THE WILMINGTON JOURNAL

J. A. ENGELHARD, Editor and Prop.

ALL LETTERS ON BUSINESS MUST BE ADDRESSED.

TERMS OF SUBSCRIPTION:
THE DAILY JOURNAL is mailed to subscribers at EIGHT DOLLARS per annum; FOUR DOLLARS for six months; SEVENTY-FIVE CENTS per month for a shorter period.
THE WEEKLY JOURNAL at TWO DOLLARS per annum; ONE DOLLAR for six months. No subscription received to the WEEKLY for less than six months.

Wilmington Journal.

Vol. 28. WILMINGTON, N. C., FRIDAY, MARCH 22, 1872 No. 10.

RATES OF ADVERTISING

One Square, one week	$1 00
One Square, two weeks	1 50
One Square, one month	2 50
One Square, three months	7 00
One Square, six months	15 00

Additional Squares at proportional rates.

A Square is equal to TEN SOLID LINES of advertising type.

Cash, invariably in advance.

Wilmington Journal.

WILMINGTON, N. C.:

FRIDAY, MARCH 22, 1872.

Watts vs. Pearson. Poor Pearson.

The recent decision of the Supreme Court of the United States in the case of the Wilmington and Weldon Railroad Company vs. Reid, which we published on yesterday, at last puts an end to a painful case of alleged "judicial insubordination" in North Carolina.

The case in brief is as follows: Reid, the Sheriff of Halifax county, had distrained and was about to sell an engine belonging to the Wilmington and Weldon Railroad Company for taxes levied under an act passed by the Radical Legislature in March 1869.

The Company alleged that this act was in conflict with its charter, &c., and prayed, among other things, for an injunction against the Sheriff, restraining him from selling the engine. His Honor, Judge WATTS granted the injunction, whereupon the Sheriff appealed, and the case went before the Supreme Court at Raleigh. After hearing the argument on both sides, the Court, Chief Justice PEARSON delivering the opinion, overruled the decision of Judge WATTS. Thereupon, the case was by writ of error carried up to the Supreme Court of the United States to ascertain whether the act of the Radical Legislature passed in March 1869 was not in violation of that provision in the Constitution of the United States which declares that no State shall pass any laws impairing the obligation of contracts. Mr. Justice DAVIS delivered the opinion of the Court, and declared in the most emphatic terms that the act of the Legislature referred to was clearly unconstitutional, and accordingly reversed the decision of Chief Justice PEARSON, and affirmed that of His Honor, Judge WATTS.

On many accounts this is a notable case to us in North Carolina. It shows that there has, at last, been found a tribunal before whose bar Chief Justice PEARSON and his associates, the so-called Supreme Court of North Carolina, can be brought for judgment. In this connection it will be readily remembered that it was through the interposition of his Honor, Judge BROOKS, also of the Federal Court, that this same Chief Justice PEARSON was galvanised, and the exhausted powers of his Court renewed during the Kirk war. So that whether our Chief Justice refuses to act, or whether he acts wrongfully or more properly speaking, *a la* Judge MOORE, insubordinately, the United States Judiciary is equal to the emergency. It is pleasing, too, to think how great relief it must have afforded Judge WATTS to be acquitted of the charge of "judicial insubordination." We imagine that the luxury of having his opinion sustained by a higher Court, was rather a new sensation with a Judge who could preface an opinion by declaring he would give the jury "the best he had in his shop," and who could define a lawful fence to be one "horse high, pig tight and bull strong." We leave his Honor to the enjoyment of his victory over his Commander-in-Chief, the Chief Justice.

There is another thing remarkable about this opinion of Mr. Justice DAVIS, in view of the fact that he is now the Labor Reform candidate for the Presidency, and that his utter reckless disregard of the political effect of his judicial action. Regarded simply as a contest between WATTS and PEARSON, Judge DAVIS would seem to have made a political blunder in overruling PEARSON. In the first place, WATTS is an humble man, accustomed to being overruled, and has but little political influence. PEARSON is arrogant and dictatorial as a Judge, controls his four associates, is unaccustomed to being overruled, and is without, one of the shrewdest, most unscrupulous and persistent and influential politicians in the State. Yet in spite of all this, Mr. Justice DAVIS overrules the man who has five votes, and sustains the man who has only one vote! In the language of BILLY SMITH, this is "bully" for DAVIS as a Judge, but it is very bad for him as a politician.

And, then too, the ruthless manner in which the northern giant jurist brushes away the little Southern fly buzzing about his great judicials ear! How little WATTS will swell when he comprehends it! A big bull dog could not lift his leg over a fice with more contemptuous *nonchalance* than that with which Judge DAVIS treats Judge PEARSON. Hear him!

There is no difficulty whatever in this case. The General Assembly of North Carolina told the Wilmington and Weldon railroad company, *in language in which no one can misunderstand*, that if they would complete the work of internal improvement for which they were incorporated, their property and the shares of their stockholders should be forever exempt from taxation.

* * * *

It certainly requires no argument to show that a railroad corporation cannot perform the functions for which it was created without owning rolling stock, and a limited quantity of real estate, and that these are embraced in the general term property.

* * * *

It is insisted, however, that the tax on the franchise is something entirely distinct from the property of the corporation and that the Legislature, therefore, was not inhibited from taxing it. *This position is equally unsound with the others taken in this case.*

* * * *

It is needless to argue the point further. It is clear that the legislation in controversy did impair the obligation of the contract, which the General Assembly of North Carolina made with the plaintiff in error, and it follows that the judgment of the Supreme Court must be reversed.

Exit PEARSON! POOR PEARSON!! It needed not Clark vs. Stanley to complete thine undoing. There is no room for thee now upon the Bench of the Supreme Court of the United States! Only at Raleigh and at Richmond Hill art thou sovereign! Thou art heard at Washington only to be snubbed!

Alas! alas! what a change!

Time was when the opinions of the Supreme Court of North Carolina were heard with respect, even in Westminster Hall.

And now? GREASY SAM WATTS can guess better at one guess than the Chief Justice of the State can rule after able argument and mature reflection, aided by King Leah and William Shakspeare!

In his opinion, Chief Justice PEARSON says the act of the Legislature is Constitutional "unless like King Leah the State has divested itself of all of the attributes of sovereignty and divided the kingdom among ungrateful children." We beg leave to suggest to the sage of Richmond Hill that his difficulty may have originated just here for the reason that the Federal Court was unable to appreciate the value of King Leah's case in a Court of Law, or the correctness of Wm. Shakspeare as a Reporter. If the North Carolina Chief Justice, had stuck to his old fashioned and more apt illustrations, and had declared in his own familiar phrase that when his Radical brethren attempted to tax these Railroads, they had "waked up the wrong passenger," or had "got the wrong sow by the ear," he would have had better luck. We respectfully suggest to the Chief Justice that the next time he attempts to overrule Judge WATTS, he had better let "fine writing" alone. Alas! Poor PEARSON. We wish not to exult in thy humiliation, but if we should do so, we frankly confess the sin of it and say, "it's naughty, but it's nice."

Official Corruption.

Fraud and peculation, dishonesty and corruption in every possible form, have become so common that they have come to be considered almost inseparably incident to office-holding. In the better days of the Republic charges of official corruption against high public functionaries were promptly repelled and generally disproved.

The slightest insinuation against the integrity of a public man was sufficient to make him demand, as a matter of right and justice, a thorough, full and complete investigation and *expose* of his official conduct.

The result was, that honesty being the rule and dishonesty being the exception to official conduct, a mere charge of official corruption was not sufficient to affect the reputation of even the humblest public servant.

It is a matter of profound regret to every true man to know that this state of things no longer exists.

Investigations are now no longer sought by accused officers as measures of simple justice to themselves, but are obtained only after long and persistent clamor by the accusers.

The Senate of the United States, controlled by the friends of the Administration, resisted for weeks the demand for an investigation into the frauds committed by the officers of the Custom House in New York city; resisted for weeks the demand for investigation into the unlawful sales of arms to a Foreign Government at war with another friendly Foreign Government.

Investigation, open, public investigation, so long regarded as a sure and trusty means of defence, is now regarded and used only as a weapon for attack.

From this but one result could follow—the gravest charge against the highest dignitary—if, indeed, the word dignitary in this day and generation be applicable to any office holder—needs only to be made to be believed.

Nor can it be said, truthfully, that this state of things results from a prurient, depraved, scandal, slander-loving public sentiment.

It results from a continuous accumulation and aggregation of proof, that, increasing day by day for years past, has at last driven from the hearts of men all belief in official integrity.

Nor do we, in this connection, refer especially to Southern officials or the repute in which they are held by the people they plunder.

It is a sad state of affairs for America when her President and Cabinet, with scarcely a single exception, labor under the gravest suspicions, if not the plainest proof, of corruption.

The insatiable maw of the President it seems impossible to fill. Not even the plunder of the New York Gold Ring, of the New York Custom House, of the Seneca Sandstone Quarry, or of the Erie Railroad, can satisfy him. As Wendell Phillips recently said: "Nothing will satisfy him but re-election and another million."

The fossil Secretary of State, the inefficient Fish, is said to be peculiarly open to the argument of counsel on matters pertaining to his department, when counsel happen to be connected with him by blood or marriage.

Mr. Treasurer Boutwell has been investigated, and the result shows a vast amount of money paid to his friends, constituting that peculiar and most extraordinary "syndicate" for services that, it seems to plain business men, ought to have been rendered for a tithe of the amount.

Mr. Secretary of War, Belknap, is now undergoing investigation about illegal sales of arms to the French, and the singular discrepancy alleged to exist between his receipts and vouchers for the proceeds of the same.

Mr. Postmaster General, Creswell, is notoriously, common rumor hath it, the head of the Whiskey Ring.

But Mr. Secretary of the Navy, Robeson, the jolly New Jersey tar, if one tithe of the allegations against him be true, is the biggest robber of them all.

Our Embassador to Spain having received a fee from the English stockholders in the Erie Railroad Company, is now, at a most critical juncture of affairs with Spain, by express permission of the President of the United States, on an extended leave of absence from duty, and taking part in a most singular squabble for Railroad plunder.

Our Embassador to England, for fear he might have too much leisure during his residence near the Court of Saint James, and in order to turn an honest (?) penny, becomes a director and agent for a Western Silver mine!

But time nor space permits to allude even to the most prominent deeds of the most prominent officials. Suffice it to say that the papers tell us that the *tenth* Congressional Investigation Committee has been appointed to inquire into the malversations of office of General Grant's administration!

No wonder, then, that the people have come to regard official integrity as a myth.

Littlefield.

The people of North Carolina are given to understand that the failure to arrest the thief, Littlefield, and his delivery to the authorities of this State, was owing to his surrender by his bondsmen and his arrest and imprisonment in Florida on an indictment for bribery. It turns out that this is a mere excuse framed by his Radical protectors.

The Tallahassee *Floridian*, of the 12th instant, says:

Littlefield is not "jugged" quite yet. After the *scare* created by the arrival of the requisition from North Carolina was over, he was bailed from "the custody of the Sheriff of Leon county," and has since been at large.

The indictment found against him in Leon Circuit Court, which furnished to Governor Reed a plausible excuse for disregarding the North Carolina requisition, is now really of little or no consequence, and ought not any longer to remain in the way of the State's discharging a clear duty which she owes to a sister jurisdiction. Since the indictment was found, the material witnesses in the case have died, and there is now no possibility of proving the charges against him. This being a fact known to the prosecuting attorney of the Circuit where the indictment was found, the Judge of the Circuit ought to hold a special term of his court, if necessary, to dispose of the matter. The time for shielding such a notorious swindler has passed. Our repute as a State is injured by the continuance of a judicial farce which is a reproach to justice and a disgrace to the government.—Let there be an end of fooling. The Nashville *Union and American* well sells: "If there be an honest, *bona fide* intention to try Littlefield in Florida, on a charge of crime, why, let the case go on and the laws of the State be vindicated. But if this Florida prosecution is simply a pretext for shielding a scoundrel from the punishment due his crime—as public opinion regards it—then is the whole proceeding a most shameful one, and derogatory to the character of the State."

LOCAL.

THE OUTLAWS.

FURTHER FROM THE ROBESON OUTLAWS—THE HERALD CORRESPONDENT A PRISONER.

When the train passed Moss Neck, on the Wilmington, Charlotte & Rutherford Railroad yesterday, Stephen Lowery and Andrew Strong, two of the Robeson outlaws, appeared at the depot, each armed with a Winchester rifle, and four Colt's navy revolvers in their belts. With them was the latest *Herald* correspondent, A. B. Henderson, a true bohemian, who reported himself as a prisoner to the outlaws. Henderson had slung across his shoulders a long backwoods rifle, belonging to one of the outlaws, and was escorted wherever he went by Stephen Lowery and Andrew Strong. He remarked privately, that he was still determined to interview Henry Berry Lowery, if to be found in those parts; but also stated that from all accounts it seemed that he had flown the country: not one word, however, had he been enabled to obtain of the whereabouts of the chief leader of the gang from those who had him in custody. They insist, though, in declaring Boss Strong not dead, but badly wounded.

This bohemian, Henderson, is heavy on the sensational, as will appear from the following dispatch to the New York *Herald*, which was handed the Conductor by one of the outlaws to forward to its destination, but which was no doubt written by Henderson himself. It is as follows:

We have captured your correspondent, A. B. Henderson; will not hurt him, but will keep him a week. Boss is not dead.

his
STEPHEN x LOWERY.
mark.
his
ANDREW x STRONG.
mark.

Witness:
A. B. HENDERSON.

Henderson also sent the following dispatches regarding himself to his wife and a ministerial friend, which were duly forwarded with the foregoing by Capt. Morrison, the conductor:

MRS. A. B. HENDERSON,
Lock Haven, Penn.
I am with the Lowerys, perfectly safe.
A. B. HENDERSON.

REV. S. S. SHEDDAN,
Rahway, N. J.
I am in no danger whatever.
A. B. HENDERSON.

The whole affair is in the true bohemian fashion. Henderson is determined to kick up a sensation while he is at it. He may gain much information from the outlaws, and he may lose his head. It is emphatically a toss up—"heads and tails." He deserves something, however, from his very boldness. We look for further developments with interest.

Notwitstanding the assertion of the outlaws, we believe Boss Strong dead: and it is very probable that Henry Berry Lowery has left the country.

INK SPOTS.

A popular mode of reasoning—man and woman putting their heads together.

A "girl" died recently at Portsmouth, N. H., who had been in service in one family sixty-nine years.

They tell of a railway in Kentucky whereon the locomotives are assisted up steep grades by a yoke of oxen.

When you go to drown yourself, always pull off your clothes; they may fit your wife's second husband.

In Boston they do not shake carpets any more, but a new process has been introduced by which they are "shampooed."

Cablegram, calogram, kalogram, hallgram, thalasogram, and onogram, are names suggested for messages received by the cable.

Chicago's wickedest man caresses his family at intervals with hatchets, boiling water, carving knives, saws, mallets, etc., and then sells their clothes and gets drunk on the proceeds.

An editor in Illinois having engaged a new reporter, received the following as his first effort:

"We are informed that the gentleman who stood on his head under a pile-driver for the purpose of having a tight pair of boots druv on, shortly afterwards found himself in China, perfectly naked and without a cent in his pocket."

State News.

Turpentine scarce in Fayetteville.

A temperance candidate for Mayor is talked of in Fayetteville.

Cumberland county is to have a number of new turpentine distilleries.

Superior Court for Johnson county, convenes at Smithfield, on Monday, March 28th.

Superior Court for Bladen is in session this week. Cases of larceny against negroes crowd the criminal docket.

We learn from the *Eagle* that the Cape Fear has been very high for the past few days, and that much of the low ground is overflowed.

Mr. Hardy G. Parker, a well-known citizen of Pitt county, aged about 65 years, died suddedly of heart disease in Tarboro on Monday last.

Duplin county young men are to have a grand tournament at Kenansville at an early day. A $250 horse will be the prize for the successful Knight.

Kerr Craig, Esq., is formally spoken of as a candidate to represent Rowan county, in the next Legislature.—Salisbury *Examiner*.

We learn that the steamer Caswell will commence her regular trips between Newbern and Kinston about the first of April next. The boat is expected to arrive at Kinston in the course of another week.

The Conservatives of Franklin county recommend Hon. A. S. Merrimon for Governor; General W. R. Cox, for Lieutenant-Governor, and Capt. Joseph J. Davis for Congress.

There was to have been a marriage in Wayne county last week between a youthful Quaker of some 82 Winters, and a fair daughter of Wayne with the withered bloom of some 76 Summers upon her once fair cheeks. The bridegroom, however, changed his mind and failed to come to time.

Prof. W. J. Palmer, former Superintendent of our State Asylum for the Deaf and Dumb and the Blind, left Raleigh Wednesday, where he has been on a visit, for the scene of his duties in Belleville, Canada.

On the night of Wednesday of last week, says the Goldsboro *Messenger*, some scoundrel entered the stables of Mr. Herring, of Duplin county, residing some six miles from Warsaw, and cut the throat of a fine horse.

Wayne Superior Court, Judge Clark presiding, is in session this week. There are about 130 cases on the State docket, and this number is being daily augmented by the grand jury. A true bill was found against Stephen Barfield (colored) for murder, and the trial set for Thursday next.

Mrs. Mary Ann Bringers, of Edgecombe county, desires information of her son, William Aaron Bridgers, his whereabouts, condition, &c., that she may relieve him if in need. He left her about a year ago without any intimation of his destination. His mother is in great distress in regard to him, asks of the newspapers of the country an insertion of this notice.—Tarboro *Southerner*.

OUT OF DEBT.—The tax-payers of Edgecombe will be glad to learn, upon the authority of the late Sheriff, Battle Bryan, that the county is now practically out of debt—that is, so far as the general fund is concerned.

The only balance that remains has been contracted since the beginning of 1872, and that, he informs us, will not amount to much, he having already taken up most of the claims.—*Southerner*.

ARRIVAL OF COUNTERFEITERS.—The counterfeiters, Dennis and Andrew Furgerson, who were arrested in Mecklenburg county, the latter part of last week arrived in this city yesterday morning under charge of Deputy United States Marshal, J. G. Hester, and were committed to jail. These men were arrested by citizens of the above named county, taken to Charlotte and placed in the custody of Hester, and on being examined by United States Commissioner Aarens of that city were remanded to jail in default of $5,000 bail. Why they should have been brought here we do not know, and have not been informed. The accused, when captured, were driving a wagon through the county peddling tobacco, and had in their possession quite a large number of unstamped boxes of tobacco. They were also engaged in playing the part of horse drovers, and had a drove along with them when overtaken. About $5,000 of the "queer" was found upon their person. We have seen one of their $20 bills on the Merchants' National Bank of the city of New York, which is a very coarse and badly executed affair. The wagon, horses, tobacco, &c., taken, are, we suppose in the possession of the proper authorities.—Raleigh *Sentinel*.

CHILD STOLEN AND FOUND.—Saturday last, as we learn from the Raleigh *News*, the town of Oxford was thrown into a great consternation by the sudden and mysterious disappearance of little Tommy, the son of Captain Henry A. Taylor, one of the most prominent citizens of Granville county. The little boy was only eight years old. It soon began to be suspected that the child had been abducted by one Newton, who had been at work for Mr. Taylor.

Capt. A. F. Spence was dispatched in search of the lost child. Arriving in Raleigh on Monday, he soon discovered the little wanderer on Fayetteville street. Tommy stated that Newton had promised to bring him to a great city where he could always get plenty of money, and held out other inducements to him. Newton has been bound over to Court.

We learn that the anxious suspense and heartfelt anguish of the parents at the loss of their darling boy, was beyond all description, and the entire community, in sharing their unhappy affliction, assisted with all their might and main the recovery of the lost child. The happy news that "the lost is found" was telegraphed to the distressed parents; and the little boy was restored on Tuesday to his nearly heart-broken mother, who is now confined to her bed, and bordering on delirium, from the painful affliction sustained in this distressing domestic calamity.

DEATH OF COL. JOHN ALEXANDER ROWLAND.—It becomes our painful duty to announce to our readers the death of our townsman, whose name heads this paragraph. Yes, Col. Rowland is no more.—He died at his residence in this town on Monday night last, in the 57th year of his age.

Col. Rowland filled many positions of honor and trust, always with credit to himself and satisfaction to the people who reposed great confidence in him. In 1848, he represented the Senatorial district composed of the counties of Robeson and Richmond, in the State Senate. He was Sheriff of this county for four years, and resigned much to the regret of his friends. He served the people of this county seven years as Clerk of the County Court, and was Register of Deeds one year.

Possessed of superior intellectual endowments and great forcee of will, he was generally a leader in every cause which he espoused; while his warm, generous and liberal heart drew around him troops of friends. As a husband and father he was affectionate and kind—as a friend he was true and firm—as a citizen, public spirited, honorable and just. No one in the community in which he lived and was known, had warmer friends, and the death of no one can be more universally lamented.—Lumberton *Robesonian*.

THE RALEIGH & AUGUSTA AIR LINE R. R.—Information has been received at Railroad headquarters, in this city, that the bill granting a charter to the above named railroad has passed the Georgia Legislature.—*Raleigh News*.

DEAF, DUMB AND BLIND INSTITUTE.—The Caldwell Board of Directors for this Institution met on yesterday and elected A. D. Jenkins, Esq., Treasurer. On the requisition of the President of the Board J. N. Bunting, Esq., the State Treasurer paid the Treasurer of the Board $5,000.—*Raleigh News*.

The Conservative and Democratic citizens of Wake county will hold a Convention at the Court House in Raleigh, on Saturday, April 13th, 1872, for the purpose of selecting delegates to represent the county in the approaching State Convention, at Greensboro', and to form a more perfect organization for the coming campaign.—*Raleigh News*.

PENITENTIARY.—The Caldwell board of Directors for the State Penitentiary met on yesterday and elected G. W. Welker President of the Board. Upon his requisition, the Governor issued his warrant on the State Treasurer for $5,000 for the support of the institution. We suppose, of course, that the Governor has refused to notice the requisition of the *real* Board.—*Raleigh News*.

DEATH OF AN ESTIMABLE LADY.—Mrs. M. W. Haywood, the wife of Col. F. P. Haywood, formerly of this city, died at the residence of her husband in Franklinton on Tuesday evening last, at 5 o'clock. She was the daughter of the Hon. Andrew Joyner, of Halifax, and a resident of that county for over thirty years, where she was universally beloved and estemed for her many sterling qualities of heart and mind.—*Raleigh News*.

NOT TO BE NOMINATED.—In reply to letters of inquiry, we would state that no Judges will be nominated at the Greensboro Convention. By a decision of our Supreme Court, it is held that the Judges are continued in office for their full terms from the first regular State election. As the first regular election was held in August, 1870, the Judges who drew the four years terms, will hold on until August, 1874. The Constitution allows them two years *grace*. Of the twelve judicial districts, the terms of six are for four years and six for eight years.

Under the decision of the Supreme Court, the next election for Judges will be for the six districts for the short terms. These terms would have expired in August, and it would have been necessary to nominate candidates this year, but for that clause of the Constitution referred to, which keeps the short term Judges in office till August, 1874.—*Raleigh News*.

JAIL DELIVERY—FIVE PRISONERS MAKE GOOD THEIR ESCAPE.—Yesterday morning between the hours of 2 and 3 o'clock, the prisoners confined in what is known as the debtor's cell, in our county jail, made good their escape and are now at large.

There were seven prisoners confined in the cell, only five of whom escaped: Andrew Ferguson, Denis Ferguson, John Newton, John Knowles and Geo. Anderson, all white.

The escape was effected by filing the iron window grates, and then prizing them open with a wooden pillow that supported the bunks; with planks taken from the bunk a bridge was improvised to the top of the stockade, from which point they let themselves down to the outside and in the street.

At 6 o'clock the Sheriff, with his deputies were in hot pursuit, but as yet we have not heard of their capture.

A telegraphic dispatch received here at 10 o'clock, announced the passage of three of the prisoners over the railroad bridge at Cedar Creek this morningat 7 o'clock, from which point they took the woods to avoid Franklinton. The deputy sheriff was only fifteen minutes behind them, and it is believed they will be recaptured. Two of the escaped men, the Fergusons, were U. S. prisoners charged with counterfeiting.—Newton was the kidnapper, Henderson was under a two years' sentence for stealing, and Knowles' offence we did not learn.

The two that remained are the Sampson Ku-Klux, who, we believe, have "too good a thing" of it to even desire to get away.—See if they are not State's evidence.—Raleigh *News*.

The Governor of Illinois.

Governor Palmer, after backing and filling his sails, denouncing the military interference of General Sheridan at Chicago, seeking the nomination of the Labor Reformers at Columbus, and voluntarily proffering his support to Judge Trumbull, has at last turned another somersault, and is now abjectly seeking the fullest communion with the "Regulars," or office-holding, corruptionist, Grant party. It is not proposed at the White House to kill the fatted calf for the return of this prodigal son of Radicalism, but he is received back into the family fold, and permitted to pick up the few crumbs that may by chance fall from the Executive table.

A few weeks ago, Governor Palmer was professedly among the sternest Liberals. He wrote letters, and encouraged defection in every possible way. All this is known and remembered at the White House, and however much he may be tolerated for present expediency, his rebuke of Sheridan, and indirectly, his censure of the President, will not be pardoned. Every man who has taken the least part in this "Liberal movement" is marked for future proscription, and will be persecuted with all the power which the President may be able to wield. General Grant never forgets, and never forgives. Personal independence is a virtue in public life, which he cannot rise high enough to recognize, and his resentment is intensified in proportion to the degree of moral courage which thwarts or impedes his ambitious aspirations.

If Mr. Sumner, Mr. Greeley, Mr. Schurz, Mr. Trumbull, Mr. Fenton, Mr. Tipton, and other leaders, were now to renounce their opposition, and cravenly consent to eat "humble pie," it would not change the estimation in which their past "treason" is held. They have committed the one unpardonable sin, in daring to expose the corruptions of this Administration. No atonement, however humble, no sacrifice of self-respect, no abandonment of principle, no surrender of conviction, and no new-born zeal of pretended conversion, would alter or affect their relations with a President who discards all sentiment, and rejects all motives of duty as inconsistent with the subserviency which he demands as the first condition of personal loyalty.

The disaffected Republicans must either go forward, and complete the good work they have begun, or prepare to sink into insignificance among the camp-followers whom they have so justly denounced. This is the choice of alternatives. They are a power under the standard of revolt, Furl that flag, and they would subside into impotency. Their "reform" would become a by-word, and in the dull chronology of political life, shame would darken the only record of an ephemeral existence.—*Washington Patriot*.

A young Celestial sociologist has lifted us out of [illegible] as regards our future fate.—For [illegible] years we have steadily believed that in the end this planet will be parched up like a scroll, and it is refreshing to find it proved by this individual that, so far from melting with fervent heat, we shall probably break in pieces from intense cold, and be distributed through space in aerolites.

Much Adieu about Nothing—Some of our farewell dinners.—*Judy*.

The Railroad Decision in the United States Supreme Court.

SUPREME COURT OF THE UNITED STATES, *December Term*, 1871.

The Wilmington and Weldon Railroad Co., Plaintiff in Error, vs. Jno. A. Reid, Sheriff. In error to the Supreme Court of the State of North Carolina.

Mr. Justice Davis, delivered the opinion of the Court.

This is a writ of error to the Supreme Court of the State of North Carolina, and brings up the question whether the recent legislation of the State concerning the collection of taxes is, as it affects the plaintiff in error, in violation of that provision of the constitution of the United States, which declares that no State shall pass any law impairing the obligation of contracts. As early as 1833, the General Assembly of North Carolina incorporated the Wilmington and Weldon Railroad Company, for the purpose of constructing a railroad in the State, and inserted a provision in the charter "that the property of said company, and the shares therein, shall be exempted from any public charge or tax whatsoever." It has been so often decided by this court that a charter of incorporation granted by a State creates a contract between the State and the corporators, which the State cannot violate, that it would be a work of supererogation to repeat the reasons on which the argument is founded. It is true that when a corporation claims an exemption from taxation, it must show that the power to tax has been clearly relinquished by the State, and if there be a reasonable doubt about this having been done, that doubt must be solved in favor of the State. (The Binghamton Bridge case, 3d Wallace.) If, however, the contract is plain and unambiguous, and the meaning of the parties to it can be clearly ascertained, it is the duty of the court to give effect to it, the same as if it were a contract between private persons, without regard to its supposed injurious effects upon the public interests.

It may be conceded that it were better for the interest of the State, that the taxing power, which is one of the highest and most important attributes of sovereignty, should on no occasion be surrendered. In the nature of things the necessities of the government cannot always be foreseen, and in the changes of time the ability to raise revenue from every species of property may be of vital importance to the State, but the Courts of the country are not the proper tribunals to apply the corrective to improvident legislation of this character. If there be no constitutional restraint on the action of the Legislature on this subject, there is no remedy, except through the influence of a wise public sentiment, reaching and controlling the conduct of the law-making power.

There is no difficulty whatever in this case. The General Assembly of North Carolina told the Wilmington and Weldon railroad company, in language which no one can misunderstand, that if they would complete the work of internal improvement for which they were incorporated, their property and the shares of their stockholders should be forever exempt from taxation. This is not denied, but it is contended that the subsequent legislation does not impair the obligation of the contract, and this presents the only question in the case. The taxes imposed are upon the franchise and rolling stock of the company, and upon lots of land appurtenant to and forming part of the property of the company, and necessary to be used in the successful operation of its business. It certainly requires no argument to show that a railroad corporation cannot perform the functions for which it was created without owning rolling stock, and a limited quantity of real estate, and that these are embraced in the general term property. Property is a word of large import, and in its application to this company included all the real and personal estate required by it, for the successful prosecution of its business. If it had appeared that the company had acquired, either real or personal estate, beyond its legitimate wants, it is very clear that such acquisitions would not be within the protection of the contract. But no such case has arisen, and we are only called upon to decide upon the case made by the record, which shows plainly enough that the company has not undertaken to abuse the favor of the Legislature.

It is insisted, however, that the tax on the franchise is something entirely distinct from the property of the corporation and that the Legislature, therefore, was not inhibited from taxing it. This position is equally unsound with the others taken in this case. Nothing is better settled than that the franchise of a private corporation—which in its application to a railroad is the privilege of running it and taking fare and freight—is property, and of the most valuable kind, as it cannot be taken for public use even with out compensation—(Redfield on Railways, p. 129, sec. 70.) It is true it is not the same sort of property as the rolling stock, road bed, and depot grounds, but it is equally with them covered by the general term "the property of the company," and, therefore, equally with in the protection of the charter.

It is needless to argue the point further. It is clear that the legislation in controversy did impair the obligation of the contract, which the General Assembly of North Carolina made with the plaintiff in error, and it follows that the judgment of the Supreme Court must be reversed. It is so ordered, and the cause is remanded for further proceedings in conformity with this opinion.

The Old-Fashioned Mother.

Thank God! some of us have an old-fashioned mother. Not a woman of the period, enameled and painted, with her great chignon, her curls and bustle, whose white, jeweled hands have never felt the clasp of baby fingers; but a dear, old-fashioned, sweet-voiced mother, with eyes in whose clear depths the dove-light shone, and brown hair, threaded with silver, lying smooth upon her faded cheek. Those dear hands, worn with toil, gently guided our tottering steps in childhood, and smoothed our pillow in sickness, even reaching out to us in yearning tenderness when her sweet spirit was baptized in the pearly spirit of the river.

Blessed is the memory of an old-fashioned mother. It floats to us now, like the beautiful perfume of some woodland blossom. The music of other voices may be lost, but the entrancing memory of hers will echo in our souls forever. Other faces will fade away and be forgotten, but hers will shine on until the light from Heaven's portals shall glorify our own. When in the fitful pauses of busy life our feet wander back to the old homestead, and crossing the well-worn threshold, stand once more in the low, quaint room, hallowed by her presence, how the feeling of childish innocence and dependence comes over us, and we kneel down in the molten sunshine streaming through the western window—just where long years ago we knelt by our mother's knee lisping "Our Father." How many times when the tempter lured us on has the memory of those sacred hours, that mother's words, her faith and prayers, saved us from plunging into the deep abyss of sin! Years have filled great drifts between her and us, but they have not hidden from our sight the glory of her pure, unselfish love.—*Journal of the Farm*.

A youth wa[illegible] license in C[illegible] day, was reminded by the clerk of two previous applications, and said: "Yes, but the other two girls didn't know I wanted to get married till I showed them the document—this one does." He got the paper.

Property in London is insured to the amount of £460,748,076, equal to the amount of the American national debt, and yet the city is by no means thoroughly insured.

From the Raleigh Sentinel.

Conservatism vs. Radicalism—The Difference.

It is our purpose, from time to time, to call the attention of the people to the striking difference between the public economy and money expenditures in various respects under Radical rule and Conservative rule: The difference in favor of the Conservative rule must impress everybody most forcibly, and it will be the more manifest when it is remembered that during two years of the time embraced by the account we give, the Radicals, under Gov. Holden, had complete control of every branch and department of the State Government, while the Conservatives have had control of but one branch, the Legislature, since November, 1870.

We first call attention to what has been done with the Educational Fund—how it was spent by the Radicals, but not for the purpose of education.

During the year, beginning the first day of October, 1868, and ending the first day of October, 1869, there was to the credit of the Educational Fund, for the purposes of education, $172,648 25
During that time there was disbursed of this fund, 167,158 18

Leaving a balance of $5,490 07

Now where did this sum of $167,158.18 go? Did it go to educate the children of the State and for the purposes of education? No! But $158,000 of it was taken by the radicals to pay the enormous and extraordinary expenses of the radical legislature while they increased the State debt millions on millions, and other departments of the State government, during that time. Three thousand dollars, it is said, was lent to the University, to pay salaries to radical professors who did nothing—literally nothing, during that time. The balance of it, $6,158 18 went to pay the carpet-bagger Ashley and his clerks—members of his family, and the negro Hood, salaries! The same work, and more and better too, is now done for $1,500 per year!

From the first of October, 1869, to October first, 1870, there went to the credit of the Educational fund from all sources, $302,369 65
During that time there was disbursed of this fund, 203,411 01

Leaving a balance of $158,958 64

Now let us see how this sum of $203,411 01 went, and how much of it went to the purposes of education.

$150,000 00	of it was invested State bonds! two thirds of it in special tax bonds at that!
10,000 00	lent to the University to pay the salaries of professors who did literally nothing.
2,000 00	lent to Deaf and Dumb Asylum.
1,778 60	went to pay the negro Hood's salary and expenses for virtually nothing.
131 20	paid to David A. Jenkins for services and expenses—can't tell what.
75 00	went to pay another "carpet-bagger" of the name of Soper for his services.
29 20	to pay costs of a foolish and fruitless law suit.
415 00	to pay poll tax returned.
38,981 86	paid to teachers!

$203,411 01 Of this vast sum only $38,981 86 went to teachers of schools!!

Now let us see how the disbursements and expenditures were made under Conservative rule.

From the first day of October, 1870, to the first day of October, 1871, there went to the credit of the Educational Fund from all sources, $366,043 62
During that time, of this sum was disbursed, 177,497 50

Leaving a nominal balance of $188,546 12

Now let us see what went with this sum of $177,497 50, and how much of it went to the purposes of education.

	Of the sum so expended,
$174,753 20	went to common schools!
895 28	county capitation tax refunded
882 65	expense account.
966 42	poll tax.

$177,497 50

See the difference—the Radicals, in two years, disbursed for the purposes of education $38,981 86—the Conservatives, in one year, disbursed $174,753 20!! Difference in favor of Conservative rule, $135,771 38!—That left nominally to the credit of the educational fund, on the first October, 1871, the sum of $188,546 12. But it must be remembered that of this sum there is $150,000 00 which the Radicals invested in special tax bonds—worthless! And $10,000 00 lent to the University to pay the enormous salaries of Radical professors who did nothing but make that institution a laughing stock and by-word.

The question may be asked, how did the Conservatives bring about this wonderful and beneficial change? The explanation is easy and plain. As soon as the Conservative Legislature convened they forthwith instituted a searching inquiry into how common school matters were administered. They found that "Cape Cod" "Carpet-Bagger" Ashley and the negro Hood were doing worse than nothing in the interest of education, while they were receiving enormous salaries and living high, at the public expense very often. The unnecessary clerks and employes and Hood were turned out and their places abolished, all of them, but that of Ashley, and his salary and expenses were reduced to $1,500 a year. That did not suit him so he resigned his office and left the same for the good of the State and education! We trust he will never come back to curse and injure us again.

Then, by accident, Gov. Caldwell appointed Prof. McIver in Ashley's place, supposing he was indeed a Radical of the "straitest sect." He turns out to be a moderate Republican and an honest man. He has labored assiduously and done more work himself than Ashley, the negro Hood, and a whole relinue of clerks all together, and who confused everything at a cost of about $6,000 a year to the State, and that explains the whole.

If any one doubts the truth of these figures, let him go to the records at the Capitol and he will find that what we have stated is true. We get the facts and figures from the records at the Capitol. We said Prof. McIver is an honest man so we believe, but the people will see that the radicals will throw him overboard—they won't have him. Mark our prediction! His days are numbered by the radicals!

We will continue to show the difference between radical and Conservative rule as as we may find time to collect the data. This will do for to-day. Let the people consider of the above facts and make their own comments and their own conclusions. There are two years of absolute radical rule as to education, against one year of Conservative rule, the Conservatives having but one branch of the government, the legislative—difference in favor of Conservatives, $135,771 38! The Conservatives saved that much to education in one year from the radical carpet bag thieves and robbers! Mark the difference! In the one case the people ruled—in the other, the radicals, carpet baggers, upstart, ignorant and corrupt officeholders ruled. We repeat, let the people note the difference!

Female Suicides.

A beautiful young milliner girl, named Mary Horwitz, living in Third avenue, New York, shot herself through the head with a pistol, on Tuesday, on account of disappointed love. On the same day, in Brooklyn, a dissipated woman, named Honora Byrne, drove her husband, who was ill, from the house, then went up stairs and hung herself.

Business is prostrated in Haytien ports. President Saget is growing unpopular.—Five incendiaries have been condemned to death at Port-au-Prince.

From the Decatur (