WEEKLY ERA.

THURSDAY, FEB. 6, 1873.

THE Federal government owes it to itself and to the Republican party of North Carolina to confer some position of high honor upon Ex-Governor Holden.

THE friends of Judge Settle are confident that in the distribution of Federal patronage the merits of this distinguished son of North Carolina will not be overlooked. His services in the State campaign in the Summer, and the Fall campaign through the North, entitle Hon. Thomas Settle to first consideration at the hands of the National Administration.

WHY do the members of this Legislature vote themselves five dollars a day and twenty cents each way, while the poverty of the people requires that they shall allow county Commissioners only two dollars a day and five cents mileage; when, as is well known, in nine times out of ten, the county Commissioners are more qualified for the important duties of their offices?

Declare Themselves not Ku Klux.

Messrs. Cowles, Ellis of Catawba, Gudger and Humphrey, Conservatives of the Senate, declare themselves, by their vote in the Senate Thursday, neither Ku Klux nor Ku Klux sympathizers.

Twenty-five Conservatives or Democratic Senators take their position before the country as Ku Klux, and so let them stand.

The Difference.

A Democratic House of Representatives refuses to pardon Governor Holden because he helped to put down the Ku Klux organization in North Carolina.

A Democratic Senate votes to pardon the Ku Klux who whipped, scourged and murdered unoffending citizens of the State because of their political opinions!!! Comment is unnecessary. LET THE PEOPLE HEAR, PONDER AND MAKE UP THEIR OWN VERDICT.

The South and the Cabinet.

The Washington *Chronicle* of 31st January says:

The committee of Southern members appointed after recent consultation to solicit the President to recognize the South in the reorganization of his Cabinet, had a consultation with him a day or two since, in which they made known their desires. They were cordially received and courteously treated. They were assured that when the proper time arrived and circumstances permitted, the President would be glad to conform to their wishes. He implied that the conditions precedent were not yet met.

A Letter from Tennessee.

The *Era* to-day contains a letter from T. A. Sykes, Esq., who will be remembered as the accomplished colored Representative in the last Legislature from Pasquotank. The letter is in approbation of the appointment of Hon. Kemp P. Battle to the office of Superintendent of Public Instruction. Mr. Sykes is as much a gentleman as any man in the State, and his letter will be read with pleasure by his friends of all parties; especially those who are aware of the fact that he has taken care of and protected, as a freeman, the lady to whom he belonged, as a slave. Such a man is an honor to his race, his country and his people of all colors.

The Why and the Wherefore.

Every Senator who voted to amnesty the Ku Klux for *murder* knew perfectly well that it was specially done to save the necks of the murderers of Outlaw and Stephens.

Now they know just as well, and knew it at the time, that some of the men engaged in those murders have already confessed the crimes, and when the matter shall come before the Courts this Spring there will be no lack of testimony from witnesses of standing in the Democratic party, who, having voluntarily confessed to the deeds, stand ready to tell the whole story on the witness-stand. Knowing these things, Senators were in a great hurry to get amnesty through. Are any of them implicated?

THERE are three prominent gentlemen of the Republican party in North Carolina—Messrs. Holden, Pool and Settle—either of whom it would gratify the Republicans of this State to have the President honor with a Cabinet position; and as he is familiar with the services, sensible of the claims and thoroughly acquainted with the merits of all of them, the President is the best judge in the matter, and his good sense and almost infallible judgment is sufficient without the interference of partizans and personal friends, and so the *Era* will not feel called upon to specially advocate the cause of any gentleman, but stand ready to approve the appointment, whoever may be selected from the ranks of our competent and worthy fellow-citizens.

The columns of the paper, are, however, open to the special friends of all.

The Governor, Attorney General and the Western North Carolina Railroad.

In the *Sentinel* of the 29th inst., Samuel McD. Tate, Esq., President of the Western North Carolina Railroad, published a letter from which is extracted the following:—

I am no partisan of Governor Caldwell, nor does he ask me to defend him, but while making this statement and knowing he has been assailed, it is my duty to say he was opposed to the mortgage. I doubt if he knew he was a Trustee till the deed was executed, for I remember requesting the President to make him one because of his position as a State officer and my confidence in his integrity. I remember well on one occasion, when pressed to raise money to prevent a sale of these same bonds, that he manifested great interest and aided me. And again, after the bonds had been sold in New York and a negotiation was going on with the holders to furnish the means to finish the road, he expressed his willingness to sign as Trustee the incomplete bonds if he could have *assurance* that thereby the road would be completed to Asheville. I believed it would be done and undertook to get the evidence of it for him, but before this was accomplished I heard the bonds had changed hands and I dropped it.

Thus is the Governor amply vindicated against the charges that he was a party to the mortgage which the *Sentinel* says "was the ruin of the Road," and President Tate shows that Mr. Caldwell has always been a warm friend of the Road and anxious for its extension through the mountains; thus refuting the charge that he was, has been or is opposed to the completion of the Road to the Tennessee line.

Now for the investigation which the last Legislature instructed the Governor and Attorney General to undertake.

The resolution under which they were required to act will be found on page 420 laws of 1871-'72 and is in these words:—

Resolution in Relation to the Sale of the Eastern Division of the Western North Carolina Railroad.

SECTION 1. *The General Assembly of North Carolina do enact*, That the Governor and Attorney General are hereby instructed forthwith to investigate and enquire into the regularity of any sale or sales of said road made or pretended to be made, and if in their judgment the same is found to be irregularly, illegally or fraudulently made or for the purpose of benefitting any party or parties to the detriment of the State's interest therein, they are hereby authorized and instructed to institute a suit or suits or take such other step or steps as they may deem advisable and necessary to set aside said sale and protect the interests of the State in said sale.

Sec. 2. This resolution shall be in force from its ratification.

Ratified the 10th day of February, A. D. 1872.

In reference to this resolution Mr. Attorney General Shipp concluded and the Governor coincides with the opinion, that, they were not required or expected to look into the mortgage and its incidents. That was not questioned by the draughtsman of the mortgage himself, understood to be Mr. Woodfin.

The Road had been sold under execution and bought by McAden. It was understood that he had at first bought subject to the mortgage and afterwards claimed the whole. But the point and purpose of the resolution was for the Governor and the Attorney General to bring suit to assert the claim of the State if there was irregularity.

Attorney General Shipp took upon himself to inquire particularly into the legality of the sale and purchase by McAden. Consultation was had with Judge Merrimon and he stated that himself and Mr. Phillips had looked into the matter *fully* and that the purchase by McAden was worth nothing in the face of the mortgage, and it has always been held by the lawyers that in the purchase, McAden at most had bought only the equity of redemption—that the mortgage was properly registered and he could hold nothing but the equity of redemption.

The Company was in possession of the Road, and there was neither necessity nor ground for bringing suit; a suit under such circumstances was not only undesirable but such action would have been extreme folly.

Messrs. McAden and Malone and Wilson brought suit in Catawba upon a certain claim against the Road, and to this suit the Attorney General gave his attention to see that no advantage was taken of the Company. It was then that John I. Shaver, Esq., was appointed by the Board of Directors as Agent to attend to this suit, and he employed counsel in the cause, as Attorney General Shipp was informed at the time.

It will be seen that the Governor and Attorney General were not required to make any report to the Legislature about this matter, but simply to "investigate," &c., and "bring suit or suits or take such other step or steps" as they might deem advisable.

They did "investigate" far enough to see that no "steps" were necessary, but that they in behalf of the State should act on the defensive.

This investigation had nothing whatever to do with the mortgage, or any of President Mott or Tate's contracts. These matters were another thing. Then why begin proceedings when the State or the Company had undisturbed possession of the Road? Everything that could have been accomplished by suit, and more too, was open to assertion by defence and answer to any suit brought by other parties.

It is difficult to understand the ground upon which the conduct of Governor Caldwell and Attorney General Shipp has been assailed in this matter.

This Western North Carolina Railroad has given the State and the people untold trouble and anxiety, and it is to be hoped that its troubles approach a solution. It is given out now that opposition to its sale has dwindled down to a demand for a guarantee on the part of the purchasers that the Road shall be completed without unnecessary delay. Such assurance can and will be given, and the early completion of the Western North Carolina Railroad is one of the events in the immediate future the people of North Carolina may confidently hope and most devoutly pray for.

Mr. Pool Says So.

Senator Pool's friends are very sanguine that he will receive a Cabinet appointment. They now assert that President Grant has intimated to Mr. Pool that he would, after the fourth of March, offer him the portfolio of either the Interior or Post Office Department. This statement is published as coming from Senator Pool himself.

Pool bases his claims upon the services he has rendered the Administration in North Carolina. He says Grant is indebted to North Carolina than to any other State in the Union for the overwhelming vote he received in the electoral college—that the August election in this State turned the tide against Liberalism and decided, virtually, the Presidential election in November; and that his individual plans and exertions carried the State for Caldwell and the Radical ticket.

It is said that President Grant acknowledges the force of this reasoning, and is determined to reward Pool at all hazards. At any rate Pool says so, we presume he is speaking the truth.—*Raleigh Daily News.*

The *News* assumes to be better posted as to the prospects of Mr. Pool than the *Era* or Mr. Pool's most intimate friends here, and the above is given for what it is worth.

That Senator Pool has rendered great service to the Nation and to the Republican party there is no one to deny, but neither he nor his friends have ever claimed for him all the merit of the last year's campaign. He did a valuable and noble service, and no one desires or expects the President to overlook Senator Pool; but it is prejudicial to the Republican party and to the Senator himself for these reckless and unfounded statements to go unrebuked.

That the Republicans of North Carolina are recognized at Washington as the first to turn "Liberalism" on the back track is true, and if there are any changes in the Cabinet, it is pretty well settled that North Carolina is to have a portfolio, but as between the gentlemen to be thus personally honored it is not for the *Era* to decide or express a personal preference; but the treatment Governor Holden has received at the hands of the Democrats or Ku Klux of the State, and his present position under political bans imposed by the Ku Klux, give him claims second to no one; and in vindication of the action of the General Government toward the Ku Klux, the administration cannot overlook William W. Holden, his case, his position, his merits and his claims.

The Old Slave-Drivers Practicing Their Intolerance and Indulging Their Folly.

At the instance of one of the first financial thinkers of the State, who had long been in consultation with creditors of the State, and reflecting and understanding their sentiments and wishes, the Governor suggested to the Legislature a plan for adjusting the public debt of North Carolina.

At this well meant act of kindness and patriotism, the Senate took mortal offense; Senators grew black and blue with indignation; and every little whipper-snapper of an editor has discharged his puny pop-gun at Governor Caldwell.

The Governor of course cares nothing for their indignation, and will, as usual, pursue the even tenor of his way, and utterly disregard the snapping and snarling of a set who appear desirous of establishing some sort of claim to the consideration due the cur-species.

The truth of the matter is, the Democrats of this Legislature and the State do not desire any adjustment of the debt of the State, and they are determined that the people shall not prosper or have any peace under State or National administrations in Republican hands. They are of the old "*rule or ruin*" party; and of the fallen slave-driving oligarchy, they merit little attention or consideration at the hands of any sensible or patriotic folk.

A New Division of Parties.

The Senate of North Carolina has ranged itself as follows into new party divisions:

KU KLUX.—Messrs. Allen, Avera, Cunningham, Davis, Dunham, Ellis, of Columbus, Flemming, Horton, McCanley, Merrimon, Miller, Morehead, of Guilford, Morehead, of Rockingham, Murphy, Murray, Nicholson, Norwood, Powell, Scott, Stafford, Todd, Troy, Waring, Welch and Worth—25.

ANTI-KU KLUX.—Messrs. Cowles, Cramer, Ellis, of Catawba, Eppes, Grandy, Gudger, Harris, Hill, Holloman, Humphrey, Hyman, Long, Mabson, McCabe, McCotter, Smith, Stilley and Walker—18.

Senator Love of Jackson, being so far removed from Ku Klux influences, one way or the other, asked to be excused from voting, while there are six other Senators not recorded, on account of absence, four of whom are Republicans.

Will he be Consistent?

In the House of Representatives on Tuesday, the 28th inst., when the resolution to remove the disabilities imposed by the Court of Impeachment upon Governor Holden was under consideration, the talented and eloquent youthful representative from Lincoln county, in opposing the adoption of the resolution, among other things, said:—

"I confess I was surprised to hear so good a lawyer as the gentleman from Wake attempt to prove that the Legislature has the Constitutional authority to remove Mr. Holden's disabilities.

The Constitution of our State, like that of the United States, vests the pardoning power in the Executive, except in cases of impeachment. In both instruments the language used is identically the same, and in neither is there to be found a provision for pardon in these cases. Hence, Judge Story says, "judgment upon impeachments, when once pronounced, become absolute and irreversible," which position is also sustained by Mr. Rowle and the learned Judge Kent. Do not understand me, Mr. Speaker, as arguing that in case of impeachment a pardoning power nowhere exists; but I do assert, without fear of contradiction, that it is not delegated to the Executive, the Legislative, or the Judicial Departments of the Government; and section 37 of the Declaration of Rights says: "All powers not herein delegated remain with the people." Therefore, this power to pardon remains with the people; and the only way in which it can be exercised is by a sovereign Convention. Till we have a Constitution that is not "a medley of confusion and contradiction," I will always be ready to join Governor Holden's friends in calling it."

No one has the right to question the sincerity of Mr. Morrison when he uttered these sentiments, but candor compels the expression of doubts. A few days, however, will dispel those doubts or establish their confirmation.

The bill which has just passed the Senate removing the disabilities of the Ku Klux,, or granting them amnesty for all their heinous offences, will come before the House of Representatives. It will then be seen what Mr. Morrison thinks of the obligations of the Constitution of the State, when a Ku Klux wants pardon—whether he still believes that "all powers not herein (in the Constitution) delegated remain with the people." Therefore, as there is no power delegated by the Constitution to the Legislature to pardon a Ku Klux, that it is vested alone in the Governor after conviction or "remains with the people," and "the only way in which it can be exercised is by a sovereign Convention."

In the mean time let Mr. Badger keep an eye on Mr. Morrison, and if he sees signs of his "rotating" from his opinion as expressed in the above extract from his speech, let him refresh his memory by reading it to him."

The Era Rises to Explain.

In the *Era* of the 29th inst., in noticing Mr. Badger's reply to Mr. Anderson, of Clay, the following sentence appears:—

"He [Mr. Anderson] is a member of all the '*wealth*, intelligence and virtue, of the State, and his county pays into the State Treasury the enormous sum of *seventeen dollars*."

Now, it was not intended to do Mr. Anderson injustice, and so, making enquiry at the proper office, it is found that his county pays more than seventeen dollars in the way of State taxes. The amount of "State taxes" paid by Clay in 1872 was $277.09. The General Assembly sat thirty-two days before the recent recess, and the State Treasurer paid its members five dollars per day, or $160 to each. Mr. Anderson received $202 for mileage, making $362. So it appears that Mr. Anderson drew from the Treasury before Christmas, *eighty-four dollars and ninety-one cents* more than his county paid in State taxes, and the Senator from Clay, and the Judge and Solicitor who hold courts in that county, and Mr. Anderson since the recess are all being paid by Mr. Badger's (or some other) county.

This accounts for Mr. Anderson's anxiety about the taxes paid in Wake. Having himself long since exhausted the amount paid into the Treasury by his county, and being anxious about his present and future pay, it was but natural that he should ask about how much was paid by other counties.

Having explained the matter, the *Era* would suggest that Clay county be divided, and that another county be formed out of half of it. This would give another Democratic member in the House, and either of the counties could cast more votes than Graham county, formed at the last General Assembly, which cast 117 votes in the Presidential election.

The Party of Lawlessness.

The Daily *News* of this city has been flying in the face of the Constitution by demanding a suffrage qualification, and its arguments have induced Mr. Watson, of Orange, to introduce an amendment to the election law providing that no person shall be entitled to register or vote who does not produce a receipt for his poll tax for the year previous.

Article six of the Constitution, under the head of "suffrage and eligibility to office" says:—

Section 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years old or upward, who shall have resided in this State twelve months preceding the day of election, and thirty days in the county in which he offers to vote, shall be deemed an elector.

Now let the *News* and Mr. Watson press the plan of their suffrage qualification, and with characteristic impudence violate the Constitution of the State, as their party has always done whenever it had the power and the opportunity.

Soldiers of the War of 1812.

In the House of Representatives, on the 30th January, the bill came up to restore to the pension rolls the names of certain persons, soldiers of the war of 1812, stricken from the rolls in 1862 for having taken part in or sympathized with the rebellion. The proceedings state that—

Mr. Hawley, of Connecticut, opposed the bill, and said he was content with the concessions made to those who were in rebellion, but he wanted some mark left on the statute books to show that the nation disapproved of treason.

Mr. Cox denied that there was a soldier of the war of 1812 who had ever raised his hand against the flag, although their sons might have done so, and their sympathies might have been with their children. He challenged the citing of an instance where one of these old soldiers had raised his arm against the flag.

Mr. Butler, of Massachusetts, said his position in opposition to treason and traitors was well known. He stated that when in command at New Orleans it became necessary to disarm the citizens, and, among others, there came to him some of these old soldiers, who said with tears in their eyes, "My arm is too old to raise this weapon against you, but do not take from me this sword which I wore under Jackson," and he allowed them to retain their precious relic. Whether they were right or wrong they had won the right to be wrong by shedding their blood for their country. [Applause.] The war was now over, and being over let us remember what happened, not in 1861, but in 1812 and 1814—not the New Orleans of 1861, but the New Orleans of 1812.

The bill was passed by a large majority, with much applause.—This is one of the noblest acts performed by the present House of Representatives, and the bill should promptly pass the Senate.

Ex-Governor Holden.

The New York *Times* of the 29th January contains the following dispatch from Raleigh:—

RALEIGH, N. C., Jan. 28.—In the lower House of the Legislature to-day the resolution relieving ex-Governor Holden's disabilities imposed by the Court of Impeachment was defeated by a vote of 58 to 51, a strict party vote. The bill to legalize murder is still under discussion in the Senate; it will probably pass tomorrow. Public sentiment is greatly in favor of the removal of Governor Holden's disabilities. If the question was submitted to the people there would be scarcely any opposition to the removal. The Governor is prosecuting claims against the United States Government in this city, and has as many warm friends as ever. He is universally beloved by the poorer class of people. The refusal of the Legislature to remove his disabilities creates great sympathy for him, and the number of his friends is increasing every day.

Labor and Education.

To the Editor of The Era:—

In reference to the appointment of Hon. Kemp P. Battle to the position of Superintendent of public instruction by Governor Caldwell, allow me, as a citizen of North Carolina, to make a few remarks through the columns of your valuable paper. Governor Caldwell certainly deserves great praise from all friends of education for the selection of so able a gentleman as Mr. Battle to fill the above office; for it is surely putting "the right man in the right place." It is true that I am a party man, but circumstances alter cases; and when it comes to education, party should be no consideration.

It is to be hoped that the Legislature now in session will follow the Governor's example, by throwing aside all partisan feeling in this important question, and adopting such legislation as will enable the Superintendent to put schools in immediate operation, for there can be no doubt existing in the minds of the people as to the Superintendent's ability, integrity and honesty.

How important it is that we should have public schools? It is the growth of a country, it encourages immigration, prevents crime, protects property, and in fact accomplishes all that must follow the above. How can we expect North Carolina to prosper without public schools? If immigrants are afraid to settle in our State through fear that their children may grow in ignorance, how can we expect our land to have any value if we cannot have it tilled. And in vain may the people form their immigration societies, until they have a thorough system of education; for until then immigrants will shun our borders.

How many thousands of acres of land are left uncultivated in North Carolina? We have large manufacturing resources which are yet undeveloped, and all for the want of proper educated labor.

As to the fact of education being a preventative of crime, it is useless for me to say much as the statistics of our courts and jails show that the vast majority of our criminals are men of no education, and I will venture to say that seventy-five per cent. of the convicts now in our penitentiary cannot read and write. Is it to be wondered at when the statistics of 1870 show us that out of 99,114 youths between the ages of six and twenty-one, only 29,303 are reported as going to school in that year. And I have no doubt that since the passage of the last school law that the number is still less, as a great many poor people cannot afford to pay the sum that seemed so diminutive to a majority of the then law-makers of which I had the honor of being one of the minority.

In conclusion allow me to make a few remarks in behalf of my own race; and in doing so I hope that I will not be thought clanish, as those who know me are aware that I am an earnest advocate of education regardless of race or color; but unfortunately a great many citizens have opposed the free school system because it afforded the same opportunity to the colored as well as whites to become educated. I do not see on what grounds those objections can be founded, as we have been made free by the laws of this country and given the freedom to perform the duties of citizens; and can we be expected to perform such duties without the proper means of instruction?

It is a well known fact that the colored people have availed themselves of every advantage given them to educate their children, and in most cases have proved themselves as susceptible to learning as any other people in a similar condition.

Hoping that the friends of education will overcome all opposition, and place our State on the road to intelligence and prosperity.

I am, yours, etc.,

T. A. SYKES.

Nashville, Tenn., Jan. 28, 1873.

The N. C. Legislature.

SENATE.

FORTY-FIRST DAY.

THURSDAY, Jan. 30, 1873.

Senate met at 11 o'clock.

Lieut. Governor in the Chair.

Journal of yesterday read and approved.

Senator Barnhardt reported Senator Waring absent on account of sickness.

Senator Ellis of Columbus, stated that Senator Respess was absent on account of sickness in his family.

REPORTS OF COMMITTEES.

Reports from standing committees were presented by Senators Todd, Merrimon and Morehead of Rockingham.

Senator Morehead of Guilford, from the Joint Select Committee on Constitutional Reform, reported the same bill of last session altering the Constitution of the State, with several amendments.

On motion the bill was ordered to be printed and made a special order for 12 M. to-morrow.

MESSAGE.

A message was received from His Excellency the Governor, transmitting a communication of Alex. McIver, Superintendent of Public Instruction, in reference to the Board of Trustees of the University on the subject of the land scrip donated to the State by the United States government.

On motion of Senator Troy, the message and accompanying papers were referred to the Education Committee.

BILLS INTRODUCED.

Senator Long, a bill to abolish the Scotch Fair near Laurel Hill, Richmond county. Referred.

Senator Ellis of Catawba, a bill to repeal sections 6, 7, 8 and 9, and to amend sections 10 and 11, chapter 2, Revised Code, entitled Agriculture and Geology. Referred.

Senator Allen, a bill to incorporate the Old North State Lumber, Mining and Manufacturing Company. Referred.

Senator Gudger, a bill to amend the law concerning idiots and lunatics. Referred.

RESOLUTIONS.

Senator McCabe, a resolution authorizing the Public Treasurer to pay to the Treasurer of Edgecombe county a certain amount of money from the school fund. Referred.

Senator Hill, a resolution authorizing the State Treasurer to pay a certain amount of money from the school fund to the Treasurer of the county of Brunswick. Referred.

Senator Hollomon, a resolution authorizing the State Treasurer to pay to the Treasurer of Northampton county certain moneys from the school Fund. Referred.

On motion of Senator Cowles, the bill incorporating the N. C. Midland Railway Company was made a special order for one o'clock to-day.

Rules suspended on motion of Senator Worth, and the resolution requesting our Senators and Representatives in Congress to use their best endeavors to protect the Indians in the Territory allotted to them by the treaty with the U. S. Government, was taken up.

Senator Worth explained the resolution, and advocated its passage at length.

Considerable debate ensued on the adoption of the resolution, which passed by a vote of 35 to 6.

CALENDAR.

The resolution proposing to adjourn *sine die* on Monday, the 17th of Febrnary, was taken up.

After considerable discussion the resolution was adopted by a vote of 35 to 6.

To test the earnestness of the Senators, Senator Love introduced a resolution fixing the meeting of the Senate at 10 a. m. and 7½ p. m.

Here another long discussion arose, and the resolution was finally made a special order for to-morrow at 11½ o'clock.

SPECIAL ORDER.

The bill incorporating the North Carolina Midland Railway Company was taken up on its third reading.

A good many amendments and considerable debate was had on this bill. As the bill is one of vital importance to the people of North Carolina, we propose to publish it in full when it is perfected.

Senator Price was reported sick by Senator Morehead of Rockingham.

Pending the discussion on the Railroad bill, the Senate adjourned to meet at 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

FORTY-FIRST DAY.

JANUARY 30, 1873.

Mr. Goodwyn was allowed to change his vote from the affirmative to the negative on the question of striking out section 23 of school bill.

PETITIONS.

By Mr. Morrison, a petition from citizens of the upper portion of Gaston county, praying a change of the line between Gaston and Lincoln counties.

By Mr. Whitmire, a petition from the French Broad Turnpike Company, praying a renewal of charter of said Company.

By Mr. Bean, a petition praying a change of the name of Franklinsville Township to that of Cedar Falls Township.

By Mr. Fletcher, a petition from citizens of Richmond county protesting against the sale of liquor near Elerly Church, Richmond county.

By Mr. Gorman, a petition praying the passage of law forbidding the sale of liquor near New Hope Church, Wake county.

RESOLUTIONS.

By Mr. Marler, a resolution authorizing the Auditor to issue a duplicate warrant for $340 in favor of the late Treasurer of Yadkin county.

BILLS INTRODUCED.

By Mr. McNeill, a bill relative to fees of County Commissioners.

By Mr. Whitmire, a bill to re-enact an act to incorporate French Broad Turnpike Company.

By Mr. Corson, a bill to authorize Secretary of State to furnish the State Library with documents, &c.

By Mr. Standford, a bill to prohibit the sale of liquor near New Bridge Church.

By Mr. Patrick, a bill to allow Commissioners of Lenoir county to levy a special tax.

By Mr. Standford, machinery revenue bill.

By Mr. Williamson, a bill to extend the time of E. A. Gupton, late sheriff of Franklin, to collect taxes.

The machinery bill was made special order for to-morrow 11 a. m.

Mr. Shinn, of Cabarrus, was announced as being sick.

House bill to amend the charter of the town of Washington, was read.

A substitute was adopted for the original bill.

Mr. Jones, of Caldwell, moved that the bill be referred to Committee on Propositions and Grievances.

Mr. Corson opposed the motion to refer, and said that the object of the bill is to change the line of the wards; as the line now runs, when a man lies down to sleep his head is in one ward and his feet in another.

Mr. Standford favored the motion to refer.

Mr. Ellison said the bill was not passed a year by a unanimous vote; that the bill passed at that time was at the instance of the minority and not of the majority; that the object of the bill was as stated by Mr. Corson; the line now runs through the middle of a Block. He hoped that the motion to refer would not prevail.

Mr. Waugh opposed the motion to refer. He hoped the bill would pass.

Mr. Jones of Caldwell, moved to lay the bill on the table.

The yeas and nays were called, and the motion prevailed—yeas 58—nays 44.

Mr. Watson introduced a bill not to allow any person to register who does not show the tax receipt of the Sheriff for the preceding year.

Mr. Brown of Mecklenburg, introduced a resolution concerning the United States Mint at Charlotte.

UNFINISHED BUSINESS.

House bill to amend the school law ratified February 12th, 1872, being unfinished business, was taken up, section 25 being under consideration.

Various amendments were offered, adopted, voted down, and the bill passed third reading.

A motion to reconsider was laid on the table.

The rules were suspended and Senate bill ordering an examination of the affairs of Western Division of the W. C. N. Railroad, was taken up and passed several readings.

House bill to repeal the General Incorporation Act, passed by Legislature of 1871-'72, being chapter 199, and to re-enact the Revised Code on Corporations, was taken up and postponed until to-morrow at 11 a. m.

Senate bill to incorporate the Wilmington Trust Company and Savings Bank, was taken up.

An amendment was adopted that the rate of interest to be charged by the Corporation shall not exceed 8 per cent per annum.

The bill passed second and third readings.

House bill to allow Commissioners of Wilkes county to levy special tax passed several readings.

Senate resolution to pay Judge J. L. Henry one hundred dollars per week for holding special terms of Superior Court in Macon, Jackson, Mitchell, and Yancey, was taken up.

The majority of the Judiciary Committee reported against the bill. The minority recommended a substitute for Senate resolution.

Mr. Badger urged the adoption of the substitute and the passage of the resolution.

The speaker urged the adoption of the substitute and its passage.

Mr. Waugh moved to lay the whole matter on the table. The yeas and nays were called, and the motion to lay on the table prevailed—yeas 52—nays 38.

Adjourned.

SENATE.

FORTY-SECOND DAY.

FRIDAY, Jan. 31, 1872.

Senate met at 11 o'clock.

Lieut. Governor in the Chair.

Journal of yesterday read and approved.

REPORTS.

Reports from standing committees were submitted by Senators Murray, Ellis of Columbus, Cowles, Todd, Dunham and Welch.

On motion of Senator Ellis, of Columbus, the rules were suspended and the substitute offered by the committee on Insane Asylum, being a resolution raising a joint select committee for the purpose of visiting Charlotte and Wilmington to see what arrangements can be effected looking to the building of branch Asylums.

Messrs. Ellis, of Columbus, and Waring favored the resolution.

Mr. Worth was giving his reasons why the resolution should not be adopted, when the President announced the special order.

It being the resolution of Mr. Love fixing the hour of the meeting of the Senate at 10 a. m. and 7½ p. m.

The question appearing on the motion to reconsider the vote by which the previous question was called, Mr. Love called the yeas and nays on that motion.

The motion to reconsider prevailed by a vote of 17 to 20.

On motion of Mr. Ellis of Catawba, the matter under consideration was postponed until the morning business was disposed of.

MESSAGES.

A message was received from His Excellency, the Governor, transmitting a letter from Gov. Jacobs, of Western Virginia with resolutions which had passed that Legislature, providing for the transfer of certain rights of West Virginia to the United States government. Referred to the committee on Internal Improvements.

The hour having arrived for the consideration of the Agricultural bill, it was postponed until one o'clock.

The hour for the consideration of the bill altering the Constitution of the State having arrived.

On motion of Mr. Morehead of Guilford, the bill was recommitted with instructions to the committee to prepare the bill so that the amendments could be voted on separately.

A message was received from the House transmitting a number of bills, which were read and referred or otherwise disposed of.

The Education bill was ordered to be printed and made a special order for 12 m. Wednesday next, by motion of Mr. Cowles.

The hour having arrived, the bill for the improvement of agriculture was taken up on its second reading. [This bill proposes that the Governor by the consent of the majority of the Senators, to appoint two commissioners whose duties it shall be to visit every county in the State and deliver addresses &c., on the subject of agriculture.]

Mr. Norwood took the floor in support of the bill and made an able and elaborate speech, stating facts and figures to sustain him in his argument.

Mr. Avera stated that he was unwilling to vote for any bill creating any new office.

Mr. Waring opposed the bill on the grounds.

Mr. Norwood said the Senators certainly did not understand the merits of the bill and went on to explain.

Mr. Gudger called the previous question.

Mr. Avera called the yeas and nays. Not sustained.

The bill then passed its second reading.

Mr. Love introduced a bill in reference to printing and distributing the laws, journals and documents of the General Assembly. Passed its several readings under a suspension of the rules.

Mr. Waring, a bill to incorporate the Great Western Air Line Railroad Company. Referred.

Under a suspension of the rules, the bill in favor of T. F. Lee, sheriff of Wake county, passed its several readings.

Mr. Stafford introduced a bill requiring voters to exhibit the sheriff's receipt for the preceding year before they can register or vote. Referred.

Leave of absence were granted to Messrs. McCotter, Allen and Waring until Monday next.

On motion of Mr. Cowles, the bill incorporating the North Carolina Midland Railway Company was made a special order for 12 m. to-morrow.

The Chair had read the resignation of Hiram Stilley, the Senator from the second district, to take effect from the 1st of January, 1873.

On motion of Mr. Cramer, the Senate adjourned until 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

FORTY-SECOND DAY.

JANUARY 31, 1873.

Mr. Jordan was allowed to record his vote in the negative on the motion to lay the resolution to pay Judge Henry, on the table.

Messrs. Abbott, Patrick, Cox and Dula, were granted leave of absence on account of sickness in their families.

PETITIONS.

By Mr. Sharpe, a petition from citizens of Murfresboro, relative to keeping up streets.

By Mr. Brown of Mecklenburg, a petition from stockholders of Atlantic and Ohio Railroad Company asking a change in the charter of the road.

RESOLUTIONS.

By Mr. Waugh, in reference to the Keeper of the Capitol, appointing W. B. Rowe Keeper of the Capitol.

By Mr. Corson, a resolution to adjourn *sine die* on 5th February, 1873.

Mr. Craige introduced a resolution authorizing the Governor to pray an appeal from the decree of the United States Circuit Court in the case of Henry Clews and others, plaintiffs, against the Western North Carolina Railroad Company, defendant, and for this purpose requiring the Treasurer to sign an appeal bond, &c., &c.

By Mr. Patrick, a resolution instructing the Committee on Propositions and Grievances to inquire into the delay of the distribution of public documents.

By Mr. Darden, a resolution in favor of the Universal Insurance Company.

BILLS.

By Mr. Bennett, a bill to provide for the printing of Battle's Revisal of the Public Statutes of Laws of North Carolina.

By Mr. Whitmire, a bill to prevent the felling of trees in French Broad river.

By Mr. Darden, a bill to authorize Commissioners of Murfreesboro to levy special taxes.

By Mr. Blythe, a bill requiring the fees of officers in civil cases to be paid in advance.

By Mr. Standford, a bill to prohibit the sale of liquor near the Methodist and Baptist Churches near Hallsville.

By Mr. Mitchell, a bill to allow Commissioners of Stocks to levy special tax.

By Mr. Godfrey, a bill for repairing and keeping up public roads, ferries and highways.

By Mr. Shaw, a bill to incorporate White Hall Lodge.

Mr. McGehee introduced a resolution to set apart Saturday next, the first day of February, as private bill day, and that the Clerk be instructed to prepare a private calendar for that day.

House bill to allow Commissioners of Wilkes county to levy a special tax passed third reading—yeas 93.

House resolution authoring State Treasurer to pay Arthur Dennis $139.50 for arresting an escaped convict passed second and third readings.

House resolution authorizing the Auditor to issue a duplicate warrant in favor of late Treasurer of Yadkin county, was adopted.

House bill to allow Commissioners of Green county to levy special tax, passed second reading—yeas 102.

SPECIAL ORDER.

House bill to provide for the collection of taxes by the State and counties on property, polls and incomes, being special order, was taken up, made special order for Friday next at 11 a. m., and ordered printed.

House bill to repeal chapter 199, laws 1871-'72, being General Incorporation Act, and to re-enact chap. 25, Revised Code, being special order, was taken up.

Mr. McGehee moved to postpone the bill until Thursday next. Carried.

House resolution authorizing the Treasurer to pay James C. McGowan $50 for repairing arms, &c., in the Arsenel, was taken up and referred to Committee on Claims.

House resolution instructing the Judiciary Committee to draft a bill to prevent the spread of distemper among cattle of this State was taken up.

Mr. Waugh enquired if the reso-