

The Ohio Statesman

MANNING & MILLER, Publishers.

COLUMBUS, OHIO:

SATURDAY MORNING, JAN. 31, 1863.

S. M. FETTER & CO.,
No. 37 Park Row, New York, and 6 State
Street, Boston.

Are our agents in these cities, and are authorized to take
advertisements and subscriptions for us at Lowest
Rates.

Thanks.

We are indebted to the Hon. A. L. FERRILL, our able and industrious Senator, for the Adjutant General's Report, for the Report of the Treasurer of State, for the Penitentiary Report, and for the Report of the Central Lunatic Asylum. He has our thanks.

Hon. OTT DRESEL will also accept our thanks for valuable favors.

Gen. Schenck Pouncing on an Editor.

The Abolition majority in our State Legislature so intrigued and gerrymandered last winter as to give General ROBERT C. SCHENCK, of Dayton, a seat in the next Congress. Since the election, General SCHENCK has been appointed to the command of a Department with his headquarters at Baltimore. The General is a loyal man undoubtedly—loyal to Abolitionism and arbitrary power, which is all the loyalty his party considers worth a fig.

General SCHENCK the other day arrested Mr. BOLLEAU, the editor of the Philadelphia Evening Journal, sent him to prison out of the State, and suppressed his paper. What was the offense? The public are not informed of the ground of this Star Chamber proceeding. It was disloyalty of course, but that is like saying a man is guilty of crime. We are as much in the dark as before.

A Washington correspondent of the Cincinnati Gazette says that Gen. SCHENCK's arbitrary proceedings against the Philadelphia editor were bottomed upon this—that the latter had said that JEFF. DAVIS's message was more able and truthful than that of President LINCOLN. It is not stated when and where Mr. BOLLEAU said this, nor are the words given which he used. Probably he never said it, or if he did say something like it, it was in such connection and with such modifications as to make it a harmless comparison. Yet even the bald assertion about the two messages as charged above, is not half so hard on Father ABRAHAM as WENDELL PHILLIPS has publicly charged on him time and again, calling him an imbecile, a turtle, a king-log and all such degrading epithets. But then Abolitionists have a *ceteris paribus* to say what they please. They cannot of course be guilty of disloyal practices.

General SCHENCK's action in the premises we see has stirred up something of a hornet's nest about his ears. Judge LUDLOW, of the Philadelphia Court of Quarter Sessions, a jurist of high character, on Thursday, directed the Grand Jury to lay aside all other business until they had thoroughly investigated this case of Mr. BOLLEAU, and vindicated the authority of the State. We see, too, that a resolution is pending in the Pennsylvania State Senate, authorizing Governor CURTIS to go to Washington and demand the release of Mr. BOLLEAU. It is expected to pass. In that case it will test the backbone of the Governor; and the people will see whether he has got the manhood and pluck to stand up for their rights against arbitrary and usurped power, as the Executive of a State should do. General SCHENCK, like his superiors at Washington, is making history tolerably fast.

Governor Stanley Resigned.

The Military or Provisional Governor of North Carolina, STANLEY, has resigned. This is not unexpected news. STANLEY is too modest and conservative a man to answer the purpose of an Abolitionist Administration. The Abolitionists have had a rod in pickle for him for some time. They have complained bitterly of him, because he didn't favor their free negro policy to the extent they wished. His removal has been threatened, and to save the Administration the trouble of ousting him, he has resigned.

The immediate cause that led to Gov. STANLEY's resignation is stated to be his opposition to the President's Emancipation proclamation. It appears also that Gen. FORAN is mustering North Carolina negroes into the military service, against which Governor STANLEY remonstrated, but in vain. It is, therefore, no wonder that he has resigned.

Gen. Pope not a Democrat.

The statement frequently made in Abolition journals that General POPE is a Democrat, is false. General POPE is not, and has never been a Democrat. We state this upon the authority of an eminent citizen, who knew POPE intimately during the Mexican war, and has been familiar with his career since. POPE belongs to the Abolitionists and to nobody else. They may rid themselves of him, if they choose, the best way they can; but they will not be permitted to saddle him off upon Democrats.

Thurlow Weed.

Mr. THURLOW WEED, in the Albany, N. Y., Evening Journal of January 27, announces his retirement from the editorship and proprietorship of that paper after a connection with it of thirty-three years. He was the founder of the Journal, and has been its responsible editor, formerly as a staunch Whig and latterly as a conservative Republican. Counting previous engagements, Mr. WEED has been in the newspaper editorial life nearly half a century.

Mr. WEED, in severing his connection with the Evening Journal, which he has sold out to the other partners, bids his readers, his friends, and his old political associates an affectionate farewell, giving the reasons for the step he has taken in the following frank and explicit terms:

But we have fallen upon evil times. Our country is in immediate and imminent danger. I differ widely with my party about the best means of crushing the rebellion. This difference is radical and irreconcilable. I can neither impress others with my views, nor surrender my own solemn convictions. The alternative of living in strife with those whom I have esteemed, or withdrawing, is presented. I have not hesitated in choosing the path of peace as the path of duty.

In other words, as GREENE says, Mr. WEED has ceased to be a Republican, or rather does not choose to become a Disunion-Abolitionist—the only condition upon which he could have a place in the Administration party—and, therefore,

deems the time is come when he should say so openly.

If any additional proof were wanting that the late so-called Republican party has become thoroughly Abolitionized, this voluntary resignation of that organization by a man who has done more than any other in giving it success and placing it in the seat of political power, would amply supply the deficiency. He has labored to prevent it from falling under the control and guidance of Disunion Abolitionism, but has failed, and now turns away from it with disgust and loathing.

The Ohio Legislature.

In the Senate, on Friday, after prayer by the Rev. Mr. Roberts, petitions were presented by Messrs. Eggleston, Gunkel, Lang and Neal, which were referred. The following bills were introduced and read the first time: By Mr. Lang—To enable soldiers to vote; By Mr. Robinson—To authorize the payment of county auditors for certain extra services. The following bills were passed: To amend section 17 of the act entitled an act regulating the mode of administering assignments in trust for the benefit of creditors, passed April 6, 1859; To further amend the 81st section of the act entitled "an act to provide for the organization of cities and incorporated villages," passed May 3, 1862, and amended by an act passed April 29, 1864. The bill, further defining the duties and powers of clerks of courts, was indefinitely postponed. Mr. Gardner offered a preamble and resolutions, which were adopted, appropriating certain rooms in the State House to officers therein named.

The Senate was occupied the whole of the afternoon in discussing plans for the organization of the militia of the State. The question was, whether an expensive plan should be adopted or not. It was finally decided, that no plan should be adopted which would involve the State in any considerable expenditure of money, and that the chief part of the expenditure should be for arms.

The Senate adjourned. In the House, the discussion upon arbitrary arrests was resumed at nine o'clock in the morning and continued until noon, when Mr. Griswold moved that Mr. DRESEL's resolution and the pending amendments be referred to the Judiciary committee. This motion prevailed, and that reference was made, by the following vote:

YEAS—Messrs. Babcock, Baker, Boone, Bruchman, Bradbury, Dickson, Fee of Vinson, Ferrell, Gleason, Griswold, Gussulius, Harrison, Harsh, Hills, Hixson, Howard, Howe, Huston, Johnston, Keck, Keyser of Noble, Krum, Latham, Lemen, Lodi, Montgomery, Myers, McGill, Odlin, Osborn, Pasternak, Pierce, Purcell, Russell, Remy, Robt. Roberts, Rockwell, Schell, Scott, Smith, Stewart, Silver, Tiffany, Warner, Wells, Whittey, Woodbury, Zinn, Speaker—50.

NAYS—Messrs. Boesel, Chambers, Converse, Cook, Crane, Crouse, Drexel, Fee of Brown, Ferguson, Flagg, Holden, Keyser of Monroe, Lott, Maffett, Marsh, Means, Reisinger, Sayler, Snyder, Stiers, Taylor, Thorpe, Uhl, Vance, Wilson—25.

Petitions were presented by Messrs. Scott, Johnston, Maffett, Clarke, Warner, Harsh, Drexel, Krum, and Fee of Vinson, which were referred. The following bills were introduced and read the first time: By Mr. Griswold—Supplementary to an act to provide for the organization of cities and incorporated villages, passed May 3, 1862, and the amendment passed March 11, 1863, and a supplementary act, passed April 8, 1866, and supplementary to the act passed April 12, 1863; By the same—To amend an act entitled an act to provide for the organization of cities and incorporated villages, passed May 3, 1862, and the several acts amendatory thereof and supplementary to said acts, passed April 5, 1866; By Mr. Cook—To amend sections 34 and 41 of the act to organize and discipline the militia and volunteer militia, passed March 28, 1857; By Mr. Drexel—To amend the act entitled an act to provide for and regulating street railroad companies, passed April 10, 1861; By Mr. Drexel—To amend section one of an act entitled an act to organize and discipline the militia and volunteer militia, passed March 28, 1857; By Mr. Osborn—To provide for securing the allotment certificates of Ohio volunteers.

Senate resolutions, apportioning certain rooms in the State House to the officers therein named, were referred to the committee on Public Buildings. The House then adjourned.

Great Speech of Hon. Milton Sayler.

Hon. MILTON SAYLER concluded his great speech in vindication of the rights of American citizens, on Friday morning. It is conceded on all hands that it was one of the ablest speeches ever delivered in a legislative body in Ohio. Its conclusive reasoning, its indelible logic, and its faultless elocution, characterized it at once as a most powerful and eloquent effort. It was unanswerable; and the apologists of arbitrary power stood appalled and dismayed, and were unable to speak. It rekindled the friends of Constitutional Liberty and Anglo-American Rights, and gave them fresh courage for the impending conflict.

Mr. SAYLER began by saying that the question directly and properly before the House was twofold, involving the right of the Chief Executive of the nation—first, to arrest without process of law, and second, to detain without privilege of habeas corpus, citizens of the State of Ohio not connected with the military service. This right had been distinctly claimed by the President in his message of July 4, 1861, to the extra session of Congress, and had been exercised toward some of the States during almost the entire period of the present Administration, though it found its complete and final assertion in the Proclamation of September 24, 1862.

Mr. SAYLER distinctly denied this right to the President, and the following is a brief outline of his argument:

1st. So far as this right exists at all, and so far as the writ of habeas corpus may be suspended under any circumstances, the power is conferred by the Constitution upon Congress and not upon the Chief Executive.

He argued this proposition—

1st. From the context of the Constitution itself;

2d. From the history of the writ, and the established doctrine concerning it in England; and

3d. From the uniform decision of the courts.

In answer to those members who yielded the historical argument but affirmed that the prerogative of the President was greater in this respect than that of the Sovereign of England, he replied that the revolution was a war against prerogative, so set forth in the Declaration of Independence, and it was incredible that men protesting against the tyranny of a Sovereign

and sustaining that protest by years of bloody war and suffering, should at once confer on a President elected by themselves greater power over the liberty of the subject than that possessed by the Sovereign whose authority they rejected.

He denied that any such authority could be deduced from the President's oath of office, as that attempted by the member from Montgomery. On the contrary the peculiar form of that oath limited the President to a faithful execution of his "office," and bound him to "preserve, protect and defend" the Constitution as much against Executive usurpation as against infraction on the part of the citizen. It was his duty to "take care that the laws be faithfully executed," but not his right either to make or suspend law.

Mr. SAYLER then refuted the arguments and assertions of those who deduced the right of the President to arrest the citizen and suspend the writ of habeas corpus from the "war power." He distinguished between martial and military law and discussed at length the extent to which alone the former could have place in this country. This power in the Chief Executive could not, he affirmed, be deduced from military law, because that had reference only to those in military service, and was enacted by the Federal Congress as much as civil law.

Nor could the President's proclamation of September 24th find any basis in martial law, for that was exceptional, arising out of actual military operations, limited to the immediate field of those operations, and could not in England or in this country exist at all where the ordinary course of justice were open.

The power claimed by the President in the proclamation referred to, could not therefore be deduced either from the Constitution or the implied powers of war. It was a mere assumption of authority on the part of the Chief Executive, and of such authority as no free people would ever confer upon any ruler.

Mr. SAYLER did not wish to be understood as objecting to the punishment of offenders. If men violated law, let them suffer the penalty of law; but in the name of liberty, let the people know what the law is and let the forms and processes of law be preserved to them.

A free people will be jealous of usurpation of power on the part of their rulers, and a people worthy of freedom will preserve their constitution and laws against infraction on the part of others. The only hope of the country is in the preservation of the integrity of the Constitution. Let us cling to it, therefore, "as the shipwrecked mariner clings to the last plank when night and the tempest close around him."

After Mr. SAYLER had concluded this great speech, his friends crowded around him and showered upon him their congratulations; and the Democratic members of the Legislature presented him with a written request, signed by them all, that he furnish it for publication. He will probably comply with the request, when we expect to lay it before our readers, in extenso.

Close of the Discussion in the House of Representatives on Arbitrary Arrests.

The discussion in the House of Representatives on arbitrary arrests was resumed on Friday morning and continued until noon, when it was brought to a close. Mr. SAYLER concluded his able and eloquent speech; and was followed by Mr. COOK and Mr. GRISWOLD, the latter of whom moved the reference of Mr. DRESEL's resolution to the Judiciary committee, where it will sleep the sleep of death, or be emancipated, and then reported back in a shape that will defeat its object, and thus be allowed to pass. The apologists of arbitrary power are afraid of an investigation. They will not permit it. The time will come, however, when they will have to submit to inquiry and investigation.

Colonel W. F. Reid.

We had a call, on Friday, from the Rev. L. F. DRAKE, Chaplain of the 121st Ohio, who is now in the State on business for the brigade to which his regiment belongs, to look after the convalescents, and gather sanitary stores. He makes a very favorable report of Col. Rupp, of Delaware, Ohio, who is now commanding the 34th brigade. We were gratified to learn that the Colonel is succeeding so admirably. This is what all of his friends expected of him. He would make a good Brigadier-General. A gentleman of Kentucky, in writing to one of Col. Rupp's friends, bears the following testimony to his ability and popularity as a brigade commander: "I take pleasure in bearing testimony to his (Col. Rupp's) faithfulness and ability in performing the duties of his position. He is prudent, vigilant, urbane and kind, and is a great favorite with his acquaintances in this community. We hope for the cause of the country that he will be kept in command in Kentucky."

From all accounts the 121st Ohio has endured many hardships, and in about four weeks after its organization was in one of the most bloody battles of the war—Chaplin Hills, near Perryville, Ky.

Mr. DRAKE kindly permitted us to copy the following letter, addressed to him by Colonel BONFARD:

ELIZABETH, NEW JERSEY, November 24th, 1862.

REV. L. F. DRAKE, Chaplain 121st Reg't O. V. I., Perryville, Ky.

DEAR SIR—It gives me great pleasure to acknowledge the receipt of your letter of the 3d inst. (which was delayed for some time at Cincinnati), and comply with your request by giving you my impressions of the conduct and appearance of the 121st Reg't O. V. I. in the battle of Chaplin Hills on the 8th of October, where this regiment was, if I remember rightly, the last of the reserve of the 1st Corps of Armies when it was called upon. Seeing it, having received orders to bring up reserves, and had the honor of accompanying it into action. My acquaintance with this regiment, except merely as a part of the Army of the Ohio, was very short; it is true, but it was much quickened under the trying circumstances attending our introduction, and I presume that I am scarcely if at all remembered by any of them, for I had the misfortune of disappearing from amongst them almost as suddenly as I had come. Nevertheless, I saw enough to form an opinion, and it is with much admiration I assure you, sir, that I remember the bright and fearless looks of those young soldiers as they swept down the hillside and filed into action, with the apparent nonchalance of veterans, passing through a flame of fire of intense severity, and to which they stood exposed without disorder, and unhappily with but little opportunity of returning the fire with effect, until I saw wounded and from inability to stand up, was assisted from the field.

The part of this scene which my recollection was of short duration, lasting, from the time the regiment left its position in reserve and under fire, some fifteen or twenty minutes perhaps, but I am told that they soon moved to a position still more trying—indeed exposed to a

fire too intense and concentrated to be withstood in the feeble formation of two ranks; at a halt, and, from what I have heard, at a point probably the most exposed and naked of any other in the whole field.

If, after my absence, there was in the conduct of any portion of the regiment, anything to be desired, no one not having a right to claim shares in the merits of the battle of that date, myself, nor will any one be more surprised.

Please give my best respects to Colonel Reid, Dr. Hatchett and other gentlemen of the command at Perryville, and believe me,

Respectfully and sincerely yours, etc.,

T. BONFARD,
Lieut.-Col. 16th Infantry, U. S. A.

The rebel steamer Orto ran the Mobile blockade of nine vessels January 13, and with 1700 bales of cotton on board succeeded in getting to sea. It is said she has already sunk a Boston brig laden with sugar. The Orto is of 750 tons burthen, and carries twenty guns. Her commander is J. N. MARTIN, formerly of the United States Navy.

REAR ADMIRAL PORTER, of the Mississippi, writes that he is filling up his crew with negroes, who are flocking to him to enter the service. General CURTIS has organized one negro regiment at Helena, and is rapidly filling others.

THE rebels have occupied Holly Springs with a brigade of mounted infantry, under General WHITEFIELD. Two brigades of infantry, under General TILGHMAN, are now repairing the Mississippi Central railroad between Holly Springs and Tallahassee. The enemy are again intrenching themselves at Grenada.

The Probable Draft of Negroes.

Under this head the Cincinnati Commercial has the following. The darkies are in for it. Their Abolition friends are after them with a determination to make them fight, *rebus volens*. So let them hurry up the negro draft. If the policy of arming negroes is adopted, and that seems to be the tendency of the times, the probability of a draft of the able-bodied free male blacks, in the Northern and border States, becomes a matter worthy immediate and solemn consideration. The census of 1860 gives the following return of free male blacks: California 2,827, Connecticut 4,138, Delaware 9,889, Illinois 3,609, Indiana 5,791, Iowa 566, Kansas 268, Kentucky 5,101, Maine 659, Maryland 39,745, Massachusetts 4,462, Michigan 3,567, Minnesota 126, Missouri 1,697, New Hampshire 253, New Jersey 12,312, New York 29,178, Ohio 18,442, Pennsylvania 29,373, Rhode Island 1,831, Vermont 371, Wisconsin 653. Total 156,982. Perhaps one-third of the male blacks may be called *able-bodied*, giving us black men, to be drafted from, 55,327. We presume not more than 45,000 could be got at and made available. In order, therefore, to raise a force of 15,000 blacks, we shall want that many in addition to the contrabands convertible into soldiers, it will be necessary to draft every third black man, or citizen with a visible admixture of African blood, having a habitation in the free and border slave States. This would seem pretty heavy for a start, but it would not be largely out of proportion to the number of white men who have entered the military service; and if the negroes, commencing at this late date, would do their full share, every other man of them should "go to the war."

As soon as the policy of calling out our Black Reserve is adopted, there will, of course, be arrangements made to bring the negroes up to the mark in full force. In the first place, doubtless, they will be allowed to volunteer, and while they are about it, all will be registered, preparatory to the process of drafting.

The Carnival at Washington.

A correspondent of the Journal of Commerce thus describes the moral aspect of our National Capital:

As was the case in the metropolis of France, when law had been delinquent, and when M. Roland exclaimed on mourning the scaffold: "Oh Liberty, what errors are committed in thy name!" Washington is now marbled from ever before. Recipients at the White House, diners at the Cabinet officers', dancing parties at the hotels, the theatres crowded, and bands of music promulating the streets at night, to attract visitors to the halls where the shameless performers banished from Broadway are giving their disgraceful exhibitions. The north sidewalk of Pennsylvania avenue is lined with gambling houses, and respectable ladies can scarce venture abroad, so completely are the streets in possession of the fallen of their sex.

On Saturday evening, at one of our first-class hotels, a brawl disturbed the house, and the offending party, who were severely punished for the use of the language, gave the name of one of our leading Generals as his father and his superior officer. These matters are not pleasant to chronicle, but they form a part of the great drama now being acted here.

THE OLD VERMONT COUGH REMEDY.

N. H. DOWNS'S Balsamic Elixir is warranted for Coughs, Colds, and all diseases of the Throat, Chest and Lungs. This standard article has been used in New England and New York with universal success for over thirty years. Eastern people will be very glad to find it in Ohio. For sale by G. ROBERTS and all Druggists in Columbus. D. S. Barnes, 209 Broadway, N. Y., and John F. Henry & Co., Waterbury, Vt., General Agents.

no36-dk66

NEW ADVERTISEMENTS.

Lost,
A LIVER COLORED AND WHITE
Beter Bitch, about three months old. The finder will be liberally rewarded by returning her to this office.

Jan20-21

PAYING OFF.

ASSISTANT QUARTERMASTER'S OFFICE,
Cincinnati, January 21st, 1863.

TEAMSTERS DISCHARGED FROM MY EMPLOY
can obtain their pay for DECEMBER, by calling at the office, No. 7 Trust Company Building, corner Third and Main streets.

Jan20-21

F. W. HURT,
Cincinnati and A. Q. M.

HOCKING COAL.

I AM NOW PREPARED TO FURNISH
Best Quality Selected Hocking Coal

and deliver to any part of the city.

Jan20-21

INTELLIGENCE OFFICE,

No. 189 High Street, between Town and Rich,
(Up Stairs).

GIRLS WISHING EMPLOYMENT.

In good families, also those wishing to obtain good wages, will do well to give me a call. Charge moderate.

Jan20-21

Mrs. C. PATRARGE.

WANTED, IMMEDIATELY, AT

W. Armstrong's Livery Stable, in the city of Columbus, a good horse and driver, not less than fifteen hands high, free from all blemishes, good colors; for which a fair price in cash will be paid on delivery.

Jan. 19-21

SARGENT & DOYLE.

STATEMENT

OF THE CONDITION OF THE

Western Massachusetts Insurance Company.

On the fifteenth day of January, 1863, made to the Auditor of said State, in pursuance of the statute entitled "An act to regulate Insurance Companies, not incorporated by the State of Ohio," passed April 8, 1860.

NAME AND LOCATION.

First—The name of the Company is the Western Massachusetts Insurance Company, and is located at Pittsfield, Mass.

Second—The amount of its capital stock is \$100,000 00

Third—The amount of its capital stock paid is 100,000 00

Fourth—The amount of its capital stock on hand is 100,000 00

Fifth—The amount of its capital stock in the hands of the Company is 100,000 00

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