THE TRI-WEEKLY STANDARD.

"LIBERTY AND UNION, NOW AND FOREVER, ONE AND INSEPARABLE."—Daniel Webster.

VOL. I. RALEIGH, N. C., TUESDAY, SEPTEMBER 11, 1866. NO. 75.

Tri-Weekly Standard.

W. W. HOLDEN. J. W. HOLDEN.

W. W. HOLDEN & SON,

EDITORS OF THE STANDARD,

And authorized publishers of the Laws of the United States.

RATES OF SUBSCRIPTION.

TERMS—CASH IN ADVANCE.

Tri-Weekly paper,	1 year........	$6 00
" "	6 months.....	3 50
" "	3 "	2 00
Weekly paper,	1 year............	3 0
" "	6 months.........	1 50
" "	3 "	1 00
" "	5 copies 1 year....	12 00
" "	10 " 1 "	22 00

To those who get up clubs of five or more subscribers one copy, gratis, will be furnished.

A cross ✕ mark on the paper indicates the expiration of the subscription.

RATES OF ADVERTISING.

Ten lines or one inch space to constitute a square.

One square, one insertion, $1 00

Each subsequent insertion, 50

Liberal deduction made, by special contract, to large advertisers.

Court advertisements will be charged 25 per cent. higher than the regular rates.

SPECIAL NOTICES charged 50 per cent. higher than ordinary advertisements.

For advertisements inserted irregularly, 25 per cent higher than usual rates will be charged.

No paper in the South has advertising facilities superior to the *Standard*.

Letters must be addressed to

W. W. HOLDEN & SON,
Raleigh, N. C.

GET YOUR

JOB PRINTING

EXECUTED

ONLY AT THE

STANDARD

OFFICE.

POSTERS,
BILL HEADS,
CARDS, LABELS,
BLANKS,

IN FACT EVERY KIND OF

JOB PRINTING IS EXECUTED

IN A

Superior Style

AT THE

STANDARD OFFICE.

COLORED INKS,
GOLD AND SILVER BRONZES,

A Select Stock of the Best Material for Printing Purposes found

ONLY

At the STANDARD OFFICE.

The Best Printing,

AND THE

CHEAPEST PRINTING

OF

ALL KINDS,

EXECUTED ON THE SHORTEST NOTICE,

AT THE

STANDARD OFFICE.

CALL AND SEE SAMPLES OF WORK,

AND

LEARN OUR PRICES.

BLANKS FOR SALE.

WE HAVE JUST HAD PRINTED VARIOUS Blank forms for cases in the Superior courts as follows:

Indictmennt for Larceny,
Do Misdemeanor—Altering Marks
Do do Unlawful Fences.
Do do Fornication and Adultery
Do do Assault and Battery.
Do do Disorderly House.
Do do Unlawful Retailing.
Do do Forcible Entry.
Do do Affray.

Price of the above blanks $1 per quire.

These, with various other Blanks, such as Land Deeds, Marriage License Bonds, and Indentures, are gotten up in superior style, with appropriate blank endorsements on back, and printed on good paper. They will be sold on reasonable terms for cash.

Any Blanks, not on hand, will be printed to order at the shortest notice, at the

STANDARD OFFICE.

20 BOXES MESSINA [illegible] and in good order. Just received, and will be sold low to close consignment.
B. P. WILLIAMSON & CO,
Raleigh, June 29, 1866.—45tf.

City Advertisements.

EXCHANGE OF N. C. BONDS.

STATE OF N. C., TREASURY DEP'T.,
RALEIGH, June 27, 1866.

Under the authority of an ordinance of the Convention, ratified June 16th, 1866, sealed proposals will be received by the undersigned until the first day of November, 1866, for the exchange of the principal of any bonds issued by the State, prior to the 20th May, 1861, for certificates of stock and other interests held by the State in various corporations. The principal of these are—

Stocks in the following Companies:

North-Carolina Railroad Company,	$3,000,000
Raleigh & Gaston Railroad Company,	$ 682,500
Atlantic & N. C. Railroad Company,	$1,066,000
Western N. C. Railroad Company,	$1,418,000
Albemarle & Chesapeake Canal Co.,	$ 350,000

2nd. Bonds, secured by mortgages on the entire property of the following corporations:

Wilmington, Charlotte & Rutherford Railroad Company,	$2,000,000
Western Coalfield Railroad Company,	$ 600,000
Atlantic & North-Carolina R. R. Co.,	$181,164 88

The interest acquired by the purchaser of the stock of any corporation will not be greater than that of the holders of the like amount of the general stock of the same corporation.

The stocks belonging to the Literary Fund, e. g. the stock in the Wilmington & Weldon, and Wilmington & Manchester Railroad Companies, and in various banks, are not included in this advertisement.

Bids at less than the par value of the stocks or other interests will not be entertained. Any premium realized will be applied in payment of past due coupons of the bonds delivered in exchange.

Copies of the law authorizing the exchange and more detailed lists of the stocks, &c., will be forwarded by the undersigned to applicants.

It is made my duty to accept those terms deemed most advantageous to the State, and the option of rejecting any or all bids is reserved

KEMP P. BATTLE,
June 30—45–wts Public Treasurer.

SPECIAL NOTICE.

MR. L. H. KELLOGG HAVING RETIRED from our firm, the business will hereafter be conducted in the name of EDWARD WHEELER & CO. We hereby tender our thanks to the citizens of Raleigh and vicinity for past patronage.

KELLOGG, WHEELER & CO.

DRESS GOODS, CALICOES, &C.

WE HAVE JUST OPENED AN ENTIRE new stock, embracing Grenadines, Muslins, Ginghams, &c. Also, 3,000 yards Calicoes, of the latest styles, all of which we will sell cheap. Call early and secure bargains.

may 22—28—tf. EDWARD WHEELER & CO

BRANSON & FARRAR

HAVE REMOVED TO THE NORTH-CAROLINA Book Store, the old and popular Book stand so long kept by Mr. H. D. Turner, No. 1 Fayetteville Street, Raleigh, on the Corner near the State House.

Mr. H. D. Turner, who, for thirty-three years past, has been a large publisher and bookseller, now retires from active business, leaving his entire stock in our hands.

The stock consists of an extensive selection of English and American Law Books, besides a great variety of School and Miscellaneous Books. Mr. H. D. Coley, so long Mr. Turner's representative, will still be found at the old stand.

With this valuable addition to our former extensive stock, we hope very greatly to enlarge our usefulness to the trade. We will use our best efforts to secure the continued good will of our old customers, and those of the North-Carolina Book Store.

June 14—tf BRANSON & FARRAR.

W. W. WEST,

DEALER IN

MUSIC, BOOKS, STATIONERY,

FANCY ARTICLES,

AND NEWSPAPERS,

Raleigh. N. C.

July 24, 1866.—54—tf

KEROSENE OIL AND LAMPS.

JUST RECEIVED A LARGE SUPPLY HAND, PARLOR, BRACKET and SWINGING LAMPS

Also, the best Kerosene Oil, Lamp Wicks and Chimneys. Dry Hop Yeast.

J. BROWN,
With Heartt & Lewis,
44 Fayetteville Street, Raleigh.

July 28 1866.—56–tf.

INSURANCE AGAINST FIRE,

AND THE PERILS OF INLAND TRANSportation.

UNDERWRITER'S AGENCY,

Composed of the *Germania*, *Hanover*, *Magia* and *Republic* Fire Insurance Companies, New York. Capital over $3,000,000.

JOHN G. WILLIAMS, & CO.,
oct 6—tf10 Agents.

IN SEASON

At 44 Fayetteville Street.

PATENT ICE CREAM FREEZERS,
Water Coolers,
Oval and Round Wire Dish Covers,
Weeding Hoes and Trace Chains,
1 Ton Castings.

J. BROWN, with
Raleigh, June 9—tf HART & LEWIS.

Watson's Photograph Gallery,

RALEIGH, N. C.

PRICES LOWER THAN EVER.

The Sunbeam Art Improving.

GREAT REDUCTION IN THE PRICES OF Ambrotypes, Ferreotypes and the larger size Photographs. Porcelian pictures made with all the beauty of an ivory painting. Photographs of all sizes and styles, plain or colored to nature.

Persons wishing work in my line are invited to call and examine specimens and be convinced that there is no use going beyond Raleigh on account of prices or quality of work.

Aug. 28, 1866—28—1y. J. W. WATSON.

STATE OF NORTH CAROLINA, } WAKE COUNTY.

Superior Court of Law and Equity, Spring Term, 1866.

On motion, it is ordered by the Court, that the Clerk give notice through the *Standard*, *Sentinel* and *Progress*, newspapers published in the City of Raleigh, and also at four or more public places in the County of Wake, to all parties of Record who have suits pending in the Superior Court of said County, and their witnesses, to appear at the next Fall Term of the Court, to be held at the Court House, in Raleigh, on the

First Monday after the fourth Monday of September, 1866,

prepared to try their cases.

Parties having no counsel are notified to employ on or before the day aforesaid, or their suits will be tried without counsel.

J. N. BUNTING, Clerk.
Raleigh, July 10, 1866. 48—3taw–td

HARDWARE AND CUTLERY,
FALL TRADE, 1866.

WE ARE RECEIVING OUR FALL STOCK, and now in store,
Table and Pocket Cutlery.
Buggy and wagon tire from ⅞ to 2 inches wide.
Sweeds Iron, cast and Blistro stub—Band iron.
6 dozen hand and tea Waiters.
Cooking Stoves—various patterns.
50 sizes nails—3 to 60 penny.
With a general assortment of Tools and Building materials. 1000 14 Hoop iron. 1 and 1¼ inches.

J. BROWN,
With HART & LEWIS.
Raleigh, Aug. 30, 1866. 70—tf

The Stamp Act.

ONE OF THE TAX LAWS OF THE UNITED STATES.

Acknowledgment of deeds, Exempt
Affidavit, 5 cts.
(in suit or legal proceedings,) Exempt
Agreement or Appraisement, for each sheet or piece of paper, on which the same is written, 5 cts.
Assignment or Transfers, of mortgage, lease or policy of insurance, the same duty as on the original instrument of patent right, 5 cts.
Bank Checks, Drafts or Orders, &c., at sight, or on demand, 2 cts.
Bills of Exchange; Inland drafts or order payable otherwise than at sight or on demand, and any promisory note whatever, payable on demand or at a time designated [except bank notes issued for circulation, and checks made and intended to be, and which shall be, forthwith presented for payment] for a sum not exceeding $100, 5 cts.
For every additional $100 or fractional part thereof, 5 cts.
Bills of Lading vessels for the ports of the United States or British North America, Exempt
On receipt of goods on any foreign ports, 10 cts.
Bills of Sale of any vessel, or part thereof, when the considerrtion does not exceed $500, 50 cts.
Exceeding $500 and not exceeding $1,000, $1 00
Exceeding one thousand dollars for each five hundred dollars fractional part thereof, 50 cts.
Of personal property, other than ship or vessel Bond personal, for payment of money [see mortgage.]—Official, $1 00
For indemnifying any person for the payment of any sum of money, where the money ultimately recoverable thereupon is one thousand dollars or less, 50 cts.
Where the money recoverable exceeds one thousand dollars for every additional one thousand dollars, or fractional part thereof, 50 cts.
Bonds, county, city and town bonds, rail roads and other corporation bonds and script, are subject to stamp duty. [See mortgage.] Of any description, other than such as are required in legal proceedings, and such as are not otherwise charged in this schedule, 25 cts.
Certificates of deposit in bank, sum not exceeding one hundred dollars, 2 cts.
Of deposit in bank, sum exceeding one hundred dollars, 5 cts.
Of stock in an incorporated company, 25 cts.
General, 5 cts.
Of a qualification of a Justice of the Peace, Commissioner of deeds or Notary public, 5 cts.
Of search of records, 5 cts.
That certain papers are on file, 5 cts.
That certain papers cannot be found, 5 cts.
Of redemption of land sold for taxes, 5 cts.
Of birth, marriage and death, 5 cts.
Of qualifications of school teachers, 5 cts.
Of profits of an incorporated company, for a sum not less than ten dollars and not exceeding fifty dollars, 10 cts.
Exceeding fifty dollars and not exceeding one thousand dollars, 25 cts.
Exceeding one thousand dollars, for every additional one thousand, or fractional part thereof, 25 cts.
Of damage or otherwise, and all others certificates or documents issued by any port warden, marine surveyor, or other person acting as such, 25 cts.
Certified Transcript of judgments, satisfaction of judgments and of all papers recorded or on file, 5 cts.
Check Draft or Order for the payment of any sum of money exceeding $10, drawn upon any person or other than a bank, banker or trust company, at sight or on demand, 2 cts.
Contract [See Agreement Brokers,] 10 cts.
Conveyance deed, instrument of writing, whereby lands, tenements, or other reality sold shall be conveyed, the actual value which does not exceed $500, 50 cts.
Exceeding $500, and not exceeding $1,000, $1 00
For every additional five hundred dollars, or fractional part thereof, in excess of one thousand dollars, 50 cts.
Entry of any goods, wares or merchandize at any custom house, not exceeding one hundred dollars in value, 25 cts.
Exceeding one hundred dollars and not exceeding five hundred dollars in value, 50 cts.
Exceeding five hundred dollars in value, $1 00
For the withdrawal of any goods or merchandize from bonded warehouse, 50 cts.
Guager's return if for quantity not exceeding five hundred gal. gross, 10 cts.
Exceeding 500 gallons, 25 cts.
Power of Attorney to sell or transfer stock, or collect dividends thereon, 25 cts.
To vote at an election if an incorporated company, 10 cts.
To receive or collect rents, 25 cts.
To sell, or convey, or rent, or lease real estate, $1 00
For any other purpose, 50 cts.
Probate of will or letters of administration, where the value of both real and personal estate does not exceed $2,000, $1 00
For every additional $2,000 or fractional part thereof, in excess of $2,000, 50 cts.
Bonds of executor, administrators, guardians and trustees, are each subjected to a stamp duty of $1 00
Protest upon bill note, check or draft 25 cts.
Promisory Note, (See Bills of Exchange, inland,) Renewal of, subject to same duty as an original note.
Receipt for the payment of any sum of money, or debt due, exceeding twenty dollars, or for the delivery of any property, 2 cts.
Trust Deed made to secure a debt to be stamped as a mortgage conveying estate to uses, to be stamped as conveyance.
Warehouse Receipt for any goods, wares or merchandise not otherwise provided for, deposited or stored in any public or private warehouse not exceeding five hundred dollars in value, 10 cts.
Exceeding five hundred and not exceeding one thousand dollars, 20 cts.
Exceeding 1,000 dollars, for every additional 1,000 dollars or fractional part thereof, in excess of $1,000, 10 cts.
For any goods, etc., not otherwise provided for, stored or deposited in any public or private warehouse or yard, 25 cts.
Writs or Legal Documents, writ or other legal process, by which any suit is commenced in any court of record, either of law or equity, 50 cts.
Writ or original process issued by a court not of record, where the amount claimed is 100 dollars or over, 50 cts.
Upon every confession of judgment or cognovit for 100 dollars or over, except in cases where the tax for a writ has been paid, 50 cts.
Writ or other process, appeals from justices courts, or other courts of inferior jurisdiction, to a court of record, 50 cts.
Warrants of distress, when the amount of rent claimed does not exceed 100 dollars, 25 cts.
When the amount exceeds 100 dollars, 50 cts.
Insurance, Marine, Inland and Fire.—Where the consideration paid for the insurance, in cash, premium notes, or both, does not exceed 10 dollars, 10 cts.
Exceeding ten dollars, and not exceeding fifty, 50 cts.
Insurance, Life, when the amount insured does not exceed 1,000 dollars, 25 cts.
Exceeding 1,000 and not exceeding 5,000 dollars, 50 cts.
Exceeding 5,000 dollars, $1 00
Lease or lease of lands or tenements where the rents does not exceed 300 per annum, 50 cts.
Exceeding 300 dollars, for each addition al 200 dollars, or fractional part thereof, in excess of 300 dollars, 50 cts.
Perpetual, subject to stamp duty as a "conveyance."
Clause of guaranty of payment of rent incorporated or indorsed, five cents additional.
Measurers' Return, if for quantity not exceeding 1,000 bushels, 10 cts.
Exceeding 1,000 bushels, 25 cts
Mortgage, trust deed, bill of sales, or personal bond for the payment of money exceeding 100 and not exceeding 500 dollars, 50 cts.
Exceeding 500 dollars for every additional 500, or fractional part thereof, in excess of 500, 50 cts.
Pawner's Checks, 5 cts.
Passage Ticket from the United States to any foreign port, costing not more than 35 dollars, 50 cts.
Costing more than 35, and not exceeding 50, 1 00
For every additional fifty or fractional part thereof, in excess of 50 dollars, 1 00

GENERAL REMARKS.

Revenue Stamps may be used indiscriminately upon any of the matters or things enumerated in schedule B, except proprietary and playing card stamps, for which a special use has been provided.

Postage stamps cannot be used in payment of the duty chargeable on instruments.

It is the duty of the maker of an instrument to affix and cancel the stamp thereon. If he neglects to do so, the party for whom it is made, may stamp it before it is used; and if used after the 30th of July, 1864, and used without a stamp, it cannot afterwards be effectually stamped. Any failure upon the part of the maker of an instrument to appropriately stamp it, renders him liable to a penalty of two hundred dollars.

Suits are commenced in many States by other process than writ, viz: summons, warrants, publication, petition, &c., in which case these, as the original process, severally require stamps.

Writs of scira facias are subject to stamp duty as original processes.

The jurat of an affidavit, taken before a Justice of the Peace, Notary Public, or other officer duly authorized to take affidavits, is held to be a certificate, and is subject to a stamp duty of five cents, except when taken in suits of legal proceedings.

Certificates of loan in which there shall appear any printed or written evidence of an amount of money to be paid on demand or at any time designated, are subject to stamp duty as Promisory Notes.

The assignment of a mortgage is subject to the same duty as that imposed upon the original instrument; that is to say for every sum of five hundred dollars, or any fractional part thereof, of the amount secured by the mortgage, at time of its assignment there must be affixed a stamp or stamps, denoting a duty of five cents.

When two or more persons join in the execution of an instrument, the stamps to which this instrument is liable under the law, may be affixed and cancelled by one of the parties.

In conveyances of real estate, the law provides that the stamp affixed must answer to the value of the estate on interest conveyed.

No stamp is required on any warrant of attorney accompanying a bond or note, when such bond or note has affixed thereto the stamp or stamps denoting the duty required, and whenever any bond or note is secured by mortgage, but one stamp duty is required on such papers, such stamp duty being the highest rates required for such instruments, or either of them. In such a case a note or memorandum of the value or denomination of the stamp affixed should be made upon the margin or in the acknowledgement of the instrument which is not stamped.

Scale of Depreciation

The following Act, in relation to the scaling of Confederate Currency, from the time of its first issue to the end of the war, passed at the recent session of the General Assembly:

A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SCALE OF DEPRECIATION OF CONFEDERATE CURRENCY.

WHEREAS, By an ordinance of the Convention, entitled "An ordinance declaring what laws and ordinances are in force, and for other purposes," ratified on the 18th day of October, A. D., 1865, it is made the duty of the General Assembly to provide a scale of depreciation of the Confederate Currency from the time of its first issue to the end of the war; and it is further therein declared that "all executory contracts, solvable in money, whether under seal or not, made after the depreciation of said currency before the 1st of May, 1865, and unfilled (except official bonds and penal bonds payable to the State) shall be deemed to have been made with the understanding that they were solvable in money of the said currency," subject, nevertheless, to evidence of different intent of the parties to the contract; therefore,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the following scale of depreciation be and the same is hereby adopted and established as the measure of value of one gold dollar in Confederate currency, for each month, and the fractional parts of the month of December, 1864, from the 1st day of November, 1861, to the 1st day of May, 1865, to-wit:

Scale of depreciation of Confederate currency, the gold dollar being the unit and measure of value, from November 1st, 1861, to May 1st, 1865:

MONTHS.	1861.	1862.	1863.	1864.	1865.
January,	....	$1 20	$3 00	$21 00	$50 00
February,	....	1 30	3 00	21 00	50 00
March,	....	1 50	4 00	23 00	60 00
April,	....	1 50	5 00	20 00	100 00
May,	....	1 50	5 50	19 00	....
June,	....	1 50	6 50	18 00	....
July,	....	1 50	9 00	21 00	....
August,	....	1 50	14 00	23 00	...
September,	....	2 00	14 00	25 00	...
October,	....	2 00	14 00	26 00	....
November,	$1 10	2 50	15 00	30 00	....
December,	1 15	2 50	20 00	....	....
December 1st to 10th inclusive,				35 00	
" 10th to 20th,				42 00	
" 1st to 31st,				49 00	

And, whereas, Many grave and difficult disputes may arise between executors, administrators, guardians and trustees, and their legatees, distributees, wards and *cestuysque* trust, in the settlement of their accounts and trust, arising from the depreciation of Confederate currency, State treasury notes and bank notes, incident to and growing out of the late war; and that law suits and expensive litigation may be obviated.

Be it further enacted, That in all such cases, the parties are hereby empowered to form a full and perfect statement of the case on both sides, which case shall be committed to the determination of one of the Judges of the Superior Courts, chosen by the parties, who is hereby authorized to consider and determine the same, according to equity and good conscience: *Provided, however,* That no part of this section shall be construed to estop or hinder any person from proceeding in the usual course of law, if he shall deem the same necessary.

A true copy. J. A. ENGELHARD,
Clerk of Senate.

The Civil Rights Bill.

We publish below the Civil Rights Bill as it recently passed the Congress over the President's Veto

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons born in the United States and not subject to any foreign Power, excluding Indians, not taxed, are hereby declared to be citizens of the United States; and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 3. *And be it further enacted,* That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be, any of the rights secured to them by the first section of this act; and if any suit or prosecution, civil or criminal, has been or shall be commenced in any State court against any such person, for any cause whatsoever, or against any officer, civil or military, or other person, for arrest or imprisonment, trespasses, or wrongs done or committed by virtue or under color of authority derived from this act or the act establishing a bureau for the relief of freedmen and refugees, and all acts amendatory thereof; or for refusing to do any act upon the ground that it would be inconsistent with this act, such defendant shall have the right to remove such cause for trial to the proper district or circuit court in the manner prescribed by the 'Act relating to *habeas corpus* and regulating judicial proceedings in certain cases,' approved March three, eighteen hundred and sixty-three, and all acts amendatory thereof. The jurisdiction in civil and criminal matters hereby conferred on the district and circuit courts of the United States shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offences against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of the cause, civil or criminal, is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern said courts in the trial and disposition of such cause, and, if of a criminal nature, in the infliction of punishment on the party found guilty.

SEC. 4. *And be it further enacted,* That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, the officers and agents of the Freedmen's Bureau, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed as the case may be, for trial before such court of the United States or territorial court as by the act has cognizance of the offence. And with the view to affording reasonable protection to all persons in their constitutional rights of equality before the law, without distinction of race or color, or previous condition of slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States and the superior courts of the Territories of the United States, from time to time, to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act. And such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act, as they are authorized by law to exercise with regard to other offences against the laws of the United States.

SEC. 5. *And be it further enacted,* That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of the person upon whom the accused is alleged to have committed the offence. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or the *posse comitatus* of the proper county, or such portion of the land and naval forces of the United States, or of the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the clause of the Constitution which prohibits slavery, in conformity with the provisions of this act; and said warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

SEC. 6. *And be it further enacted,* That any person who shall knowingly and willfully obstruct, hinder, or prevent any officer, or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them, from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer, other persons or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offences, be subject to a fine not exceeding one thoussnd dollars, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States for the district in which said offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

SEC. 7. *And be it further enacted,* That the district attorneys, the marshals, their deputies, and the clerks of the said district and Territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, inclusive of all services incident to such arrest and examination. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to a fee of five dollars for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid out of the treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

SEC. 8 *And be it further enacted,* That whenever the President of the United States shall have reason to believe that offences have been or are likely to be committed against the provisions of this act within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal and district attorney of such district to attend at such place within the district, and for such time as he may designate, for the purpose of the more speedy arrest and trial of persons charged with a violation of this act; and it shall be the duty of every judge or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

SEC. 9. *And be it further enacted,* That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or the militia, as shall be necessary to prevent the violation and enforce the due execution of this act.

SEC. 10. *And be it further enacted,* That upon all questions of law arising in any cause under the provisions of this act a final appeal may be taken to the Supreme Court of the United States."

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Letter from Hon. B. F. Moore, of Raleigh.

REPLY TO THE "DISTINGUISHED JURIST," SUPPOSED TO BE EX-CHIEF JUSTICE RUFFIN.

Triumphant Vindication of the Validity of the late State Convention.

To the People of Wake County, and, through Them, to the People of North-Carolina.

A question of unspeakable importance to the people of North-Carolina, as, indeed, it must be to all the Southern States, has been recently raised by an eminent jurist of the State: namely, whether the Convention, which was called by President Johnson, through the Provisional Governor of the State, had any validity at all, and, if it had, what was the extent of its powers.

By this jurist it is warmly maintained "that the Convention was not *constitutional;* it had no powers; was an unauthorized body; no more than a voluntary collection of so many men; a caucus," &c.

If this be true, the blunder of convening the late Convention, as a body possessed of authority, is truly serious, and will likely prove to be immensely calamitous.

The powers of the Convention are the foundations, upon which will rest the question, whether the *present* Governor is a constitutional officer; as, also, whether the late legislative body was competent to pass laws, and, in like manner, whether any of the acts performed by the appointees and agents of any person or body deriving power (however remotely) through this "caucus," are entitled to any validity. Nay, the attack upon the legal status of the Convention necessarily strikes the Provisional Governor, and, if successful, dethrones him with all the host of officers deriving their powers since the surrender of the Confederate cause. For, the same eminent jurist says, that if there had been no provision in the Constitution directing in what manner Conventions might be called, still "the Convention was not a legitimate Convention—the Convention was called, without the consent of the people of North-Carolina, by the President of the United States, and under his orders; an act of clear and despotic usurpation, which could not give the body any authority to bind the State or its inhabitants. If it be said, that the President or his satrap, his Governor of a province, did not call, or rather constitute the Convention, but the delegates were elected by the people, and thereby the body was duly constituted, I deny it directly and positively. The delegates were not the choice of the people, for, in the proclamation for calling it, the qualifications of the persons who might be eligible, and those of the persons who might vote for them, were strictly prescribed in a manner variant from our fundamental law, and excluding from each class a large portion—some would say the best portion—of our qualified citizens. In many cases our people were not represented, but were, in fact, misrepresented. The acts of such a body cannot be said to be those of the people of the State. They are not entitled to obedience, and cannot, or at least ought not to be, judicially recognized."

Thus it appears to be the decided opinion of this jurist that the body, had it been called by a Legislature, was not legitimate, because a portion of the voters, qualified under the Constitution of the State, were not allowed to vote for members of the Convention. Now, although, when the late Legislature was called into existence by the Convention, some of the disqualifications were removed, yet others of these were retained, and several persons, perhaps one in a hundred, but not more, were not allowed to vote. Whether those, thus disqualified to vote for the Convention, or for the General Assembly, were the best portion or the worst portion of qualified voters, can have no weight in considering the question, and was likely introduced as a fact, to multiply the *alia anormia.*

But, the argument, which renders void a Convention because certain persons are not allowed to vote, will for the same reason equally render void the General Assembly; and, in like manner, any election for Governor, if the persons thus excluded have the same constitutional right to vote in each election.—Now, it has happened since the Convention sat, that Judges, appointed by the Convention and the General Assembly, have sentenced men to be hung, some of whom have been executed, and others have been pardoned by the Governor. Many have been tried for minor offences and been imprisoned and severely punished, yet, of all the Judges appointed by such authority, no one of them has questioned his right to a seat, or his proper power to administer the law. No lawyer has raised the point for his client. The Sheriffs, deriving their authority through elections directed by the Convention, have been gathering taxes from the citizens, and no Hampden has yet been found to set the patriotic example of peaceful resistance, even. The Justices of the Peace, too, equally illegal officers, have been imposing heavy burthens on an impoverished people, without a word of dissent as to their authority. They have, moreover, been engaged constantly in uniting respectable persons in the holy bonds of wedlock, without a voice of warning being raised by any querist in the State. In like manner the authorities of all the other States, based on Conventions called by the President through Provisional Governors, have proceeded to organize their governments anew, and the Conventions, with precisely the same powers as ours, have altered their constitutions in many important particulars, not necessarily connected with the changes demanded by the overthrow of the Confederacy.

If there be any acknowledged force in the positions laid down by the writer, is it not a matter of profound surprise, that no where else have they been raised before the people, or, if raised, that they have had no weight in the public consideration?

But, fellow citizens, I have not been prompted to defend the Convention from the charge of being either a mere caucus of irresponsible men, or (if not altogether such a body) of having transcended its legitimate powers and usurped others never committed to it, by displaying to you the dreadful consequences which must follow the establishment of the charge. Having been a member of it, I gave due consideration to the question whether the Convention was a legitimate body or not, and, if it were, what powers it possessed? It is true, that I preferred, that, in raising our State government from its utter prostration caused by the late war, we should pursue, as nearly as practicable, the forms to which we had been accustomed, and was, therefore, in favor of allowing the Legislature to assemble even under the military banner and provide for calling a Convention in the mode prescribed. I so urged upon Gen. Sherman, in our first interview after his arrival at the seat of government, and I found him altogether disposed to the same course. I asked him if he would furnish transportation on his lines of railroad for the members who might desire to attend, and he replied that he would. When about one month afterwards, I visited the President, in company with other gentlemen from the State, to see what line of policy was to be pursued to enable the State to resume its political and civil condition, I urged on him the propriety of allowing the members of the Legislature to convene, because this was the mode prescribed, by our Constitution, for calling a Convention. He unhesitatingly disapproved of it, saying there was no Legislature; that it was elected, qualified and organized as a body in rebellion against the United States, and was not a legal body.—I urged him to waive this and allow them to convene for the mere purpose of calling a Convention, and, among other objections, he said: "Suppose I should allow it and thus recognize the legal existence of the rebel State Government, and the Legislature should refuse to conform to such terms as may be deemed essential to suppress the rebellion and restore the State to its duty?" I replied that he need not fear it, that "there was, at this time, no one of that body who might not be led back into the Union with a silken thread." The President was, however, fixed in his purpose of ignoring the existence of any civil authority in the State, and he even maintained that there had been no lawful authority of any kind since the rebellion had become open and flagrant.—I did not concur with him in all he said; but I mention this to show how great, in his opinion, was the necessity for a thorough fundamental organization of the Government, and how ample and unrestrained should be the powers of the Convention. In his proclamation, issued a few days afterwards, he reaffirms the views above expressed, and says that the rebellion "*has in its revolutionary progress deprived the people of the State of North-Carolina of all civil government,*" that "*it becomes necessary and proper to carry out and enforce the obligation of the United States to the people of North Carolina in securing them in the enjoyment of a republican form of government.*"

Therefore, as "President of the United States and Commander-in-Chief of the army and navy of the United States," he appointed "William W. Holden provisional Governor of the State of North Carolina, whose duty it shall be, at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a Convention, composed of delegates to be chosen by that portion of the people of said State who are loyal to the United States, and no others, for the purpose of altering and amending the Constitution thereof, and with authority to exercise within the limits of said State all the power necessary and proper to enable such loyal people of the State of North Carolina to restore said State to its constitutional relations to the Federal government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection and domestic violence: Provided, That, in any election that may be hereafter held for choosing delegates to any State Convention, as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such Convention, unless he shall have previously taken and subscribed to the oath of amnesty as set forth in the President's proclamation of May 29th 1865, and is a voter qualified as prescribed by the Constitution and laws of the State of North Carolina in force immediately before the 20th. day of May, 1861, the date of the so-called ordinance of secession; and said Convention when convened, or the Legislature that may be thereafter assembled, will prescribe the qualifications of electors and the eligibility of persons to hold office under the Constitution and laws of the State—a power the people of the several States composing the Federal Union have rightfully exercised from the origin of the government to the present time."

In pursuance of the powers granted a Convention was called, and the qualifications of those allowed to vote were