

Judge Barnes' Decision.

At Martin Superior Court of the present week, the interesting question of the validity of the recent Legislative Stay-Law was presented to Judge Barnes, and as it involved grave considerations, he reduced the opinion to writing. At the request of Mr. Bar, he kindly consented to furnish a copy for publication.

Opinion of David A. Barnes, Judge presiding at Spring Term, 1867, of the Martin Superior Court of Law, delivered in a case involving the question on the validity of an act of the General Assembly, passed at its present Session, entitled "In act changing the jurisdiction of the Courts and the rules of pleading therein."

In the matter of William H. Hughes, recently decided by the Supreme Court of North Carolina, it is held that the Convention of 1865 "was a rightful Convention of the people," but the Court declined to enter upon a discussion of its powers. It having been decided then, that it was a rightful Convention, the question arises was it unlimited or restricted in its powers? Neither the proclamation of the President of the United States authorizing it to be called, or the Proclamation of the Provisional Governor calling it, attempted to limit its powers. Many of the ablest minds in the Convention of 1865 held that a Convention of the people, provided not be limited, and by act of the Legislature calling it into existence, upon the principle that no limitation can be imposed upon the people when assembled in their sovereign capacity, a Convention in theory being but such an assemblage of the people. But, however this may be, no limitation of power was attempted to be placed upon the Convention by the President, who through a Provisional Governor provided "that the people might, in a quiet and orderly manner, elect delegates to a Convention." The people upon that invitation assembled in Convention and passed certain ordinances and among them one entitled "an ordinance to change the jurisdiction of the Courts and the rules of pleading therein," and by the 24th section thereof, provided that "the General Assembly shall have no power to repeal, alter or nullify this ordinance until the 3rd Monday in November, 1868."

The Convention subsequently provided for the election of members of a General Assembly, and made an appointment of representatives in the House of Commons. The General Assembly thus authorized to be elected, passed an act altering and modifying in essential particulars this ordinance, and in express words repealing so much of said ordinance as comes in conflict with said act.

The very grave and important question is presented, which of these is the law of the land, which is binding upon the Courts to administer, the officers of justice to execute, and the people to obey. Both come from sources entitled to our highest consideration and respect; but both cannot be obeyed, as they were repugnant to each other, and it is impossible to reconcile them. Embarrassing as this position is, the duty in which a Judge must walk is plain and unmistakable. He must patiently and industriously seek to enlighten his judgment upon all questions, and especially must he do this, when it involves the right of the Legislative department to legislate upon a particular subject; a body for whose opinions he should always have the highest regard, and whose action he should always sustain, if he can conscientiously do so. When his judgment is thus enlightened, and he clearly sees the path of duty and right, he must walk steadily, firmly, and fearlessly in it.

The Convention having been decided to be a rightful one, I presume it will not be questioned that it had the power to amend the Constitution or even adopt a new one, which would have had binding efficacy upon all, even if it had not been submitted to the people for ratification. Whether under the circumstances, the Convention should have done so is a different question, and does not affect the question of power which I am now discussing. They could have incorporated in the Constitution or organic law a provision that the General Assembly should never thereafter change the jurisdiction of the courts and the rules of pleading therein, or they could have placed any other limitation upon the power of the Legislature. Our present State Constitution furnishes evidence that a Convention has the power to place a perpetual prohibition upon the action of the General Assembly, even in matters purely legislative in their character. Section 42nd is as follows: "That no purchase of lands shall be made of the public by authority of the General Assembly." The third clause of the fourth section of the first Article of the amended Constitution provides that, "The General Assembly shall have power to pass general laws, regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case." The 4th clause of the same section and Article provide that, "The General Assembly shall not have power to pass any private law, to alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime, but shall have power to pass general laws regulating the same." The fifth clause of the same section and Article provides that, "The General Assembly shall not pass any private law, unless it be made to appear that thirty days notice of application to pass such law shall have been given, under such directions and in such manner as shall be provided by law." Again, the Convention which framed the Constitution of the United States placed perpetual limitation upon Congress and also upon the States for instance, "No bill of attainder or ex post facto law shall be passed." "No tax or duty shall be laid on articles exported from any State." "No title of nobility shall be granted by the United States." "No State shall enter into any treaty, alliance, or confederation, grant letters of marque and repri-

prals, coin money, emit bills, of credit, make any thing but gold and silver coin a tender in payment of debts, pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any letter of nobility." Here then are limitations of power perpetual in their operation (or until the Constitution is changed), both in the Federal and State constitution upon Congress and the State Legislatures. If therefore Convention had the power to make restrictions for an indefinite period, surely they could for a definite period, and at all events, the wise men who framed the Federal and State Constitutions thought they had such power, and have undertaken to exercise it.

The first paragraph, ninth section, first Article of the Constitution of the United States is as follows: "The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year 1808, but a tax or duty may be imposed upon such importation not exceeding ten dollars on each person." Section first, Article first of the amended Constitution of the State limits the power of the General Assembly for certain fixed periods of time.

The only remaining question is, have ordinances of a Convention the validity and binding effect as if they were incorporated and made a part of the Constitution. If they have not, then each and every ordinance passed by the late Convention may be repealed by any future Legislature, for all and every part of its action is contained in ordinances and resolutions, no part of which has been made a part of the Constitution. To what monstrous conclusions would this lead us? The ordinance declaring null and void the ordinance of the 20th of May, 1861; the ordinance prohibiting slavery in North Carolina; the ordinance declaring what ordinances and laws are in force, and validating the acts of civil officers during the war; the ordinance recognizing the just debts of the State and prohibiting the payment of all public debts created or incurred in aid of the late rebellion, would be the new subject of repeal by the General Assembly; and if the subject of repeal of course the subject of re-enactment, and thus we shall have nothing settled, and the public will be the victim of ever changing and inconsistent legislation. Great questions involving peace and prosperity and even the very existence of society should be permanently settled and definitely understood. A proposition, leading to conclusions such as those I have described, would shock and alarm the public mind, already excited with anxiety as to the uncertain future. Entertaining the opinion that the Convention had the right to impose the restriction upon the action of the General Assembly which it has done, it is unnecessary that I should express an opinion upon the other question which has been presented, whether the act of the General Assembly does not contain provisions repugnant to the Constitution of the United States."

REGULATIONS FOR LENT IN THE DIOCESE OF CHARLOTTE.—The following regulations for the observance of Lent by the members of the Catholic Church in the Diocese of Charlotte, were issued by authority of Bishop Ash Lynch:

Ash Wednesday, the first day of Lent, falls on the 6th of March.

1. All the faithful who have completed their twenty-first year, are, unless legitimately dispensed, bound to observe the Fast of Lent.
2. They are to make only one meal a day, excepting Sundays.
3. The meal allowed on fast days is not to be taken till about noon.
4. On fast days, if on any day permission should be granted for eating flesh, both flesh and fish are not to be used at the same time, even by way of seasoning.
5. A small refreshment commonly called collation, is allowed in the evening; no general rule as to the quantity of food permitted at this time is or can be made. But the practice of the most regular Christians is never to let it exceed the fourth part of an ordinary meal.
6. The quantity of food allowed at collation is, in this diocese, bread, butter, cheese, all kinds of fruits, salads, vegetables and fish. Milk and eggs are prohibited.
7. General usage has made it lawful to drink in the morning some warm liquid: as tea, coffee, or thin chocolate, made with water.
8. Necessity and custom have authorized the use of hogs' lard instead of butter, in preparing fish, vegetables, &c.
9. The use of alcoholic liquors is exempted from the obligations of fasting: Young persons under twenty-one years of age, the sick, nursing women, those who are obliged to do hard labor, all who, through weakness, cannot fast without great prejudice to their health.
10. By dispensation, the use of flesh meat will be allowed at any time on Sundays, and once a day on Mondays, Tuesdays, Thursdays and Saturdays, with the exception of Holy Thursday, and the second and last Saturdays of Lent.
11. Persons dispensed from the obligation of fasting, on account of tender or advanced age, or hard labor, are not bound by the restriction of using meat only on one meal on days on which its use is granted by dispensation. Others dispensed from the fast for other causes, as well as those who are obliged to fast, are permitted to use meat only at one meal.

THE ALEXANDRIA MUNICIPAL ELECTION.—At the election in Alexandria on Tuesday, for Mayor, there were three candidates, viz: Hugh Latham, the present incumbent, Wm. H. Marbury, nominated at a mass convention of citizens on Monday night, and George R. Tucker, the nominee of the radicals and colored people. The total white vote polled was 1,157, of which Latham received 432, Marbury 399, and Tucker 36.

The colored vote, which was refused by the regular commissioners, but which was taken by commissioners of their own appointment, consisting of two white men and two colored men stationed at each election precinct, amounted to 1,335, all of them being cast for Tucker. The radicals intend to contest the election before the courts and before Congress, they claiming that under the reconstruction bill lately passed by Congress the negroes were entitled to vote.

Perpoint, who was in Washington at the time, gave it as his opinion that the negroes were entitled to vote. The opinion upon which the commissioners of election acted was that negroes could not vote until the State had been reconstructed by a convention called under the provisions of this bill.

The Washington Chronicle recommends that each State build blocks in Washington as residences for their Representatives.

That would make lively times for real estate and mechanics in the Capital, but we think it will be long after this before the States go into that scheme.

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Tri-Weekly Standard.

RALEIGH, N. C.

SATURDAY, MARCH 9th, 1867.

Union or Disunion?

The people of this State have at length reached a point where they must act, and restore the State to the Union, or incur the hazards of anarchy and civil war. The Union people of this State especially have borne much and as long as they intend to bear. They intend to act. All honest, thoughtful, decent citizens will either unite with them in the work of restoration, or retire and remain quiet while the work is being done.

The Union people of the State will not permit this work to be obstructed or interfered with. Traitors must take back seats and be silent. We advise our Union friends to keep themselves on the defensive, but at the same time to submit to no insults from traitors and cowards.

The loyal people, thanks to Congress, are now about to take charge of public affairs. Let them do so with a firm hand, and with a fixed purpose to put down and keep down those pestilential leaders and their minions who have ruined, and who would still further distract and afflict our people. The issue is Union or Disunion. He who is not for the Union deserves to have his property confiscated, and to suffer death by the law. Our people have been worried, and trifled with, and imposed upon, and injured long enough by the rebel leaders. To bear with these leaders further is to pull down upon the heads of all—the innocent with the guilty—irremediable and final ruin.

Reconstruction.

We make the following extract from a letter to the Editors, from a highly intelligent citizen of one of our Western Counties. We are in the daily receipt of letters of a similar character. Our friend is right. The State must be reconstructed by persons "acceptable to Congress, or worse will come of it." Let his warning be heeded:

"It is unnecessary for me to say to you that I have great confidence in your political sagacity, and while I have differed with you upon some unimportant points, bearing upon reconstruction, I am free to say, that in the many in which you are right, I am like many in the South, accepted the 'President's plan,' not on account of any improper or disloyal feeling towards Congress or the North, but from an earnest desire to embrace the most (as we supposed) expeditious mode to reconstruct the South. To get back quickly, was what we most desired, the manner of accomplishing it mattered not. An earnest wish pervades all classes of our people that the country may be at peace, and all wish a speedy reconstruction of the government, and will accept in good faith the plan now proposed by Congress, and will give the best possible evidence of their loyalty and devotion to the Union, by the ballot-box, &c. I would gladly give my support in the promotion of that object, but, unfortunately, fall within the excepted class. I shall, however, on all proper occasions, advise our people to organize, and at the proper time, that they select delegates that will, in every way, be acceptable to the people at home and unexceptionable on account of previous political differences to the dominant party in Congress. This must be done. It will be idle to assemble in Convention persons whose antecedents are obnoxious, and whose actions, speeches and resolves will be offensive to the great ruling masses of the North. It would, instead of improving the political condition of the South, render it infinitely worse. There can be no half way ground. We must be reconstructed according to the plan proposed, and by those alone who will be acceptable to Congress, or worse will come of it."

In view of the magnitude and importance of the question and speedily solution of the difficulties in our path, I would respectfully suggest that you take the responsibility of assuming that the Standard is the organ of the party that must reorganize and reconstruct the State of North Carolina; and as such organ, that it call a Convention to meet in the City of Raleigh at an early day. It may be asked, will not the Gov. and the Legislature or both together do this? For the best reason in the world. The Republican party North look upon both Governor and Legislature as disloyal and contaminate with treason. A new order must be set up, both new men and measures. The times demand new ideas, new organizations, new representatives, new MEN. Let us make haste to establish the new and get the old State on its legs again—there can be no hope for our future without reconstruction; it would be madness to reject it."

Which Country?

We have nothing to say about or against Mr. Hutchison, one of the Commissioners from Mecklenburg; but we have been struck with the following extract from the last Charlotte Times:

"Mr. Hutchison has proved himself an useful, industrious and attentive member, and merits the plaudits, 'well done thou good and faithful servant.' He would encourage all to bear up and submit to our fate with fortitude. We were much gratified to know that he has not been frightened from his position, and still stands where he has always stood, on the side of his country."

The question is, which country?—the South, or the United States of America? If Mr. Hutchison, and all other citizens holding similar views, will now submit unconditionally, and bend all their energies to the restoration of the Union on a basis acceptable to Congress, they will do much to atone for the errors of the past, and will have proved themselves true to the only country we have, or ought to have.

The Sentinel furnishes an abstract of the Revenue Law passed by the late Legislature, to give its readers "an idea of what tax payers are expected to do." We believe there is a snug amount now in the State Treasury. What does this illegal, rebel State government want more money? "Tax payers" are not "expected" to pay any more taxes to this rebel concern. That is our judgment.

We learn that there is a section in the army appropriation bill, which has just passed Congress, forbidding whipping by the Courts in the insurgent States. We have not seen the law, but we have no doubt it is so. So the whipping will be stopped. It will be the duty of every federal military officer to see that there is no more whipping.

The Secretary of War sent troops to Alexandria, to protect the colored people in their right of suffrage. The same protection will be afforded if necessary, in every Captain's district in the Southern States.

It is rumored that Gen. Robinson or Gen. Terry will be assigned to the command of North and South Carolina, under the reconstruction act. Either would do remarkably well.

Despotism!—Despotism!

There is much talk, from the President down, about the despotism over this people. Who has felt this despotism? In Ireland, Hungary, and Poland, in times of excitement, there is no freedom of speech or of the press. But here, every man says what he pleases, and a portion of the press teems with treason. In the countries above named, if a few persons are found assembled together, they are arrested. Here, large bodies of rebels assemble openly, resolve and say what they please, and no one molests them. Unpardoned rebels sit in legislative halls and make speeches reflecting on loyal people, and no remark even is made. Unpardoned rebels go from point to point in the State, assail the Congress, and excite discontent among the people against the government, and yet no check is placed upon them. Business of all kinds is free, the people, white and black, go where they please and do pretty much as they please; and yet we hear a great cry about the Austrian despotism that oppresses us.

There is no foundation for this talk. The people of North Carolina are infinitely freer to-day, as they will be under the military bill, than they were under the so-called Confederate government. The military law under which the State will soon be placed is rigid, but not more so than it should be. It is necessary, and will only be temporary in its character.

Men in charge against the government, denounce it as a despotism, excite the people against lawful authority, yet no hand is raised to punish them for such conduct, and still they cry, despotism! despotism! What nonsense! The mouths of these ingrates and demagogues ought to be closed, for they are doing injury to the country by misleading those of our people who are passionate, ignorant and thoughtless.

The Meeting on the 27th.

We trust there will be a full meeting on the 27th of the gentlemen named by Col. Harris, Chairman. Come up, friends, in full force. The occasion is one of transcendent importance. Every interest we have as a people is at stake.

No matter what Congress may do meanwhile in the way of an enabling act, and no matter what may be assigned to the military command of this State, it is of the first importance that this meeting should be held. It will bring together a number of leading Loyalists from all parts of the State who can inform each other fully as to the temper and wishes of the people; and it will be a good starting point in the work of reconstruction, which must be performed sooner or later.

We appeal in the most earnest terms to the gentlemen named to permit no ordinary considerations to prevent them from attending.

Treason Rampant in Virginia.

The Charlottesville Chronicle, for example, says, "There are three courses for the Legislature to take. The first is to fight. The second is to fold arms and do nothing. The third is to call a State Convention." And then that paper says, "There would be a unanimous voice in favor of the first, if we had any power to make a decent resistance."

And yet such people are to call Conventions through the State Legislatures, and take the necessary steps to restore the States to the Union. Never! The Union people of these States will never be led any where by men who proclaim that they would unanimously resist the national authority if they dared, and that they are restrained only by fear of consequences from involving the people again in war. Such sentiments, announced by these rebel leaders, furnish the strongest argument in favor of action only by the loyal portion of our people in the work of reconstruction.

Treason Run Mad.

We copy the following horrible article from the last Richmond Examiner:

"The commitment of the destinies of these States into the hands of hundreds of thousands of ignorant, depraved blacks, utterly incapable of comprehending a political principle, without any training, and devoid of any qualification, was designed to have the effect of making a desolation of the Southern States. Those who framed the villainy desired to see repeated here the horrors of Hayti. It would delight the heart of the Republican leaders to see every Southern State in flames, and every hearted slave, every Southern parent and every Southern child starving, and the entire population given over to the unbridled rage and passions of a drunken mob. That is what Mr. Stevens, and Mr. Sumner, and Mr. Wilson, and Mr. Schellenger, and Mr. Wade, are laboring for, and have assiduously labored for, for four years past. We can prevent it—and prevent it alone by perfect harmony. Let our political enemies be our personal enemies, our social enemies, our business enemies. Let us concentrate and consolidate our strength, waiting for God's good day of deliverance. Our case is not yet as desperate as that of the victims of the French prototypes of the American Jacobins; and if we be watchful, avail ourselves of every opportunity, fold not our arms and drift to destruction, we shall one day settle some scores that grow very long these weary months."

If Providence reigns in the Heavens, such unspeakable villainy as animates the hearts of the ruling classes of this land cannot go unpunished, much less be crowned with enduring triumph."

It would be worse than useless to reply to the foregoing. The Examiner is evidently laboring under a vicious madness for which there is no cure in earth or heaven.

We invite attention to the message of Gov. Pierpont to the Legislature of Virginia, which we publish to-day. While we disagree with Gov. P. as to the propriety of taking the work of reconstruction out of the hands of the people, as he proposes to do, we commend his message as a sound, sensible, and patriotic document. The warning he gives should be pondered by rebels in this State as well as in Virginia.

EXCITEMENT IN MEMPHIS.—It is stated that the citizens of Memphis are much excited about the passage through the Legislature of Tennessee of the Police Bill. The citizens, it is said, protest boldly, and the Aechlanche defies Gov. Brownlow. The Aechlanche ought to be silenced.

It is rumored that Gen. Robinson or Gen. Terry will be assigned to the command of North and South Carolina, under the reconstruction act. Either would do remarkably well.

Our Fickle Neighbor.

"He will, and he won't." "He'll be blamed if he don't." "Our neighbor of the Sentinel is uncertain as the March wind. In one breath he declares he will never degrade and dishonor himself by accepting the reconstruction act and voting with the colored people, and in the next he advises his friends to accept the act and engage in the work of reconstruction."

But in his issue of the 9th, having reflected soberly on the ruin he has aided in bringing on this people, he makes the following truthful remarks:

"The country must have rest. Hunger, nakedness and death, not only for ourselves, but for our children, lie in the pathway of continued enmity and agitation. We have prayed to be let alone, but this prayer is unavailing. We have labored and prayed for peace and constitutional freedom, but these are boons to come to us at the will of the ruling power. The country for the present is one—let us be one, if concord and peace ever visit our land again. Such a Union, as we have had may never be ours again, yet the country is indissoluble and inseparable. Shall it be again united, peaceable and prosperous? That may be distant, yet we owe it to posterity, that we shall not prevent her early return to peace and quiet."

What then shall we do? We acknowledge our incapacity to instruct our readers on this momentous question. The mind grows dizzy and benumbed in contemplating it. We advise no man to take a course, that will soil his honor or his conscience. If conscience and honor forbid your co-operation in the plan of reconstruction as provided by Congress, it is your plain duty, not to put barriers or impediments in the way of those who will. Resistance longer is folly and ruin."

This is a frank confession. The Sentinel admits that further agitation will bring "hunger, nakedness and death" upon us all, the innocent women and children included. It admits that further resistance is "folly and ruin." In God's name, then, if this be true—and the Sentinel says it is—let no man not acceptable to the Congress take part in the work of reconstruction. Let the loyal whites and the colored people do this work at once. Let no man interfere with them or embarrass them. On the contrary, let those who can not or ought not to help, "stand afar off" and wish them well, and pray to God that their labors may be crowned with success. To do otherwise is to incur perpetual military rule, confiscation, and "hunger, nakedness and death." The Sentinel has said it, and we concur with it in its apprehensions. Let that paper, as fickle as it may be on other points, adhere to this. If it will, and will steadily hold up to its readers the "folly and ruin" of further resistance to the will of the nation, it may do something to atone for the wretchedness, suffering and woe which the Editors and their friends have inflicted on this people.

Match Game for the Championship between the National Base Ball Club of Raleigh, and the Meteors of Newbern.

On Thursday afternoon the National and Meteor Clubs had a sharp and stirring contest upon the play grounds of the former, in the Northeastern portion of our City, for the champion ball of the State. The Meteors had been at the Yarrowboro House for some days, detained by unfavorable weather, but we learn enjoyed themselves notwithstanding the unlooked for delay.

We reached the ground on Thursday just after the game had begun. Quite a crowd had gathered, which continued to increase until the close of the contest. The Meteors led off finely, and the Nationals seemed to be doomed to certain defeat. The latter entered the lists with four of their first nine on the sick roll and absent, their places being supplied with less skillful players. Naturally under the circumstances they were discouraged. However, as the game progressed, the steady playing of the Nationals began to tell—gradually they gained upon their opponents, who nevertheless exerted themselves and played with great energy and activity. Much interest in the game was now evinced by those present, and the sympathy of the crowd seemed to be pretty well divided between the contestants.

When the victory of the Nationals was announced, the Meteors gave their antagonists three cheers and a tiger, when the compliment was returned with a hearty good will.

Where such good playing was done by each and every one engaged, it would be invincible to discriminate further. We can only invite attention to the table published below, giving the number of runs, fly-catches, &c.

A fine supper was served the same evening at the Yarrowboro House, at which the Nationals entertained their friends in a sumptuous manner.

The following is the official statement of the names:

National Club.		Meteor Club.	
PLAYERS.	O. R.	PLAYERS.	O. R.
1. Spooner, G. O.	1	1. Dey, J. W.	3
2. Carter, W. A.	3	2. Carter, E. H.	4
3. Kilmer, A. C.	2	3. Hilton, J. W.	3
4. Scott, J. A.	4	4. Radtke, A. W. S.	8
5. Brady, W. D.	3	5. Heaton, James	2
6. David, F. E.	6	6. Cowles, W.	4
7. Fiske, F. E.	6	7. Rutledge, J. M.	3
8. Stubb, D. D.	5	8. Young, G. W.	3
9. Shelmire, G. W.	4	9. Hilton, R. H.	3

INNINGS.

CLUBS.	1	2	3	4	5	6	7	8	9	TOTAL
National	1	5	8	0	11	12	6	4	40	
Meteor	1	0	4	4	1	11	2	1	40	

HOME RUN.—Kilmer, 1, Heaton 1, Fly Catches Made.—Carter 3, Kilmer 3, Scott 1, Brady 1, Shelmire 1, Day 3, Carter 3, Hilton 1, W. 1, Heaton 1. UMPIRE.—Mr. Easton of the Aler B. Club of Richmond.

SCORES.—Messrs. Winner and F. A. Fiske of the National Club.

Race, March 7th, 1867.

We understand the second game will be played between these Clubs, at Newbern, in the course of two or three weeks. The third game will be played afterwards at Goldsboro. The prize contested for is a silver Ball to cost \$100, and the championship of the State.

VIROINIA.—The indications now are that the Legislature of Virginia will call a Convention, Providence and Congress permitting. There is much feeling in the State.

The Sentinel says: "We advise our colored friends in this State to keep their eyes well skinned. White folks are mighty unsartin."

The Sentinel has no colored friends in this State. When the colored people of this State want advice from the Sentinel, they will ask for it.

The Sentinel approved the proposition in the message of Gov. Worth to distribute the colored people throughout the United States. That is one specimen of the Sentinel's friendship for the colored people.

News from Washington.

We copy the following from the Baltimore Sun of the 5th:

"It appears to be settled that the present session of the fortieth Congress shall not extend beyond this week; but this is to be definitely settled in caucus of the republican members to-morrow night."

No important legislation is to be attempted except the impeachment investigation, which will undoubtedly be resumed and referred to a committee, with power to pursue the examination of witnesses during the recess, and report at the next session, which will likely commence on the first Monday in October.

A struggle is in progress to get the matter referred to the judiciary committee, in conjunction with an additional special committee of six members. General Butler disapproves of the line of investigation pursued, and the character of the testimony sought by Mr. Ashley. Gen. Butler thinks it futile to be fishing for minnows when they should be trying to catch a whale, and therefore he will move for an abandonment of petty charges against Mr. Johnson, and urge a trial on broader and less personal grounds, viz: Unlawful use of legislative power and the disposition of the railroad interests in the South.

The latter proposition may be abandoned, as it is shown that the railroad property was disposed of under direction of Mr. Stanton and General Thomas.

The next session to-day, the subject of the appointment of military commanders for the five districts in the Southern States, named in the military government act was considered. A complete list of these assignments was not decided upon, but it is understood that General Schofield will have command at the first, which includes Virginia, and General Hancock will take command of the fifth district, which includes the States of Louisiana and Texas.

The people of Virginia, it is stated, desire the retention of Gen. Schofield in that district. The commanders of other districts may be determined to-morrow, but probably not until the next meeting of the cabinet."

On the 6th instant, Mr. Sumner introduced a bill in the Senate to guarantee a republican government to each of the Southern States, and to protect the loyal people of the South, accompanied by an oath for voters.

We learn that Judge Kelly, of Pennsylvania, has introduced a similar bill in the House.

The Sherman and tenure of office bills have been officially published by the State department.

There was to be a Republican caucus on the night of the 6th.

REINFORCING!—More troops moving for this State. Who is to blame for this, but those rebel leaders who have thus far prevented the restoration of the Union?

GENERAL GRANT'S POSITION.—The Washington correspondent of the Boston Advertiser writes as follows in his letter of the 23rd instant:

"The fate of the reconstruction bill at the hands of the President is not yet certain, though the prevalent opinion is that a veto will be sent in to-morrow, or on the following day at the furthest. General Grant does not hesitate to say very frankly and pointedly that it would be advisable for the President to give it his signature. At an interview with the Secretary of the Treasury this morning he asked the Secretary what the President would do with it; would he sign it? The Secretary evasively answered that he did not know. The President had said result has been apprehended for some time, we had fondly hoped that his intellectual powers might have remained unimpaired. His trial has been doctored for the 20th instant. An informal conference of Cabinet held on yesterday, it was determined to enter no plea of insanity, but to rest the case, as before, solely upon its merits."

REV. GEORGE T. WILLIAMS.—The Petersburg Index states that a dispatch was received in that city on Monday, from Annapolis, Maryland, announcing the arrival of Rev. George T. Williams at that place, in a condition of hopeless insanity. Although this result has been apprehended for some time, we had fondly hoped that his intellectual powers might have remained unimpaired. His trial has been doctored for the 20th instant. An informal conference of Cabinet held on yesterday, it was determined to enter no plea of insanity, but to rest the case, as before, solely upon its merits."

A MEDICAL COLLEGE OF SOUTH CAROLINA.—At the commencement of the South Carolina medical College, on Saturday last, the Degree of Doctor of Medicine was conferred on J. C. M. Lottin, Mount Olive, Wayne County, N. C.; D. McCallum, Alfordville, N. C.; and J. Jackson, Leesville, N. C. A license to practice Medicine was granted to Mr. W. V. Wood, Ansonville, N. C.

The prize presented by the Faculty for the best written examination, and completed for by the graduates, was awarded to Dr. Jno. B. Hott, of Savannah, Ga.

Bishop Soule's Death.
NASHVILLE, March 7.
Bishop Soule, of the Methodist Episcopal Church, South, died on the 6th, aged 89 years.

It was the oldest Methodist Bishop in the United States.

From Tennessee.
NASHVILLE, March 6.—Gov. Brownlow has issued an order to organize a volunteer force to serve for three years, to be under his command, to act as a military police, whose duty will be to preserve the peace and protect the people.

The Markets.
NEW YORK, March 6.
5-20's of 1862, with coupons, \$10a110c. New issue \$10a. Gold \$123 1/2. Cotton dull and declining; sales of 1,800 bales at 30c. Flour firmer; Southern more active, mixed to good \$10.20 to \$11.80; fancy to extra \$11.90a\$16.50.

Corn heavier and easier. Mixed Western \$1.09a\$1.10. Pork heavy and lower, \$21.80. Whisky steady.

NEW YORK, March 7.
The stock market is excited: Virginia's 5-20's, 5-20's of 1862, coupons, \$10a\$10.94. Gold opened at \$1.35 and declined to \$1.34 3/4.

H. J. MENNINGER
Wholesale Druggist,
28 POLLOCK STREET,
NEWBERN, N. C.
July 17-76 tf