

# The Wilmington Sun.

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WILMINGTON, N. C., SATURDAY, FEBRUARY 13, 1879.

THE SUN  
ANNAS...  
GENTS A COPY

## THE LEGISLATURE.

### RESUME OF PROCEEDINGS.

Thirty-Second Day—Tuesday, February, 13th.

High Observer, Shortened.  
SENATE.

A message was received from the Governor covering a report from L. C. Jones, President of the Western Railroad Company, concerning the debt of that company. The report was ordered to be printed.

The bill to abolish the office of State Geologist came up at 11 o'clock as the special order.

Senator Dorch doubted the policy of abolishing the office of Geologist.

Senator Everett had found it valuable to the State, and wanted it kept up.

Senator Merritt offered a substitute as follows: "A bill to be entitled an act to amend section 13, chapter 2, Battle's Re-visit, so that it will read: 'The department of agriculture shall appoint a suitable person to conduct under their supervision a geological and agricultural survey of the State, and to amend section 14, last line, so that it will read board of agriculture instead of board of literature.'

Senator Caldwell spoke in favor of the original bill.

Senator Hoyle also favored the original bill, but Senator Alexander thought the substitute the better proposition, and spoke in its favor, and Senator Seales expressed his entire opposition to any scheme looking to the abolition of the impairment of the geological survey.

Senator Bryan spoke in favor of continuing the survey.

The discussion was incidentally engaged in by Senators Davidson, Bryan of Duplin, Erwin, Robinson and Snow.

Sensors Snow and Davidson, by consent, sent forward and had read for information the substitutes for the original bill.

On motion the Senate adjourned.

### HOUSE.

Resolution in regard to A. C. Meares, instructing the Committee on Privileges and Elections to investigate his right to a seat, was taken up.

Mr. Norment, its introducer, handed in a notice of contest served by the sheriff of Brunswick county upon the sitting member. The resolution was referred to the Judiciary Committee.

The special order, bill to abolish the taxes of attorney, charged in bills of costs in civil suits in any courts in the State, was taken up. The substitute of Mr. Vaughan, which was some what discussed yesterday, was first acted upon.

Mr. Mebane thought the amendment made in some of its provisions, but favored the original bill.

Mr. Amis opposed the substitute.

Remarks were made on the subject by Messrs. Vaughan, Taylor, Bernard and Barringer.

An amendment was sent forward by Mr. Blocker, providing that the provisions of this act shall not apply to actions on plain notes of hand where there is no defence, or to actions before Justices of the peace. This was accepted.

Mr. Lockhart took both a humorous and serious view of the subject.

Mr. Vaughan called the previous question upon his substitute. This was then lost by a vote of 52 to 22.

Mr. Cooke offered an amendment that there shall be taxed by clerks of Superior Courts in all civil actions \$3, to be held as a fund for the benefit of jurors. Mr. Cooke thought a man who unjustly forces another into court should be made to pay for such conduct. Messrs. Norment, Mebane and Vaughan took up this, and the argument, as during the whole discussion, in fact, became somewhat heated.

Mr. Brown, of Mecklenburg, offered an amendment to the amendment to strike out \$3 and say \$2. Lost.

Mr. Cooke's amendment was then lost by a vote of 61 to 35, the yeas and nays being called by Mr. Vaughan.

The bill then passed its second and third readings.

On motion of Mr. Mebane the vote by which the bill passed was reconsidered and that motion tabled.

The House went into the consideration of the bill to amend the Constitution so as to leave the providing for the support of indigent deaf mutes, blind persons and the insane optional with the Legislature. There were submitted majority and minority reports, the latter recommending that the word "shall" as at present, be not changed, and that the word "indigent" be inserted.

Mr. Clarke favored the minority report, taking from successive legislatures the right to change what should be unalterably fixed in the constitution.

Mr. Jones moved to indefinitely postpone the whole matter.

Mr. Norment said under the amendment proposed by the minority report the asylum would not be bound to take care of any deaf and dumb or blind or insane, save those who were "indigent."

Mr. York said the amounts paid out of the Treasury now were very onerous to the State, and continually increasing as a burden.

Mr. Blocker took the same view.

Mr. Maughan said the people had already suffered enough by the iron-bound constitution of the State.

Mr. Barringer said it was the people's desire to take out the word "shall" with its mandate, and put in its place the word "may," which had flexibility of construction. The bankrupt State must lift this burden from her shoulders.

Mr. Jones said the Senate should not show partiality towards any of her citizens. But while this was a fact, it was not right to turn out those upon whom fate had laid a heavy hand, upon a cold word.

Mr. Atkinson said the proposition was in a few words whether the rich people shall go to the asylums but the poor be cast out.

Mr. Amis would have favored postponement and consideration of the matter.

Mr. Clarke then called the previous question.

The motion of Mr. Jones to indefinitely postpone was then lost. The vote then recurred upon the adoption of the minority report. Upon this the yeas and nays were called, when it was adopted.

The majority report, or rather the bill,

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Shelley of Alabama, had no sympathy generally with these war claims, and said there were no Confederates presenting such claims, and there were not in Alabama, twenty war claims and he certainly would not vote for any Alabama claim wherein loyalty was set up.

Mr. Butler, of Massachusetts, expressed his views on the war claims. So long as such claims were presented for damages done during the war, or for property occupied during the war so long would there be misunderstanding between the sections of the Union. Both sides desired that "by-gones should be bygones," and that all about the war should be forgotten. There was one thing, however, which could not be forgotten, and that was the valor and patriotism of those who fought for the Union in the hour of its direst peril, nor would the bravery, earnestness and loyalty to the cause which they espoused of those who fought on the other side be forgotten. He was willing that the States should be put upon the same ground that the Fathers of the Republic had put them upon in the war of the Revolution, by assessing all their debts for raising and recruiting troops, and after that let no claim arise out of war except claims of maimed and disabled soldiers, and with that determination on the part of the people of the country, both North and South, the time would not be far distant when a feeling of brotherhood would take into a feeling of government the maimed and disabled soldiers of the Southern army, remembering the courage, the steadfastness and the gallantry, and forgetting the mistaken judgment which made them fight upon the side they did.

White, of Pennsylvania, opposed the bill as a claim for the loss of land damaged to property in an insurrectionary State.

Aiken, of South Carolina, declared himself opposed to all Southern war claims. He was glad to hear that some members on the Republican side were liberal enough to vote compensation for damages to religious, educational and eleemosynary institutions at the South. For himself his independence would not allow him to do even that. The Southern people should go back to first principles and go to work and rebuild such institutions themselves. They had risked everything in war and had no favors to ask from those who had whipped them. He honestly believed that if the Southern States had been represented in Congress in 1871-73 as they were represented today there would be no cry as that a hundred millions had been drawn from the Treasury to pay Southern war claims. Judging of all of these claims that a grander set of villains never had drawn a dollar out of the Treasury. His own little State had been represented in Congress by men who were now God only knew where. They had never been South Carolinians, and yet they had voted the claims of men who had not a just title to a dollar. He honestly believed the Treasury was safer in the hands of men who defended the Confederacy than in the hands of those who held it today. The people of South Carolina no matter what their rebellious proclivities had been heretofore were today as strong and united in defense of the government as the people of any State in New England or the northwest; himself and those of his colleagues who truly represented that State, were here to protect the Treasury, and the best way to protect it, (so far as these claims were concerned), was to drive every one of them from the halls of Congress. [Applause on the Democratic side.]

Mr. Keifer, of Ohio, criticized Mr. Butler's speech, and citing the part of it in regard to pensioning the Confederate soldiers, asked whether he understood him correctly.

Mr. Butler—The repetition of the question of the debt of the Treasury by these claims, I think that the pity and the humanity of the North will take care of the maimed men of the war, and if you wish to know it (I see no more reason why a Confederate soldier, maimed and crippled in the honest discharge of what he believed to be his duty, should not be pensioned than why a Confederate General who honestly believed he was doing his duty should be put into the Re-

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