The Semi-Weekly Sentinel.

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THE SENTINEL

Legislature of North Carolina.

SENATE.

WEDNESDAY, Dec. 14, 1870.

The Senate was called to order at the usual hour.

Mr. Fleming was permitted to record his vote in opposition to Mr. Brogden's resolution relative to the Senatorial election in Alamance and Guilford.

Messrs. Robbins, Gilmer, Currie and Lassiter made reports from their respective committees.

A message was read from the House transmitting sundry bills, passed by that body asking the concurrence of the Senate.

A bill concerning the election of keeper of the Capitol, was read and an amendment by the House concurred in.

A bill from the House appointing a commission to investigate alleged frauds and illegalities connected with the election in the county of Wayne, was read.

On motion of Mr. McCaskey, the rules were suspended and the bill passed its several readings.

A resolution relating to the public printing (heretofore noticed,) passed.

A communication from the Code Commission transmitting a bill fixing certain fees, &c., was presented.

Mr. Gilmer moved the reference of the bill to the Judiciary without being read.

Mr. Love opposed the reference. It was well known by himself and others, that by a vote of the last Legislature this Code Commission was abolished, but by some means the bill was made way with and not ratified. It was an imposition upon the State as the matter now stands, and he was not disposed to recognize this Code Commission in any manner, whatever; he therefore moved to lay it on the table.

A division was called for, and the motion to table prevailed, yeas 21, nays 17.

Mr. Lehman introduced a bill, prepared by the Code Commission, amending the Code of Civil Procedure.

During the reading of the bill, Mr. Warren inquired if this was not the same bill that had been laid on the table, as coming from the Code Commission.

Mr. Lehman replied, saying that the bill was introduced by himself, that he had not received it from the clerk.

Mr. Warren had opposed the reference of the bill, and he believed that this attempt to get the bill before the House was a subterfuge. He therefore moved its rejection.

Mr. Lehman said that he had introduced the bill—having adopted it as his own. It was true that he did not draw the bill. It was not unusual for Senators to introduce bills that were not drawn by themselves. He said that to dispose of this bill in the manner indicated by the Senator from Beaufort, would in effect be to deny him his rights as a Senator.

Mr. Warren disclaimed any intention of treating the Senator from Craven (Mr. L.) with disrespect. For him he entertained high respect. It was however evident, that this was a subterfuge, and he could not characterize it as anything else. The Senate has just declined to consider this very bill, coming from the Code Commission.

Mr. Lehman, disclaimed offering the bill as a subterfuge. He was aware that gentlemen entertained serious objections to the Code of Civil Procedure. He entertained objections to it himself. He thought it susceptible of amendments. He thought, this bill would exhibit to the Senate the fact that it could be so improved, as not to necessitate the abolishment of the Code.

Mr. Robbins of Davidson, hoped the motion to reject would prevail. It was a notorious fact that the Commission, framing this bill had been abolished but by dereliction of duty, not to say gross fraud, the act had been suppressed. He therefore should vote to reject this bill.

Mr. Love would not infringe upon any right of the Senator from Craven, but the bill introduced by him purports to be framed by the Code Commission and not by the Senator himself. He was opposed to either directly or indirectly recognizing that Commission.

Mr. Dargan, would be as far as any man from reflecting on any gentleman in this Senate, but he favored the passage of this motion to reject. He did not deem the recommendations of this Commission entitled to any respect or consideration at the hands of the Legislature.

Its duties had ceased. It had been abolished. It seemed however, that it was a kind of feline character, with about nine lives, and when we thought it dead, it keeps creeping in these halls.

Mr. Murphy would vote for this motion, but in doing so he designed no reflection upon the Senator from Craven. He thought it an outrage that this Code Commission was yet forcing themselves upon the attention of this Senate. He well recollected that the bill abolishing the Code Commission passed the last Legislature. It had been suppressed and he hoped that steps would be taken to investigate the matter, and that the guilty parties would be discovered and properly punished.

Mr. Brogden agreed with the Senator relative to the passage of the bill abolishing the Code Commission, but he thought that this bill should be referred.

Mr. Lehman argued to show that the Code Commission was a constitutional requirement and could not be abolished by a mere act of the Legislature. He reiterated that he did not offer the bill as a report of the Commission but had adopted as his own.

Mr. Olds said he thought the object of this whole matter was to render the Code odious, with a view of advancing the interest of a call of a Convention.

The question recurring on the motion to reject, it was carried, yeas 20, nays 18.

Mr. Cook from the Committee on Constitutional Reform, reported a Convention bill. The bill provides for submitting the question of calling a Convention for a vote of the people on the 16th of February next—delegates to be elected at the same time and restricts the Convention, not permitting any interference with other the political, as well states of the freedman, or alienation of the homestead or personal property exemption, or mechanics lien law.

After some discussion, the further consideration was postponed until to-morrow, 11 o'clock.

Mr. Gilmer introduced a bill providing for an election in the 20th Senatorial District, on the 24th of December, to fill a vacancy.

Under a suspension of the rules, the bill passed its several readings.

On motion of Mr. Robbins of Davidson, a message was sent to the House informing that body of the concurrence of the Senate in the amendment to the bill relating to the election of keeper of the Capitol.

By Mr. Gilmer: A bill concerning elections in this State; it prohibits voting at any precinct other than the township in which the voter resides, and permits challenge after registration; referred.

A message from the House transmitting an engrossed bill explanatory of the acts relative to the Wilmington, Charlotte and Rutherford Railroad.

Referred to Committee on Internal Improvements, on Mr. McGammy's motion.

By Mr. Warren: A bill to amend Revised Code, relative to Divorce and Alimony. Mr. W. stated that he did not draw the bill, and did not wish to be understood as endorsing it.

By Mr. Merrimon: A bill for the benefit of the Western North Carolina Railroad. This bill provides for a meeting of the stockholders of the Road, after a notice of thirty days, by publication in a daily newspaper, in the city of Raleigh, and the weekly newspapers in the towns of Salisbury, Statesville and Ashville; and empowering the stockholders to remove any director, officer, or agent of said Road, upon proper cause shown.

The bill appoints as Directors on the part of the State: F. N. Lucky, of Rowan, A. C. Cowles, of Yadkin, Hugh Reynolds, of Iredell, Lock, McCorkle, of Catawba, Joseph C. Mills, of Burke, C. L. S. Stephens, of Iredell, and David Coleman, of Buncombe, and Alfred M. Erwin, of McDowell, State proxies.

The bill provides that the Speaker of the House of Representatives shall hereafter annually appoint the directors on the part of the State.

It also makes it a misdemeanor, punishable with fine and imprisonment, for any director, officer, or agent of the road to fail or refuse to turn over all moneys, bonds, property or effects forthwith to the new board, or to use any money or other property of the Road, to prosecute suit against the new Board to delay them.

On Mr. Love's motion, the bill fixing salaries and fees was taken up and considered by sections.

Considerable discussion was elicited upon an amendment offered by Mr. Cowles, to strike out dollars and insert cents, in the fixing salaries of clerks of the superintendent of Public Works; the motion finally prevailed. The further consideration of the bill was postponed for the present.

The resolution in favor of M. A. Bledsoe coming up—

Mr. Graham said that in view of the fact that the Senate was then thin, he moved the postponement of its consideration until Friday next; carried.

The Senate then adjourned until 10 o'clock Thursday.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, Dec. 14.

House called to order at the usual hour, Prayer by Rev. Dr. Mason of the city.

Journal of yesterday read and approved.

Mr. Sparrow, from the Judiciary Committee, submitted the following report in regard to impeachment:

The Judiciary Committee, to whom was referred, on the 9th of December, the following resolution, namely:

Resolved, That William W. Holden, Governor of North Carolina, be impeached of high crimes and misdemeanors in office,"

—have considered the same, and submit the following report:

That William W. Holden, Governor of North Carolina, unmindful of his oath of office, did, in July last, organize, arm and equip a military force, not recognized by, and in subversion of the Constitution of the State of North Carolina, which military force, so unlawfully organized, was not kept under subordination to and governed by the civil power, but was, by the order of the said William W. Holden, Governor as aforesaid, made paramount to, and subversive of the civil authority.

That the said William W. Holden, Governor as aforesaid, did, in the months of July and August last, without lawful warrant and authority, and in defiance and subversion of the Constitution, arrest and imprison many of the peaceable and law-abiding citizens of the State, depriving them of their liberties and privileges, and certain of said citizens, so unlawfully arrested and imprisoned, did cause to be subjected to cruel and unusual punishments.

That the said William W. Holden, Governor as aforesaid, denied to citizens, unlawfully restrained of their liberty by his authority, all remedy to inquire into the lawfulness thereof, and in defiance of the Constitution, the Laws, and the Process of the Courts, he suspended the privileges of the writ of *habeas corpus*, claiming that he was governed by a "supreme law," whereby he could deny the privileges of of the said writ when, in his opinion, the safety of the State required it.

In view of the matters herein set forth, combining historical facts, with statements contained in public documents, and the records of the Public Departments and the Courts, the undersigned, members of the Committee, who are a majority thereof, are of the opinion that William W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors. They therefore recommend to the House, the adoption of the accompaning resolution.

T. SPARROW,
C. W. BROADFOOT,
LEE M. McAFEE,
S. A. ASHE,
JOHN D. STANFORD,
GEO. H. GREGORY,
HENRY T. JORDAN,
JOHN W. DUNHAN,
R. P. WARING,
JAMES G. SCOTT,
W. P. WELCH,
DAVID SETTLE,
F. N. STRUDWICK,
C. M. T. McCAWLEY,
J. D. JOHNSTON.

Resolved, That William W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors in office.

The report was read and placed on the calendar.

Mr. Rankin, from the Committee on Salaries and Fees, Mr. McNeill, from the Committee on Propositions and Grievances, and Mr. Crawford, from the Committee on Engrossed Bills, submitted reports from their respective Committees.

By Mr. Robinson: A resolution in favor of John Crisp of Macon county; referred.

By the same: A resolution in favor of B. W. Parton of Haywood county; referred.

By Mr. Cuman: A resolution in regard to re-opening post offices, &c.; placed on calendar.

By Mr. Jordan: A bill to create a commission to inquire into bribery and corruption; referred.

By Mr. Dunham: A bill for the relief of the people of the county of Craven; referred.

By Mr. Lassiter: A bill to waive the homestead act in certain cases; referred.

By Mr. Robinson: A bill to amend chapter 3, sections 14 and 15, Revised Code. (the bill provides for the appointment of an assistant Geologist.)

By Mr. Anderson: A bill to incorporate City Lodge, No. 201, A. Y. M., at Hayesville; referred.

By Mr. Welch: A bill to repeal an ordinance of the Convention of 1868, appointing Commissioners to prepare a code of practice and procedure in the different Courts of the State; referred.

By Mr. Justice: A bill to repeal certain ordinances of the Convention of 1868; referred.

Several bills from the Code Commission were read and appropriately referred.

A communication was received from the Attorney General giving the House information concerning his office.

Mr. Johnston of Buncombe, from the Special Committee on Constitutional Reform, reported favorably upon the bill calling a Convention, with certain amendments. The bill with amendments were placed on the calendar and ordered to be printed.

On motion of Mr. Strudwick, the rules were suspended and the resolution reported by the Judiciary Committee impeaching W. W. Holden, Governor of North Carolina, was taken up.

Dudley, col., moved to lay it on the table. The yeas and nays being called for, yeas 37, nays 61, (a party vote.)

Mr. French said that there was no evidence upon which to base such a resolution.

Mr. Sparrow said he must express his surprise at the course pursued by the gentlemen on the other side of the House. He had supposed that for once a resolution had been introduced into this House which would meet the approval of all parties. An assault has been made by the Chief Executive officer of the Commonwealth upon the Constitution and the laws of the State, which he was sworn to defend. The people of the State of North Carolina demanded of their representatives a vindication of the outraged law. Indeed the public sentiment of the whole country demanded it. The accredited organ of the Governor, published in this city, had proposed a Mecklenburg Declaration of Independence, as the law of the land, and he (Mr. S.) was not prepared to vindicate his character against what it characterizes as slanders. After this demand by the Governor himself, he was surprised at the course pursued by the Governor's friends on the floor of this House. The gentlemen from New Hanover wished to know upon what testimony the Committee based their action in this matter.

Upon evidence, sir, which is now matter of public history, and known to every member of the House and the whole country. Upon evidence reported to us by the Governor himself in his annual message, and also from evidence on file in the records of the Courts and in the hands of the members of this House. Evidence which we not only may, but are bound to take notice of. We do not sit here to try the Governor; this is the province of the Senate. The members of which will sit as sworn jurors, and whose the Governor will be entitled to a full and fair trial.

Page, col., made a constitutional argument against the resolution.

Tucker, col., took strong grounds against the resolution.

Mabson, col., said the resolution of impeachment, presented by the Judiciary Committee, was sustained by no evidence.

Mr. Martin said that he looked at this matter from no partizan standpoint, but as a law-loving and law-abiding citizen. He thought the matter should rise above all partizanship. If the law has been violated, and the rights of the citizens disregarded, the perpetrators of the outrage should be punished. In reference to all these allusions about Ku Klux, Invisible Empire, &c., he would state here that he never had any connection with any secret political organization since the days of Know Nothingism, and he was heartily ashamed of that. He was opposed to all secret political societies, including the Loyal League. As to the nakedness of this resolution, or the lack of evidence, as some say, he would call the attention of the House to the fact that there was high precedent for the resolution. John Covode, in the House of Representatives in the Congress of the United States, in the Andrew Johnson impeachment case, offered a resolution which read something like this:

"*Resolved*, That Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanors in office."

Did Republican members rise up and cry out that there was no evidence upon which to base such a resolution? No one need be alarmed, for at the proper time, if this resolution should pass, evidence would certainly be forthcoming for the consideration of the Senate. The justification of calling out of the militia did not enter the question, but as far as he (Mr. Martin) knew no militia was called out, the officers of that band signed themselves as belonging to "State Troops."

Crimes have been committed and still would be committed in all ages, climes and, he might say, in all counties. Only a few months ago, in New York a man by the name of Rogers was murdered in open daylight, on a much frequented street, and to this day there has been no clue to the murderer or murderers. In the same city more recently a prominent Banker was murdered in his house, and yet no clue has been obtained to lead to the detection of person or persons who committed the crime. If Governors of all the States were to call out the military every time murders and outrages were committed, they would do nothing else but call out the military.

It could not be denied that in certain counties outrages had been committed, but the use of the military had not been made in an impartial manner. In the county of Robeson there have been more diabolical outrages than in any other section of the State, yet no proclamation of insurrection is issued. Robeson was not subjected to the horrors that were inflicted upon the people of Alamance and Caswell by being proclaimed in a state of insurrection and having armed bands quartered on them.

He would support the resolution because it proposed to investigate serious charges against a sworn Executive.

Mr. Brown argued against the resolution.

Mr. Waring was in favor of the resolution, because serious charges of gross violations of the law of the land were made against the Executive of this State, and it was due to the fair fame of the State that if the charges were true, he should be impeached and turned out of office, and if not true, it was also due to the fair fame of the State that these foul charges against its Governor should be blotted out by a full and fair investigation as the law directs. He did not see how Republicans, who extol the patriotism and integrity of the Governor whom they elected to office, could oppose this, their only means to acquit the Gov. before the world of these damning charges. He did not know W. W. Holden in this matter, but he wished the serious charges brought against the Governor of North Carolina, to be freely and fairly investigated. He was a Conservative, but he came to this Legislature not to seek revenge for past wrongs, but to legislate and act for the integrity of his State.

If the charges of these violations of law by the Governor of the State be true, why run the risk of office, if they are not true, why it will so appear at the trial, and he will have had the advantage of vindicating himself in the eyes of the world.

Messrs. Robbins, col., and Sykes, col., opposed the resolution.

Mr. Justice (Republican) said he had thought the Governor had acted as he (the Governor) deemed best for the preservation of peace, law and order, but he could not consistently vote against the resolution, as serious charges were brought against the Governor, and he (Mr. Justice) wished an investigation and the truth known.

Mr. Sparrow said that he would state in behalf of the Judiciary Committee, for the information of members, that the adoption of this resolution did not end the matter in this House. After the adoption of the resolution a Committee would be appointed to draft and present articles of impeachment which would be coming up in due time.

Mr. Phillips opposed the resolution in a speech of some length.

Messrs. Hargrove and Hardy of Franklin opposed the resolution.

Mr. Sparrow called the previous question.

The yeas and nays were called and the call was rejected by a vote of yeas 31, nays 66.

Mr. Crawford in an able and eloquent speech advocated the resolution.

[The Reporter regrets that a lack of space and the lateness of the hour, makes it necessary to omit Mr. Crawford's remarks in order that the paper for the Western mail may not be delayed.]

Mr. French moved to postpone the resolution until the 16th of January.

Mr. Robinson hoped the motion to postpone would be considered as a test and voted down. He thought it due to the Governor that this resolution should be adopted or rejected at the last as at the first moment, as he was anxious to vindicate his character against what it characterizes as slanders. After this demand by the Governor himself, he was surprised at the course pursued by the Governor's friends on the floor of this House. The gentlemen from New Hanover wished to know upon what testimony the Committee based their action in this matter.

Upon evidence, sir, which is now matter of public history, and known to every member of the House and the whole country. Upon evidence reported to us by the Governor himself in his annual message, and also from evidence on file in the records of the Courts and in the hands of the members of this House. Evidence which we not only may, but are bound to take notice of. We do not sit here to try the Governor; this is the province of the Senate. The members of which will sit as sworn jurors, and whose the Governor will be entitled to a full and fair trial.

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Mr. Strudwick also opposed the motion to postpone.

The yeas and nays were called and the motion to postpone was rejected by the following ballot:

YEAS—Messrs. Brooks, Brown, Bryant, of Halifax, Bryan, of Jones, Bryson, Bunn, Buxton, Cawthorne, Carson, Chamberlain, Cimard, Collis, Copeland, Darden, Dudley, Duckworth, Ellson, Faulkner, Fisher, Fletcher, French, Garland, Garrison, Grayson, Harris, of Franklin, Harris, of Guilford, Hargrove, Hardy, Jones, of Northampton, Justice, Lyon, Mabson, Morris, Morgan, of Montgomery, Morgan, of Wake, Newsome, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith, of Halifax, Sykes, Tucker, Willis, Young, of Wake, and York—48.

NAYS.—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Crawford, Currie, Dickey, Dunham, Furr, Gore, Gullick, Gregory, Hampton, Henderson, Hill, Hinsant, Johnston, of Buncombe, Johns, Jones, of Caldwell, Joyner, of Johnston, Joyner, of Pitt, Jordan, Kelly, of Davie, Kelsey, Kincaide, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Pool, Rankin, Reid, Sloan, Smith, of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack and Young, of Yancey—58.

Mr. Strudwick called the previous question.

The call was sustained by a vote of yeas 54, nays 47.

The yeas and nays were called and the resolution of impeachment was then adopted by the following ballot:

YEAS—Messrs. Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Cawthorne, Carson, Chamberlain, Crawford, Currie, Dunham, Furr, Gore, Gullick, Grayson, Gregory, Hampton, Henderson, Hill, Hinsant, Johnston, of Buncombe, Johns, Jones, of Caldwell, Joyner, of Johnston, Joyner, of Pitt, Jordan, Kelley, of Davie, Kelsey, Kincaide, Lassiter, Lucas, Luckey, Martin, Marler, Maxwell, McAfee, McCauley, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith, of Anson, Smith, of Wayne, Sparrow, Stanford, Stewart, Strudwick, Tomlinson, Waring, Welch, Womack, Young, of Yancey—60.

NAYS—Messrs. Anderson, Brooks, Brown, Bryant, of Halifax, Bryan, of Jones, Bryson, Bunn, Buxton, Cimard, Collis, Copeland, Darden, Dickey, Dudley, Duckworth, Ellison, Faulkner, Fisher, Fletcher, French, Garrison, Harris, of Franklin, Harris, of Guilford, Hargrove, Hardy, Jones, of Northampton, Lyon, Mabson, Morris, Morgan, of Montgomery, Morgan, of Wake, Newsome, Nisson, Page, Parrott, Phillips, Reavis, Robbins, Smith, of Halifax, Sykes, Tucker, Willis, Young, of Wake.

Adjourned.

SENATE.

THURSDAY, Dec. 15th, 1870.

The Senate was called to order at 10 o'clock.

Prayer by the Rev. Henry Eppes, (col.) Senator from Halifax.

Mr. Jones moved to take from the calendar a bill declaratory of the meaning of the act entitled an act to repeal certain acts passed at the session of 1868-'69, making appropriations to Railroad Companies, ratified on the 9th of March, 1870, and for other purposes.

Mr. Jones said his motive in making the motion was that he should introduce a bill upon the same subject, and he desired that both of them should be referred to the Committee on the Judiciary. The motion was lost.

SPECIAL ORDER.

Bill regulating the salaries and fees of State officers. This bill provides that the Governor shall have $3,000 per annum until the 1st of Jan. 1873. He shall be allowed a Private Secretary at a salary of $700 per year, who may receive the fees of and office as prescribed in section 13, chapter 102, and no other. He shall also be allowed one messenger at a salary of $300 per year.

Treasurer.—His annual salary shall be $3,000, until Jan. 1st, 1873. He shall be allowed a chief Clerk with a salary of $1,500 per year. He shall also be allowed an assistant Clerk with an annual salary of $750.

Secretary of State.—His annual salary shall be $1,000 and fees of his office as prescribed in section 13, chapter 102 of the Revised Code and no other. He shall be allowed one Clerk with a salary of $900 per year.

Auditor.—His annual salary shall be $1,350 and also the fees of his office, as prescribed by law.

Superintendent of Public Works.—His annual salary shall be $900. He shall not be allowed any sum for travelling expenses, or clerical assistance.

Superintendent of Public Instruction.—His annual salary shall be $900, and shall not be allowed any sum for travelling expenses, nor shall he be allowed to appoint any assistant nor shall any other person make any such appointment.

Attorney General.—His annual salary shall be $1,000 and the fees prescribed by law, except those given by section 5, chapter 105 of the Revised Code.

Adjutant General.—His salary shall be $900 per year. He shall not be allowed any traveling or other expenses or any clerical assistance at the expense of the State.

Reporter of the Decisions of the Supreme Court.—His salary shall be the same pay, and have the same rights as are given by section 6, chapter 105 of the Revised Code. He shall receive no other or further remuneration.

[This bill gives further and provides for salaries and fees of county officers, but we have no space to publish it to-day. We shall publish in full when passed.]

Mr. Olds moved to amend section 6, (which regulates the salary of the Superintendent of Public Instruction,) by striking out "$1,500" and inserting "$2,000."

Mr. Troy moved to amend the amendment by inserting $1,500 instead of $2,000.

This question was discussed at length, finally the previous question was called and sustained.

The President decided that the question was divisible, the motion to strike out prevailed by a vote of 33 to 12.

Mr. Troy's amendment to the amendment was adopted by a vote of 24 to 20, and $1,500 was inserted in the section by a vote of 24 to 21.

Mr. Olds moved to amend the same section by allowing the said Superintendent a necessary sum for travelling expenses and clerical services.

The President ruled the amendment out of order.

Mr. Love moved a reconsideration of the vote by which the sum of $1,500 was fixed in the 6th section, and moved to postpone that motion until to-morrow at 12 o'clock.

The further consideration of the whole bill was then postponed until to-morrow at 12 o'clock, which prevailed.

COMMITTEE FROM THE HOUSE.

The doorkeeper announced the arrival of a committee from the House, composed of Messrs. Welch, Sparrow, and Strudwick.

The committee were invited forward in front of the bar of the Senate, and Mr. Welch said:

MR. PRESIDENT AND SENATORS: I would display the most callous indifference, the most remarkable and unnatural absence of sensibility, if, in appearing at the bar of the Senate of North Carolina, in obedience to the commands of the Representatives of the people, charged as I am with the performance of so solemn a duty—that of impeaching the Governor of a great Commonwealth—were I not oppressed with the awful responsibility of the situation; but, sustained by a consciousness of right, and calling to the aid of my inexperience the experience of one of England's purest patriots and most distinguished statesmen, I proceed with more confidence than I would otherwise have.

Permit me, Mr. President and Senators, to adopt almost the very language used by him under circumstances somewhat similar, and to ask, "What is it we want here to a great act of national justice? Do we want a criminal? "Do you want a criminal?" "Where will there so much iniquity ever laid to the charge of any one?"

Senators, "Is it a prosecutor you want?" You have before you the Representatives of the people of North Carolina. "Do you want a tribunal?" Senators, "No example of antiquity—nothing in the modern world—nothing in the range of human imagination can supply us with a tribunal superior to this." "Therefore it is ordered by the Representatives of the people of this Commonwealth, that I impeach William W. Holden, Governor of North Carolina of high crimes and misdemeanors in office."

I impeach him in the name of the Representatives of North Carolina, "whose national character he has dishonored."

"I impeach him in the name of all the people of North Carolina" whose laws, rights and liberties he has subverted."

I impeach him in the name and by virtue of those eternal laws of justice which he has violated. *I impeach him* "in the name of human nature itself which he has cruelly outraged, injured and oppressed" and in the name of the Representatives of the people do demand that the Senate organize a high court of impeachment and take order that William W. Holden appear at its bar to answer the particular charges which the House of Representatives will in due time exhibit and make good by proper testimony, and that the Senate do make such other and further orders in the premises as shall seem to them best calculated to bring this trial to a just and speedy termination; and in conclusion the House of Representatives, through us, most heartily pray that God, the fount of eternal justice may protect the right."

The President, Mr. Caldwell, said he was absent when the Committee arrived, consequently did not know what was done on their entrance to the Senate Chamber, and asked the following query to wit:

Have articles of impeachment been drawn up and presented?

Mr. Welch replied that such articles would be drawn and presented in due time.

The President then read the following section of the law relating to Proceedings of Impeachment, to wit:

SEC. 4. EXAMINATION OF ARTICLES.

All impeachments must be delivered by the House of Representatives to the presiding officer of the Senate, who shall thereupon cause proclamation to be made in the following words, viz: "All persons are commanded to keep silence on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of North Carolina, Articles of Impeachment against the Governor." After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the House of Representatives that the Senate will take proper order on the subject of impeachment,—of which due notice shall be given to the House of Representatives."

Mr. Warren moved that the Committee be informed that the message is received, will be considered, and the Senate will take proper order thereon, which prevailed.

The President so informed the Committee, and they retired.

SPECIAL ORDER.

Bill to be entitled an act concerning a Convention of the people.

On motion of Mr. Warren, the Senate agreed to consider the bill by sections.

The Senate considered and perfected Sections 1, 2, 3 and 4. Pending the consideration of Section 5,

Mr. Troy moved that when the Senate adjourn it adjourn to meet again at 7:15 o'clock to-night, which prevailed.

On motion of Mr. Robbins of Rowan, the further consideration of the bill was postponed until to-night at 7:15.

Mr. Warren, by leave, introduced the following resolution, to-wit:

Resolved, That the message of the House of Representatives, relating to the impeachment of W. W. Holden, Governor of North Carolina, be referred to a select committee of five, to be chosen by the Senate, to consider and report thereon; and that said committee do inquire and report rules of practice and procedure for the Senate, when sitting for the trial of impeachment, which was adopted.

On motion the Senate adjourned.

HOUSE OF REPRESENTATIVES.

THURSDAY, Dec. 15.

House called to order at the usual hour.

Prayer by Rev. Mr. Grayson of the House.

Journal of yesterday read and approved.

Mr. Houston was allowed to record his vote in the affirmative on the passage of the resolution impeaching the Governor. He was detained from his seat yesterday by sickness, when the vote was taken.

Mr. Johnston, of Buncombe, from the Judiciary Committee, submitted a report, which was placed on the calendar.

Mr. Robinson, from the Committee on Enrollment, reported several bills as being correctly enrolled.

Mr. McAfee, from the Committee on Education, reported upon various bills and resolutions, all of which were appropriately disposed of.

Mr. Crawford, from the Committee on Engrossed Bills, reported various bill and resolutions as being correctly engrossed.

Mr. McNeill, from the Committee on Propositions and Grievances, submitted a report upon several bills which took their place on the calendar.

By Mr. Robinson: A resolution amendatory of the second section of a resolution in relation to disabled soldiers; referred.

Resolved, That a Committee of three be appointed to go to the Senate, and at the bar thereof, in the name of the House of Representatives and of all the people of the State of North Carolina, to impeach William W. Holden, Governor of the State of North Carolina, of high crimes and misdemeanors in office, and to acquaint the Senate, that the House of Representatives will, in due time, exhibit particular articles of impeachment against him and make good the same; and that the Committee do demand that the Senate take order for the appearance of said William W. Holden to answer to said impeachment.

Resolved, That a Committee of seven be appointed to prepare and report articles of impeachment against William W. Holden, Governor of the State of North Carolina, with power to send for persons, papers and records, and to take testimony under oath.

The resolutions were placed on the calendar.

By Mr. Justice: A resolution of instruction to the Public Treasurer; placed on calendar.

By Mr. McAfee: A bill to appoint a joint Commission to visit the University of North Carolina; placed on calendar.

By Mr. Anderson: A bill for the relief of a special tax; referred.

By Mr. Dickey: A resolution in favor of W. J. A. Strange, of Cherokee; referred.

On motion of Mr. Sparrow, the rules were suspended, and his resolutions appointing a Committee of 5 to proceed to the Senate and inform that body of the action of the House in regard to impeachment, and also raising a Committee of 7 to draft articles of impeachment, were taken up.

The resolutions were adopted by the following ballot:

YEAS—Messrs. Anderson, Armstrong, Ashe, Atwater, Atkinson, Broadfoot, Bryson, Chamberlain, Cimard, Crawford, Currie, Dickey, Dunham, Furr, Gambrel, Gatling, Gore, Gullick, Grayson, Gregory, Hampton, Harris, of Guilford, Houston, Hills, Hinsant, Johnston, of Buncombe, Johns, Jones, of Caldwell, Joyner, of Johnston, Joyner, of Pitt, Jordan, Keily, of Davie, Kelly, of Moore, Kelsey, Kincaide, Lassiter, Luckey, Martin, Marler, Maxwell, McAfee, McNeill, Mills, Mitchell, Nicholson, Powell, Rankin, Reid, Regan, Robinson, Scott, Settle, Shull, Smith, of Anson, Smith, of Wayne, Sparrow, Stanford, Stewart, Tomlinson, Waring, Welch, Wilcox, Womack, Young, of Yancey, York.

NAYS—Messrs. Brooks, Bryant, of Halifax, Bryan, of Jones, Bunn, Cawthorne, Carson, Collis, Copeland, Dudley, Ellison, Faulkner, Fisher, Fletcher, Garrison, Harris, of Franklin, Hargrove, Hardy, Johnson, of Edgecombe, Jones, of Northampton, Justice, Lyon, Mabson, Morgan, of Montgomery, Newsome, Nisson, Page, Parrott, Reavis, Robbins, Smith, of Halifax, Sykes, Tucker, Willis, Williamson, Young, of Wake.

On motion of Mr. Anderson, the rules were suspended and the bill in relation to the issued documents, records, &c., of the Superior Court of Clay county, and the office of Register of Deeds, was taken up. The substitute reported by the Committee to whom the bill was referred, was adopted and the bill passed its several readings.

On motion of Mr. Justice, the rules were suspended and his resolution of instruction to the Public Treasurer, was taken up. The resolution authorizes the loan of $300,000 of the special tax money to meet the demands on the Treasury, the expenses of the two Asylums and Penitentiary.

On motion of Mr. Jordan, the resolution was referred to the Committee on Finance.

On motion of Mr. Robinson, the rules were suspended and the bill repealing chapter 42, laws of 1869-'70 and for other purposes, was taken up and passed its several readings.

Messrs. Strudwick, of Orange, Welch of Haywood, and Sparrow of Bertie, were called to the Speaker's desk, who said:

GENTLEMAN: In accordance with resolutions which have passed the House, a copy of which is herewith handed you, you are hereby appointed to appear at the bar of the Senate, in the name of the House of Representatives and of all the people of North Carolina, to impeach William W. Holden, Governor of North Carolina, of high crimes and misdemeanors in office.

The Committee thus appointed proceeded to the Senate Chamber, to discharge the duty imposed on them.

On motion of Sykes, col., the rules were suspended, and the bill allowing *per diem* to Mr. Mitchell, the unsuccessful contestant for a seat in the House from Hertford, was taken up and passed its several readings.

Mr. Robinson, from the Committee on Enrollment, reported that the resolution impeaching W. W. Holden, had been correctly enrolled.

The committee appointed to proceed to the Senate and demand the impeachment of Governor Holden, returned, and proceeded to the bar of the House.

Mr. Sparrow, in behalf of the Committee said:

MR. SPEAKER: In obedience to the order of the House, we proceeded to the bar of the Senate, and in the name of this body and of all the good people of the State of North Carolina, we impeached, as we were directed to do, William W. Holden, Governor of North Carolina of high crimes and misdemeanors, and we demanded that the Senate should take order to make him appear before that body to answer for the same, and announced that the House would soon present articles of impeachment and make good the same. To which the response was—

"The Senate has received the message and will consider the same, and will take proper action thereon."

On motion of Mr. Phillips, the rules were suspended and the joint Senate resolution taking a recess from the 23d of couple, 1870, to January 11th, 1871, taken up.

Mr. Sparrow moved to table the resolution for the present, as grave and important matter should be acted before a resolution of this character should be passed by this House.

The motion to table prevailed, yeas to a vote and not.

Mr. Strudwick moved to postpone the consideration of the resolution until next Monday, which was adopted.

On motion of Mr. Phillips, the rules were suspended and the Senate bill repealing the act in relation to *per diem* and mileage, laws of 1869-'70, was taken up and passed its several readings.

On motion of Mr. Rankin, the rules were suspended and the bill requiring the Governor to issue his proclamation ordering an election for Senator in the 20th Senatorial district, on the 24th of December next, was taken up and passed its second reading.

On motion of Mr. Powell, the rules were suspended and the Senate bill authorizing the Commissioners of Chatham county to levy a special tax and appoint a tax collector, was taken up and passed its second reading.

Mr. Phillips wished a letter read from the Governor, addressed to two or three members of the House.

Mr. Sparrow objected to the reading of a private letter from the Governor addressed to individual members of this House. The Governor had no right to communicate with this House except in his official capacity. He did not object that the Governor be heard on any subject, but it was due to the House that they preserve their self respect. The letter was proper for the newspapers, and for them alone. The Governor could in this way have a hearing.

On motion,