

THE ERA AND EXAMINER.

THURSDAY, FEBRUARY 15, 1874.

THE GENERAL ASSEMBLY.

SENATE.

EVENING SESSION.

FEBRUARY 9, 1874.

The Senate met at 7:30 p. m., in the hall of the State House.

The bill authorizing the commissioners of Washington county to issue bonds, passed its second reading.

The bill to incorporate Sandy Cross (colored) farmers' mutual aid society of Gates county passed its third reading.

The following bills passed their several readings:

A bill to amend an act to amend the charter of the city of Raleigh.

A bill to repeal chapter 48 of Battle's revision, so far as the county of Halifax is concerned, was ordered to be immediately engrossed and transmitted to the house.

A bill to incorporate the "Falls of Neuse River Manufacturing Company,"

Bill authorizing the Adjutant-General to furnish arms to military schools.

A bill to amend the charter of Edenton in the county of Chowan.

A bill for the better government of the town of Wadesboro.

A bill to incorporate the town of Winston, in the county of Hertford.

A bill to incorporate the Brunswick bridge and ferry company, was ordered to be immediately engrossed and transmitted to the house.

Bill to incorporate the Hamsey Town Baptist Church, in the county of Yancey.

Bill to incorporate the village of King's Mountain, in county of Cleveland.

Bill in reference to taxes paid by the Petersburg railroad company, in the years 1869-70-71.

On motion of Mr. Flemming, the bill was re-committed to the committee on finance.

SPECIAL ORDER NO. 1.

A resolution of about sixty bills and resolutions, for prohibitory laws from the sale of ardent spirits in various towns and localities in different counties throughout the State, was laid upon the table.

The committee on propositions and grievances, having reported a general bill or a substitute for the various bills and petitions, Mr. Cunningham moved that all the bills and petitions reported on by the committee be laid on the table.

Adopted.

The question then recurred upon the adoption of the general bill.

Mr. Dunham moved that the chairman (Dr. Love) of the committee on propositions and grievances be instructed to draw up a plot of the State, in order that the bills may be placed in their proper geographical position, and that a drink, after this bill becomes a law, not be entertained.

Mr. Cowles offered an amendment providing that the provisions of this bill should not be in force, except in localities where the same was duly advertised.

Mr. McCabe moved to amend by providing that a copy of the bill be furnished to each rural-seller in the State, ruled out of order.

Mr. Cowles' amendment was rejected.

Mr. Dunham offered an amendment providing that no church or other building should be built within two miles of any grog-shop after the passage of this act. (Laughter.)

After the adoption of numerous amendments of a local character, and correction of several errors, the bill was read a second time.

The bill was then ordered to be engrossed and transmitted to the house.

SPECIAL ORDER NO. 2.

Bill in reference to inspector of the city of Wilmington, passed its several readings.

Ordered to be immediately engrossed and transmitted to the house.

At 9:45 p. m., senate adjourned.

HOUSE OF REPRESENTATIVES.

EVENING SESSION.

MONDAY, Feb. 9.

On motion of Mr. Houston, the calendar was placed at the disposal of the speaker.

Mr. Perry, of Bladen, a petition asking the prohibition of the sale of liquor within three miles of French's Creek Baptist Church, referred.

A bill to change the time of holding the courts in the 8th district, with an unfavorable report from the judiciary committee, was informally passed over.

A bill in relation to the bonds of sheriffs, introduced by Mr. McNeill, was, on motion, laid upon the table.

An act to prevent the felling of timber in Tar river, and allowing it to remain beyond twenty-four hours, was, on motion, laid upon the table.

By consent, Mr. Webb, a bill incorporating Newport College, in Carter county.

A bill to prohibit the sale of liquor within two miles of Danbury, was, on motion, laid upon the table.

An act to authorize the entry of certain swamp lands, was, on motion, laid upon the table.

Mr. Mizzell, by consent, a bill giving Martin Superior Court concurrent jurisdiction with Bertie county Superior Court upon Rice's Peninsula Island. Referred.

A bill to appropriate the proceeds of vacant lands in Ashe, Alleghany and other counties, was, on motion, laid upon the table.

A bill declaring certain larcenies, misdemeanors, was, on motion, laid upon the table.

A bill in relation to sheriff's fees, Committee recommended it do not pass, and it was laid on the table.

A bill transferring the county of Davis to the second congressional district, was, on motion, laid upon the table.

A bill in relation to a change of the boundary line of Currituck county, principally in wrecking districts—unfavorably reported upon by committee. Mr. Carter moved to lay upon the table.

Republicans voting nay—democrats yes. The motion to table prevailed, yeas 55, nays 45.

Mr. Gorman changed his vote and moved a reconsideration after the vote just taken in order to have the bill passed over to inquire into its merits.

Mr. Carter moved to lay that motion on the table, which motion prevailed, yeas 64, nays 38.

A bill protecting farmers and

others by railroads corporations, was, on motion, laid upon the table.

A bill in relation to executors and administrators, allows no change by the action of Battle's revision of the laws of 1868-70, passed its several readings.

A bill authorizing the commissioners of Raleigh to open a street 40 feet wide across the south end of the executive mansion, fencing it in on each side with a good substantial plank fence.

Mr. Gorman explained the purpose of the bill, and that a street through the rear of the grounds which is so much desired by a large number of citizens, who have lately built upon grounds south of the government palace.

Mr. Ellison and Mr. Bennett stating there was a bill for precisely the same purpose. It was on motion laid upon the table for the present.

A bill in relation to woman's rights, was laid upon the table.

A bill concerning the fees of justices of the peace was laid upon the table; also a bill in relation to sheriffs.

A bill concerning the duties of county commissioners and for other purposes, was on motion indefinitely postponed.

A bill in relation to the payment of witnesses in certain cases; pays 50 cents in justice's court. When summoned as a State witness, the same as now paid in civil cases.

Mr. Jones, feelingly spoke of the merits of the bill, and urged its passage, and told of the hardships in his own county of poor people, who worked for 40 or 50 cents, who, when they were fined \$1, and if they were fined \$3, Mr. Jones people have begged me to stand up for this very important bill, and I trust it will pass. Concluding by calling for the yeas and nays. The yeas and nays were 51, nays 49.

A bill amending the law in relation to paupers. Mr. Blythe explained the bill. It allowed the county commissioners, in extreme cases, to exercise their discretion, to make small allowances without sending to poor houses. It was committed to the committee on propositions and grievances.

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A bill in relation to the payment of costs of the State, passed its several readings.

An act in relation to an act incorporating the town of Asheboro, Randolph county.

A bill amending an act in relation to county commissioners' laws of 1871-72, allowing the board to fill vacancies occurring in the office.

A bill in relation to the discharge of debtors in certain cases, was, on motion, laid upon the table.

A bill protecting the fish interest of North Carolina, it also prevents the sale of fish, and provides for the appointment of the commissioners. On motion, laid upon the table.

A bill in relation to Scotland Neck. It defines the boundaries of the town, and shall be operative when read, but on motion, was referred to the judiciary committee.

An act incorporating Veterans Lodge, Ancient York Masons, No. 134, in Brunswick county, passed its final reading.

On motion the House now adjourned.

SENATE.

FEBRUARY 10, 1874.

Senate met at 11 o'clock, Lieut. Governor Brogden in the chair.

Journal of yesterday was read and approved.

PRESENTATION OF PETITIONS.

By Mr. Gudger, petition from citizens of Washington county, asking to take no action on the proposition for removing obstructions in Cain river, in Yancey county.

REPORTS FROM STANDING COMMITTEES.

Mr. Avera, from propositions and grievances, a bill to lay off a road near Horton's store, which was laid upon the table.

Mr. Welsh from propositions and grievances; Mr. Johnston from enrolled bills.

MISCELLANEOUS.

Mr. McCabe asked leave to record his vote in the negative on the "machinery act," which passed its final reading.

INTRODUCTION OF BILLS.

By Mr. Harris, a bill for the relief of Daniel Clausey. Referred to the committee on propositions and grievances.

By Mr. Scott, a bill to incorporate the Orlan and Henderson railroad company. Referred.

By Mr. Scott, a bill authorizing Granville county to subscribe capital stock of Granville railroad company. Referred.

By Mr. Allen, a bill to incorporate Cape Fear Council, Patrons of Husbandry. Referred.

Mr. Wilson, a bill to incorporate the Wilmington Cotton Mills. Referred.

RESOLUTIONS.

House resolution providing that the enrolling and engrossing clerks of the general assembly be entitled to the same pay as the enrolling and engrossing clerks of the State, and it passed its several readings.

House resolution allowing the printed copies of the two hundred one hundred dollars each for indexing the journals of the general assembly. The rules were suspended and it passed its several readings.

House resolution appointing a joint select committee on the State and United States centennial celebration. The rules were suspended and it passed its several readings.

Resolution, by Mr. Cunningham, providing for meeting of the senate hereafter at 10 o'clock a. m., and 7 p. m. Adopted.

MOTIONS 1.

On motion of Mr. Ellis, of Columbus, the rules were suspended, and a bill to amend section 30, chapter 90, of the laws of 1872-73, was taken up. The bill provides that all acts, rules and regulations heretofore adopted by the State board of education in relation to free public schools, be repealed, and the provisions of the laws of 1872-73, be amended by adding, after the words, "of each county" in line sixteen, the words "and furnish the county treasurer with the amounts thus apportioned among the school districts, and the amount that each district is entitled to." It provides further that the word "July" in section 38 of the same chapter be

stricken out and "October" inserted therefor.

Mr. Murphy doubted the wisdom of the passage of this bill. It looked like a bill, that the legislature knew everything, and the State board of education knew nothing. He recited many reasons that were conclusive to him, why we ought not to be too hasty in the passage of a bill, that must so seriously affect the educational interests of the State.

MOTION 2.

Mr. Norwood was sorry to say that to his mind the rules and regulations of the State board of education were impracticable. The public school system was a subject that interested more people in North Carolina than any other, and its improvement ought to be the best grade and character, and of such provisions, or would make it the best that could be invented. And further, when the State board had failed to meet the universal requirements of the people, was the duty of the legislature to come to the rescue.

Mr. Seymour concurred in the remarks of the senator from Orange.

Mr. McCabe offered the following amendment:—That section 25, chapter 90, laws of 1872-73, be amended so as to read as follows: "The school committee shall have the authority to employ and dismiss teachers of the schools within their townships, and shall determine the pay per month to be paid to each teacher, and shall receive out of the school fund more than three dollars per day, and the second grade shall not receive more than two dollars per day, and the third grade shall not receive more than one dollar and fifty cents per day, but no teacher shall receive any compensation for a less term than one month. No committee man shall be a teacher, nor shall any committee man in any way be interested by contract or otherwise in the selection or retaining of any school teacher in his district."

Mr. McCabe, said he regarded this amendment as one of the best provisions that could be adopted in the public school law as it would be a guarantee of good and competent teachers. If the free school system was to be elevated to a beneficial grade, something must be done to secure the services of competent teachers.

MOTIONS 3.

Mr. Seymour advocated the amendment, and upon its adoption gave notice that he would call the yeas and nays.

Mr. Ellis of Columbus, thought the amendment ought not to be adopted, that the prices already paid for teachers of schools was too high, and that the adoption of this amendment would open the door for still higher prices.

The amendment did not prevail.

Mr. Stafford called the previous question on the passage of the bill, which passed its second and third readings.

SPECIAL ORDER.

Being the consideration of the bill entitled "an act to raise revenue."

Mr. Norwood moved to amend in section 21, schedule "B" to strike out (twenty dollars,) and insert ten dollars and after the word dollars, insert the word "annually." Adopted.

Mr. McCauley offered an amendment to section 25, schedule "B" providing that any insurance agent guilty of not complying with the provisions of this section should be deemed guilty of a misdemeanor. Rejected.

Mr. Harris moved to amend in section 15, schedule "B," by allowing register of deeds fifty cents instead of twenty-five cents, instead of fifty cents, for the issuing of license. Adopted.

Mr. Seymour moved to amend in section 4, schedule "C," by striking out in line 4, "one dollar" and insert fifty cents.

Mr. Williamson moved to amend the motion of Mr. Seymour by inserting twenty-five cents instead of fifty cents. Rejected.

The amendment of Mr. Seymour was adopted.

Mr. Johnston moved to amend by striking out in section 4, schedule "C," all of the section after the word fifty cents in line 1. Yeas 16; nays 24.

Mr. Avera moved to amend the section by striking out the tax on marriage license.

Mr. Troy said he hoped the amendment would not prevail; that he had paid \$1.75 for his privilege to be married, and thought it was one of the best trades he ever made. He moved that the amendment of the senator from Johnston only apply to the county of Johnston. Rejected.

Mr. Gudger moved to amend the provision in the same section.

Mr. Avera moved to strike out the entire section (4), which did not prevail. Yeas 15, nays 24.

Mr. Harris moved to amend by striking out "twenty-five" in line 9, section 33, schedule C, and insert "fifty." Adopted.

Mr. Waring moved to strike out sections 1 and 2 in schedule B, and insert the following: "Traveling theatricals, concerts or musical companies shall pay \$5 for each exhibition. Proprietors of opera houses, halls, theatres, &c., may take out license for their respective buildings by paying \$50 for each quarter of the year." Adopted.

The bill then passed its second reading.

The senate adjourned until 3:30 this evening.

HOUSE OF REPRESENTATIVES.

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

Journal of yesterday read and approved.

PETITIONS.

Mr. Carter, a petition from citizens of Cabarrus county, asking for the law of the sale of liquor. Referred.

Mr. Bryant, of Wilkes, a petition from citizens of Wilkes praying the erection of fences on Big Hunting creek. Referred.

REPORTS FROM STANDING COMMITTEES.

Messrs. Brown, of Mecklenburg, from committee on propositions and grievances, Marler from enrolled bills, and Moring from engrossed bills, submitted reports.

INTRODUCTION OF RESOLUTIONS.

Mr. Gorman, a resolution in favor of immigration and the celebration of Saint Patrick's Day—the patron saint—March 17th. Placed upon the calendar.

Mr. Bryan, of Alleghany, a bill for improving the road from the top of the Blue Ridge to Flint Hill, between Ashe and Alleghany counties. Calendar.

Mr. Gorman, a bill adding certain sections to Battle's revision.

Mr. Watson, an act appropriating \$5,000 to the Oxford orphan asylum.

Mr. Dale, a bill making certain portions of Big Hunting Creek a lawful fence.

SUSPENSION OF THE BILLS.

On motion of Mr. McNeill, a bill incorporating the town of Sheel, in the county of Robeson, was taken up.

On motion of Mr. Bryant, of Pitt, a resolution in regard to roll call on the passage of the bill, was taken up and, on motion of Mr. Copeland, was tabled.

The calendar was now at the instance of Mr. Houston, placed at the disposition of the speaker.

CALENDAR.

A bill authorizing the commissioners of Stokes county to have the town lots of Danbury re-surveyed, passed its final reading.

A bill in regard to the storage of fertilizers in villages, towns and cities, was, on motion, passed over informally.

A bill regulating the time for holding the terms of the courts of the fourth judicial district, and for other purposes, passed its final reading.

A bill to prohibit the sale of spirituous liquor in townships where the people may so determine—one-fourth of the voters of a township can call an election.

Mr. Mizzell moved to lay the bill on the table, when the yeas and nays were demanded. Yeas 26; nays 67.

Mr. Outlaw, an amendment that two hundred voters in a township shall only call an election. Not adopted.

Mr. Moss opposed the bill. He had just returned from his county, and he thought that two dollars a few of his constituents he found there opposed to this bill for many good reasons, one of whom was an officer of the temperance order. In townships where the people are temperate and do not use the ardent they do not need it. In townships where it is used there you will find there will be no use of such a law, if it were not for the fact that in this case it is the very county where we can never reach the evil under the provisions of this bill. A person with a medical prescription could not even go to a grocery store and purchase necessary liquors. If you are going to remedy the evils of the country, why not legislate against light lacing of the women, the mothers of the coming generation, and the use of tobacco. Gentlemen who do not wish to shoulder the responsibility of this thing will shove it off upon the shoulders of the people.

The bill in my opinion will result in no good.

Mr. Dudley favored the bill which he thought could do no harm.

The temperance cause has done a vast deal of good in this State, and especially he would say even in the gentleman's own town, for when that great temperance light shined upon the people, the vilest and most miserable bar rooms in their midst but a number of them have been closed up on account of the influence of the temperance cause.

It has been the cause of many a man's ruin, and the ruin of many a woman's life. It is doing more for the ruin of the youth than all other evils, yes, the young and the old are more or less affected by this curse, and upon all to join in this grand army of temperance. Two men are to be hung in this city next Friday, their crime produced by the use of liquor. Look at the hundreds of men and women who are large part of whose crimes are attributable to that evil rum. Let this bill pass.

Mr. Blythe thought the cry of excited temperance men, in having so many elections by the gentleman from Wilson, was inconsistent, as that gentleman had voted for many special tax questions to the people. Gentlemen seem afraid to trust the people; I am not. He defended the Baptist church from aspersions cast upon them, but which was untrue. Mr. Dudley: My people are down on the liquor traffic, especially the Baptists. I trust that this measure will be adopted.

Mr. Johnston did not favor the bill and if passed, it would be repealed. The people at home are grumbling about our staying here so long, as they say, just discussing a few liquor bills, these bills proposed there will be more than the usual quantity of the article consumed.

Mr. Gudger, the introducer of the bill explained and defended his bill, and thought it was one of the best operations of this bill in this State first and if a success then, he proposes to test it with counties and then the whole State. No section will have it imposed upon them unless they so decide.

He had a law prohibiting the sale of liquor within one mile of schools and churches of the State. The committee on propositions and grievances recommended that it do not pass.

Mr. Michael supported the bill.

Mr. Moss said you have just passed a bill substituting the question of the people, and now you are going to take it out of their hands with this bill.

Mr. Watson moved to lay on the table, and the motion prevailed.

Yeas 11, nays 25.

A bill authorizing the seizure and impounding of stock that is captured in lawful enclosures, was passed over informally.

Mr. Waring, resolution requesting the Public Treasurer to inform the house who are the holders of the bonds of the North Carolina Railroad, known as construction bonds, and the names of the holders. Mr. Godfrey moved to adjourn, and demanded the yeas and nays.

The yeas and nays were called, and resulted as follows:—Yeas 35; nays 22.

The speaker decided that no quorum had voted.

Mr. Goodwyn asked the speaker, Mr. Gudger in the chair, how could he adjourn next Monday—the final day of our session? He was certain there would be no quorum then.

On motion of Mr. Gorman, the house, at 2 p. m., adjourned.

SENATE.

FEBRUARY 11, 1874.

Senate met at 10 o'clock, Lieut. Governor Brogden in the chair.

Prayer by Rev. Mr. Mangum.

The journal of yesterday was read and approved.

REPORTS FROM STANDING COMMITTEES.

Mr. Murray from engrossed bills; Messrs. Price, Morehead from Guilford, Scott from the judiciary; Mr. Morehead from Rockingham, from internal improvements; Mr. Grandy from judiciary.

INTRODUCTION OF BILLS.

By Mr. Troy, bill to provide for the better collection of fines, forfeitures and penalties. Referred to judiciary.

On motion of Mr. Stafford, the

rules were suspended, and the bill to make wagons responsible for damages from fire, originating from their camps, was taken up.

Mr. Gudger moved to amend by striking out the words "or leaves fire burning."

Mr. Waring opposed the amendment, and said if those words were stricken out the bill would be worthless. His object was to make wagons more particular to extinguish their camp-fires where they encamped for the night.

After some discussion the amendment prevailed, when the bill passed its several readings.

On motion, the rules were suspended, and a message was sent to the house requesting the bill for the adjustment of the public debt to be returned to the senate, for the correction of a misapprehension that the senate labored under upon the passage of the bill.

On motion of Mr. Seymour, the rules were suspended, and the bill to change the time of holding the superior courts in the 3rd judicial district, passed its several readings.

On motion of Mr. Scott, the rules were suspended, and the resolution to pay James L. Moore, sheriff of Granville county the sum of \$87.25, passed its several readings.

On motion of Mr. Waring, the rules were suspended and the bill to establish an immigration and agricultural bureau of statistics for North Carolina, was taken up.

Mr. Morehead, of Guilford, moved to amend by adding the name of John B. Grettor, of Guilford. Adopted.

Mr. Gudger moved to strike out the preamble of the bill. He also moved to strike out the words "State Geologist."

Mr. Love, advocated the amendment of the senator from Yancey. He indulged in some severe criticism upon the State geologist, asserting that the geologist knew nothing of the geological merits of western North Carolina. That when he went to his portion of the State, he passed right through on one road and back on the other, and when he returned knew as little about the minerals of North Carolina as a man in the moon.

Mr. Avera said the State would not be benefited by passing such resolutions, and he for one belonged to that class who believed that the State would not be benefited if two hundred thousand of these persons were to come into the State.

The motion to strike out the preamble, was rejected.

The motion to strike out State geologist, also failed to secure a majority.

Mr. Avera moved to strike out secretary of State. The motion did not prevail.

The bill then passed its several readings.

On motion of Mr. McCotter, the rules were suspended, and the bill to prescribe the duties of the clerks of the superior courts and justices of the peace in relation to bills of review, passed its several readings.