

THE INJUNCTION CASE. DECISION OF THE SUPREME COURT. THE INJUNCTION SUSTAINED.

MANY THOUSANDS OF DOLLARS SAVED TO THE STATE.

The following telegram was received at this office yesterday afternoon: "RALEIGH, N. C., Feb. 19, 1869.

"Editors Journal: The Supreme Court decides adversely to the Chatham Railroad. The injunction is sustained. This is an important decision and has been looked forward to with great interest for some months. The decision of the Court is in accordance with the Constitution of the State. It saves to the State many hundreds of thousands of dollars, and it affords us much pleasure to record the fact here in these columns. We believe this paper was the first to denounce the issuing of the bonds of the State to the Chatham Railroad, and we rejoice that our efforts have been seconded by this decision of the highest tribunal in the State, and the people thus relieved of an immense debt and heavy annual taxation.

We may have more to say in regard to this matter hereafter.

General Grant's Letter of Acceptance.

The general and prevailing opinion of all newspaper men, reasonably deduced from his recent speech, which we published yesterday, that General Grant means to be guided by his impressions of the general welfare, independent of all party views and dictation, has suddenly and singularly been thrown to the ground by no less a personage than General Grant himself. Though many might have been opposed in politics, yet none could fail to admire the bold and determined policy foreshadowed in that speech. It truly must have created in Washington, as the New York Times said, "a feeling akin to consternation among certain classes of Washington politicians," and we agree that it was "well calculated to do so," and that it really seemed the speech of a man who did not intend "to be governed in his administration by the interest of political parties or the wishes of party leaders, but by his own ideas of what the public welfare requires."

And it was easy for us to believe the truth of the statement contained in a Washington letter, that "Senators who pretty well represent the general average of the Senate declared on Saturday that the speech was the most direct snub upon all the leaders of the Republican party."

But, alas for human resolution—its very strength seems but the embodiment of weakness. General Grant, so to speak, could not "stand the pressure" and has "caved." The exasperation of Republican Congressmen and their muttered threats of opposition have told upon him. We find him no longer the bold advocate of a determined policy for the public good; the obstinate officer who defied the opposition of friends and foes; but the weak, vacillating party slave who bends the knee to power and courts the flatteries and support of the oppressors of right and upholders of wrong. He conveys to them his assurance that he is with them by adopting the very unusual, and so far as we are aware, unexampled course of sending to Congress a letter of acceptance. The shock of party at his first resistance has met and unburied him; he is borne down beneath its vile assault and, full in the sight of the eminence to which we thought he had attained, he seeks to conciliate them by assurances that they will have no cause to regret that they have elected him. Weak, pitiable sight; poor, valiant hero; hail him no more as the advocate of right; but the vanquished opposer of "party supremacy" and "party expediency!"

General Grant was not elected by Congress, but by a body of Electors from whom all members of Congress are excluded by the Constitution. The Electoral College had discharged their duty of voting, made out and transmitted certificates of their votes and immediately dissolved and had no longer any existence. Surely, as there is no organized body from whom the President received his election, there is none to whom he could with any possible propriety address a letter of acceptance. All formal acceptance by a new President was at a very early period dispensed with by a law of Congress, by providing that nothing short of a written instrument deposited with the Secretary of State should be considered as a refusal. Yet General Grant sends his letter of acceptance to Congress, assuring them and the Republican party, to avoid a more destructive clash of the political hubbub, that he does not mean to cut loose from them as he at first intimated. His letter is short and in the following words:

GENTLEMEN: Please notify the two Houses of Congress of my acceptance of the important trust which you have just notified me of, my election as President of the United States, and say to them that it will be my endeavor that they shall know who elected them shall have no cause to regret their action.

To avoid the appearance of singularity, Mr. COLfax has also written a letter, but having no distrust or dissatisfaction to remove, his letter is utterly insignificant and there is no promise to meet the expectations of the Republican party. The strength of the Radical party will assert itself wherever it can find tools to yield a ready obedience to its commands; and this almost obtrusive complaisance of General Grant's plainly announces his renunciation of the bold position of independence he so recently assumed by assuring Congress and the Republican party that he is most limply subservient to their wishes.

Gold Contracts Valid

In another column will be found some extracts from, and comments on the press upon, the late decision of the Supreme Court of the United States, delivered by Chief Justice Chase, on the 15th instant, reversing the decision of the New York Court of Appeals, in the case of Bronson vs. Rhodes. In this case the New York Court had decided that a contract specifi-

cally payable in gold was satisfied by the tender of United States notes. The Supreme Court puts this question finally at rest by deciding that where a party engages to pay gold, he will be held to fulfill his engagement; that the existing laws authorize two kinds of currency, gold when gold is expressly stipulated, and legal-tender notes when nothing is said in the contract about the medium of payment. This decision proclaims to the country that citizens are just as free to make gold the basis of all their money bargains as to continue transactions in legal-tender notes.

The Cuban Insurrection.

The latest advices received from Cuba ascribe to the insurrection in that island the most formidable proportions. From every part of the country the government continues to receive intelligence of uprisings and the gathering in force of insurgents. The greatest terror prevails, notwithstanding that Captain General Dulce still continues active measures for the suppression of the rebellion. Distrust and suspicion rests upon almost every one, and the order permitting citizens to carry arms has been revoked and they are required within the space of four days to deliver up all arms in their possession to the government. In the Cuzco mountains two thousand men are said to be waiting the signal for revolt, and in the district of Caloa a large body of insurgents have appeared under the leadership of Col. Melan, a Mexican officer. In Trinidad, Matanzas, Nuevitas, Puerto Principe and everywhere the revolt seems general. In the latter place provisions are scarce and the inhabitants are threatened with famine. The principal American residents at Cienfuegos applied for a war vessel for their protection, but they were answered that one could not be sent them at present. The city of Havana is practically in a state of siege, but Captain General Dulce seems disinclined to declare it so at present. The greatest consternation prevails, and Cubans are applying daily to take refuge on board the flag-ship Comstock. Admiral Hoff has consented to take American residents to Key West. All work on estates has ceased, and plantation hands have fled panic-stricken. The negroes are now wandering about the country without restraint.

From this fearful situation of affairs in that productive island, of which we have given the above synopsis from the latest advices received, much harm will result if the revolution is not speedily checked. Politically it is but a natural consequence of the troubles in the mother country, Spain. But we, as Americans, are deeply interested in the restoration of order. The Cubans may be right in their revolt or they may be wrong—this does not concern us greatly—but it is much to our interest that order be soon restored. What a terrible state of things is this to exist in a country upon which we so greatly depend for those tropical products necessary to us daily in our home consumption. The price of sugar will be greatly affected, and money will be lost and made, but, after all, the people will suffer. With the productive Cuban plantations inactive, the negroes roaming about the island at will and in idleness, it is not surprising that sugar will be subject to an enormous increase in price.

But this should teach the people of this country a greater and more wholesome lesson than they have seemed inclined to receive. Let them depend more upon themselves for their sugar. Let them work what sugar plantations they have to their utmost capacity, and open new plantations. Too much dependence has heretofore been placed upon the importation of this article and too little attention paid to its home production. Our country is fully capacitated for the task, but her people are disinclined to work in their own interest. Let the Cuban insurrection, no matter how it may end, teach us a valuable lesson for the future.

Economy in the Administration.

Congress has raised the hypocritical cry of economy in the administration, which we find re-echoed by their President elect in the bold speech from which he a few days afterwards completely and shamefully backed down. This cry is so flimsy and ridiculous that the risibilities of even Congress' own adherents are excited. It would be hard for us to believe the assertion that the expenses will be reduced, even if backed by more important measures towards that end than they have passed or are now considering. Economy in the administration with such a debt hanging over the people and daily on the increase, they know is devoutly desired, and while they sing aloud this song the Representatives of the people are surely and steadily increasing the burden.

They have done a great thing recently, and have reduced the expenses of the Patent Office, they say, in the enormous amount of \$10,000 per annum, and another thousand dollars has been saved by lopping off the outlay for paper in the Reporters' Gallery. And here ends all that has been done in the way of that great measure, "economy." The great debt of three thousand millions surely will not be paid off in the next decade by any such measures or those in contemplation.

But when a real serious measure is proposed, with what a reception does it meet. It is known, says a Washington correspondent, that the public debt is on the increase at the rate, in round numbers, of ten millions per month. Yet when the army appropriation bill came up in Congress and a proposition was made to reduce the army to twenty-five thousand rank and file and sufficiently officered, it was met by a storm of opposition. Even Butler's resolution abolishing the office of General of the army, after barely passing by one majority, was defeated by a subsequent resolution. This last cannot be viewed otherwise than as a negative reduction. It distinctly leaves the army as it is and places all reduction in the hand of time, merely deciding that no commissions shall be issued and no promotions made until the army has decreased to a certain number. It is, in short, but a determination that there shall be no increase.

Now, what does this action portend. It is a school and Revenue bills are still the leading subjects of legislation, the former is represented to be abominably and infamously odious in many of its details. It is the unmitigated production of a rank and odious Puritanism, and smells of God Fish and the pigge through-out. Not the least obnoxious of its features is that which gives to Ashley the exclusive power to select all text books used in the schools. What a flood-gate of infidel fanaticism and all other isms will be opened upon us!

Your distinguished fellow-citizen, Edgar Miller, who beams himself by waiting upon French, Bates, Ashworth, Joe Holden, &c., &c., in the capacity of doorknocker, is in bad odor with the "old" who treat "To what base uses" may even Edgar Miller out! Chicken Gunter, on yesterday, introduced a resolution to expel him for multifarious offences—the chief being that, a day or two since, when Parson Sinclair was speaking, this ebony pet of the Governor's, not relishing the Parson's line of argument, actually colored him with a view to enforcing silence! Shades of the past, what have we come to?

The remains of Senator Rich left this city, on Wednesday morning, under a Legislative escort of two from each House, for the late home of the deceased in Vermont. Mr. R., I believe, was generally regarded as, next to Senator Sweet, the most liberal and kindly man among those known as carpet-baggers, and therefore I respect him for the good qualities which he possessed. But what a spectacle—a Representative, dying at the seat of government of North Carolina, should be sent to New England for burial at the expense of the State!

OUR RALEIGH CORRESPONDENCE.

The Supreme Court, the "Governor," old man Adams and the Marshal—What the Reverend George Washington Welker says. The Secretary of State and his \$1,500 Piano. The Supreme Court and the Chatham Railroad Appropriation (white mark N. 1). The Supreme Court and a County Solicitor (white mark No. 2).—Ed. Miller Collaps. Parson Sinclair and attempts to force him into his seat: Gunter introduces a series of Preambles and one Resolution to expel Miller. The School and Revenue Bills—Cod Fish and the "rebillion." The Remains of Senator Rich, of Vermont.

RALEIGH, Feb. 19th, 1869.

Dear Journal:—The late disgraceful occurrences in the Capitol, wherein the Supreme Court, our profane Governor, old man Adams and the Marshal figured, have ceased to be the theme of conversation, much less of wonder. The disposition which has finally been made of the whole matter seems to be this: The Chief Justice and the Court have abated their wrath against the Marshal for failing to jug the Auditor; the Legislature, virtually endorsing, by their action on the summary report of the Court ejected old man Adams ("serred him right"), have directed the Governor to find quarters for him elsewhere; and the Governor is mighty sorry for his passion and his profanity.

I have said that this disgraceful affair has ceased to excite comment or surprise. The truth is that the painful, glaring and disgusting illustrations of Radical rule and mongrel reconstruction follow each other in such rapid succession, that chagrin and astonishment at one development are hardly aroused ere they are compelled to give place to some fresh and keener mortification. The Reverend George Washington Welker, who, notwithstanding his technical prefix, is not regarded as a pattern of sanctity, publicly declared on the floor of the Senate, a day or two since, that it would seem that the time had arrived when the Legislature would have all its time occupied in investigating charges against public officers. What a sentences and pungent, though, perhaps, unwelcome, commentary upon the state of things which now afflicts us, as the result of "loil" reconstruction. If one half of these Radical officials, elected by the negroes, were arraigned upon one half the charges that might be preferred against them, the Legislature would have no time to consider aglet else than the corruptions of the "Bing" and the debauchery and open drunkenness of one or two Judges and the Attorney General, the shameful exhibitions of Legislators and the numberless penaltions of other public functionaries. If ever there was a time when the declaration put into the mouth of Cato, by Addison, that

"The post of honor is the private station," was verified, that time is now.

By the way, the immediate occasion of this slashing criticism of the pious Welker was amusing—being nothing less than the insinuation by Wynne, a Radical Senator, that the carpet-bagger Senator declared bankrupt—had lined his pockets so effectually by official filching that he was able to invest his super-abundant cash in a \$1,500 Piano for his wife! Vance once said, in one of his inimitable epigrams, that carried off for him in Washington City, that the man in the moon held his nose while passing over it. Raleigh is, doubtless, equally distasteful to the lunar Periapatite.

It is semi-officially, and, you may rely upon it, accurately, ascertained to-day, that the decision of the Supreme Court is ready for delivery, and that it is unanimously adverse to the Chatham Railroad appropriation. Of course, all other appropriations, in *simili casu*, fall to the ground, but even then a sufficient load of indebtedness is left to vex the weary shoulders of our people for many hard years to come. Even the devil should have his due, and this political coat deserves one white mark for its just and proper decision in the premises. Let it not be supposed, however, that the active and shrewd manipulators of this temporarily frustrated scheme will "give it up." Means of some sort or other, and various expedients will be devised to circumvent the difficulties by which the project is beset; meanwhile, Mr. Barnett introduced a bill in the House, proposing to submit to the people all of these various understood-to-be-defeated appropriations.

White mark No. 2: The Supreme Court have also decided that a County Solicitor is not an office within the meaning of the law of the State. They will report, as elected Solicitor in the Twelfth Judicial District, was not allowed by the so-called Judge thereof to qualify, on the ground that, having been a Solicitor before the war, and afterwards participated in "the rebellion," he was banned by the Fourteenth Article. Mr. Tate applied to the Supreme Court for a writ of *ad damnum* to compel the Judge to qualify him, which the Court grants in the decision referred to. Meanwhile Holden had appointed, with his usual insolent and malignant disregard of public and private rights, one Henry as Solicitor for the District.—Henry's career as Holden's Solicitor is short-lived.

"If so soon I am done for, Wonder what I was begun for!"

The School and Revenue bills are still the leading subjects of legislation, the former is represented to be abominably and infamously odious in many of its details. It is the unmitigated production of a rank and odious Puritanism, and smells of God Fish and the pigge through-out. Not the least obnoxious of its features is that which gives to Ashley the exclusive power to select all text books used in the schools. What a flood-gate of infidel fanaticism and all other isms will be opened upon us!

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CUBA.

The Minister from Spain to the United States—Engagements between Troops and Insurgents near Cienfuegos—More Troops Expected from Spain.—The Spanish Parson Confident that the Rebellion will be Put Down.—Arrest of Suspected Persons—Emigration of Cubans, &c.

HAVANA, February 18. M. Roberts, Minister of Spain to the United States, who arrived here yesterday from Cadix, will leave for Washington on the next steamer.

Engagements between rebels and troops are reported in the vicinity of Cienfuegos, but they are represented to be mere skirmishes, without important results. Two thousand troops are expected to move from Spain to the United States. The Spanish party appear to be confident that the rebellion will be put down. The authorities are filling the prisons with suspected parties. Emigration of Cubans from the Island is increasing. Several fugitives have been chartered and armed by the government, and are now cruising along the shore to intercept the landing of parties. Col. Lono arrived here yesterday with Senor Udeata, a Spanish official of high rank, as a prisoner.

All Cuban Ports where there are no Custom Houses to be Closed—Arrival of Recaptured Spaniards at Havana.

New York, February 18. The Herald's Havana special says: Captain General Dulce has issued a decree under which all Cuban ports where there are no custom houses are to be closed. Twenty recaptured Spaniards have arrived here, including Adalta, ex-Governor of Bayamo, and nephew to ex-Captain General Lersundi. Col. Quiros has arrived at Jiqueno from Santiago, having fought his way the whole distance. Count Valmesada is at Jiquaro. The insurgent chiefs are constantly on the move.

A dispatch from Sagua says there is no sugar in that market, and that the insurgents had burned the railroad at La Cruz. Several vessels from Llanitania state that three vessels have cleared for New York. The presence of the insurrection reduces the crop 20,000 hogsheads, and no tobacco can be produced.

FIJI WASHINGTON.

Special Dispatch to the Baltimore Sun. The Alabama Claims Treaty—Adverse Action of the Senate—An Act to Amend the Act for the River and Harbor Bill—Preserve for Partons.—The India Rubber National Banking Bill, &c.

WASHINGTON, Feb. 18.—A special session of the Senate foreign affairs committee was held to-day for the purpose of taking final action on the Alabama claims treaty. Senator Sumner stated his objection to the treaty, and that it was rejected by the government of the United States virtually surrendered every important principle laid down by Mr. Adams as the basis of settlement of pending issues between the two governments. The other members of the committee, excepting Senator Bayard, maintained similar views, and when the vote was taken it stood 6 to 1 in favor of making an adverse report.

When the question comes up in the Senate for consideration it will give rise to considerable debate, as the debate, as a number of Republicans, as well as Democrats, who will favor its ratification; but it will be impossible to overcome the vote of the committee. As soon as the action of the committee was known outside of the room it was communicated to Secretary Seward, who immediately telegraphed to Secretary Bayard Johnson, with instructions to communicate it to the British ministry. The river and harbor bill, which was recommended to the Senate committee on commerce, was under consideration to-day by that committee. They will report it back with a few amendments, with the understanding that there is but a slight hope of getting action on it at this session.

A heavy pressure is brought to bear upon the President from all quarters by the friends of the President and the friends of the government to obtain pardons. Although freely disposed to exercise executive clemency in all deserving cases, the President gives to each a careful and critical examination. The application for the pardon of Col. Ewing, of New York, for application in regard to revenue frauds, was rejected by the President to-day.

The House had a lively time to-day over the so-called India rubber elastic national banking bill, which everybody thought was decently laid out yesterday. Mr. Wood, of New York, demanded the previous question on his motion to reconsider the vote which laid the bill on the table, and to lay the motion to reconsider on the table, which was not sustained. The bill was taken up and recommitted, was reported back, and after some further parliamentary skirmishing, the first, second and third sections and Coburn's amendment for the redistribution of the currency, were adopted and the bill passed. The success of the Coburn amendment is regarded as a triumph for the West, and South over their powerful financial rivals of the East and Middle States. The impression prevails that this measure will meet the approval of the Senate, as the same interests which carried it through the House are proportionately strong in the Senate.

President Johnson Going to Europe.

The New York Times makes the following announcement: "We have good authority for stating that President Johnson intends, shortly after he goes out to office, to make a tour of Europe, in the passage was lately made him by one of the German lines of steamers, and the offer was accepted by Mr. Johnson. His purpose, immediately after the 4th of March, to make a brief visit to Tennessee, with a view of arranging his affairs, and he will sail for Europe about the 1st of April."

Louisville presents saloon keepers for permitting boys to play billiards.

Decision of the Supreme Court on Coin Contracts.

The decision of the Supreme Court of the United States in the case of Bronson against Rhodes, to the effect that contracts to pay coin can only be discharged with coin, naturally attracts considerable attention and comment. Certainly, nothing can be more sensible than that a man who has specially agreed to pay so many dollars in gold should be made to pay them in gold, and not be allowed to put off his creditor with paper worth only three-quarters as much as gold. Yet some of the press seem to be under the impression that whereas the particular contract on which the suit was based was made before the legal-tender act was passed, the decision includes only contracts of that description. It is true that Judge Davis, in the opinion of the court was delivered, said:

I assent to the result which a majority of the court has arrived at, that an express contract to pay coin of the United States made before the act of February 25, 1862, cannot be discharged by legal tender, even within the clause of that act which makes treasury notes a legal-tender in payment of debt. But I think it proper to guard against all possibility of misapprehension by stating that if there be any reasoning in the opinion of the majority which can be applicable to any other class of contracts, it does not receive my assent.

But no other of the assenting judges took this view, and there was no dissenting opinion except that of Judge Miller, and the New York Herald says: "It was the opinion of the majority of the court that all contracts stipulating payment in gold, whether prior to the legal-tender act or subsequent to it, are valid in law. Not only does the whole reasoning of the court support this conclusion, but it is impossible to imagine a line of argument which would uphold the validity of previous gold contracts that would not apply with equal force to contracts made subsequent to the passage of the act. Nobody has ever contended that contracts made before the legal-tender act were in its operation. The act itself makes no distinction between past and future debts, nor has such a distinction ever been made by any Court, State or Federal, in its dispositions of it. The very fact that the contract in each of the present cases was rendered was made before the war, strengthens instead of invalidating the conclusion that it applies to all cases of the same kind. For, what is the fact on which the decision is grounded? Why, the fact of a specific contract. It is this fact of a contract which separates the case from a great mass of debts incurred before the legal-tender act was in existence, and which is assigned by the court as the sole basis of its decision. All other previous debts are left by this decision as capable of being legally discharged by the tender of United States notes, which demonstrates that the retrospective operation of the law was in no way considered in the decision. The following extract from the opinion of the court will bear perusal, as proving, beyond all doubt, the ample scope of the decision.

"A contract to pay a certain number of dollars in gold and silver coins is, in legal import, nothing else than an agreement to deliver a certain weight of standard gold to be ascertained by a count of coins, each of which is certified to contain a definite proportion of the weight of standard gold, as we think, in principle from a count of bullion by assay and the scales, while in the case of coin it may be ascertained by the count."

After some further argument on this point the court says it does not think it necessary to examine the question whether the contract in the present case, for the United States notes a legal tender, are warranted by the constitution in this case; but it proceeds to inquire whether, upon the assumption that those clauses are so warranted, and upon the further assumption that the contract to pay coins in dollars may be regarded as ordinary contracts to pay money rather than as contracts to deliver certain amounts of standard gold, it can be maintained that a contract to pay coined money may be satisfied by a tender of United States notes. Is this a performance of the contract within the true intent of the act?

It must be observed that the laws of the coinage of gold and silver have never been repealed or modified; they remain on the statute book in full force, and the coin of gold and silver coin from the mint continues, the actual coinage during the last fiscal year having exceeded, according to the report of the director of the mint, \$19,000,000; nor have those provisions of the law which make these coins a legal tender in all payments been repealed or modified. It follows, therefore, that two descriptions of money in use at the time the tender under consideration was made, both authorized by law, and both made legal tender in payments. The general prohibition of both descriptions was "abolished" by the legal-tender act, but it is in nature. The coined dollar, as we have seen, is a piece of gold or silver of a prescribed degree of purity, weighing a prescribed number of grains; the note dollar was a promise to pay a coin dollar, but it was not to be paid in coin, nor was it in fact convertible into a coin dollar.

It is impossible, in the nature of things, that these two dollars should be the actual equivalents of each other; nor was there anything in the currency acts purporting to make them such. How far they were at that time from being actually equivalents has been already stated. If, then, the press provision to the contrary be found in the acts of Congress, it is a just, if not a necessary inference, from the fact that both descriptions of money were issued by the same government, that contracts to pay in either were equally satisfied by the tender of either. It is indeed difficult to see how any question can be made on this point. Doubt concerning it can only spring from that confusion of ideas which always attends the introduction of varying and uncertain measures of value into circulation as money. The several statements relating to money and legal tender must be construed together. Let it be supposed, then, that the statutes providing for the coinage of gold and silver dollars are found among the statutes of the same Congress which enacted the laws for the fabrication of notes, and that the laws for the coinage and note acts respectively make coin dollars and note dollars a legal tender in all payments, as they actually do.

What reason can be assigned for saying that a contract to pay coin dollars must be satisfied by a tender of an equal number of note dollars, which is not equally valid for saying that a contract to pay note dollars must be satisfied by a tender of an equal number of coin dollars. It is not easy to see how difficulties of this sort can be avoided, except by the admission that the tender must be according to the terms of the contract. But we are not left to gather the intent of the currency acts from mere comparison with the coinage acts. The currency acts themselves provide for payment in coin. Duties on imports must be paid in coin, and interest on the public debt, in the absence of other express provisions, must be paid in coin; and it hardly requires argument to prove that this positive requirement cannot be fulfilled if contracts between individuals to pay coin dollars be satisfied in note dollars. The merchants who is to pay duties in coin must attend for

the coin which he requires. The bank which received the coin on deposit contracts to pay the coin on demand. The messenger who is sent to the bank or the custom-house contracts to pay or deliver the coin according to his instructions. These are all contracts, either expressed or implied, to pay coin. It is not plain that duties cannot be paid in coin if these contracts cannot be enforced! An instructive illustration may be derived from another provision of the same act. It is expressly provided that all dues to the government, except for duties on imports, may be paid in United States notes. If, then, the government, needing more coin than can be collected from duties, contracts with some bank or individual for the needed amount, to be paid on a certain day, can this contract for coin be performed by the tender of an equal amount in note dollars? Undoubtedly it may, if the note dollars are a legal tender to the government for all dues except duties on imports; and yet a contract which would support such a transaction, would defeat a very important intent of the act.

Another illustration no less instructive, may be found in the contracts of the government with depositors of bullion at the mint to pay them the ascertained value of their deposits in coin. There are demands against the government other than for interest on the public debt, and the letter of the act certainly makes United States notes payable for all demands against the government, except such interest. But can any such construction of the act be maintained, can judicial sanction be given to a proposition that the government may discharge its obligation to the depositors of bullion by tendering them a number of note dollars equal to the number of coined dollars which the mint is to pay them for the bullion? We need not pursue the subject further. It seems to us clear, beyond controversy, that the act must receive the reasonable construction, not only warranted, but required, by the comparison of its provisions with the provisions of the act which relate to duties, and that upon such reasonable construction it must be held to sustain the proposition that express contracts to pay coin dollars can only be satisfied by the payment of coin dollars. These are not debts which can be satisfied by the tender of United States notes. It follows that the tender of such notes in payment of the bond under consideration was not warranted in law, and the decree directing satisfaction of the mortgage was erroneous.

In view of the passages which we have distinguished by a different type, the idea that the decision does not apply to all contracts to pay gold, past, present and future—post-greenbacks as well as pre-greenback—is not merely preposterous, but ridiculous.

STATE NEWS.

MEETING OF THE STOCKHOLDERS OF THE A. T. & O. RAILROAD.—From the Charlotte Times we learn that a meeting of the Stockholders of this road was held in that city on Tuesday last. The session was harmonious, and the amended charter, granting authority to the Board of Directors to issue five million dollars, was unanimously adopted. The old Board of Directors was re-elected. Col. Wm. Johnston tendered his resignation as President, but this was declined. The Times says it is the intention to push this road through the mountains to Jonesboro, Tenn., and connect it eventually with the great valleys of the Cumberland and Mississippi.

SUSPICIOUS CHARACTERS.—Sheriff Howell, of Robeson county, informs us that he arrested two suspicious characters last week, who gave their names as Jacob Fowler and W. P. Prince. When first seen they had two horses, but disposed of them before arrest.—Raleigh Standard.

THREE TIMES A WEEK AGAIN.—The "Silver Wave," in consequence of the heavy freight which is passing over its line, has been compelled to resume her trips three times a week, running as before, leaving here Mondays, Wednesdays and Fridays, and returning on the intervening days.—This is better news than was expected for this season of the year.

AN OLD CITIZEN OF NORTHAMPTON COUNTY GONE.—We learn that Mr. Wm. Miles, a citizen of Northampton, some ninety odd years of age, died a few days since. Mr. M. was, we believe, a native of Virginia.

DEAD.—Jackson, the negro man who, in a fainting fit, fell into the fire on Saturday night last, has since died from the effects of the injuries sustained by him. We learn that the man had been burned in a similar manner, but not at several, four or five times before.—Newbern Jour. of Com.

SUPREME COURT OPINIONS.—The following opinions have been delivered: By Pearson, C. J., in Gibson vs. Smith, from Cabarrus, no error, judgment affirmed. In Scott vs. Elliott, from Chatham, *reversé de novo*. By Beale, J., in McKesson vs. Bynum, from Burke, no error. In Esterson vs. Dixon, from Cleveland, demurrer overruled.

By Rodman, J., in Blankinship vs. Mahon, from Vance, error. In Woodman vs. Davis, remanded. By Alexander, judgment affirmed. In Morrison vs. Cornelius, from Iredell, judgment affirmed so far as appealed from by plaintiff, judgment reversed and *reversé de novo*, so far as appealed from by defendant.

By Smith, J., in Shipp vs. Heltrick, from Burke, no error. In Esterson vs. Dixon, from Cleveland, demurrer overruled. In Scott vs. Elliott, from Chatham, *reversé de novo*. By Rodman, J., in Blankinship vs. Mahon, from Vance, error. In Woodman vs. Davis, remanded. By Alexander, judgment affirmed. In Morrison vs. Cornelius, from Iredell, judgment affirmed so far as appealed from by plaintiff, judgment reversed and *reversé de novo*, so far as appealed from by defendant.

At Work.—The cheering intelligence continues to reach us from all sections of the country surrounding us that the farmers are embracing the advantages which the splendid weather of the past month has afforded them. The blacks have, we understand, quite generally gone to work, an indication we hope of reason on their part. —Weldon News.

MEDICAL SOCIETY.—Owing to the fact that no quorum was present Wednesday evening, the business of the Medical Society was postponed until yesterday afternoon. The following synopsis of the proceedings have been handed us: WILMINGTON, N. C., Feb. 18, 1869. The New Hampshire Medical Society met in the City Court room, 2 o'clock, P. M. The Society was called to order, and the minutes of the last meeting read and approved. Reports of various Committees were made, and new Committees appointed to report at the next meeting.

Dr. Percoll read an able essay on Paralysis, as viewed in connection with the whole nervous system. Upon motion, the thanks of the Society were tendered Dr. P., and a copy of the essay was directed to be filed in archives of the Society. Some miscellaneous and unfinished business being transacted, the Society adjourned to meet the third Wednesday night in March.

W. J. H. BELMONT, M. D., Secy.

LATER FROM EUROPE.

Formal Opening of the British Parliament.—Speech of the Queen.—The War in South America.—End of the Conflict.—Spanish Forces for Cuba.

GREAT BRITAIN. LONDON, Feb. 16.—The formal opening of the new Parliament, postponed last year in consequence of the resignation of the Disraeli ministry, took place this afternoon. The members of the House of Commons were summoned to attend at the bar of the Chamber of Peers to hear the royal speech. The Queen was not present, but her Majesty's speech was delivered by royal command by the Lord Chancellor. The speech is in substance as follows: "That the relations of Great Britain with all foreign powers are at present on an excellent footing. The hostilities which threatened to break out in the East have been prevented by a conference of the great powers at Paris. The hope is expressed that the negotiations with the United States will place on a firm and durable basis the friendship which should exist between England and America. The disturbances in New Zealand are to be regretted; but the Queen is sure that prudence and moderation on the part of the government will prevent a recurrence of such unhappy events. The estimates which will be laid before the House of Commons by the ministers are framed on the basis of economy, coupled with efficiency in the administration of the service. The continued suppression of the operation of the writ of habeas corpus in Ireland is regarded as unnecessary. "The ecclesiastical arrangements for Ireland are to be considered by Parliament, and the legislation for their final adjustment will make large demands upon the wisdom of both houses on this subject."

The Queen concludes as follows: "I am persuaded that careful regard will be had to the interests involved and to the welfare of religion, and that through the application of the principles of equal justice to the question before them, Parliament will secure the universal feelings of the people of Ireland on the side of loyalty and law, and efface the memory of past contentions, and cherish the sympathies of an affectionate people."

THE PARAGUAYAN WAR. LONDON, Feb. 16.—Accounts of the state of affairs in Paraguay have been received from both sides, and are, as usual, contradictory. The British and the other war is ended, as their forces now permanently occupy Asuncion, and the inhabitants who, on their approach, by order of Lopez, fled to the interior, are returning to their homes. It is positively stated that President Lopez has abandoned the country and gone to Bolivia. On the other hand, accounts from Paraguayan sources represent that the army of Lopez, after the battles of Villata and Angostura, retired in comparatively good order, and is still capable of making formidable resistance. The Paraguayan authorities are preserving their independence and autonomy, and losses on violent dissensions which they say have broken out among the generals of the allied troops.

MADRID, Feb. 16.—Popular demonstrations have again been made in favor of the freedom of religion, and also for the abolition of capital punishment. The people gathered in the streets of Valladolid yesterday, and protested against the military conscription.

MORE TROOPS FOR CUBA. CADIZ, Feb. 16.—Active preparations are going on for the immediate embarkation of six thousand more troops for Cuba. Don Escobedo will go out with the reinforcements, and will have instructions from the provisional government.

ITALY AND MEXICO. FLORENCE, Feb. 16.—Complete diplomatic relations between Italy and the republic of Mexico will soon be restored.

Correspondence of the Baltimore Sun. The Lincoln Assassination.—Mr. Maynard and Mr. Corcoran Kneel a False Accusation. WASHINGTON, February 17, 1869.—The Senate committee on the District of Columbia was in session for some two hours this morning, in consideration of the claim of W. J. Corcoran, Esq. Senator Maynard, who has always handled a copy of the testimony of the witness Brewer, made quite an address to the committee. He denied that he had ever made any such remarks in reference to Mr. Lincoln as had been attributed to him. For Mr. Lincoln personally he had always entertained the kindest feelings, but had not, he would certainly have been incapable of setting a price on the head of the Executive. In addition to all this, so far as he was personally concerned, he would not have deemed himself called upon to notice the statement that had been made, but that it reflected upon the Russian minister, who was a personal friend of his, and who certainly would have been seriously compromised had he permitted such a remark to be made at his table about the head of the government to which he was attached.

Mr. Corcoran testified that he never uttered or thought of uttering the shocking sentiment put down to his charge. Had he even felt as described, the committee would hardly think him so much devoid of principle as to make it so public a manner, in the presence