this great nation.

The committee entertain the opinion that this proposition has not been submitted in a constitutional manner, and in pursuance of the forms prescribed by the Constitution. North Carolina and her ten sister seceding States have been repeatedly recognized *as States in the Union* by all the departments of the Federal Government, both during and since the war. *Congress* did by the resolution of July, 1861, which declared that "the object of the war was "not for any purpose of conquest or subjugation, nor for the purpose of over-"throwing or interfering with the rights "or established institutions of those States, "but to defend and maintain the supre-"macy of the Constitution, and to pre-"serve the Union with all the dignity, "equality and rights of the several States "*unimpaired.*" And again, by an act apportioning taxation among the Ststes; by an act assigning them their respective numbers of Representatives; by an act at the last session readjusting the Federal Judicial Circuits; by accepting as valid the assent of Virginia to the division of that State, and thereupon establishing the State of West Virginia, and by other acts. The *Judiciary* has recognized them by hearing and deciding causes carried up from their Courts; the *Executive* has done so by approving the afforesaid acts of Congress.—This recognition of them as States is *now repeated* by the Federal Government in submitting to them for ratification the pending proposition of Amendment, since only States in the Union can vote on such a question.

The Federal Constitution declares in substance that Congress shall consist of a House of Representatives composed of members apportioned among the respective States in the ratio of their population, and a Senate composed of two members from each State; and in the Article which concerns Amendments, it is expressly provided that "no State without its consent "shall be deprived of its equal suffrage in "the Senate." The contemplated Amendment was not proposed to the States by a Congress thus constituted. At the time of its adoption, the eleven seceding States were deprived of representation both in the Senate and the House, although they all, except the State of Texas, had Senators and Representatives duly elected and claiming their privilege under the Constitution. In consequence of this, these States had no voice in the important question of *proposing the Amendment.* Had they been allowed to give their vote, the proposition would doubtless have failed to command the required two-thirds majority. Had they voluntarily relinquished the exercise of their right and privilege in this matter, as they had done in the case of the late Amendment respecting slavery, they would, perhaps, be estopped from objecting to the regularity of the proceeding. But as their Senators and Representatives elect were seeking admission to their seats and deprived of them against their consent, the subject is presented in a different light.

If the vote of these States are necessary to a valid ratification of the Amendment, they were equally necessary in proposing it to the States; for it would be difficult, in the opinion of the committee, to show by what process in logic, men of intelligence could arrive at a different conclusion. And it is submitted that this irregularity, in the initiative step, would make the amendment of doubtful validity, even if ratified. It would certainly constitute a dangerous precedent; give rise to a troublesome question hereafter; remove the landmarks established by the Fathers, and greatly tend to diminish that regard for the sacredness of the Constitution, which all our people ought ever to cherish.

The committee are of the opinion that the Constitution was not complied with in *another particular*,—in the manner of proposing this amendment. The third clause of 7th section, article first, provides that "*every* order, resolution or *vote*, to which "the concurrence of the Senate and House "of Representatives may be necessary, "(except on a question of adjournment,) "shall be presented to the President of the "United States, *and before the same shall* "*take effect*, shall be approved by him, "or, being disapproved by him, shall be "*re-passed* by two-thirds of the Senate and "House of Representatives, according to "the rules and limitations prescribed in "the case of a bill." A proposition to amend the Constitution is certainly included in the terms of that provision, as being a matter requiring the concurrent action of the two Houses. The pending amendmennt, however, was never presented to the President for his approval, but sent directly to the Department of State, to be transmitted thence to the respective States.

And it is far from a satisfactory answer to this, to say that because the proposition was originally passed by a two-thirds majority, it need not be presented to the President, since his disapproval would not affect it; for his disapproval would not affect it when put upon its *re-passage*, after he had returned it with his objections,—an occurrence not remarkable in the past history of the Government. And this *re-passage* over his *veto*, by the two-thirds majority, is required before any "order, resolution, or vote" of Congress can "take effect," even though on its original passage it may have received an unanimous support.

If it should be said that any doubts as to the validity of the proposed amendment, whether ratified or rejected, under present circumstances, will be obviated by the strong arm of power, which will validate it at all hazards, the ready answer is, that if the strong arm can give validity to an amendment adopted in disregard and defiance of *some* of the prescriptions of the organic law, it can with the same propriety set them *all* aside. On that supposition the Constitution would be at the mercy of the strongest, and could at any time be moulded according to the will of a mere majority, however unscrupulous or despotic that majority might be. It would thus become the plaything of politicians and parties; its sanctity profaned, and its glory departed.

The committee do not present their views in any spirit of captiousness, nor as the advocates of mere sectional interests; notwithstanding the amendment proposed is unquestionably designed to operate on the Southern States of this Union; indeed such are the avowals of its advocates. But the question of its ratification under existing auspices is of the gravest import to the whole country, and to the cause of free, constitutional government. In the mutations of human affairs, and the conflict of interest and opinion that may arise in the future history of this great and wide-spread nation, the time may come when changes of the Federal Constitution may be made in derogation of the rights and interests of *other parts of the Union.* In so grave a matter too much precaution cannot be used. The Constitution is the basis of our liberties. No true American has ever ceased to regard it as peculiarly sacred, as well as for its own intrinsic excellence, as for the exalted character of its patriotic founders.—And it should never be forgotten that those good and great men, inspired by lofty deeds, in a spirit of forbearance, conciliation and compromise, and in the exercise of an enlightened statesmanship, framed this great bulwark of civil and religious liberty. Even those who are called "Rebels" have never spoken lightly of it. The affections of all sincere lovers of liberty twine around it, like ivy around some hallowed shrine where the heart pours forth its profoundest devotions.

Many of the prominent questions of the present time are of temporary interest only, and will soon be forgotten, and with them will pass away the passions and hate which they have engendered. But the Constitution was made for all ages—for peace and for war. All patriots will unite in the hope that its majesty and symetry may not be marred by the incorporation of Amendments shaped amid the excitements of these tempestuous days, and made a part of it through methods of proceeding which are hasty and ill-considered, and unwarranted by the provisions of the instrument itself.

Proceeding more in detail, to the merits of the proposed amendment, the committee have confined themselves to its most prominent features.

In the first section it is provided, that "no State shall make or enforce any law "which shall abridge the *privileges or im-* "*munities* of citizens of the United States." What those privileges and immunities are is not defined. Whether reference is had only to such privileges and immunities as may be supposed now to exist, or to all others which the Federal Government may hereafter declare to belong to it, or may choose to grant to citizens, is left in doubt, though the latter construction seems the more natural, and is one which the Government could at any time insist upon as correct and entirely consistent with the language used. With this construction placed upon it, what limit would remain to the power of that Government to interfere in the internal affairs of the States.—And what becomes of the right of a State to regulate its domestic concerns in its own way? Whatever restrictions any State might think proper for the general good, to impose upon any or all of its citizens, upon a declaration by the Federal Government, that such restrictions were an abridgment of the privileges or immunities of the citizens of the Union, such State laws would at once be annulled. For instance, the law of North Carolina forbids the intermarriage of white persons and negroes. But if the Amendment be ratified, the Government of the United States could declare that this law abridge the privileges of citizens, and must not be enforced; and miscegenation would thereupon be legalized in this Commonwealth. Grant that such action on the part of the Government would not be probable, still it would be possible, and its bare possibility sufficiently exemplifies the boundlessness of the powers which this Amendment would confer on the Federal Government.

The power to regulate suffrage has always been claimed to belong to the several States, and it is thought by some that this point is securely guarded by the provisions of the second section of the proposed amendment; but a slight inspection will reveal the fact that the power of the States to regulate suffrage is by no means *expressly* recognized therein; nor in their right to "deny" or "abridge" the franchise distinctly set forth. The provision touching this matter merely declares that when the right to vote of any male citizen twenty-one years old *is* "denied" or "abridged," the basis of representation shall be reduced in any State when that shall occur. It is not said who shall have the power to deny or abridge the right to vote. If the power of a State over this subject is recognized at all, it is only by implication, and an implication, too, which is conveyed solely in the language used for fixing a penalty upon the exercise of such power, and without saying whether its exercise may not hereafter be prohibited. No *exclusive* right nor even a limited right of a State in the premises is *expressly* admitted, but all is allowed to rest on a doubtful inference. With the right of a State thus left doubtful, suppose the Federal Government, in the exercise of the power already spoken of as conferred by the first section of the amendment, should think proper to declare that the right to vote is one of the "priveleges" and "immunities" of the citizen, what could a State do, except to yield the point, and what would prevent universal suffrage from being at once inaugurated? Nothing.

The founders of our polity left the management of municipal affairs, and the protection of the ordinary personal and property interests of the citizens of the States themselves, uncontrolled by the supervision or interference of the Federal authorities, because they rightly judged that as the welfare of the individual citizen was most intimately connected with the welfare of his State, his interest could be most safely trusted to the protection of his State.—The dangerous innovation, involved in the clause of the Amendment now under review, coupled with the final Section giving Congress "power to enforce all the pro-"visions of this Article by appropriate le-"gislation," consists in the fact that it authorizes the Federal Government to come in, as an intermeddler between a State and the citizens of the State, in almost all conceivable cases; to supervise and interfere with the ordinary administration of justice in the State Courts, and to provide tribunals, as has to some extent been already done in the Civil Rights bill, to which an unsuccessful litigant, or a criminal convicted in the courts of the State can make complaint, that justice and the equal protection of the laws have been denied him, and however groundless may be his complaint, can obtain a rehearing of his cause. The tendency of all this is to break down and bring into contempt the judicials of the States, and ultimately to transfer the administration of justice, both in criminal and civil causes, to courts of Federal jurisdiction, is too manifest to require illustration.

A serious objection to the second section, if it should be understood as implying the power of a State to regalate the question of suffrage, is that it imposes a penalty upon any restriction of the franchise, and offers a premium for its extension. The representation of a State and its consequent political importance being diminished in the one event, and increased in the other. The manifest design of this provision is to bring about, by indirect means, the adoption of universal suffrage, irrespective of races or color. And thus a premium is offered for the prostitution of the franchise. Nothing could be more threatening to the stability of our republican institutions. There can scarcely be a doubt that if the question of negro suffrage could be calmly considered purely on its own merits, and aside from the prejudices of the times, all thoughtful and well informed men would unite in condemning it as in the highest degree impolitic and unwise.

A leading feature of this second section, is that virtually it makes the basis of representation to consist of the voters only, which is manifestly inconsistent with the theory of our political system. The voters are merely the appointing power, whose function is to select the representative, but his true constituency is the whole population. It is a great fallacy to maintain that an officer represents only those who vote for him. Senators are chosen by the State Legislatures, but they represent not the Legislature merely, but all classes of the State population with their varied interests. But it is urged by the advocates of the policy of basing representation on the voters only, that this is necessary in order to give equal weight to a voter in different States, and yet there is neither justice on the one hand, nor any practical importance on the other in this idea. Say the States have equal population, equal voting strength, and equal representation; and suppose one of them should choose to restrict the franchise so that its quota of representatives would be selected by half its former number of voters; this, indeed, would be a matter of interest to its own citizens, but of what possible concern could it be to the citizens of the other States? A complaint that the *weight* of voters was not equal, would come with bad grace from a State, which, by extending widely the franchise had thereby diminished the relative importance of its individual voters. If two States had equal population, but one of them should allow twice as many voters as the other, then according to the pending Amendment one would be entitled to twice as many reprеseatatives as the other. This might be giving equal weight to voters, but would certainly be giving very unequal weight to the respective non-voting population; so that no consideration is given to the non-voters who must always constitute the great majority of the people, and bear a large share of the public burdens. And while the negroes, who form so large an element in the population of this commonwealth cannot wisely exercise the right of suffrage, and should not, therefore, be allowed to do so; yet, if there ever was a time when that race should be counted in the basis of representation it is now, for they are thrown, an immence burden on as few States, and will for many years demand the utmost exercise of every agency for their advancement in the scale of being.

The third section of the amendment is designed solely to affect the South. It virtually disfranchises a large portion of the people of North Carolina. It is well known that most of our able-bodied men were Confederate soldiers, during some part of the late war; and of those of our people who were not in the army, scarcely an individual can truthfully say that he rendered "no aid or comfort" to the Southern cause; and all who thus gave "aid and comfort," and besides this large class all who had ever previously taken an oath to support the Federal Constitution, either as a member of Congress, or as an officer of the United States, or a member of a State Legislature, or executive or judicial officer of any State are excluded from forever holding any office, either in the State or Federal Government, unless the disability is removed by a two-thirds vote of both Houses of Congress.

Very few, indeed, of the men of this State, of mature years and capable of filling such positions, have not at some time held one or more of the aforesaid offices and taken the oath specified. The immediate practical effect, therefore, of the amendment, if ratified, will be to destroy the whole machinery of our State Government and reduce all our affairs to complete chaos, by throwing out nearly every public officer, even to Justices of the Peace and Constables; and it would be hardly possible to find enough of new men qualified to fill these various offices and re-organize our State Government. And besides this, all experience proves that men rising to power on the ruin of their fellows, and expecting success only by the suppression of the popular will, are generally the worst of all the enemies of their own people; and the great mass of the people of this commonwealth would, in the opinion of the committee, greatly prefer to commit themselves, their honor and their interests to Congress as now composed, rather than to those whose only hope of ruling lies in the disfranchisment and oppression of more loyal and better men. The impolicy of imposing this general disability upon those who, in any way, took part in the late conflict, is shown also by the indubitable fact that most of them are now conservative, as loyal and as well affected towards the General Government as any class of citizens. Those who personally participated in the great trial of arms are, perhaps, more thoroughly convinced than any others of the finality of the decision and the utter folly of any future appeal to the arbitrament of war; and hence have, with few exceptions, readily acquiesced in the settlement which has been made of the questions in dispute. Many of those who would be disabled from holding office are among the most prominent and excellent citizens of the State, who always opposed secession; and their services and co-operation would be greatly needed in the important work of restoring her prosperity.

But if this and other degrading disabilities must be imposed upon so many of her citizens, how can North Carolina herself, while she retains any sense of honor or self-respect, assist in imposing it?—How can those now controlling the destinies of the Union ask or expect her to do so, and thus set the seal to her own disgrace? How can they expect, or even desire, that her representatives, either now or hereafter, shall assist in the work of her own degradation?

What her people have done, they have done in obedience to her own behests.—Must she now punish them for obeying her own commands? If penalties have been incurred and punishments must be inflicted, is it magnanimous, is it reasonable, nay, is it honorable, to require us to become our own executioners? Must we, or a State, be regarded as unfit for fraternal association with our fellow-citizens of other States, until after we shall have sacrificed our manhood and tarnished our honor? Surely not. North Carolina feels that she is still one of the daughters of the great American family. Wayward and wilful, perhaps, she has been; but honor and virtue still are hers. If her errors have been great, her sufferings have been greater. Like a stricken mother, she now stands leaning in silent grief over the bloody graves of her slain children. The mementoes of former glory lie in ruins around her. The majesty of sorrow sits enthroned on her brow. Proud of her sons, who have died for her, she cherishes in her heart of hearts the living children who were ready to die for her, and she loves them with a mother's warm affection. Can she be expected to repudiate them? No! it would be the act of an unnatural mother. She can never consent to it,—*Never!*

It is said, however, that Congress can easily remove the disabilities which this section of the Amendment imposes; but is it likely that Congress will do so? If they are to be readily removed, why impose them at all? And it should not be forgotten that Congress could, through this dispensing power, manage to fill the State offices, of every grade, almost entirely according to its own choice and discretion, by relieving from disabilities only such as might serve its purposes: and thus the freedom of elections would be virtually destroyed, and the State Governments might become the willing and subservient tools of grasping ambition and usurping tyranny.

All that need be said of the fourth section of the proposed Amendment, is that it is useless. The Federal debt is already sufficiently secured by the honest intention of the people to pay it. And a noticeable fact is, with what cheerfulness the people of this Commonwealth—taxed without representation and depressed and impoverished by the war—pay their Internal Revenue taxes. By seeking to bind the people of the whole country further to the payment of the public debt, by means of a constitutional provision, the Government betrays a lack of confidence, not perhaps more in the people of the *South* than in those of the *North*. The Confederate debt is equally certain to remain unpaid. Indeed most of it can never fall due by the terms on which it was contracted, and the impoverishment of the whole South, and the acts of repudiation which have already been passed will, doubtless, secure the non-payment of the remainder.

The refusal to pay for our slaves emancipated is, doubtless, a great injustice, especially to those citizens who did not favor secession; but the committee entertain the opinion that the people have never hoped seriously for its reparation.

In the final section power is given to Congress "to enforce by appropriate legis-"lation all the provisions of this article." How wide a door is hereby opened for the interference of Congress with subjects hitherto regarded as beyond its range, it is impossible adequately to conceive until experience shall have tested the matter. As the committee have already argued, and submitted, one of the most serious evils to be apprehended from this Amendment consists in the vast addition it makes, in so many ways, to the powers of the General Government. No enlightened patriot who has studied carefully our system of government, and has realized how much of its excellence lies in the due division of its powers between the Federal and State authorities, can have failed to witness, with the profoundest alarm, the tendency to centralization and consolidation, which has in late years been developed. The exercise of the mighty energies and the assumption of new and unusual prerogatives, required to prosecute successfully the recent war in the nature of things, gave to the General Government an overshadowing influence and prestige beyond what it had ever before possessed. And this result was increased by the overwhelming defeat of those States which had always stood forth as the peculiar advocates of State Rights.—Every one must perceive, therefore, that even without new constitutional grants of authority, the Federal Government is no longer what it once was, but that it has expanded into a mighty giant, threatening to swallow up the States, and to concentrate all power and dignity in itself. In the interests of liberty, it appears to the Committee that this centralizing tendency, instead of being fostered, needs to be checked. The American people ought not, by new grants of power, to seem to authorize the continued exercise of extraordinary prerogatives, undreamed of in the purer and happier days of the Republic. The Constitution, as it stands, was good enough for our fathers; if administered in its true spirit it will also be good enough for ourselves and our posterity.

The committee having, at some length, gone into an analysis of the different sections of the proposed Article of Amendment, ought, perhaps, in closing, to say a word in regard to the intimations thrown out, that if the Southern States refuse to ratify the pending Amendment, harder terms and deeper humiliation will be imposed upon them. These are deemed only as the intemperate declarations of heated individual partizans. No responsible body of our countrymen has dishonored itself, or us, by making such threats. It would, indeed be a mockery to submit a question so grave and important to this commonwealth, and then place her under duress to compel her to vote in the affirmative. No humiliation could be deeper—no degradation more profound than that which she would impose upon herself by yielding to intimidation and ratifying, under the influence of base fear, a measure which she disapproved. The committee are sure that this honorable Legislature will not do an act so inconsistent with its own dignity and the dignity of the State. A question of such vital concern to the entire Union and to the cause of liberty itself, will surely be calmly and seriously considered, with the impartiality and wisdom that should characterize the conduct of statesmen, and with the manly independence of freemen; and it is therefore confidently believed that the action this body shall take upon this grave question will be worthy of the State of North Carolina.

For the reasons submitted in this Report, the Committee respectfully recommend the adoption of the following Resolution, to-wit:

Resolved, That the General Assembly of the State or North Carolina do not ratify the Amendment proposed as the fourteenth Article of the Constitution of the United States.

J. M. LEACH, Chairman.

The undersigned, a member of the Joint Select Committee on the "Howard Amendment," dissents from the report of the majorty of the committee, believing it would be to the interest of the State of North Carolina, considering all the circumstances, to ratify the Amendment proposed as the fourteenth Article to the Constitution of the United States. P. A. WILSON, of Forsyteh.

From the New York Post.

Surratt.

A despatch from the United States Consul at Alexandria asserts that John H. Surratt, believed to have been one of the chief agents of the conspiracy for the assassination of President Lincoln, and the other heads of our Government, has been captured. "There is no doubt of his identity," Mr. Hale telegraphs. Surratt will probably be sent home in a man-of-war, and will, we hope, be brought to a speedy and public trial.

Mr. Boutwell, of Massachusetts, who made himself somewhat notorious by the violence of his language in a caucus meeting during the last session of Congress, is reported to have said in the meeting of Saturday evening that he "intended to offer soon a resolution calling upon the President and Secretary of State for the correspondence on the subject of John H. Surratt. He said he had reason to believe that *during the search for John H. Surratt, his hiding place was known to the President, and that it was by the connivance of Andrew Johnson that the escape of Surratt was finally effected.*"

There is, we believe, no doubt of Surratt's guilt. Any one who has aided in the escape of a murderer becomes thereby an accessory after the fact, which is to be a partaker in the guilt, and subject to the same punishment as the chief criminal. If Mr. Boutwell knows Mr. Johnson to be thus guilty, it is his duty to the nation to expose him, not in a caucus meeting but by lodging his information before a court of justice.

If, on the contrary, he spoke on Saturday evening from the mere violence of party hatred, he committed an indecency which makes him unfit to sit in the House, and he ought to be promptly expelled. It is the duty of the House of Representatives, as soon as it meets, to call upon him for the proofs which alone can excuse and justify his gross language. If he cannot furnish them—if his "reason to believe" is discovered to be founded, as we suppose it will, upon the malicious gabble of a set of half-insane scandal-mongers, who have during the whole summer and fall busied themselves with whispering, to those who would listen to them, the most abusive and preposterous scandal about the President, then the House of Representatives will owe it to its own self-respect to expel Mr. Boutwell, and thus teach others that official position cannot shield vicious slanderers. The President of the United States is helpless against such attacks as that of Mr. Boutwell. If he were a private individual, he could bring a suit for libel and gross defamation of character against him, and any court in the land would decree exemplary punishment upon the slanderer.

REIGN OF TERROR.—We have just passed thro' several Eastern counties, and we are pained to be compelled to state, that a reign of terror now prevails through Greene, Pitt, Lenoir and Craven. That a band of robbers is now making a tour of those counties, cannot longer be doubted; and the proceedings are conducted with such utter disregard for life or property, that it is as much as a man's life is worth to travel after nightfall. Last Wednesday night, Mr. John Williams and a friend who was on a visit to Mr. W., was shot at, in Mr. W's. house, two miles from Snow Hill, and both wounded, when the robbers entered Mr. William's house, and rifled it of money, and goods to the amount of over one thousand dollars.

A gang of five, entered the house of a freeedman, named Arnold, a few nights since, in the lower edge of Pitt, aroused him, and compelled him, with a torch, to pilot them to where he kept his horses—three—which they bridled, and spirited away.—Arnold has the character of an honest, quiet, hard working man, and much sympathy is felt for him throughout the county.

The people are completely intimidated, and are afraid to express their disapprobation of such conduct, fearing that before another twelve hours, they too, may be shot and robbed.

In Kinston, on Saturday night, a young man of that place, was knocked down as he stepped out of the door and was in the act of locking it; but, giving the alarm, the villain fled, without accomplishing his fiendish intentions.

A couple of young men, on the same evening, in the same place, concluded to take a walk after tea, and were followed by three unknown men. Discovering that they were pursued, they turned and demanded an explanation, at the same time drawing their revolvers. The pursuing party retreated in haste, and could not be identified.

Goldsboro' News, Dec. 4.

"Ecce Homo" is said to have been put on the index of prohibited books at Rome.

From the American Farmer for December.

FARM WORK FOR THE MONTH.

The work to be done now, is chiefly that of closing up the fall labors, and only a few points of interest need be noted.

CORN.

Let the corn be got in with all despatch, as there is now continued loss and waste. Be sure that a correct account is kept of the quantity put away, and of every several parcel, if put in different places. Note also the quantities fed to different kinds of fattening stock. See that the fodder is well secured, and fed without waste.

TOBACCO.

It is sometimes, we find, advised, that no tobacco be stripped before January, but every suitable "season" should, we think, be availed of, so as not to have the work run into the spring. Much of the value of the crop depends upon the manner in which it is handled in stripping. The sorting of the qualities, pressing the bundles into the shape they should have in all the after handling, neatness and order in laying the bulks, and watchfulness to prevent heating and discoloring in the bulk, are all points which well demand attention. The stalks make valuable manure when well preserved, and should not be exposed to rains which wash off the gum on the outside.

PLOUGHING.

The ploughing of stiff lands may be properly continued in any good weather when the ground is in order.

STOCK.

Stock of all sorts, now in the yards, need much more careful looking after by the master than when they take care of themselves in the field. If they come into the yards in good condition, they should be kept so, and not allowed to fall off by degrees in flesh, till spring finds them poor. Good shelter, sound, nutritious food, and a sufficient supply of water above the freezing point, should all be duly provided.—Above all keep them from tramping through mud and mire.

HORSES, MULES AND OXEN.

Those having work to do should have especial care. It is not enough that they are well supplied with food. Ample stable room, clean bedding, and a free use of curry comb and brush, and rubbing dry, and cleaning their feet and legs, always after the day's work. Working oxen must have a feeding apartment to themselves. They would be more valuable workers if more care were bestowed upon them. It is true that they may consume always coarser food than horses, but something of the same care that horses get, especially in the busy, working season, would make them little less valuable for the plough than they now are for slow, heavy draft.

CALVES.

Keep calves in roomy pens, with shelter, and let no older cattle have the opportunity of mastering them. Feed them with best hay or corn fodder and bran. They do very well if kept in the sheep pens.

COWS.

Cows giving milk require, of course, something more than dry provender. Bran and meal mixed, and a half bushel a day of sugar beet, or ruta baga, is the best extra food for them.

SHEEP.

Sheep do better in all ordinary winter weather if allowed to range at will in a dry pasture, but shelter should be provided for bad weather, and troughs for feeding oats and bran.

HOGS.

Pen hogs should be now fat enough to kill. Keep breeding sows, and other store hogs in good condition through the winter. Good shelter and dry beds will economize food.

MANURE.

The great mass of manure which may be made from the waste of the farm would be now a matter of special interest. Whatever material you can command should be now gathered and put through the process of preparation for use. Let it be used as an absorbent for the yards as far as may be required, or made into compost, or hauled direct to the land as a top-dressing. Beyond the needs of the stock for bedding, and as absorbents of the moistures of the yards, there is no need to accumulate straw and coarse material in the yards. Much labor may be saved by hauling directly to the field, all that may not be so needed, and time gained by spreading at once on the ground.

In the Alabama State Legislature, on the 19th inst., a bill was passed providing for the appointment of a Judge of the Probate Court of Mobile county, who is to act until Admiral Semmes or his successor is or may be permitted or enabled to discharge the duties of that office. It will be remembered that Admiral Semmes was appointed Probate Judge some time since, but was not allowed to serve by the United States military authorities on account of not having received the pardon of the Executive.

Judge Wm. Kennon has entered suit in the Jefferson county (Ohio) Court, against the Baltimore and Ohio Railroad Company, for the sum of $10,000, alleged to be due for professional services. The case has been removed to the Cincinnati Court of the United States.

This conundrum is old, but is bad enough to be rather good: "Why is a beggar with his toes out of his shoes like the King of Prussia? Because the King of Prussia issues manifestoes, and a poor beggar has manifest toes to his shoes."

Judah P. Benjamin is writing articles on America for the London *Telegraph*.

State of North Carolina,

BLADEN COUNTY.

Court of Pleas and Quarter Sessions—November Term 1866.

J. W. Purdie vs. Dan'l H. Seamons. } Original Attachment.

ON MOTION, it is ordered by the Court, that publication be made for six weeks in the Wilmington Journal, a newspaper published in the city of Wilmington, for the defendant to appear at the Court house in Elizabethtown, on the first Monday in February, 1867, and replevy or plead to issue, or judgment by default will be rendered against him.

Attest, D. BLUE,
Clerk of the County Court of Bladen.

Dec. 6 [prv. ad., $15] 44—6w

State of North Carolina,

COLUMBUS COUNTY.

Court of Pleas and Quarter Sessions—August Term, 1866.

Adam Empie vs. James O. Barefoot. } Original Attachment.

ON MOTION, it is ordered by the Court, that publication be made for six weeks in the Wilmington Journal, a newspaper published in the city of Wilmington, for the defendant to appear at this Court, on the second Monday in February, 1867, and replevy or plead to issue, or judgment by default will be rendered against him.

Teste, D. P. HAIGH,
Clerk County Court for Columbus County.

Nov. 23 [Pr. Adv. $15] 42-6t