

Proceedings of The Legislature

(Continued from Page Eleven.)

Republican), could not give bond and it should not pass. Smathers took the same grounds, as did also Wheeler. Mr. Ray said the bill should pass because the law is now nothing could be collected out of any of the guarantee and surety companies because suit would have to be brought in other States because they have no one in this whom to serve processes of law.

There is no politics in this bill as the Senator from Wayne (Grant) would have you believe. It was introduced to put a safe guard around the State and county who accept these bonds. Mr. McNeill moved to table. Bill tabled.

For relief of James P. Cook, of Jackson county. Passed. To place Jerry Williams, of Jackson county, on pension roll. Passed. To protect mocking birds in the State. Passed.

To regulate fire insurance company rates, by not allowing to charge any more than is charged in Virginia. Passed. The House refused to concur in Senate amendment to bill raising salary of chief clerk to auditor to \$1,500. A conference committee was appointed by the chair, consisting of Senators Butler, Smathers and Barringer.

For relief of the clerk of the Superior court of Currituck. Passed. Resolution to pay election expenses of W. D. Glanton and M. B. Williams, of Mecklenburg county. Passed. To amend the charter of Worthville, in Randolph county. Passed.

To incorporate Roanoke Institute in Elizabeth City. Passed. To empower the State Board of Education to complete the Quaker Bridge road in Jones county. Passed. To provide for the maintenance and equipment of the A. and M. College, colored, carrying an appropriation of \$5,000. Passed.

Resolution to pay J. Sol Reid for expenses in election contest. Passed. In relation to convicts in Cabarrus county. Passed. Resolution to appoint a committee to nominate trustees for colored A. and M. College. Passed.

For protection of fowls in Dare county. Passed. The conference committee appointed in relation to raising salary of chief clerk to Auditor and clerk to the Attorney-General, made report allowing the Auditor's clerk \$1,500, and the Attorney-General's clerk \$900.

Fagan said there was something wrong, and that the amendment in these words: "Strike out the appropriation of \$5,000 to be made by the State, and add at the end of section 8, the following: Provided, that there shall be no cost or expense to the State whatever."

Sutton said there was a "cat in the meal tub." He thought the eagerness of the advocates of this measure was singular. He wanted the House to vote on the legality of this bill. Freeman said the bill was absolutely correct; that the engrossment and enrollment were both correct; that Sutton was making thrusts at the bill and at the clerks. He demanded that it be ratified.

Pinnix said that the bill was correctly enrolled; that the words "strike out" were never put in. The vote was then taken. It was yeas 35, nays 28. The resolution to pay James H. Young \$500 in the election contest came up. Cunningham offered an amendment making it \$250, and this was adopted, and so was the resolution.

Bill to appropriate \$5,000 to the A. and M. College for a hospital and boiler room came up. Fagan moved to table. Lost. Cook advocated the bill, saying the need of a hospital was urgent. Fagan opposed.

Wilson of Cleveland favored, and so did Walters and Lusk and Freeman. White of Randolph antagonized, and said the House went blindly into any appropriation. Bill passed third reading. Bill to restore Surry to the Fifth district and to put Orange in the Sixth, came up.

Young antagonized. Young said the time had not come to resist the State, and said the Senate had tabled this bill. Young moved to table. The vote was yeas 41, nays 17. Resolution to pay A. J. Field \$149 expenses in the election contest from Granville was adopted.

McCrory tried to obtain leave to introduce a bill to allow convicts to be sent to the public roads, instead of to the penitentiary, in counties using them to pay charges. But the House refused to suspend the rules. The next bill was on the same line. It is to allow the superintendent of the penitentiary to lease out the convicts for road work between July 15 and March 1.

Freeman favored it. So did Cunningham, who said Dockery had last night shown that the penitentiary was not self-sustaining. Freeman declared it was the most meritorious measure of the session. Sutton offered an amendment: "That the State convicts shall only be hired out upon such terms as the superintendent of the penitentiary shall prescribe."

This was voted down and the bill passed its readings with a rush. At 11 o'clock the hands of the clock were turned back to 8:30, amid protests by several members. Bill passed to repeal the charter of the town of Teachey's. Senate amendments to the insane asylum bill were concurred in. They reduce the appropriation \$13,500.

McCrory said the Senate had cut down the appropriation to the Western Hospital to \$300,000. He said there was fraud somewhere; that the amendment did not appear on the bill. He moved to reconsider. It was so ordered. The bill to require insurance companies to charge no higher rates on farm property than is charged in Virginia. Passed, after being supported by Cunningham.

Bills passed to work Rockingham's roads by taxation. To provide for working Wilson's roads by taxation. McCrory brought up the matter of the appropriation to the Western hospital and took back his suggestion of fraud; saying the Senate clerk had sent over the amendment reducing the appropriation to that hospital from \$100,000 to \$90,000; that in the hurry the House clerk had just put it in his pocket and had just discovered it. This amendment like the others, was then adopted.

Bill allowing the Supreme court to pay its reporters \$250 annually, if it desired to do so, passed. Bill came over from the Senate amending one (W. H. Worth's) which prohibited any State banks for lending over one-tenth of their capital to any one person or corporation; the Dockery substitute being that this do not apply to banks with a paid up capital of \$50,000 or less. The Senate increased this to \$100,000. As amended the bill passed the House.

At 1:30 a resolution was adopted that no more bills be passed. Nothing remained to be done but ratification of bills. The Speaker announced the following as the committee on the part of the House to examine the books of the State Treasurer and Auditor: Dixon, of Cleveland, Ormsby and Brown. On Dockery's motion the principal clerk was directed to mark on back of bills not enacted on "not acted on for lack of time."

Crews offered a resolution of thanks to Speaker Hieman, and expressing sympathy for him in his illness; and this after being amended so as to include the clerks employes and newspaper reporters (the latter of whom were declared by Bryan, of Wilkes, "the Red Fox" to have been very efficient) was unanimously adopted. The principal clerk (Masten) was thanked by a rising vote.

Senate resolution to adjourn sine die at 6 p. m., was concurred in. At this moment Bryan, of Wilkes, appeared, wearing a blazing red pair of trousers. He was escorted to the stand, amid cheers. He said he was the Red Fox, and felt very proud of himself and of his trousers. Johnson in satire moved a vote of thanks to the Southern Railway, and Bryan had some fun at the expense of this and said all were now happy, and the status was as it was when the session began. He said his head was red and his trousers were red and he was not ashamed of his colors.

At 12:15 a recess was taken until 2 p. m. SENATE. The Senate met at 10 o'clock. Lieut. Gov. Reynolds presiding. Prayer by Dr. B. F. Dixon, of the House. Mr. Ramsey offered resolution that the General Assembly adjourn sine die Wednesday, March 10th, 1897. Mr. Masten offered substitute that the Senate do not consider any more bills or resolutions and that we adjourn immediately after the ratification of the bills that have passed. Mr. McCaskey stated that he was opposed to the resolutions as we had already concurred in the one from the House to adjourn at 12 m. to-day. Mr. Grant took some grounds and both of the above resolutions were withdrawn, and the resolution to adjourn to-day was made effective.

The following bills and resolutions passed: To amend the charter of the town of Worthville in Randolph county. To improve public roads of Wilkes county. For working public roads of the counties of Greene, Wilson, Wayne and Pitt. To authorize the commissioners of Mitchell county to levy special tax. To improve the public roads of Wake county by extending the improvements three miles. To work the public roads of Northampton county by taxation. To allow Tyrrell county to settle debt and levy special tax. To levy a special tax in stock law territory in Nash county. Resolution to pay James H. Young \$250 for election contest. To regulate the liabilities of stockholders in banks chartered by this State and to forbid the loaning of more than 10 per cent of its capital stock to one person or corporation or company. To incorporate the Iverson Lumber Company. To pay Alex. J. Field \$150 for election contest expenses. Mr. Atwater amended by striking out \$50. Adopted.

To pay N. B. Broughton \$250 for expenses in election contest. To pay W. H. Crews \$100 for election contest expenses. To change the charter of town of Apex in Wake county. Tabled. To repeal chapter 128, laws of 1885, and chapter 188, laws of 1893. To amend the laws relative to courts of Dare county. To regulate the service of legal process in civil actions. To extend time to build the Marlanbal Springs Railroad. To allow Dare county to draw jury. To incorporate the Christian Burial Association.

Resolution in favor of E. M. Uzzell and W. P. Westmoreland for services to the printing committee. To allow Yancey county to work convicts on public roads. To amend chapter 355, laws of 1887 and chapter 419, laws of 1887, to provide for the use of convicts on the public roads of the State. A resolution was offered by Mr. Maulits and adopted that no more bills or resolutions would be considered by the Senate, except messages from the House.

Mr. Ray offered a resolution that a vote of thanks of the Senate be tendered to Lieut. Gov. Chas. A. Reynolds, the presiding officer, for the distinguished ability and his impartial and courteous bearing which he has manifested towards all the Senators during their deliberations in the session of 1897, and that a copy of this resolution be spread upon the journal. Mr. Grant moved to reconsider the vote by which the resolution to adjourn sine die to-day at 12 m., passed and to substitute therefor 8 o'clock p. m., which was adopted. Message from the House came over with the following bills which were passed:

To construct a road through State lands in Onslow county. To provide for working roads in Moore county. To provide for working convicts on public roads in Macon county. To prohibit sale of liquor in two miles of Surene School in Onslow county. Resolution to pay R. M. Ranson \$180 for election contest expenses. To drain lowland of Battle creek in Caswell county. To regulate hunting wild fowls in Hyde county. To amend chapter 273, laws of 1893, relating to Mitchell county. To appoint a presiding officer; he succeeded one of the best presiding officers the State ever had, and he could say the present presiding officer had fully sustained the former presiding officer. Governor, you have the sincere and cordial appreciation of every member of the Senate. Your rulings have been prompt, and no partiality shown to any one. We shall think of every member when I say we wish you a long and useful life. Some of us may meet here two years hence, but some you will not, and now we beg you to accept this token in the spirit in which it is given.

The Lieutenant-Governor spoke feelingly in reply to Senator Parker, saying that the token ordinarily would not be of so much value, but coming from this body it is with grateful and proud feelings, as a slight token of our appreciation of your universal kindness, present to you this silver service. We have recognized your worth to the State, and the impartiality of your rulings. This token I desire to present to you in the name of every member of this Senate. We are about to part, and I know I voice the sentiment and wish of every member when I say we wish you a long and useful life. Some of us may meet here two years hence, but some you will not, and now we beg you to accept this token in the spirit in which it is given.

He was hustled off to Lynchburg with the following result as outlined in an Associated Press telegram of last night: Lynchburg, Va., March 9.—Hon. J. G. Carlisle, acting as special counsel of the Southern Railway Company, arrived in Lynchburg last night from Washington and secured from Judge Simonton, of the United States Circuit Court, a rule against the directors of the North Carolina Railroad, to show cause why an injunction should not issue against any attempt to break the lease made to the Southern Railroad. The rule was made returnable at Greensboro, N. C., on April 5th. Judge Simonton also issued the usual order of restrictions forbidding any change in status quo of the Carolina road.

Judge Simonton was no doubt helpless in the matter and had to issue the temporary restraining order. A Southern Railway official remarked yesterday that he would make it perpetual on April 5th. How he had any means of knowing will ever remain a mystery. In fact, of course, he could not know. For Judge Simonton is pronounced to be one of the purest and loftiest and most learned of men. This was the remark made about him yesterday by an able lawyer; yet in spite of this reputation that he bears, there were not a few expressions of surprise, when he came waiting for bills to come in to be ratified or in ratifying them.

Incidents of the afternoon were presentations to the clerks on behalf of the House. Speaker pro tem. Blackburn was given a gold-headed cane, massive and very handsome, Dr. Dixon, of Cleveland, making the presentation and the Speaker responding. Chief Clerk Masten was given a silver water pitcher and pair of silver goblets. Mr. Lusk making the presentation and Mr. Cunningham making the speech of acknowledgement. Reading Clerk Benbow was presented with a watch and made a fitting response to McCrory's speech of presentation. Adjourned sine die.

SIMONTON AGAINST DEM. PLATFORM. "We denounce arbitrary interference by Federal authorities in local affairs as a violation of the Constitution of the United States and a crime against free institutions, and we especially object to government by injunction as a new and highly dangerous form of oppression by which Federal judges, in contempt of the laws of the States and rights of citizens become at once legislators, judges and executioners, and we approve the bill passed at the last session of the United States Senate and now pending in the House of Representatives, relative to contempt of Federal courts and providing for trials by jury in certain cases of contempt."—Extract from Democratic National Platform.

here to hold court some days ago, at his having arrived in the private car of Vice-President A. B. Andrews. The gossip spread through the city, and while Judge Simonton is entitled to his own ideas of good taste, the people, also, are entitled to theirs—and many of them were no less than astonished at such an incident, which, while it did not necessarily impair their perfect confidence in Judge Simonton, at least may have cut the North Carolina Railway off from another fare. This is a vile, material way in which to look at this matter, specially when one considers the fact that the Federal judiciary though sown a natural body is inevitably raised a spiritual body, Shiras, always, of course excepted. The Carlisle team is a strong one, and a natural one when it is considered that Morgan for whom he is now working made \$16,000,000 out of the bond deal he had with him. Morgan can't do too much for Carlisle. If the people of North Carolina had a struggle to whip Andrews and Busbee what will they have to do now against the new combination that has no touch with our people in any way? And so the indignation was red, especially among the best vested lawyers, who saw an attempt here to stifle the sovereign State against the rights guaranteed by the Constitution. It is not contemplated here to go into the legal phases of the question as outlined by several lawyers and which are touched upon in another column, but simply to register the deep resentment of this people at his high-handed piece of business. The people of the State will watch the binding and gagging (or the attempt at least) of our State government. They will watch April 5th and its happenings. They will begin to feel, it never before, the truth of the warnings so long accentuated by the News and Observer of the open attack upon North Carolina by the railroads through the Federal courts, which Thomas Jefferson pronounced to be the greatest danger to Republican institutions. A lot of directors got together at Burlington and bargained away the property of the people in a way that was not satisfactory to them. They avoided the Legislatures just behind and before them for the purpose of keeping the people's property "out of politics." They claim they had the power and tell the people they have got to abide by their bungling bargain, which even the railroad offered to modify to 30 years. They now refuse to let the State courts decide the matter, preferring, for their own reasons, the Federal courts. No matter what may be the outcome as to their legal power in the premises, the truth will stand eternally that a trustee who has unnecessarily made a bargain with which his trustor at the first opportunity expressed dissatisfaction can never see that bargain established upon the moral basis that underlies at once a property and the willingness of the owner as to its disposition. But the question is upon the people in the flesh, with a tyranny of spirit that was the seed of the French Revolution, as well as of the American Revolution. Here comes the outside gang representing in the last analysis London money bags to force the people of the State to take only \$200,000 out of \$600,000 earnings on the North Carolina Railway because the Trustees, acting with strange haste and untimeliness, should have lacked nerve and judgment. The people will find a way to stand against the infamous invasion of their inalienable rights. The more turbulent the storm that beats about the Statehouse of this staunch Tar-Heel folk, the more resonant will be that bell-buoy, which is as musical now with the hymn of liberty as on that morning when the Mecklenburgers met and declared themselves free and independent of Pierpont Morgan's England. They have tried government by Private Secretary. They have tried government by Injunction. It will not go here. A plurality of 30,000 North Carolinians so declared last November. G. S. Bradshaw and ex-Congressman Cheatham, says a Washington special to the Tribune, are candidates for United States Marshal, the position Maj. Josh Hill is supposed to have a cinch on.

TO INVESTIGATE THE FARM ALLIANCE. Mr. Maxwell, Senator from North Carolina, introduced the following resolution: Whereas, N. C. English, A. P. and James M. McNeill, members of the executive committee of the Farmers Alliance of North Carolina, and there have been placed in the hands of said Executive committee, a list of twenty-nine thousand dollars to be held by them as trustees for the purpose of maintaining the credit rating and standing of the Agent of said corporation, and it appears that said Executive committee have proven untrue and unfaithful to the trust in so much as they have secretly and without authority of the State Alliance used for a purpose alien to that for which it was entrusted to them, about \$10,000 (ten thousand) dollars of said Alliance; and whereas the said list of said Farmers State Alliance consists of having the same name with a view to the securing of said Alliance; Be it resolved, by the Senate of North Carolina, That the Senate do concur. That a committee of three be appointed, to-wit: T. B. Partee, L. Swinson and Prof. John L. Lenoir, and the same are hereby authorized to investigate the actions and actions of said Executive committee in reference to said fund of twenty thousand (\$20,000) dollars, with full power and authority to send for papers, and to make a full report to the next meeting of the Senate, and following that, a report to the General Assembly of North Carolina. (It was placed on calendar.)

Havana, March 9.—The Spanish Court having jurisdiction of the case against Sylvester Scott, the World correspondent, who was in the early part of February traveling in a train between San Juan and San Pedro de Macoris, was released from custody. He is now at liberty. ELECTRIC BITTERS. Electric Bitters is a medicine of any season, but perhaps more needed when the lungs are inflamed, when the liver is sluggish and the bowels are constipated. It is a prompt and safe medicine has often cured cases of fatal bilious fever. It will act more surely in the morning and freeing the system from its strait prison. Headache, indigestion, constipation, Dizziness yield to Bitters. 50c. and \$1 a bottle at all stores.

Representative Newsome and Representative Hartness were some better yesterday, when they leave their beds.

Cotton. With careful rotation crops and liberal fertilization cotton lands will improve. Application of a proper fertilizer containing sufficient ash often makes the difference between a profitable and a failure. Use fertilizers containing not less than 3 to 4 Actual Potash. Kainit is a complete fertilizer against "Rust." All about Potash—the results of an experiment on the best farms of the State—told in a little book which we will mail free to any farmer in America who sends us a name and address. GERMANY'S BRASS BAND. Instruments, Drums, Uniforms, etc. sent for hands and prices ever quoted. Illustrated Catalogue of Brass Bands. LLOYD & BEALL, 201 Water Street, New York. NOTICE. Having qualified as executor of the last will and testament of Wm. Nipper, deceased, late of Wake County, North Carolina, this is to certify that all persons having claims against the said deceased, or who are indebted to the undersigned on or before the 1st day of January, 1898, are to present the same in bar of the said day. All persons indebted to the undersigned are requested to please make immediate payment. E. T. BLEDSOE, Executor. This the 18th day of January.

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