Wilmington Journal.

WILMINGTON, N. C.:

FRIDAY, MAY 16, 1873.

The DAILY JOURNAL, the oldest daily paper in North Carolina, and the only thirty-two column daily in the State, is published every morning, except Monday, at EIGHT DOLLARS a year; FOUR DOLLARS six months; SEVENTY-FIVE cents per month for shorter periods. Served by Carriers in the city at SEVENTY-FIVE cents per month, or TWO DOLLARS and TWENTY-FIVE cents per quarter.

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Address,

ENGELHARD & SAUNDERS,
Wilmington, N. C.

OUR INDIAN TROUBLES.

The telegrams announce that our troops at the Lava Beds have again been surprised, and that four soldiers have been killed and six wounded by the Modocs.

It is further announced that Captain Jack wore the uniform of the late General Canby, whom he slew with his own hand. This piece of bravado, taken in connection with the fact also reported by telegram that our people were sending out squaws as scouts, would seem to indicate that the Indians, and not the whites, were on the aggressive.

To say the least of it, it is a singular state of affairs when Federal scouts wear petticoats and their enemies wear Federal uniforms in open battle.

WHEELER'S HISTORY OF NORTH CAROLINA—A NEW EDITION.

We are glad to learn that Colonel Wheeler, who has been for years back collecting materials for a new and enlarged edition of his History of North Carolina, has so nearly brought his labors to a close. Perhaps no one appreciates the value of Colonel Wheeler's History more fully than Editors, who have almost daily need to get accurate information in relation to the State. We sincerely trust that it will not be long ere we have the benefit of Colonel Wheeler's labors for the last quarter of a century almost, in the shape of a new and enlarged edition.

It will be remembered that during the war Colonel Wheeler ran the Blockade and went to England, where he remained until the surrender, engaged in examining the records of the old Colonial Office in London. His opportunities for acquiring very valuable information were good, and we doubt not that he made good use of them.

BISHOP McILVAINE—ITINERANT FUNERALS.

The New York *World* takes advantage of the oft repeated funeral services over the mortal remains of Bishop McIlvaine, *en route* from Rome to Ohio, to sermonize upon itinerant funerals.

If there be anything improper in itinerant funerals, no better text for the sermon could have been chosen than that offered by the frequent services held over the American Bishop, for it seems that at almost every convenient stopping place there were people ready to bury him or, at least, to hold funeral services over him. How many times funeral services have been held over him we do not know; it may, however, be safely asserted now that his remains have been consigned to the dust at last, that he is about the best buried Bishop in America.

Bishop McIlvaine was not distinguished as a Prelate alone.—It will be remembered that during the late war he went to England upon a political mission, the object of which was to counteract any impression in that country favorable to the South. How he managed to discharge his duties as the Bishop of the Episcopal Diocese of Ohio, while dignifying a political mission to the English people by his high priestly office, it is now too late to inquire.—He is dead now, and buried at last.

THE CHEAP TRANSPORTATION MOVEMENT IN THE WEST.

From all quarters of the North and West, says the Savannah *News*, we hear of movements having for their object a change in the present high, almost prohibitory rates of freight upon Western produce seeking the Atlantic markets. A variety of projects are entertained; some are in favor of increased direct railroad facilities between the North, South and West; others advocate the construction of a grand canal from the Mississippi river to the South Atlantic ports; some are for turning the commerce of the Western rivers up stream to the lakes, and thence to New York; others favor an outlet to the Atlantic at Norfolk, while Baltimore and Philadelphia are both preferring their claims as eligible outports for the produce of the West. While these various projects divide public opinion according to the local interests which they affect, all minds agree on the one abstract proposition, that an absolute necessity exists for cheaper transportation for the products of the great Western food-producing region. This conviction has taken complete possession of the minds of the people of the West, with whom the best and most effective means of accomplishing the desired object has become the all-absorbing question of the day.

"BRIAREUS."

The *Star* is coming around rapidly on the "change of gauge" question. In its last issue it admits that the proposed change of gauge from Greensboro to Charlotte will benefit Wilmington, provided a proper freight tariff is adopted. There is no longer any difference of opinion between the *Star* and the JOURNAL as to the mere change of gauge. Both papers agree that it presents a possibility of good to Wilmington—a possibility, however, that the *Star* thinks falls far short of being a probability. Acting upon this opinion the *Star* has lent its influence to the opponents of the proposed change in spite of the admitted possibility that it could be made to work to the advantage of our city by a proper tariff of profits. Upon the policy of such a proceeding we have no remark to make, save that it seems to us it would be better for any one who has the interest of our city at heart, and who understands those interests, to take advantage of every opportunity to "benefit Wilmington." At any rate it would seem to be the dictate of ordinary prudence that a public journal should be very sure that it was right before going ahead. Admitting that, with a proper tariff, the change of gauge would benefit Wilmington, a Wilmington paper ought to be quite sure that a proper tariff will not be adopted before it opposes the change of gauge. What tariff the management of the Wilmington and Weldon Road would adopt, we cannot, of course, declare with certainty. Whether the JOURNAL is right or the *Star*, time alone can decide with absolute certainty.

For the present, at least, we are ready to rest that question upon the fact that our Chamber of Commerce, while it has deemed it necessary to complain of some matters of Railroad management, has, to use it own language, "made no question nor complaint of tariffs." We take it that the Chamber of Commerce is both watchful and fearless in guarding the interests of our city.

The *Star* insists that the Telegram to the Associated Press of the 13th February was correct, although "unauthorized," in an official sense, by the Chamber of Commerce.

The only reply we shall make to this, is to be found in the following resolution of the Chamber of Commerce, adopted on the 13th March, 1873, as appears from the columns of the *Star*.

Resolved, That the telegram to the Associated Press of 13th February was unauthorized by this Chamber and was liable to misconstruction, inasmuch as we have made no question nor complaint of tariffs but simply of discrimination in transportation in moving the through freight to the neglect of the local.

We heartily concur in the high estimate the *Star* places upon the worth, character and intelligence of the gentlemen composing the Committee of the Chamber of Commerce. There is no better friend to these gentlemen than the JOURNAL.

The *Star* refers to the "Princess Street hand of the Briarean Monster." We are not quite sure that we understand what is meant by this expression. Our cotemporary will oblige us by explaining.

THE ATLANTIC AND GREAT WESTERN CANAL.

On Tuesday next, the 20th instant, the Governors of the Southern and Western States have promised to meet in Atlanta to consider the ways and means for perfecting a project for connecting the Mississippi and the Atlantic ocean by inland water communication. The route which the Convention will be called upon specially to consider, is thirteen hundred and thirty-three miles in length, ten hundred and thirty-three of which are by river and the remaining three hundred by canal and slack water navigation. This route has already been surveyed by distinguished officers of the Engineer Corps of the United States Army, and the project declared to be feasible.

It begins at the mouth of the Ohio river, following the Ohio to the Tennessee; up the Tennessee, passing Muscle Shoals, to the mouth of Short Creek, two miles and a half below Guntersville, Alabama; from the mouth of Short Creek, by canal and slackwater navigation, across Sand Mountain and down the valley of Well's Creek to its junction with the Coosa, two miles and a half below Gadsden; up the Coosa to Rome, Georgia; from Rome, by canal and slackwater navigation, up the valley of the Etowah and Little rivers, across the Chatahoochee plateau; down the Yellow and Ocmulgee rivers to Macon; thence, continuing down the Ocmulgee to the Altamaha, and down the Altamaha to the sea. Nature has already, by magnificent rivers, opened nearly twelve hundred miles of free and uninterrupted navigation between the city of St. Louis and the Atlantic ocean along this line, and all that is now necessary to complete this entire line is to connect the Tennessee and Coosa, and the Coosa and Ocmulgee rivers by canals. We are told in the report of the chief engineer that the former of these connections involves the cutting of a canal thirty miles in length, and the latter a canal of one hundred and fifty-eight miles. We thus find that the cutting of one hundred and eighty-eight miles of canal will at once open a line of navigation between the city of St. Louis, one of the great centers of the trade of the West, a distance of fifteen hundred miles to the sea. The West now possesses about thirty-five thousand miles of inland transportation; more than half of this is water, and all will be brought into direct connection with the Atlantic ocean by this great work. The area of country embracing this vast system of railways and of navigation is nearly two millions square miles, and when the population of this extensive country reaches an average of fifty persons to the square mile, it will contain one hundred million people, whose leading industry will be agriculture.

The immediate object of the Convention is to institute such measures as may be proper and necessary to bring the matter to the attention of Congress. It is, of course, out of the question to build the road by private enterprise alone. It is not however, we believe, proposed to ask for any direct appropriation or donation for this work from Congress. All that it is intended to ask, is simply that the Government shall guaranty the interest upon a limited amount of the bonds of a company to be formed for the purpose of constructing the great work. The company is first to construct ten consecutive miles of the canal and then to give this to the United States as security for any risk the Government may take in indorsing a guarantee for the payment of interest upon a number of bonds sufficient to build the next ten miles, and so on until the work is completed. The friends of the measure urge that there is no risk to the Government in this; no increase of the national debt, and not one cent added by it to the Federal taxation; that it will relieve the South from a burden that it has been compelled to carry since the close of the late war—a burden which has paralyzed enterprise and prosperity and produced a degree of stagnation which years of patient toil will not remove; that it is, in fact, only an assurance to the capital of the world that peace has been once more restored to our land, and that the door is again open in the South for safe and profitable investment.

The project is a grand one and promises such immense benefits, not only to the States through which the great water way will pass, but to the West and Northwest as well, as to far outbalance the cost of its construction, great though it will undoubtedly be. We sincerely trust that the approaching Convention will initiate proceedings that will bring the great work of connecting the waters of the Mississippi and the Atlantic by inland communication to a speedy and successful termination.

THE MADISON AMENDMENT.

Mr. Madison once proposed an amendment to the Federal Constitution providing that no law varying the compensation for services of members of Congress shall take effect until an election for members of the House of Representatives shall have intervened. It was agreed to at the first session of the First Congress in 1789, but failed to receive the subsequent assent of a sufficient number of States to make it become a part of the Constitution. The action of the late Congress upon the back pay question, or the Salary Grab, as it is now commonly called, has given rise to a discussion in the Ohio Legislature that is not without interest. The question there raised is whether the right to take up this Madison Amendment as proposed by the First Congress has lapsed with time so as to forbid the completion of the work of ratification now. The Senate of Ohio, it seems, is of opinion that it is still competent for the States to ratify the Amendment, and, accordingly, has formally passed a vote of ratification for that State.

As a general rule we have not much partiality for amendments to the Federal Constitution, but we confess to a liking for this one, possibly because it is so nearly coeval with the Constitution itself. There can be no doubt that its adoption is in every way a consummation most devoutly to be wished. But can it be done in the manner proposed by the Ohio Legislature?

Art. V of the Federal Constitution provides that "the Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this constitution * * * which shall be valid to all intents and purposes as part of this Constitution when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress."

It is apparent that there is nothing in the letter of the law against the position taken by the Ohio Senate. There is no express provision in the Constitution limiting the time in which action must be taken on a proposed amendment by the States, nor is there any absolute prohibition in terms in the Constitution against reconsidering and accepting an amendment once rejected.

And in point of fact this right to reconsider and accept an amendment once rejected, has actually been exercised. In April 1867 the 14th Amendment was pending. 21 States had ratified it and 13 States (Delaware, Maryland, Kentucky and the Southern States) had rejected it. California, Iowa, and Nebraska had not acted. Iowa and Nebraska afterwards ratified it and California rejected it.

On 13th January 1868, the Legislature of Ohio withdrew its ratification and on 20th February, New Jersey withdrew its ratification. In October, Oregon withdrew its ratification. And the Southern States having been reconstructed, ratified the Amendment although their previous Legislatures had rejected it. The amendment was thereupon declared to be a part of the Constitution by an act of Congress and by a proclamation of Mr. Seward, then Secretary of State, and has been so taken and accepted by all "trooly loil" men ever since.

On the other hand it is contended that as six of the thirteen States rejected the Madison Amendment, that the acceptance of the other States then in existence would have had no effect, that it ceased to be any longer a matter pending for State action, and that any action taken thereon to ratify it as an Amendment proposed by the First Congress is null and void.

It would indeed, seem to be a strange construction of the Constitution that would permit a proposed Amendment to be open for acceptance or rejection and reconsideration for more than three quarters of a century.

But it is so perfectly idle for us of the South to express any opinion in relation to the constitutionality of any proceeding, that we shall not undertake to say whether the Ohio Legislature is right or wrong but shall content ourself with laying the facts before our readers.

The *Sun* estimates that two thousand young men are thrown out of employment by the sudden spasm of virtue in New York, which closes the gambling dens.

Siberia has twenty-eight new gold mines, all of which promise to pay well. It is probable there will be many voluntary exiles there before long.

It appears from the last census returns of the wealth, the population and the earnings of the whole of the United States, "that the average earnings of the whole American people do not exceed $800 a year each."

Benjamin Reed & Co., nurseymen, of Aberdeen, Scotland, have presented this Government, through the Agricultural Department, with thirty thousand plants of the true Scotch fir, or Highland pine tree, for distribution in the Western States. The plants are delivered in New York free of expense to the Government.

STATE NEWS.

Strawberries and cherries 15 cents a quart in Newbern.

Catawba river is raid to be higher than at any time since 1824.

The railroad bridge over Silver Creek, W. N. C. R. R. has been washed away.

There are now 403 convicts in the Penitentiary, and the Spring crop promises well.

Mr. J. H. Gatling, of Manney's Neck, N. C., on last Friday caught three young bears.

John Armstrong, Esq., and Col. J. M. Heck will leave Raleigh in a few days for the Vienna exhibition.

The first Chinaman ever arrested in San Francisco for drunkenness turned up in the police court the other day.

General Clingman will deliver the next annual address to the public at Davidson College, on the 25th of June.

The dinner horn of the R. & G. R. R. Shops is distinctly heard on the other side of Walnut Creek—about three miles of music.

Hon. A. S. Merrimon has consented to deliver the annual address before the Literary Societies of Wake Forest College at commencement in June.

The Milton Chronicle says: Mr. Wm. Nichols, while ploughing recently on the farm of Mr. S. Yancy, near this place, ploughed up a Spanish coin bearing date of 1762.

The crop prospect in Person is promising. Whilst there is complaint as to scarcity of tobacco plants, it is thought there will be enough to meet the wants of the farmers.

The Raleigh Sentinel learns by letter from Oxford that the recent heavy rains did serious damage in Granville, washing away fences and tearing up the crops planted in the low grounds.

The Raleigh News says: Governor Caldwell on yesterday respited George Graham, convicted of murder and sentenced at the late term of Wilkes Court to be hanged on the 23d day of this month. The respite is until the 27th day of June.

The Fayetteville Statesman says:—The Fayetteville Light Infantry was reorganized last night. Many old members were present. For nearly a hundred years it was an honor to the town; let it be, a hundred years from now, its chief pride.

The Raleigh Sentinel says: Our friend Peter Hines, Esq., showed us on yesterday some rich specimens of iron ore recently found by him on his plantation three miles from Gaston, in Halifax county, and about three miles from the iron mine of Col. Heck, which is now being worked.

The Durham Tobacco Plant thinks $45,000 will be raised in Granville for the proposed Oxford Railroad, and says Durham will subscribe liberally, provided the proposed road is run through the section of Tally-Ho, Knap and Reeds, and connecting with the Central Road at Durham.

The Charlotte Southern Home says: We were shown at Dallas the beak of an eagle, which a negro boy of 18, named Button, had killed on King's Mountain. The eagle attacked him and attempted to pick out his eyes. He fought it with rocks, and killed it. The eagle measured 9 feet 2 inches, from one tip of the wing to the other.

A special to the Petersburg Index, dated Rocky Mount, 12th, says: A heavy hail storm passed through this section of the country, doing serious damage to farmers and killing poultry. Twenty-eight window lights were broken in one dwelling, eighty-five in another. The storm ranged eastward, gathering in fury and extending, doubtless, several miles.

The Charlotte Southern Home says: The farmers in this section were seriously injured by the freshets and washing rains of last week. Fences were carried off and plowed land washed into gullies. Where hill-side ditches were in proper condition, and deep plowing had been done, the injury was much less. Nature teaches farmers many instructive lessons.

The Concord Sun says: We see it stated that the amount necessary to defray the expenses of Professor Kerr, as Commissioner from North Carolina to the Vienna Exposition, will be about $600. We offer to be one of twenty who will advance $30, each, for the payment of his expenses, the money to be forwarded to Raleigh as soon as it can be ascertained that the amount is raised.

The Raleigh Sentinel says: On Friday night one of the most terrific hail storms and tornadoes ever witnessed in that section passed over the Raleigh and Gaston Railroad, between Manson and Henderson, tearing trees up by the roots and devastating all in its course. The storm took a sweep, it is said, of some seven miles, and has left nothing in its track. We have no particulars, but learn it spread terror and dismay as it passed along.

The Raleigh News says: The Roanoke river commenced rising Thursday night and is now forty-one feet above the low water mark. It is rising on an average of about six inches to the hour.

The effect of the freshet reported in the Dan river is now being felt, and from present indications it is feared that much valuable property will be damaged, as the freshet in the above mentioned stream is the heaviest known for ten years, and has destroyed over $50,000 worth of property at last accounts.

The Raleigh News says: Our Morganton correspondent, under date of the 8th of May, says "that all the streams in Western North Carolina are reported far out beyond their banks. The Catawba at Morganton was twenty-one feet above common water, and still rising. At 8½ o'clock on Thursday morning, the bridge over the Catawba, two miles from Morganton, was swept away. West of Morganton the damage to the Western Railroad is very severe, and it will probably be two weeks before the trains can run over the road. I have heard nothing of the road east of here. There is no doubt an immense amount of damage to the bottom lands which have recently been plowed up, and much fencing will be washed away and many mill dams destroyed.

The Robesonian says: During the last week in April a man went to Mr. Nathaniel McNair's house, in this county, in his absence, and inquired of his housekeeper if they had been much troubled by the Lowrey gang during their raids in the neighborhood. On being told that the Lowreys had never troubled Mr. McNair or his premises, the man remarked, "I don't think you will have to say so much longer. I know that Steve Lowrey, with a newly organized band, will be here in a week or ten days." At the close of his remarks the man left and was never seen again. About a week subsequent, however, a man (well armed) came to the house about 9 o'clock at night and demanded to see Mr. McNair. Mr. McNair had retired, and being very tired after his day's work felt reluctant to dress himself, and sent out to inquire who it was that called on him at such an unreasonable hour of the night and the nature of his business. The man refused to disclose his name, but said if Mr. McNair would not at once go to him he would set fire to his premises. Of course Mr. McNair declined an interview, whereupon the robber and incendiary, as he has proven himself to be, sent another message declaring that if he (Mr. McNair) would give him $125 he would go away and not molest him. These terms were also rejected by Mr. McNair, and the robber promptly proceeded to put his threat of burning his premises into execution by applying a torch to the crib and other buildings. Fortunately the wind was not blowing hard at the time, otherwise the whole place would have been destroyed.

THE LOUISIANA MODOCS.

It is refreshing, says the Macon Telegraph, to find occasionally a man in the Republican party who has the courage to speak out his honest sentiments in regard to the acts of members of that party, and especially of the outrages which some of them are committing in the South. Thus the Providence (R. I.) Journal, of which Senator Anthony is the editor, speaks out in regard to the late troubles in Louisiana as follows:

"This Grant parish affair has no political significance, outside of Louisiana. It originated in a disputable squabble for office. The negroes were lured by their white leaders into taking up arms, committed such crimes as robbery, assaults and threat ning the lives of the whites, including attacks upon the women. When the Sheriff had collected his posse, he and they retaliated in a savage and wanton manner. The negroes were the aggressors. Sorely did they pay for their barbarous treatment of those who had nothing to do with the quarrel. The atrocities on both sides were great and inexcusable."

This view of the case is fully borne out by the facts which are being gradually developed. On the 25th ultimo, Sheriff Nash, of Grant parish, visited Major Smith who is in command of a detachment of United State soldiers sent there to preserve the peace, and submitted to him the following statement as to the origin and termination of the Colfax affair:

Major J. H. Smith, commanding

19th United States Infantry:

As the duly elected and legal Sheriff of this parish, I would make this statement that you may judge for yourself to the legality of the action taken. I received for Sheriff the largest number of votes, and as such was duly commissioned both by Messrs. McEnery and Kellogg. Previous to election, there had been bodies of riotous persons in the country, who had no fear of the law, and who made frequent threats of outlawry and incendiarism.

On the 26th of March last, these persons, both white and colored, marched in a body to the Court-house and thence ejected the legally elected and installed parish officers, myself among the number. I at that time ordered them to disperse, but they fired upon myself and others, compelling us to flee for our lives. I accordingly, seeing no other course, procured from Judge Regan, the police magistrate, commissioned by Kellogg, a warrant for the arrest of the ringleaders, and with it, and a deputy constable, proceeded to Colfax, where I arrived in time to learn that an assemblage of peaceable citizens had been broken up and fired upon by the rioters.

Even then I desired to make a compromise; and, before executing the warrant, rode up and endeavored to preserve peace, but was again fired upon, and threats made by the rioters, who said they would anyhow drink my blood. Seeing no course then left, I, at the order of the Judge, summoned a *posse comitatus* of citizens, both white and colored, and with these (125 in number) succeeded on Easter Sunday in dispersing the 250 rioters and preserving peace. The warrant for their arrest, and the order, I still hold in my possession. I deemed that it was necessary to preserve peace at all hazards, and, therefore, I resorted to the measures taken.

Very respectfully,

C. C. NASH, Sheriff.

The Postmaster of Colfax makes the following statement:

I am a National Republican, and always have been one. I was a member of the Republican Legislature from 1868 to 1872, and was, and am now, a United States Postmaster at Colfax, Grant parish, having supported Gen. Grant and Gov. Kellogg in the last campaign. Previous to this I was a member of the Constitutional Convention in 1868.

I was quietly pursuing my vocation as Postmaster at Colfax, and was told repeatedly, from the 5th of April, by the rioters that I should be killed, and on the 10th of April was compelled to leave, they stating that they would shoot me if I stayed, unless I took up arms with them. On the morning of the 10th I went up to receive the mail, and I was met by an armed mob of negroes, who told me to get on my horse and leave, else I would be killed. They also threatened the life of my brother and a colored man named Buck McKinney; also Ralph Marons.

I then left, and came to Alexandria to receive instructions. I expected to see a deputy marshal to preserve peace; but finding none, I was told by Mr. Suris, the mail contractor, to bring the mail here, which I did. I made a requisition on Daniel Shaw, supposed to be acting sheriff, as follows:

To D. W. Shaw, Sheriff, Grant parish Louisiana—Sir: I demand of you in the name of the State, protection for the postmaster at Colfax, Louisiana, and also to protect Government property. Very respectfully,

S. E. CUNY,
United States Postmaster.

Mr. Shaw sent two men, but a colored man named Leo Allen came down and said Shaw had no authority to do so, and that he was commanding officer.

I then made a similar requisicion on him as commanding officer, in writing, the same as the above. He replied the Government property must take care of itself, that he wanted the men himself, and took them away. This was about the 5th of April, and the threats were made after this. My object was to protect the United States Government property, and I remained until my life was threatened.

S. E. CUNY,
U. S. Postmaster, Colfax, Grant parish.

Executed at Alexandria, Louisiana, Monday, April 27, 1873.

Witnesses: HARRIE WILDE, A. COCKERILLE, C. T. HOOPER.

To these statements nothing need be added. They are conclusive as to where the blame rightfully rests. "Depend upon it," says a correspondent of the New Orleans Picayune, "the white population here had to meet the issue made by the riotous negroes and give them a severe check, or leave the country. Nothing else was left to do."

Regulating the Railroads in Illinois.

The Governor of Illinois has signed the railway bill, and its provisions will go into effect on the 1st of July next. By this act, "more than a fair and reasonable rate of toll or compensation" is declared to be "extortion," punishable, for the first offense, by a fine of not less than $1,000 nor more than $5,000, to be recovered in an action of debt, the trial to be by a jury. The fine for the second offense is $10,000, for the third $20,000, and for every subsequent offense $20,000. "Unjust discrimination" is also declared to be a violation of the provisions of the act, and is punishable, in the same form of action, with like penalties. "Unjust discrimination" is defined as the "charging, collecting or receiving for the transportation of any passenger or freight of any description for any distance within the State, the same or a greater amount of toll than is at the same time charged, collected or received for the transportation, in the same direction, of any passenger or like quantity of freight of the same class over a greater distance of the same railway;" and so on, specifying all the modes by which railways now charge, collect and receive an equal or greater sum for a less service. It is provided, in addition, that the party suffering from acts of "extortion" or "unjust discrimination" may recover, in any form of action, three times the amount of damages sustained, with costs of suit, and a reasonable attorney's fee, to be fixed by the court.

RICHMOND COUNTY.

Glimpses at Rockingham and Laurinburg—Court Week—One of our Wilmington Boys—The Richmond Town Ticket—A Valuable Invention &c., &c., &c.

LAURINBURG, May 11th, 1873.

Dear Journal:

Leaving Wilmington the early part of last week for Rockingham, we arrived at the latter place in due course, having the genial presence of Capt. Legget as conducter as far as Lumberton, and of Capt. H. G. Fladger for the remainder of our journey. From both of these gentlemen we acknowledge polite and kind attention and must declare "well done thou good and faithful."

Rockingham, during the most of our stay presented no very inviting aspect. Confessedly, we didn't enjoy it. For two days it rained very hard, which made the all prevading clay under foot, very soft, and we had and suffered these two phases of the hard and soft to a degree shocking to our conceptions of the "eternal fitness of things,"

Court opened Monday P. M., 5th instant., Judge Buxton being our very affable companion *de voyage* on the trip up. The business of the Court comprised nothing of a general or a specially attractive interest. The trial of the negro Simmons, for arson, resulting in his acquittal, was the most prominent and the salient case. The accused was charged with setting fire to the town of Wadesboro in March last. Engaged as his counsel was our former fellow-townsman Platt D. Walker, Esq., who, in his speech for the defense, which we had the pleasure of hearing, acquitted himself with the eloquence and ability characteristic of him and that have made him a valuable reputation in the section we are writing of. He was further connected with most of the business of the Court occurring during our stay, and it affords a great pleasure to us to be able to mention his evident success and our own appreciation of his worth and ability which so decidedly impressed us on this occasion.

En passant, Judge Buxton possesses a dignified presence on the bench.

On the day of our arrival an election was in progress for Mayor and Commissioners of the town, being the first in the annals of Rockingham, which was only incorporated by our last Legislature.

The election must have been an interesting affair, since only 85 votes were polled. Mr. W. J. Everett, a Conservative and a *patron of the* JOURNAL, of course, was elected Mayor, but the Board of Commissioners is rather a melange of light and shade—containing 4 Conservatives and 2 Radicals, one "called." The Conservatives could have elected a full party ticket, and we cannot admire their unnecessary concession to Radicalism in this instance, and do not see the point, although our sapience may be at fault.

Mr. W. C. McDonald, a live man, is building a new Hotel, an event and enterprise we must commend and applaud. Boniface should be an individual tender of the wants of the public.

Well, dear JOURNAL, we duly "beat a retreat," and coming to Laurinburg, for a day or two, found the change of base a good thing. There are many familiar faces, and old Wilmington is reproduced in a host of the good people now here. We have had the pleasure of meeting, among many others, Mr. A. F. Bizzell, *one* of Wilmington, but now one of the special features of Laurinburg, and the evidences of his prosperity were very gratifying to us.

Laurinburg has a lively and thriving look, several new buildings going up, and *on dit*, Mr. Thos. C. James, of Wilmington, is to be a future resident, and to engage in the drug business. We visited a new and very neat store being got ready for his occupation.

The recent heavy rains, as an addendum to the previous outrageous frost in this section, as elsewhere, have resulted in great reported injury to the crops. The seed were, in many places, actually washed out of the ground by the inundation. Cotton will have to be, to some extent, replanted. For several days past there has been very warm weather and the stimulus will be favorable.

We do not wish to neglect saying that Mr. H. U. Parker, formerly of the "Parker House," Wilmington, is keeping a hotel here and knows how to do it. Our friends, when visiting Laurinburg, will always find a hearty welcome from him.

Before closing we claim space to mention our friend Mr. Jno. P. Harriss of Greensboro', Ga. Mr. Harriss, apart from being a genial and thorough gentlemen is (and just here the public is interested) the representative of a new patented improvement in Millstone Dresses. Our only object in referring to it is one that is *pro bono publico*, since no more decided and positive impression was ever made on us affecting the intrinsic value of an important mechanical improvement. We propose to hang no millstone about anybody's neck, and we are not going to do so. We only advocate a new and unique invention of prospective advantage to everybody and his wife, as is self-evident. Nothing claims a reader and more interested attention from us than the products of mechanical ingenuity and skill, ranging so vastly in their effects. But we get verbose and *ergo* bring ourself back to the main question of advocating the invention of our friend. With the application of the Patent Dress the result is an increase of from 100 to 500 per cent. The meal also keeps cool with wet and damp corn, evidently a desideratum of consequence.

It will be introduced here, in a short time, by Mr. M. H. Hoke, a brother of our old commander, General Hoke, and we take it that we need not bespeak, from any further circumstance, besides the real merits of the invention, the consideration of our citizens.

Yours truly, B.

P. S. We wrote the above *concrete calamo* under a sunny and radiant sky and a warm temperature, some two hours ago. We have had since a wonderful shower of rain and *hail*, the latter as big as marbles. Domine Sampson would, perforce, have exclaimed, "prodigious."

An Interesting Exploration.

The military expedition, which will go into the country of the Sioux Indians to establish two military posts there, in accordance with the act of Congress of last session, is intended to be of a character to impress the Sioux with a notion of the power of the Government. It will consist of 2,000 men and officers, and will be accompanied by a large number of civilians, who will be attached for the needs of forwarding supplies, making surveys and explorations, and for other similar duties. There will be several scientific men with the expedition, who expect the most valuable scientific results from an examination of the great interior basin, which the party will penetrate, and which is till now as much a *terra incognita* to the white race as the interior of Africa. The hitherto almost undisturbed abode of the most savage and powerful of the Indian tribes will be entered, and preparations made to take advantage of the extension of the Northern Pacific Railroad, to bring them permanently within the control of the Government. The details of the arrangements are not yet far advanced, but the expedition will probably be begun about the middle of June.

The People's Protest.

"For dental trash, our hard-earned cash,
Too long we've spent in vain,
But henceforth won't for SOZODONT,
The teeth preserves—that's plain.
may 11 113-d&wtf

The Burning of Columbia.

The unprejudiced public has no doubt come to the conclusion that the town of Columbia was burned by the troops of General Sherman. That General is sensitive on the subject, and in his sworn answers before the British and American Mixed Claims Commission he almost committed perjury. Not satisfied with swearing to what he knew, he gave answers that were discreditable to him.

Before, however, alluding further to General Sherman's testimony, we must do General Howard the justice to say that he has put himself upon record as became a man of truth. We quote some of his testimony—enough to prove the point we made yesterday. After saying that he saw cotton burning when he entered Columbia he testified as follows:

By Mr. Walker:

Question: General, as a matter of fact, did not the United States army, or part of it, under the command of officers, set fire to cotton when they were in the city of Columbia?

Answer by General Howard: I do not know of any instance in which they did.

Question: Can you say they did not?

Answer: No; I never can say that; it is impossible to say that they did not. I have on my record a literal list of what was destroyed by my orders and cotton is not embraced in it.

We have all the time conceded that Columbia was not burned under orders.

Now, as to General Sherman's testimony. The first remark we make is that as General Howard swears that he could never say the Federal troops did not set fire to cotton in Columbia, and that it is "*impossible*" for him to say that they did not, it follows that Gen. Sherman has sworn falsely if he has testified that *he* could say that his troops did not set fire to Columbia.—We cannot find in his published evidence, however, the positive state ment that his troops did not do this act.—Here, however, are some answers which will show what manner of man he is:

Question by Mr. Walker: General, it is alleged that Von Moltke has said that your army was an armed mob?

Answer by General Sherman: Von Moltke was never fool enough to say that. I have seen Von Moltke in person. I did not ask him the question, because I did not presume that he was such an ass as to say that.

Question: You deny that statement, do you?

Answer: Our army was as good an army as the Prussians ever had, and Von Moltke is a man of too good sense to have made any such statement as has been attributed to him.

Here General Sherman came so near swearing to a falsehood that no one will attach much importance to his testimony when it is given against an enemy and to shield himself from the condemnation of the civilized world now, and of posterity hereafter. We give below all of General Sherman's testimony that bears upon the burning of Columbia:

Question by Commissioner: Please state where you were when the fire broke out?

Answer by General Sherman: The fire was burning a day and a half or two days when we got into Columbia, but was local—confined to the big bridge across the river, to the depot known as the Charleston depot, close by the bridge, and the railroad depot on the opposite side of the town known as the Charlotte depot, and cotton piled up along the various streets, and which was burning at least twelve hours before any soldier belonging to my army had gotten within the limits of the town of Columbia. On the night of our arrival, after we had been in quiet possession of the city for about twelve hours, a fire originated near the old market-house. It must have been after dark, for I saw the light shining on the walls of the room in which I was, and sent one of my aids-de-camp down about a mile to see what was the matter, and he came back and told me that the drug store diagonally opposite the old market-house was burning, that the wind was very strong, and the fire was spreading. I inquired if he had seen the commanding officer of the brigade which constituted the provost-guard, and if he was doing his best to prevent an extension of the flames, and he told me that he had seen General Charles R. Woods himself on the ground, and that the troops were doing seemingly all they could to check or limit the flames to that one block. That must have been about 7½ o'clock in the evening. We had entered the town about 11 o'clock that morning. The fire continued to increase, and a second time I sent one of my aids down, becoming uneasy about it, and he returned, saying it appeared beyond all control, and he had seen General Logan and General Howard there, whose troops occupied the city. Howard being in chief command, Logan in command of the Fifteenth corps, and Charles R. Woods in command of the troops immediately quartered in the city. The fire continued to rage until after midnight, when I went down myself to walk around the burning district. I saw the flames carried sometimes two blocks by the force of the wind, and the fire spreading in every direction, and from natural causes. I saw with my own eyes, about 11 o'clock that morning, as I rode in the city of Columbia, cotton piled along the main street, which if prolonged would have run up against the State house, very near the old market house, and very near that drug store where my aid-de-camp reported the fire had originated. The wind was very strong, without a cloud in the sky, and it tossed and pitched the cotton about, lodging it in trees and on the eaves of houses.

In the morning, on entering the city, we rode down to the Charleston depot and found it burned, and many piles of cornmeal burning.

All this does not show who burned Columbia, but does show that it was twelve hours after General Sherman had had peaceful possession of the city that the fire originated which destroyed that beautiful place. General Hampton, General Lowrey, and General Goodwyn, testified that the "local" fire mentioned by General Sherman occurred before they left Columbia, Generals Sherman and Howard testify as to this local fire at the railroad depots and bridge, and that cotton was burning in the streets when they entered Columbia; but do not and cannot testify truthfully that Columbia was not fired by Federal soldiers, though it is evident that Sherman would like to have the inference drawn from his testimony that his troops did not do the disgraceful deed.

The case stands as before—Columbia was burned by the Federal troops.—*Richmond Dispatch.*

Death of General Frank Gardner.

A late number of the Lafayette Advertiser brings us the painful intelligence of the death, near that place, of Major-General Franklin Gardner, C. S. A., on the 29th of April last.

General Gardner is well remembered in Mobile, as one of the last commanders of that post previous to its falling into the hands of the overwhelming Federal forces under the late Gen. Canby; but he is more especially remembered by the Southern people as the gallant defender of Port Hudson, in 1863, and still later, having fallen into the hands of the enemy, as one of the Confederate officers whom the Union Generals were base enough to expose to the fire of the Confederate batteries at Charleston, in hopes of averting their deadly effect—a calculation in which they were mistaken, as Gen. Frank Gardner and his fellow-martyrs found means to send word to Beauregard not to spare the very particular spot where they were confined.

Gen. Frank Gardner had married, while in Washington City, a lovely daughter of ex-Gov. Alexander Mouton, of Louisiana, then a Senator in Congress, and the father of the heroic Gen. Alfred Mouton, who fell in the great Confederate victory of Pleasant Hill, by the treachery of a body of Union soldiers who fired on him, after they had surrendered.

Gen. Gardner was born on the 4th of January, 1823, in the city of New York. He graduated the Military Academy at West Point in 1843. Was brevet Second Lieutenant of Mounted Infantry, in 1845.

Served in the State of Florida against the Indians.

Was brevet First Lieutenant "for gallant conduct in several conflicts at Monterey, Mexico," September 23, 1846; commanded detachment at Cerro Gordo and was distinguished in repulsing attack on his post, April 17, 1847; was brevet Captain "for gallant and meritorious conduct in the battle of Cerro Gordo, April 18, 1847; First Lieutenant, September, 1947; served under General Albert Sidney Johnson against the Mormons in 1857-'58-'60.

Gen. Gardner resigned his commission in the United States Army in April, 1861, and enlisted