THE ERA AND EXAMINER.

THURSDAY, FEBRUARY 5, 1874.

THE democratic party has been eminently successful in keeping immigrants out of North Carolina by refusing to make any provision for public schools.

THE SENATE has passed a bill to be entitled "An Act to lay off and establish a public road in the counties of Davidson and Davie, and to establish a public ferry across the Yadkin river." The bill was called up and passed under a suspension of the rules, upon a motion of Senator Cramer.

A GEOLOGICAL POET, having stumbled on a fossilized politician from Surry county, on preservation in that *m-u-s-c-u-m* called the house of representatives, set to work and ground out the following:—

Sagacious Solomon," Mr. Waugh,
Has sagely brought the world to law,
And wants to fine Professer Kerr
For going off to Vienna.
"What! pay his expenses?" No, no, by jingo,
Not till he learns some commoner lingo—
Some that the easily-gulled people of Surry
Can spell out in full and pronounce in a hurry.

The Piedmont Press and Mr. Trivett, of Ashe.

The democratic journals are indulging in very reprehensible comments upon the able and efficient member of the House, from Ashe county, Hon. S. Trivett, because Mr. Trivett introduced a resolution censuring congressman Waddell for voting against the repeal of the salary law.—*American.*

Excepting a communication in the Raleigh *News* and a squib on the local page of the Raleigh *Sentinel*, we have not seen the slightest censure from any democratic journal in the State.

The Piedmont *Press* squarely endorses Mr. Trivett's resolution, regreting only that it did not emanate from a pronounced democrat.—*Piedmont Press.*

The above endorsement of Mr. Trivett by a paper like the *Piedmont Press*, ought to be gratifying to that gentleman. The *Press* very frequently does its own thinking, and has a way, peculiarly its own, of sometimes "speaking out in meetin'."

That "Bombshell in the Radical Camp."

It was observed in an article in the Goldsboro *Messenger* of the 26th inst. under the head of "a bombshell in the radical camp" that statements are made relative to the remarks of Representative Abbott, of Craven, on the civil rights resolution of Mr. Houston, of Catawba, that are wholly without foundation. The portion of the article referred to above as being a misrepresentation, is as follows:—The *Messenger* makes Mr. Abbott say, here are Messrs, Trivett, Copeland, Rhodes, Patrick, Bowman, Scott, Mizell and others, all white republicans, voting against or refusing their support to nine-tenths of the party which elected them. Oh, yes, you are high for the negro about election time, but when you secure your desires, you do not hesitate to give us the cold shoulder. He had frequently seen that the white republican members of the house had shown a disinclination to support measures put forward by colored men and inclined to seek their associations with Democrats.

In correcting the *Messenger* it is proper to say that Mr. Abbott, at no time during the course of his remarks mentioned or referred to either Messrs. Copeland, Rhodes, Patrick or Mizell, and that the statement, as to them, is wholly incorrect.

It may be further stated for them, that Messrs. Copeland, Rhodes, Patrick and Mizell, as well as all the republican members of the house, save Mr. Bowman, willingly supported the substitute offered by Mr. Williamson, of Franklin, which was a fair proposition as between the extreme views of those for or against civil rights.

This was a resolution asking Congress to pass a civil rights bill, but to vote down every proposition in it looking to the social equality of the races. Every democrat in the house voted against this proposition—a proposition against the much talked of social equality.

The Republicans in the Legislature—Jacob T. Brown, Esq., of Davidson.

So far as the observation of the writer has extended, the republican senators and representatives of the general assembly have demeaned themselves well, and have met the issues presented to them squarely.

Among the most faithful of the peoples' representatives is J. T. Brown Esq., of Davidson. He is an unswerving republican, of sober habits, a faithful persevering representative, and always to be found on the side of economy and reform, and against every species of extravagant legislation.

The people of Davidson are assured that, in Mr. Brown, they have a true, pains-taking and industrious member of the lower house, as they are no doubt, ere this, fully satisfied. Mr. Brown has now served the people of his county for four years, and if they shall see fit to return him again in August, the republicans of Raleigh and of the legislature will welcome him back.

The *Examiner* does not wish to be regarded as invidious to other worthy members in thus noticing Mr. Brown. It is the first time he has had the attention of a republican paper at the State capital; and, not to be misunderstood in this instance, the *Examiner* would say that what is here said of Mr. Brown, may be said with equal truth of his colleague, John Micheal, Esq., and of Davidson's efficient and industrious senator, John T. Cramer, Esq.

Hon. W. A. Smith, and Legislative Opposition to Consolidation.

It has been long apparent that the opposition of some of the members of this legislature to consolidation, grows out of their hatred of the republican party, and their determination to oppose everything suspected of having an origin or connection in, or with, any member of that party, no matter how remotely the connection, or of how much importance to the State the measure may be. The fight in this instance is attempted to be conducted by the strategy of a feint on Wm. A. Smith, and the cloven foot is sought to be put down on that gentleman.

Mr. Smith responds in this issue to some of the attacks upon him.

His reference to the mileage of free pass-members would have been stronger had he included the conduct of a part of his critics in his drawing per diem right square long, for attendance on the legislature, when they were absent from the capital of the State, and outside the borders of the State itself.

The friends of consolidation and of William A. Smith have remained silent while the enemies of consolidation have sought to strike him down. Such friends by no means endorse and approve all he says and does, but when a set of small men thus attempt to destroy a man and blast his reputation, because of their opposition to a public scheme, or a political party, it is time the friends of the man suspended public duty and squared for a fight.

There is an old adage, that, "put a beggar on horse-back and he will ride to hell." And Horace Greeley once said, "when a set of men start out to play fools, there is no forecasting their folly." No one who has seen much of this legislature will have any difficulty in reconciling the above quotations to the dominant party of this assembly.

In the amendments of senators banning William A. Smith, if senators are not careful they will disqualify their own chief clerk. It will be remembered that he, as he had a perfect right to do, in the Winter of 1871, declined to answer the question of a congressional committee, on the ground that to do so might criminate himself. No one has complained of him, or sought to cast any reflection for standing on his constitutional rights as a citizen.

But William A. Smith never refused to answer before a legislative committee as he is charged with refusing to answer. He was never under oath, and the committee did not report his language fully or correctly.

He denied their right to call him before them, and so challenged them, but said he would hear their questions. Several were propounded, and he answered. Finally the absurdity of the proceeding cropped out, as absurdity can only crop out of a democratic brain, and, to a question as absurd in itself as insulting to Major Smith and his intelligence as a business man, he replied, "now go back and rub out all I have said; I decline to answer anything, or appear before this committee; as Bill Saunders said the other day in Washington I stand on my constitutional rights and refuse to answer any question that might criminate myself or friends." Every member of that committee knew that the refusal of Mr. Smith was not really on the ground of criminating himself or friends, but that his reasons for refusing were based on his determination not to recognize the right of the committee to call him before them, to be trifled with by them, or lend strength and dignity to their childish feebleness and imbecile folly.

The deputy-governor-making legislature of 1870-'71 had failed in transferring the North Carolina railroad to the Hillsboro junta; the junta wing of the committee was sorely disgruntled; a State election was coming on, and the democrats of that legislature, hated and dreaded William A. Smith; and the opportunity presented itself to strike him, and through him the republican party. The occasion was improved. But in the Summer of that same year, *all* (save seven hundred votes of a million dollars of stock) *of the private stockholders in the road, nine-tenths of them democrats, re-endorsed William A. Smith*, by re-electing him president of the railroad, and *they approved the lease he made*, which has been so oft and foolishly repeated and charged to have been effected under a bribe.

The legislature may attempt to place William A. Smith under as many bans as they please, but they cannot prevent the private stockholders electing him a director; nor can they compel the said stockholders to accept any amended charter to the road that proposes to strike down their friend and insult them.

As has been before stated, democrats may defeat the consolidation scheme if they will. The responsibility will be theirs. And when they again go before the people they will find that in attempting to strike down William A. Smith they have destroyed themselves.

William A. Smith is stronger before the private stockholders of the North Carolina railroad than the democratic members of this legislature are before the people.

No one is so *poor* for consolidation as to accept it on *any* terms. And if these representatives of all the wealth, virtue and intelligence of North Carolina, now sojourning in Raleigh, are desirous of making up a political fight on their opposition to consolidation and William A. Smith, they are cordially invited to the contest.

Letter from Hon. W. A. Smith, Jo. Turner, Jr.--the North Carolina Railroad---Consolidation, &c., &c.

NOTE.—The following letter was received by a gentleman of this city some days ago, with a request to have it inserted in the *News*. The matter was submitted to Mr. Stone, and in the following note to Mr. Smith, he declined to publish it: —"Owing to the fact that it (your communication) contains bitter personal reflections and charges on Josiah Turner, Jr., I must decline using it, as the relations existing between him and myself are not of such a character as to justify me in publishing matter from others of the nature contained in your communication."

A communication of the 18th January to which Mr. Smith refers, was not published, it having been ascertained by his friends that the correspondent of the *News* at Raleigh was not the party to whom the communication of the 18th was unmistakebly directed.

At the request of Mr. Smith, the letter now appears in this paper.—[ED. Ex.

WASHINGTON, D. C.,
January 23, 1874.

Editor "News," Raleigh, N. C.

SIR:—In my note of the 18th inst., in reply to "Fair Play," of the 17th, I intimated that I would answer his communication if he would furnish me with his name. Having waited a sufficient time, I am advised by friends to reply to his billingsgate, even if it should appear to gentlemen as a condescension on my part to do so, lest some verdant member of the Legislature might think his twaddle true and calculated to injure the great consolidation scheme and cut off the West forever from the advantages of a railroad. To reply fully to "Fair Play" it is necessary to give a short sketch of the history of the North Carolina Railroad Company from the time I took its affairs in charge to the present time.

I was elected President of the Company in July, 1868, succeeding Jo. Turner, of Hillsboro, N. C. I found the road in a deplorable condition in every respect. It had great need of iron on the track, had no credit, no system; was running along without a head, broken down, almost insolvent, crushed by a debt of nearly a million dollars, with less than twenty thousand in the treasury. I found in the office when I took charge an old pine table, a sort of cupboard containing one empty jug and several empty bottles, an old bedstead and mattress, full of chinches, and covered with old dirty sheets. All was dirt and confusion. A majority of the officers and employees were drunkards and unreliable men.

No sooner had I taken charge of the affairs of the company, than a great hue and cry was raised by the vagabond Turner, that the N. C. R. R. would be run down and destroyed. The spirit of blackguardism was invoked and its filthy missiles hurled at me; and every conceivable lie that could be invented was put in circulation by that unscrupulous, low-down fellow, sustained, more or less, by the democratic party.

In the course of time, however, intelligent gentlemen discovered that the road was improving and that at least eighty thousand dollars was saved, the first year, over Turner's administration. Dividends were soon declared and the debt reduced. When this exhibit was made, the Charlotte *Democrat* complimented me on my management, and asked that I should have *fair play*. After the first year of my administration I received the unanimous vote of both parties for President, no one objecting to my re-election except Jo. Turner and the Hillsboro clique.

And now let us see for a moment what Turner and his board of directors did. They mortgaged the road for one million and a half dollars, and issued bonds to the amount of eight hundred thousand dollars, when there was no necessity for mortgaging it at all. Why then mortgage the road? It was for the purpose of "grabbing" two hundred and forty thousand dollars of its bonds. As soon as the mortgage was registered, this same honest Jo. Turner (the great enemy of rings and thieves) and his board, declared a dividend of six per cent. on the stock, *payable in the bonds they had just put upon the road!* Was this honest? I think not.

This broken-down vagabond demagogue, Turner, continued to lie and make charges against me, whilst the private stockholders, a large majority of whom were democrats, continued to vote for me.

At length the democrats got possession of the legislature and then the devil, Turner, commenced on them to disregard the law, the charter of the company, and the constitution of the State, and make him President. The private stockholders became alarmed and authorized me to defeat his nefarious plans, if possible, as they knew that if this fellow, Turner, got possession of the road again with his drunken brigade, all dividends would cease and their stock would become almost entirely worthless, as it was when I was first elected President. A fear that this man Turner would, through his legislature, again get possession of the road, was a chief impelling motive in the stockholders issuing it out. The road was leased to the satisfaction of the stockholders, according to law, and the courts will sustain it.

"Fair Play," in his cowardly attack, insinuates that I have acted dishonestly to the North Carolina Railroad Company. I have vouchers for every cent that the road has made since July, 1868. My vouchers have been regularly examined by the finance committee, composed of both parties. They have always reported that every cent received by me was correctly accounted for. During the time I have been President more than three millions of dollars (I have not the exact figures by me) have been received and paid out, and I have vouchers for every cent. *Can Turner say as much?*

I was appointed Receiver of the Western N. C. R. R. last Spring.—That road was run down, and never had to my knowledge, paid expenses. In less than six months I had greatly improved the road, and on the 31st of December last had twenty-eight thousand dollars over expenses; and I believe I can, if I had the opportunity, make that road pay six per cent. interest upon the debt required to buy it, even if it be not finished.

"Fair Play," when he says he is in favor of the North Carolina R. R. Co. building the W. N. C. road, *lies*. He knows he is a bought up man. That he belongs, body and soul to Mahone & Co. His cry of "stop thief" will not divert the honest, neglected people of the west from his devilish designs. If you, Mr. "Fair Play," had not been a coward, you would not have written over an assumed name—you would have come out squarely, like a man. But you wrote to deceive—you wrote to humbug verdant and ignorant democrats, for you know you cannot deceive republicans in the legislature or out of it. The republican party of the State is for building the Western N. C. Road. The democrats of the eastern and middle counties are against it. *They* know that if the legislature will let me I will finish the great work. But they don't want me to do it, believing, as they say, it will make me governor, &c. I would not be governor if I could, but if I wanted to be, I could beat any man you have, Mr. "Fair Play," without building the W. N. C. R. R. I am not so poor or so ambitious as to desire to be governor.

North Carolina has been striving for this last thirty years to get a railroad connection with the Western States. That her efforts have failed up to this time has been in a great degree owing to the misconduct of some of her own people. It looks as if there were men in our State who were determined that we should always be kept in the rear of Virginia. Last winter a Virginia paper, published in Richmond, made a grand boast that Gen. Mahone had so managed matters at Raleigh that he prevented the Western North Carolina road ever being built, or at least delayed it for a long period of years. Is he to be allowed to play the same game again? I have been informed that one of his associates said last winter that he had better pay five millions of dollars than let our North Carolina road be built. The individual who sometimes calls himself Appleton Oaksmith, and sometimes passes by other names, who was his great manipulator at Raleigh last year, has lately been in New York for some days, while Mahone was there. From there he went down to Raleigh. Perhaps he is Mr. "Fair Play," or perhaps "Fair Play" is only one of his strikers. How much does he get for his share in fooling the legislature? If the members, after all that has passed, continue to act against their State and in the interest of Mahone's Virginia road, the people will not let them off so easily as they have heretofore done.

"Fair Play" attacks me for refusing free passes to the members of the legislature for going over the railroads. These members compel the State Treasurer to pay them twenty cents per mile for going to Raleigh, and yet they complain of being charged by the railroad less than five cents per mile. They and their good friend "Fair Play," or Oaksmith, or whatever name he may go by, insist upon going to Raleigh without paying anything. Then what right have they, by false pretenses, to make the treasurer pay them twenty cents per mile out of the money of the heavily taxed people? Is not this worse than the "salary grab" of the last Congress, about which they have raised a great outcry? They can travel to Raleigh for less money now than their predecessors did, who in old times received only ten cents per mile and paid their own fare without complaining. And yet, according to "Fair Play," the present members, who get twice as much, must go free! Verily they may be called "Solomons," and when they and their friends go, "wisdom will die with them."

I have reason to believe that those who are acting against the interests of the State, fearing that the pressure of the people will drive the legislature up to do something, have changed their tactics. They are said to be about making a combination with the construction bondholders, with a view of getting, through the action of the United States Courts, the control of the road. If they succeed in this, they may then sell it out to the highest bidder, and if Mahone should be the man he will of course be smart enough, when he owns the road, to prevent its ever being finished. His five millions will then have been well spent, and his friends can then give him a grand ovation. But what will the people of North Carolina do with the men who have been his tools or his dupes?

"Fair Play" says I wish to be elected governor in 1876. Was there ever anything more stupid than his declaration that I will not build the road? What chance would I have to be elected if I were to fail. But if I get the power I intend to finish the road whether it elects me Governor or President, or leaves me a private citizen.

Respectfully,
WM. A. SMITH.

Ohio certainly has no reason to complain of her representation in the high places of the nation. President Grant was born and lived most of his life, prior to the war, in Ohio. The general of the army, Sherman is an Ohio man, and so is Sheridan, the lieutenant-general. Secretary Delano is a citizen of Ohio, so is Justice Swayne, of the supreme court, and so is Mr. Schenck, our minister to England. The late Chief Justice Chase was from Ohio, and now the new incumbent, Chief Justice Waite, is taken from the same state. Thus Ohio men stand at the head of the civil, the military, the judicial, and diplomatic departments of the government. Since the organization of the government, we doubt whether there has been a time when men from any one state filled so many of the highest national positions. And there are still several men in Ohio who would accept office under the national government if pressed to do so.

Rev. T. K. Beecher speaks out as follows on the subject of emotional insanity in murder cases: "It is extremely difficult to commit the crime of murder in such an accurate and honest way that it shall satisfy the specifications of the statute. Unless the would-be murderer take legal counsel beforehand and follow instructions minutely, he will fail nine times in ten, however sincerely he may try. Anybody can kill a man, but he cannot do it in first degree murder style without counsel and care."

Few people have any idea of the extent of the coal fields of Iowa. the state geologist estimates them to embrace 7,000 square miles, or more than the area of the entire state of Massachusetts.

THE GENERAL ASSEMBLY.

SENATE.

FRIDAY Jan. 30, 1874.

The Senate met at 11 o'clock.

Lieut. Governor Brogden in the chair.

Journal of yesterday was read and approved.

PRESENTATIONS OF PETITIONS.

Mr. Ellis, from Columbus, a petition from the citizens of Columbus county praying a prohibition of liquor law within two miles of Christian Plain church, colored congregation. Referred to committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Mr. Allen from Judiciary; Mr. McCotter from Propositions and Grievances; Mr. Morehead of Rockingham, from Internal Improvements; Mr. Johnson, from Enrolled Bills.

REPORTS FROM SELECT COMMITTEES.

Mr. Cunningham, from committee of Trustees for University, reported as follows:

FIRST DISTRICT.

D. M. Carter, Miles S. Eure, W. F. Martin, Wm. B. Shaw, Louis Hilliard, John A. Moore and Duncan C. Wilson received 137 votes each.

SECOND DISTRICT.

Wm. H. Johnston, John E. Dugger, George Green, Wm. H. Day, D. E. B. Hoofer, Robert B. Peebles, Benjamin L. Hardy 132 votes each, W. T. Faircloth 98 votes. Mr. Faircloth received the vote of the House, and N. F. Dortch, the vote of the Senate 24.

THIRD DISTRICT.

Fourney George W. L. Sanders, R. W. Nixon B. F. Grady, Rev. Neil McKay, Dr. John McIver, T. D. McDowell, R. W. Willard, 132 votes each.

FOURTH DISTRICT.

J. H. Thorp. J. S. Amis, P. C. Cameron, C. B. Sanders, John Manning Jr., Jos. J. Davis, K. P. Battle, W. A. Graham, 124 votes each.

FIFTH DISTRICT.

H. Clay, Thomas, Rufus Fraizer, M. S. Robbins, J. A. Gilmer, John Kerr, J. L. Dusenbury, D. S. Reid, J. A. Graham, 122 votes each.

SIXTH DISTRICT.

Archibald Purcell, J. C. Marshall, Walter L. Steel, S. H. Walkup, Z. B. Vance, John F. Hoke, Paul B. Means, W. J. Ewing, 120 votes each.

SEVENTH DISTRICT.

R. S. Patterson, J. F. Graves, Joseph Williams, W. Kelly Gibbs, Geo. B. Wetmore, E. H. Davis, C. L. Cook, G. H. Hamilton, 120 votes each.

EIGHTH DISTRICT.

D. Coleman, C. P. Smith, S. McD. Tate, M. S. Twitty, D. D. Hyman, E. W. Jones, W. C. Bowman, J. A. Hicks, 112 votes each.

INTRODUCTION OF BILLS.

By Mr. Allen, a bill in relation to holding of courts for the fourth judicial district.

MOTIONS AND RESOLUTIONS.

On motion of Mr. Allen, rules were suspended and the bill in relation to holding of courts for the fourth judicial district, passed its several readings.

Mr. Love, a resolution for the relief of Samuel Cabe.

Mr. Avera, a resolution to his Excellency, the Governor, requesting him furnish the Senate with an itemized statement of the number of warrants issued to the State geologist. Adopted.

On motion of Mr. Avera, the special for 10:30 in relation to the abolition of the office of State geologist, was postponed and made the special order for next Tuesday at 12 o'clock.

On motion of Mr. Gudger, a bill to authorize citizens of Caldwell county to vote as to whether they will subscribe $60,000 for the building of a narrow gauge railroad, passed its final reading.

On motion of Mr. Morehead of Guilford, the bill for an election of superintendent of public instruction, was made special order for tomorrow at 12 m.

The general election law, special order for Monday at 12 m.; consider the school bill for Tuesday at 12 m., and the omnibus liquor bill for Wednesday at 12 m.

Mr. Cunningham moved to include the bill for the sale of swamp lands for 12:30 Monday.

On motion of Mr. Cramer, the rules were suspended, and the "bill in relation to commissioners of affidavit" passed its several readings.

On motion of Mr. McCabe, the bill in relation to the storing of fertilizers passed its several readings.

On motion of Mr. King, the bill in relation to the levying of taxes in townships, passed its several readings, and was ordered to be engrossed and sent to the House.

On motion of Mr. Ellis, of Catawba, a bill to authorize the town of Hickory, in the county of Catawba, to issue bonds for the purpose of aiding the Carolina Central Railway in extending their railway, and for other purposes, passed its several readings.

SPECIAL ORDER.

Bill to repeal chapter 68, laws of 1871-'72, except Randolph county. Passed its several readings.

"Bill to amend the charter of the North Carolina Railroad Company and for other purposes."

Mr. Morehead, from Rockingham, said he did not agree with the majority of the committee in this respect against the House bill. He preferred the Senate bill provided all the sections of the House bill were included in the Senate bill.

Several amendments were offered and adopted.

Mr. Todd offered an amendment prohibiting any person from holding any appointment, commission or office, in the said corporation who had refused to answer any question before any fraud commission in the State, upon the plea of self-crimination.

Mr. Harris opposed the amendment and demanded that the amendment be so worded as to say who it was intended to strike at.

Mr. Worth said he was not afraid to say it was W. A. Smith.

Mr. Murphy said he was for open and fair dealing. That if Senators were determined to cut at anybody underhanded, and in a *circumculative way*, he hoped they would have the manhood to come out and say what, and who they meant—do not do indirectly what ought to be done directly. If certain names are meant, put them in. It is beneath the dignity of the Senate to pass this amendment. If a certain man is intended to be affected, why not name him? And if, as the Senator from Jackson says, the Governor could appoint, our amendment would amount to nothing, and would make us look ridiculous. He did not sympathize with any man or men, at any time before the committee of investigation appointed by the Legislature, who refused to answer questions, and would oppose appointing them to office. But if there is constitutional questions here, and the Governor has the power, all of our amendments are futile and of no force.

Mr. Norwood said this amendment raises a constitutional gushing suddenly to his mind. If the place of Directors in this corporation is an office, then it would seem that nothing can be incorporated into the act which would exclude a class of persons, otherwise qualified under the constitution to hold office. He proceeded to state and argue the question, and said he did not consider he should, and in full view of the constitutional difficulty, would vote for the amendment.

Mr. Worth advocated the amendment.

Mr. Welch opposed it.

The amendment was adopted by the following vote:—Yeas, Messrs. President, Allen, Bennett, Bowman, Brown, Carter, Cook, Cox, Davis, Eure, Fleming, Gilmer, Graham, Graves, Green, Hyman, Johnston, Jones of Orange, Kerr, Lee, Love, Lutterloh, Lucky, Marler, Maxwell, McCotter, McNeill, Miller, Michael, Moring, Moss, Norment, Outlaw, Perry of Bladen, Perry of Wake, Pipkin, Reid of Mecklenburg, Richardson, Rhodes, Shaw, Shine of Iredell, Staudford, Stowe, Turner, Warlick, Waddill, Watson, Williams, Wilson, Winston, Worth, Young of Granville, Young of Person, Williamson, and Whitmire.—63.

The amendment of Mr. Bowman did not prevail.

The amendment inserting $100 did not prevail.

Section 9 then passed—yeas 92; nays 10.

On motion the House, at 3 p. m., adjourned.

HOUSE OF REPRESENTATIVES.

Mr. Speaker Robinson called the House to order at 10:30 a. m.

Prayer by the Rev. J. M. Atkinson, of the Presbyterian Church.

The Journal of yesterday was read and approved.

QUESTION OF PRIVILEGE.

Mr. Brown, of Davidson, stated that in the election of the trustees of the university Thursday he had made a mistake in regard to Mr. H. C. Thomas, one of the nominees from his county, when he stated that that gentleman already held an office, and whose name was thereupon stricken out of the list of nominations. He now moved to reinstate the name of H. C. Thomas in the place of A. M. Scales, whose name had been substituted for that of Mr. Thomas.

Agreed to, and the House voted to make the desired substitution. There was no contest, Mr. Scales' name being readily withdrawn by his friends.

PETITIONS.

Mr. Corson, from citizens of Beaufort concerning roads; Mr. McNeill, against the passage of an act establishing a new county from Robeson and Richmond; Mr. Richardson, from Cerro Gordo, to be incorporated; Mr. Haynes: From citizens of Buncombe praying removal of obstructions in Sandy Bottom Creek. Mr. Freeman, from McDowell, authorizing certain citizens on the Catawba river to erect a water-gate.

REPORT OF STANDING COMMITTEES

Mr. Bennett from Judiciary; Mr. Joyner from Engrossed Bills; Mr. Marler from Enrolled Bills; Mr. Jones of Orange from Aagriculture.

RESOLUTIONS.

Mr. Marler, resolution in favor of widows of deceased soldiers of the Mexican war.

Mr. Gilbert, resolution in favor of John Armstrong.

BILLS.

Mr. Bennett, a bill amending the act incorporating the Weldon and Scotland Neck Railroad.

Mr. Lutterloh, a bill to be entitled an act concerning the removal of civil actions from one judicial district to another.

Mr. Richardson, an act to incorporate the town of Cerro Gordo.

Mr. Freeman, a bill to erect gates across public roads.

Mr. Moring, an act amending an act to charter New River Canal.

LEAVE OF ABSENCE.

Mr. Marler asked leave of absence for Mr. Waugh from and after today till Monday next.

Mr. Gorman asked leave of absence for Mr. Perry of Wake until Monday, and Mr. Heaton asked leave of absence for Mr. McLaurin, from Saturday till Tuesday morning next.

Mr. Luckey moved to reconsider the vote by which the bill establishing the new county of Lillington, was defeated yesterday.

Mr. Rhodes moved to lay that motion on the table which motion prevailed. Yeas 52; Nays 48.

Upon motion of Mr. Craige, Senate Bill incorporating the North Carolina Gold Amalgamating Company, was taken up, and passed its final reading.

Upon motion of Mr. Cox the substitute for the bill prescribing the duties of the Clerks of the Superior Courts, and of Justices of the Peace, was taken up. He explained its merits, in which he was sustained by Mr. Bennett. The bill passed its several readings.

SPECIAL ORDER.

The bill to provide for the collection of taxes on property, poll, &c., in the several counties of the State, generally termed the "Machinery Bill," was taken up as the special order and considered by sections.

In the consideration of the seventh section of the bill providing that each tax payer shall be allowed an exemption of fifty dollars in the value of personal property, Mr. Blythe offered an amendment allowing an exemption of three hundred dollars, and supported it in a brief speech.

Messrs. Stanford, Jones, of Caldwell, Whitmire and Bryan, of Alleghany, opposed the amendment.

Mr. Bowman offered an amendment providing that the head of the family be allowed exemption on a house and a cow and calf, and in advocating his amendment said he wanted the poor man's work-horse and cow exempted and hoped the House would give him the yeas and nays on it.

Mr Standford took issue with Mr. B. He said in some sections this would apply unequally, especially where a man owned no horse or cow and calf, but owned sheep, hogs and other property. He was opposed to this latter substitute—more so than to that of the gentleman Mr. Blythe.

Mr. Williamson was in favor of the fifty dollar exemption as in the bill reported by the committee, and no more. If you take all the tax off of personal property, it goes then on the land, and that would injure poor people who have their little houses and lots. If a man, according to the gentleman from Mitchell, owns a bull and the bull is worth a thousand dollars, he is exempted under the gentleman's amendment.

The question being upon the amendment of the gentleman from Henderson, Mr. Blythe, the insertion of $300 did not prevail.

NAYS—Messrs. Abbott, Anderson of Clay, Bean, Blythe, Bowe, Bowman, Brown of Davidson, Bryson of Swain, Bryan of Pitt, Bryant of Halifax, Bryan of Wilkes, Brooks, Bunn, Byrd, Cobb, Copeland, Corson, Cox, Dickey, Dudley, Dula, Foster, Gudger, Hampton, Heaton, Hughes, Jones of Caldwell, Jones of Camden, Jones of Northampton, Jordan, King, Lindsay, Lloyd, McLaurin, Mizzell, Patrick, Paschall Reid of Randolph, Settle, Shackelford, Sneed, Todd, Trivett, Wheeler and Whisnant—

NEAS—Messrs. Anderson, of Davie, Ballard, Bennett, Blackwell, Brown of Mecklenburg, Bryson of Jackson, Bryan of Sampson, Bryan of Alleghany, Carter, Costner, Craige, Davis, Ellison, Fletcher, Gant, Gidney, Gilbert, Gilmer, Godfrey, Gorman, Gray, Guyther, Hanner, Haynes, Hinnant, Houston, Johnston, Jones of Orange, Jones of Tyrrell, Joyner, Lutterloh, Lucky, Marler, Maxwell, McGehee, McNeill, Miller, Michael, Moring, Moss, Norment, Outlaw, Perry of Bladen, Perry of Wake, Presson, Reid of Mecklenburg, Richardson, Rhodes, Shaw, Shine of Iredell, Staudford, Stowe, Turner, Warlick, Waddill, Watson, Williams, Wilson, Winston, Worth, Young of Granville, Young of Person, Williamson, and Whitmire.—63.

The amendment of Mr. Bowman did not prevail.

The amendment inserting $100 did not prevail.

Section 9 then passed—yeas 92; nays 10.

On motion the House, at 3 p. m., adjourned.

The New Chief Justice.

At last we have a Chief Justice, and one too who will honor the office quite as much as the office will honor him. Without doubt the selection of Morrison R. Waite for the vacant justice was the very best and wisest appointment at any time made by the present administration, and the Senate's action in voting unanimously for his confirmation was a graceful recognition of the fact. The appointment has not been very warmly received by the more violent portion of the partisan press, it is true; but that fact only proves, if it proves anything, that Judge Waite is a man eminently fit for the office. Some of the papers which favor the administration would have been better pleased, doubtless, with the selection of a more pronounced partisan, some man who would have been obnoxious to people of other political faiths; while similar newspapers in opposition to the President would have preferred that the choice should fall upon some one whom they could heartily condemn. As it is, we have a man whom men of both parties are forced to approve as in every way worthy. And that is, above all things, what the country wants. The Supreme Court should be presided over by a man whose habit of mind is eminently judicial; and such men, in the very nature of the case, can never be found among strong partisans.

Judge Waite was born in Lyme, Connecticut, in the year 1816. His father was eminent as a lawyer and a jurist, serving as a judge of the supreme court of Connecticut for thirty years, during a large part of which he was chief justice. At the age of seventeen the present Judge Waite entered Yale College, and at twenty-two he graduated in the class to which belonged Edward Pierrepont and William M. Evarts, both of whom have been mentioned as fit men for the office to which their classmate has just been appointed. Mr. Waite began the practice of law in Maumee City, but afterwards removed to Toledo, where he continued to follow his profession, refusing repeated opportunities to win distinction in politics, and choosing rather to devote his entire time and energies to the mastery of that learning which fit him for eminence in his chosen walk of life.

From the very beginning his ability and his industry made him a successful lawyer, and on several different occasions he has declined a proffered seat upon the supreme bench of his State. He was chosen by the government as counsel at Geneva, and won there that national reputation for eminent legal ability and high character, to which he owes the marked favor with which his elevation to the highest judicial position in the world is received.

The regard in which his character and his ability are held at home is attested in the fact that when it became necessary last spring to call a constitutional convention in Ohio, he was unanimously nominated, not by one, but by both political parties, and when the convention assembled, was made its president almost by acclamation. From the chair of that convention the president has called him to the seat of Marshall, and Jay and Taney, and Chase, and the whole country says amen.—*Hearth and Home.*

The Railway Monitor publishes some interesting and valuable statistics in relation to railway construction and traffic in the United States, from which we learn that the total mileage in actual operation at the present time is 71,564; but this includes 13,512 miles of double track roads, making the whole length of track used 85,076 miles. The capital stock invested in these roads amounts to $2,072,251,954, which is about $29,000 per mile. The floating and funded debts are almost equal to the capital, and the estimated cost of all the roads is $3,728,416,959—a little more than $52,000 per mile.—It has been impossible to obtain the gross earnings of all the roads during the past year. For the latest year for which reports were obtainable, the roads extending 54,000 miles earned $478,385,597. This is estimated to be nearly $175,000,000 above the running expenses. The earnings for the past year show a considerable increase over the year before, notwithstanding the large falling off in traffic on account of the panic during the fall months.

Vice-President Wilson recently concluded a neat little speech at a woman-suffrage meeting as follows:—"Twenty years ago I came to the conclusion that my wife, my mother, and my sisters were as much entitled to the right of suffrage as myself, and I have not changed my mind."

One of the most venerable quarrels now going on in this country is between the towns of Glastenbury and Wethersfield, Ct., about a boundary line. It is a hundred and twenty years old.

Mrs. Bolivia, sister-in law of the secretary of state of Illinois, and Miss Fanny Wallace, a niece of the late President Lincoln, have been appointed librarian and assistant librarian of the Illinois legislature.

A Rainy Day.

BY MARGARET E. SANGSTER.

All day against the window pane
The fitful dashes of the rain
Keeps up in dreary monotone
A minor music of its own;
A weary moan of restless pain,
This chorded anthem of the rain.

My tired heart within me hears—
Too tired to-day for easeful tears—
And well interpret every sound
From sobbing sky and barren ground:
Like one who from the organ-keys,
Awakens threaded harmonies
To fit in pauses of the strain
Another sings, I list the rain
And try, through woven words of mine,
Its cadenced melody to twine.

All day it falls on little beds
That pillow softly baby heads
From mother's tender nursing gone,
While yet their life was in its dawn.
Alas, how many a mother feels
The coldness of each drop that steals
Through that green coverlet, that lies
Between her darling and her eyes!

All day it shuts the cheerful sun
From many a longing, lonely one;
No sparkling rift of heaven's blue
Breaks regnant all its mystery through;
No golden radiance cleaves a way
To gladden [illegible]
Slow beating on the darkened pane
All day, the sleet, the storm, the rain!

Yet think, impatient soul of mine,
That somewhere still the sun must shine,
That somewhere other hearts are glad,
And days are not forlorn and sad,
And that God's benedictions still
Fall from stern lips of seeming ill.

In memory's light these drops may be
Like glittering amethysts to thee,
And all thy being yet may bless
His patient care and tenderness,
Who bids thee trust Him not in vain
For days, clear shining after rain.

Judge Benjamin C. Franklin, one of the founders of the republic of Texas, died recently at Galveston, being nearly 70 years of age. Judge Franklin arrived at Velasco, in the Mexican province of Texrs (Galveston having then no existence,) about forty years ago; took part in the revolutionary councils of the colonists; joined the Texan army under Houston, and carried a rifle at the famous little battle of San Jacinto, a battle which was at once the overthrow of Santa Anna and of Mexican power on this side of the Rio Grande. After the close of the war he returned to the profession of the law, and stood always in the front rank. At the time of his death he was a state senator-elect.

A little difficulty about the consummation of a wedding in Clayton county, Iowa, and how it was overcome, is thus described in a western paper:—When the guests had all assembled to witness a marriage ceremony, it was discovered that the justice of the peace, who was to officiate in making the twain one, resided in another (Fayette) county, and therefore could not legally solemnize the marriage. Thereupon the bride and bridegroom, accompanied by the guests, adjourned to a neighboring cornfield, which was in Fayette county, and there, amid the rustling stalks and the wondering cattle, the knot was tied. The wedding party then returned to the house and banqueted. This corn-field wedding was a fitting prelude to the nature of the husband and wife, who, from such sowing, ought certainly to reap a goodly harvest of farmer lads and agricultural lasses.

Tempering copper to the hardness of steel is set down as one of the lost arts. Our most skilled mechanics cannot from copper, produce the finely tempered mining tools, now being found in the Lake Superior district. The art is lost, and the people who mastered it have an unwritten history. With their chisel of copper, and large mallets of granite, they cut out the virgin copper, as we of to-day are doing with steel chisels, and hammers of iron and steel. There are many evidences all over the Superior country of extensive mining having been carried on, as well as mining of other ores in many other States, East and West, by a people much more enlighted than those found here by the American discoverer.

Hon. S. S. Cox recently remarked in the House that the growth of the newspaper had dwarfed the importance of the right of petition; that the people were coming more and more to see in the newspaper the most convenient channel for bringing their wishes and grievances to the notice of the law-makers. This is true; and the time is about past for congressmen or other public men to sneer at "lampblack and rags." Having been a journalist himself, Mr. Cox knows how to appreciate the power of the press.

Mr. William Welsh, of Philadelphia, a member of the Board of Indian Commissioners, publishes in the Philadelphia papers an open letter addressed to the President of the United States, on the subject of Indian affairs, in which he expresses himself confident that, if the entire Indian service could be placed under the sole control of the Society of Friends, the many forms of demoralization, now so baleful in their influence, would be checked, the civilization of the aborigines promoted, and a million of dollars a year saved to the government.

The total rail shipments of ore and pig iron from the Lake Superior district last year, amounted to 1,163,827 tons of ore, and 31,246 tons pig iron. The figures given for pig iron do not, however represent the total shipments of the district, some half a dozen furnaces