

# The Daily Journal.

ESTABLISHED, 1851.

WILMINGTON, N. C., TUESDAY MORNING, FEBRUARY 13, 1877.

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## THE TELEGRAMS.

### LOUISIANA REACHED!

Vote of that State claimed by Cooper and Cary, John Smith the Electors; case referred to the Commission.

### FAVORABLE PROGRESS IN NEGOTIATIONS BETWEEN TURKEY AND SERBIA AND MONTENEGRO.

### Noon Reports.

WASHINGTON, Feb. 12.—House.—After various propositions Speaker Randall ruled that there was nothing in the electoral law that authorized a recommission of the question back to the commission. The response of the House must be yes or no. A two hour's discussion commenced at 11:10. All the committee adjourned to 3 o'clock. It is determined to separate the two Houses on Illinois, for which two hours will be allowed, outside of a prologue and epilogue. Louisiana will not be reached to-day. Commission not in session. By 12 o'clock nearly all the Senators were present, but no business whatever was transacted and the Senate having affirmed the decision of the electoral commission in the Florida case on Saturday, awaited notification from the House of Representatives that that body was ready to resume the joint session to continue counting. A precedent may be established to-morrow which will virtually decide the great question. Separate action will be had in the case of Chaffee, the alleged ineligible elector of Illinois. Should it be clearly shown that Chaffee is within the inhibition of the constitution and Edmunds and Frelinghuysen vote to count him the case may be regarded as desperate. It is stated that Bradley considers it a great wrong that a legal technicality should deprive the people of Oregon of their vote. It is reported that it is none of his business. Mat Carpenter claims to have the Louisiana case dished up in a way that will defy the commission's dogmatism. It will be too heavy. He offers to wager the coating of his own stomach on the gag.

FOREIGN. London, Feb. 12.—The Observer publishes a special from Peru saying it is reported that it is probable that Sir Edward Thornton, the new British Minister to the United States, will be appointed English Ambassador to the Porte. The report creates a favorable impression. The Observer's financial article says: "Application has been made for a mandamus to compel the United States Cable Company's board of directors to recognize the votes which the chairman of the late meeting of shareholders decided invalid and declare the resolutions of Mr. Pender, who represents the amalgamationists, adopted." It is believed that a decision will be obtained within a fortnight. A dispatch to the Times from Vienna says: "It is stated here that the Powers will probably not answer the Russian circular at all. If a conditional answer were given the five Powers would tacitly acknowledge Russia's claim for herself of freedom to withdraw from common action whenever she pleased. While separate answers would destroy the effect on the Czar's resolutions (which an annunciation of all the Powers might have) the circular itself did not ask or require an answer. It simply instructed the Russian representatives to ascertain the views of the Cabinets to which they were accredited. Curiously enough Russia does not seem very anxious to know the views of the Cabinets for the

Russian representatives have not yet taken any steps towards ascertaining them.

Correspondents report favorable progress in negotiations between Turkey and Servia and Montenegro. Midhat Pasha has arrived at Brindisi. He attributes his banishment to Russian intrigues. It is understood that the changes in the Roumanian ministry are favorable to Russia.

### Night Reports.

WASHINGTON, Feb. 11.—The Democrats at the last moment concluded not to make any objection to Illinois.

Louisiana was reached, objections made and the Houses separated. The commission meets at 10 o'clock to-morrow to hear arguments.

SENATE.—President Ferry decided that no legislative business was in order, pending the decision of the electoral commission. At 12:30 o'clock the Senate repaired to the House, and returned at 4:30 and resumed legislative business.

The resolution offered for an attachment against Conrad C. Johnson, cashier, was laid over under objection. The executive session then adjourned.

The Secretary of the Treasury has called in \$10,000,000 5-20 bonds of act March 3, 1865, dated November 1, '65. Interest thereon ceases May 12, 1877. A dispatch to the Commissioner of Internal Revenue from agent Chamberlain, dated Cartersville, Ga., reports a raid in the northern portion of that State, in which thirty-three stills were destroyed and eighty-four arrests made. Lieutenant McIntyre, of the second infantry, was killed in the Fog mountains by thirty illicit distillers who attacked the government force under cover of the night.

After a spirited and earnest debate this morning upon the decision of the electoral commission with respect to the vote of Florida, the House decided by a strict party vote that the finding of the commission was not correct, and that the Tilden electors had been elected in that State. The Clerk of the House was directed to inform the Senate of the action of the House, and that it was ready to receive that body for the purpose of proceeding with the count.

The Senate having appeared Vice President Ferry caused the Secretary of the Senate and the Clerk of the House to declare what action the respective Houses had taken in regard to the decision of the commission. This having been done the President of the Senate declared that both Houses not having concurred in setting aside the decision of the commission the vote of Florida would be counted for Hayes and Wheeler.

The votes of Georgia, Illinois, Indiana, Iowa, Kansas and Kentucky were also counted for the respective candidates. When Louisiana was reached the President of the Senate handed to the tellers three certificates, two of which were in favor of the Hayes electors and one, signed by McEnery, as Governor, in favor of the Tilden electors. There was also a certificate, which the Vice President said he had received by mail, purporting to cast eight votes of Louisiana for Cooper and Cary. The reading of this certificate created much amusement, the electors all being named John Smith—distinguished from each other by the numbers 1, 2, 3, 4, 5, and 6, and letter A, letter B, and Let Her Rip—the Vice President asked and obtained unanimous consent to suppress this certificate, which was manifestly bogus and a burlesque. Objections being made to the other three certificates, the objections were referred to the commission.

The Senate withdrew and the House took a recess until 10 o'clock to-morrow. Mr. Carr, from Kerr's old district, in the course of a speech said: "Florida should have been counted for Tilden and Hendricks. But, sir, at the same time, I hold that the Democratic majority of this House has no moral right to complain that this commission has rendered a partisan decision in reporting the four electoral votes of Florida for Hayes and Wheeler. While I assert that this decision is contrary to the facts and contrary to the will of a large majority of the people of the United States, yet I as boldly assert that the wrong is chargeable to a cause farther back than the commission—the wrong rests upon the shoulders of those who established this partisan tribunal. When the Democratic majority of this House adopted this law with

the full knowledge that a majority of the commission would be Republican, governed by Republican instincts, controlled by Republican interests, warped by Republican hopes and moved by Republican motives, they deliberately abandoned every claim which the Democratic masses asserted to a control of our national affairs. The commissioners have done no more or less than what could or should have been expected or required of them. You erected a political tribunal, invested it with political authorities, and gave them political questions to determine which they have settled from a political standpoint. Being Republicans the believed that the Republican candidate for the Presidency was and ought to be elected. In making their declaration they have been true and faithful to their political sentiments, education and associations. No legal wrong can attach to them for this; but when you, as Democrats, deliberately put such power over such questions in the hands of a tribunal so constituted, you committed a bold and daring wrong to your pretended political constituents, and assured by your political associates, whose political sentiments and rights you betrayed and abandoned to your political adversaries, I arise to remind the Democratic majority that, in common decency, your votes on this measure have estopped you from indulging in even one word of criticism against the decision of that tribunal." He concluded: "I denounce the majority of this House as being responsible for the wrong and recanting ignominiously or corruptly recanting to the confidence which has been imposed in them and faithless to the trusts confided in them.

The election commission was called to order at 4 o'clock and received the certificates and accompanying papers in the Louisiana case. Messrs Field, Campbell, Trumbull, Carpenter, Merrick, Hoardley and Green are counsel for the Democrats, and Everts, Matthews, Shellabarger and Hon. Stoughton for the Republicans.

Senator McDonald and Representative Jenkins will appear as objectors on the part of the Democrats and Senator Howe and Representative Shellabarger on the part of the Republicans. The commission adjourned to 11 o'clock to-morrow.

The objections to the Hayes electors assert foulness on the part of the returning board. Two of the electors were Federal officers, and the certifying Governor a creature of compromise and barely *de facto*, not by any construction *de jure*, and that half the electors were State officers whom the Constitution of Louisiana forbids exercising functions like those of Presidential Electors.

AGUSTA, Feb. 12.—Saturday night H. J. Razier, a merchant, of Sparta, was waylaid while going home from his store, struck with a slug-shot and robbed of \$100 and a watch. He has since died.

FOREIGN. BIRMINGHAM, Feb. 12.—The Post asserts that the liberal leaders, after consultation, have determined to submit the matter declaring that it is the duty of England in concert with the European powers or, failing in this, with Russia alone, to enforce upon Turkey the adoption of the necessary provisions for the security of Christians in the disturbed provinces.

GENERAL NEWS SUMMARY. Carlyle uses the word "indispensable." One sentence in Everts' argument on the Florida vote contained 361 words. Herbert Spencer is so ill that he may not be able to finish his system of philosophy. Little Wheat, the Sioux chief, has reappeared. He has not been thrashed yet. Notwithstanding the terrible losses which the Gloucester fishermen sustained during the month of December and January last, the owners of fishing vessels are fitting out a large number, and starting them off with great faith, in the hope of making up past losses. The vigor and enterprise exhibited by the men who take hold of this business are certainly interesting and commendable.

The revival meetings of the First Baptist church in Raleigh, continue with much interest. Dr. Manning, late of the Weldon News, contemplates joining the Baltimore press. A five year old son of Capt. Lecko of the Gloucester Vessel, on the Roanoke river, fell overboard and was drowned.

## LEGISLATURE OF NORTH CAROLINA.

From the Observer.

### SENATE.

SATURDAY, Feb. 10. Upon motion of Latham, the bill in regard to requiring all persons to produce their tax receipts before voting, was reconsidered and made the special order for Thursday next. Moore of New Hanover, col., arose to a question of personal privilege, stating that on yesterday, he was in the House of Representatives, in conversation with a member when a policeman arrested him and took him down in the city and left him, without informing him for what he was arrested. Binnett offered a resolution of enquiry relative thereto, which was adopted.

The Chair appointed Messrs. Bennett, Folk and Troy as members of the committee. Bill to incorporate the Orphan Asylum of Western North Carolina, was taken up and passed its several readings.

Bill to provide for repairing the quarantine hospital at Smithville, was taken up and passed its several readings.

### HOUSE OF REPRESENTATIVES

Moving arose to a question of personal privilege. Clarke of Craven also arose to a question of personal privilege. Bill to be entitled an act to provide for the speedy completion of the Western North Carolina Railroad, and to amend an act entitled an act in relation to the Western North Carolina Railroad, ratified the 13th of March, A. D. 1875, was taken up as the special order for 11 o'clock a. m., with the following report from the committee on internal improvements.

The committee on internal improvements, to whom was referred Senate bill No. 67, to provide for the speedy completion of the Western North Carolina Railroad, have carefully examined the same, and recommend its adoption with the following amendments.

Section 2, be amended by striking out, in line 28, all after the word "not" down to and including the word "services" and insert the following: "And no Director, other than the President, shall receive for his services any compensation except five cents per mile for the distance travelled from and to his home by the most direct usual route of travel to place of meeting of the Board of Directors."

Section 10, in line 3, after the words "provided for" and "except Directors elected by the private stockholders." The report submitted from the judiciary committee recommends a number of amendments the effect of which will withdraw one-fourth of the capital stock donated to private stockholders.

A minority report from the judiciary committee signed by Messrs. Todd, of Ashe, King, Vaughn and Johnston, of Washington, submitting their reason for dissenting from the majority.

The question recurred upon the amendments offered by the judiciary committee to section 2, which operate to reform this bill to carry out the idea of the exclusion of the private stockholders. Rowland offered an amendment that the Governor shall appoint a director of this road from each of the Congressional Districts and one for the State at large. All of the other amendments to the bill were accepted by Mr. Carter, of Baulcombe, and they were adopted by the House.

The question then recurred upon the amendment of the judiciary committee to strike out section 2, and it was adopted. [Our readers will understand that all of these amendments refer to the exclusion of the private stockholders, and which hinged upon the adoption of the first amendment.] The question recurred upon its passage on its second reading. Vaughn moved to strike out \$70,000 as the amount of annual appropriation and insert \$10,000. The question recurred upon the amendment of Vaughn, and the House refused to adopt it.

THE STATE GRANGE. Concluding Day. On Friday the business in order being the election of two members to fill the vacancies on the executive committee, Col. L. L. Polk, of Anson county, was elected for the long term, and Col. W. H. Cheek, of Warren county, was elected for the short term. The officers elect were then installed. Mr. A. T. Mial, the late purchasing agent, tendered his resignation, which, on motion, was accepted. Resignation of Col. T. H. Robinson as District Deputy was not accepted. A number of reports were adopted and resolutions of thanks passed. The next meeting will be held in Greensboro, on the first Tuesday in February, 1877.

"My darling," said he, "you have \$100,000, and I worship you." "And you have \$200,000, my pet, and I adore you." That was her response. [The printer is respectfully requested not to make that re-apon-ditok.]

## LOCAL NEWS.

### Attempted Arson.

On yesterday morning between four and five o'clock, an effort was made to burn the house and kitchen of Mr. Ephraim Wescott, on Third between Church and Castle streets. Whoever it was, put cotton and light wood splinters in the top of a tin boiler—such an one as is usually used in cooking—and saturated them with kerosene oil, placing it under one of the sills of the kitchen, and set them afire. Oil was also poured down the side of the kitchen just above where the sill was located. The dwelling house and kitchen are connected by a covered way. In a room next to, and adjoining the kitchen, the cook slept. The smoke from the burning material going up between the weather boarding and the plastering, escaped through a hole in the latter, which had been made by rats, into the cook's room. A stifling sensation served to arouse her, when she gave the alarm. Mr. Wescott rushed down, and by the aid of a man who keeps his horse and dry on the lot, and who (fortunately) had come thus early for them to carry a load to one of the railroads, succeeded in putting the fire out. There was but little damage done. Mr. Wescott is insured in a company represented by Messrs. Northrop & Cumming.

Prof Hartley's Lecture. Any one who failed to hear Prof. Hartley's dramatic and humorous recitations, must not fail to go to-night. We know it is somewhat out of the fashion or somehow so, for our people to go in crowds to such places of literary recreation, but let them break in on this spell, and go in mass to-night, and they will be pleased beyond their expectations.

Where so much versatility was exhibited it is hard to say which pieces were most attractive. In our opinion, nothing was better rendered than the first piece from Macaulay's Lays, "Horatius at the Gate." We could see new beauty in this poem as rendered by Mr. Hartley. His elocution was clear and spirited, and his gesticulation apt and expressive. Trowbridge's "Vagabonds," was rendered in true dramatic spirit, and was not less appreciated by the audience. Judging however by the applause, "Book Fanshaw's Funeral" was either new to many or was the most esteemed of all the humorous pieces. It is a great pity that such doubtful wit should find its way to so large a number of readers and such large audiences, but this is no fault of Mr. Hartley, he certainly brought out all there was in the selection.

His programme for to-night promises still more.

Temperance. We learn that the Cape Fear Marine Total Abstinence Society had a most interesting meeting last night, some of the visiters standing on the side-walk notwithstanding the capacity of the Bethel is about 200 conveniently seated. The happiest event of the evening was a dialogue, in which the Rev. J. L. Koen, Capt. Small and Mr. W. G. Fowler participated. They will meet again next Monday night, when the public are invited to be present.

Sociable. The ladies of the Fifth Street M. E. Church propose to have a sociable on to-morrow night, at the residence of Mrs. James Fleet, Northeast corner of Front and Orange streets. They will dispense very many good things at reasonable rates, such as ice-cream, syllabub, cakes, and in fact all such edibles as tend to the "premonitory moistening of the nether lip." The friends of the church and the public generally will be cordially welcomed.

Fight With Fire. On yesterday some one set fire to a field near the county Poor House which came very near consuming the fences. Dr. H. E. Scott, superintendent of the Poor House, mustered his force in order to give the devouring element a tussle, and with difficulty succeeded in arresting its progress.

Navassa Guano Company. The above Company has shipped from the 1st January to the 10th February, 6,480 bags guano. This is a very fair exhibit of five weeks' work.

Mayor's Court. Geo. Holson, larceny, continued. William Perry, disorderly conduct, fined \$10 and costs or 15 days on the streets.

## CITY CURRENCY.

We regret to learn of the continued illness of Mr. L. H. Bowden.

To-morrow is Ash-Wednesday, the beginning of the Lenten season.

We attended a very interesting performance at Mr. G. W. Jewette School yesterday evening. The attraction was the exhibition of a hundred or more beautiful magic lantern views.

Index to New Advertisements. Binford, Crow & Co.—Early rose seed, Pink Eye seed, and Jackson eating Potatoes. Prof. J. W. Hartley—Masonic Hall, Tuesday, Feb. 13th, new and attractive programme. Rev. G. S. Jones—Scholar's Hand Book. Cornet Concert Club—Card of thanks.

P. Heinsberger—A large lot of beautiful new style Papereries. Giles & Murchison—Remington Cast Steel Socket Shovel.

### THE USURY LAW.

An Act to Repeal Chapter (84) Eighty-four, Public Laws of 1874 and 1875, and to Regulate the State of Interest. WHEREAS, The Supreme Court of North Carolina, on the authority of a decision of the Supreme Court of the United States, has decided that the forfeitures imposed by the present usury law cannot be enforced against National Banks, therefore, The General Assembly of North Carolina do enact:

Sec. 1. That chapter (84) eighty-four, public laws of 1874 and 1875, be and the same is hereby repealed and the following substituted in its stead.

Sec. 2. That the legal rate of interest shall be six per cent. per annum for such time as interest may accrue and no more; Provided, however, That upon special contract in writing signed by the party to be charged therewith, or by his agent, so great a rate as eight per cent. may be allowed.

Sec. 3. That the taking, receiving, reserving or charging a rate of interest greater than is allowed by the preceding section, when knowingly done, shall be deemed a forfeiture of the entire interest which the note or other evidence of debt carries with it, or which has been agreed to be paid thereon, and in case a greater rate of interest has been paid, the person by whom it has been paid, or his legal representative may recover back in an action in the nature of an action of debt twice the amount of interest paid, Provided, such action shall be commenced in two years from the time the usurious transaction occurred.

Sec. 4. This act shall take effect from and after its ratification.

### State News.

The cost of the State Capitol was about \$545,000. The *Louisburg Courier* has been revived. Mr. Geo. S. Boker sells out to Messrs. Hall & Thomas, who become editors and publishers. There was more corn, wheat and pork raised in Warren last year than any one year since the war and less guano bought.

The large residence at Bloomsbury, Warren county, owned and occupied by Mr. Harrison and family and his brother-in-law, Mr. M. R. Prince and family, was totally destroyed by fire last week.

A Washington dispatch from Greenboro says: District Attorney Rankin writes Marshal Douglas that at a trial of a distiller before Commissioner Morris in Henderson county on the 3d inst., twenty a med and mounted men attacked the Court, fatally wounded Harkins, deputy marshal. The other officers escaped. The distiller on trial was fatally wounded.

On the 2d inst. a crowd collected at the house of Ekanah South, in Washington county, intending to have a frolic, Mrs. South objected, but her wishes were about to be set aside when Smith Tyre, a member of the party, took her part. This brought about still harder words, and a free fight grew out of the discussion. In this fight Abe Stout and John Stout were both killed, and some others of the participants were injured. An attempt was made also to kill Mrs. South, but she escaped with her life. Frank Osborne, one of the chief of the rioters, fled and concealed himself, and a few days later an officer, armed with a posse, went in search of and found him. Osborne resisted arrest and was shot and instantly killed.

Probably no two hotels in the country have been so much looked up to and talked of as models to be imitated and emulated as the Tremont and Revere Houses of Boston, and in the lusty winter of their age they still defy the competition of many of their more pretentious rivals. Messrs. Chapin, Gurney & Co. now manage both houses, than whom none know better how to minister to the wants of sojourners at a hotel. Both houses are well patronized, and continue to be famous resorts for the most distinguished artists, diplomats, and scions of nobility.

## NEW ADVERTISEMENTS.

### MASONIC HALL.

Tuesday, Feb 13th, 1877

### DRAMATIC & DIALECT PERSONATIONS

Prof. J. W. HARTLEY, 137 N. 3rd St. WILMINGTON, N. C.

New & very Attractive Programmes, including—

Surly Jim, the Rid from Ghent and Artois.

Ward's Panorama.

Tickets at Heinsberger's and at the library. Admission 40 cents. Feb 13-14.

### POTATOES. POTATOES.

OUR VESSEL HAS AT LAST arrived.

300 Bbls EARLY ROSE SEED!  
300 Bbls PINK EYES SEED!

100 Bbls FINE EATING JACKSON'S.

All best stock and in large barrels. Call and buy your seed stock from BINFORD, CROW & CO. Feb 13-14

### SCHOLAR'S HAND-BOOK.

THIS is a Sunday School book, issued by the American Sunday School Union on the plan of the International Lesson Papers, and is well adapted, both as to form and arrangement, to meet the wants of teachers and scholars in our Sunday Schools, reading such books. Copies for these and other classes of literature published by the Society may be filled on application to Rev. G. S. JONES, Wilmington, N. C. Feb 13-14

### JUST RECEIVED!

A LARGE LOT OF BEAUTIFUL NEW

STYLE PAPERIES

Elmwood, Riverside,

IMPERIAL, ECLIPSE,

HAWTHORNE, TUBE ROSE,

Maritana, Cascade,

Saratoga, Mozart

CROWN-ROYAL,

SANS-EGAL, NOIBE,

TENNYSON, LA GRACIE DUCESSE,

Alexandra Bath,

PRINCE REGENT, SEVEN OAKS,

HORTENSE, ELLINGTON,

Jerome Park and Kingwood.

THE FINEST ASSORTMENT ever brought to this city.

FOR SALE AT

HEINSBERGER'S

Live Book and Music Store,

Feb 13-14

Card of Thanks.

THE CORNET CONCERT CLUB to the ladies and gentlemen for the valuable assistance rendered them in the late Concert given for the mental benefit of Prof. VanLear and the Club. Feb 13-14