## THE SENTINEL.

Legislature of North Carolina.

HOUSE OF REPRESENTATIVES.

RIGHT SESSION.

TURBDAY, Feb. 98, 1869 4 House was called to order at half pass 7

o'clock.
Mr. Billey presented the credentials of

Mr. Moore, the member elect from Chowan. On motion, Mr. Moore was allowed to qualify and take his seat, The consideration of the bill entitled an set to raise revenue was resumed and the question recurring upon Mr. Estes' substitute for Mr. Bowman's amendment to section I class 1, making the ad solorem tax upon property seven twentieths

After a fong debate, Mr. Estes withdraw his substitute, and Mr. Bowman's amendment was adopted by a vote of year 79, nays

After some for the debate and amend-ment, the bill passed its third reading by the following ballot:

YEAR. - Messra Ames, Ashworth, Barnett, Barnes, Blair, Bowman, Candler, Carson, Carey, Cawthorn, Crawford, Downing, Ellington, Estes, Forkner, Foster, Gahagan, Graham, Harris, of Wake, Hayes, Hendricks, Hoffman, Horney, Hudgings, Ingram, Justus, of Henderson, Kelley, of Honore, Kioney, Malone, Mayo, Moore, of Chowae, Morrill, Pearson, Robbins, Reynolds, Saipes, Stanton, Stilley, Sykes, Vestal, Vest Weich, White and Wiswall-

NAVE. - Mesers. Allison, Armstrong, Boddie, Clayton, of Transylvania, Davidson, Durham, Edis, Farrow, French, Gibson, Grier, Harris, of Franklin, Hawkins, High, Hodnett, Humphries, Kelley, of Davie, Long, of Chatham, Matheson, McCauless, McMillan, Mondenhall, Moore, of Alamance, Nicholson, Parker, Pou, Proctor, Profilt, Ragland, Robinson, Smith, of Allegbany Smith, of Wayne, Waldrop, Whitley Wil liams, of Harnett, Williams, of Sampson, and Williamson.

## SENATE

WEDNESDAY, Feb. 24, 1869.

Mr. Barrow, by leave, introduced a reso intion, amendatory of the rules of order, providing that the morning business shall e taken up and disposed of, taking prece dence over unfinished business, which was

Mr. Barrow moved a suspension of the rules, in order to introduce a resolution pro hibiting the payment of per diem to mem-bers during the remainder of the session when absent by leave, unless they are called from their duties by family affliction. Motion was lost.

REPORTS OF COMMITTEES.

Mr. Winstead, from the Committee on the Judiciary, reported favorably on the following bills, viz: Bill in relation to proceedings in con-

Bill to validate certain sets of Deputy

Bill concerning Guardian and Ward;

And adversely on the bill to facilitate the payment of old debts. Mr. Moore, of Carteret, from the Committee on Corporations, reported favorably on

the bill to amend the charter of the town of James ville. Mr. Graham, from the Committee on the Judiciary, reported adversely and asked to be discharged from the further considera-

tion of the bill to amend the Constitution of the State so us to grant suffrage to fe males. Concurred in. Mr. Brogden from the Committee on

Finance reported favorably on the bill to charter the Bank of Asheville.

Mr. Smith from the Committee on Prope sitions and Grievances, reported favorably on the bill authorizing the Sheriff of Wash ington e unty, to collect arrears of taxes. A message was received from the House

transferring the following bills, viz: Bill to authorize the Commissioners of Franklin county, to levy a special tax. ferred to the Committee on Propositions and Grievances.

Bill to incorporate the Washington Settend Board. Referred to the Committee on Education. Bill to re establish burnt Becords in the

several counties of the State, Referred to the Committee on the Judiciary.

Bill to incorporate the Wilmington Steam

Fire Engine Company. Referred to the Committee on Corporations.

Bill to smend an act to incorporate the North Carolina Loan and Trust Company. Referred to the Committee of Corporatio Bill to amend the Charter of the Caldwell and Watauga Turnphie Road referred on the Committee on Internal Improvements.

## INTRODUCTION OF BILLA. Br Mr. Barrow; A bill to incorporate the

Independent Telegraph Company. R ferred to the Committee on Corporations.

By Mr. Stephens: A bill to Charter the Milton and Dan River Railroad Company. Referred to the Committee on Internal Im-

By Mr. White: A bill to require the reg istration of deeds, &c. Reterred to the

Committee on the Judiciary.

By Mr. Barrow: A bill sutherizing the

Commissioners of Northampton county to levy a special tax. Referred to the Com-Propositions and Grievances. By Mr. Boott : A bill for the relief of B. Wallace, Sheriff of Duplin county. Referred to the Committee on Propositions and

UNPINISHED BUSINESS. Consideration of the bill to provide system of Public Instruction, question pending, motion of Mr. Love to smend the titule offered by Mr. Sweet, for the 80th Section, by leave Mr. Love withdrew his amendment and offered the tollowing, to come in at the end of the substitute, (which We published on venterlay) To present the children of the two ruces from attending the same school at the same time, which shall not

Mr. Moore, of Carteret, called the previons question, which was sustained, and the amendment was adopted. See vote: Avns-Mesera, Bornes, Beall, Bermi lamv, Brouden, Surna, Blythe, Eaven, han, Harrington, Lindsay, Long, Love, Long, Love, McLaughlin, Meleber, Moore, of Yancy, McLat Respass, Robbins, Scott, Shoffner,

stead and Wilson-92. NATES-Mesars, Barrow, Colgrove, Cook Davis, Eppes, colored, Furkner, Hyman, colored, Jones, of Wake, Logg, Martindale, Moora, of Carteret, Smith, Sweet, Welker

Mr. Moore, of Carteret suggested that the

rest of the weak kneed Republicans be allowed to change their yours.

as amended: NAYES. -- Messra. Barrow, Bellamy, Col- late Congressional elections.

grove, Epps, colored, Ferkner, Hymen, colored, Legg, Martindale, Moore, of Carterst, Smith and Walker, -12.

Mr. Smith, by leave, changed his vote to the affirmative.

Mr. Lindsay moved to strike out the 32.1 taken up, an section, and said: Mr. President, The bill needay never under consideration is entitled "an act to provide a system of Public Instruction." I think, ser, it would have been more appropristely named if is had been called an Abomination of Desolution. This proposition provides that the people of North Car-olion shall be taxed to the coordinas amount of 50 per cont, on all taxable property, in missioners, took the addition to all other tax's which are prosection 7 of the bill. wided in the Revenue bid, special taxes to build Railroads, and in addition to an ap-

propriation of \$12,000 to the University. ave made an estimate, based on the matement of the Governor, is relation to the amount of taxable property in the State, and, ar, this firty per cen-tax provided in this abomination of desolawanted with this large amount of money in addition to the funds to the hands of the move that the House the new adjourn Board of Education, to build edegant.

Gothic structures, to be washing on the poor ragged children a North Caronia, J. H. Harris, of Wake, colored, that when the proposition is absurd, the people on this House adjourn, that it adjourn until not want to be taxed to exact such builds to morrow menting at 10 o'clock, ings, they prefer to meet together and mutil. The year and days being called resulted their own school forces as has been the

Senate will give the calm consequation to and Cos field Rulroad. Referred, this subject will deserve, and sinks our Do musion of Mr. Stilley, the ru both the 32d, and 83t, Sections which con-

Senator did not fully understand the present Commerces, visious of the section. Is proved in samp. On metans ly authorize the question to be submitted to the people whether they will be taken or not, limiting the smount to 50 per cent.

The Constitution authorizes the Commission sioners to I vy a tex suth ornt to meet a . necessary expenses to provide a system of public schools, and this section simply limpublic schools, and this section simply him. Mr. Malone moved to amon a section 28 ta them in the amount of tax they are at sate resent the amount appropriated to

Mr. Lindsay said that the Senator from Guilford had not fully explained the mean ing of the section, the says it only pro rides that this question of inxation shall be submitted to a vote of the people. He not opposed to people voting to tax themselves, but he was opposed to sometrz payers voting to tax thos: who have the burthen to bear, when, if tary were required to pay a poll tax, it would meet all mecessary expenses for carrying on the common school rithout this additional tax.

The debate continued at length. Mr. Lindsay's proposition was voted

down Various amendments, were offered to the

Pending its consideration, the Senate idjourned, without taking any final action

## HOUSE OF REPRESENTATIVES. WEDNESDAY, F-4, 24, 1869.

House called to order at the usual lungr Prayer by the Rev. Mr. Atkauson, of the reshyterian Church of the city.

Journal of yesterday read and approved.

d Franklin were granted permussion to record their votes in the affirmative on the

revenue bill. Messra Jarvis, Painter, Sweat, colored. and Fereber, were allowed to record their votes in the affirmative.

Several messages were received from the Senate in reference to various bills.

The messages were read and the bills

Mr. Moore, of Chowan, was added to the of pront, &c. Committee on the Judiciary.

REPORTS OF COMMITTEES. Mr. Whitley, from the Committee on Corporation, reported favorably upon the bill to incorporate the town of Statesville, daul-bour.

with amendment.

Mr. French, from the Committee on Counties and Townships, reported upon

various bills, which were pisced upon the calendar and will be noticed when they Mr. Hawkins, from the Committee on Berolment, reported the fellowing resolu-

tions as being correctly enrolled, to wit : Resolution in relation to the Public Pressurer.

Resolution raising a Joint Committee to

onsider the erection of a State prison.

BESOLUTI-NA. By Mr. Boddie : A res dution in favor of

N. Price. Referred.

By Mr. Ragland: A bill in reference to ew counties. Referred.
By Mr. Blair: A bill to incorporate the

town of Trinity, Rando ph county. Refer-By Mr. Malone : A bill to lesson the ex

pence in taking of depositions. Referred By Mr. McMillian: A bill for the protec tion of planters. Referred.

By Mr. Moore, of Alamance: A bill to corporate the Union Church Association at Company Shops. Referred.

By J. H. Harris, of Wake, colored : A bill to prevent the abandonment and neg-lect of wives by their husbands. Referred. Or maion of Mr. Green, the rules were ded, and the bill in tavor of Jona-

than Mann, late Sherid of Stauley county, was taken up and passed its several read-On motion of Mr. Welch, the rules were 14th Senatorial District, and moved that suspended, and the bill in reference to the the Senator elect be allowed to some for-Western Turpike Road, was taken up, ward and be qualified.

and after considerable debate, referred to the Committee on Interval Improvements, be referred to the Committee on Privileges By consent Mr. Ames, from the Commit - and Elections with instructions to report as invorably upon the bill amending the char- arose on this question, and finally, the moter of the Western Railroad Company, and tion to refer prevailed. to build a branch of said road to Selma, Johnston county, and, also, upon the bill olution:

Constructing a Railroad through the coun.

Resolved, That during the remainder of

boods, was taken up and passed its accound residing, by a kits of year 70, mays none.

On motion of Mr. Beymour, the rules were suspended, and the bill to lay of the home-

Pending the adoption of section four, the condideration of the bill, was peatponed, Mr. Sweet's substitute was then adopted in order to take up the hill to provide for an official declaration of the result of the

On motion, the rules were suspended and the bill passed its several readings. On motion of Mr. Bowman, the rules were auspended, and his bill suspending the op-erations of the Statute of Limitations, was taken up, and made special order for Wed-

The consideration of the bill to lay off the omestead and personal property exemp-

tion, was resumed.
On motion of Mr. Seymour, the House went into the Committee of the Whole, Mr. Freuch took the Chair.

Mr. Victor Barringer; of the Code Commissioners, took the floor in explanation of

After a good deal of debate, Mr. Sey mour moved that the Comm tree recommend to the House that the jurther considmorrow, at half past 11 o'c ock. Carried On motion of Mr. Malowe, the Committee

On motion the report was concurred in tion will amount to one million two hundred. Mr. Ragrand and that in honor of the and Afty thousand dollars. Now, Sir, what is during a divine Sura me Youtt, for their de-Mr. Rag and said that in honor of the

to its adoption by a vote of year 45, mays

Busconsent, Mr. Downing introduced a possible for the people of the State to hear! Besenteent, Mr. Downing introduced a this additional burden. I trust, st, thus fail to amond the courter of the Cheraw On mucion of Mr. Stitley, the rules, won was, resided word the trin to establish a Turn

tain this provision.

Mr. Welker sold he was satisfied that the caken up and referred to the appropriate On motors of Mr. Bowman, the rules were suspended and the bill in rata ion to Sales

special order for Eciday next at 10% o'clock On antion of Mr. at fley, the rules ,were sugended and the bill in relation to the Lucatic Asy am, was tak n up.

e tourth of the annual appropriation .-

The bill then passed its third reading by a vote of your 69, navs 8.
By consent, Mr. Ames, from the Committee on In ernal Improvements, reported favorably upon the bill to establish a Turnnike R ad in the county of Carteret. 'The

it was placed upon the calendar." On motion of Mr. Davis, the rules were suspended and the bill to establish a Turnpike Road in Car erol county, was taken up, amended and passed its second reading by

vote of year 36, nays 33. On motion of Mr. Malone, the rules were suspended and the bill to incorporate the North Carolina real and personal estate agency was taken up and passed its several

On motion of Mr. Ju-tice, of Ratherford, he rules were suspended and the bill au thorizing the Governor to appoint a Mayor spayille, was taken up and passed its several On motion of Mr Stilley, the rules were

of fliegal tees under title 17 Code of Civil Proceedure and to extend the time allowed Mesers. Justice, of Rutherford, Wilkie to section 490 of said title, was taken up. Pending the further consideration of the m-rong at 10 o'clock.

Nors. - Measts. Durham, Justice, of Ruth. erford, and Downing, were erroneously re-ported in the debate of yesterday upon the proposition to tax turpentine as saving that the distribution of whisk-y was the chief occupation of the West. They should have ransmitted were appropriately disp-sed of been reported as saying that it was a source

SENATE THUBBOAT, Peb. 25, 1869. The Scrate was called to order at the

PETITION.

Mr. Jones, of Wake, presented a petition from the Commissioners of the City each, describing certain lots within the corperate limits of the City, belonging to th tate, praying the General Assembly to grant them to said city, in order to improve and make them profitable. Referred to the Committee on Buildings and Grounds. REPORTS OF COMMITTEES.

ositions and Grievances, reported favorably on the bill to establish the County line beween Alamane and Chatham. Mr Barrow from the Committee on Con-

reace, recommend that the Sonate recede from its amendment to the bill to amend litle 68 of the Code of Civil Proceedure. Concurred in. By Mr. Winsted: A bill nutborizing the

enuruction of a Railroad from some point on the Raleigh and Gaston Road to Mount Airy, Surry county. Referred to the Comizing the Commissioners of Warren County

to levy a special tax for the purpose ecting a Poor House. Referred to the Committee on Corporations.

By Mr. Jones, of Wake: A bill to enable the Chatham Railroad Company to complete its Road. Authorizes said Company

to borrow money.] Referred to the Com-mittee on Internal Improvements.

Mr. Winstead presented the credentials of Mr. A. J. Jones, Benator elect of the

Mr. Barrow moved that his credentials on Julyspal Improvement, reported good as convenient. Considerable debute Mr. Barrow introduced the following res

ties of Granville, Person, Caswell, Rockingham, Stokes and Surg.

The hills were pieced upon the Calendar,
On motion of J. H. Harris, of Wake, colered, the rules were suspended, and the bill
authorising the city of Rainigh to issue
Mr. Shoffner, moved that it be indefinite. ly poseponed. Lost, Avus.—Mesara, Respass, Shoftner and

Mr. Forkper moved to amend, Provided stead and personal property exemption, that those who have not had leave of ableave of attained.

In a did not like the Express Company, with smeadment.

form of the resolution, he thought it should be made concurrent so as to operate alike on both brefaches of the General Assembly, he thought that would be the only proper source to pursue, and hoped is would be amended accordingly.

A. H. Galloway, colored, moved to lay the whole matter on the table.

Axes.—Mesers. Beeman, Brasley, Bellamy, Env a Sintheway, colored, Harrington, Hy man, colored, Respars, Sauffuer, Smith Stephens, Sweet and Welker, 13. Lost Mesers Beeman and Bess ey, changed

their votes to the negative. Mr Shoffner moved to pos pone its further consideration acti the lat of April,-Ayes 13, nays, 13, the President voted in

the negative. Mr. Sweet moved to amend by making it possession resolution.
The President ruledit out of order as

there was an amendment pending.

Mr. Fookner, by request, withdrew his amendment, pending and consideration of the substitute off-red by Mr. Sweet, the hour arrived for the appaideration of soften

Mr. Lave moved to postpone the nofinished business until this ougstion is disposed of, which was lost.
Mr. Sweet, by leave, made the following

eport from the Committee on Privileger and El ctions, to wit : Having had the credentials of A. J. Jones securor that from the 14 h Senatorial Disrici, under consideration, report that they find Mr. Jones was enember of the Gen eral Assembly before the late rebellion, but neither held office during the rebellion nor gave aid and comfort of the same. It appears from the orgelectia's that Mr. Jones received a majority of all the votes given at

the special election held in the 15th Di-trict. W. H. S. SWEET. Mr. Graham state I that, as a memb r the Committee, he had maved that the chairman top of the facts, that Mr. Jones had beld office before the war but that there was no evidence before the Committee, that he had participated "to the rebeliion do not, thinks his report Chairman, emounts to the some tring but I am un willing a say that Mr J nes did or did ing in regard to his conflict. I do not expeut to oppose his admission, but desire to.

state the action of the Committee as I un-Mr. Landsay sold that it appeared that the Senator-elect was a member of the Legislature below the war and as such, it is natural to suppose that he is a prominent man in his section of the State, and the presumption is, no evidence appearing to he contrary, that he dol take part in rebellion. There had been a great deal of zeal manifested in the Senate, heretolors, to carry out strictly the previsions of the How-ard amendment, and he thought it amendment, should spidy to this tase as well as to others. Why this has y report? Why not take time, and consider this matter thoroughly and prevent a repe-tition of difficulties as is the case of the Scinter (Mr Purche) from the same District. The Committee have reported that there is no evidence before them calculated to disqualify him. Of course not, sir, do you suppose the Sepator elect would bring dence here committing himself as to his having engaged in the rebellion. is abourd. The whole matter should be

Mr Shoffner moved the report be con

Mr. B eman called the previous question which was sustained, and the report was accepted. Mr. Robbies asked the Chairman of the

Committee (Mr. Sweet) if the question was acked the Senater elect if he was a member of the home guards ! Mr. Swort replied that it was, and his

en y was that he did not bandle a musket gun of any kind in the cause of the rebel ion, cuss it and dam it. When On motion of Mr Jones, of Wake, the

Senator came for yard and was qualified. TENTINIARED BUSINESS. Act to privide for a system of Public Instruction, question, motion of Mr, Lindsey to strike out the following section to-wit "Section 33. The maximum rate of tax levied by a Township or County, for building and furnishing purp ses, shall not exdollars taxable property, and the maximum rate levied for special school purposes, shall not exceed fifteen cents on each deed dollars in any one year, and insert the following: "No tax shall be levied on proof a Towdship or County, for building or furnishing purposes. But a suffici pristed to that object, and the maximum rate levied for special school purposes shall not exceed fitteen cents one each one hondeet dollars of taxable property, in any one

A division of the question was called and sustained, the section was stricken out, and the Senate refused to know the autociture. NATS. - Messra, Bowman, Bellamy, Borns Ryithe, Colgrove, Davis, Eppes, colored, Forkser, Galloway, colored, Harrington, Hyman, colored, Jones, of Columbus, Jones, of Wake, Mar Indale, Moore, of Carteret, Respass, Shoffner, Smith, Stephens, Sweet

Wriker and White, 22. Numerous amendments were offered to the 84th section, the debate which was coninued at length, rambled back to the causes and results of the late war, the Senate final ourned until to-morrow morning at 10

HOUSE OF REPRESENTATIVES. THURSDAY, Feb. 25, 1868. House called to order at the usual hour.

Prayer by the Rev. Mr. Long, of Chatham, the House.
Journal, of yesterday, read and approved.
Leaves of absence were granted to Mesari. Harris, of Franklin, Stanton, Waldrop and

Mr. Ingram presented the report of the ministrone of Auson County, Befer-Mr. Hawkins, from the Committee

Enrolment, reported the following bills, as being a recelly enrolled, to wit: Bill in favor of W. A. Phillipot, of Granrills County, and Juo. A. Harris, of Person County.
Bill to incorporate the Rateigh Cometery Association.

sociation. Bill to recew the Charter of the Richmond Manufacturing Co.
On motion of J. H. Hurris, of Wake, colored the rules were suspended, and the bill "to enable the City of Raleigh to issue bonds," was taken up, and passed its third reading, by a vote of year 67, mays 2.

spread to the property of the THE SECOND AND ASSESSMENT OF THE PROPERTY OF T

The bill was placed upon the Calsadar. By J. H. Harris, of Wake, colored, a res olution, concerning the several Sheriffs of the State.

On motion, the rules were anapended. Mr. Malone moved to lay the resolution on the table.

No quorem voted, and the resolution went over under the rules. On motion of Mr. Wilkie, the rules were suspended, and the bill to authorize the Commissioners of Jones County to levy special tax, was taken up and passed its second reading by a vete of year 72, nays

town of Ridgeway. Referred. By Mr. Franklin: A bill making it a mis demeanor to refuse to work on the public onds, Referred. A message was received from the Scuate

announcing Messes. Welker, Love and Burns, as the Seesse branch of the Commit Messes. Welker, Love and ter, to consider the erection of a State Another message was received from the same body, concurring in the House amoud-ments, in Senate bill, in favor of W. J.

Hicks, late Sheroff of Wilkes County; als concurring in the House amendments in the tain Bridge Co. Another message was received from the same body, receding from their amend ment to the bill to amend Title 67, Code of

Civil Procedure, The hour for the Special Order was an sounced, to-wit;
The bill in relation to laying off the

Homestead and personal property exemp On motion of Mr. Seymour, the House they went into Committee of the Whole

Mr. Malone took the Chair. A long debate ensued, upon a substitute offered by Mr. Moore, of Chowan, for Sec tion 1, 2, 3 and 13 of the bill. Pending any deficite action, Mr. Po-moved that the Committee arise, repor-

progress, and ask leave to sit again. Mr. Malone then took the floor, and re ported progress. Mr. French moved to concur in the report of the Committee.

Pending the adoption of the above m

fion the House, on motion of Mr. Seymour, adjourned until to morrow morning at 10 NOTE,-Messrs. Painter, Fereises, Jarvis and Sweat, colored, should have been re-ported yest rday as having their votes recorded to the negative, on the revenue bill, instead of the affirmative as appeared to

yesterday's proceedings.

SUPREME COURT. Opinions delivered as follows : By PRARSON, C. J.: In Stevenson w Todd, Pogh & Co., from Northampton, to enter appearance and plead without giv-ing bail, is affirmed—so much as directs the judgments against the garnishees to be set aside, is affirmed—so much as directs the money collected from the garnishees to person, association, or corporation (except be paid to the defendants, is reversed—and to aid to the completion of such Railroads it is ordered that the money be paid back as may be unfinished at the time of the to the garnishees respectively." In Mathe- adoption of this Constitution, or in which son es. James, from Alexander, no error; she State has a direct petuniary interest) affirmed. In Hurdie es. Leable, from Cas-

BY READS. J.: In Fleming es. Fleming, the words "provided for," in the Act of from Pitt, no error. In Lessiter es. Wood. 18th December, 1868, is neither as unfinished from Perquimans, declaring rights. In Road of one in which the State had, at the Britton es. Miller, from Bertie, reference to adoption of the Constitution, "a direct pe-Clerk if desired-cause stands for further cuniary laterest. the matter of W. L. Tate, Esq., Solicitor

on Coston, from Chatham, judgment af firmed. In Dunn et Nichola, Irom Wake, at its adoption. We are obliged to give judgment affirmed. In Marsh es Williams, this meaning to that phrase in the Consti-

rom Caldwell, cenire de noce. In Woods es Parker from Lengir, biddings must be re-opened upon the terms of the former de-

Payetteville, occurred a difficulty between Mesars. Jesse K. Kyle and John Sykes. The particulars we have learned from heat pas-sengers who were cognizant of every cir arouse his anger. He politely, yet firmly, insisted upon Mr. Sykes conducting himself more gentlemanly, and word followed more gentlementy, and word followed word notifically ensued—a difficulty that resulted seriously to both parties. Mr. K. was cut with a sharp pocket knife, both both with a chalr and by his adversary's flat. The combatants were finally seperated, or rather Mr. Hyle was by his friends, pre vented from beating his opponent more than was considered sufficient to avenge

petrated on Mr. Eara Thomas, living in were determined to determ the law. But we Brunswick, eight of ten index below this can come to the consideration of this questions. Brunswick, eight or ton miles blow this city, his daughter, Miss Susan D., proved herself quite a heroise. She reized a recity, his daughter, Miss Susan D., proved herself quite a heroise. She reized a repeater, respect to the close of the construction the affect which its parties about to fire, when also was temporarily restrained by the lear of shooting ase father a mother, whom it was at that time impossible to distinguish from the probers are all were struggling together. The fearers girl, only fourness years of age, stood exposed to all the dangers of an attack on herself, and when an opportunity off red herself, and when a price of the herself and not her herself and not her he posed to all the dangers of an attack on horself, and when an opportunity off red, she availed herself of it, by discharging a shot at one of the boldest villatins, who immediately ran, followed by his courades.

Carolina chivalry extends even to her fair daughters—Wil. cker.

Would this prohibition be made more when the course of the property with the property of the course of the course of the property of the course of the property of the course of the course of the property of the course of the course of the property of the course of t

MATTER OF GALLOWAY on JEN-KINS PUBLIC TREASURER, AND THE CHATHAM BAILROAD COM-PANY.

The nature of this case has been so ful ly stated in the opinion of the Chief Jusmaking any useless repetition. It was admitted by the Counsel, who argued this case on both sides with unusual ability, that the plaintiff as a tax payer, was entitled to ap pear to Court and ask for the relief which By Mr. Barnett: A bill to incorporate the eris in Court. I think these admission write properly made, and shall enter into n

incurion of that part of the case. The material question is, whether that part of an act of the General Assembly rat-ified on 18th of December, 1898, which relates to the Chatham Railroad Company (sections 4.5.6.7.) taken in connection with the act of which it is amendatory violates section 5 of art. 5, of the Coustin tion of the State, and transcends the con-

stitutional power of the General Assembly. In any argument on tals subject, it must Senate bill, incorporating the Yellow Moun ture, over the subject, is supreme noless rebe admitted that the power of the Legislacited. It must, also, be admitted, that the article of the Constitution meant something, bonds were declared in this particular case, that it was intended to operate as some reatriction of the legislative power, and was stantial fulfilment of the Constitutional nut covirely a dead letter, and that it must bave the tull force which its words fairly and reasonably import.

A short discussion of this question in reference to the case in question will not

chanse (omitting the exceptions which in what? It can only mean, at par with gold this are immaterial,) says, 'until the bonds and silver, or with the legal tender moves of Assembly shall have so power to contract with the work of the contractor, or at par any new debt or preasury obligation in with any piece of land, or other property behalf of the State," unless it shall, in the which the State might thick proper to buy, terest annually. The requisition to levy a rain and rest only in opinion and agreement. Such a construction and deprive consideration, and no question can arise the words "at pay" of all definite meaning. upon the clause.

The around clause then begins: it is consected with the former clause by the conjunctive "and," but it imposes a new and independent additional restriction on the legislative power. The effect of the word and" is simply to say, as an additional restriction. The additional restriction is su-peradded in certain special cases to the former general one. In no case (omitting the exception) could the General Assembly contract a new debt without imposing a tax. But there is a class of cases in which the Legislature is forbidden to contract a new debt in behalf of the State, even if the State bonds are at par, or a tax to pay the interest be imposed without submitting to a vote of the people. That class is provided for the second clause of section b. "And the referred to Clerk. In Fulton as vote of the people of the State, and be ap-Lottle, from Henderson, still dismissed with, proved by a majority of those who shall you out costs to the defendant Loftis. In thereon." For the purposes of the present Banks as Johnston, from Yency, bill dissertance, the words to brackets may be omitted: for it is, or must be admitted, that

directions. In Allen ss. Plummer, from The Chatham Railroad, between the ter-Hallier, no error. In Sions vs. Coble, from mini and the route established by prexious bound to obey the Constitution, which the Guilford, account to be referred and decree legislation, was an unfinished Road, in the people of North Carolina have adopted as according to epinton. In Worthy ss. Bur- legislative meaning of the phrase; but the rett, from Moore, petition dismissed. In Road which was to start from one of the elect of the 12th Judicial District, manda point on it, and run thence to Cheraw, was mus refused—petition dismissed with coats. By Drcz. J.: In Addington ss. McDaniel, that it had never been begun, but not in the from Macon, bill dismissed. In the Cape sense contemplated by the Constitution, Fear and Deep River Navigation Company which meant only to include those roads which had been begun, but were unfinished at its adoption. We are obliged to give tended to enforce,

The question then is reduced to this does the Act of 18th, Dec. 1868, "give or lend the credit of the State in aid" of the Chatham Raifread Company or any other person, association or corporation? If it does it, is probibited by that clause of the Constitution above cited, which this Court is bound to obey as the paramount law. The question being reduced to these by these brief cumstance. Mr. Kyle was being shaved in a shaving saloon, and Mr. Sykes entered, and careleasy jostled against the barter's arm, a piece of carelease as calculated to scarcely be doubtful. Walving all discussions as the barter's according to the second carelease as calculated to scarcely be doubtful. place Mr. Kyle's face in jeopardy, and, also ston as to the lexicographical or technical to necessitate his remonstrance, if not to and legal meaning of the word give," as to whather it includes both a grant, with and without valuable consideration, it seems to me to be clear, that the words "give or land" were intended to include every mode in which the State could reader its aid to a Railroad Company by means of its credit. It would be scarcely respectful to the intell. in the neck and in the check, the latter it would be accrosive respectful to the intelligence of the Convention of 1868, to suppose Mr. S. was several times knocked down. ture from giving the credit of the State without consideration, and yet to allow them to do it on the consideration of a pepper-corn, of a certain number of shapes f stock of a purely nominal value. It is himself. Neither party is mortally injured, said that statute of uses enacted with great care by the English. Parliament, to other effect than to add three words to a conveyance. That was because the Judges were determined to defeat the law. But we tion in no such spirit, and with no such ed.

OPINION OF JUDGE RODMAN IN THE purpose could they have been gived ex-

serioed in the set? These considerations compel me to the opinion that the act of the Legislature is in violation of the Constitutional restriction cited, and can, therefore, have no force, until submitted to and anothered by a vote

of the people. In the view which I have taken of Bestfore Art. 5 of the Constitution, it is quite immaterial in reference to the set un aderation, whether the bonds of the State are at par or not. The Legislature cannot (even it, the bonds are at par) give or lead the creekt of the State, in aid, du, without submitting the question to the people.

This view renders it unnecessary to consider a question discussed at the bar as to

the validity of a debt contracted by the Legislature, within the first clause of section 5, and not within the exceptions without sing a special tax to pay the interest. If for example, the Legislature should confrom example, the Legislature should con-tract with some person to build a State House for \$100 000, or any other sum, and should issue rough to him for that sum in payment, without levying a special tax to meet the interest, and it the contractor should, in his contract, agree to receive the bonds at par, and it should be so set out and stricted by the article of the Constitution provided in the act, would such an act be cited. It must, also, be admitted, that the constitutional? Would the fact that the

Section 5 is divided, by its subject, into be without value. What these the Consti-wo independent clauses, and might well tution mean, when it says until the Bond of are been put into two sections. The first the State shall be at par; at par with of the Stare shall be at par, the General the United States. It exment mean at par name bill, levy a special tax to pay the in- because the value of these things are uncer Gold and silver (or their legal equivalent) are the only standards of pecuniary value, and are the only standards by which the value of the State bonds must be measured, then in the case supposed the State should undertake to pay the contractor in State bond, it would reader it impossible to ascertain whether or not the bonds were at par. In such a case the bonds would not be at par, in the sense of the Constituagreement in the contract could make them so, so long as it appeared that they were parted with for a thing of uncertain and unascertainable value. It is a matter of no consequence in the construction of this aucthe State or linarity sell for .in the money markets of the world ; no Court can ever be called on to say whether at the ratification of a certain Act of Assembly, they were worth 99 cents or 100. The test in every case must be whether on the particular bonds, issued under the circumstaness sup posed, the State actually received in legal money the sum which she became liable to In no other way than by the conversion of the bonds into money, can it be as-certained that they are at par, and in no other way can the policy of the Constitution be effected."

These considerations are responsive to me portions of the argument been addressed to the Wourt, but in the view that I take of it they are not nece any

to this case,
I have not considered, at all, the policy of the set of 18th December, 1868. r supreme law, according to my standing of it, and to give them the termini of the Chatham Road, or from some fit of these restrictions on the legislative power, which, by inserting, they have shown that they considered valuable. I admit, fully, the weight of the observation which has been mole, that a Court should not refuse to give effect to an act of the Legislature es ungous frutional, unless it is clearly so. But, in this case, I have not from Beautort, judgment affirmed. In Marsh se Williams, from Beautort, judgment affirmed, in tution, as any other construction would render it totally inflective, and defeat any policy which it may be supposed it was in we are obliged to give them the short which I have assumed to them, or to deprive them of all practical effect, and of meaning whatever, and, so thinking, my course of duty is plain and unavoidable. I concur, in opinion, with the Chief Justice and Dick, J.

> Hon, Josiah Turner DEAR SIR Being a native of Granville county, and feeling a peculiar desire that the public may know that old Granville stands equal with other counties of the State in point of legislative and oratorical shifty, I becowith englose you a copy of the speech made by the Hon. Cuffee Mayo. CITIZEN OF GRANVILLE

SPEECH OF CUFFEE MAYO ON THE REVENUE BILL IN REGARD TO TAX OR WINE.

I hope de menment will not avail as wine is a good unoff naive drink, an I hope whe tate will be tax also, and, I darle, gree wid-de genoma from Rockmbam, datums ta-toes make had whisky, and de wine bein representation of our Savinus's blood, and, darefore, ought to be spected more dan to be tax by dis honabel body, and, darefo, de wine is made out ob de vineyard as don't hurt no bedy, for if the did we would not been commanded by de good book to held and, darefore, I argu wid de gemman from Bockenham, and hope de meument will not avail. The amendment was unanimously adopt-

Wake, and the We learn with pleasure that it is the foreign of the meaning of the word "give" to be what throntoning and it is a contended for the Chatham Endrod will welcome them. Just here we will be credit in aid of the Chatham Endrod will welcome them. Just here we will be credit in aid of the Chatham Endrod will welcome them to be a sent when the meaning of the word "give" to be what throntoning and it is agreed woulder that is here contended for the Chatham Endrod will welcome them. Just here we will be credit in aid of the Chatham Endrod will welcome them to be a sent when the company by giving its boards for stock to the sent of the contended to much advantage, we think—

Would this prohibition be made more that the board through the meaning of the word "give" to be what throntoning and it is agreed woulder that exious damage was not give in the very morning. We may not sent it blow with the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the word "give" to be what the meaning of the what the meaning of the word "give" to be what the meaning of the what the meani