

THE RALEIGH NEWS

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RALEIGH, N. C. TUESDAY MORNING, JANUARY 28 1879.

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PROFESSIONAL CARDS.

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Notice,

DAILY NEWS

TUESDAY, JANUARY 28, 1879

THE CITY.

P. A. WILEY—Bank Statement.
N. C. WHITON—Bank Statement.
HARDIN, GRIMES & CO.—Groceries.
W. B. GREGSON—For Sale.
RICHMOND—French Candies.

Weather Probabilities.

Indication for the South Atlantic States favorable for a slight rise in temperature with light winds and a fair to cloudy weather with light rains.

LOCAL BRIEFS.

The colored minstrel will appear Thursday evening at Metropolitan Hall.

All the churches had a number of attendants Sunday, as there was no excuse for absence.

W. A. Only was yesterday appointed a county commissioner of McDowell county, vice J. C. McCurry.

The receipts of cotton were light yesterday, as is usual on Mondays, and the market showed no change from Saturday.

There will be held this evening an exhibition by the pupils of the D. D. & B. I. Station, complimentary to the Legislature.

The tables have been turned and gentle spring throwing herself into the lap of winter, looks like she meant to stay here.

The next theatrical news is the appearance of the Mendocino Quartette Club early next month. They are eminent musicians.

A brass door key was found a day or so since in the lobby of the post office. The owner can have it by paying cost of this notice.

The number of volumes in the State and County Library is now about 25,000. Both libraries are kept in excellent order.

Drummers' licenses were yesterday issued by the State Treasurer to Wesselton & Co., and William F. Dixon & Bro., Baltimore, Md.

There have been quite a number of reserved seats taken for the latter exhibition of the great music masters, 129 having been taken.

A couple of counties yesterday drew funds from the State Treasury for the support of their outside lunatics. Johnston drew \$300, and Madison \$100.

A large wooden culvert on East street, where Martin crosses it, has broken down, and the earth caved in, making a dangerous place for vehicles.

The Sunday School of the Edenton Street Methodist church is preparing for a social tableau next month, in aid of the fund for building the new school room.

The double team of Dr. McKee was run into the corner of Newberne Avenue and Front street yesterday afternoon, and the baggage was pretty badly damaged by the collision. No one was hurt.

Mr. W. R. Gregson, Agent, will sell at public auction on February 28th, a fine store house and lot on Wilmington street, occupied by Mr. R. S. Perry.

Convict Discharged.

There was discharged from the penitentiary yesterday, Austin Wilson, white, convicted in Alexander county of larceny, and sentenced to the penitentiary April, 1877. He is about 23 years old, 5 feet 10 inches high and weighed when admitted 151 pounds.

Shad.

Messrs. W. H. & R. S. Tucker are the first to exhibit fresh shad. Yesterday they were in receipt of a fine pair brought in the Wilmington market. This is in keeping with the usual enterprise of this well known dry goods house.

All Quiet.

The past ten days have probably been the quietest this city ever saw, since the late war municipal honors. There have been only about three or four arrests, and these for trivial offences. Yesterday there was no disturbance, and no arrests, nor were there any yesterday. It looks like the millennium to the police, no doubt, but they prefer a little excitement. The city, in all respects, has been dull and devoid of any excitement, much to the vexation of reporters, who have to search with microscopic eye for a bit of news.

Wake Criminal Court.

Court met at 10 o'clock, His Honor Judge George V. Strong, presiding. The following were drawn as grand jurors for the term: W. B. Hutcheson, foreman; J. M. Carlton, N. S. Harty, Henry L. Fend, J. H. Grady, J. F. McDuffie, Columbus Payne, Gideon Allen, William Whitson, W. B. Temple, L. R. Wyatt, W. H. Page, J. H. Hutchinson, G. H. Wainwright, J. W. Rowland, C. C. Jewel, G. W. Lynn and G. W. Farrell.

The following cases were tried: *Ex vs. Robert Bryan*, removing crop. Verdict guilty.

State vs. J. F. Jordan and Thomas Smith, affray. Submission as to Jordan. Judgment reserved.

State vs. Mattie Bray, keeping disorderly house. Submission. Judgment reserved.

State vs. John Doran, affray. Defendant fled. No plea.

State vs. Andrew Hanford, assault and battery. Verdict, not guilty.

Court adjourned until 10 a. m. to-day.

THE PENITENTIARY.

Progress of the Work—The Building—The Great Prison Wall.

A reporter, on visiting this institution a day or two since, was struck with the progress of the work, both on the buildings and the wall, in the rear of the prison, with its cells, has risen with the domestic department, an immense structure 175 feet long and from 32 to 70 feet wide, and two stories high. In this are to be done the cooking and washing, the basement, while on the second floor are the laundry, store and clothes rooms, drying room, etc. The engines are also in this building. In the third story are the dormitories, where all the inmates of the prison will be quartered. This building, which is of brick, and handsome in design, is almost complete. In the rear of this rises the branch of the prison buildings wherein are the strong coils. These are 64 in number, and are all of brick, and are designed for the keeping of prisoners who are to be sentenced to life, and who are to be kept separate from the main body has the best effect in subduing them. Like the outside world, they pine for society. The building in front, which contains the cells, what is known as the main prison, will contain 800 cells. Half of these are constructed, the completed portion is 5 stories, or tiers of cells, high and is of brick, stone and iron, well built throughout. There are guard rooms and all the windows and doors are heavily grated. The cells are about 7 feet high, 8 feet long and 5 feet wide, and will be thoroughly warmed and ventilated by a steam engine. This portion of the building is to be covered with the granite shell which encases it, and the entire building will be massive, and will accommodate 100 convicts, 2 to each, conveniently, if need be.

The outer walls of the enclosure are rising rapidly, and present a specimen of magnificent work in stone. The long granite wall, 18 feet high, and in endless perspective and is said to be one of the best in the country. It only lacks eight feet of reaching its full height. The wall is complete for about a hundred feet and with its projecting coping, which on top forms a walk for the guards, is complete. When the wall is finished, a guard tower will stand at each end. There are four men can guard the prison at a time. Work on this rear wall goes on rapidly, and it will be completed in a few months, the most difficult and heavy masonry work being finished already. The convicts grow restless as they see the great wall rising, and the officials have to be very vigilant. The wall will be finished first, and then work will commence on the main building. This was intended to be of stone, but Superintendent Hicks expresses a preference for brick, not only on account of its cheapness, but because of its durability and security. The bricks for all the work already made now in the enclosure, and sound ones they are. The clay comes from Walnut creek. The great stone quarry, already down to an immense depth, is being fully developed, and some fine, though very high, stone is secured. The waste rock used to build walls around the great cavity, so as to turn off the surface water. The idea is to use the quarry when work in it is stopped, as a grand reservoir wherein the water from the quarry can be stored, and as pure rain water accumulates. Then it will supply both the penitentiary and the insane asylum with pure water at all times, as it will hold 1,000,000 gallons, and be some 50 feet deep, a regular lake in fact. The portion of the grounds by the lake, outside the wall, is to be carefully graded and a lake put around it. The work on the building was a credit to the Superintendent and his assistants, and is both neat and durable. The health of the prisoners is never even impaired, and everything seems to be going on very smoothly. The officials speak of the influence exerted by the Sunday services, which are a means of great good.

Testing Hose.

The locomotive yesterday tested the 100 feet of new rubber hose, just brought by the city. The steamer was at one of the capitol grounds, and ran the line of hose down Fayetteville street. The first test was with 1000 feet. With 140 pounds pressure a one-inch stream was thrown 100 feet in height. Then more hose was added until 1800 feet was stretched, reaching from the capitol to Davis street. With a pressure of but little more than 700 pounds a stream was thrown 60 feet high. A very large crowd were on the streets to witness the test. The pressure could not be put on, as before it could be the water in the engine was exhausted. The cistern in front of Koyster's was filled and this consumed much of the water. The hose proved admirable, but the pressure was not great. The chief engineer says he wishes to put on 250 pounds, and so will have another in a few days.

The Letter Boxes.

The letters deposited in the street letter boxes are collected twice a day. The carrier leaves at 7 o'clock, and returns at 2 p. m. The boxes are a great convenience and we are glad to learn that Gov. Holden has applied for six more.

They are not used to them yet, and the ideas of some as to their use are very crude. The reporter heard one party gravely assert that the boxes were put up by the Young Men's Christian Association, for the receipt of nickels and other contributions for the poor. Another person said with much gravity that they were intended to receive petitions to the Legislature. After awhile the good people will know what they are for, and will put them to their proper use. The carrier leaves at 5 o'clock in the afternoon, and at present two collections are made daily from the boxes, one at 5 a. m., the other at noon. The boxes are a public convenience and should be used, but many of those who mail letters never even know their use, and would be afraid to put in a letter if they did.

Bishop Lyman.

This talented divine delivered an able sermon at Christ Church last Sunday morning, and in the evening, at the church of the Good Shepherd, gave a description of the proceedings of the Anglican Conference at Lambeth, England. The church never held a larger audience who listened to the description with marked interest. Bishop Lyman has been abroad for some months, and these are his first discourses here since his return.

OUR LAW MAKERS.

SENATE. MONDAY, JAN. 27.

The Senate was called to order at 10 o'clock, Senator Robinson in the chair, Gov. Jarvis being absent.

Prayer by Rev. Dr. Marshall, of Christ Church, this city.

The reading of Saturday's Journal was dispensed with, and announced as standing approved.

LEAVES OF ABSENCE.

Leaves of absence were granted Senators Moyer, Davidson and Bryan.

REPORTS OF STANDING COMMITTEES.

Reports of Standing Committees were not so numerous today. Only one or two chairmen submitted reports, which were disposed of.

PETITIONS AND MEMORIALS.

Mr. Erwin, from 161 citizens of McDowell county, asking to repeal the law of the Agricultural Department and Geological Survey and for other purposes. Agriculture, Mining and Mechanics.

INTRODUCTION OF BILLS AND RESOLUTIONS.

Mr. Dillard, of instruction to the Judiciary Committee in regard to the attaching laws in this State, and to bring forward something better. Calendar.

Mr. Mabane, in relation to the tax on fertilizers. Agriculture.

Mr. Rowley, to regulate the amount paid for arrear hire in the capitol building. Salaries and Fees.

Mr. Scales, to amend chap. 20, 35 and 76 of Battle's Revised Judiciary.

Mr. Ross, to repeal sec. 7, chap. 141, laws of 1877. Judiciary.

Mr. Erwin, of inquiry to the Commissioner of Agriculture, requiring him to make an itemized statement of the money received and paid out by him to this body.

Mr. Ormond, of instruction to the Judiciary Committee.

Mr. King, instructing our Representatives and Senators in Congress to use their influence in regard to the repeal of the 10 per cent. tax on banks.

CALENDAR.

S. B. 37, to repeal chap. 141, laws of 1876-77, to establish county governments. Passed over informally.

S. B. 59, to regulate the removing of causes from one county to another except where the ends of justice require it. Passed second reading.

Mr. Henderson moved to suspend the rules and put it on its final reading. It was ordered to be engrossed and sent to the House of Representatives.

S. R. 112, requiring the Secretary of State to furnish certain information. Amendment offered by Mr. Robinson in regard to the time of final reading, engrossed and ordered to be sent to the House of Representatives.

S. R. 109, to provide for heating the capitol building. Informally passed over.

S. B. 131, to regulate the penal amount of official bonds and for other purposes.

Mr. Henderson moved to indefinitely postpone. Carried.

S. B. 158, for the protection of birds. After some debate upon the bill, Mr. Snow moved to recommmit, which motion prevailed.

S. B. 117, concerning streams used for propelling machinery. Passed final reading, ordered to be engrossed and sent to the House of Representatives.

S. B. 181, for the relief of J. M. Menger, former sheriff of Moore county. Re-committed to the Finance Committee.

Mr. Graham moved to have the report of the State Board of Health printed. Carried.

H. B. 40, S. B. 188, to incorporate Paynes Benevolent Society, in the county of Rutherford. Passed final reading, engrossed and ordered to be sent to the House of Representatives.

H. B. 77, S. B. 73, to purchase a large map for the use of each branch of the General Assembly. Passed, and instructions ordered to be sent to the Secretary of State authorizing him to make said purchase.

Mr. Dillard moved to lay on the table.

Mr. White called for the yeas and nays. The motion was carried by a vote of 36 to 10.

S. R. 204 asking information concerning the proposed mansion for the Governor of this State. Adopted.

S. R. 252, providing for a specific tax on cigars, cigars and other articles manufactured. Adopted.

S. R. 251, of instruction to the Finance Committee in regard to tobacco. Adopted.

S. R. 255, of instruction to the Judiciary Committee to simplify the attachment law. Adopted.

S. B. 215, S. R. 270, in regard to the subordinants in each House, providing for a Joint Committee, two from the House and one from the Senate, to ascertain how many are needed and the way to be had to them. Adopted.

The President announced Mr. Bynum to serve on said Committee on the part of the Senate.

S. R. 286, requiring the Commissioner of Agriculture to furnish an itemized statement of all monies received and paid out by him. Adopted.

S. R. 289, of instruction to the Judiciary Committee in regard to the election of County Commissioners, Justices of the Peace and other county officers.

Mr. Bynum moved to lay on the table, that he had called for the yeas and nays. Motion to table was carried by a vote of 22 to 15.

S. R. 189, to protect holders of fire insurance policies in this State. Passed second reading.

S. B. 220, to submit the question of prohibition and license to the voters of Rutherford county. Passed second reading.

S. B. 220, for the protection of deer in the counties of this State. A number of Senators stated they were in favor of the bill, but the majority of them so amended the bill that their counties and districts were excepted. The amendments, together with the original bill, then passed its final reading, ordered to be engrossed and sent to the House of Representatives.

Mr. McEachira moved to reconsider the bill in regard to the Benettsville and Hamlet Railway Company, which was made special order for Thursday next, and put it on its final reading.

Upon this lengthy debate ensued, and finally, upon motion of Mr. Snow,

the whole matter was postponed until Friday at 12 o'clock.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives stating that the House had passed a bill ordering the printing of the report of the State Board of Health, and asking concurrence on the part of the Senate.

Mr. Graham asked to withdraw his motion for print, and moved to concur in the report of the House. Carried.

On motion of Mr. Bynum, Senate adjourned until 10 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

MONDAY, JANUARY 27th.

The House was called to order at 10 o'clock, by the Speaker. A prayer was delivered by Rev. M. M. Marshall, D. D., of Christ Church, Saturday's Journal was read and approved.

LEAVES OF ABSENCE.

Leaves of absence were granted Mr. Mebane, Mr. Erwin, Mr. Dyer and Mr. Woodhouse.

REPORTS OF STANDING COMMITTEES.

The following made reports: Messrs. Woodhouse and English, Engrossed Bills; Powers, Propositions and Grievances.

PETITIONS.

By Mr. Woodhouse: To extend corporate limits of Elizabeth City. Propositions and Grievances.

RESOLUTIONS.

The following were sent in:

By Mr. Henderson: Requiring the Superintendent of the Penitentiary to furnish a statement of salaries of officers. Calendar.

By Mr. Erwin: Asking Representatives in Congress to secure an appropriation to make Newber river navigable to the Falls in Wake county. Calendar.

By Mr. Cobb: In favor of Lincoln county. Finance.

BILLS.

By Mr. Reid, of McDowell: For the drainage of lands in McDowell county. Agriculture.

By Mr. Moore: Concerning the public printing. Printing.

By the same: Concerning the ratification of laws of this Assembly. Judiciary.

By Mr. Young: To amend chap. 104, sec. 2, Battle's Revised, in relation to roads and bridges. Roads, etc.

By Mr. Lindsay: To enlarge the duties of the Department of Agriculture. Agriculture.

By Mr. Lamb: To amend chap. 45, laws 1873-4. Corporations.

By Mr. Reid, of Macon: To incorporate the town of Highland, Macon county. Corporations.

By Mr. Chadwick: For the better protection of wild fowl in Carteret county. Propositions and Grievances.

By Mr. Harrell: To allow non-resident debtors to make out before commissioners. Judiciary.

By Mr. Newell: To compel persons holding old notes and judgments to pay back taxes thereon. Finance.

By Mr. Jones: To incorporate Reno Camp Ground, Caldwell county. Corporations.

By Mr. Erwin: In regard to the disqualification of jurors who have been either grand or petit jurors in 2 years. Judiciary.

By Mr. Turner: Extending powers of grand jurors. Propositions and Grievances.

By the same: Concerning vaccination of children and employees. Propositions and Grievances.

By Mr. Atkinson: To repeal chap. 60, laws, 1873-4. Propositions and Grievances.

By Mr. Cobb: To amend chap. 63, laws 1876-7. County Governments.

By Mr. Brown, of Mecklenburg: To incorporate the Charlotte Home and Hotel, Corporations.

By Mr. Reynolds: An act to regulate elections.

CALENDAR TAKES UP.

The bill amending the law regulating elections, was taken up on its second reading. It proposes to change the time of holding elections to August. Mr. Reynolds, its introducer, favored the bill, saying that the days were longer in getting the 12 jurors together, and more time was then allowed to the people to vote. Mr. Battle said August was the better time. Finally, on motion of Mr. Bizzell, the bill was tabled.

LAYING OFF PUBLIC ROADS.

H. B. 15, amending chap. 104, Battle's Revised, prescribing that the public roads shall be laid off by three commissioners, who are to be specially appointed, instead of a jury of 12 persons, chosen by the Sheriff, as is now the law. The intent of the bill was fully explained by Mr. Vaughan, who said that a great difficulty in the west was in getting the 12 jurors together by the Sheriff. Many roads have been laid out by those counties, by commissioners and have proved admirable, while their cost was only one-fourth that of those laid off by the jury system. These commissioners will be chosen specially by the knowledge of such roads, while the jurors are taken just as the Sheriff coms across them. Another provision of the bill repeals the exemption to county officials. These should be made to bear the burden alike with the farmer. They can either work the roads or send a substitute as the former. Mr. Blocker offered a substitute that the magistrates select the road commissioners, but afterwards withdrew it. On motion of Mr. Covington, the bill was not further discussed, but was postponed and made special order for noon on Tuesday, Feb. 4th.

H. B. 26, to incorporate the town of Davidson College. Passed.

THE ELECTION OF MAGISTRATES.

Under a suspension of the rules Mr. Ford moved to reconsider the vote by which the bill in regard to the election of Magistrates passed on Saturday. At that time an amendment that the names of the person selected by the committee should be voted upon without debate was adopted. Mr. Ford thought there should be no debate, that if any objections were held as to the qualifications of the nominees, those holding them could appear before the committee on nominations and put their case there.

This would cause no time to be lost in debates in the House, as the committee could consider all such questions. The minority might seek by House debate to delay the election, and consume the time. This bill merely removes the discussion from the House to the committee. Mr. Amistated that the matter of election had already been discussed by the committee of the various counties. Mr. Reynolds

said it was not the policy nor interest of the minority to delay matters, but to push through these public matters, and then attend to those of education, agriculture, etc. The yeas and nays were called on the motion to reconsider, and it prevailed by a vote of 51 to 32.

The amendment that there be a debate was then lost, and the bill as it came from the Senate concurred in, and all names are to be given the committee on nominations, which is composed of 13 members. A speech was delivered by Mr. Blocker on the general subject, in which he spoke of the non-partisan character of the magistrates, and which met with applause from the Democratic side of the House.

H. B. 133, repealing act to provide fund for benefit of jurors in Clay county, passed its final reading.

H. B. 111, special order for noon, incorporating Warm Springs Toll Bridge Company, was further postponed until Feb. 6th at noon.

S. B. 178, to allow the town of Lkaville to subscribe a railroad, came over from the Senate and was referred to the committee on Internal Improvements.

A message also came from the Senate announcing concurrence in the proposition to print the report of the Treasurer of the Board of Agriculture.

One also came in announcing concurrence in the proposition raising a committee on Federal Relations, naming as the Senate branch Messrs. Litch and Davidson.

H. B. 145, in relation to the tax on mortgage deeds and deeds of trust, taking of the tax of \$1 was referred to Committee on Federal Relations, naming as the Senate branch Messrs. Litch and Davidson.

H. B. 62, to amend sections 2 and 3, chap. 76, laws 1878 4, making the time for which magistrates can imprison, 30 days instead of one month, was tabled as another bill covers the ground.

H. B. 83, in relation to allowing fish catches in the sound in June every year instead of every three years, passed, Mr. Blaisdell giving a full explanation of its merits.

H. B. 123, to authorize the late and present sheriffs of Washington county until Dec. 31st, 1879, to collect taxes, was tabled, another bill covering the ground.

S. R. 112, requiring the Secretary of State to furnish certain information, came over and was put on the calendar.

H. B. 133, to secure better drainage for lands on Fourth Creek, Iredell and Rowan counties, was referred to Propositions and Grievances.

H. B. 137, that the charging of any fees of Solicitors or Attorneys be not allowed on bills of cost in certain civil suits was made special order for Thursday at 10 o'clock.

On motion of Mr. Bryson a message was sent the Senate with a proposition to print the report of the State Board of Health.

H. B. 147, to provide for an assessment of damages where a dam flood covers lands, was laid on the table.

H. B. 149, to amend chap. 17, sec. 84, Battle's Revised, was laid on table.

H. B. 137, to amend sec. 113, chap. 33, Battle's Revised was tabled, another bill covering the ground.

H. B. 153, changing the time of holding Superior Courts in Gates and Hertford, passed its readings.

H. B. 163, to compel R. R. companies to lay footways on bridges, was tabled.

H. B. 161, to exempt the people of Stanley from provision of the law of 1876 and '77, chap. 151, so they