The Semi-Weekly Sentinel.

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THE SENTINEL.

he Legislature of North Carolina.

SENATE.

NIGHT SESSION.

The Senate was called to order at 7½ clock.

SPECIAL ORDER.

Bill to restore the credit of the State and facilitate the construction of our unfinished Railroads, passed its second reading, d was made the special order for Monday next at 11 o'clock.

UNFINISHED BUSINESS.

Consideration of the bill to better protect life and property, from the House asking the concurrence of the Senate in amendments.

olution of Mr. Beeman that the Senate not concur, the question for considera-

Mr. Jones of Mecklenburg, moved that further consideration be postponed until sday next at 11 o'clock, which was ed down.

Mr. Brogden urged the adoption of the in a speech of 2 hours and 13 minutes length.

Mr. Lindsay, said he thought of making w remarks on the bill, but the Senator n Wayne had consumed so much time campaign speech, and had tried to nt the Senate on almost everything pt the subject matter before them.—e had confused his thoughts so much, he could not think of making an effort ight, and hoped the consideration of ill would be postponed, in order that ...

...ness upon it, and we hoped to be more ...ssful than the Senator from Wayne, e (Mr. Lindsay) was unable to gather ... r against the bill.

... motion of Mr. Welker its further consideration was postponed until Monday at 7½ o'clock.

H. Galloway, col., gave notice that he d introduce a bill to make the office of rior Court Clerk of New Hanover y a salaried office.

communication was read from Mr. W. tt, accepting the appointment as one investigation committee.

ve of absence was granted Messrs. and Burns,

motion the Senate adjourned.

SENATE.

SATURDAY, Jan. 22, 1870.

Senate was called to order at 10 k.

BILLS INTRODUCED.

Mr. Welker: To amend an act to incorate the Guilford County Co-operative siness Association, on his motion ules were suspended, and the bill d its several readings.

Mr. Welker: To incorporate the Cenron Company: Referred.

A. H. Galloway, col. To make the of the Superior Court of New Hana salaried officer: Referred.

Mr. Forkner: To incorporate Rockodge, Surry County: Referred.

No. 289: Referred.

Mr. Beall: To authorize the Comners of Caldwell County to levy a l tax: Referred.

Mr. Respass: To change the County f Hyde and Tyrrell: Referred.

THIRD READING OF BILLS.

to incorporate the Randalmon Manufacturing Company, on motion of Mr. er it was amended by striking out the n authorizing the Company to issue , and passed.

to authorize the Commissioners of to levy a special tax: passed

to authorize the Commissioners of n County to levy a special tax: pass-

olution in favor of J. R. Grady, Sheriff ruett, passed.

for the relief of the sureties of the heriff of Jones county, passed.

in favor of the late Sheriff of Alexr county, passed.

in favor of N. R Jones and other ffs, was laid on the table.

to amend an act to incorporate the ington Life Insurance Company, pas-

ll to incorporate the Young Mens Inent and Enterprizing Association, was ded and passed its second reading.

motion the Senate adjourned until day morning at 10½ o'clock.

HOUSE OF REPRESENTATIVES.

SATURDAY, Jan. 22, 1870.

e House was called to order at the hour.

r. Jarvis presented a petition from R. ucker, which was referred.

Mr. Hodgin, a petition from citizens ilford, on the subject of education, red.

RESOLUTIONS AND BILLS.

Mr. Vest, resolution in regard to ning land in Forsythe.

the same, resolution concerning bills ...tted by the Code Commission, which ...ted under a suspension of the rules.

Mr. Peck, bill to incorporate the evolent Sons" of Edgecombe.

Mr. Candler, bill to restore county ...rds destroyed during the war.

Mr. Ashworth, bill to allow town... Magistrates to take privy examination ...arried women.

...he bill to levy special tax in Stanly ...taken up, on motion of Mr. Green, and ...ed the second reading.

...ill for the same purpose for Duplin ...ed third reading.

...r. Dixon from committee on claims re... against resolution to pay certain ...s in Macon Superior Court.

...bill to levy special tax in Lenoir passed ...d reading.

...Bill to incorporate Southern Copper ...pany, passed its several readings.

...lso bill to incorporate a Bank in Raleigh.

...ill to levy special tax in Cumberland, ...ed its third reading.

...Bill to incorporate Bucket and axe Com... Newbern; bill to issue bonds by ...lson county, it sanctioned by her vo...; bill introduced by Mr. Gatlin to ...thorize transfer of county charters to ...ards of Commissioners; bill to incorpo... the Franconia Manufacturing Com...y; Resolution allowing Walker Smith, ...rmer Sheriff of Rockingham, and W. D. ...stice, late Sheriff of Henderson; were ...d ...ed the several readings and ordered to ...engrossed.

Mr. Franklin introduced a bill to incorporate the Mechanics Building and Loan Association; referred.

The bill to authorize a Turnpike in Rutherford; the bill to amend the act establishing special Courts in Wilmington and Newbern; the bill to incorporate the Benevolent Sons of Edgecombe; bill to incorporate the town of Mt. Olive; bill to incorporate the Reversible Manufacturing Company; bill to incorporate Trustees of Ebenezr Church in Mecklenburg, all passed their several readings,

Bill to levy special tax in McDowell passed the second reading.

The resolution in favor of Mana Egypta de Olivera, was made special order for Monday 10½ o'clock.

Price, col. introduced a bill for the relief of J. F. Simpson, of New Hanover, referred.

By Smith, of Martin a bill to incorporate Stonewall Lodge, F. A. M.

Foster, a bill to amend chap. 130, laws of 1868–69.

Moore, of Chowan, a resolution concerning the incorporation of the Relief Society of the M. E. Church, South, connected with the Virginia Conference. Lies over.

The bill in favor of J. C. Cline, of Catawba county, allowing him to collect arrears of taxes for 1867 and 1868, was amended by substituting the committee's bill making the provision general, and further amended on motion of Mr. Malone requiring the Sheriffs to give security, and as thus amended passed the several readings.

On motion the House adjourned.

SENATE.

MONDAY, 24, 1870.

The Senate was called to order at 10½ o'clock.

PETITIONS.

By J. S. Bynum, col. From citizens of Commissioners of Warren county, asking for authority to levy a special tax, not to ...

REPORTS OF COMMITTEES.

Mr. Brogden from the Committee on Finance, reported favorably on the following bills, viz:

Bill to authorize the Commissioners of Haywood county to levy a special tax.

Bill to authorize the Commissioners of Wayne county to collect arrears of taxes for 1867.

FROM THE HOUSE.

Bill to amend a resolution authorizing the Secretary of State to furnish the members of the General Assembly with a copy of the laws; referred.

Bill to authorize the board of Commissioners of Warren county to levy a special tax; referred.

Bill to authorize the Commissioners of Cumberland county to levy a special tax; referred.

Bill to repeal an act to incorporate the town of Milton, Caswell; referred.

Communication from Governor Holden, calling the attention of the General Assembly, to the importance of suitably endowing the University of the State, with a proposition to print the same, which was concurred in.

BILLS INTRODUCED.

By Mr. Welker: To provide for draining wet lands; referred.

... and to raise revenue; referred.

By Mr. Respass: To create a fee ——— simple title to real estate from the date of registration; referred.

By Mr. Blythe: To require the return by the Justices of the peace of all criminal actions had before them, to the Clerk of the Superior Court; referred.

By Mr. Jones, of Mecklenburg: To protect the owners of freight delivered by common carriers; referred.

By Mr. Harrington: To authorize the Commissioners of Harnett County to levy a special tax; referred.

By Mr. Beall: The following resolution, to-wit:

WHEREAS, The records of the Superior Court of Wake county furnish evidence of fraud and corruption on the part of Milton S. Littlefield, State printer; and

WHEREAS, His recent course during the investigation of Railroad frauds, raises the presumption that he has misapplied and speculated in the bonds of the State entrusted to his care;

Therefore Resolved, By the Senate,—the House of Representatives concurring, That Milton S. Littlefield is unfit to hold the office of State printer, and the Governor is hereby requested to remove him; lies over.

By A. H. Galloway, (col.): To authorize the Treasurer to pay the necessary expenses of the several witnesses summoned before the Investigation Committee, (of which Mr. Sweet was Chairman,) lies over.

By Mr. Stephens: To authorize the Treasurer to transfer to the general fund of the State, for ordinary purposes, all moneys now in hand, which has heretofore been appropriated to the payment of interest on special tax bonds, issued by the State; lies over.

By Mr. Blythe: To instruct the committee on finance to examine the auditors report critically and to report a bill to retrench the State expenditures to the lowest possible sum practicable.

Mr. Blythe, urged immediate action upon this resolution, he had examined the Auditors report, and was *astounded at the immense amount* of expenditures appropriated to carry on the ... thought if he had control of the State fund he could reduce the expenses of the State at least $100,000 per year. There were numerous payments made for little matters which amount to a great deal in the end and which should be stopped, he noticed for instance that $4½ had been paid for cutting down one tree in the *Baptist Grove* in this city, $20 for cutting the hay in the Capital square, he thought if "the hay did not pay for cutting it, that it had better be allowed to remain uncut, he thought it was time to put a stop to such things, and hoped the resolution would pass at once.

Mr. Lindsay, thought it was proper that the resolution should pass. There were numerous payments of the character alluded to by the Senator from Henderson made under the convenient head of Incidental expenditures, in passing through the Capital square every day you can see a number of hands employed, removing the manure and hauling it off, the substance of the soil, he presumed, it was to be replaced by other manures, they are payed to do the very thing that they ought not to do, and he wrs informed that a Northern gentleman, who had great experience in gardening &c., told them that they were doing wrong, and took the trouble to explain the subject to them fully, but still the work goes on, these men must be employed at the expense of the State, to do an injury, he hoped the resolution would pass, if it would check this constant drain on the Treasury, the resolution was adopted.

By Mr. White: Resolution authorizing the Treasurer to pay the actual expenses and mileage to the committee appointed to investigate the affairs of the Albemarle and Chesapeake Canal Company; Referred.

The Hon. Samuel Phillips and the Hon. Thos. Bragg, appeared before the Bar of the Senate and were qualified, to enter upon their duties as members of the investigation committee

SPECIAL ORDER.

Bill to restore the credit of the State and to facilitate the construction of the unfinished Railroads.

This bill or motion of Mr. Love was considered by sections, numerous amendments were adopted.

Pending its consideration the Senate adjourned until this evening at 7½ o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, Jan. 24, 1869.

House called to order at the usual hour. Prayer by the Rev. Mr. Atkinson, of the city.

Bill to authorize the county Commissioners of Montgomery, McDowell, Burke, Stanly and Columbus to levy a special tax; passed.

The hour for the special order arrived and on motion of Mr Downing was postponed for ten minutes.

Mr. D. then called up a bill to change the manner of levying tax on the mining interests of the State, which on motion of Mr. Bowman, was referred to the Committee on Finance.

SPECIAL ORDER.

Resolution instructing the Public Treasurer to pay a judgment of $6,000 obtained against the University, objection being upon the Calendar.

Mr. Proctor called up a bill to extend the ... which passed.

On motion of Mr. Robinson, a resolution authorizing the Public Treasurer to pay certain costs in Macon Superior Court was called up and recommitted to the Committee on Claims.

On motion of Mr. Smith, of Alleghany, a bill to lay out and construct a Road through the counties of Alleghany and Ashe, was called up and passed its second and third readings.

On motion of Mr. Moore, of Chowan, the rules were suspended and the private Calendar was taken up.

On motion of Mr. Robinson the rules were suspended and a bill to amend an act relative to the Western Turnpike Road, passed its second and third readings.

On motion of Mr. Moore, of Chowan, the rules were suspended and the private Calendar was taken up.

The remainder of the session was consumed in the consideration of private bills

On motion the House adjourned until to morrow at 10 o'clock.

The following protest was offered in the Senate, on the 15th inst., and ordered to be spread upon the Journal:

The undersigned, by authority given by the Constitution of the State of North Carolina, in Sec. 19, Art. 2, to "enter ... any act or resolution, which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the Journal of such House, does hereby, while entertaining a decent respect for the opinion of a majority of the Senate, who differ with him, *solemnly protest* against the passage of an act by this body on yesterday, on its third reading, entitled "an act incorporating the North Carolina Homestead Association," for the following reasons:

1st. A rule of the Senate provides, that bills of this nature, shall be acted upon on Saturday only, and as it was passed on Monday, without a "suspension of the rules," and in despite of that objection, raised by this protestant, the act carries with it the embarrassment of this fact.

2nd. The Constitution of North Carolina provides, Art. 8, Sec. 1, that "corporations * * * * shall not be created by *special act*, except for municipal purposes, and in cases where, in the judgment of the Legislature, the object of the corporations cannot be obtained under general laws."

This Gneral Assembly has enacted a general law, under which, in the opinion of the undersigned, the incorporators in the aforesaid act, could have organized and operated. This act, incorporating the "North Carolina Homestead Association," is, therefore, in violation of the above recited section of the Constitution, which says, "such bodies shall not be created by special act," and further it is a wrong of vast magnitude, because the Senate, at its present session, has denied similar rights and privileges, to other parties, who desired to incorporate; and, further still, it is a wrong, because it unjustly discriminates between these incorporators, all of whom, save one, are non-residents of the State, non property holders among us, and, of course, non-tax payers, and our own citizens, by relieving and securing the former, from the restrictions, limitations and liabilities, which will be imposed on the latter, who may be compelled to incorporate under one general act.

3rd. The Constitution, in Sec. 14, Art. 2, provides that "the General Assembly shall not pass any private law, unless it be made to appear ... that notice ... has been given."

Now that this Homestead Association act is a private law, no one, not even its most ardent supporters or the corporators named therein will deny. It is for the benefit of individuals, (alas! a very few,) for a certain locality or localities, has all the elements of individuality in it, and is a private law. No notice of the bill was given, as is required by the organic law of the State, hence, it will be without force, and it is submitted, that even if notice had been given of one hundred days, still, it must be made so to appear to the General Assembly otherwise such legislation is void.

To recapitulate:

1st. It was passed in violation of the rules of the Senate.

2nd. It is in violation of the Constitution, Art. 8, Sec. 1.

3rd. It is in violation of the Constitution, Art. 2, Sec. 14, and, hence, the incorporation is only a bogus concern, without legal creation.

Respectfully submitted,

W. L. LOVE.

The Saw Mill of Wm. H. Carver, on Beaver Creek, a few miles West of Fayetteville, was burned on Saturday last. The fire was purely accidental.

There was no insurance, and the loss is a heavy one to Mr. Carver.—*Fayetteville Eag'e.*

DEATH OF HON. THOMAS RUFFIN.

On Tuesday, the 18th inst. the Hon. W. H. Battle presented to the Supreme Court, the Resolutions in regard to the death of the late Thomas Ruffin, adopted at the meeting of the Bar, held on the 17th inst., and which we have already published. On that occasion, he made the following remarks:

"May it please the Court, your Honors will recollect that soon after the meeting of the Court yesterday the death of the late Hon. Thomas Ruffin was announced, and the Court as a mark of respect to his memory, immediately adjourned. You will recollect that notice was then given that at 3 o'clock in the afternoon a public meeting of the members of the Bench, the officers and members of the Bar of this Court, and the Judge and members of the Superior Court of Wake County, would be held in this room for the purpose of taking such further action as the occasion might seem to require. It is known to you that the meeting was held, and that a report and resolutions, prepared by a Committee appointed for the purpose, were presented to the meeting and unanimously adopted. As the Chairman of the Committee I was charged with the duty of presenting them to the Court at its next meeting, and to request your Honors to order them to be spread upon the minutes of the Court.

Before proceeding to the performance of this duty, I beg leave to remark that this sad occasion carries our recollections back to the organization of the Supreme Court in the year 1819, and to the distinguished men who were then connected with it.—The Bench was illustrated by the legal learning and fine literary taste of Chief Justice Taylor, the genius of Judge Henderson, and the strong and vigorous sense of Judge Hall. They were aided in the discharge of their duties by counsel of the greatest ability. At that time, and for some years afterwards, the business of the Court was conducted by gentlemen who were called the Bar of the Supreme Court, and the practice was confined to them with almost as much exclusiveness, as was formerly that of the Common Pleas in England to the Sergeants at Law. It was a rare instance that any other member of the profession ventured to appear before the Court, for it required no little moral courage to do so. The members who then composed the Supreme Court Bar were regarded as equal, if not superior, to the members of the Bar of the Supreme Court of any other State in the Union. Your Honors will at once acknowledge the justice of this high encomium, when I recall to your recollection the names of Archibald Henderson, William Gaston, Thomas Ruffin, Henry Seawell, Gavin Hogg, Moses Mordecai, Joseph Wilson, and James Martin. All these great men except the one whose memory we are now commemorating, have long since passed away. It was the fortune of the survivor to live, until full of years and honors, he has been called away, and on yesterday his mortal remains were consigned to the tomb. In his long life he had greater opportunities than any of his compeers to connect his name indissolubly with the Judicial ... and in 1833 he became its Chief Justice. In that high office he presided for nearly twenty years, and during that time he was called upon to deliver opinions in many great causes, involving important, difficult questions of constitutional, as well as of the common, and statute law. These opinions have spread his fame beyond the limits, not only of this State, but of the United States. We are informed that the great Judges of England have read his judgments and spoken of them in high terms of admiration. It is as a tribute of respect to such a man, that I beg leave to request that the report and resolutions be ordered by your Honors to be placed upon the records of your Court."

Having concluded, Mr. Battle read the resolutions aloud to the Court; and the Chief Justice replied in the remarks which were published a day or two ago.

This closes the chapter; and thus has departed from among us, the great, the good, the wise Judge and patriot, THOMAS RUFFIN;—he whose name was revered at home, and honored abroad by all who respect the virtuous, love the good, or admire the great.

He died "in a ripe old age." His race of life was bravely run, and his well earned fame, nobly won.

An honest man—a patriotic and virtuous citizen—a wise, upright, and incorruptible Judge; his crowning glory was his moral excellence, and his christian purity.

In his declining years, this good and venerable man has stood among us "a shining light in the midst of a crooked and perverse generation"—a beacon-light in a dark, degenerate and corrupt age—a bright and noble example of inflexible honesty, unsullied virtue, rare integrity, and zealous patriotism, in a country, and at a time when patriots are few in number, when virtue and integrity are no longer regarded by men in public station—when all sense of decency and honesty is forgotten in the goodess scramble for pelf and place—when the term, honesty, has become a by-word and a term of reproach rather than of praise!

... among us! An honest man is dead—a great spirit is quenched in death—a noble soul has winged its flight back to its Maker, its mission on earth accomplished! THOMAS RUFFIN, Sr., lives no longer! A great man has gone to the silence and darkness of the grave! A great light is extinguished! and the dust portals of the tomb, have closed forever upon the mortal remains of one of North Carolina's noblest, most faithful, and most distinguished sons! Another name is emblazoned high on the bright scroll of fame. Another glorious star is added to that resplendent galaxy of illustrious names that is North Carolina's chiefest pride and the crowning glory of her fame!

And well may the old North State, in these her days of distress, weep the loss of such a man. If, she has within her borders, but few *real* public men to spare; now that "the wicked rule and the people mourn," now, when the fountains of justice are corrupt, when ignorance, dishonesty, and treachery, triumph over virtue, intelligence and patriotism, when bribery and corrion predominate in "the councils of a nation," where impartial justice, strict delity, and incorruptible integrity once prevailed!

David Bost, brakesman, was crushed between two cars and killed, while coupling some cars Wilson last week.

Remarks of Mr. T. A. Nichols, OF IREDELL.

In the House of Commons, Jan. 17th 1870, on the Sheffield military bill.

Mr. Speaker—Sir, it has not been my ... to occupy much of the time of this House, for the reason sir, that the political party with which I affiliate is so much in the minority that we are perfectly powerless and hence it is a needless consumption of breath for us to address this house; nor, Sir, would I attempt it now but for the reason that the defeat of the bill under consideration is of such vital importance to the people of North Carolina.

In addressing this House I propose to calmly canvass this bill section by section. And the first reason that I propose to offer why the first section of this bill should not pass, is that there is no necessity for it. I stand here and assert most positively without the fear of successful contradiction, from all that I have been able to learn from the papers of the State and other sources of information, that there is not a single county in the State where there is the least opposition to the enforcement of the civil law by the civil authorities; notwithstanding the great array that has been made before this house during the discussion of this bill of perjured jurors and desperate outrages that are alleged to have been committed in some of the counties of the State. Has there been the slightest reliable evidence produced here, Sir, that any Sheriff of any county has been successfully resisted in the execution of any writ that has been placed in his hand to serve on any accused party? *Not one.* Has there been any reliable testimony brought before this House of a single instance, where a grand jury has failed to find a true bill against a violator ... brought before them or a conviction that the law of the land requires to influence a ... such a finding upon? Not at all. Has there been any evidence paraded here Sir, to show that there is a single county in the State where the Courts cannot be kept open to hear all the *grievances* and redress all the *wrongs*? No such proof has been offered. And yet, Sir, the friends of this bill tell us that it must pass or the country is *ruined*. The next reason that I propose to offer why this section of this bill should not pass, is that it is impolitic and unsafe, it enlarges the powers of the Governor to an extent unprecedented in any free government. Let us examine the wording of the section, does it say, Sir, that whenever the civil authorities in any county in the State, shall find that they are unable to execute the law in their respective county, they shall notify the Governor of the existence of such a state of things, and he shall call into active service a sufficient amount of the militia of the State to aid the civil authorities to administer and execute the law in such county or counties? No Sir. But what does it say it says that the *Governor*, whenever in his *judgment* the civil authorities in any county are unable to protect its citizens in life and property, he is to declare such county in a state of insurrection and call into active service the militia of the State ... tion as it is, constitute the Governor of the State of North Carolina a military *Dictator* to all intents and purposes? and Sir I appeal to the representatives of the people of our beloved old State on this floor assembled, are you tired of a free and republican form of Government where the laws are administered by the civil authorities and all men have a right to trial by a lawful jury, that you are going to pass this bill and place yourselves under a military Dictatorship to rule over you by military power? I ask gentlemen to weigh well the force of this section of the bill. The Governor by the exercise of this unprecedented stretch of power may when he sees fit declare any county in a state of insurrection and send the military power there to take the rule of the county, no matter how well the civil authorities may be administering the law. (It Sir will be a matter of discression with him) and thus bring about a conflict between the military and civil authorities of the State and produce such a condition of things in North Carolina, such as I pray God we may never witness. Gentlemen well know that when the conflict does come, the civil power will be over ridden by the military, and we all know that the result will be disastrous enough. And Sir I stand here for one opposed to clothing the Governor of the State of North Carolina with any such unprecedented power, I care not to what party he may belong.

I proceed now Sir to advert to the second section of the bill. It is true Sir that this House in its wisdom has stricken out this section and it is not because of the fact that it is likely to be counted in the bill it passed that I notice it at all, but Sir I notice it because of the great claims the friends of the bill set up for it; after the striking out of the section, they allege that every thing objectionable is stricken out and therefore the bill ought to receive the hearty support of this House. Now Mr. Speaker the striking out of this section alters the force of the bill but very little, so far as military rule is concerned. It is true Sir that the section under review provides for the writ of *habeas corpus* of civil liberty, the writ that secures to every man the right of trial by jury. But Sir if the suspension of this writ had been obtained at all (which is a matter of great doubt with me) it must be obtained through the President of the United States by the consent of Congress, which would place us under martial law and subject us to the control of United States troops. The bill Sir as it now stands makes the Governor a military dictator to all intents and purposes, and subjects us to be ruled by little less than a mob. If Sir we are to be under military rule, give us United States troops that are well disciplined and under competent commanders; but in the name of all that is dear to a North Carolinian, in the name of all that is humane, do not place us under a mob designated by the name of militia, undisciplined, under incompetent officers. A militia, sir, that will be sent out to effect political ends, a militia that will glory in overawing and overriding all who differ with them in political opinion, a militia that will be guilty of rapine, murder and robbery, every day that they are in active service. The third section of the bill, says that upon motion of the Solicitor of a district, it shall be the duty of the Judge thereof to remove the trial of an person indicted for murder, &c., from the county where such offence may have been committed, to such other county as the Solicitor may designate.—Now Mr. Speaker, this section compels a Judge to remove the trial of a prisoner, *the language is he shall*, upon the mere motion of the Solicitor, without oath, without affidavit, without anything but a motion from the Solicitor at the instance, perhaps, of some enemy of the prisoner; but the hands of the Judge are *tied*, the section of the bill says he shall. Sir, this is giving the accuser too much power over the accused; what! sir, pick up a prisoner in Charlotte and carry him to Currituck, or any where the Solicitor pleases without ... or affidavit, and set him down for trial among entire strangers, where nothing is known of his former character, not a friend to attend to his interest; and he perhaps a poor man that has no means of getting witnesses away there from his native county, from whence he was brought; and be tried too before men and among men who are under the influence of such inverate prejudice that that they are incapable of doing him justice. I ask sir is there any hope that a prisoner can have a fair trial under such circumstances? Gentlemen may sneer at the idea of the influence of prejudice, but I will show you from the history of the United States before I am done, something of what has been done under the influence of prejudice and hate in the punishment of innocent persons. The forth section of this bill provides that the Governor of the State shall draw upon the Treasurer, for the payment of all the expenses of the militia service; and that the Commissioners of the county where the militia are sent to operate must reimburse the State Treasurer within a year. Here sir, the Governor is impowered to send to any county in the State any number of militia he may choose, pay the officers any wages he may think fit, pay the privates as large a price as he may be disposed, keep the men in the county just as long as he in his judgment and view of things may desire to do, and after ... the militia or not) and tax the county to ... Now sir, this is an outrage upon any people under a free and republican form of government. How I ask, is any people ground down by taxation as the people of North Carolina now are to bear it? Sir, the people are already taxed to the utmost of their ability to pay, and many counties in the State, heavily in debt, and their representatives are applying to this Legislature, for special tax bills to levy still further taxes on their counties. And then comes this bill with all this absolutely unnecessary burden of expense that must fall upon the unfortunate counties that may come under the ban of this nefarious bill. But sir, it goes further; it proposes to confiscate the property of every unfortunate prisoner that is *convicted* no matter whether he is *guilty or not*. His wife and children must be stripped of the last cent of their hard earnings, turned out of doors upon the cold charities of the world, without a place to lay their heads, but upon the cold damp earth. And now sir, what is all this unprecedented stretch of power, all this injustice in the removal of the trial of prisoners, all this lavish of treasure? for simply to give one secret oath bound political society the strong arm of the military power to put down another supposed secret, oath bound political society. Sir, I am opposed to the idea that all political secret organizations are dangerous to civil liberty, and incompatible with a free and republican form of government. They ought to be held in utter contempt by every lover of his country. But sir, what is the taxpayers of North Carolina to *gain* by this *extraordinary legislation*? The bill tells us that it is for the better protection of life and property, but the friends of the bill, in their discussion of it, interpret it to mean to hunt *Ku Klux*! Yes, to hunt *Ku Klux*!! Mr. Speaker, who are the leaders of this bill in this House, who are urging its passage, sir, with so much zeal and energy? It is a set of men, sir, from other States that have come down here, adventurers after power with a hate against the people of the South as bitter as old Lucifer himself, and a prejudice as black as the lower regions of the bottomless pit, for the express purpose of preying upon the people of the State. Sir, can any man with an unprejudiced mind sit here and see the nature of the Legislation that is done here in the way of the increase of offices and filling them at high salaries and infusing their old puritanical ideas of force and high taxation in every possible way, but what can see that the intention of these men is to confiscate the property of the people of the State by taxation, if no other way, and drive our people to the wall. In the name of all that is dear to a free people, natives of North Carolina, whose sires fought and bled and died, and whose bones bleached upon the soil of our once noble old State in the revolutionary struggle of 1776, for the liberties for which I stand here in this hall and most earnestly contend. In the name of our departed dead, whose bodies now sleep silently beneath the sod of our beloved old State, are we to give up all these liberties and be ruled by a military *dictator* to gratify the unbounded hate of these adventurers after power, filled with all their old puritanical notions.

Mr. Speaker, have these adventurers who are in favor of so much wild and unwarrantable legislation, not thrown ... while waiting up in their own blessed land, that they have come down here to hunt hobgoblins in the shape of supposed ku klux? And now Sir, in order to form some idea of their ku kluxing under this bill, how will they accuse? Upon what kind of evidence will they convict, condemn and execute innocent persons? Let us see how their forefathers operated in their hunt after hobgoblins in the shape of supposed witchcraft. (And, Sir, I think I am fully justifiable in drawing the comparison, when we recollect that there can be no doubt but puritanical hate and prejudice runs as high in these adventurers against our people as it ever did in their forefathers against those that happened to differ with them in opinion. And, Sir, human nature is the *same*; and they seek under this bill to vent their spleen upon the defenceless heads of North Carolinians, who differ with them in political opinion. And here, Sir, let me present to this House a case in point, Hildreth's history of U. S., Vol. 2, page 159. The new Court thus organized, proceeded to Salem and commenced operations by the trial of an old woman who had long enjoyed the reputation of being a witch; besides "spectoral evidence," that is the tales of the afflicted. A jury of women were appointed to make an examination who found upon her a wart or excrescence adjudged to be a Devils teat. As soon as this was announced, a number of old stories were raked up. The hens of some of the old woman's neighbors had died; others had cattle foundered; another fellow's cart had had been upset, all of which was ascribed to the incantations of the old woman. On this evidence she was brought in *guilty* and *hanged*. Sir, we have here an instance of what has been done under the influence of prejudice and hate; where innocent persons were pressed by diabolical power to condemnation and death, without a particle of proof of their guilt that any sane man would pay the least attention to. And Sir, the evidence offered here for the necessity of the passage of this bill is no better than the evidence above cited. We are told here to day of perjured jurors, because they do not find a true bill when they have no evidence to base a finding upon.—Sir, we have reason to believe that wrongs do exist in some communities, but Sir the civil authorities are not trusted; give them the necessary evidence and they can convict the parties and correct the wrongs. Sir there are numbers of other cases in this history equally as pertinent to the case, but I do not propose to weaken but one more and that but briefly. Page 100, Governor Swaine, a magistrate of Andover, he came he refused to ... any more ... what? Why ... would not help to put ... him. And his brother soon after, ... charge of bewitching a dog. Both were obliged to fly for their lives and their property was confiscated. Here Sir is another case of what prejudice and hate can do. And Sir, the Conservative party are charged here to-day of being in affiliation with the outrages that are being committed in the State, because we don't see fit to help to pass this nefarious bill. And Sir, the parties that make the charge, would confiscate our lands, and our property if they had the power, and they are seeking to do so by law and by rigor, it is to be done by force. Mr. Speaker, we have witnessed ... evidence of late Sir. Sir, when this bill was upon its passage in this House on Friday, before we took a recess for Christmas, just at the close when the party was determined to put this bill through, Mr. French (and I am sorry he is not in his seat now to hear, and defend his course if he can) he Sir, in direct opposition to the well established rules of this house moved to appoint pages enough, to encircle the entire bar of this House, and force those who differ with him in opinion to vote on this bill; nor Sir, did his tyrannical attitude stop here, but when one or two gentlemen on this floor of his own party, asked to be excused from voting from conscientious scruples, he refused to excuse them, but *dictated* to them that they might vote no, and why was he so ready to allow them to vote no because Sir in his great extremity to get a quorum, *no* answered *his purpose* as well as yes. This shows conclusively these leaders of the party are determined if they can't rule by Constitution and by right, they rule by force. Representatives of the freemen of North Carolina! has it come to this? That *you* are to sit here and be dictated to by a set of adventurers after power! you are to vote on the great questions of the day! how it is, sir, to the native North Carolinians I appeal—... come forward now and offer several amendments to the bill which shows that we sir were right and they were wrong. One more point, sir, and I am done: We have shown that there is no necessity for the bill; that the bill is unsafe, and contrary to the genius of free government; that it subjects men to great wrongs; that it is a wanton expenditure of the hard earnings of the people; that it is all founded in prejudice, and will be executed in hate. And now, sir, what is the object of the whole thing? I unhesitatingly submit that it is for political ends, and that the croppings out in the discussion here begin to show some of the counties that are to suffer. Sir, the dastardly scheme of the dominant party in this Legislature to hold over for two years longer, has exploded; the great masses of the people are speaking out regardless of party, and the plotters are afraid to face the music, and the only just inference is that they want this bill to give them the strong arm of military to intimidate—and by force carry the next election.

Sir, I say shame on any political party that is afraid to come before the people and ask for their support upon the merits of the party and meet their opponents upon manly and open principles, without resorting to the cowardly subterfuge of calling on the strong arm of the military for help. Sir, such a party is unworthy of the confidence of the people of the dear old State of North Carolina which has been the home of our fathers, and I pray God that it may be the heritage of our children; and I hope, sir, the bill will not pass.

GEORGE PEABODY.

BALTIMORE, Jan. 18, 1870.

It is currently reported that Governor Chamberlain, of Maine, will pronounce the funeral oration at Portland on the second day after the arrival of the Peabody funeral fleet. The fleet will be due on the 28th inst. The United States double-turreted Monitors Terror and Montauk which will sail from here to-day to join the funeral fleet and escort it into Portland. Admiral Farragut will not join the monitors here, but will proceed to Portland by rail, and take charge of the imposing naval ceremonies attendant upon the disembarkation and transfer of the remains.

The body of the great philanthropist will be received by the Governor, the Legislature, the military authorities, a committee from the Board of Trustees of the Peabody Institute, a committee from the Board of Trustees of the Peabody Educational Fund a committee of the Boston city government, the Massachusetts Legislature and committees from other New England Legislatures and city governments. The escort on the funeral train from Portland to Peabody, consisting of representatives from almost every department of the public service, together with invited guests, will fill a ... forty cars. It is intended that the ceremonies shall eclipse anything of the kind heretofore known. Robert C. Winthrop will deliver the funeral address at Peabody.

The Massachusetts Senate to-day passed resolutions of respect to the memory of George Peabody, approving the appointment of a committee to attend his funeral, and as a further testimonial, the Senate adjourned.

The lower house of the Maine Legislature, by a vote of seventy-eight to thirty-nine, to-day tabled the resolution to attend, in a body, the funeral ceremonies of George Peabody, at Portland, and accepted the committee's report that it was inexpedient to attend.