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No. 9.

[Reported for the DAILY SIGNAL.]
THE GENERAL ASSEMBLY.
CALLED SESSION.

SENATE.

THURSDAY, March 25, 1880.

The Senate was called to order at 10 o'clock, A. M., President Robinson in the chair.

Prayer by Rev. J. M. Atkinson. The journal of the previous day was read and approved.

Senator Scales offered a report supplemental to the report of the Committee to superintend the election of Trustees to the University; placed on the journal.

Senator Bryan, of Pender, introduced a bill to incorporate the Wilmington Market Company; placed on the calendar.

On motion of Senator Erwin, the rules were suspended, and Senate bill No. 88, a bill in regard to employing convict labor on a certain road, in Jones and Onslow counties, was taken up, and passed its third reading.

On motion of Senator Graham, the rules were suspended, and a bill to amend chapter 83, laws of 1879, was taken up, and passed its third reading.

On motion of Senator Dortch, the rules were suspended, and a bill to amend section 1, chapter 257, laws of 1879, was taken up, and passed its several readings.

On motion of Senator Brower, the rules were suspended, and a resolution in relation to the Cape Fear and Yadkin Valley Railroad, was taken up.

Senator Scales moved to refer to the Committee on Finance.

Pending this motion, the hour for the special order arrived.

SPECIAL ORDER.

S. B. No. 8—bill to provide for the sale of the Western North Carolina Railroad, and other purposes. The clerk read sec. 17.

On motion of Senator Williamson, the rules were suspended, and a message was ordered to be sent to the House of Representatives, requesting the return of S. B. No. 55—a bill relating to the Atlantic Iron and Steel manufacturing Company.

Senator Dortch offered to amend section 17, as follows: In line 17, strike out the words, "as by law may be directed," and insert, "if a future Legislature shall so direct."

Senator Dortch explained the effect of his amendment, and said that it was a little singular to him that, in the event of Mr. Best refusing to comply with his contract, that he should then be entitled to a voice in the management of this property, under the new organization then to be formed. That the words of this section bound the State and did not bind the grantees; that, if the grantees should surrender the road, that then the State was compelled, by the provisions of this section, to complete it, *money or no money, credit or no credit*; that it was true, a future Legislature might refuse to carry out the provisions of this section, but they had no right to do so.

Senator Henderson spoke and favored the adoption of section 17, as it now stands, upon the ground that it did not bind the State and that it only bound the new organization.

Senator Leach spoke against the adoption of the amendment, and took the position that it would effect no material change in the section, and that the State was not bound, either legally or morally, to complete the road when the continuation of section 17 arose.

Senator Alexander opposed the amendment, because it would then give the Legislature power to tax the grantees and stockholders to complete the road.

The Senate refused to adopt the amendment of Senator Dortch, by a vote of ayes 19, noes 27.

The Senate then adopted section 17.

Section 18 was read, and Senator King offered the following amendment: Amend section 18, by adding after word "act," in line 26, the following words: "And in no contingency shall the said grantees enforce their said lien for such expenditures, either in law or equity, until the said road shall be completed to the town of Murphy; and if the said road shall never be so completed to said town, then and in that case, the said lien shall never be enforced; but the same shall be treated as stock paid for in the said Western N. C. Railroad Co., for that amount."

Senator King said that, his object in offering this amendment was, to make the bill speak what Mr. Best, through its friends, says it does; and what its opponents say, it does not speak.

Debate then followed, engaged in by Senators Respass, Leach, Dortch, and others.

The Senate refused to adopt the amendment by a vote of ayes 19, noes 26.

The Senate then adopted sec. 18, as read.

Section 19, was read and adopted.

Section 20, was then considered, and the following substitute was offered:

"That like total rates of transportation charged over said W. N. C. Road, and other roads with which it may at any time form through lines of traffic, to or from, or through seaports, in adjacent or other States, shall likewise be enjoyed on traffic to or from, or through, seaports within the State of N. C."

"That the foregoing provision shall apply, as well to traffic interchanged with future connections of said W. N. C. R. R., as those contemplated at the time of this agreement."

"That on traffic passing over its line, to or from points within the State of N. C., the W. N. C. R. R. will neither charge, nor participate in higher rates than may be applied on like traffic between points in adjacent States, that are of similar distance from the destination thereof, as are said points within the State."

"That interchange of cars, at junction points, with roads of different gauge, shall be without hindrance; said roads furnishing the necessary trucks suitable to their gauge."

"That the Legislature of North Carolina shall enforce the observance of these conditions, when necessary, by appropriate legislation."

Senator Henderson said: "This substitute amounts to nothing."

Senator Dortch: "If this substitute amounts to nothing, what does section 20 amount to?"

Senator Henderson replied by saying, that if section 20 amounted to nothing, the substitute amounted to nothing.

A lively debate then ensued, and, upon a vote, the Senate refused to adopt the substitute Ayes 20, noes 27.

Senator Dortch then offered the following amendment to section 20:

"That to prevent extortion upon the people of North Carolina, and unjust discriminations, the General Assembly shall have power, from time to time, in its discretion, to enact such laws as may be deemed necessary, for the purpose of regulating the rates of fare and transportation on said railroad and its branches, and to prevent all discriminations against the seaport cities and towns of this State."

The vote of the Senate upon the adoption of this amendment stood 18 for, and 27 against.

Section 20 was then adopted, as read. The remaining sections were then read, and adopted. The bill was then put on its second reading and Senator Bryan, of Pender, offered the following amendment: In line 9, sec. 10, after the word "Murphy" insert the words, "by W. J. Best, his associates and assigns." This amendment followed the fate of all others proposed to this bill; and was lost. The bill then passed its second reading. Ayes 36; noes 11.

BILLS AND RESOLUTIONS INTRODUCED.

The following Senators introduced bills and resolutions as follows:—

Mr. Harris—A resolution instructing the Public Treasurer to issue bonds to E. A. Crudup, administrator of Seth Jones, deceased. Referred to the Committee on Finance.

Mr. McEachern—A bill in relation to the collection of taxes in Robeson county. Placed on the calendar.

Mr. Nicholson—A resolution for the relief of C. Joyner, of Iredell county. Referred to the Committee on Finance.

Mr. Snow—A bill to amend section 1, chapter 194, laws of 1876-77. Placed on the calendar.

Mr. Respass—A bill repealing chapter 232, of laws of 1879. Calendar.

On motion of Senator Everitt, the Senate adjourned to meet to-morrow at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

At 10 o'clock the House met, Speaker Moring in the chair.

Prayer offered by the Rev. Mr. Gwaltney, of this city.

The Journal of Wednesday partially read and dispensed with.

PETITION AND MEMORIALS.

Mr. Audrey—a petition from Mecklenburg in regard to the sale of liquor. Calendar.

Mr. Click—for the incorporation of a church in Iredell county. Calendar.

REPORTS OF COMMITTEES.

Committee on Propositions and Grievances reported favorably on H. B. No. 56; H. B. No. 130; and unfavorably on H. B. No. 18; H. B. No. 34; H. B. No. 45 and H. B. No. 61; recommending that H. B. No. 45 be referred to the Committee on Finance.

Committee on Internal Improvements reported favorably on H. B. No. 128—chartering the Newbern and Beaufort Canal Company, also on H. B. No. 129—to amend the charter of the A. and C. Air Line Railroad.

The Committee on the Trustees of the University offered a supplementary report in regard to the election of N. P. Ford.

The Committee on the Judiciary reported on H. B. No. 16—in regard to bastardy cases, recommending its passage.

The Committee on Engrossed Bills reported Senate amendment to S. B. No. 34—H. B. No. 105, properly engrossed.

INTRODUCTION OF RESOLUTIONS.

Mr. Council—a joint resolution, providing that the Legislature do adjourn on Monday, the 29th inst., at 12 M. Calendar.

Mr. Turner—a resolution of instruction to the committee to inquire into the fraud in connection with the School Bill. Calendar.

By same—a resolution of inquiry in regard to setting back the clock on the last day of last session.

By same—a resolution in regard to the Swepson and Littlefield fraud case. Calendar.

BILLS INTRODUCED.

Mr. Audrey—a bill to amend chap. 7, sec. 8, Battle's Revisal. Calendar.

Mr. Click—a bill to incorporate a church in Iredell county. Calendar.

Mr. McCorkle—a bill to aid in the construction of the T. & W. Railroad. Calendar.

Mr. Angier—a bill to amend chap. 2, laws of 1879. Calendar.

Mr. Smith—a bill to make Muddy Creek a lawful fence. Calendar.

Mr. Blocker—a bill to amend chap. 293, laws of 1879. Calendar.

Mr. Cooke—a bill to allow Halifax court to sit two weeks. Calendar.

By consent, H. B. No. 129—to amend the charter of the A. & C. Air-Line Railroad, was placed on its several readings, and passed, and was ordered to be engrossed and sent to the Senate.

Mr. Covington—a bill to amend chapter 28, section 1, of Battle's Revisal. Calendar.

Mr. Jones moved that so much of the journal as touched upon the resolution of inquiry, introduced by Mr. Normant, (the Turner charges) be expunged. After quite a debate, and some explanations, the motion prevailed.

S. B. No. 44—H. B. No. 106—to authorize the establishment of graded schools in Salisbury and Goldsboro. Passed its third reading, and ordered to be enrolled for ratification.

On motion of Mr. McCorkle, Col. Means, a former member, was invited to a seat in the House.

Mr. Jones, of Caldwell, was called to the chair.

Messrs. Covington, Carter, of Buncombe, and Atkinson, rose to questions of personal privilege, explaining their positions and remarks on the railroad bill; Messrs. Covington and Atkinson stating plainly that they would vote for the bill if amended; while Mr. Carter was opposed to all amendments; favoring the bill as it now stands.

S. B. No. 16—H. B. No. 103—for the relief of Beaufort county. After some lively discussion, the bill was passed, and was ordered to be enrolled for ratification.

H. B. No. 99—to incorporate the town of Mebanesville. Passed third reading, and ordered to be engrossed and sent to the Senate.

H. B. No. 32—to incorporate the town of Randleman Mills, in Randolph county. Passed, ordered to be engrossed and sent to the Senate.

Messages from the Senate, announcing the passage of Senate Bills Nos. 70, 88, 89, and 94, were read, and the bills placed upon the calendar.

Also a message, asking for the recall of S. B. No. 55. Ordered to be returned as requested.

A message from the Governor, recommending an appropriation of \$10,000 for the use of the Western Insane Asylum, was read and sent to the Senate.

UNFINISHED BUSINESS.

H. B. No. 1—W. N. C. Railroad. The question before the House being the amendment offered by Mr. Richardson, of Columbus:

Mr. Taylor followed the example of Mr. Turner, and told a "little allegory," applying the story of the straw that broke the camel's back. This was received with laughter and applause. He opposed the amendment.

Mr. Blocker favored the bill as trade; it was not as good as he wanted, but he thought it as good as he could get. He had perfect confidence in Mr. Davis, who drafted the bill, and believed that the bill gave sufficient guarantees, and opposed all amendments, taking the responsibility of his course.

Mr. Bernard rose in opposition to the amendment. He thought it a stab at