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JOURNAL

OF THE

SENATE

OF THE

General Assembly

OF THE

STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1879.

RALEIGH, N. C.:
THE OBSERVER, STATE PRINTER AND BINDER,
1879.

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OFFICERS AND MEMBERS

OF THE

Senate of North Carolina,

SESSION 1879.

NAME.	COUNTY.	POST OFFICE.
OFFICERS.		
Lieut. Gov., James L. Robinson,	Macon,	Franklin.
Secretary, Robt. M. Furman,	Buncombe,	Asheville.
Reading Clerk, Platt D. Cowan,	New Hanover,	Wilmington.
Eng. Clerk, J. S. Tomlinson,	Catawba,	Hickory.
Enrolling Clerk, A. D. Brooks,	Alamance,	Company Shops.
Doorkeeper, H. D. Murrell,	Onslow,	Jacksonville.
Ass't Doorkeeper, W. V. Clifton,	Wake,	Raleigh.
SENATORS.		
1. S. B. Alexander,	Mecklenburg,	Charlotte.
2. I. Alston,	Warren,	Warrenton.
3. C. Austin,	Union,	Monroe.
4. W. M. Black,	Moore,	Carthage.
5. J. Bledsoe,	Ashe,	Nathan Creek.
6. J. M. Brower,	Surry,	Mount Airy.
7. John A. Bryan,	Duplin,	Kenansville.
8. Robert K. Bryan,	Pender,	Wilmington.
9. E. Bull,	Craven,	Woodbridge.
10. J. G. Bynum,	Burke,	Morganton,
11. D. F. Caldwell,	Guilford,	Greensboro.
12. F. D. Dancy,	Edgecombe,	Tarboro.
13. T. F. Davidson,	Buncombe,	Asheville.
14. J. P. Dillard,	Rockingham,	Leaksville.
15. Neill S. Stewart,	Harnett,	Averasboro.
16. James T. Respass,	Beaufort,	Yeatesville.
17. Jos. T. Waldo,	Martin,	Hamilton.
18. W. S. Harris,	Franklin,	Pacific.
19. R. W. King,	Wilson,	Wilson.
20. A. H. Merrift,	Chatham,	Pittsboro.
21. John S. Henderson,	Rowan,	Salisbury.
22. A. M. Erwin,	McDowell,	Marion.
23. L. J. Hoyle,	Cleaveland,	Black Rock.
24. G. D. Holleman,	Northampton,	Jackson.
25. Geo. B. Everitt,	Forsythe,	Winston.
26. Wm. T. Dortch,	Wayne,	Goldsboro.
27. Wm. A. Graham,	Lincoln,	Iron Station.
28. L. R. Waddell,	Johnston,	Smithfield.
29. E. A. Moye,	Pitt,	Farmville.
30. Giles Mebane,	Caswell,	Milton.
31. J. I. Scales,	Guilford,	Greensboro.

SENATORS—(*Continued.*)

NAME.	COUNTY.	POST OFFICE.
32. J. M. LEACH,	Davidson,	Lexington.
33. E. E. LYON,	Granville,	Dutchville.
34. GEO. WILLIAMSON,	Caswell,	Yanceyville.
35. GEORGE A. GRAHAM,	Montgomery,	Wadesville.
36. ASA ROSS,	Brunswick,	Cordova.
37. J. B. EAVES,	Rutherford,	Rutherfordton.
38. HENRY EPPES,	Halifax,	Halifax.
39. ROBINSON WARD,	Sampson,	Blackman's Mills.
40. GEORGE H. MITCHELL,	Hertford,	Winton.
41. W. P. ORMAND,	Greene,	Hookerton.
42. T. W. TAYLOR,	Henderson,	Hendersonville.
43. J. P. MATHESON,	Alexander,	Taylorsville.
44. T. A. NICHOLSON,	Iredell,	Nicholson's Mills.
45. J. M. REDWINE,	Stanly,	Albemarle.
46. D. P. MCEACHAIRN,	Robinson,	Shoe Heel.
47. J. W. SHACKLEFORD,	Onslow,	Richlands.
48. R. WHITE,	Perquimans,	Belvidere.
49. GEO. H. SNOW,	Wake,	Raleigh.

SENATE JOURNAL,

SESSION 1879.

FIRST DAY.

SENATE CHAMBER,
Raleigh, N. C., Jan. 8, 1879.

At a General Assembly of the State of North Carolina, begun and held in the city of Raleigh, on Wednesday, 8th day of January, A. D. 1879, it being the day appointed by law for the meeting of the General Assembly, the Honorable Thos. J. Jarvis, Lieutenant-Governor, took the chair, and called the Senate to order.

The following Senators elect presented their credentials and were qualified according to law, to-wit:

1st	Senatorial District,	R. White.
2d	"	J. T. Respass, J. T. Waldo.
3d	"	G. D. Holleman.
4th	"	Henry Eppes.
5th	"	Frank D. Dancy.
6th	"	E. A. Moye.
7th	"	W. T. Harris, R. W. King.
8th	"	Edward Bull.
9th	"	J. W. Shackleford.
10th	"	W. T. Dortch, J. A. Bryan.
11th	"	W. P. Ormand.
12th	"	R. K. Bryan.
13th	"	Asa Ross.
14th	"	R. Ward.
15th	"	D. P. McEachairn.
16th	"	N. S. Stewart.

17th	Senatorial District,	L. R. Waddell.
18th	"	G. H. Snow.
19th	"	Isaac Alston.
20th	"	Giles Mebane, Geo. Williamson.
21st	"	E. E. Lyon.
22d	"	A. H. Merritt.
23d	"	J. P. Dillard.
24th	"	J. I. Scales, D. F. Caldwell.
25th	"	
26th	"	
27th	"	C. Austin.
28th	"	J. M. Redwine.
29th	"	S. B. Alexander.
30th	"	J. S. Henderson.
31st	"	J. M. Leach.
32d	"	G. B. Everett.
33d	"	J. M. Brower.
34th	"	T. A. Nicholson, J. P. Matheson.
35th	"	J. Bledsoe.
36th	"	J. G. Bynum, A. M. Erwin.
37th	"	W. A. Graham.
38th	"	L. J. Hoyle.
39th	"	J. B. Eaves.
40th	"	T. F. Davidson.
41st	"	T. W. Taylor.
42d	"	J. L. Robinson.

A quorum being present, the President announced the next business in order was the election of a Secretary of the Senate.

Mr. Leach placed in nominatian Robt. M. Furman of Buncombe.

Messrs. Waddell snd Everett were appointed tellers.

The Senate then voted as follows:

For Mr. Furman—Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum,

Caldwell, Dancey, Davidson, Dillard, Dortch, Erwin, Everett, Graham of Lincoln, Harriss, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson—40.

Mr. Furman was declared elected.

The Senate then proceeded to the election of a Reading Clerk.

Mr. Bryan of Pender, placed in nomination Mr. Platt D. Cowan of New Hanover.

The Senate voted as follows:

For Mr. Cowan—Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harriss, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson—41.

Mr. Cowan was declared elected.

The Secretary and Reading Clerk were sworn in.

The Senate then proceeded to the election of Principal Door Keeper.

Mr. Shackleford nominated Mr. H. D. Murrill of Onslow

The Senate voted as follows:

For Mr. Murrill—Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harriss, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—41.

Mr. Murrill was declared elected.

The Senate then proceeded to the election of Assistant Door Keeper.

Mr. Caldwell nominated Mr. W. V. Clifton of Wake.

The Senate voted as follows:

For Mr. Clifton—Messrs. Alexander, Alston, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Erwin, Graham of Lincoln, Harriss, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Taylor, Waddell, Waldo, and Williamson—37.

Mr. Everett voted for Mr. Anderson Douglass.

Mr. Clifton was declared elected.

The Door Keeper and Assistant Door Keeper were sworn in.

The Senate proceeded to elect an Engrossing Clerk.

Mr. Graham of Lincoln, nominated Mr. J. S. Tomlinson of Catawba.

The Senate proceeded to vote as follows:

For Mr. Tomlinson—Messrs. Alexander, Alston, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harriss, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson—40.

Mr. Tomlinson was declared elected, was qualified and entered upon the duties of his office.

On motion of Mr. Robinson, a message was ordered to be sent to the House of Representatives informing that honorable body that the Senate was organized and ready to proceed with business.

Mr. Williamson moved that the Senate adjourn until tomorrow at 10 o'clock.

Mr. Leach moved to amend by inserting "12 o'clock." Lost.

Mr. Bynum moved to amend by inserting "11 o'clock." On a division the amendment was adopted, and the Senate adjourned accordingly.

SECOND DAY.

SENATE CHAMBER, Jan. 9th, 1879.

Senate met pursuant to adjournment, President Jarvis in the Chair.

Journal of yesterday read and approved.

Senators Mitchell of the first, Black of the 25th, and Graham of the 26th districts, presented their credentials, qualified and took their seats.

On motion of Mr. Dortch, the rules of the last Senate were adopted for the temporary government of the Senate. Also, on his motion, a committee of three was appointed to act in conjunction with the presiding officer of the Senate, and report rules for the permanent government of the body. Messrs. Dortch, Robinson and Scales were appointed the committee.

Under the call of

BILLS AND RESOLUTIONS,

Mr. Merritt introduced S. R. 1, to invite the clergy of the city to open the daily sessions of the Senate with prayer. The Secretary was ordered to inform clergy.

Mr. Dortch, S. R. 2, resolution of instruction to the committee on Internal Improvements in regard to railroads.

Passed first reading and placed on the Calendar.

Mr. Dortch, S. R. 3, resolution to appoint a joint select committee to consider and determine the ridings of the judges of the superior court.

Passed first reading and placed upon the Calendar.

Mr. Dillard, S. B. 4, bill to regulate and reduce the price of public printing.

Passed first reading and placed upon the Calendar.

Mr. Williamson, S. B. 5, bill to amend an act to allow Milton township, in the county of Caswell, to subscribe ($15,000) fifteen thousand dollars in payment of stock in the Milton and Southerlin Narrow Guage Railroad.

Passed first reading. Calendar.

Mr. Davidson, S. B. 6, bill to restore to judgment debtors the exemptions to which they were entitled prior to the adoption of the Constitution of 1868.

Passed first reading and placed on the Calendar.

Also, S. B. 7, bill to amend section 1, chapter 196, laws 1876–'77.

Passed first reading and placed on Calendar.

Mr. Everett, S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the Sate of North Carolina.

Passed first reading and placed on the Calendar.

Mr. Respass, S. B. 9, bill for the relief of F. J. Satchwell, sheriff of Beaufort county.

Passed first reading and placed upon the Calendar.

Mr. Dortch, S. B. 10, bill to repeal the act of the session of 1874–'75, providing for two additional terms of the superior court for the county of Wayne.

Passed first reading.

On motion of Mr. Dortch, the rules were suspended, and the bill passed its second reading; placed upon its third reading and passed as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brow-

er, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—50.

Bill was then ordered to be engrossed and transmitted to the House.

Mr. Respass, S. B. 11, bill to repeal chapter 50, acts of 1873–'74, and also chapter 100, acts of 1873–'74. Passed first reading. On motion of Mr. Respass, the rules were suspended, and the bill passed its second reading; then passed its third reading by the following vote:

Those voting in the affirmotive were, Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—50.

Mr. Dortch, S. B. 12, bill to make slander of women indictable. Read first time and placed upon the Calendar.

MESSAGES FROM THE HOUSE.

Message informing the Senate of the organization of that honorable body.

Message proposing to go into an election of an Enrolling Clerk of the General Assembly at 12 M.

Message proposing a Joint Committee of two on the part of the Senate, and three on the part of the House, to wait upon his Excellency, the Governor, and inform him of the

organization of the General Assembly, and its readiness to receive any communication it may be his pleasure to communicate.

Mr. Scales nominated for Enrolling Clerk Mr. A. D. Brooks of Alamance.

Mr. Everett nominated Mr. Anderson Douglas.

On motion of Mr. Mebane, a message was ordered sent to the House concurring in the proposition to go into the election of Enrolling Clerk at 12 M.; also informing that honorable body that Mr. A. D. Brooks and Anderson Douglas had been placed in nomination, and Messrs. Waddell and Everett were tellers on the part of the Senate.

Mr. Graham of Lincoln, introduced S. B. 13, bill to improve the laws of North Carolina. Calendar.

Mr. Dortch, S. B. 14, bill for revising and digesting the Public Statute Laws of this State. Placed upon the Calendar, and ordered to be printed.

On motion of Mr. Scales, the Senate concurred in the proposition of the House to appoint a Joint Committee to wait upon His Excellency, the Governor; and Messrs. Scales and Davidson were appointed the Senate Branch of said committee.

Mr. Dortch introduced S. B. 15, bill to provide for the holding the Superior Court successively by the Judges of said court. Calendar.

On motion of Mr. Dortch, the rules were suspended, S. R. 3, resolution to appoint a Joint Committee to consider and determine the ridings of the Judges of the Superior Courts, passed and ordered engrossed.

Mr. Dortch introduced S. B. 16, bill providing for the exemption of certain personal property from sale under executions. Placed on the Calendar, and ordered printed.

Gov. Armfield was announced as present, and invited to a seat on the floor.

Message from the House, announcing its readiness to proceed to an election of Enrolling Clerk; that Messrs. A. D.

Brooks of Alamance and W. K. Price of New Hanover were in nomination, and Messrs. Carter of Buncombe, Armstrong and Harrison were tellers upon the part of the House.

The Senate proceeded to vote as follows:

For Mr. Brooks—Messrs. Alexander, Alston, Austin, Black, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Hoyle, King, Leach, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson—38.

For Mr. Douglas—Messrs. Alston, Bledsoe, Brower, Bull, Eaves, Eppes, Everett, Holleman, Ormand, Ross, Ward, and White—12.

Mr. Moye introduced S. B. 17, bill to amend chapter 105, laws of 1876–'77. Calendar.

Mr. Scales, of Senate branch of joint committee to wait on the Governor, reported his Excellency would communicate with the Senate at 1 P. M.

On motion of Mr. Davidson, S. B. 6, bill to restore to judgment debtors the exemptions to which they were entitled prior to the adoption of the Constitution of 1868, was ordered to be printed.

On motion of Mr. Mebane, the Senate took a recess for thirty minutes.

At one P. M., the President called the Senate to order.

Mr. Waddell, of tellers to count vote for Enrolling Clerk, reported Mr. Brooks as having received one hundred and thirteen votes, Mr. Price thirty-two, and Mr. Douglas twelve. Mr. Brooks was declared elected.

Message from the House transmitting to the Senate the message of his Excellency, the Governor, with the accompanying documents, with a proposition to print.

The Secretary proceeded to read the massage, as follows:

THE GOVERNOR'S MESSAGE.

To the Honorable the General Assembly of North Carolina:

In compliance with the Constitution and the time-honored custom of my predecessors, I have the honor to greet you as the representatives of the people and to confer with you in regard to the state of our Commonwealth. To an Executive desirous of serving well his State, the meeting of the General Assembly is always the occasion of rejoicing, as it not only brings to his aid the wise counsels of legislators fresh from their constituents, but relieves him of much embarrassing responsibility. I therefore gladly welcome you to the capital, and promise to co-operate most heartily with you in devising means to promote the public good.

It is known to you that, owing to causes which I need not here attempt to elucidate, the people of the United States—and in a great measure of the civilized world—have been for some years past, and still are passing through a period of most remarkable financial trouble, producing everywhere much distress and even disaster. Of course North Carolina has shared these calamities, and her prosperity has been retarded as has that of others. But I believe I can truthfully say that she has suffered as little, if not less, by these hard times than her sisters. Looking at the whole State and comparing her condition with others, we have abundant reason to be thankful and take courage for the future. The public health has never been better, whilst the pestilence has played with pitiless fury among the homes and pleasant places of our Southern and Western neighbors, especially of our great daughter, Tennessee. The profoundest quiet and most reverential obedience to legal authority have prevailed throughout our borders, while, robbing and defiant lawlessness have disturbed the peace of many States north and west of us, accompanied both by arson and bloodshed.

The crops of the last two seasons have been excellent, and the means of subsistence have never been more abundant and cheap. The industry of our people has been notably increased and diversified; their farms, stock and agricultural implements show considerable improvement; and while the production of our cash staples has steadily enlarged, the amount of breadstuffs purchased abroad has visibly diminished. This is an undoubted evidence of progress. But manufacturing enterprise and the legal class of speculation requiring more capital have not equally advanced, owing to the financial derangement referred to, in consequence of which there has been some distress among our mechanical population, and prices of all products, including labor, have ruled low.

Remembering that North Carolina is pre-eminently an agricultural State, your legislation should be directed towards the improvement of that interest mainly. In this connection, I beg to call your attention to the fact that the first and perhaps greatest need of an agricultural people, thinly scattered over a wide extent of territory, is that of good highways and easy transportation for persons and products. As a general rule, from the lowland belt westward the highways of our State are as bad as, if not worse than, any to be found in the Atlantic States. The old system of locating them and keeping them in repair, adopted by our fathers more than a hundred years ago, is still in use, though its utter inefficiency for nearly that length of time has been apparent. Of the inconvenience, cost and depressing tendency upon all industry which such roads occasion, I need not stop to remind you; I shall only beg your earnest attention to the necessity for a change, and express my decided opinion that no permanent prosperity need be expected unless this grievous evil is remedied. Certain great leading thoroughfares through the most convenient centres, and all pouring into the nearest railroad lines, might be cheaply and thoroughly constructed by convict labor, the counties

through which they pass supporting the convicts. And as to the other roads discharging into these, I advise that some other method for their construction and repairing be devised.

I am happy to be able to state that an increased interest is manifested among all classes in popular education. This is, I believe, mainly due to the action of the last Legislature in appropriating money for the establishment of Normal Schools. In accordance with the law the Board of Education established one for the whites at the University and decided to locate one for the blacks at Fayetteville, in a building tendered by the colored people of that place. They were established on somewhat different systems, regard being had to the circumstances of each race. It was considered that the white race had already many educated teachers who simply needed instruction in the art of teaching, while the blacks needed teachers instructed in both the elements of learning and the art of teaching. For the one therefore a six weeks school was held at Chapel Hill during the summer vacations, and for the other a permanent school was established in Fayetteville. Both have been remarkably successful—at the first session of the white school 225 teachers attended, and at the second one—the past summer, more than 400 teachers were present, representing about sixty counties. An excellent corps of instructors were employed, the University gave the use of its buildings, its libraries, laboratories and apparatus. The railroads very generously gave reduced rates, the agent of the Peabody fund supplemented the appropriation with a handsome donation, and every dollar that could be spared was used to equalize the benefits of the State's bounty by paying the traveling expenses of the more indigent. Lectures by distinguished citizens of the State on popular themes were delivered almost daily with the best results. The undoubted effort of the whole was to arouse an enthusiastic interest in behalf of popular education among a large portion of our people, and

to excite a spirit of honest pride in their noble calling among all the teachers present, which will, it is hoped, do much good. The accompanying report of President Battle is referred to for particulars. The colored Normal School at Fayetteville was put in charge of Mr. Robert Harris, a native colored man of excellent character and capacity, supervised by a board of local managers selected from the best business citizens of the town who took a great interest in its welfare. It has been managed with unexpected success. The first session opened with fifty-eight pupils, about forty of whom have received certificates as teachers, some of high grade; the second year began with seventy-four pupils, and is now in progress. The same donation was made to this school by the Peabody Fund as to the white school, and the same scheme adopted to equalize its benefits. The reports of Mr. Harris, to which you are referred, will be as surprising as I am sure it will be pleasing to all who desire the real welfare of our colored citizens.

I sincerely hope the appropriation for both schools may be renewed, and the law be made to embrace both sexes. For though females have attended both schools by permission, yet the Board of Education did not feel at liberty to expend any State money in their aid, which appeared a little ungallant for so christian a people as ours, who are so well aware that as a general rule our female teachers are better than the males. The excellently worded memorial of the teachers themselves, which accompanies the report of President Battle, is especially commended to your favor.

BOARD OF AGRICULTURE.

The establishment by the last Legislature, in pursuance of the Constitution, of a Department of Agriculture, was a very important step indeed to the welfare of this State. As was to have been expected the law has in some respects proven defective, and will require some amending at your hands,

but in the main it is an admirable one. It is the first special effort ever made in the direct interest of agriculture, and has been hailed by our farming people with great satisfaction. So far this Bureau has cost the people nothing, the tax on the license to sell fertilizers having yielded sufficient revenue for all its purposes. As soon as possible after the passage of the law in 1877, the organization of the Board of Agriculture was completed by the election of the two intelligent farmers who now occupy seats in it; a Commissioner was elected, a Secretary and Treasurer chosen, and work began immediately. For the results of the first two years I refer you to the accompanying report of the Commissioner, Col. L. L. Polk, which sets out everything in detail. I regard the beginning as excellent. The chief difficulty in the way of doing any new thing among a people so conservative as ours is in securing their prompt co-operation. It was found very difficult at first to awaken an active interest in the operations of the Bureau, but the impression once produced is lasting and enlarging. Special attention has been given to the analyzing and classification of fertilizers, including marls; to the restocking of our rivers with fish, and the preparation of a hand-book of information concerning the State and its resources. Much good has been effected, I am sure, and an interest excited that will lead to still more. A serious drawback to fish propagation is the numerous dams and obstructions of the streams; and public sentiment is in many places prevented from bearing upon the owners of these obstructions by the sneers of the ignorant and the incredulous. This will disappear when the results are seen, and the laws passed in aid of this important matter will then be helped in their execution by a wiser popular opinion. The trouble with regard to the preparation of a proper hand-book has been the actual impossibility of getting statistics. The duties required of tax-listers under the 6th section of the act establishing the Department, have been in seven cases out of ten evaded or openly and defiantly re-

fused. Additional legislation is needed to make this law effectual. And in this connection I beg permission to remark generally, that the vital defects of our laws lies in the machinery provided for their execution. The general tenor of our legislation is excellent, as all who philosophically examine our statutes for a hundred years past will confess; but a large portion of them—often of a most beneficent character—lie dormant and inoperative. There is no power given to the Chief Executive, or any head of a Department, to quicken the dilligence or rebuke the criminal neglect of his subordinates; and many of our best laws take the chance of the local favor or disfavor with which they may be regarded, and are alive or dead as that may be. Proof of this is found in the number of new statutes in relation to subjects concerning which excellent ones are already in existence. It is not a good thing or a healthy sign, perhaps, for a people to multiply greatly their list of criminal offences, but for the curing of this serious defect in the administration of our laws I can see no better way than the imposition of heavy penalties for the omission or refusal, on the part of any public officer, to perform any duty which he is required to perform. It has not only been found impossible to get the statistics required under the act establishing the Board of Agriculture, as before remarked, but also to get proper and timely returns from the county school boards and managers; whilst several counties in the last election for Congressmen failed to send full and proper returns of the votes cast, and some even failed to return any at all; and so on through the list. It is to the last degree discouraging to those who earnestly desire to do something for the public good to find that those whose special duty it is to help will not do so, and can refuse to do so with impunity.

As to the work of the Agricultural Bureau, I desire to call your attention to the subject of our forests. I will not undertake to point out the many and most important functions which they fulfill in the economy of nature, and which

the investigations of scientific men are every day bringing to the attention of the world, but will content myself with referring to them as a source of wealth, health and fertility, and to the fact of their rapid and wasteful destruction. Depleted as they are, our forests are to-day, perhaps, worth more intrinsically, properly managed, than the lands they stand upon; whilst the value of those especially which shadow the highlands round about the sources of our rivers is simply incalculable considered with reference to rainfalls, destructive floods, &c. The proof of this is plain to any one who has observed the condition of those valleys whose hillsides have been entirely stripped of timber and converted into that shame of Southern agriculture—old fields; and yet, in the face of the increasing value of timber and the decreasing value of the lands from which it is ruthlessly swept, the destruction goes on. Many counties already feel the evil keenly, and not many years hence, if some remedy be not applied, the outcry will be general. I confess I do not see my way clear to that remedy. I am aware of the difficulty and the danger of interfering with the owners' legal right to do what he pleases with his own. If he sees proper to cut down all his timber, dry up the springs which feed our streams, and precipitate his soil into their channels, changing their currents and deluging all the low lands below him, and impoverishing himself and his children, I can't see how he is to be hindered. But the people of other nations are finding means by bonuses, exemption from taxation and other devices to restore the forests and denuded lands; and many of our counties are adopting laws, with regard to inclosing the lands, the effect of which is to reduce the expenditure of timber for farming purposes to the minimum. As guardians of the interests of an agriculturl people, I commend this whole subject to your serious attention. I am requested by the Board of Agriculture to say that they concur in the recommendations of the Commissioner.

I call your special attention to the report of Dr. Ledoux,

Director of the Fertilizer Contral Station. It is gratifying in the extreme, you will perceive, that the quality of the Fertilizers sold in the State has steadily improved, and the marked value of the improvement amounts to more than $100,000 in two years! This is caused obviously by the fact that, knowing their wares were to be subject to a rigid scientific test, the dealers were careful to make them come up to the mark, and many others have quit the market altogether.

PENAL AND CHARITABLE INSTITUTIONS.

I am happy to say that the affairs of the Penitentiary and the two Asylums have been well managed by their respective Boards, and are in a satisfactory condition. The Deaf and Dumb, and Blind Asylum makes perhaps a more satisfactory exhibit than it has ever done since its establishment. With a large increase of pupils there has been a decrease of 16 per cent. in the total of expenses. As you will see by the Superintendent's report, with a reduced appropriation from former years, the Board of this Institution have saved $15,056.12 out of the amount, with which they have erected an elegant and much needed addition to the main building, at a cost of $7,576.55, and have still to their credit in the Treasury $7,489.57.

Though results have not been quite so satisfactory with the Insane Asylum, yet, on the whole, it has done well. Notwithstanding the number of its inmates have increased, and some extraordinary and costly improvements have been made, expenses have been kept down, and it has lived within its appropriation. I recommend that the board be authorized to build upon the grounds a separate residence for the superintendent, and that his pay be fixed in cash as are the salaries of all the other principal officers of the various institutions of the State. I also recommend the repeal of section 29, chapter 6, of Battle's Revisal, under which the

State pays for transporting all patients to and from the Asylum, to whom the clerks of the Superior Courts will give a certificate that they have not property sufficient to pay their own expenses. Under that act the State is often imposed upon shamefully. It is the nature of public charities to invite such abuses, custom legitimates them and they become a base for still greater abuses. The only safe way is to use the knife promptly on their first appearance. It is known that much of the laws, as they now stand, on the statute book in relation to each of the Asylums and the Penitentiary, was abrogated by the decisions of the Supreme Court in the litigation concerning their management about 1872, and some legislation has been had since in consequence thereof. The laws now have to be read with the decisions of the Court to arrive at their meaning. Implication also has to be resorted to in order to supply deficiencies. This makes it extremely inconvenient for the Board and all concerned, who sometimes have to consult counsel before performing a plain duty. I recommend that the various acts regulating these institutions be re-enacted, striking out those features declared void by the Court, and the whole simplified and connected so as to be easily understood by all.

The work on the Western Insane Asylum has been fully commensurate with the appropriations. The report of the Commissioners will give all the particulars. No work ever undertaken for the State has been done better or more cheaply, and when finished, all its surroundings considered, it will, in the opinion of many, be the most desirable institution of the kind in the United States. I trust that a sufficient appropriation will be made to finish the wing now so near completion, and furnish it for the reception of patients. This can be done at an early period of the summer of 1880, and will give much relief to many distressing cases which cannot find room in the Asylum at Raleigh.

For reasons well known to all who are acquainted with

the state of the Treasury, but little has been done toward providing an Asylum for the colored. An appropriation of $20,000 was made by the last Legislature, but no tax was levied to raise money, and at an early day the Treasurer notified me that he could not pay my warrants. Unwilling to do nothing toward an object so much needed, I appointed a Board of Commissioners, as the act required, and requested them at least to select a location and make a beginning. After proper deliberation and examination the Board finally located the Asylum near Goldsboro, as being near the centre of our colored population, and purchased a beautiful site containing 170 acres on the railroad and Little river, within one mile of the town, for $5,000, a large part of which is farming land. A design has been accepted and the foundation of the building laid, as will appear by the report of the Commissioners. It now remains for you to provide the means to erect the buildings, which I respectfully recommend be done. The care of our insane is a heavy and growing burden, but humanity and the constitution are alike imperative that it shall be done at State expense. Let us not try to evade a plain duty, but face it manfully, using due care to prevent extravagance and waste in the manner of doing it.

THE PENITENTIARY.

The Penitentiary system of dealing with our criminals is comparatively new in this State, and as it is now by far the most costly of all our institutions, and is almost daily becoming more so, everything pertaining to it is deserving of your earnest attention. The main idea of such a system is to punish offenders with hard labor, either to reform or deter them and others from the commission of crime. The economic problem is to make this labor support the institution. The plan adopted at present is much more than doing this if the work being done by the convicts was paid for in

cash. The number of convicts now on hand and their distribution is shown by the report of the very competent and energetic Board of Directors and Superintendent, sent herewith. The able force kept in the enclosure has been constantly employed upon the walls and buildings, and by placing a cash valuation upon the work done, it will be seen that they have earned handsome wages over and beyond their keep. The returns from those engaged on the various railroads show greater wages, valuing their work by engineers' estimates. These estimates are very liberal toward the company for whom the work is done, yet it will be seen that the convicts have earned more than four times the minimum fixed by the Legislature at which the companies should be charged.

VALUE OF CONVICT LABOR.

From this we may draw some valuable conclusions:

1. That convict labor is almost if not quite as valuable for road construction as hired labor.

2. That convict labor is more valuable used in this kind of work than employed at trades and mechanical work in close confinement.

3. That the health and general tone of the convicts is better in outdoor work. Influenced by these considerations I am induced to say, that in my opinion, it is our policy to provide labor for them on public works altogether, after the completion of the Penitentiary buildings, leaving within its walls only such as from feebleness or the nature of their crimes cannot be sent outside. In addition to the completion of the roads begun by the State, and to which labor has been already assigned, there are a number of local railroads and turnpikes greatly desired in many parts of the State, and valuable swamp lands to be drained, at which convicts might be employed with great profit to the State, the counties or communities supporting the convicts. I

think that whenever any county or community will obtain a charter for building a railroad or a turnpike, or draining a swamp, or dyking a river, and will undertake to support the hands, they should be given the convict labor. There are many fertile valleys of greater or less extent, remote from railroad facilities, such as the great valley of the Yadkin from Salisbury to Patterson, where well-to-do farmers I am sure would be induced to attempt the building of narrow guage railroads if they were given the necessary labor; and many excellent turnpikes would be constructed as feeders to our railroads, and many rich swamps might be drained in the same manner. In this way the increasing cost of the Penitentiary would be kept down, and a vast benefit to the people be accomplished.

DYKES FOR THE ROANOKE.

As a further illustration of this idea, I beg leave to call your attention to the situation of that rich and once productive region, the Roanoke country below Weldon. At one time the Egypt of our State and a source of great wealth to our people, those splendid and inexhaustible lands are fast becoming a wilderness by reason of the destruction of the levees which confined the Roanoke within its banks. In the demoralized state of labor there and the reduced condition of the planters, it has been found impossible to replace them, and the whole region will be lost to the State for generations if something is not done to reclaim it. If the counties or citizens interested will undertake to support the convicts and their guard, I recommend that sufficient force be furnished them to rebuild those levees, and thus rescue that important portion of our State from ruin, and enable the citizens thereof to recover their prosperity, and increase greatly the public wealth. It is entirely practicable as I am informed.

RAILROADS.

The public works have been pushed forward with energy and economy. I regret exceedingly that the management has not been able to have the cars on the Western North Carolina Railroad running across the Blue Ridge by this time, as was confidently expected when your predecessors adjourned. No energy or determination has been wanting, but insuperable obstacles were found in the nature of the country and the insufficiency of funds. Naked labor can make little progress in such a work as cutting a railroad track through our Western mountains, unaided by all the modern appliances and material now used in such operations, and which cost more money than the company could command. Owing to the geological peculiarities of the formations through which the track is cut, vast slides of earth and rock, some of them as great as fifteen acres of surface, have been continually falling into the track as fast as it could be removed. But the work is now almost done; daylight is nearly through the great tunnel. In a few weeks from this day the engine will pass the summit, and the track can be completed to Asheville easily by midsummer.

Owing to the condition of the Treasury, I did not purchase the whole amount of iron which I was authorized by law to buy, though greatly tempted to do so by the low price for which it was offered. About twelve miles of rails only were purchased, the cost of the whole being a little over $75,000. The remainder of the appropriation will furnish the iron necessary to reach Asheville unless it should rise greatly in the market. By the reports of Maj. Wilson, President, it will be seen that the earnings, by his estimates as engineer, of 427 hands (about the average number furnished him) have been nearly $100,000 per annum, or $200,000 for the years 1877–'78, being about $236.00 per annum per hand, gross. The cost of supportin g,

guarding and overseeing them has been for the same time about $98,000. Their health has been excellent. As nearly as can be ascertained their net earnings, deducting everything, and including the sick, the women and all others not at work on the road from any cause, is $121.50 per hand.

On the whole the experiment of constructing that road by the convict labor has been a success. I hope it will be continued, the number kept up and every necessary step taken by your body to finish the road to its Western connections as heretofore agreed upon.

The squad of hands employed on the Georgia and North Carolina Railroad has finished grading to the town of Murphy, in Cherokee county. I have received no official report of the work.

Col. L. C. Jones, President of the Western Railroad, makes a very flattering report of the progress of the work done by the convicts on his line. Having determined to extend it in the direction of Greensboro, the company began work at or near Egypt, in March, 1878, with 100 convicts, and there is a good prospect of soon seeing this road completed to Greensboro. It will open out a fine section, and be a great benefit to the country through which it passes, to Fayetteville and to Wilmington. The hands on this road have earned net about $... per head.

The Chester and Lenoir Narrow Gauge Railroad Company has finished its line to Dallas, in Gaston county, and the grading to Newton, on the Western North Carolina Railroad. From that point to Lenoir the greater part of the grading is done, and the work is being pushed with energy. They have been furnished with fifty convicts, and the number has been kept up. I cordially commend this enterprise to your favor.

It is reaching out in a direction perhaps more important to the welfare of the State than that of any other railroad, except the Western North Carolina. It not only points towards the most remarkable and extensive iron and copper

mines in the South—Cranberry and the Ore Knob—but also the salt, lime and plaster deposits of Washington county, Virginia, the cheap importation of which would probably do more to renovate the agriculture of our State than anything which could perhaps be devised. I regret to say that work on the Spartanburg and Asheville Railroad has been suspended, just as it has attained the crossing at the Blue Ridge, into the beautiful valley of the French Broad. Two hundred hands had been kept with that company, under a contract made before I came into office, at a small hire, which contract was respected by my board until last September, when, finding the company in a failing condition and unable to pay, the hands were withdrawn and placed on the Western North Carolina work, beyond the Ridge.

The Atlantic and North Carolina Railroad has been environed with difficulties ever since my accession to office, some of which were called to the attention of the last Legislature. A suit begun in the State courts to impeach the validity of the mortgage bonds, on the ground of usury, was followed by a counter suit, in the Federal court, to foreclose the mortgage and sell the road. These have at length been compromised, on terms which it is thought will enable the road to live and meet its interest promptly hereafter, the accumulated interest being funded, and time of payment extended, the bondholders surrendering $10,000 of bonds and coupons to be cancelled. When it came into the hands of the present board, it was apparently in the last extremity of exhaustion. Its road-bed, track and bridges worn out and unsafe, its rolling stock run down, its employees unpaid, its interest really twelve months in default, and a floating debt of about $27,000 due—all this has been changed. The road-bed, bridges and rolling stock are now much improved; the floating debt has all been paid, employees are paid off weekly, arrangements made to adjust its bonded debt, an old tax debt due the United States compromised at $6,500, is being paid at the rate of $500 per month, $1,500 being

already paid; and the President reports $10,000 in the treasury on the 1st of January to meet the interest when the first installment becomes due in July next. Its gross receipts for 1877 were about 12 per cent. greater than the year previous, and up to date of report were still greater for 1878. These are certainly very gratifying results, and give positive assurance that the road can take care of itself, if run on business principles and by business men. It is a source of much regret to me that the plan adopted by the board, and approved by me, to reach this end caused such local opposition, and subjected all concerned to the imputation that the great desire of the Board and myself to save the State's property was pursued without due regard to private interests. I believe and earnestly hope that when results are seen, these unjust impressions will be removed.

ANGOLA BAY.

It is also a source of regret that the work of cutting a canal through Angola Bay was not undertaken as provided by law. The Board was ready to do so at my request, and offered the convicts; but found it practically impossible to do the work, owing to the omission of the act to provide the necessary means for its execution, there being authority for neither a survey to be made, overseers to be employed, nor implements to be purchased by the Board. A little amendment to the law in this respect will enable the work to be done promptly.

NAVIGABLE WATERS.

It is gratifying to see that the General Government has begun to take an interest in the improvement of our navigable waters. Surveys of the Neuse, the Yadkin and the Catawba are in progress or contemplation; and if reported upon favorably, I would suggest that a resolution of

your honorable body in this behalf would materially strengthen the hands of our representatives in Congress in obtaining the necessary appropriations.

FINANCIAL.

The Treasurer's report will engage your earnest attention. You will see that whilst the utmost economy has been practiced, yet the funds in his hands have not been sufficient to meet all the objects provided by law. The reason is simply that the last Legislature increased the appropriations without increasing the taxes. But little over half of the $140,000 appropriated to buy iron for the Western North Carolina Railroad has been expended, none of the $20,000 appropriated to the Colored Insane Asylum, whilst $15,000 of the sum given to the Western Insane Asylum was paid out of this year's taxes. All other small items which could be so postponed have been carried over into this year's account, in order that the Treasurer should not be compelled to borrow. This deficiency, it will be noted, is only in regard to the special appropriations, and is to some extent attributable to the lengthening of the fiscal year from October to January. It is to be regretted, and I have no doubt is very surprising to the Finance Committees of the last General Astembly, who thought the tax bill would yield sufficient revenue; and so it would, and more, under a better scheme of assessment. I cannot conceive it possible to devise one which would operate more unequally, unjustly or prejudicially to the Treasury. The rule for every county, town and township is different, and the values of property situated in the same locality and of the same character, are as variant and unequal as the avoided, arbitrary, and often indifferent opinions of the assessors may chance to be. Very little property is assessed to anywhere within the neighborhood of its value; but that does not matter; the essential idea si to have the assessment bear the same uniform proportion to

the true value of the property taxed. Unless this is secured, one man pays a vastly higher tax than his neighbor, and one township or county than the adjoining township or county, and it is in the power—and often happens in practice—of the county assessors and commissioners to defeat the will of the Legislature by lowering the assessments. It becomes also a heavy tax on honesty, and compels the conscientious man to pay sometimes double or treble the tax paid by his less scrupulous neighbor. A remedy for this evil is demanded alike by justice and good policy. What that remedy shall be your wisdom must devise. We do not want an increase of taxes, but an equalization of taxes, and a faithful collection of those which are levied. My own opinion is, that the Treasurer, Auditor, or other State officers, be authorized to act as a State Board of Assessors, with power to supervise and equalize the assessment of the county officials whose lists should be submitted to it; and it should have authority to summon witnesses, hear testimony, &c., and if the county assessors were chosen by this State Board it seems to me we would almost have a guaranty that uniformity could be secured

So, too, some disposition should be made relative to the lands sold for taxes and bought in for the State. For ten years these lands have been accumulating, until, as the report of the Secretary of State informs me, there are now in his office sheriffs' deeds for 1,756 tracts and lots of real estate, representing taxes to the amount of nearly $17,000, on which the time for redemption has expired, and the State's title is absolute. In most cases the owners continue happily in possession, whilst their defaults go to swell the taxes of their neighbors. I refer to the Treasurer's report for a statement of the annual expenditure of the government, which is clearly set forth as to need no comment from me.

PUBLIC DEBT.

The public debt, it will be seen by the Treasurer's report,

amounts to $16,960,045 principal, and $10,160,182.25 interest. This is known as the recognized debt, as contradistinguished from the special tax bonds. What shall be done with it is a question that deserves your best consideration. It is out of the question for us to attempt to pay it at its face value. Indeed I do not conceive that there is any moral obligation on us to do so; nor do our creditors expect it of us. Quite one-half of our property upon which our bonds were based was wantonly destroyed by consent of a large majority of those who held them, and no court of conscience upon the earth would permit a creditor to destroy one-half of his security, and claim full payment out of the remainder. But we *can* and *should* pay something. The resolution of last session constituting the Governor, Treasurer and Attorney-General a committee to confer with our creditors gave no power to make or accept any proposition whatever; and so an invitation to visit New York to confer with the holders of our bonds was declined, as the accompanying correspondence will show. Besides this no attempt to open negotiations with us has been made. But I have grounds to believe that very reasonable terms indeed can be obtained if we evince a determination to settle the question and be done with it. I refer exclusively to what is known as the "recognized" debt. So far as the special tax bonds are concerned, my opinion as expressed to your predecessors remains unchanged—that they are not binding either in law or good morals, unless it may be as to a very small fraction honestly appropriated to the State's use and accepted by her. For one I vow my readiness to co-operate with you to the full extent of my power in devising the method and bearing the burdens of an honorable adjustment of all our indebtedness, as something which sooner or later will have to be done alike for the sake of our good name and our future prosperity.

FEDERAL INTERFERENCE WITH STATE COURTS.

I also call your attention to certain matters which have occurred since your last session, and which give rise to questions of difficulty and of grave importance, involving a serious conflict between the laws of the United States and those of the State.

At the Fall Term, 1876, of the Superior Court of Guilford county, one Hoskins and two others were indicted for an assault and battery upon Levi Humble. In March, 1877, the defendants having been arrested, filed in the office of the Circuit Court of the United States for the Western District of North Carolina, their petition under oath, in which they set forth that they were officers of the Internal Revenue Department of the United States, and that the acts charged against them in the bill of indictment I have mentioned were committed under color of their office; they therefore prayed that the prosecution against them should be removed from the State Court to the Circuit Court, in pursuance of an act of Congress now embodied in section 643 of the Revised Statutes of the United States States, and which provides that criminal prosecutions commenced in any court of a State against any officer acting by authority of any revenue law of the United States, on account of any act done under color of his office, may at any time before trial be removed for trial into the Circuit Court next to be holden in the district where such prosecutions are pending. The prayer of the petition having been granted, a copy of the order removing the case was, on the 5th of March, 1877, served upon the Clerk of the Superior Court of Guilford county, and when, at the ensuing Spring Term of that Court, the case was called, the defendants objected to further proceedings in the State Court, upon the ground that the Court no longer has jurisdiction of the case. Upon argument before the Hon. William R. Cox, then holding the Guilford Superior Court;

that officer was of opinion that he could proceed no further in the matter, and so decided. From his decision the Solicitor for the State appealed to the Supreme Court. Recognizing the important and delicate nature of the question presented, I deemed it to be my duty to assist the deliberations of the Supreme Court with argument from counsel learned in the law. I accordingly employed counsel to aid the Attorney General in presenting to the Court the views entertained by the government of the State. After a full discussion by counsel, the Supreme Court, with one dissenting voice, affirmed the opinion and judgment of the lower court, and dismissed the appeal. The same question was presented to the Supreme Court at the same time in the case of the State aginst William Deaver appealed at the Spring Term, 1877, of the Superior Court of Rutherford county, from the judgment of the Hon. John M. Cloud, the Judge presiding. Deaver and another had been indicted for a conspiracy to extort money from one Henry Summit and had obtained from the Circuit Court of the United States an order of removal similar to that obtained by Hoskins.

The decision of the Supreme Court was the same in both cases.

Impressed with the importance of having the earliest possible settlement of a question of so great moment, I directed the State's counsel to carry, by writ of error, both cases to the Supreme Court of the United States, where alone such questions of such a nature can be finally decided. Transcripts of the cases have accordingly been prepared and forwarded, and the cases are now depending in the Supreme Court. I am advised, however, by the State's counsel that there may be difficulties growing out of the peculiar Constitution of the Federal Supreme Court, which will prevent an adjudication in these cases of the question I desired to have presented. I have reason to believe that similar difficulties have arisen in other States, and that public attention and discussion has been excited thereby.

I therefore refer it to your Honorable body to decide whether I shall further prosecute the cases now depending in the Supreme Court of the United States; or whether it more comports with the dignity and gravity of the question, that you should instruct your Senators and request your Representatives in Congress to call the attention of that Honorable body to the fact that persons indicted under the criminal laws of this State are seeking and obtaing immunity from prosecution under a federal law enacted for the only purpose of protecting the collections of the Internal Revenue of the United States.

STATE PROSECUTIONS.

An indictment inaugurated by Governor Caldwell, in Wake Superior Court in 1874, against G. W. Swepson and M. S. Littlefield having been tried as was alleged, before Judge Watts in 1875, and taken by *certiorari* to the Supreme Court and being continued there until August last, was then decided upon and case remanded for a new trial. The circumstances are all set out with particularity in said decisions, reported in 79 N. C., to which you are referred. Under a resolution of the Legislature ratified on the 16th of February, 1874, I employed counsel to assist. An amended bill against both defendants was found for obtaining money under false pretences, and the case now stands for trial. It is alleged, however, that a compromise was made between parties acting for Swepson and the Western Division of the W. N. C. R. R. Company, which by implication binds the State not to prosecute. I did not wish, if I possessed the right, to take the responsibility of deciding whether it does or does not, and so refused to interfere with the due course of law. I respectfully ask your will in the premises, and forbear further remarks as manifestly improper upon a case now before the courts.

STATE PROPERTY HELD BY THE UNITED STATES.

The property of the State, once called the Confederate Hospital, now known as the United States barracks in this city, has been occupied by the United States ever since 1865; and although the troops have long since been removed, possession or payment for its use have both been refused, contrary, as it seems to me, to both law and public comity.

In accordance with a resolution of the last General Assembly, I also applied to the Secretary of War to restore the official letter-books of the Executive office of this State taken by military authority in 1865, or to permit me to make a copy to supply the place of the original in this office. Both requests were refused. The correspondence between the Secretary of War and myself in relation to the barracks and the letter-books, is herewith submitted. My opinion in regard to these matters being intimated in the correspondence itself, I make no further comment.

STATE GEOLOGIST.

The State Geological Survey having been made a co-worker with the Board of Agriculture, its usefulness has been thereby greatly increased to the people. In order that it may be made still more to meet the popular needs, I recommend that it be placed under the direction of the Board of Agriculture, of which the State Geologist is *ex-officio* a member, instead of the Board of Education, as at present. I am satisfied that the dissatisfaction which has for a long while existed with a portion of our people towards this most valuable and important work, has arisen from a failure of the latter Board to direct the labors of the Geologist in those channels in which the majority of the public feel most immediate interest. The Board of Agriculture, constituted as it is, can surely do this; and if so, good results may be anticipated.

THE UNIVERSITY.

The success which has attended the efforts to revive the University is gratifying in the extreme. The number of students is constantly increasing, a large proportion of whom receive tuition free—the course of study is practical and thorough, the corps of professors is ample and excellent, and the administration of President Battle has proven able and untiring. I commend most heartily to your favor this cherished memorial of the wisdom and patriotism of our fathers.

MILITIA.

To the unceasing energy and perseverance of Adjutant General Jones we are indebted for the nucleus of an excellent volunteer organization—the State Guards. Two brigades of white and eleven companies of colored Guards have been already organized; the former consisting of thirty-two companies, uniformed at their own expense, and armed and equipped by the allowance from the General Government. The great majority of them are excellent, industrious young men, the flower of the communities where they live, and not likely to sympathize in any way with lawlessness and riot. In case of emergency they would be invaluable for maintaining order and enforcing the laws. To all appearances the colored companies are equally well disposed and deserving of encouragement. I earnestly call your attention to the memorial from the officers of this organization suggesting the means of supporting it and promoting its efficiency. The cost of uniforms, loss of time and expense of rationing themselves when assembling for parades, reviews, &c., fall quite heavily on them.

The State Guard really do all the duty, and fill all the functions of the whole militia contemplated in the Consti-

tution, and should be encouraged and supported liberally. I respectfully recommend that the Adjutant General's pay be increased to $600. His duties are now considerable, and are daily increasing in laboriousness and usefulness.

Provision also should be made for a speedy and cheap enrollment of the militia by the tax-listers, or otherwise, and a small sum levied as an equivalent for exemption from duty for the benefit of the school fund, as provided in the Constitution.

ACTS OF THE LEGISLATURE.

Complaint is frequently made by the Secretary of State and others, at the careless and insufficient manner in which many of the acts and laws in the original are kept and enrolled. Some that were passed by your predecessors were lost entirely; to some the amendments were lost, and could not be supplied from the journals, being often mere scraps of paper pinned to the originals which were lost in handling, together with other inaccuracies, which made it difficult to prepare proper copies for the printer. I trust your committees and clerks will remove all further trouble in these respects. It is of sufficient importance to be looked after closely.

EXECUTIVE CLEMENCY.

Much criticism has been made upon this and preceding administrations in regard to the exercise of executive clemency toward criminals. In accordance with law, I herewith submit a list of those to whom clemency has been extended by me, with a brief statement of the reasons which influenced my action in each case. It will be seen that the number amounts in all to 106, of which 13 were commutations, and 3 were simply respites. Counting those in confinement at the beginning of my term, and those convicted of offences

during the past two years, the whole number of offenders cannot fall short of 3,000, of which those pardoned and commuted would be one and one-half per cent. per annum. It is quite possible that in some cases I have been imposed upon, though in most cases of importance I have made it a rule to consult both Judge and Solicitor, and obtain their approval. And it may also be that in some cases I have yielded to the importunity of friends—human nature could scarcely avoid this in a government like ours—but in the vast majority of the cases acted on, I exercised this grand and majestic attribute of the collective sovereignty of the people, with a sincere desire to promote the public good, and in the fear of that God who is to pardon our transgressions, as we trust. The subject of the proper exercise of this prerogative is so grave, the responsibility—especially in capital cases—is so great, that the criticism of those unacquainted with the facts is often dangerous as well as unjust, as tending to force Executive action one way or the other contrary to judgment or conscience. I have tried to avoid this; but it is hard to hold the balance even amid such complicating clamor. If error there has been—and undoubtedly there was some—I am glad to believe that it was on Mercy's side.

The reports of the Secretary of State, Auditor, and Superintendent of Public Instruction are herewith sent and commended to your attention. They evince economy and faithful work on the part of those officers. The Auditor requests me to say that he reserves his special suggestions for the various committees of your honorable body, before which he will appear from time to time.

The Superintendent's report shows an encouraging increase in the receipts and expenditures of the School Fund and in the attendance of pupils.

I also send in a communication and report from the Grand Lodge of Masons in this State, relative to the Oxford Asylum for Orphans, and commend it to your attention, in connection with section 8, article XI, of the Constitution.

And now, gentlemen, having briefly reviewed the condition of affairs and made such suggestions as I deem calculated to aid you in the performance of your important duties, I commend you to the Spirit of all Wisdom, praying that your labors may be such as will redound to the welfare of the great people whose servants you are.

Very respectfully,

Your fellow-citizen,

Z. B. VANCE.

Mr. Everett moved that the proposition to print be concurred in; he also moved that twenty copies for each member of the General Assembly of the message of the Governor be printed.

Mr. Alexander moved to amend the motion by ordering twenty copies for each member of the General Assembly of the Report of the Commissioner of Agriculture be printed.

The amendment was accepted, and as amended the motion was adopted.

On motion of Mr. Everett, S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the State of North Carolina, was ordered to be printed.

On motion of Mr. Everett, the Senate adjourned.

THIRD DAY.

SENATE CHAMBER, Jan. 10th, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

PETITIONS.

The following petitions were presented:

By Mr. Dortch, petition from citizens of Edgecombe county.

Mr. Graham of Lincoln, petition from citizens of Lincoln and Catawba counties.

Mr. Davidson, petition from citizens of Buncombe county.

Mr. Nicholson, petition from citizens of Iredell county.

All of which were placed upon the Calendar.

REPORTS OF COMMITTEES.

Mr. Dortch, from committee upon Rules of the Senate, submitted a report, which was placed upon the Calendar.

BILLS AND RESOLUTIONS.

The following bills and resolutions were introduced and disposed of as follows:

By Mr. Caldwell, S. R. 18, a joint resolution referring to a committee that portion of the Governor's message relating to highways, &c. Calendar.

By Mr. Everett, S. R. 19, resolution concerning the State debt. Calendar.

By Mr. Everett, S. R. 20, resolution requesting information from State officers. Calendar.

By Mr. Graham, S. R. 21, resolution in favor of Judge David Schenck. Calendar.

By Mr. Dortch, S. R. 22, resolution of instruction to the committee on Salaries and Fees. Calendar.

By Mr. Dortch, S. B. 23, bill for draining and damning low lands. Placed on the Calendar and ordered to be printed.

By Mr. Williamson, S. B. 24, bill to apply the tax fees of attorneys in the several courts of the State to the public school fund. Placed upon the Calendar and ordered to be printed.

By Mr. Graham of Lincoln, S. B. 25, bill to amend chap-

ter 87, private laws of 1870–'71. Placed upon the Calendar and ordered to be printed.

By Mr. Dortch, S. B. 26, bill to punish the abduction of children under the age of eighteen years. Calendar.

By Mr. Nicholson, S. B. 27, bill to prohibit the sale of spirituous liquors within one mile and a half of St. Paul's church, Iredell county. Calendar.

By Mr. Graham of Lincoln, S. B. 28, bill to render more speedy the execution of persons convicted of capital felonies. Placed upon the Calendar, and ordered to be printed.

By Mr. Dortch, S. B. 29, bill to punish the stealing of dead bodies. Calendar.

By Mr. Graham of Lincoln, S. B. 30, bill in relation to warrants in Bastardy. Placed on the Calendar and ordered printed.

By Mr. Alexander, S. B. 31, bill to amend the Constitution of North Carolina. Placed upon the Calendar and ordered printed.

By Mr. Alexander, S. B. 32, bill to amend the Constitution of North Carolina. Calendar.

By Mr. Graham of Lincoln, S. B. 33, bill to provide for holding terms of the Superior Court in certain cases. Placed on the Calendar and ordered to be printed.

By Mr. Dortch, S. B. 34, bill to amend an act to establish courts inferior to the Superior Court, to be styled "Inferior Courts." Calendar.

By Mr. Dortch, S. B. 35, bill in regard to practice in criminal actions. Calendar.

By Mr. Dortch, S. B. 36, bill to allow defendants in certain criminal actions to become witnesses for themselves. Calendar.

By Mr. Brower, S. B. 37, bill to repeal chapter 141, laws 1876–'77, entitled an "act to establish county governments." Calendar.

By Mr. Dortch S. B. 38, bill to punish incest. Calendar.

By Mr. Dortch, S. B. 39, bill in relation to judgments on peal from Justices of the Peace. Calendar.

By Mr. Davidson, S. B. 40, bill to empower the foreman of grand juries to administer oaths or affirmations. Calendar.

By Mr. Dortch, S. B. 41, bill to repeal that part of chapter 260, passed at the session of 1876 and 1877, prohibiting the sale of spirituous liquors within three miles of Lawrence's Church, in Edgecombe county. Calendar.

By Mr. Dortch, S. B. 42, bill to punish the selling or giving away of poisonous drugs or medicines, except upon prescription of a physician. Calendar.

By Mr. Dortch, S. B. 43, bill to punish seduction of women. Calendar.

On motion of Mr. Scales, a message was sent to the House of Representatives proposing the appointment of a Joint Committee on Rules for the government of the General Assembly to consist of three on the part of the Senate and five on the part of the House.

The report of the committee on Rules for the government of the Senate was taken up, read and adopted, and ordered to be printed.

The Rules are as follows:

ORDER OF BUSINESS.

1. The President having taken the Chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

2. After the reading and approval of the Journal, the order of business shall be as follows:

1. The Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the House of Representatives.
5. Introduction of Bills and Resolutions.
6. Unfinished Business of Preceding Day.

7. Special Orders.

8. General Orders: First, bills and resolutions on third reading; second, bills and resolutions on second reading; but messages from the Governor and House of Representatives, and communications and reports from State Officers and reports from the committee on Engrossed Bills and Enrolled Bills, may be received and acted on under any order of business.

POWERS AND DUTIES OF THE PRESIDENT.

3. The President shall appoint all committees, unless otherwise ordered by the Senate.

4. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President, except that of giving a casting vote in case of a tie, when he shall have voted as a Senator; but his power as such substitute shall not continue for a longer period than two days without leave of the Senate.

5. He shall assign to doorkeepers their respective duties and stations.

OF THE CLERK.

6. The President and Clerk of the Senate shall see that all bills shall be acted upon by the Senate in the order in which they stand upon the Calendar, unless otherwise ordered as hereinafter provided. The Calender shall include the number and title of bills and joint resolutions which have passed the House of Representatives and been received by the Senate for concurrence.

7. He shall certify the passage of bills by the Senate, with the date thereof, together with the fact whether passed by a vote of three-fifths or two-thirds of the Senate, whenever such vote may be required by the Constitution or laws of this State.

OF THE RIGHTS AND DUTIES OF SENATORS.

8. Every Senator presenting a paper shall indorse the same; if a petition, memorial, or report to the General Assembly, with a brief statement of its subject or contents, adding his name; if a resolution, with his name; if a report of a committee, a statement of such a report, with the name of the committee and member making the same; if a bill, a statement of its title, with his name.

9. All motions shall be reduced to writing, if desired by the President or any Senator, delivered in at the table, and read by the President or Clerk, before the same shall be debated; but any such motion may be withdrawn at any time before decision or amendment.

10. If any question contains several distinct propositions, it shall be divided by the President, at the request of any Senator: *Provided*, Each sub-division, if left to itself, shall form a substantitive proposition.

11. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are being read; when the President is putting a question, or a division by counting shall be had, no Senator shall walk out of, or across the house, nor when a Senator is speaking, pass between him and the President.

12. Every Senator wishing to speak or debate, or to present a petition or other paper, or to make a motion or report, shall rise from his seat and address the President, and shall not proceed further until recognized by him. No Senator shall speak more than twice, nor longer than thirty minutes, on the same day on the same subject, without leave of the Senate; and when two or more Senators rise at once, the President shall name the Senator who is first to speak.

13. Every Senator who shall be within the bar of the

Senate when a question is stated by the Chair, shall vote thereon unless he shall be excused by the Senate, or unless he be directly interested in the question; and the bar of the Senate shall include so much of the body of the Senate Chamber as is within the columns.

14. When a motion to adjourn, or for a recess, shall be affirmatively determined, no member or officer shall leave his place till the adjournment or recess shall be declared by the President.

15. Standing Committees, consisting, unless otherwise ordered, of seven members, shall be appointed by the President on the following subjects:

1. On Propositions and Grievances.
2. On Privileges and Elections.
3. On Claims.
4. On Judiciary.
5. On Internal Improvements.
6. On Education.
7. On Military Affairs.
8. On Agriculture, Mechanics and Mining.
9. On Banks and Currency.
10. On Corporations.
11. On Finance.
12. On Insurance.
13. On Penal Institutions.
14. On State Debt.
15. On Salaries and Fees.
16. On Engrossed Bills.
17. Deaf, Dumb and Blind Asylum.
18. Insane Asylums.

16. The Committee on Engrossed Bills shall examine all bills, amendments and resolutions before they go out of the possession of the Senate, and make report when they find them correctly engrossed.

17. Every report of a Committee upon a bill or resolution which shall not be considered at the time of making

the same, or laid on the table by a vote of the Senate, shall stand upon the General Orders with the bill or resolution.

OF GENERAL ORDERS AND SPECIAL ORDERS.

18. Any bill or other matter may be made a Special Order for a particular day or hour by a vote of a majority of the Senators voting, and if it shall not be completed on that day, it shall be returned to its place on the Calendar, unless it shall be made a Special Order for another day; and when a Special Order is under consideration, it shall take precedence of any Special Order for a subsequent order for the day; but such subsequent Order may be taken up immediately after the previous Special Order has been disposed of.

OF BILLS.

19. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. After the first reading, unless a motion shall be made by some Senator, it shall be the duty of the President to refer the subject matter to an appropriate committee. No bill shall be amended until it shall have been twice read.

PROCEEDINGS WHEN THERE IN NOT A QUORUM VOTING.

20. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of a certain proportion of all the Senators to pass it, and it appears that such a number is not present, there shall be a call of the Senate, and if a quorum is ascertained to be present, the bill shall be again read and the final question taken thereon; if the bill fail a second time for the want of a quorum or for the want of the necessary number being present and voting, the bill shall not be

finally lost, but shall be returned to the Calendar in its proper order.

PRECEDENCE OF MOTION.

21. When a question is before the Senate, no motions shall be received, except those herein specified, which motions shall have precedence as follows, viz:

1. For an adjournment.
2. For the previous question.
3. For a recess.
4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a day certain.
7. To commit to a standing committee.
8. To commit to a select committee.
9. To amend.

THE PREVIOUS QUESTION.

22. The previous question shall always be as follows: "Shall the main question be now put?" and until it is decided shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall be first taken upon such amendments in their order without further debate. If such question be decided in the negative, the main question shall be considerad as remaining under debate.

OTHER QUESTIONS TO BE TAKEN WITHOUT DEBATE.

23. The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall always be in order when made by a Senator entitled to the floor.

24. The respective motions to postpone to a day certain or commit, shall preclude debate on the main question.

25. All questions relating to the priority of business shall be decided without debate.

26. When the reading of a paper is called for, except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate.

27. Any Senator requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

QUESTIONS THAT REQUIRE A TWO-THIRDS VOTE.

28. No bill or resolution on its third reading shall be acted on out of the regular order in which it stands on the Calendar, and no bill or resolution shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by a vote of two-thirds of the Senators present.

28. No bill or resolution shall be sent from the Senate on the day of its passage, except on the last day of the session, unless otherwise ordered.

DECORUM IN DEBATE.

30. No remark reflecting personally upon the action of any Senator shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

31. When a Senator shall be called to order, he shall take his seat until the President shall have determined whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate, and every question of order shall be decided by the President,

subject to an appeal to the Senate by any Senator, and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

MISCELLANEOUS RULES.

32. When a blank is to be filled, and different sums or times shall be proposed, the question shall be first taken on the highest sum or the longest time.

33. When a question has been once put and decided, it shall be in order for any Senator who shall have voted in the majority, to move a reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate. Nor shall any motion for reconsideration be in order unless made on the same day or the next following legislative day on which the vote proposed to be reconsidered shall have taken place. Nor shall any question be reconsidered more than once.

34. All bills and resolutions shall take their place upon the Calendar according to their number, and shall be taken up in regular order, unless otherwise ordered.

35. No smoking shall be allowed within the Senate Chamber during the sessions.

36. Senators and visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session, and shall continue uncovered during their continuance in the Chamber.

37. No Senator or officer of the Senate shall depart the service of the Senate without leave, or receive pay as a Senator or officer for the time he is so absent without leave.

38. No person other than the Executive and Judicial officers of the State, members and officers of the Senate and

House of Representatives, unless on invitation of the President or by a vote of the Senate, shall be admitted within the bar.

39. No rule of the Senate shall be altered, suspended or rescinded without a vote of a majority of all the Senators elected; and no motion to suspend shall embrace more than one rule, or relate to any other subject than the one specified in said motion.

40. In case a less number than a quorum of the Senate shall convene, they are authorized to send the doorkeeper or any other person for any or all absent Senators, as the majority of Senators present shall determine.

41. The yeas and nays upon any question shall be taken and entered upon the Journal upon demand of one-fifth of the Senators present.

JOINT RULES OF ORDER.

1. Each House shall transmit to the other all papers on which any bill or resolution shall be forwarded.

2. When a bill or resolution which shall have passed in one House shall be rejected in the other, notice thereof shall be given to the House in which the same may have passed.

3. Messages from one House to the other, shall be communicated by their clerks respectively, unless the House transmitting the message shall specially direct otherwise.

4. It shall be in the power of either House to amend any amendment made by the other, to any bill or resolution.

5. In every case of difference between the two Houses, upon any subject of legislation, either House may request a conference, and appoint a committee for the purpose, and the other shall also appoint a committee to confer. The committee shall meet at such time and place as shall be appointed by the chairman of the committee, on the part

of the House requesting such committee. The conferees shall state to each other verbally, or in writing, as either shall choose, the views of their respective Houses, and confer freely thereon. The committee shall report in writing, and shall be authorized to report such modifications or amendments as they may think advisable. But no committee on conference shall consider or report on any matters, except those directly at issue between the two Houses. The papers shall be left with the conferees of the House assenting to such conference, and they shall present the report of the committee to their House; when such House shall have acted thereon, they shall transmit the same and the papers relating thereto, to the other with a message certifying its action thereon.

6. It shall be in order for either House to recede from any subject matter of difference existing between the two Houses, at any time previous to conference, whether the papers on which such difference arose are before the House receding formally or informally, and on such vote to recede the same number shall be required to constitute a quorum to act thereon and to assent to such receding, as was required on the original question out of which the difference arose.

7. All joint committees of the two Houses, and all committees of conference, shall consist of three Senators and five members of the House of Representatives, unless otherwise specially ordered by concurrent resolution.

8. There shall be printed on joint order, unless otherwise specified, two hundred and twenty copies of all messages from the Governor, all reports of standing or select committees, and all reports or communications made in pursuance of law.

9. When the same document shall, by separate orders, be directed to be printed by both Houses, it shall be regarded as but one joint order, unless otherwise expressly directed by either House.

10. The Clerk of each House shall receive from the Public Printer all matter ordered by their respective Houses, and shall keep a book and enter therein the time of reception by him, of every such bill or document, and the number of copies received, and shall cause each and any of such bills or documents to be immediately placed upon the desks of the members.

11. The two hundred and twenty copies of messages from the Governor, reports of committees, and reports or communications made in pursuance of law, ordered to be printed by section eight, shall be distributed as follows: to the Senate, seventy copies; to the House of Representatives, one hundred and fifty copies.

12. There shall be joint standing committees, consisting of three members of the Senate, and five members of the House of Representatives, on the following subjects:

1. On Public Buildings and Grounds.
2. On Library.
3. On Enrolled Bills.
4. On Printing.

On motion of Mr. Henderson, the Senate adjourned.

FOURTH DAY.

SENATE CHAMBER, January 11th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

RESOLUTIONS.

The following resolutions were introduced and disposed of as follows:

By Mr. Caldwell, S. R. 44, resolution of enquiry to the Judiciary Committee. Calendar.

By Mr. Dillard, S. R. 45, resolution requiring Warden of Penitentiary to make report. Calendar.

By Mr. Harris, S. R. 46, resolution instructing the Finance Committee to report a bill providing for the Moffett Bell Punch tax. Calendar.

BILLS.

By Mr. Bryan of Pender, S. B. 47, bill to regulate the pay of the officers of the General Assembly. Referred to the committee on Salaries and Fees.

By Mr. Everett, S. B. 48, bill to amend chapter 156, schedule B, section 12, laws 1876–'77. Calendar.

By Mr. Williamson, S. B. 49, bill for the better preservation of county books and papers. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 50, bill to prohibit the removal of criminal causes, except where the ends of justice absolutely require it. Referred to the committee on the Judiciary, and ordered to be printed.

By Mr. Bledsoe, S. B. 51, bill to amend section 17, chapter 156, laws of 1876–'77. Referred to the Finance Committee.

By Mr. Caldwell, S. B. 52, bill to make Justices of the Peace *ex-officio* Rangers. Referred to the Judiciary Committee.

By Mr. Nicholson, S. B. 53, bill to authorize costs to be taxed and collected in trials had before a board of county commissioners in the several counties of this State. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 54, bill to define the criminal jurisdiction of Justices of the Peace. Referred to the committee on the Judiciary, and ordered to be printed.

By Mr. White, S. B. 55, bill to modify the landlord and

tenant act, laws of 1874–'75. Referred to the committee on the Judiciary.

By Mr. Caldwell, S. B. 56, bill to amend section 4, chapter 27, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Bryan of Pender, S. B. 57, bill for the benefit of W. P. Oldham and others. Referred to the committee on the Judiciary.

By Mr. Bryan of Pender, S. B. 58, bill to prevent the sale of intoxicating liquors within two miles of Wesleyan chapel, in the county of Pender. Referred to the committee on Propositions and Grievances.

By Mr. Bryan of Pender, S. B. 59, bill to amend chapter 176 of the laws of 1873–'74. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B 60, bill to repeal a part of section 13, chapter 37 of Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 61, bill to repeal section 40, chapter 105, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Robinson, S. R. 62, resolution authorizing the purchase of stoves for the Senate Chamber.

On motion of Mr. Robinson, the rules were suspended and the resolution passed its several readings.

On motion of Mr. Robinson, so much of rule 16 for the government of the Senate was repealed as fixes the number to compose the committee on the Judiciary.

On motion of Mr. Respass, the rules were suspended and S. B. 9, bill for the relief of F. J. Satchwell, sheriff of Beaufort, was taken up and passed its second reading. Was put upon its third reading.

On motion of Mr. Robinson, the bill was amended by inserting "upon the payment of these funds by the first day of March," and, as amended, passed its third reading.

On motion of Mr. Graham of Lincoln, the rules were sus-

pended and S. R. 21, resolution in favor of Judge David Schenck, was taken up and passed its second reading.

It was put upon its third reading, upon which

Mr. Lyon demanded the ayes and noes, which were ordered, and the bill passed, as follows:

Those voting in the affirmative were:

Ayes—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Taylor, Waddell, Waldo, Ward, Williamson, and White—45.

Those voting in the negative were Messrs. Caldwell and Lyon.

Message from the House of Representatives transmitting for concurrence,

H. B. 1, S B. 63, bill to amend section 12, chapter 156, laws of 1876–'77, relating to the privilege tax on merchants. Placed upon the Calendar.

H. B. 6, S. B. 64, bill to provide for additional terms of the superior court of Northampton county. Placed upon the Calendar.

Also, announcing the passage by that honorable body of S. B. 10, bill to repeal laws of 1874–'75, providing for two additional terms of the superior court of Wayne.

S. B. 11, bill to repeal chapter 50, laws of 1873–'74, also chapter 100, laws of 1873–'74, and have ordered same enrolled for ratification.

Also, had concurred in the proposition of the Senate to raise a joint committee on Joint Rules, and had appointed Messrs. Cobb, Davis of Catawba, Ardrey, Norment and Blaisdell as the House branch of said committee.

The President announced Messrs. Dortch, Scales and

Robinson as the Senate branch of said committee on Joint Rules.

On motion of Mr. Dortch, the rules were suspended, and

H. B. 6, S. B. 64, bill providing for additional terms of the Superior Court of Northampton county, was taken up and passed its several readings.

Mr. Robinson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which prevailed.

On motion of Mr. Everett, the rules were suspended, and

H. B. 1, S. B. 63, bill to amend section 12, chapter 156, laws of 1876–'77, relating to privilege tax on merchants, &c., was taken up and passed its second reading.

Was put upon its third reading.

Mr. Scales moved to refer to the Finance Committee. Lost.

Mr. Everett demanded the ayes and noes, which were ordered, and the bill passed by the following vote:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

Mr. Graham of Lincoln voted in the negative.

Leave of absence granted Mr. Everett for Monday.

Mr. Dortch introduced S. R. 65, in words following, to-wit:

"WHEREAS, It is proposed by the Bar to hold a meeting in this Chamber to-day, at 12 o'clock, noon, in respect to the memory of the late BARTHOLOMEW F. MOORE, one of the most distinguished patriots and jurists of the State, to whom

the people are indebted for many of the best laws of the State; therefore,

Resolved, That the Senate do now adjourn and attend the said meeting."

Under suspension of the rules the resolution was passed unanimously, and the Senate adjourned accordingly.

FIFTH DAY.

SENATE CHAMBER, Jan. 13th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

The President announced the following Standing Committees:

Committee on Privileges and Elections—Messrs. Bynum, Harris, Respass, McEachairn, Taylor, Black and Dancey.

Committee on the Judiciary—Messrs. Dortch, Scales, Leach, Davidson, Snow, Henderson, Erwin, Bynum, Everett, Caldwell, Waddell and Waldo.

Committee on Finance—Messrs. Henderson, Graham of Lincoln, Dillard, Bryan of Pender, Erwin, White and Graham of Montgomery.

Committee on Internal Improvements—Messrs. Robinson, Leach, Davidson, Respass, Dortch, Eaves and Eppes.

Committee on the State Debt—Messrs. Mebane, Caldwell, Bledsoe, Lyon, Mitchell, Bryan of Duplin, and Ross.

Committee on the Insane Asylum—Messrs. Leach, Bynum, King, Redwine, Williamson, White and Ward.

Committee on the Asylum for the Deaf, the Dumb and the Blind—Messrs. Erwin, Austin, Harris, Bledsoe, Matheson, Alston and Ormand.

Committee on Corporations—Messrs. Davidson, Waldo, Lyon, Nicholson, McEachairn, Eaves and Eppes.

Committee on Penal Institutions—Messrs. Graham of Lincoln, Dillard, Bryan of Duplin, Alexander, Mebane, Ross and Holleman.

Committee on Military Affairs—Messrs. Williamson, Waldo, Austin, Bryan of Pender, Hoyle, Everett and Bull.

Committee on Education—Messrs. Scales, Merrett, Moye, McEachairn, Alexander, Everett and Ormand.

Committee on Engrossed Bills—Messrs. Shackleford, Nicholson, King, Redwine, Stewart, Ward and Bull.

Committee on Enrolled Bills—Messrs. Waddell, Moye, Merritt, Matheson, Hoyle, Brower and Holleman.

Senate Branch Joint Committee on Public Printing—Messrs. Nicholson, Henderson, Snow, Alexander and White.

PETITIONS.

By Mr. Williamson, petitions from citizens of Person county. Referred to committee on Corporations.

By Mr. Bynum, three petitions from citizens of Morganton. Referred to committee on Propositions and Grievances.

By Mr. McEachairn, petition from citizens of Columbus county. Referred to committee on Military Affairs.

REPORTS.

Mr. Robinson from joint committee on Joint Rules for government of the General Assembly, submitted a report, which was placed on the Calendar.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Austin, S. R. 66, resolution to raise a joint select

committee to regulate the whole subject of salaries and fees. Placed upon the Calendar.

By Mr. Dillard, S. R. 67, resolution (joint) requiring State Geologist to make report. Calendar.

By Mr. Graham of Lincoln, S. R. 68, resolution of instruction to the Committee on Propositions and Grievances. Calendar.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Graham of Lincoln, bill to regulate salaries and fees in certain cases. Referred to committee on Salaries and Fees.

By. Mr. Mebane, S. B. 70, bill to amend an act to allow Milton township, in Caswell county, to subscribe fifteen thousand (15,000) dollars in payment for stock in the Milton and Sutherlin Narrow Guage Railroad Company, and for other purposes. Referred to the committee on the Judiciary.

By Mr. Graham of Lincoln, S. B. 71, bill concerning the printing of the laws of the State in certain cases. Referred to the committee on the Judiciary.

By Mr. Respass, S. B. 72, bill to allow redemption of real estate sold under execution, lien and mortgage. Beferred to the committee on the Judiciary.

By Mr. Respass, S. B. 73, bill for the benefit of the counties of Martin, Washington, Tyrrell, Dare, Hyde, Beaufort, and Pamlico. Referred to the Committee on the Judiciary.

By Mr. McEachairn, S. B. 74, bill to provide for more efficient returns to the Department of Agriculture. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Bynum, S. B. 75, bill to amend section 343, chapter 17, Battle's Revisal. Referred to the committee on the Judiciary.

On motion of Mr. Robinson, the rules were suspended, and the

Report of the joint committee on Joint Rules for the Government of the General Assembly was taken up.

On motion of Mr. Dillard, the report was adopted, and ordered transmitted to the House of Representatives, with a proposition to print.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Message was received from the House of Representatives, transmitting for concurrence

H. B. 2, S. B. 76, bill to reduce and regulate the cost of public printing.

Mr. Henderson moved a suspension of the rules, for the immediate consideration of the bill.

Mr. Robinson objected to the suspension of the rules.

Upon division, the Senate suspended the rules; whereupon

Mr. Leach moved to refer the bill to the committee on Printing, with instructions to report at the earliest moment practicable.

Mr. Henderson submitted a substitute for the bill, and moved it be included in the motion to refer.

The motion to refer was amended so as to instruct the committee to make no contract for the Public Printing until the General Assembly shall have acted upon the above or a similar bill.

Upon a division upon the motion to refer the bill and substitute, the Senate divided equally, whereupon the President voted in the affirmative, and the bill was referred accordingly.

BY PERMISSION,

Mr. Scales introduced S. R. 77, joint resolution to raise a select committee to investigate the different Departments of the State government.

Under a suspension of the rules, the resolution passed its several readings.

Mr. Snow introduced S. R. 78, resolution in favor of P. Whitlock. Referred to the committee on Finance.

A MESSAGE FROM THE HOUSE.

Message announcing the concurrence of House of Representatives in the adoption of the report of the Joint Committee on Joint Rules.

CALENDAR.

The following bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 5, bill to amend an act concerning the Milton and Sutherlin Narrow Gauge Railroad. Referred to the committee on the Judiciary.

S. R. 2, resolution of instruction to committee on Internal Improvements. Passed.

S. B. 4, bill to regulate and reduce the price of Public Printing. Referred to the committee on Printing.

S. B. 7, bill to amend section 1, chapter 196, laws 1876–'77. Referred to committee on Judiciary.

S. B. 12, bill to make slander of women indictable. Referred to the committee on the Judiciary.

S. B. 13, bill to improve the laws of North Carolina. Referred to committee on the Judiciary.

S. B. 15, bill to provide for the holding of the Superior Courts successively by the Judges of said Court. Referred to the committee on the Judiciary.

S. B. 17, bill to amend chapter 105, laws 1876–'77. Referred to the committee on Judiciary.

Petitions from citizens of Edgecombe, citizens of Lincoln and Catawba, citizens of Buncombe, and citizens of Iredell,

were referred to the committee on Propositions and Grievances.

S. R. 18, joint resolution referring to a select committee that portion of the message of his Excellency, the Governor, concerning highways, &c. The resolution passed its several readings.

S. R. 19, resolution concerning the State debt. Referred to committee on the State Debt.

S. R. 20, resolution calling on State officers for information. Referred to the committee on Salaries and Fees.

S. R. 22, resolution of instruction to the committee on Salaries and Fees. Passed its several readings.

S. B. 26, bill to punish the abduction of children under the age of eighteen years. Referred to committee on Judiciary.

S. B. 27, bill to prohibit the sale of spirituous liquors within one mile and a half of St. Paul's church, Iredell county. Referred to the committee on Propositions and Grievances.

S. B. 29, bill to punish the stealing of dead bodies. Referred to the committee on Judiciary.

S. B. 32, bill to amend the Constitution of North Carolina. Referred to the committee on the Judiciary.

S. B. 34, bill to amend an act to establish courts inferior to the superior court, to be styled inferior courts. Referred to the committee on Judiciary.

S. B. 35, bill in regard to practice in criminal actions. Referred to the committee on the Judiciary.

S. B. 36, bill to allow defendants in certain criminal actions to become witnesses for themselves. Referred to the committee on the Judiciary.

S. B. 37, bill to repeal chapter 141, laws 1876-'77, entitled an act to establish County Government. Referred to the committee on Judiciary.

S. B. 38, bill to punish incest. Referred to the committee on Judiciary.

S. B. 39, bill in relation to judgments on appeal from justices of the peace. Referred to the committee on Judiciary.

S. B. 40, bill to empower the foremen of grand juries to administer oaths or affirmations. Referred to the committee on Judiciary.

S. B. 41, bill to repeal that part of chapter 260, passed at the session of 1876-'77, prohibiting the sale of spirituous liquors within three miles of Lawrence's Church, in Edgecombe county. Referred to the committee on Propositions and Grievances.

S. B. 42, bill to punish the selling or giving away of poisonous drugs or medicines, except upon prescription of a physician. Referred to the committee on Judiciary.

S. B. 43, bill to punish seduction of women. Referred to the committee on the Judiciary.

S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the State of North Carolina. Referred to the committee on Agriculture, Mechanics and Mining.

S. B. 14, bill for revising and digesting the public statute laws of the State. Referred to the committee on the Judiciary.

S. B. 16, bill providing for the exemption of certain personal property from sale under execution. Referred to the committee on the Judiciary.

S. B. 6, bill to restore to judgment debtors the exemptions to which they were entitled prior to the adoption of the Constitution of 1868. Referred to the committee on the Judiciary.

S. R. 44, resolution of instruction to the committee on the Judiciary. Referred to the committee on the Judiciary.

S. R. 46, resolution instructing the Finance Committee to report a bill providing for the Moffitt Bell Punch Tax.

Mr. Graham of Lincoln, moved to strike out the last clause of the bill. Lost.

Mr. Graham of Lincoln, moved to lay the resolution on the table. Lost.

Mr. Henderson moved to amend by inserting after the word "to" in line three, the words "enquire into the expediency of reporting." Adopted.

As amended the resolution passed.

S. R. 45, resolution requiring warden of the penitentiary to make report. Referred to the committee on the Judiciary.

S. B. 48, bill to amend chapter 156, schedule B, section 12, laws of 1876–'77. Laid on the table.

MESSAGE FROM THE HOUSE.

Message from the House transmitting H. R. 2, S. R. 79, resolution on Retrenchment and Reform.

On motion of Mr. Graham of Lincoln, the rules were suspended, and the resolution passed its several readings.

By permission,

Mr. Robinson introduced S. B. 8, bill to make incest indictable. Referred to the committee on the Judiciary.

By Mr. Henderson, S. R. 81, resolution of instruction to the Joint Committee on Printing.

On motion of Mr. Henderson, the rules were suspended, and the resolution passed its several readings.

REPORTS OF COMMITTEES.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed,

S. B. 9, bill for the relief of F. J. Satchwell, sheriff of Beaufort county.

S. R. 21, resolution in favor of Hon. David Schenck.

By permission,

Mr. Caldwell introduced S. B. 82, bill to amend an act in relation to the probate of deeds, &c. Referred to the committee on the Judiciary.

By Mr. Caldwell, S. B. 83, bill to authorize the Secretary of State to purchase a seal of office for the register of deeds for each county in the State. Beferred to the committee on Finance.

By Mr. Caldwell, S. B. 84, bill in relation to Public Prosecutions. Referred to the committee on the Judiciary.

On motion of Mr. Graham of Lincoln, S. R. 68, resolution of instruction to the committee on Propositions and Grievances, was taken up, and passed its several readings.

On motion of Mr. Robinson, the Senate adjourned.

SIXTH DAY.

SENATE CHAMBER, Jan. 14th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Black.

The Journal of yesterday was read.

It was directed by the Senate that the Secretary omit from the Journal of the Senate reports in full of substitutes offered for bills or resolutions.

Mr. Leach asked to be excused from serving on the committee on the Insane Asylum, as he was on two other important committees, which required all his time and attention. The request was granted.

PETITIONS.

Petitions were offered and disposed of as follows:

By Mr. Erwin, two petitions from the people of Marion. Referred to the committee on Propositions and Grievances.

By Mr. Hoyle, petition from citizens of Brevard Station, Gaston county. Referred to the committee on Corporations.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Williamson, S. R. 85, resolution for the relief of Caswell county. Referred to the committee on Finance.

By Mr. McEachairn, S. R. 86, in regard to immigration. Placed on the Calendar.

By Mr. Dillard, S. R. 87, resolution of instruction to the committee on Public Printing. Placed upon the Calendar.

By Mr. Davidson, S. R. 88, resolution of instruction to the committee on Salaries and Fees. Placed upon the Calendar.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Bryan of Duplin, S. B. 89, bill to amend the Constitution of North Carolina. Referred to the committee on Judicary.

By Mr. Everett, S. B. 90, bill to allow solicitors to appear before grand juries. Referred to the committee on the Judiciary.

By Mr. Hoyle, S. B. 91, bill to incorporate Brevard Station, Gaston county. Referred to the committee on Corporations.

By Mr. Bull, S. B. 92, bill to amend chapter 219, laws of

1876–'77, entitled "an act to protect deer in Stokes, Forsythe, and other counties. Referred to the committee on Propositions and Grievances.

By Mr. Dillard, S. B. 93, bill to allow Leaksville township to subscribe to a railroad. Referred to the committee on Internal Improvements.

By Mr. Redwine, S. B. 94, bill to repeal a portion of section 4, chapter 156, laws 1876–'77. Referred to the committee on Finance.

By Mr. Ross, S. B. 95, bill to amend an act to revise and consolidate the public school laws. Referred to the committee on the Judiciary.

By Mr. Davidson, S. B. 96, bill for the relief of Pinkney Rollins & Co. Referred to the committee on Propositions and Grievances.

By Mr. Ward, S. B. 97, bill to amend section 149, chapter 32, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Ross, S. B. 98, bill for the prevention of the destruction of turtle, terrapin and marsh fowls, in the county of Brunswick. Referred to the committee on Propositions and Grievances.

By Mr. Erwin, S. B. 99, bill to prohibit the sale of liquor within three miles of the court house in Marion, McDowell county. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

From the committee on the Judiciary:

By Mr. Scales, S. B. 57, bill for the benefit of W. P. Oldham & Co., with the recommendation that it do not pass.

By Mr. Bynum, S. B. 55, bill to modify the landlord and tenant act, laws of 1874–'75, recommending it do not pass.

By Mr. Henderson, S. B. 61, bill to repeal section 40, chap-

ter 105, Battle's Revisal, reporting a substitute, and recommending the substitute do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed, S. R. 18.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Message was received from the House transmitting for concurrence,

H. R. 10, S. R. 100, resolution in regard to the public debt. Placed upon the Calendar.

H. R. 22, S. R. 101, resolution to raise a joint select committee to enquire into the management of the Western North Carolina Railroad. Placed upon the Calendar.

H. R. 15, S. R. 102, resolution concerning a committee of investigation. Placed upon the Calendar.

H. R. 12, S. R. 103, resolution in regard to mileage and per diem. Placed upon the Calendar.

H. R. 3, S. R. 104, resolution of instruction to the North Carolina delegation in Congress. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. R. 10, S. R. 100, resolution in regard to the public debt, passed its several readings, and Messrs. Mebane, Caldwell, Bledsoe, Lyon and Mitchell, were appointed the Senate branch of said committee.

On motion of Mr. Bynum, the rules were suspended and

H. R. 22, S. R. 101, resolution to raise a joint select committee to enquire into the management of the Western North Carolina Railroad, was taken up on its second reading.

Mr. Bynum moved to amend by striking out all after the word "same," in line 12, last page of the resolution. Adopt-

ed. As amended the resolution passed its second reading, and was placed upon its third reading.

Mr. Dortch moved to amend by inserting after word "same" in line 12, last page, the words "and said committee shall have full power to send for persons and papers and administer oaths."

Adopted, and the bill passed its third reading.

THE CALENDAR

was resumed.

H. R. 12, S. R. 103, resolution in regard to mileage and per diem. Passed its several readings.

By permission,

Mr. Davidson introduced S. R. 105, resolution directing the payment of fees and mileage to certain witnesses.

The rules were suspended, and the resolution put upon its second reading.

On motion of Mr. Leach, it was referred to the committee on the Judiciary.

S. B. 55, bill to modify the landlord and tenant act, laws of 1874–'75, was taken up. On motion of Mr. Everett, it was laid upon the table.

S. B. 61, bill to repeal section 40, chapter 105, Battle's Revisal, on second reading.

The substitute reported by the committee on the Judiciary was adopted.

Mr. Graham of Lincoln, moved to lay the bill upon the table, upon which

Mr. Henderson demanded the ayes and noes, which were ordered, and the Senate refused to table by the following vote:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Dancey, Eppes, Graham of Lincoln, McEachairn, and Stewart—6.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bull, Bynum, Caldwell, Davidson, Dillard, Dortch, Erwin, Everett, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Taylor, Waddell, Ward, Williamson, and White—40.

The bill then passed its second reading, and was placed upon its third reading and passed.

By permission,

Mr. Leach, from the committee on the Judiciary, reported S. B. 49, bill for the better preservation of county books and papers, recommending it do not pass.

On motion of Mr. Williamson, the bill was taken up for consideration.

Mr. Williamson moved to amend by adding:

"All laws and parts of laws in conflict with this act are hereby repealed."

Lost.

The bill failed to pass its second reading.

THE CALENDAR

was resumed.

S. B. 23, bill for draining and damning low lands. Referred to the committee on the Judiciary.

S. B. 31, bill to amend the Constitution of North Carolina. Referred to the committee on the Judiciary.

S. B. 33, bill to provide for holding terms of the Superior Court in certain cases. Referred to the committee on the Judiciary.

S. B. 28, bill to render more speedy the execution of persons convicted of capital felonies. Referred to the committee on Judiciary.

S. B. 24, bill to apply the tax fees of attorneys in the several courts of the State to the public school fund. Referred to the committee on the Judiciary.

S. R. 66, resolution to raise a joint select committee to regulate the whole subject of salaries and fees. Referred to the committee on Salaries and Fees.

S. R. 67, resolution (joint) requiring the State Geologist to make report. Passed its several readings.

Senators Bryan of Pender, and Mitchell, were announced as absent from their seats on account of sickness.

S. R. 86, resolution in regard to immigration, passed its several readings.

S. R. 87, resolution of instruction to committee on Public Printing, was taken up. It was amended by striking out the words "by 12 m. to-morrow," and inserting "at earliest practicable moment." As amended, the resolution passed.

REPORTS FROM STANDING COMMITTEES.

From the committee on Enrolled Bills:

By Mr. Waddell, as correctly enrolled,

S. R. 3, H. R. 18, resolution to appoint a joint select committee to determine the ridings of the Judges of the Superior Courts.

S. B. 10, H. B. 23, bill to repeal the act of the session of 1874–'75, providing for two additional terms of the Superior Court for the county of Wayne.

H. B. 1, S. B. 63, bill to amend section 12, chapter 156, laws of 1876–'77, relating to the privilege tax on merchants, &c.

H. R. 2, S. R. 79, resolution on Retrenchment and Reform.

H. B. 6, S. B. 64, bill to repeal an act providing for additional terms of the Superior Courts of the counties of Northampton and Halifax, ratified on the 17th day of March, 1875.

S. B. 11, H. B. 24, bill to repeal chapter 50, acts of 1873–'74, and also chapter 100 of acts of 1873–'74.

All of which were duly ratified, and transmitted to the Honorable the Secretary of State.

S. R. 88, resolution of instruction to the committee on Salaries and Fees, passed its several readings.

H. R. 15, S. R. 102, resolution concerning a committee of investigation, was,

On motion of Mr. Leach, referred to the committee on Finance.

H. R. 3, S. R. 104, resolution of instruction to the North Carolina delegation in Congress.

The title of the bill was amended by striking out the word "instruction," and inserting the word "request."

Mr. Leach moved to amend by striking out all after the word "faithful," in section 2 of said bill, and insert therefor "representatives from North Carolina to repeal the tax on brandy, and hope they will press the matter to a successful termination," which was adopted.

On motion of Mr. Caldwell, the word "gallant" in section two was struck out.

As amended the resolution passed its several readings.

By permission,

Mr. Scales introduced S. R. 106, resolution of instruction to the Door Keeper of the Senate, which passed its several readings under a suspension of the rules.

On motion of Mr. Ormand, the Senate adjourned.

SEVENTH DAY.

SENATE CHAMBER, Jan. 15th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Watkins.

The Journal of yesterday was read and approved.

The President announced the following additional Standing Committees:

Committee on Propositions and Grievances—Messrs. Bryan of Pender, Dillard, Harris, Respass, Bryan of Duplin, Alston and Eppes.

Committee on Insurance—Messrs. Dillard, Taylor, Williamson, Redwine, Mitchell, Black and Bull.

Committee on Agriculture, Mechanics and Mining—Messrs. Alexander, Lyon, Mebane, Bryan of Duplin, Graham of Lincoln, Dancey and Ross.

Committee on Salaries and Fees—Messrs. Snow, Robinson, Hoyle, Eaves, Matheson, Waddell and Austin.

Committee on Banks and Currency—Messrs. Hoyle, Shackleford, Ward, Holleman, Caldwell, King and Bledsoe.

Committee on Claims—Messrs. Waldo, Taylor, Steward, Ormand, Bryan of Duplin, Lyon, and White.

Senate Branch of Joint Committee on Library—Messrs. Merritt, McEachairn, and Graham of Montgomery.

Senate Branch of Joint Committee on Public Buildings and Grounds—Messrs. Moye, McEachairn, and Mitchell.

Senate Branch of Joint Committee on the Ridings of the Superior Court Judges of the several Districts of the State—Messrs. Bynum, Waldo, Davidson, Everett, and Scales.

Senate Branch of Joint Committee on Retrenchment and Reform—Messrs. Henderson, Scales, and Everett.

Mr. Brower was assigned to the Committee on Internal Improvements, to take the place of Mr. Eppes.

Petitions were introduced and disposed of as follows:

By Mr. Lyon, petitions from the commissioners and others of Granville county. Referred to the committee on Propositions and Grievances.

By Mr. Caldwell, petitions (2) from citizens of Greensboro, North Carolina. Referred to committee on Propositions and Grievances.

REPORTS.

Reports were submitted from standing committees as follows:

From the Committee on the Judiciary:

By Mr. Dortch, S. B. 15, bill to provide for the holding of the Superior Courts successively by the Judges of said courts, recommending it be referred to the special committee upon the Ridings of the Superior Court Judges. So referred.

By the same, S. B. 14, bill for revising and digesting the Public Statute Laws of the State, recommending it do pass.

By Mr. Caldwell, S. B. 29, bill to punish the stealing of dead bodies, recommending it do pass.

By Mr. Erwin, S. B. 16, bill providing for the exemption of certain personal property from sale under execution, recommending it do pass.

By the same, S. B. 12, bill to make slander of women indictable, recommending it do pass.

By Mr. Waddell, S. B. 13, bill to improved the laws of North Carolina, recommending it do not pass.

By the same, S. B. 35, bill in regard to practice in criminal actions, recommending it do pass.

By Mr. Everett, S. B. 26, bill to punish the abduction of children under the age of eighteen years, reporting an amendment, and as amended, recommending it do pass.

By the same, S. B. 71, bill concerning the printing of the laws of the State in certain cases, recommending it do pass.

By Mr. Snow, S. B. 38, bill to punish incest, recommending it do pass.

By the same, S. B. 80, bill to make incest indictable, recommending it do not pass.

By Mr. Henderson, S. B. 72, bill to allow redemption of real estate sold under execution, lien or mortgage, recommending it do not pass.

By Mr. Davidson, S. B. 40, bill to empower the foreman of grand juries to administer oaths and affirmations, recommending it do pass.

By Mr. Waldo, S. B. 17, bill to amend chapter 105, private laws of 1876–'77, recommending its reference to the committee on Propositions and Grievances.

By the same, S. B. 36, bill to allow defendants in certain criminal actions to become witnesses for themselves, recommending it do pass.

By Mr. Bynum, S. B. 32, bill to amend the Constitution of North Carolina, recommending it do not pass.

By Mr. Leach, S. B. 37, bill to repeal chapter 141, laws 1876–'77, entitled an act to establish county government, recommending it do not pass.

From the Joint Committee on Public Printing:

By Mr. Nicholson, S. B. 4, bill to regulate and reduce the price of public printing, recommending it do not pass.

By the same, H. B. 22, S. B. 76, (and substitute,) bill regulating the price of public printing, reporting a substitute, and recommending the substitute do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed, S. R. 6, resolution (Joint) requiring the State Geologist to make a report.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

Message from the House announcing its refusal to concur in Senate amendment to House proposition to print the message of His Excellency the Governor and accompanying documents.

On motion of Mr. Mebane, the Senate receded from its amendment.

Also announcing the passage of H. R. 38, S. R. 107, resolution to form a committee to take into consideration the fish interests of North Carolina. Referred to the committee on Agriculture, Mechanics and Mining.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Graham of Lincoln, S. R. 108, resolution to pay Senators Waddell and Everett for services on State Board of Canvassers. Placed upon the Calendar.

By Mr. Bull, S. R. 109, resolution to provide for heating the Capitol. Referred to the committee on Propositions and Grievances.

By Mr. Everett, S. R. 110, resolution of instruction to the committee on the State Debt. Placed upon the Calendar.

By Mr. Eppes, S. R. 111, resolution relating to graded schools. Referred to the committee on Education.

By Mr. Brower, S. R. 112, resolution requiring the Secretary of State to furnish certain information. Referred to the committee on Salaries and Fees.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Scales, S. B. 113, bill to amend section 10, chapter 44, Revised Code, as brought forward in Battle's Revisal, section 10, chapter 43. Referred to the committee on the Judiciary.

By Mr. Snow, S. B. 114, bill to amend Battle's Revisal, chapter 17, sections 272, 273 and 274. Referred to the committee on the Judiciary.

By Mr. Shackleford, S. B. 115, bill concerning partnerships. Referred to the committee on the Judiciary.

By Mr. Snow, S. B. 116, bill to amend chapter 105, private laws 1876 and 1877. Referred to the committee on Propositions and Grievances.

By Mr. Black, S. B. 117, bill concerning streams used to propel machinery. Referred to the committee on Judiciary.

By Mr. Bryan of Duplin, S. B. 118, bill imposing certain duties on superior court clerks. Referred to the committee on Salaries and Fees.

By Mr. Lyon, S. B. 119, bill to extend the time of B. F. Bullock, sheriff of Granville, for a settlement with the Treasurer of the State. Referred, with petition, to the committee on Finance.

By Mr. Brower, S. B. 120, bill to repeal chapter 35, laws of 1874–'75. Referred to the committee on the Judiciary.

CALENDAR.

Mr. Leach moved to reconsider the vote by which H. R. 22, S. R. 101, resolution to raise a joint committee to examine the Western North Carolina Railroad and Western Insane Asylum passed its third reading. The motion prevailed, whereupon

Mr. Leach offered a substitute for the resolution, which was adopted, and thus amended, the resolution passed its third reading.

Mr. Nicholson asked a suspension of the rules to take up Senate substitute for H. B. 2, S. B. 76, bill to regulate and reduce the price of Public Printing, which prevailed.

The substitute for the bill offered by Mr. Henderson, was withdrawn.

The substitute reported by the Joint Committee on Printing was read.

Mr. Snow moved to amend by striking out "40" and inserting "50;" "strike out "80" and insert "100;" upon which

Mr. Bryan of Duplin, demanded the ayes and noes, which were ordered.

Mr. Scales moved to adjourn, upon which

Mr. Ormand demanded the ayes and noes, which were ordered, and the Senate refused to adjourn, by the following vote.

Those voting in affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Davidson, Erwin, Graham of Lincoln, Harris, King, Robinson, Scales, Snow, Stewart, and Taylor—13.

Those voting in the negative were:

Messrs. Alston, Austin, Black, Brower, Bull, Bynum, Caldwell, Dancey, Dillard, Dortch, Eppes, Everett, Graham of Montgomery, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merrett, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Waddell, Ward, Williamson, and White—33.

The amendment offered by Mr. Snow was lost by the following vote:

Those voting in the affimative were:

Messrs. Dortch, Leach, Ross, and Snow—4.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harriss, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Shackleford, Stewart, Taylor, Waddell, Ward, and White—42.

Mr. Ormand offered to amend by inserting: "*Provided*, the contractor shall pay to his employees 75 per cent. of the amount he receives for the work." Lost.

The substitute was then adopted, and, thus amended, the bill passed its third reading.

On motion of Mr. Henderson, the bill was sent to the House of Representatives without engrossment.

By permission,

Mr. White introduced S. R 121, resolution of instruction to the committee on Privileges and Elections, and asked a suspension of the rules for its immediate consideration, which was granted.

On motion of Mr. Dortch, the resolution was referred to the committee on Privileges and Elections.

On motion of Mr. Everett, the rules were suspended, and S. R. 110, resolution of instruction to the special committee on State Debt was taken up.

Mr. Dortch moved to lay the resolution on the table. Prevailed.

Messrs. Bryan of Pender, Eaves and Mitchell, were announced detained from their seats on account of sickness.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Message was received from the House announcing that S. R. 77, resolution (joint) to raise a select committee to investigate different departments had been laid on the table by that honorable body.

Also, that the following gentlemen had been appointed as the House branch of the joint committee on the State Debt, to-wit:

Messrs. Brown of Mecklenburg, Foard, Davis of Catawba, Cooke, Orchard, Cobb, Hines and Clarke.

Mr. Ormand moved to take from the table S. R. 110, resolution of instruction to the special committee on the State Debt, upon which he demanded the ayes and noes, which were ordered, and the motion to take from the table failed by the following vote:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bull, Caldwell, Dancey, Eppes, Everett, Graham of Montgomery, Holleman, Hoyle, Leach, Mebane, Ormand, Ross, Taylor, Ward, and White—19.

Those voting in the negative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bynum, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harriss, Henderson, King, Lyon, Matheson, McEachairn, Mer-

ritt, Moye, Nicholson, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Waddell, and Williamson—27.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

Message from the House announcing the concurrence of that honorable body in the Senate substitute for H. B. 2, S. B. 76, bill to regulate and reduce the cost of public printing, and ordered the same enrolled for ratification.

By permission,

Mr. Shackleford, from committee on Engrossed Bills, reported as properly engrossed

S. B. 61, bill to amend section 40, chapter 105, Battle's Revisal, regulating the fees of jailors.

Senate substitute for H. R. 22, S. R. 101, resolution to raise a Joint Committee to examine the Western North Carolina Railroad and Western Insane Asylum.

On motion of Mr. Leach, S. R. 108, resolution to pay Senators Waddell and Everett for services on State Board of Canvassers, was taken up and passed its several readings.

On motion of Mr. Snow, the Senate adjourned.

EIGHTH DAY.

SENATE CHAMBER, January 16th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Father White.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were introduced and disposed of as follows:

By Mr. Dillard, three petitions concerning the Danville and Yadkin River Railroad.

REPORTS FROM STANDING COMMITTEES.

The following committees submitted reports:

From the committee on Finance:

By Mr. Graham of Lincoln, S. R. 85, resolution for the relief of the county of Caswell, recommending its reference to the committee on the Judiciary.

From the Committee on Engrossed Bills:

By Mr. Shackleford as properly engrossed, S. R. 108, resolution to pay Senators Waddell and Everett for services on State Board of Canvassers.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. King, S. R. 122, resolution to instruct the Judiciary Committee to inquire into the power of the Legislature to regulate Railroads. Placed upon the Calendar.

By Mr. Robinson, S. R. 123, resolution to raise a joint committee on Federal Relations. Placed upon the Calendar.

By Mr. Eppes, S. R. 124, resolution in relation to the Moffitt Bell Punch. Referred to the committee on Finance.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Dortch, S. B. 125, bill to provide a summary remedy for sureties. Referred to the committee on the Judiciary.

By Mr. Everett, S. B. 126, bill to prohibit certain persons from receiving free passes from Railroads. Referred to the committee on Internal Improvements.

By Mr. Stewart, S. B. 127, bill to abolish the January term of Cumberland Superior Court. Placed upon the Calendar, and subsequently was referred to Judiciary committee.

By Mr. McEachairn, S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company. Referred to the committee on Internal Improvements.

By Mr. Shackleford, S. B. 129, bill to amend section 1, chapter 219, laws 1876–'77. Referred to the committee on Propositions and Grievances.

By Mr. Williamson, S. B. 130, bill in regard to money deposited in the Clerk's offices. Referred to the committee on Propositions and Grievances.

By the same, S. B. 131, bill to regulate the penal amount of official bonds, and for other purposes. Referred to the committee on the Judiciary.

By Mr. Ross, S. B. 132, bill to make the getting of goods under false pretenses a misdemeanor. Referred to the committee on the Judiciary.

By Mr. King, S. B. 133, bill to authorize the employment of convict labor on the Wilson and Tar River Narrow Gauge Railroad. Referred to the committee on Internal Improvements.

By Mr. Henderson, S. B. 134, bill to amend chapter 223, laws of 1876–'77, ratified the 8th day of March, 1877. Referred to the committee on the Judiciary.

By Mr. Shackleford, S. B. 135, bill concerning the service of summons by publication. Referred to the committee on the Judiciary.

By permission,

Mr. Dortch, from the committee on the Judiciary, reported back S. B 127, bill to abolish the January term of Cumberland Superior Court, recommending it do pass.

On his further motion, the rules were suspended, the bill passed its several readings and was ordered transmitted to the House of Representatives without engrossment.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

Message from the House, announcing the concurrence of that honorable body in the Senate substitute for H. R. 22, S. R. 101, resolution to raise a joint select committee to enquire into the management of the Western North Carolina Railroad, and Western Insane Asylum, and had ordered the same enrolled for ratification.

Also transmitting H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274 of laws of 1876–'77, so as to abolish the office of State Geologist; which was referred to the committee on Agriculture, Mechanics and Mining.

Mr. Ormand moved to recall from the committee on Privileges and Elections S. R. 121, resolution of instruction to the committee on Privileges and Elections to enquire into the right of J. T. Waldo to a seat in the Senate, and place the same upon the Calendar; upon which motion he demanded the ayes and noes, which were ordered, and the Senate refused the motion by the following vote:

Those voting in the affirmative were:

Messrs. Alston, Black, Brower, Bull, Bynum, Caldwell, Dancey, Eppes, Everett, Graham of Montgomery, Harris, Ormand, Ross, Scales, Ward, and White—16.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Nicholson, Redwine, Respass, Robinson, Snow, Stewart, Taylor, Waddell, and Williamson—27.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. R. 122, resolution to instruct the Judiciary Committee

to inquire into the power of the Legislature to regulate railroad freights, &c. Passed its several readings.

S. R. 123, resolution to raise a joint committee on Federal Relations.

Mr. Everett moved to lay the resolution upon the table, upon which motion he demanded the ayes and noes, which being ordered, the Senate refused to table by the following vote:

Those voting to table were:

Messrs. Alston, Black, Bledsoe, Brower, Bull, Dancey, Eppes, Everett, Graham of Montgomery, Ormand, Ross, Ward, and White—13.

Those voting in the negative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bynum, Caldwell, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Nicholson, Redwine, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—30.

Mr. Caldwell asked to be excused from serving upon the joint committee on the State Debt.

The Senate refused to accede to the request of the Senator.

Messrs. Bryan of Pender, Eaves, Holleman, Mitchell, Moye and Waldo, were announced absent on account of sickness.

THE CALENDAR

was resumed.

S. B. 37, bill to repeal chapter 141, laws 1876–'77, entitled an act to establish county government, on second reading.

Mr. Brower submitted a substitute for the bill, and moved the bill and substitute be referred to the committee on the Judiciary, which prevailed.

S. B. 32, bill to amend the Constitution of North Carolina, on second reading.

On motion of Mr. Merritt, the bill was laid upon the table.

S. B. 36, bill to allow defendants in certain criminal actions to become witnesses for themselves, on second reading and passed; was put upon its third reading and passed.

S. B. 40, bill to empower the foreman of grand juries to administer oaths and affirmations, on second reading and passed.

S. B. 72, bill to allow redemption of real estate sold under execution, lien or mortgage, on second reading.

Mr. Bynum moved to lay the bill upon the table.

Mr. Scales moved to indefinitely postpone, which prevailed.

S. B. 80, bill to make incest indictable, on second reading.

On motion it was indefinitely postponed.

S. B. 38, bill to punish incest, passed its several readings

S. B. 71, bill concerning the printing of the laws of the State in certain cases.

On motion of Mr. Henderson, the bill was laid on the table.

S. B. 26, bill to punish the abduction of children under the age of eighteen years, on second reading.

The amendment reported by the committee on the Judiciary was adopted.

Mr. King moved to strike out "18" and insert "16." Lost.

Mr. Ormand moved to add: "*Provided*, this act does not apply to persons who abduct females with a view to marry them." Lost.

As amended, the bill passed its second and third readings.

S. B. 35, bill in regard to practice in criminal actions. Passed its second and third readings.

S. B. 13, bill to improve the laws of North Carolina, was, on motion, indefinitely postponed.

S. B. 12, bill to make slander of women indictable, passed its several readings.

S. B. 16, bill providing for the exemption of certain personal property from sale under execution, on second reading.

Mr. Mebane moved to strike out, in lines 22 and 23, the words "one cow and calf," which prevailed.

Mr. Nicholson moved to amend by inserting after the word "furniture," in lines 28 and 29, the words "including one cooking stove and utensils for cooking thereon," which was adopted.

As amended, the bill passed its second reading.

S. B. 29, bill to punish the stealing of dead bodies, on its second reading, and passed.

S. B. 14, bill for revising and digesting the public statute laws of the State, on second reading.

Mr. Mebane moved to amend by inserting "that the compensation of the commissioners shall not exceed one thousand dollars each." On division, the amendment was lost.

The bill then passed its several readings.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Message from the House, announcing the concurrence of that honorable body in Senate amendment to H. R. 22, S. R. 101, resolution to raise a joint select committee to inquire into the management of the Western North Carolina Railroad and the Western Insane Asylum.

Also transmitting H. B. 58, S. B. 137, bill to remedy a failure to levy taxes in Granville county in the year 1878, which passed its first reading.

By permission,

Mr. Henderson introduced S. B. 138, bill to amend section 2, chapter 15, laws of 1876–'77, concerning the Cheraw and Salisbury Railroad. Referred to the committee on the Judiciary.

Mr. Dortch introduced S. B. 139, bill to secure holders o

fire insurance policies in North Carolina. Referred to the committee on the Judiciary.

On motion of Mr. Ormand the Senate adjourned.

NINTH DAY.

SENATE CHAMBER, Jan. 17th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was read.

PETITIONS.

Petitions were introduced and disposed of as follows:

By Mr. Davidson, petition from citizens of Asheville, praying the enactment of laws prohibiting the running of trains, &c., by railroad companies on the holy Sabbath day. Referred to the committee on Propositions and Grievances.

By Mr. Leach, a similar petition from citizens of Davidson. Referred to the same committee.

By Mr. Henderson, petitions from certain citizens of Atwell township, Rowan county. Referred to the committee on Agriculture.

By Mr. Taylor, petition from citizens of Henderson county. Referred to the committee on Propositions and Grievances.

The President laid before the Senate a petition from C. M. Gron of Maryland, asking for a compromise of certain State bonds. Referred to the committee on the State Debt.

REPORTS.

Reports were submitted as follows:

From the committee on the Judiciary:

By Mr. Everett, S. B. 31, bill to amend the Constitution of North Carolina, recommending it do not pass.

By Mr. Scales, S. B. 70, bill to amend an act to allow Milton township, Caswell county, to subscribe to the Milton and Sutherlin Narrow Gauge Railroad, and for other purposes, recommending it do pass.

By the same, S. B. 5, bill to amend an act to allow Milton township, in Caswell county, to subscribe to the Milton and Sutherlin Narrow Gauge Railroad, recommending it do not pass.

By consent, Mr. Williamson was allowed to withdraw the bill.

By Mr. Caldwell, S. B. 84, bill to require the prosecutors in criminal proceedings to pay the costs in certain cases, reporting a substitute, and recommending the substitute do pass.

By Mr. Dortch, S. B. 43, bill to punish seduction of women, reporting a substitute, and recommending the substitute do pass.

By the same, S. B. 23, bill for draining and damning lowlands, recommending it do pass.

By the same, S. B. 39, bill in relation to judgments on appeal from Justices of the Peace, reporting a substitute, and recommending it do pass.

By Mr. Davidson, S. R. 60, bill to repeal a part of section 13, chapter 38, Battle's Revisal, recommending it do not pass.

By Mr. Davidson, S. B. 95, bill to amend an act to revise and consolidate the Public School laws, recommending its reference to the committee on Education.

By the same, S. B. 7, bill to amend section 1, chapter 196, laws 1876–'77, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Graham of Lincoln, S. B. 74, bill to provide for the more efficient returns to the Agricultural Department, reporting an amendment, and as amended recommending it do pass.

By Mr. Alexander, S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the State of North Carolina, recommending its reference to the committee on the Judiciary.

By the same, H. R. 38, S. R. 107, resolution to form a committee to take under consideration the fish interest of North Carolina, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed

S. B. 35, bill in regard to practice in criminal actions;

S. B. 38, bill to punish incest.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Everett, S. R. 140, resolution of instruction to the committee on Privileges and Elections. Placed on the Calendar.

By Mr. Graham of Lincoln, S. R. 141, resolution requesting information concerning expenses on account of Penal Institutions. Placed upon the Calendar.

By Mr. Mebane, S. R. 142, resolution concerning the State debt. Placed upon the Calendar.

By Mr. Caldwell, S. R. 143, resolution of enquiry. Referred to the committee on Finance.

By Mr. Eppes, S. R. 144, resolution (joint) relating to the 14th amendment to the Constitution of the United States. Referred to the committee on Privileges and Elections.

By Mr. Merritt, S. R. 145, resolution of instruction with regard to public roads. Placed upon the Calendar.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Everett, S. B. 146, bill to establish normal schools. Referred to the committee on Education.

By the same, S. B. 147, bill to prevent gambling in railroad cars. Referred to the committee on Judiciary.

By Mr. Respass, S. B. 148, bill to incorporate the Pungo and Alligator Rivers Canal Company. Referred to the committee on Corporations.

By Mr. Black, S. B. 149, bill for the relief of J. M. Monger, sheriff of Moore county. Placed upon the Calendar.

By Mr. Waldo, S. B. 150, bill for the relief of James M. Caho, former sheriff of Pamlico county. Referred to the committee on Finance.

By Mr. Henderson, S. B. 151, bill to authorize the collection of arrears of taxes due the town of Salisbury for the years 1876–'77. Referred to the committee on Finance.

By Mr. Redwine, S. B. 152, bill to repeal so much of the laws of 1876–'77, chapter 141, as provides for election of county commissioners and justices of the peace. Referred the committee on the Judiciary.

By Mr. Henderson, S. B. 153, bill to prevent the sale of intoxicating liquor at or near the seat of the University. Referred to the committee on Propositions and Grievances.

By Mr. Ward, S. B. 154, bill to amend section 25, chapter 275, laws of 1876–'77. Referred to the committee on Propositions and Grievances.

By Mr. Caldwell, S. B. 155, bill to create a municipal official board for the respective counties of this State. Referred to the committee on the Judiciary.

By Mr. Snow, S. B. 156, bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff

of Wake county, for the collection of the taxes for the year 1873. Referred to the committee on Finance.

By permission,

Mr. Snow reported from the committee on the Judiciary,

S. B. 114, bill to amend Battle's Revisal, chapter 17, sections 272, 273 and 274, recommending it do pass.

S. B. 24, bill to apply the tax fees of attorneys in the several courts of the State to the public school fund, without recommendation.

By consent of the Senate, Mr. Williamson was permitted to withdraw Senate bill 24.

By permission,

Mr. Erwin introduced S. B. 157, bill to amend section 8, chapter 255, laws of 1876–'77. Referred to the committee on the Judiciary.

By Mr. Taylor, S. B. 158, bill for the protection of birds. Referred to the committee on Propositions and Grievances.

By Mr. Williamson, S. B. 159, bill to abolish the tax fees of attorneys charged in bills of cost in civil suits. Referred to the committee on the Judiciary.

By Mr. Brower, S. B. 160, bill to amend chapter 41, Battle's Revisal, entitled entries and grants, and protect the State's interest in the public lands. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Matheson, S. B. 161, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 8, S. B. 162, bill to repeal chapter 206, laws of 1876–'77. Referred to the committee on the Judiciary.

H. R. 31, S. R. 163, resolution (joint) to appoint a committee to furnish tabular report of State's interest in all public works. Referred to the committee on Internal Improvements.

Also transmitting a message from his Excellency the Governor, with the report of W. L. Saunders, Secretary of the Board of Trustees of the University, and proposing to go into the election of trustees of the University to fill vacancies designated in said report, on Wednesday next at 12 M.

Mr. Scales moved to insert "Thursday next, at 12 m." instead of "Wednesday next, at 12 m.," that the report of the secretary of the board of trustees be printed, and that a message be sent to the House requesting the concurrence of that honorable body in these amendments, which prevailed.

CALENDAR.

Bills and resolutions were taken up and disposed of as follows:

S. B. 149, bill for the relief of the sureties of J. M. Monger, late Sheriff of Moore county, on second reading.

Mr. Henderson moved to strike out the preamble and first section, which prevailed. As amended, the resolution passed its several readings.

H. B. 58, S. B. 137, bill to remedy a failure to levy taxes in Granville county in the year 1878, on second reading, and passed by the following vote:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—45.

S. B. 16, bill providing for the exemption of certain personal property from sale under execution, on third reading and passed.

S. R. 140, resolution of instruction to the committee on Privileges and Elections, passed its several readings.

S. R. 141, resolution requesting information concerning expenses on account of penal institutions, passed its several readings.

S. B. 29, bill to prevent the stealing of dead bodies, on third reading.

Mr. Merritt moved to amend by inserting at the end of section first the following: "*Provided, however*, That sheriffs, jailors and superintendents of the penal and charitable institutions of the State, shall on demand, deliver to such medical schools of the State as may have schools of dissection the bodies of persons who may suffer death at the hands of the officers of the law, or may die while undergoing a term of imprisonment, or while being supported at public expense: *Provided*, Such bodies shall not be claimed by the relatives and friends of deceased." Adopted. Thus amended, the bill passed its third reading.

S. B. 114, bill to amend Battle's Revisal, chapter 17, sections 272, 273, and 274, on second reading and passed.

S. B. 7, bill to amend section 1, chapter 196, laws of 1876 –'77, on second reading and passed. Was put upon its third reading and passed.

Mr. Shackleford, from the committee on Engrossed Bills, reported as properly engrossed:

S. B. 36, bill to allow defendants in certain criminal actions to become witnesses for themselves.

S. B. 149, bill to relieve the sureties of J. M. Monger, late sheriff of Moore county.

S. B. 14, bill for revising and digesting the Public Statute laws of North Carolina.

S. B. 26, bill to punish the abduction of children under the age of eighteen years.

THE CALENDAR

was resumed.

S. B. 23, bill for draining and damning low lands, passed its several readings.

S. B. 60, bill to repeal a part of section 13, chapter 37, Battle's Revisal, on second reading.

On motion it was laid upon the table.

S. B. 39, bill in relation to judgments on appeal from justices of the peace, on second reading.

The substitute reported by the committee on the Judiciary was adopted, and the bill passed its several readings.

H. R. 38, S. R. 107, resolution to form a committee to take under consideration the fish interest of North Carolina, passed its several readings.

S. B. 84, bill to require the prosecutor in criminal proceedings to pay the costs in certain cases, on second reading.

The substitute reported by the committee on the Judiciary was read; pending consideration,

On motion of Mr. Davidson, the bill and substitute were recommitted to the committee on the Judiciary.

S. B. 43, bill to punish the seduction of women, on second reading.

The substitute reported by the committee on the Judiciary was adopted. Bill then passed its second reading, and was placed upon its third reading, when

Mr. Leach moved to strike out all after the words "discretion of the court" in line 5, of section one.

Mr. Ormand moved to amend by striking out the words "under a promise to marry."

Pending consideration, on

Motion of Mr. Davidson, the bill and amendments were postponed until Friday next and made the special order for 12 m.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that honorable body in the proposition of the Senate to defer until Thursday next at 12 m., the election of Trustees of the University, and to print the report of W. L. Saunders, Secretary to the Board of Trustees.

Mr. Everett moved to adjourn. Lost.

S. B 74, bill to provide for the more efficient returns to the Agricultural Department, on second reading.

Amendments reported by the committee on Agriculture, Mechanics and Mining, were read; pending consideration,

On motion of Mr. Lyon, the bill and amendments were recommitted to the committee on Agriculture, Mechanics and Mining.

S. B. 70, bill to amend an act to allow Milton township, in Caswell county, to subscribe to the Milton and Sutherlin Narrow Gauge Railroad, and for other purposes, on its second reading.

Mr. Williamson moved to amend by adding an additional section, which was accepted; and thus amended, the bill passed its several readings.

S. B. 31, bill to amend the Constitution of North Carolina, on second reading.

On motion of Mr. Everett, the bill was laid on the table.

S. B. 40, bill to authorize foremen of grand juries to administer oaths or affirmations, on third reading, and passed.

Leave of absence granted Mr. Harris until Tuesday; Messrs. Eppes, Shackleford and Waddell until Monday.

Messrs. Bryan of Pender, Eaves and Mitchell were announced as absent on account of sickness.

On motion of Mr. Snow, the Senate adjourned.

TENTH DAY.

SENATE CHAMBER, Jan. 18th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

Petitions were offered and disposed of as follows:

By Mr. Graham of Lincoln, petition from citizens of Lincoln. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Alexander, memorial from citizens of Mount Mourne, Iredell county. Referred to the committee on Propositions and Grievances.

By Mr. Ormand, petition from citizens of Greene county. Referred to the committee on Propositions and Grievances.

REPORTS FROM COMMITTEES.

Reports were submitted from committees as follows:

From the Committee on Finance:

By Mr. Henderson, S. B. 119, bill to extend the time of B. F. Bullock, sheriff of Granville county, for a settlement with the Treasurer of the State, reporting a substitute, and recommending it do pass.

From the committee on Judiciary:

By Mr. Scales, S. B. 113, bill to amend section 10, chapter 44, Revised Code as brought forward in Battle's Revisal, section 10, chapter 43, recommending it do pass.

By Mr. Leach, H. R. 15, S. R. 102, resolution concerning a committee of investigation, recommending it do not pass.

From the committee on Military Affairs:

By Mr. Williamson, reported back without recommendation, a petition from citizens of Catawba county concerning wounded soldiers.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Davidson, S. R. 164, resolution (joint) amending a resolution requiring and providing for the indexing the Journals of the Houses of the General Assembly, and preparation and indexing of Legislative Documents. Referred to the committee on Salaries and Fees.

By Mr. Ormand, S. R. 165, resolution in favor of the North Carolina soldiers. Referred to the committee on Propositions and Grievances.

By Mr. McEachairn, S. R. 166, resolution in favor of soldiers from North Carolina who lost their entire eye-sight in the Confederate service. Referred to the committee on Propositions and Grievances.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Snow, S. B. 167, bill to extend the charter of certain Banks. Referred to the committee on Corporations.

By the same, S. B. 168, bill explanatory of chapter 57, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Ormand, S. B. 169, bill to regulate work on public roads. Referred to the committee on Internal Improvements.

By Mr. Robinson, S. B. 170, bill to regulate in certain respects the computation of the degrees of kinship within which persons in this State may not lawfully marry. Referred to the committee on the Judiciary, and ordered to be printed.

By Mr. Caldwell, S. B. 171, bill to extend the time for the sheriffs and tax collectors to collect taxes still due them up to the 31st day of December, A. D. 1879. Referred to the committee on Finance.

On motion of Mr. Davidson, S. B. 155, bill to create a municipal official board for the respective counties of this State, now in the hands of the committee on Judiciary, was ordered to be printed.

Mr. Nicholson, from committee on Engrossed Bills, reported as properly engrossed:

S. B. 40, bill to empower the foreman of grand juries to administer oaths and affirmations:

S. B. 16, bill providing for the exemption of certain personal property from sale under execution.

CALENDAR.

H. B. 58, S. B. 137, bill to remedy a failure to levy taxes in the county of Granville, in the year 1878, on its third reading, passed, ayes 37, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Erwin, Graham of Lincoln, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Robinson, Ross, Scales, Snow, Stewart, Waldo, Ward, Williamson and White —37.

S. R. 145, resolution of instruction with regard to Public Roads. Passed and referred to the special committee on Public Roads.

S. R. 142, a resolution concerning the State debt, passed its several readings.

By permission,

Mr. Everett introduced S. B. 172, bill to allow legatees and distributees to sue executors and administrators at any

time. Referred to the committee on Judiciary, and ordered to be printed.

Mr. Leach, from the committee on Internal Improvements, reported S. B. 126, bill to prohibit certain persons from receiving free passes from Railroads, recommending it do not pass.

Also, S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company, recommending it do pass.

Mr. Moye, from committee on Enrolled Bills, reported as correctly enrolled :

H. B. 2, S. B. 76, an act to reduce and regulate the cost of the Public Printing.

S. B. 127, H. B. 143, an act to abolish the January Term of Cumberland Superior Court.

H. R. 12, S. R. 103, a resolution in regard to mileage and *per diem.*

S. R. 101, H. R. 22, resolution to raise a Joint Select Committee to inquire into the management of the Western North Carolina Railroad and the Western Insane Asylum.

By permission,

Mr. Alston introduced S. B. 173, bill to alter and amend the 42d section of the 68th chapter of Battle's Revisal, in relation to school committees. Referred to the committee on Education.

THE CALENDAR

was resumed.

S. B. 25, bill to amend chapter 87, private laws 1870–'71, on second reading.

On motion, was referred to the committee on the Judiciary.

H. R. 15, S. R. 102, resolution concerning a committee of investigation, on second reading.

On motion of Mr. Austin, it was indefinitely postponed.

By permission,

Mr. Bynum introduced S. R. 174, resolution in regard to public documents.

On motion of Mr. Bynum, the rules were suspended and the resolution passed its several readings, and was ordered transmitted to the House of Representatives without engrossment.

S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company, on its second reading and passed.

Mr. Leach introduced S. R. 175, resolution of instruction to the Doorkeeper of the Senate, which passed its several readings.

Mr. Everett moved to reconsider the vote by which the resolution (S. R. 175) passed. Lost.

S. B. 113, bill to amend section 10, chapter 44, Revised Code, as brought forward in Battle's Revisal, section 10, chapter 43, on second reading.

Pending consideration, on

Motion of Mr. Scales, the bill was re-committed to the committee on the Judiciary.

S. B. 119, bill to extend the time of B. F. Bullock, Sheriff of Granville county, for settlement with the State Treasurer, on second reading.

The substitute reported by the committee on Finance was adopted, and the bill then passed its several readings.

Mr. Nicholson, from joint committee on Public Printing, submitted report of the action of said committee in making a contract for the public printing of the State for the two years ensuing.

The report was received and adopted by the Senate, and the committee directed to file the contract and bond with the proper officers.

S. B. 114, bill to amend Battle's Revisal, chapter 17, sections 272, 273 and 274, was, on motion of Mr. Davidson, recommitted to the committee on the Judiciary, and ordered to be printed.

Messrs. Dortch and Taylor were granted leave of absence until and including Monday.

Messrs. Bryan of Pender and Eaves were announced detained from their seats on account of sickness.

On motion of Mr. Leach, the Senate adjourned.

ELEVENTH DAY.

SENATE CHAMBER, Jan. 20th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

Mr. Davidson asked permission to add to S. B. 7, bill to amend section 1, chapter 196, laws of 1876–'77, now in the hands of the Engrossing Committee, a ratifying clause, which was granted.

PERSONAL PRIVILEGE.

Mr. Eppes rose to a question of personal privilege, correcting an error in the public reports that the bill recently introduced by him had reference to the second Senatorial district. His bill referred to the second Congressional district.

PETITIONS AND MEMORIALS.

Petitions and memorials were introduced and disposed of as follows:

By Mr. Henderson, petition from citizens of Rowan, relative to draining certain lands, &c. Referred to the committee on Penal Institutions.

By the same, petition from G. W. Isenhour, Isaac Good-

night and others. Referred to the committee on Propositions and Grievances.

By Mr. McEachairn, petition from citizens of Robeson concerning the running of trains on railroads on Sunday. Referred to the committee on Propositions and Grievances.

By Mr. Nicholson, petition from the merchants of Statesville. Referred to the committee on Finance.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted as follows:

From the committee on Finance:

By Mr. Henderson, S. B. 151, bill to authorize the collection of arrears of taxes due the town of Salisbury for the years 1876–'77, reporting certain amendments, and as amended recommending it do pass.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. White, S. R. 176, resolution on roads. Referred to the committee on Judiciary.

By the same, S. R. 177, resolution on sale of intoxicating liquors. Referred to the committee on Propositions and Grievances.

BILLS.

By Mr. Dillard, S. B. 178, bill to allow Leaksville and other townships in Rockingham county, to subscribe to the capital stock in a railroad. Referred to the committee on the Judiciary.

By Mr. Alexander, S. B. 179, bill to make conductors of railroad trains and station agents conservators of the peace. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 180, bill to regulate the length

of the sessions of the grand juries of the several courts of the State. Referred to the committee on the Judiciary.

By Mr. Black, S. B. 181, bill for the relief of J. M. Monger, former sheriff of Moore county. Referred to the committee on the Judiciary.

THE CALENDAR.

Bills and resolutions were taken up and disposed of as follows:

S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company, on third reading.

On motion of Mr. Leach, the bill was postponed until 12 M., Saturday, 25th instant, and made the special order for that hour.

Mr. Snow moved that it be printed. Lost.

S. B. 151, bill to authorize the collection of arrears of taxes due the town of Salisbury for the years 1876–'77, on second reading.

Amendments reported by the committee on Finance were adopted.

Bill then passed its second reading, ayes 36, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Davidson, Dillard, Eaves, Erwin, Everett, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Snow, Stewart, Waldo, Ward, Williamson, and White—36.

Those voting in the negative were:

Messrs. Dancey, Eppes, and Mebane.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

Message was received from the House transmitting for concurrence:

H. B. 62, S. B. 182, bill to change the time of holding the Superior Courts in the Fourth Judicial District. Placed upon the Calendar.

H. B. 49, S. B. 183, bill to incorporate Payne's Benevolent Society of Rutherford county. Referred to the committee on Corporations.

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State. Referred to the committee on Finance.

H. R. 19, S. R. 185, resolution for a conference with the South Carolina Legislature to remove obstructions from the Yadkin and other rivers for the free passage of fish. Referred to the committee on Propositions and Grievances.

On motion of Mr. McEachairn, the rules were suspended, and

H. B. 62, S. B. 182, bill to change the time of holding the Superior Courts in the Fourth Judicial District, was taken up and passed its several readings.

Mr. Robinson moved to reconsider the vote by which the bill passed its third reading; and moved further to lay that motion on the table, which latter motion prevailed.

THE CALENDAR

was resumed.

S. B. 126, bill to prohibit certain persons from receiving free passes from railroads, on its second reading.

On motion of Mr. Everett the bill was postponed until to-morrow.

By consent,

Mr. Nicholson, from the committee on Engrossed Bills, reported as correctly engrossed:

S. R. 142, resolution concerning the State Debt.

S. B. 29, bill to prevent the stealing of dead bodies.

S. B. 23, bill for draining and damming low lands.

S. B. 7, bill to amend section 1, chapter 196, laws of 1876–'77.

S. B. 119, bill for the relief of Benj. F. Bullock, late sheriff of Granville county.

S. B. 38, bill in relation to judgments on appeals from justices of the peace.

S. B. 70, bill to amend an act to allow Milton township, in the county of Caswell, to subscribe fifteen thousand dollars in payment of stock in the Milton and Sutherlin Narrow Gauge Railroad Company, and for other purposes.

Mr. Snow introduced S. B. 186, bill to amend section 31, Code of Civil Procedure, being section 31, chapter 17, Battle's Revisal. Referred to the committee on the Judiciary.

Also, S. B. 187, bill to amend section 345, Code of Civil Procedure, being section 345, chapter 17, Battle's Revisal. Referred to the committee on the Judiciary.

Leave of absence was granted to Mr. Scales for to-day.

Mr. Bryan of Pender, was announced as absent on account of sickness.

On motion of Mr. Bull, the Senate adjourned.

TWELFTH DAY.

SENATE CHAMBER, Jan. 21st, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Norman.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Graham of Lincoln, petition of one hundred and

thirty-seven citizens of Lincoln and Gaston counties, relative to the running of railway trains on the Sabbath. Referred to the committe on Propositions and Grievances.

By Mr. Scales, petition of T. B. Soots and others of Guilford county. Referred to the committee on Education.

By Mr. Taylor, petition of citizens of Henderson county to repeal the homestead. Referred to the committee on the Judiciary.

REPORTS FROM STANDING COMMITTEES.

Reports from committees were submitted as follows:

From the committee on corporations:

By Mr. Waldo, S. B. 91, bill to incorporate Brevard Station, Gaston county, North Carolina, reporting amendments, and as amended, recommending it do pass.

By Mr. Nicholson, sundry petitions concerning local prohibitory laws, reccommending their referenee to the committee on Propositions and Grievances. They were so referred.

From the committee on Propositions and Grievance:

By Mr. Dillard, S. B. 154, bill to amend section 35, chapter 275, laws 1876–'77, recommending the same do pass.

S. B. 41, bill repealing that part of chapter 260, passed at the session of 1876 and 1877, prohibiting the sale of spirituous liquors within three miles of Lawrence's Church, in Edgecombe county, recommending it do pass.

S. B. 92, bill to amend chapter 219, laws of 1876–'77, entitled an act to protect deer in Stokes, Forsythe, Surry and other counties, recommending it do pass.

S. B. 58, bill to prevent the sale of intoxicating liquor within two miles of Wesleyan Chapel, in the county of Pender, recommending it do pass.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting for concurrence:

H. R. 68, S. R. 188, resolution to print report of Commissioner of Agriculture. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 19, S. B. 189, bill to be entitled an act for the punishment of the crime of incest. Referred to the committee on Judiciary.

H. B. 7, S. B. 190, bill to define the jurisdiction of justices of the peace. Referred to the committee on the Justices of the Peace.

H. B. 110, S. B. 191, bill to establish a public ferry in the counties of Montgomery and Stanley. Referred to the committee on Propositions and Grievances.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. McEachairn, S. R. 192, resolution to make Lumber River navigable. Referred to the committee on Propositions and Grievances.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Bryan of Duplin, S. B. 193, bill to facilitate the execution of guardian bonds. Referred to the committee on the Judiciary.

By Mr. Caldwell, S. B. 194, bill to provide for the registration of certain deeds and other instruments of writing, and to make valid the registration of others. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 195, a bill to be entitled an act concerning the election in the year 1878, for certain offices.

Placed upon the Calendar.

By Mr. Bryan of Duplin, S. B. 196, bill to canal Goshen Swamp in Duplin county. Referred to the committee on Internal Improvements.

By Mr. Graham of Lincoln, S. B. 197, bill to simplify the form of indictment for murder. Referred to the committee on Judiciary.

By Mr. Ormand, S. B. 198, bill to re-enact an act to run and establish the dividing line between the counties of Wayne and Greene. Referred to the committee on Propositions and Grievances.

By Mr. King, S. B. 199, bill to remit to merchants the privilege tax of five dollars where it has not yet been paid, and to refund the same where it has been paid. Referred to the committee on Finance.

By Mr. Bynum, S. B. 200, bill to amend the act prohibiting marriage between the races. Referred to the committee on the Judiciary.

On motion of Mr. Dortch, the rules were suspended, and the vote by which H. B. 62, S. B. 182, bill to change the time of holding the Superior Courts of the Fourth Judicial District passed its third reading on yesterday, was reconsidered.

The question recurring upon the passage of the bill on its third reading,

On motion of Mr. Dortch, it was referred to the committee on the Judiciary.

By consent,

Mr. Robinson introduced S. B. 201, bill to repeal section 29, chapter 6, Battle's Revisal, in reference to the payment of expenses in conducting insane to the Insane Asylum. Referred to the committee on Insane Asylum.

Mr. Henderson introduced S. B. 202, bill concerning the

support of lunatics. Referred to the committee on Insane Asylum.

Mr. Taylor introduced S. B. 203, bill to repeal section 12, chapter 16, Battle's Revisal. Referred to the committee on the Judiciary.

Mr. Robinson introduced S. B. 204, bill to amend chapter 107, laws of 1874–'75, concerning the expenses incurred in transporting convicts to the State's prison. Referred to the committee on Penal Institutions.

Mr. Waddell introduced S. B. 205, bill to authorize the Board of Education for Johnston county to pay the orders made on the Treasurer of said county, &c. Referred to the committee on Education.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 151, bill to authorize the collection of arrears of taxes due the towns of Salisbury and Goldsboro, for the years 1876, 1877 and 1878, on its third reading and passed by the following vote:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Richmond, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Robinson, Ross, Scales, Taylor, Waddell, Waldo, Ward, Williamson, and White—43.

S. B. 126, bill to prohibit certain persons from receiving free passes from railroads, on its second reading.

Mr. Leach moved to lay the bill upon the table, upon which

Mr. Everett demanded the ayes and noes, which were

ordered, and the motion to table prevailed by the following vote:

Those voting in the affirmative were:

Messrs. Austin, Black, Brower, Bryan of Duplin, Bull, Bynum, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—36.

Those voting in the negative were:

Messrs. Alexander, Alston, Bledsoe, Caldwell, Eaves, Everett, Henderson, McEachairn, Scales, and Ward—10.

Mr. Waddell, from the committee on Enrolled Bills, reported as correctly enrolled:

S. B. 137, H. B. 58, bill to remedy a failure to levy taxes in the county of Granville in the year 1878.

S. R. 18, H. R. 38, resolution (joint) referring to a select committee that portion of his Excellency's message referring to our public roads.

H. R. —, S. R. 107, resolution to take into consideration the fish interests of North Carolina.

S. R. 21, H. R. 28, resolution in favor of Judge David Schenck.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, proposing to go into an election of a United States Senator for the term beginning the 4th day of March, 1879, and ending the 4th day of March, 1885, and asking the concurrence of the Senate in the same.

On motion of Mr. Leach, the Senate concurred, and a message was sent to the House accordingly.

THE CALENDAR

was resumed.

S. B. 195, bill to be entitled an act concerning the election in the year 1878 for certain offices.

On its second reading, and passed; was put upon its third reading, when,

On motion of Mr. Davidson, the bill was referred to the committee on the Judiciary.

S. B. 92, bill to amend chapter 219, laws of 1876–'77, entitled "An act to protect deer in Stokes, Forsythe and other counties, on second reading.

Mr. Bledsoe moved to amend by inserting, as section 2, "That the name of Ashe county be inserted in said act, in place of Craven." Adopted; and thus amended, the bill passed its several readings.

The hour of 12 m. having arrived, the Senate proceeded to ballot for a United States Senator for the term beginning 4th of March, 1879.

Messrs. Scales and Bull were appointed a committee to superintend the election.

Mr. Dortch placed in nomination Hon. Zebulon B. Vance, of Mecklenburg.

Mr. Everett placed in nomination Hon. Ralph P. Buxton, of Cumberland.

Mr. Ward placed in nomination Hon. Augustus S. Merrimon, of Wake.

The Senate proceeded to vote as follows:

Those voting for Hon. Z. B. Vance were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bynum, Caldwell, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Robinson, Scales, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson—33.

Those voting for Hon. R. P. Buxton were:

Messrs. Alston, Black, Bull, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, Ormand, Ward, and White—12.

Mr. Brower voted for Hon. A. S. Merrimon.

Mr. Scales, of committee, reported that Z. B. Vance received thirty-three votes; R. P. Buxton received twelve votes; A. S. Merrimon received one vote.

Messrs. Bryan of Pender, and Mitchell, were announced detained from their seats on account of sickness.

Mr. Graham of Lincoln, was absent from his seat on yesterday on account of sickness.

S. B. 91, bill to incorporate Brevard's Station, Gaston county, was taken up, on its second reading.

The amendments reported by the committee on Corporations were adopted, and thus amended the bill passed its second reading as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Snow, Stewart, Taylor, Waddell, Ward, Williamson, and White—40.

On motion of Mr. Snow the Senate adjourned.

THIRTEENTH DAY.

SENATE CHAMBER, Jan. 22, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Wilson.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Hoyle, petition from citizens of township No. 4, Cleaveland county. Referred to the committee on Propositions and Grievances.

By Mr. Moye, petitions from citizens of Pitt county. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted as follows:

From the committee on the Judiciary;

By Mr. Scales, S. B. 178, bill to allow Leaksville and other townships in Rockingham county, to subscribe to the capital stock in a Railroad, recommending it do pass.

By the same, S. B. 181, bill for the relief of J. M. Monger, former sheriff of Moore county, reporting a substitute, and recommending the substitute do pass.

By the same, S. B. 132, bill to make getting of goods under false pretences a misdemeanor, recommending it do not pass.

By Mr. Caldwell, S. B. 59, bill to amend chapter one hundred and seventy-six of the acts of the General Assembly of 1873–'74, recommending it do not pass.

By the same, S. B. 52, bill to make Justices of the Peace *ex-officio* Rangers for the townships of the counties in which they reside, recommending it do pass.

By Mr. Henderson, S. B. 195, bill concerning the election in the year 1878, for certain officers, recommending it do pass.

By the same, S. B. 84, bill to require the prosecutor in criminal proceedings to pay the costs in certain cases, reporting a substitute, and recommending the substitute do pass.

By the same, S. B. 54, bill to define the criminal jurisdiction of Justices of the Peace, recommending it do pass.

By Mr. Waddell, S. B. 34, bill to amend an act to establish courts inferior to the supreme court, to be styled "inferior courts," recommending it do pass.

By the same, S. B. 180, bill to regulate the length of the sessions of the grand juries of the several courts of the State, reporting an amendment, and, as amended, recommending the bill do pass.

By Mr. Bynum, S. B. 179, bill to make conductors of railroad trains and station agents conservators of the peace, recommending it do not pass.

By Mr. Snow, S. B. 152, bill to repeal so much of the laws of 1876–'77, chapter 141, as provides for election of county commissioners and justices of the peace, recommending it do not pass.

By the same, S. B. 168, bill explanatory of chapter 57, Battle's Revisal, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Dillard, S. B. 116, bill to amend chapter 105, private laws 1876–'77, recommending it do not pass.

By the same, S. B. 17, bill to amend chapter 105, private laws of 1876–'77, reporting a substitute, and recommending the substitute do pass.

By the same, S. B. 158, bill for the protection of birds, reporting an amendment, and, as amended, recommending it do pass.

By the same, H. B. 110, S. B. 191, bill to establish a public ferry in the counties of Montgomery and Stanley, recommending it do pass.

By the same, S. B. 130, bill in regard to money deposited in Clerks' offices, recommending it do not pass.

By the same, S. B. 98, bill to prevent the destruction of turtle, terrapin and marsh fowls in the county of Brunswick, recommending it do pass.

By the same, S. B. 96, bill for the relief of Pinkney Rollins & Co., recommending it be referred to the committee on Claims. It was so referred.

By Mr. Respass, S. R. 166, resolution in favor of soldiers from North Carolina who lost their entire eyesight in the Confederate service, recommending it do not pass.

By the same, H. R. 19, S. R. 185, resolution for a conference with the South Carolina Legislature to remove obstructions from the Yadkin and other rivers for the free passage of fish, recommending its reference to the committee on Internal Improvements. It was so referred.

By the same, S. R. 165, resolution in favor of North Carolina soldiers, recommending it do not pass.

From the committee on Engrossed Bills:

By Mr. Nicholson, as properly engrossed, S. B. 92, bill to amend chapter 219, laws of 1876–'77, to protect deer in Stokes, Stanley, &c.

S. B. 151, bill to authorize the collection of taxes due the towns of Salisbury and Goldsboro for the years 1876, 1877 and 1878.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting, with a proposition to print, a message from his Excellency the Governor, accompanied by a memorial from Charles U. Williams, Esq., on the subject of the State's debt.

On motion of Mr. Mebane, the Senate refused to concur in the proposition to print.

The message and memorial were referred to the Joint Committee on the State Debt.

Also a message transmitting for concurrence,

H. B. 20, S. B. 206, bill concerning the caption of bills and resolutions. Placed upon the Calendar.

H. B. 91, S. B. 207, bill to amend sub-section 9, section 33,

Code Civil Procedure. Referred to the committee on the Judiciary.

H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws of 1874–'75. Referred to the committee on the Judiciary.

H. B. 73, S. B. 209, bill to amend chapter 67, private laws 1876–'77. Referred to the committee on Corporations.

H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties. Referred to the committee on the Judiciary.

H. B. 106, S. B. 211, bill to amend sections 8 and 10 of chapter 30 of Battle's Revisal, relating to the duties of county treasurers. Referred to the committee on Finance.

H. B. 105, S. B. 212, bill to amend chapter 83, private laws of 1876–'77. Referred to the Committee on Propositions and Grievances.

H. B. 200, S. B. 213, bill to amend chapter 36, laws of 1876–'77. Referred to the committee on the Judiciary.

RESOLUTIONS.

Resolutions were introduced, passed first reading and disposed of as follows:

By Mr. McEachairn, S. R. 214, resolution in regard to the Geological Survey of North Carolina. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Waddell, S. R. 215, resolution relative to justices of the peace. Placed upon the Calendar.

By Mr. Respass, S. R. 216, resolution of instruction to the committee on the Judiciary. Placed upon the Calendar.

BILLS.

Bills were introduced, read first time and disposed of as follows:

By Mr. Everett, S. B. 217, bill to suppress intemperance,

pauperism and crime. Referred to the committee on the Judiciary.

By Mr. Waddell, S. B. 218, bill for the relief of sheriffs and tax-collectors. Referred to the committee on Propositions and Grievances.

By Mr. Moye, S. B. 219, bill to amend chapter 27, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Taylor, S. B. 220, bill for the protection of deer. Referred to the committee on Propositions and Grievances.

By Mr. Bryan of Duplin, S. B. 221, bill to fix the times for holding the superior courts in the third judicial district. Referred to the committee on the Judiciary.

By Mr. Eaves, S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton. Referred to the committee on Propositions and Grivances.

By Mr. Merritt, S. B. 223, bill to repeal section 43, chapter 32, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Eppes, S. B. 224, bill to allow the people of North Carolina to elect their county commissioners. Referred to the committee on Judiciary.

By Mr. Scales, S. B. 225, bill to incorporate the town of Middleburg, in the county of Warren. Referred, with petitions, to the committee on Corporations.

By Mr. Ormand, S. B. 226, bill to prevent the use of intoxicating liquors in the capitol building. Referred to the committee on Propositions and Grievances.

By Mr. Bynum, S. B. 227, bill to regulate the payment of costs in certain cases. Referred to the committee on Judiciary.

CALENDAR.

S. B. 91, bill to incorporate Brevard's Station, Gaston county, on its third reading, and passed, as follows:

Those voting in the affimative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—45.

S. B. 154, bill to amend section 25, chapter 275, laws of 1876–'77, on second reading and passed.

S. B. 41 and S. B. 58, bills relating to local prohibitory laws, were recommitted to committee on Propositions and Grievances.

S. R. 216, resolution of instruction to the Judiciary Committee, on second reading.

On motion of Mr. Henderson, it was laid upon the table.

S. R. 215, resolution in relation to justices of the peace, passed and ordered to be engrossed.

S. B. 195, bill concerning the election in 1878 for certain officers, on third reading and passed.

S. B. 168, bill explanatory of chapter 57, Battle's Revisal, on its second reading.

Amendments reported by the committee on the Judiciary were adopted, and as amended, the bill passed its second reading.

S. B. 152, bill to repeal so much of the laws of 1876–'77, chapter 141, as provide for election of county commissioners and justices of the peace, on its second reading.

Mr. Everett moved to lay the bill upon the table, upon which

Mr. Ward demanded the ayes and noes, which were ordered, and the motion to table prevailed by the following vote:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Duplin, Bynum, Caldwell, David-

son, Dillard, Dortch, Erwin, Everett, Graham of Lincoln, Harris, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Merritt, Moye, Nicholson, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, and Waldo—29.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bledsoe, Brower, Bull, Dancey, Eaves, Eppes, Graham of Montgomery, Holleman, Mebane, Ormand, Redwine, Ward, Williamson, and White —17.

By permission,

Mr. Snow introduced S. B. 228, bill to incorporate Oak City Lodge Knights of Honor, No. 419. Referred to the committee on Corporations.

The hour of 12 M. having arrived, the Senate proceeded to the Hall of the House of Representatives for the purpose of ascertaing, in accordance with the law, the result of the ballot had on yesterday for United States Senator.

Thereupon, the Senate and the House of Representatives having gone into joint session,

The President of the Senate directed the Secretary of the Senate to read so much of the Journal of the proceedings of the Senate on yesterday as related to said ballot, which was accordingly done.

The Speaker of the House of Representatives then directed the Principal Clerk of the House of Representatives to read so much of the Journal of the proceedings of the House of Representatives of yesterday as related to said ballot, which was accordingly done.

The President of the Senate thereupon requested the Speaker of the House of Representatives to announce the result, which he did in the following words, to-wit:

Senators and Members of the House of Repreeentatives:

It appearing from the Journals of the General Assembly of the State of North Carolina, compared in joint session,

that the two Houses composing the same, did on Tuesday the 21st day of January, A. D., 1879, in conformity with the law, proceed to elect a Senator to represent the State in the Congress of the United States, for the term commencing on the 4th day of March, A. D. 1879, and ending on the 4th day of March, A. D. 1885, and it also appearing from the said Journals that the Hon. Zebulon Baird Vance did in said election receive a majority of all the votes in each House of the said General Assembly. We, Thomas J. Jarvis, President of the Senate, and John M. Moring, Speaker of the House of Representatives, do therefore hereby declare that the said Zebulon Baird Vance is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

The Senate then rose, and returned to its own chamber.

THE CALENDAR

was resumed.

S. R. 165, resolution in favor of North Carolina soldiers, on its second reading.

Mr. Snow offered to amend by inserting after the words "seventy five dollars" the word "annually."

Pending consideration, on

Motion of Mr. Leach, the bill, with amendment, was recommitted to the committee on Propositions and Grievances.

S. B. 179, bill to make conductors of railroad trains and station agents conservators of the peace, on its second reading.

On motion of Mr. Alexander, the bill was recommitted to the committee on the Judiciary.

S. B. 180, bill to regulate the length of the sessions of the grand juries of the several courts of the State, on its second reading.

Mr. Snow moved to amend by inserting after the words

"superior courts," the words "and criminal courts." Accepted. Amendments reported by the committee on Judiciary were adopted, and, as amended, the bill passed its second reading.

S. R. 166, resolution in favor of soldiers from North Carolina who lost their entire eye-sight in the Confederate service, on its second reading.

On motion of Mr. Bynum it was laid on the table.

S. B. 52, bill to make justices of the peace *ex-officio* rangers for the townships of the counties in which they reside, passed its several readings.

S. B. 54, bill to define the criminal jurisdiction of justices of the peace, on second reading.

Mr. Waldo moved to recommit the bill to the committee on the Judiciary. Lost.

Mr. Henderson demanded the ayes and noes on the passage of the bill on its second reading, which were ordered, and the bill passed its second reading as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—43.

Those voting in the negative were:

Messrs. Bynum, Davidson and Erwin.

S. B. 84, bill to require the prosecutor in criminal proceedings to pay the costs in certain cases, on second reading.

The (first) substitute reported by the committee on the Judiciary was, by consent, withdrawn.

The (second) substitute reported by the same committee was adopted, and the bill passed its second reading.

The President announced as Senate branch of Joint Select

Committee to Investigate the Western North Carolina Railroad and Western Insane Asylum, Mr. Snow.

On motion of Mr. Ormand, the Senate adjourned.

FOURTEENTH DAY.

SENATE CHAMBER, January 23d, 1879.

The Senate met pursuant to adjournment. Mr. Dortch in the Chair.

Prayer by Rev. Father White.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Henderson, petition of E. M. Kimball, *et al.*, of Rowan county. Referred to the committee on Propositions and Grievances.

By Mr. Graham of Lincoln, petition of citizens of Lincoln county. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petition of John B. Manning, a construction bondholder. Referred to the committee on State Debt.

By Mr. Nicholson, petition from citizens of Iredell county. Referred to the committe on Propositions and Grievances.

By Mr. Scales, petitions from citizens of Patterson's township, Alamance county. Referred to the committee on Education.

By Mr. Hoyle, petition from citizens of Cleaveland. Referred to the committee on Propositions and Grievances.

By Mr. Eaves, petitions from citizens of Rutherford. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted as follows:

From the committee on Finance:

By Mr. Henderson, S. R. 78, resolution in favor of P. Whitlock, recommending it do not pass.

By Mr. Dillard, S. B. 150, bill for the relief of Joseph M. Caho, former sheriff of Pamlico county, recommending it do not pass.

By the same, S. B. 171, bill to extend the time of sheriffs and tax collectors to collect taxes due them, recommending it do not pass.

By Mr. Graham of Lincoln, H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Graham of Montgomery, S. B. 199, bill to remit to merchants the privilege tax of five dollars, where it has not yet been paid, and to refund the same where it has been paid, recommending it do not pass.

From the committee on the Judiciary:

By Mr. Caldwell, S. B. 120, bill to repeal chapter 35, laws of 1874–'75, recommending its reference to the committee on Salaries and Fees. It was so referred.

By the same, H. B. 8, S. B. 162, bill to repeal chapter 206, laws of 1876–'77, recommending its reference to the select committee on Fish and Fisheries. It was so referred.

By Mr. Waddell, H. B. 62, S. B. 182, bill to change the time of holding the superior courts in the 4th judicial district, reporting a substitute, and recommending the substitute do pass.

By Mr. Davidson, S. R. 105, resolution directing the payment of certain witnesses, recommending it do pass.

From the committee on Finance:

By Mr. Graham of Lincoln, S. B. 83, bill to authorize the Secretary of State to purchase a seal for the register of deeds for each county in the State, recommending it do not pass.

BILLS.

The following bills were introduced, read first time, and disposed of as follows:

By Mr. Graham of Lincoln, S. B. 229, bill to regulate the sale of liquors in this State. Referred to the committee on Finance, and ordered to be printed.

By Mr. Waddell, S. B. 230, bill to prevent fraudulent voting in the counties of this State. Referred to the committee on the Judiciary.

By Mr. Erwin, S. B. 231, bill for the protection of fish. Referred to the select committee on Fish and Fisheries.

By Mr. Bryan of Duplin, S. B. 232, bill to incorporate the Wilmington, Charlotte and Western Railway Company. Referred to the committee of Internal Improvements.

By Mr. Eppes, S. B. 233, bill to amend the landlord and tenant act, being chapter 283, laws of 1876–'77. Referred to the committee on the Judiciary.

By Mr. Alexander, S. B. 234, bill for levying, equalizing and collecting taxes. Referred to the committee on Finance, and ordered to be printed.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 62, S. B. 182, bill to change the time of holding the superior courts of the fourth judicial district, on second reading.

Substitute reported by the committee on the Judiciary was adopted, and the bill passed its several readings.

By consent,

Mr. Bynum, from the joint committee on the Ridings of the Judges of the Superior Court, reported S. B. 15, bill to provide for the holding of the superior courts successively by the judges of said courts, reporting a substitute, and recommending the substitute do pass.

On motion of Mr. Bynum, the rules were suspended, and the bill was put upon its second reading.

The substitute reported by the committee was adopted, and the bill passed its several readings.

By consent,

Mr. Robinson introduced Senate Resolution 235, resolution to raise a joint committee to report names to the General Assembly for Trustees of the University; and under a suspension of the rules the resolution passed, and was sent to the House of Representatives without engrossment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting for concurrence:

H. B. 64, S. B. 236, bill to amend chapter 105, Battle's Revisal, entitled salaries and fees. Referred to the committee on Salaries and Fees.

H. B. 117, S. B. 237, bill to incorporate the Trustees of Macedonia Raptist Church in the county of Transylvania. Referred to the committee on Corporations.

H. B. 98, S. B. 238, bill to amend section 1, chapter 260, laws of 1876–'77. Referred to the committee on the Judiciary.

H. B. 70, S. B. 239, bill to incorporate the Trustees of Centre Point Institute, in Iredell county. Referred to the committee on Corporations.

THE CALENDAR

was resumed.

S. B. 154, bill to amend section 25, chapter 275, laws of 1876–'77, on its third reading and passed.

S. B. 168, bill explanatory of chapter 57, Battle's Revisal, on its third reading.

On motion of Mr. Everett, the bill was recommitted to the committee on the Judiciary, and ordered to be printed.

S. B. 84, bill to require the prosecutor to pay the costs in criminal proceedings in certain cases, on third reading and passed.

S. B. 180, bill to regulate the length of the sessions of the grand juries of the several courts of the State, on its third reading and passed.

S. B. 17, bill to amend chapter 105, private laws of 1876–'77, on its second reading.

Mr. Lyon moved to amend: Strike out in section 1, "Battle's Factory, in Nash county," and insert "Minor's Mills, in Granville county."

Mr. Alexander moved to take a recess until 12 M. to-day. Lost.

The amendment of Mr. Lyon was adopted.

Mr. Respass moved to postpone the further consideration of the bill until Monday. Lost.

Mr. Respass moved to recommit to the committee on Propositions and Grievances. Lost.

Mr. Bull moved to amend: Strike out "from 12 M. on Saturday to sun rise on Tuesday," and insert "from 6 o'clock, A. M. on Monday." Lost.

The substitute reported by the committee was adopted.

Question recurring upon the passage of the bill upon its second reading,

Mr. Respass demanded the ayes and noes, which were ordered and the bill passed as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Robinson, Snow, Stewart, Taylor, Waddell, Ward, and Williamson—39.

Those voting in the negative were:

Messrs. Respass, Ross, and White—3.

On motion of Mr. Snow, the rules were suspended, and the bill passed its third reading.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, concurring in the proposition of the Senate to raise a Joint Committee to present names for Trustees of the University to-day at 12 m., and announcing the appointment of Messrs. Lockhart, Foard, Davis of Cawtawba, Johnson and Norment as the House branch of said committee.

The President announced Messrs. Henderson, Scales and White as Senate branch of same committee.

Mr. Nicholson, from the committee on Engrossed Bills, reported as properly engrossed:

S. R. 215, resolution in relation to justices of the peace.

S. B. 52, bill to make justices of the peace *ex-officio* rangers for the townships of the counties in which they reside.

H. B. 62, S. B. 182, bill to change the time for holding the Superior Courts of the 4th Judicial District.

The President *pro tem.* announced as Senate branch of joint committee on Fish and Fisheries, Messrs. Davidson and Moye.

THE CALENDAR

was resumed.

S. B. 54, bill to define the criminal jurisdiction of magistrates, on its third reading and passed.

S. B. 130, bill in regard to money deposited in clerks' offices, on its second reading. On motion, it was laid upon the table.

By consent,

Mr. Leach, from the committee on the Judiciary, reported S. B. 117, bill concerning streams used to propel machinery, reporting a substitute and recommending the substitute do pass.

Mr. Alexander, from the committee on Agriculture, Mechanics and Mining, reported H. R. 68, S. R. 188, resolution to print Report of the Commissioner of Agriculture, recommending it do pass.

On motion of Mr. Davidson, the rules were suspended, and the resolution passed its several readings.

On motion of Mr. Mebane, the report of the Commissioner of Agriculture was referred to the committee on Agriculture, Mechanics and Mining.

The President *pro tem.* announced as Senate branch of joint committee on Public Highways, &c., Messrs. Alexander, Merritt and Holleman.

THE CALENDAR

was resumed.

H. B. 110, S. B. 191, bill to establish a public ferry in the counties of Montgomery and Stanley, passed its second and third reading.

S. B. 98, bill to prevent the destruction of turtle, terrapin and marsh fowl in the county of Brunswick, passed its second and third reading.

S. B. 59, bill to amend chapter 176, acts of the General Assembly of 1873–'74, was, on motion, indefinitely postponed.

S. B. 116, bill to amend chapter 105, private laws of 1876–'77, was, on motion, indefinitely postponed.

S. B. 132, bill to make the getting of goods under false pretenses a misdemeanor, on its second reading.

On motion of Mr. Ross, the bill was recommitted to the committee on the Judiciary.

S. B. 158, bill for the protection of birds, on its second reading.

On motion of Mr. Harris, the bill was recommitted to the committee on Propositions and Grievances.

S. B. 178, bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad, on its second reading.

Pending consideration,

Mr. Henderson, from the joint committee to report names for Trustees for the University, submitted a report.

A message was sent to the House of Representatives proposing to go at once into an election for Trustees of the University, and stating that Messrs. Scales and Everett had been appointed tellers on the part of the Senate.

A message was received from the House of Representatives announcing its concurrence in the proposition to go into an election for Trustees of the University.

The following gentlemen were placed in nomination:

To fill the vacancy in the class of 1881, occasioned by the death of Hon. Bartholomew F. Moore, Dr. Eugene Grissom of Wake.

To fill the vacancy in the class of 1883, occasioned by the death of Seaton Gales, Esq., of Wake, A. H. Merritt of Chatham.

To fill the vacancy in the class of 1885, occasioned by the death of Forney George, of Columbus, Richard H. Battle, Jr., of Wake.

To fill the vacancy in the class of 1885, (additional trustee) occasioned by the death of David M. Carter, of Wake, A. M. Lewis, of Wake.

For "additional trustees" of vacancies in class of 1879, caused by expiration of term of Daniel A. Long, of Alamance, George Williamson, of Caswell.

For the class of 1879, to fill sixteen vacancies caused by expiration of terms (which ends November 30th ensuing:)

Mills L. Eure, of Gates; William F. Faircloth, of Wayne; John A. Gilmer, of Guilford; John W. Graham, of Orange; James M. Leach, of Davidson; F. M. Johnson, of Davie; William J. Yates, of Mecklenburg; Ralph P. Buxton, of Cumberland; John Manning, of Chatham; Noah P. Foard, of Surry; R. R. Bridgers, of Edgecombe; R. B. Peebles, of Northampton; D. B. McEachairn, of Robeson; George Davis, of New Hanover; James L. Robinson, of Macon; Rev. A. D. Betts, of North Carolina Conference.

Mr. Lyon placed in nomination Mr. N. A. Gregory, of Granville.

Mr. Snow placed in nomination Dr. E. Burke Haywood, of Wake.

The Senate proceeded to vote as follows:

Those voting for Eugene Grissom were:

Messrs. Alexander, Alston Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Merritt—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Mathe-

son, McEachairn, Mebane, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—46.

For Mr. Battle—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—44.

For Mr. Lewis—Messrs. Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—44.

For Mr. Long—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White— 47.

For Mr. George Williamson—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross,

Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—46.

For Mr. Eure—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Orman, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Faircloth—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Gilmer—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Graham—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales,

Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Leach—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—46.

For Mr. Johnson—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Yates—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Bespass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Buxton—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow,

Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White--47.

For Mr. Manning—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Foard—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Bridgers—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Peebles—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales,

Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. McEachairn—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White —46.

For Mr. Davis—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Robinson—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White —46.

For Mr. Betts—Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow,

Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

For Mr. Gregory of Granville—Messrs. Alexander, Lyon, and Williamson—3.

For Dr. E. B. Haywood of Wake—Messrs. Erwin, and Snow—2.

For Jos. B. Batchelor of Wake—Mr. Bynum—1.

For H. A. Gilliam of Wake—Mr. Davidson—1.

For Isaac F. Dortch of Wayne—Mr. Leach—1.

For H. A. London of Chatham—Mr. Merritt—1.

For William L. Twitty of Rutherford—Mr. Robinson—1.

THE CALENDAR

was resumed.

The consideration of

S. B. 178, was resumed.

Mr. Mebane moved to amend:

Insert in place of the word "majority" the words "three-fifths of all the qualified voters of such township."

Upon which he demanded the ayes and noes, which being ordered, the amendment was lost, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bynum, Davidson, Erwin, Graham of Lincoln, Hoyle, King, Lyon, Mebane, Stewart, Waddell, and Williamson—13.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Brower, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Harris, Henderson, Holleman, Leach, Matheson, McEachairn, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Snow, Taylor, Waldo, and Ward—32.

The bill then passed its second reading, ayes 47, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—47.

Mr. Bledsoe voted in the negative.

By consent,

Mr. Bynum, from the committee on the Judiciary, reported:

S. B. 159, bill to abolish the tax fees of attorneys charged in bills of cost in civil suits, recommending it do not pass.

Mr. Leach, from the same committee, reported:

S. B. 37, bill to repeal chapter 141, laws 1876–'77, entitled an act to establish county government, (and substitute,) recommending it do not pass.

Leave of absence was granted to the Doorkeeper until Tuesday next. Also to Mr. Dancey.

On motion of Mr. Everett, the Senate adjourned.

FIFTEENTH DAY.

SENATE CHAMBER, January 24th, 1879.

The Senate met pursuant to adjournment. Mr. Leach in the Chair.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

REPORTS OF STANDING COMMITTEES.

Reports from committees were submittted as follows:

From the committee on Agriculture, Mechanics and Mining:

By Mr. Graham of Lincoln, S. B. 74, bill to provide for the more efficient returns to the Agricultural Department, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Dillard, S. R. 109, resolution to provide for heating the capitol, recommending it do not pass.

By the same, S. B. 218, bill for the relief of sheriffs and tax collectors, recommending it do not pass.

By the same, S. B. 226, bill to prevent the use of intoxicating liquors in the capitol, recommending it do not pass.

By the same, S. B. 220, bill for the protection of deer, reporting an amendment, and recommending, as amended, the bill be passed.

By the same, S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton, recommending it do pass.

By Mr. Respass, S. B. 198, bill to re-enact an act to run and establish the dividing line between the counties of Wayne and Greene, recommending it do pass.

By the same, S. R. 165, resolution in favor of North Carolina soldiers, reporting an amendment, and as amended, recommending it do pass.

From the committee on Salaries and Fees:

By Mr. Austin, S. R. 20, resolution in regard to State officers, recommending it do pass.

By Mr. Eaves, S. R. 22, resolution of instruction to the committee on Salaries and Fees, recommending it do pass.

From the committee on the Insane Asylum:

By Mr. Ward, S. B. 201, bill to repeal section 29, chapter 6, Battle's Revisal, recommending it do pass.

From the committee on Salaries and Fees:

By Mr. Robinson, S. R. 112, resolution requiring the Secretary of State to furnish certain information, reporting an amendment, and as amended recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Alexander, S. B. 160, bill to amend chapter 41, Battle's Revisal, entitled "Entries and Grants," and protect the State's interest in public lands, recommending its reference to the committee on the Judiciary. It was so referred.

By the same, S. R. 214, resolution in regard to the geological survey of North Carolina, recommending it do pass.

From the committee on the Judiciary:

By Mr. Bynum, S. B. 75, bill to amend section 343, chapter 17, Battle's Revisal, reporting a substitute and reccommending the bill and substitute be printed. It was so ordered.

By Mr. Everett, S. B. 135, bill concerning the service of summons by publication, recommending it do not pass.

By the same, S. B. 131, bill to regulate the penal amount of official bonds, and for other purposes, recommending it do not pass.

By Mr. Bynum, S. B. 139, bill to protect holders of policies in fire insurance companies in this State, recommending it do pass.

On motion of Mr. Bynum, the bill was ordered to be printed.

From the committee on Enrolled Bills:

By Mr. Hoyle, as correctly enrolled:

S. R. 68, H. R. 188, resolution to print the report of the Commissioner of Agriculture.

S. B. 182, H. B. 62, bill to change the times of holding the courts in the counties in the fourth judicial district.

S. R. 123, H. R. 51, resolution to raise a joint committee on Federal Relations.

S. B. 149, H. B. 172, bill for the relief of the sureties of J. M. Monger, late sheriff of Moore county.

S. B. 9, H. B. 74, bill for the relief of F. J. Satchwell, sheriff of Beaufort county.

From the committee on Engrossed Bills :

By Mr. King, as properly engrossed,

S. B. 17, bill to be entitled an act to amend chapter 105, private laws of 1876–'77.

S. B. 91, bill to incorporate Brevard Station, Gaston county.

S. B. 195, bill concerning the election in 1878 for certain officers.

H. B. 62, S. B. 182, bill to change the time of holding courts in the Fourth Judicial District.

S. B. 52, bill to make justices of the peace *ex-officio* rangers, &c.

S. R. 215, resolution in relation to justices of the peace.

S. B. 15, bill to provide for the holding of superior courts successively, &c.

Mr. Scales, from the committee to superintend the election of Trustees of the University, submitted the following report:

For the class of 1881, Eugene Grissom, 141 votes.

For the class of 1883, A. H. Merritt, 143 votes.

For the class of 1885, R. H. Battle, Jr., 141 votes.

For the class of 1885, A. M. Lewis, 141 votes.

To fill sixteen vacancies occurring November 30th, 1879 : Mills L. Eure, 143 votes; W. T. Faircloth, 143; John A. Gilmer, 144; John W. Graham, 144; James M. Leach, 143; F. M. Johnson, 144; W. J. Yates, 143; Ralph P. Buxton, 144; John Manning, 144; R. R. Bridgers, 144; R. B. Peebles, 144; D. P. McEachairn, 144; George Davis, 144; James L. Robinson, 144; Rev. A. D. Betts, 144; Isaac Dortch, 1; W.

L. Twitty, 1; H. A. London, Jr., 1; H. A. Gilliam, 1; John W. Hayes, 2; John F. Hoke, 1; W. T. Dortch, 1; D. H. Hamilton, 1; J. F. Graves, 1.

To fill two additional vacancies occurring November 30th, 1879: D. A. Long, 144; George Williamson, 143.

Messrs. Grissom, Merritt, Battle, Lewis, Eure, Faircloth, Gilmer, Graham, Leach, Johnson, Yates, Buxton, Manning, Bridgers, Peebles, McEachairn, Davis, Robinson, Betts, Long, and Williamson, were declared duly elected Trustees of the University for the terms respectively for which they were voted.

BILLS.

Bills were introduced, read first time, and disposed of as follows:

By Mr. Henderson, S. B. 240, bill concerning civil actions for the recovery of debts contracted for the purchase of land. Referred to the committee on the Judiciary.

By Mr. Redwine, S. B. 241, bill to prevent frivolous prosecutions. Referred to the committee on the Judiciary.

By Mr. Snow, S. B. 248, bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity. Referred to the committee on Corporations.

By Mr. King, S. B. 249, bill to repeal the agricultural lien law. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Henderson, S. B. 250, bill to raise revenue for the use of the public schools from the sale of liquor. Referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting,

H. B. 128, S. B. 242, bill to incorporate the Kinston Fire Company No. 1, of the town of Kinston. Referred to the committee on Corporations.

H. B. 71, S. B. 243, bill for the relief of prisoners confined in the common jails of this State. Referred to the committee on the Judiciary.

H. B. 159, S. B. 244, bill to amend section 1, chapter 104, public laws of 1873–'74, in relation to shooting and seining mountain trout. Referred to the committee on the Judiciary.

H. B. 121, S. B. 245, bill to amend chapter 48, Battle's Revisal. Referred to the committee on the Judiciary.

H. B. 130, S. B. 246, bill to incorporate the Burgaw Male and Female Academy in Pender county. Referred to the committee on Corporations.

H. B. 157, S. B. 247, bill to repeal sections five and six of Battle's Revisal. Referred to the committee on the Judiciary.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 178, bill to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad, on its third reading, and passed as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Caldwell, Davidson, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Matheson, McEachairn, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—40.

Those voting in the negative were:

Messrs. Bynum, Mebane, and Williamson—3.

S. B. 83, bill authorizing the Secretary of State to purchase a seal for the register of deeds for each county of the State, on its second reading, and failed to pass.

S. B. 199, bill to remit to merchants the privilege tax of five dollars where it has not yet been paid, and to refund the same where it has been paid, on its second reading.

Mr. Moye moved to lay the bill upon the table, upon which

Mr. Ormand demanded the ayes and noes, which being ordered the motion to table prevailed, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bynum, Caldwell, Davidson, Dillard, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, and Williamson—29.

Those voting in the negative were:

Messrs. Brower, Bryan of Duplin, Bull, Eaves, Eppes, Erwin, Holleman, Hoyle, King, Leach, Ormand, Respass, Waldo, and White—14.

Mr. Everett moved to reconsider the vote by which the bill, (S. B. 199) was laid upon the table.

Mr. Graham of Lincoln, moved to lay the motion to reconsider upon the table, upon which

Mr. Everett demanded the ayes and noes, which being ordered, the motion to table prevailed, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bynum, Dillard, Graham of Lincoln, Graham of Montgomery, Henderson, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Robinson, Ross, Scales, Snow, Stewart, Taylor, Waddell, and Williamson—22.

Those voting in the negative were:

Messrs. Alexander, Alston, Brower, Bryan of Duplin, Bull, Caldwell, Davidson, Eaves, Eppes, Erwin, Everett, Harris,

Holleman, Hoyle, King, Leach, Ormand, Respass, Waldo, and White—20.

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, on its second reading and failed to pass.

Mr. Bull moved to reconsider the vote by which S. B. 17, bill to amend chapter 105, private laws of 1876–'77, passed its third reading on yesterday, which prevailed.

The question recurring upon the passage of the bill upon its third reading,

Mr. Bull moved to amend by striking out the words: "From 12 M. Saturday to sunrise on Tuesday," and insert "from 6 P. M. Friday, to 6 A. M. Monday following."

Mr. Alexander moved to refer the bill to the committee on Fish and Fisheries. Lost.

Mr. Bull's amendment was adopted, and the bill passed its third reading.

Mr. Everett moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

S. R. 78, resolution in favor of P. Whitlock, on its second reading.

On motion of Mr. Snow, it was recommitted to the committee on Finance.

The hour for the special order, S. B. 43, bill to punish the seduction of women, arrived, when,

On motion of Mr. Bynum, its consideration was postponed until Tuesday next, 28th inst., at 12 m., and made the special order for that hour and day.

On motion of Mr. McEachairn, the rules were suspended, and

S. R. 214, resolution in regard to the geological survey of North Carolina, was taken up and passed.

S. R. 105, resolution directing the payment of fees and mileage to certain witnesses, on its second reading.

Mr. Snow moved to recommit the bill to the committee on the Judiciary.

Mr. Bledsoe moved to indefinitely postpone, upon which Mr. Bynum demanded the ayes and noes, which were ordered, and the motion to indefinitely postpone prevailed, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bull, Caldwell, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, King, Matheson, Mebane, Merritt, Nicholson, Redwine, Respass, Robinson, Ross, Scales, Stewart, Taylor, Waddell, Ward, and White—33.

Those voting in the negative were:

Messrs. Bryan of Duplin, Bynum, Davidson, Hoyle, Leach, McEachairn, Moye, Ormand, Snow, Waldo, and Williamson—11.

S. B. 159, bill to abolish the tax fees of attorneys charged in bills of cost in civil suits, on second reading.

On motion of Mr. Williamson, the further consideration of the bill was postponed until Wednesday, 29th inst., at 12 M., under the special order for that day and hour, and ordered to be printed.

On motion of Mr. Mebane, the report of the commissioners of the Western North Carolina Insane Asylum, was referred to the committee on the Insane Asylum.

On motion of Mr. Everett the Senate adjourned.

SIXTEENTH DAY.

SENATE CHAMBER, Jan. 25th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was approved.

PETITIONS AND MEMORIALS.

Petitions were presented and disposed of as follows:

By Mr. Caldwell, petition concerning public roads, &c. Referred to the committee on public roads and highways.

By Mr. White, petition from citizens of Chowan. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petitions (2) from citizens of Rowan; one from citizens of Cabarrus. Referred to the committee on Propositions and Grievances.

By Mr. Scales, petition of N. H. D. Wilson, *et al.*, against repeal of the prohibitory law. Referred to the committee on Propositions and Grievances.

On motion of Mr. Henderson, Hon. John Manning of Chatham, was invited to a seat on the floor of the Senate.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on the Judiciary:

By Mr. Henderson, S. B. 50, bill to prohibit the removal of cases, except where the ends of justice absolutely require it, reporting a substitute and recommending the substitute do pass.

By Mr. Leach, S. R. 122, resolution to instruct the Judiciary Committee to enquire into the power of the Legislature to regulate railroad freights, &c., reporting as the sense of the Committee that the General Assembly could regulate rates of freight and travel on railroads when not conflicting with the chartered rights and privileges of the companies.

From the committee on Propositions and Grievances:

By Mr. Dillard, S. B. 158, bill for the protection of birds, recommending it do not pass.

From the committee on Corporations:

By Mr. Eppes, H. B. 49, S. B. 183, bill to incorporate Payne's Benevolent Society, of Rutherford county, reporting an amendment, and as amended recommending it do pass.

From the committee on Engrossed Bills, as properly engrossed:

By Mr. Nicholson, S. B. 154, bill to amend section 25, chapter 275, laws of 1876–'77.

S. B. 180, bill to regulate the length of sessions of grand juries of the several courts of this State.

S. B. 54, bill to determine the criminal jurisdiction of justices of the peace.

S. B. 98, bill to prevent the destruction of turtle, terrapins and marsh fowl in Brunswick county.

S. B. 84, bill to require the prosecutor to pay the costs in criminal proceedings in certain cases.

From the committee on Enrolled Bills:

By Mr. Waddell, S. B. 195, bill concerning the election in 1878 for certain officers.

By consent,

Mr. Merritt presented a petition and resolutions of the people of the county of Chatham concerning the Cape Fear and Yadkin Railroad. Referred to the committee on Internal Improvements.

By Mr. Respass, petitions (2) concerning the erection of a mill in Beaufort county. Referred to the committee on Propositions and Grievances.

By Mr. Scales, petition from students of colored normal school. Referred to the committee on Education.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Williamson, S. R. 251, resolution of instruction to finance committee. Placed upon the Calendar.

By Mr. Harris, S. R. 252, resolution providing for a specific tax on cigars. Placed on the Calendar.

BILLS.

Bills were introduced, read first time, and disposed of as follows:

By Mr. Waddell, S. B. 253, bill to establish a new county to be called Vance. Referred to the committee on Propositions and Grievances.

By Mr. Dillard, S. B. 254, bill to regulate the tax on tobacco warehouses. Referred to the committee on Finance.

By Mr. Ross, S. B. 255, bill to amend an act to establish normal schools. Referred to the committee on Education.

By Mr. Stewart, S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, S. B. 257, bill prescribing the mode for the qualification of attorneys who have been licensed to practice law in the courts of this State. Referred to the committee on Judiciary.

By the same, S. B. 258, bill concerning refunding bonds, repealing section 165, chapter 45, Battle's Revisal. Referred to the committee on the Judiciary.

By the same, S. B. 259, an act concerning sureties on official bonds. Referred to the committee on the Judiciary.

By Mr. White, S. B. 260, bill for the protection of the English mocking bird. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, S. B. 261, bill to prohibit the sale of spirituous liquors near Unity church and Christ church, Rowan county, and near ——— church in Cabarrus county. Referred to the committee on Propositions and Grievances.

By Mr. Davidson, S. B. 262, bill to change the time of holding the superior courts in the ninth judicial district. Referred to the committee on the Judiciary.

By Mr. Stewart, S. B. 263, bill to amend chapter 59, private laws of 1876–'77, concerning the sale of Baptist Grove and Nash Square in Raleigh. Referred to the committee on Public Buildings and Grounds.

By Mr. Graham of Lincoln, S. R. 264, resolution asking for information concerning the proposed mansion for the Governor. Placed upon the Calendar.

Leave of absence granted Mr. Waldo for one week.

Mr. Robinson moved to reconsider the vote by which H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, failed to pass its second reading on yesterday. The motion prevailed.

The question recurring upon the passage of the bill upon its second reading,

On motion of Mr. Robinson, the bill was recommitted to the committee on Finance.

CALENDAR.

Bills upon the Calendar were taken up and disposed of as follows:

S. B. 201, bill to repeal section 29, chapter 6, Battle's Revisal, on its second reading.

Mr. Robinson moved to amend by striking out, in line 1, section 2, the words "that such expense," and insert the words "the expenses of conveying any insane person to the asylum and of removing him or her therefrom." Adopted, and the bill passed its second reading.

On motion of Mr. Robinson, the rules were suspended and the bill put upon its third reading.

Mr. Bynum moved to amend: Insert after the word "person," in seventh line of section 2, the words "or the husband or the wife of such person, or the father or mother of such person." Adopted, and the bill then passed its third reading.

S. R. 22, resolution of instruction to the committee on Salaries and Fees, was adopted.

S. R. 20, resolution concerning State officers, was adopted.

S. R. 165, resolution in favor of North Carolina soldiers, on its second reading.

Upon the passage of the bill its second reading, Mr. Snow called for the ayes and noes. Ordered.

Pending consideration, the hour for the special order arrived, being S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad.

On motion of Mr. Everett, the special order was postponed.

The consideration of S. R. 165 was resumed.

Mr. Hoyle moved to amend: Add, after the word "services," the words "or who has lost both legs or both arms, or has been otherwise totally disabled."

Mr. Robinson moved to amend by inserting the word "indigent" after the word "any," in the second line of the resolution.

On motion of Mr. Austin, the bill and amendments were referred to the committee on Finance.

S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company, (being the special order) was taken up on its third reading.

Mr. Leach moved to amend by adding as section 7: "That the Bennettsville and Hamlet railroad company shall have the right of crossing the track of the Carolina Central Railroad, and the Raleigh and Augusta Air Line Railroad, at such point as they may see proper, at or near Hamlet."

On motion of Mr. Leach, the bill and amendment was postponed until 12 M., of Thursday, 30th inst., and made the special order for that day and hour.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting a

message from His Excellency the Governor, conveying the report of the State Board of Health, and the report of the Treasurer of the Board of Agriculture, with the proposition to print so much thereof as refers to the report of the Treasurer of the Board of Agriculture.

The proposition of the House was concurred in.

The President announced as Senate Branch of Joint Committee on Federal Relations, Messrs. Leach, Davidson and Eaves.

Mr. Bryan of Pender, and Mr. Mitchell, announced as absent on account of sickness.

On motion of Mr. Harris, the Senate adjourned.

SEVENTEENTH DAY.

SENATE CHAMBER, Jan. 27th, 1879.

The Senate met pursuant to adjournment.

Mr. Robinson in the chair.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Erwin, petition from citizens of McDowell, asking repeal of the agricultural department, &c. Referred to the committee on Agriculture, Mechanics and Mining.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted, as follows:

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed,

S. R. 112, resolution requiring the Secretary of State to furnish certain information.

S. B. 178, bill to allow Leaksville and other townships in Rockingham county, to subscribe to the capital stock in a railroad.

RESOLUTIONS.

Resolutions were introduced, read first time and disposed of as follows:

By Mr. Dillard, S. R. 265, resolution of instruction to the Judiciary Committee to simplify the attachment law. Placed upon the Calendar.

BILLS.

Bill were introduced, read first time, and disposed of as follows:

By Mr. Mebane, S. B. 266, bill in relation to the ton tax on fertilizers. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Redwine, S. B. 267, bill to regulate the amount paid for servant hire in the capitol building. Referred to the committee on Salaries and Fees.

By Mr. Scales, S. B. 268, bill to amend chapters 20, 35 and 76, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Ross, S. B. 269, bill to repeal section 7, chapter 141, laws of 1876–'77. Referred to the committee on Judiciary.

By Mr. Erwin, S. R. 286, resolution of inquiry of Commissioner of Agriculture. Placed upon the Calendar.

By Mr. Ormand, S. R. 289, resolution of instruction to the Judiciary Committee. Placed upon the Calendar.

By Mr. King, S. R. 290, resolution instructing our Senators, and requesting our Representatives in Congress con-

cerning the repeal of the ten per cent. tax on State banks. Referred to the committee on Federal Relations.

Mr. McEachairn moved to reconsider the vote by which S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company was postponed until Thursday.

The motion prevailed. Question recurring upon the amendment offered by Mr. Leach, the amendment was adopted.

On motion of Mr. Snow, the bill was postponed until Friday 31st inst., at 12 m., and made the special order for that hour and day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House proposing to print the report of the Board of Health of the State, transmitted to the Senate on Saturday. The proposition was concurred in.

Also a message transmitting for concurrence:

H. R. 65, S. R. 270, resolution in regard to subordinates in each House. Placed on the Calendar.

H. R. 63, S. R. 271, resolution concerning the free navigation of the Cape Fear river. Referred to the committee on Propositions and Grievances.

H. B. 138, S. B. 272, bill to legalize the acts of the board of county commissioners of Wilkes county at a meeting on the 16th of December, 1878. Referred to the committee on the Judiciary.

H. R. 77, S. R. 273, resolution in regard to purchasing maps for use of the Legislature. Placed upon the Calendar.

H. B. 174, S. B. 274, bill to prevent the desecration of the Sabbath day. Referred to the committee on Judiciary.

H. B. 86, S. B. 275, bill to amend chapter 247, laws of 1874–'75, entitled an act in relation to fees in State cases. Referred to the committee on Salaries and Fees.

H. B. 210, S. B. 276, bill to incorporate the town of Taylorsville, in Alexander county. Referred to the committee on Corporations.

H. B. 226, S. B. 277, bill to prevent the felling of timber in the waters of North and South Forks of New river, in the county of Ashe. Referred to the committee on Propositions and Grievances.

H. B. 26, S. B. 278, bill to amend chapter 161, laws of 1876–'77, entitled an act in relation to the probate of deeds and conveyances and the privy examination of married women. Referred to the committee on the Judiciary.

H. B. 195, S. B. 279, bill to incorporate Warrior Camp Ground, in Caldwell county. Referred to the committee on Corporations.

H. B. 201, S. B. 280, bill to amend chapter 38, private laws 1873–'74. Referred to the committee on the Judiciary.

H. B. 188, S. B. 281, bill to incorporate Germania Lodge, No. 4, order of Knights of Pythias, Wilmington, N. C. Referred to the committee on Corporations.

H. B. 130, S. B. 282, bill to prevent the felling of timber and brush in Swift creek from its mouth to Whitaker's bridge, in Nash county. Referred to the committee on Propositions and Grievances.

H. B. 197, S. B. 283, bill to incorporate the Love and Charity Society of Wilson Creek Academy, in the county of Caldwell. Referred to the committee on Corporations.

H. B. 281, S. B. 284, bill to amend section 1, chapter 275 laws 1876–'77. Referred to the committee on Judiciary.

H. B. 135, S. B. 285, bill to prevent the felling of timber in certain streams in Caldwell county. Referred to the committee on Propositions and Grievances.

House amendments to S. B. 40, H. B. 182, bill to empower the foreman of gand juries to administer oaths and affirmations.

On motion, the amendments were concurred in, and the bill ordered enrolled for ratification.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 50, bill to prohibit the removal of cases except where the ends of justice absolutely require it, on its second reading.

The substitute reported by the committee on the Judiciary was adopted. Bill then passed its several readings.

S. R. 112, resolution requiring the Secretary of State to furnish certain information.

Amendments reported by the committee on salaries and fees were adopted. As amended, the resolution was adopted.

S. B. 131, bill to regulate the penal amount of official bonds, and for other purposes, on its second reading.

On motion of Mr. Bynum, the bill was indefinitely postponed.

S. B. 158, bill for the protection of birds, on its second reading.

Mr. Bynum moved to amend, by adding after the word "land" in section 1, the words "or to persons who have the permission of the owners of land to kill or catch birds on their land."

Mr. Ormand moved to amend by striking out the word "turkey."

On motion of Mr. Snow, the bill and amendments were referred to the committee on Agriculture, Mechanics and Mining.

S. B. 117, bill concerning streams used to propel machinery, on its second reading.

The substitute reported by the committee on the Judiciary was adopted, and the bill passed its second reading.

On motion, the bill was put upon its third reading.

Mr. Scales moved to amend by adding at end of first proviso in section 2: "*Provided further*, that it shall be the duty of said commissioners to assess the damages of any

owner on whose lands said road is laid off, to be paid by the applicant for said road." This amendment was adopted, and, as amended, the bill passed its third reading.

S. B. 181, bill for the relief of J. M. Monger, former sheriff of Moore county, on its second reading.

On motion of Mr. Scales, the bill was referred to the committee on Finance.

H. B. 49, S. B. 183, bill to incorporate Payne's Benevolent Society of Rutherford county, on its second reading.

Amendment reported by the committee on Corporations was adopted. Bill then passed its several readings.

H. R. 77, S. R. 273, resolution in regard to purchasing maps for the use of the Legislature, was adopted.

S. B. 226, bill to prevent the use of intoxicating liquors in the Capitol building, on its second reading.

Mr. Dillard moved to lay on the table, upon which

Mr. White demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 27, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bynum, Dillard, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, and Williamson—27.

Those voting in the negative were:

Messrs. Austin, Brower, Bull, Caldwell, Eaves, Eppes, Holleman, Ormand, Ward, and White—10.

S. R. 264, resolution asking for information concerning the proposed mansion for the Governor, was adopted.

S. R. 252, resolution providing for a specific tax on cigars.

Mr. Henderson moved to amend by striking out words "instructed to report," and insert the words "requested to enquire into the expediency of reporting," which was adopted, and the resolution was adopted.

S. R. 251, resolution of instruction to the Finance Committee. Adopted.

S. R. 265, resolution of instruction to the Judiciary Committee to simplify the attachment law. Adopted.

H. R. 65, S. R. 270, resolution in regard to the subordinates in each House. Adopted; and Mr. Bynum appointed as Senate branch of the committee under the resolution.

S. R. 286, resolution of enquiry to Commissioner of Agriculture. Adopted.

S. R. 289, resolution of instruction to the Judiciary committee, on second reading.

Mr. Bynum moved to lay the resolution on the table. Upon which motion,

Mr. Ormand demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 23, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bynum, Dillard, Erwin, Graham of Lincoln, Harris, Henderson, King, Leach, Matheson, McEachairn, Mebane, Merritt, Moye, Nicholson, Respass, Robinson, Scales, Shackleford, Snow, Stewart, and Williamson—23.

Those voting in the negative were:

Messrs. Alston, Brower, Bull, Caldwell, Eaves, Eppes, Graham of Montgomery, Holleman, Hoyle, Mitchell, Ormand, Redwine, Taylor, Ward, and White—15.

S. B. 139, bill to protect policy-holders in Fire Insurance Companies in this State, on its second reading and passed.

S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton, on second reading and passed.

S. B. 220, bill for the protection of deer, on its second reading.

The amendment reported by the committee on Propositions and Grievances was adopted.

The bill was further amended so as to except from its

provisions the counties of Warren, Halifax, Northampton, Bertie, Hertford, Gates, Chowan, Perquimans, Pasquotank, Currituck, Camden, Tyrrell, Martin, Washington, Dare, Pamlico, Sampson, Greene, Lenoir, Pitt, Edgecombe, Wayne, Wilson, Franklin, Nash, Onslow, Jones, Carteret, Craven, Pender, New Hanover, Hyde, Beaufort, Johnson, Cumberland, Harnett, Wake, Montgomery, Stanley, Iredell, Alexander, Wilkes, Jackson, Swain, Macon, Graham, Clay and Cherokee.

Thus amended the bill passed second and third reading.

Leave of absence for one week from to-morrow granted Mr. Moye; to Mr. Davidson for four days from to-day; indefinitely to Mr. Bryan of Pender, on account of sickness.

On motion the Senate adjourned.

EIGHTEENTH DAY.

SENATE CHAMBER, January 28th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Norman.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Caldwell, petition from citizens of Guilford, asking for a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Dortch, petition from citizens of Edgecombe. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petition of R. H. McLaughlin and

others. Referred to the committee on Agriculture, Mechanics and Mining.

By the same, petition of J. T. Barber and others. Referred to the committee on Propositions and Grievances.

By Mr. Leach, petition from citizens of Lexington. Referred to the committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were submittted as follows:

From the committee on the Judiciary:

By Mr. Scales, H. B. 157, S. B. 247, bill to repeal sections 5 and 6 of Battle's Revisal, recommending its reference to the committee on Agriculture, Mechanics and Mining. It was so referred.

By the same, H. B. 7, S. B. 190, bill to define the jurisdiction of justices of the peace, recommending it do not pass.

By Mr. Caldwell, S. B. 224, bill to allow the people of North Carolina to elect their county commissioners, recommending it do not pass.

By the same, S. B. 233, bill to amend the landlord and tenant act, recommending it do not pass.

By the same, S. B. 193, bill to facilitate the execution of guardian bonds, recommending it do pass.

By Mr. Henderson, H. B. 121, S. B. 245, bill to amend chapter 48, Battle's Revisal, reporting an amendment and recommending the bill, as amended, do pass.

By the same, S. B. 240, bill concerning civil actions for the recovery of debts contracted for the purchase of land, recommending it do pass.

By the same, S. B. 257, bill prescribing the mode for the qualification of attorneys, who have been licensed to practice law in the courts of this State, recommending it do pass

By Mr. Waddell, H. B. 159, S. B. 244, bill to amend sec-

tion 1, chapter 104, public laws 1873–'74, in relation to shooting and seining mountain trout, recommending it do pass.

By Mr. Erwin, S. B. 241, bill to prevent frivolous prosecutions, recommending it do not pass.

By Mr. Scales, S. B. 203, bill to repeal section 12, chapter 16, Battle's Revisal, reporting a substitute, and recommending the substitute do pass.

By Mr. Bynum, H. B. 91, S. B. 207, bill to amend subsection 9, section 33, Code Civil Procedure, reporting a substitute, and recommending the substitute do pass.

By the same, S. B. 259, bill concerning sureties on official bonds, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Dillard, S. B. 129, bill to amend section 1, chapter 219, laws of 1876–'77, recommending it do pass.

From the Committee on Salaries and Fees:

By Mr. Hoyle, S. R. 88, resolution of instruction to the Committee on Salaries and Fees, without recommendation.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Graham, S. B. 74, bill to provide for the more efficient returns to the agricultural department, reporting an amendment, and recommending the bill as amended do pass.

From the Committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed,

S. B. 201, bill to repeal section 29, chapter 6, Battle's Revisal.

S. B. 117, bill concerning streams used for propelling machinery.

The President presented reports from Hon. J. M. Worth, Treasurer, Hon. T. S. Kenan, Attorney General, Saml. L. Love, Auditor, Hon. J. C. Scarborough, Superintendent of Public Instruction, in reply to Senate resolution asking for

certain information from those officers, all of which were referred to appropriate committees.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Dillard, S. R. 291, resolution asking for a report of committees on charitable and penal institutions. Placed upon the Calendar.

By Mr. Hoyle, S. R. 292, resolutions of request to our Senators and Representatives in Congress. Referred to the committee (joint) on Federal Relations.

By Mr. Dortch, S. R. 293, resolution in relation to the funeral expenses of the late Chief Justice Pearson. Referred to the committee on Claims.

By Mr. Eaves, S. R. 294, resolution of instruction to our Senators and Representatives in Congress. Referred to the joint committee on Federal Relations.

BILLS.

Bills were introduced, passed first reading and disposed of as follows:

By Mr. Henderson, S. B. 295, bill to amend the charter of Davidson College. Placed upon the Calendar.

By Mr. White, S. B. 296, bill to provide for the better proof of deeds executed beyond the State. Referred to the committee on the Judiciary.

By Mr. Redwine, S. B. 297, bill to prohibit the carrying of concealed weapons. Referred to the committee on Propositions and Grievances.

By Mr. Snow, S. B. 298, bill to amend chapter 59, private acts 1876–'77. Referred to the committee on the Judiciary.

By Mr. Dortch, S. B. 299, bill for the relief of Joseph Cobb, former sheriff of Edgecombe county. Referred to the committee on Finance.

By Mr. Dortch, S. R. 300, resolution of instruction to the joint committee on Public Roads, &c. Placed upon the Calendar.

Mr. Scales, of Senate branch of joint select committee on Retrenchment and Reform, asked that himself and Mr. Henderson, of said committee, be permitted to sit during the sessions of the Senate for the next four days. The request was granted.

A message was received from his Excellency, the Governor, transmitting the report of the Commissioners appointed to provide a suitable mansion for the Governor.

On motion of Mr. Mebane, the report was transmitted to the House of Representatives, with a proposition that the same be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the appointment of Messrs. Vaughan and Bryson as House branch of joint committee on subordinates of each House.

CALENDAR.

Bills and resolutions upon the Calendar were taken up, and disposed of as follows:

S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton, on its third reading.

Mr. Robinson presented a petition from citizens of Rutherfordton against the passage of the bill, and upon his further motion the bill and petition were recommitted to the committee on Propositions and Grievances.

S. B. 139, bill to protect holders of fire insurance policies in this State, passed its third reading.

S. B. 218, bill for the relief of sheriffs and tax collectors, on its second reading.

On motion of Mr. Waddell the bill was laid upon the table.

S. B. 203, bill to repeal section 12, chapter 16, Battle's Revisal, passed its second reading.

S. B. 241, bill to prevent frivolous prosecutions, on its second reading.

On motion, the bill was recommitted to the committee on the Judiciary.

H. B. 159, S. B. 244, bill to amend section 1, chapter 104, public laws 1873–'74, on its second reading, and passed.

S. B. 257, bill prescribing the mode for the qualification of attorneys, who have been licensed to practice law in the courts of this State, passed its second reading.

S. B. 240, bill concerning civil actions for the recovery of debts contracted for the purchase of land, passed its second reading.

H. B. 121, S. B. 245, bill to amend chapter 48, Battle's Revisal, on its second reading.

Amendment reported by the committee on the Judiciary was adopted, and the bill passed its second reading.

S. B. 193, bill to facilitate the executions of guardian bonds, was on motion indefinitely postponed.

S. B. 233, bill to amend the landlord and tenant act, was on motion indefinitely postponed.

S. B. 224, bill to allow the people of North Carolina to elect their county commissioners, on its second reading.

Mr. Dortch moved to indefinitely postpone, upon which

Mr. Ormand demanded the ayes and noes, which were ordered, and the motion to postpone prevailed, ayes 22, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bynum, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, King, Leach, Lyon, Matheson, McEachairn, Merritt, Nicholson, Respass, Robinson, Shackleford, Snow, Stewart, Waddell and Williamson—22.

Those voting in the negative were:

Messrs. Alston, Brower, Bull, Caldwell, Dancey, Eaves, Eppes, Graham of Montgomery, Holleman, Hoyle, Mebane, Ormand, Redwine, Taylor, Ward, and White—16.

S. B. 129, bill to amend section 1, chapter 219, laws 1876 –'77, passed its second reading.

S. B. 295, bill to amend the charter of Davidson College, under a suspension of the rules, passed its several readings.

H. B. 7, S. B. 190, bill to define the jurisdiction of justices of the peace, was on motion of Mr. Caldwell, indefinitely postponed.

H. B. 91, S. B. 207, bill to amend sub-section 9, section 33, Code Civil Procedure, on its second reading.

The substitute reported by the committee on the Judiciary was adopted. Bill then passed its second reading.

S. B. 259, bill concerning sureties on official bonds.

Mr. McEachairn moved to insert "farmers" after "attorneys."

Mr. Ormand moved to insert after "attorneys and farmers" "doctors, preachers, mechanics and hucksters."

On motion of Mr. Merritt, the bill was indefinitely postponed.

S. R. 291, resolution asking for a report of committees on charitable and penal institutions, was adopted.

S. R. 300, resolution of instruction to the committee on Public Roads, was adopted.

S. B. 74, bill to provide for the more efficient returns to the Agricultural Department, on its second reading.

Amendments reported by the committee were adopted.

Mr. Robinson moved the bill be indefinitely postponed, upon which motion the ayes and does were ordered, and the motion to postpone indefinitely prevailed, 30 ayes, 9 noes, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bull, Bynum, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Mathe-

son, Mitchell, Nicholson, Redwine, Respass, Robinson, Shackleford, Stewart, Taylor, Ward, Williamson, and White —30.

Those voting in the negative were:

Messrs. Dortch, Graham of Lincoln, Leach, McEachairn, Mebane, Merritt, Ormand, Snow, and Waddell—9.

S. B. 34, bill to amend an act to establish courts inferior to the supreme court, to be styled "inferior courts," on its second reading.

The amendments reported by the committee on the Judiciary was adopted, and the bill passed its several readings.

On motion of Mr. Robinson, the Senate went into an Executve Session.

The Senate was called to order.

The Calendar was resumed.

S. B. 43, bill to punish seduction of women, on its third reading.

The substitute reported by the committee on the Judiciary was adopted.

Mr. Ormand moved to strike out the words, "under a promise to marry." Lost.

Mr. Leach moved to amend by striking out all after the words "discretion of the court," in the 5th line of section 1, upon which amendment he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 14, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Dancey, Dillard, Eppes, Graham of Lincoln, Leach, McEachairn, Mitchell, Redwine, Respass, Stewart, Williamson, and White—14.

Those voting in the negative were:

Messrs. Brower, Bull, Bynum, Caldwell, Dortch, Eaves, Erwin, Graham of Montgomery, Harris, Holleman, Hoyle,

King, Lyon, Matheson, Mebane, Merritt, Nicholson, Ormand, Robinson, Shackleford, Snow, Taylor, Waddell, and Ward —24.

The question recurring upon the passage of the bill its third reading,

Mr. Respass demanded the ayes and noes, which were ordered, and the bill passed, ayes 29, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bledsoe, Brower, Bull, Bynum, Caldwell, Dancey, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Nicholson, Ormand, Robinson, Shackleford, Snow, Taylor, Waddell, and Ward—29.

Those voting in the negative were:

Messrs. Dillard, Holleman, McEachairn, Mitchell, Redwine, Respass, Stewart, and Williamson—8.

When Mr. Leach's name was called, he asked to be excused from voting, which was done.

On motion of Mr. Bynum, the Senate adjourned.

NINETEENTH DAY.

SENATE CHAMBER, Jan. 29th, 1879.

The Senate met pursuant to adjournment, Mr. Scales in the chair.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Henderson, petition from the chamber of commerce, produce exchange, and others of Wilmington. Referred to the committee on Finance.

By Mr. Respass, petition from citizens of Washington county, asking a prohibitory law. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted from Standing Committees as follows:

From the Committee on Finance:

By Mr. Henderson, S. B. 181, bill for the relief of J. M. Monger, late sheriff of Moore county, reporting a substitute and recommending the substitute do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Mebane, S. B. 266, bill in relation to the ton tax on fertilizers, reporting a substitute, and recommending the substitute do pass.

By Mr. Alexander, H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist, reporting amendments, and recommending the bill, as amended, do pass.

By Mr. Graham of Lincoln, petitions from citizens of McDowell, asking its reference to the committee on Judiciary. It was so referred.

From the Committee on Propositions and Grievances:

By Mr. Dillard, sundry petitions from the citizens of Morganton.

From the Committee on the Judiciary:

By Mr. Waddell, S. B. 219, bill to amend chapter 27, Battle's Revisal, recommending it do pass.

From the committee on the Insane Asylum:

By Mr. King, S. B. 202, bill concerning the support of lunatics, recommending it do not pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed:

S. B. 220, bill for the protection of deer.

S. B. 50, bill to prohibit the removal of criminal causes, except when the ends of justice absolutely require it.

Senate amendment to H. B. 49, S. B. 183, bill to incorporate Payne's Benovolent Society, in Rutherford county.

S. B. 117, bill concerning streams used to propel machinery.

From the committee on Enrolled Bills:

By Mr. Waddell:

S. B. 15, an act to provide for the holding of the Superior Courts successively by the Judges of said Courts.

H. R. 77, S. R. 273, a resolution in regard to the purchasing maps for use of the Legislature.

S. B. 40, H. B. 182, an act to empower the foreman of grand juries to administer oaths and affirmations.

H. B. 101, S. B. 191, an act to establish a public ferry in the counties of Montgomery and Stanley.

S. B. 119, H. B. 222, an act for the relief of Benj. F. Bullock, late sheriff of Granville county.

S. R. 215, H. R. 91, a resolution in relation to justices of the peace.

H. B. 151, H. B. 242, an act to authorize the collection of arrears of taxes due the towns of Salisbury and Goldsboro for the years 1876–'77–'78.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting a communication from his Excellency Gov. Z. B. Vance, tendering his resignation as Governor, to take effect February 5th, 1879, in words following, to-wit:

STATE OF NORTH CAROLINA,
EXECUTIVE DEPARTMENT,
RALEIGH, Jan. 28, 1879.

To the Honorable, the General Assembly of North Carolina:

Having received official information of my election as a Senator in the Congress of the United States from the State of North Carolina for the term commencing on the 4th of March next, I hereby tender my resignation as Governor of this State, to take effect on Wednesday, the 5th day of February, 1879. In thus surrendering into your hands the great trust which was placed in mine by the people of North Carolina, in 1876, in order to accept another to which their representatives have thought it proper to transfer me, I deem it not unbecoming to say that I find it impossible adequately to express the thanks, of which my heart is so full, for this last and greatest expression of the confidence of my countrymen. To have inspired such a feeling fills me with grateful pride, and to deserve it shall constitute the sole aim of the remaining years of my existence, and to which all that I have and am shall be sacredly dedicated.

With earnest wishes for the health and happiness of each individual member of your honorable bodies, and with fervent prayers for the prosperity and honor of our native land,

I am, gentlemen,
Most respectfully and truly,
Your friend and fellow-citizen,
ZEBULON BAIRD VANCE.

and proposing to print one thousand copies of the same.

On motion of Mr. Mebane, the Senate refused to concur in the proposition of the House to print, and that honorable body was so notified.

Also, transmitting for concurrence,

H. B. 251, S. B. 301, bill to incorporate the town of Davidson College, in Mecklenburg county. Referred to the committee on Corporations.

H. B. 83, S. B. 302, bill to repeal chapter 29, laws of 1876–'77. Referred to the committee on Judiciary.

H. B. 132, S. B. 303, bill to provide a fund for the payment of jurors of Alleghany and Clay counties, chapter 102, laws of 1876–'77. Referred to the committee on Finance.

H. B. 187, S. B. 304, bill declaratory of the meaning of an act in relation to the probate of deeds and the privy examination of married women. Referred to the committee on Judiciary.

H. B. 153, S. B. 305, bill to change time of the terms of the superior courts of the counties of Gates and Hertford. Referred to the committee on Judiciary.

MESSAGE FROM HIS EXCELLENCY, THE GOVERNOR.

A message was received from his Excellency, the Governor, transmitting the report of the expenses of the State Penitentiary, which was referred to the committee on Retrenchment and Reform.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. Dortch, S. R. 310, resolution in behalf of Cooper Huggins. Referred to the committee on Claims.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Dortch, S. B. 306, bill to simplify bills of indictment in certain cases. Referred to the committee on the Judiciary.

By Mr. Stewart, S. B. 307, bill to make Upper and Lower Little rivers in Harnett county, lawful fences, and for other

purposes. Referred to the committee on Propositions and Grievances.

By Mr. White, S. B. 308, bill to enable the county commissioners to ascertain the county indebtedness. Referred to the committee on Propositions and Grievances.

By the same, S. B. 309, bill to levy a special tax. Referred to the committee on Finance.

By Mr. Respass, S. B. 311, bill to change the time for holding the superior courts in the counties of Beaufort, Hyde, Tyrrell, Pamlico, and Dare. Referred to the committee on the Judiciary.

By the same, S. B. 312, bill to punish the shooting of cattle and live stock running at large. Referred to the committee on Agriculture, Mechanics and Mining.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up, and disposed of as follows:

H. B. 159, S. B. 244, bill to amend section 1, chapter 104, public laws 1873–'74, passed its third reading.

S. B. 257, bill prescribing the mode for the qualification of attorneys who have been licensed to practice law in the courts of the State, passed its third reading.

S. B. 240, bill concerning civil actions for the recovery of debts contracted for the purchase of land, passed its third reading.

H. B. 121, S. B. 245, bill to amend chapter 48, Battle's Revisal, passed its third reading.

S. B. 129, bill to amend section 1, chapter 219, laws 1876–'77, passed its third reading.

H. B. 91, S. B. 207, bill to amend sub-section 9, section 33, Code Civil Procedure, passed its third reading.

S. B. 203, bill to repeal section 12, chapter 16, Battle's Revisal, on its third reading.

Mr. Bledsoe moved to amend, add "Ashe and Watauga" after "Mitchell." Adopted.

Mr. Robinson moved to amend:

Add at end of first section: "*Provided*, That in the counties of Jackson, Macon, Clay and Cherokee, non-residents who live within five miles of the State line and who are *bona fide* owners of land in North Carolina, shall be allowed to bring in cattle at the rate of twenty (20) herd of cattle for every two hundred (200) acres of land they may own."

Adopted.

Thus amended, the bill passed its third reading.

S. B. 75, bill to amend section 343, chapter 17, Battle's Revisal, on its second reading.

On motion, the bill (and substitute) was recommitted to the committee on the Judiciary.

S. B. 219, bill to amend chapter 27, Battle's Revisal, passed its second and third readings.

H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist, on its second reading.

On motion of Mr. Alexander, the bill was postponed until Wednesday, 5th inst., at 12 M. Made the special order for that hour, and ordered to be printed.

S. B. 266, bill in relation to the ton tax on fertilizers, on its second reading.

On motion of Mr. Mebane, the bill was postponed until Saturday, 1st inst., at 12 M., and made the special order for that hour.

S. B. 181, bill for the relief of J. M. Monger, late sheriff of Moore county, on its second reading.

On motion of Mr. Henderson, the bill was referred to the committee on the Judiciary.

The hour for the special order having arrived,

S. B. 159, bill to abolish the tax fees of attorney's charged in bills of costs in civil suits, was taken up on its second reading.

Mr. Henderson moved to amend by adding at the end of line seven the following:

"*Provided, however*, that the provisions of this section shall not apply to any suits heretofore commenced."

Upon which Mr. Williamson demanded the ayes and noes, which were ordered, and the amendmet was lost, ayes 8, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Austin, Caldwell, Harris, Henderson, Leach, Ormand, Scales, and Waddell—8.

Those voting in the negative were:

Messrs. Alexander, Alston, Brower, Bryan of Duplin, Bull, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Nicholson, Redwine, Respass, Robinson, Shackleford, Snow, Stewart, Taylor, Ward, Williamson, and White—33.

Question recurred upon the passage of the bill on its second reading, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 35, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell Nicholson, Respass, Robinson, Shackleford, Snow, Stewart, Taylor, Ward, Williamson, and White—35.

Those voting in the negative were:

Messrs. Bynum, Everett, Henderson, Leach, Ormand, Redwine, Scales, and Waddell—8.

On motion of Mr. Robinson, the rules were suspended, and the bill passed its third reading.

Mr. Williamson moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider upon the table, which latter motion prevailed.

S. B. 202, bill concerning the support of lunatics, on its second reading.

On motion of Mr. Caldwell, the bill was indefinitely postponed.

On motion of Mr. Taylor, the Senate adjourned.

TWENTIETH DAY.

SENATE CHAMBER, Jan. 30th, 1879.

The Senate met pursuant to adjournment, Mr. Mebane in the chair.

Prayer by Rev. Father White.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Henderson, petition from B. W. Phifer *et al.* Referred to the committee on Propositions and Grievances.

By Mr. Graham of Lincoln, petition from citizens of Lincoln, against live stock running at large. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Erwin, petitions from citizens of Mitchell county. Laid on the table.

By Mr. Taylor, petitions from citizens of Henderson coun-

ty. Referred to the committee on Propositions and Grievances.

By Mr. Dortch, petitions (2) from citizens of Goldsboro. Referred to the committee on Propositions and Grievances.

By Mr. Redwine, petition from Sydney Threadgill and other citizens of Stanley county. Referred to the committee on Propositions and Grievances.

By Mr. Williamson, petition of Iverson L. Oliver, and other citizens of Caswell. Referred to the committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the Committee on the Judiciary:

By Mr. Caldwell, H. B. 138, S. B. 272, bill to legalize the acts of the board of county commissioners of Wilkes county, at a meeting on the 16th December, 1878, recommending it do pass.

Also, a petition from certain citizens to repeal the homestead exemptions, without recommendation.

By Mr. Henderson, S. B. 223, bill to repeal section 43, chapter 32, Battle's Revisal, recommending it do pass.

S. B. 134, bill defining the jurisdiction of Judges of the Superior Courts as to the granting of injunctions and restraining orders, and the appointment of receivers, reporting a substitute and recommending the substitute do pass.

H. B. 200, S. B. 213, bill to amend chapter 36, laws 1876–'77, reporting a substitute, and recommending the substitute do pass.

S. B. 181, bill for the relief of J. M. Monger, former sheriff of Moore county, recommending it do not pass.

By Mr. Everitt, S. R. 265, resolution of instruction to the Judiciary Committee to simplify the attachment law, recommending it be indefinitely postponed.

H. B. 201, S. B. 280, bill to amend chapter 38, private laws of 1873–'74, recommending it do pass.

By Mr. Scales, S. B. 268, bill to amend chapters 20, 35, and 76, Battle's Revisal, recommending it do pass.

H. B. 98, S. B. 238, bill to amend section 1, chapter 260, laws of 1876–'77, recommending it do pass.

By Mr. Waddell, H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws 1874–'75, recommending its return to the House of Representatives for re-engrossment and correction.

S. B. 97, bill to amend section 149, chapter 32, Battle's Revisal, recommending it do pass.

By Mr. Dortch, S. B. 221, bill to fix the time for holding the superior courts in the third judicial district, recommending it do not pass.

By Mr. Erwin, H. B. 71, S. B. 243, bill for the relief of prisoners confined in the common jails of this State, recommending it do pass.

By Mr. Leach, H. B. 19, S. B. 189, bill for the punishment of the crime of incest, recommending it do pass.

S. B. 296, bill to provide for the better proof of deeds executed beyond the State, recommending it do not pass.

By Mr. Bynum, S. B. 241, bill to prevent frivolous prosecutions, recommending it do not pass.

From the committee on Propositions and Grievances:

By Mr. Dillard, S. B. 253, bill to establish a new county to be called Vance, reporting an amendment, and as amended recommending it do pass.

H. B. 105, S. B. 212, bill to amend chapter 83, private laws 1876–'77, recommending it do pass.

H. B. 226, S. B. 277, bill to prevent the felling of timber in the waters of north and south forks of New river, in the county of Ashe, recommending it do not pass.

H. B. 135, S. B. 285, bill to prevent the felling of timber in certain streams in Caldwell county, recommending it do not pass.

H. R. 63, S. R. 271, resolution recommending the free navigation of Cape Fear river, recommending it do pass.

S. B. 256, bill to require enterers of lands in North Carolina to give notice to adjoining owners, recommending it do pass.

S. B. 260, bill for the protection of the English mocking bird, recommending it do not pass.

S. R. 177, resolution on the sale of intoxicating liquors, recommending it do not pass.

H. B. 130, S. B. 282, bill to prevent the felling of timber and brush in Swift Creek, from its mouth to Whitaker's bridge in Nash county, recommending it do pass.

Also reporting back sundry petitions, which were placed upon the table.

Mr. Waddell, of commission appointed to examine the vouchers, &c., in the Treasurer's office, submitted a report, which was ordered transmitted to the House of Representatives, with a proposition to print.

The President *pro tem.* presented the report of Hon. Joseph A. Engelhard, Secretary of State, in answer to Senate resolution asking information of certain officers, which was referred to the committee on Retrenchment and Reform.

From the committee on Engrossed Bills:

By Mr. Shackleford,

S. B. 34, a bill to amend an act to establish courts inferior to the supreme court, to be styled inferior courts.

S. B. 295, a bill to amend the charter of Davidson College

S. B. 43, a bill to punish seduction of women.

S. R. 291, resolution asking for a report of committees on charitable and penal institutions.

S. B. 139, an act to protect holders of policies in fire insurance companies.

S. B. 159, a bill entitled an act to abolish the tax fees of attorneys charged in bills of cost in civil suits.

The following bills and resolutions, reported as correctly enrolled by the committee on Enrolled Bills, were duly rat-

ified and transmitted to the office of the Secretary of State:

S. R. 108, H. R. 52, a resolution to pay Senators Waddell and Everett for service on State Board of Canvassers.

H. B. 159, S. B. 244, an act to amend section 1, chapter 104, public laws of 1873–'74, in relation to shooting and seining mountain trout in the waters of Elk river and its tributaries, in the counties of Mitchell and Watauga.

S. R. 112, H. R. 104, a resolution requiring the Secretary of State to furnish certain information.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing it had receded from its proposition to print the message of Gov. Vance tendering his resignation;

Also announcing its concurrence in the proposition of the Senate to go into the election of magistrates on the 18th of February ensuing, and had appointed as House branch of the committee proposed by the resolution, Messrs. Lewis, Bryson, Covington, Carroll, Moore, Blaisdell, Norment and Waddell;

Also announcing as House branch of joint committee on Federal Relations, Messrs. Carter of Buncombe, Cobb, Rawley, Clarke and Deans;

Also transmitting without engrossment, H. R. ——, S. R. 335, resolution in relation to the employees of the Senate and House of Representatives, which was placed on the Calendar;

Also transmitting for concurrence,

H. B. 131, S. B. 313, bill to repeal chapter 65, laws of 1876–77, entitled an act for the removal of road exemptions in Clay county. Referred to the committee on the Judiciary.

H. B. 207, S. B. 314, bill to amend section 1, chapter 137, laws 1873–'74. Referred to the committee on the Judiciary.

H. B. 213, S. B. 315, bill to amend the charter of the town

of Mooresville, in Iredell county. Referred to the committee on Corporations.

H. R. 100, S. R. 316, resolutions asking our Senators and Representatives in Congress to urge an appropriation for making Neuse river navigable. Referred to the joint committee on Federal Relations.

H. R. 97, S. R. 317, resolution in favor of John S. Hampton. Referred to the committee on Claims.

H. B. 122, S. B. 318, bill to allow the citizens of Jackson county to pass through toll-gates in Macon county free; also to allow citizens of Macon to pass through toll-gates in Jackson county free. Referred to the committee on Propositions and Grievances.

H. B. 320, S. B. 319, bill to incorporate the Charlotte Home and Hospital. Referred to the committee on Corporations.

H. B. 175, S. B. 320, bill to prevent the obstruction of Rockfish and other streams in Duplin county. Referred to the committee on Fish and Fisheries.

H. B. 209, S. B. 321, bill to prevent the felling of trees in Jonathan's creek, in the county of Haywood. Referred to the committee on Propositions and Grievances.

H. B. 104, S. B. 322, bill to amend chapter 240, laws of 1874–'75, of an act entitled "An act to prevent discrimination in freight tariffs by railroad companies." Referred to the committee on the Judiciary.

H. B. 15, S. B. 323, bill to amend chapter 255, acts of 1876–'77, entitled an "An act to divide the State into nine judicial districts." Referred to the committee on the Judiciary.

H. B. 249, S. B. 324, bill to prevent the felling of trees in Tar river, from the Granville line to the falls of Tar river in the county of Nash. Referred to the committe on Propositions and Grievances.

RESOLUTIONS.

Resolutions were introduced and disposed of as follows:

By Mr. King, S. R. 329, resolution to raise a joint committee on railroad and transportation companies. Placed upon the Calendar.

By Mr. Everett, S. R. 334, resolution to raise a joint committee of eight to investigate the Banks of North Carolina. Placed upon the Calendar.

By Mr. Erwin, S. R. 327, resolution in favor of McDowell county. Referred to the committee on Finance.

BILLS.

Bills were introduced and disposed of as follows:

By Mr. Bryan of Duplin, S. B. 325, bill imposing certain duties on superior court clerks. Referred to the committee on Salaries and Fees.

By Mr. Graham of Lincoln, S. B. 326, bill concerning mortgages issued by incorporated companies. Referred to the committee on the Judiciary.

By Mr. King, S. B. 328, bill to prevent extortion and unjust discrimination in railroad freights, &c. Referred to the committee on Internal Improvements and ordered to be printed.

By Mr. Taylor, S. B. 330, bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition. Referred to the committee on Propositions and Grievances.

By. Mr. Everett, S. B. 331, bill to establish a public road in the county of Stokes. Referred to the committee on Public Roads and Highways.

By the same, S. B. 332, bill to amend chapter 287, laws of 1876–77. Referred to the committee on Propositions and Grievances.

By Mr. Austin, S. B. 333, bill to provide a fund for the payment of jurors. Referred to the committee on Finance.

By Mr. Respass, S. B. 336, bill to amend the law of bastardy. Referred to the committee on the Judiciary.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 201, S. B. 280, bill to amend chapter 38, private laws 1873–'74, on its second reading.

On motion of Mr. Snow, the bill was recommitted to the committee on the Judiciary.

H. B. 105, S. B. 212, bill to amend chapter 83, private laws of 1876–'77, passed its several readings.

H. B. 226, S. B. 277, bill to prevent the felling of timber in the waters of North and South Fork of New River, in Ashe county, on its second reading, and was lost.

H. R. 63, S. R. 271, resolution concerning the free navigation of the Cape Fear river, passed its several readings.

S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners, passed its several readings.

S. B. 260, bill for the protection of the English mocking bird, was on motion laid upon the table.

On motion of Mr. Scales, Hon. W. P. Bynum, ex-justice of the supreme court, was invited to a seat on the floor of the Senate.

THE CALENDAR.

was resumed.

S. R. 177, resolution on the sale of intoxicating liquors, on its second reading.

Mr. Bull moved to amend by striking out "two miles" and inserting "one mile." Adopted.

Mr. Ormand moved to amend: "*Provided*, This act does not apply to the counties of Greene and Lenoir." Lost.

Mr. Dillard moved to amend: "This act shall not apply to Rockingham county." Lost.

Mr. Dancey moved to amend: "This act shall not apply to Edgecombe county." Lost.

Question recurring upon the passage of the bill upon its second reading,

Mr. White demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading, ayes 12, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bull, Eppes, Everett, Graham of Montgomery, Harris, Holleman, Ward, and White—12.

Those voting in the negative were:

Messrs. Alexander, Brower, Bryan of Duplin, Bynum, Caldwell, Dancey, Dillard, Eaves, Erwin, Henderson, King, Leach, Lyon, Matheson, McEachairn, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—30.

Mr. Ormand moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table, which latter motion prevailed.

S. B. 253, bill to establish a new county to be called Vance, on its second reading.

Mr. Dortch moved to indefinitely postpone, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to postpone failed, ayes 18, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bynum, Caldwell, Dortch, Erwin, Henderson, King, Lyon, Matheson, Merritt, Nicholson, Robinson, Scales, Shackleford, Snow, Taylor, and Williamson—18.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bryan of Duplin, Bull,

Dancey, Dillard, Eaves, Eppes, Everett, Graham of Montgomery, Hoyle, Leach, McEachairn, Mebane, Mitchell, Ormand, Redwine, Stewart, Waddell, Ward and White—22.

Amendments reported by the committee on Propositions and Grievances were adopted.

Mr. Bryan of Duplin, moved to amend by providing the question of the establishment of this county shall be submitted to the voters of the counties from which the new county is proposed to be taken, upon which amendment

Mr. Everett demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 23, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bynum, Caldwell, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, King, Lyon, Matheson, Mebane, Merritt, Nicholson, Respass, Robinson, Scales, Shackleford, Snow, Taylor, and Williamson—23.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bull, Dancey, Dillard, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, Hoyle, Leach, McEachairn, Mitchell, Ormand, Redwine Stewart, Waddell, Waldo, and White—21.

Question recurring upon the passage of the bill its second reading, the bill failed to pass.

H. R. ——, S. R. 335, resolution concerning the employees of the two houses of the Assembly, was taken up.

Mr. Snow moved to amend by inserting in sub-section 2 of section 1, "four pages," instead of "three." Adopted.

Resolution then passed its several readings.

Mr. Ross was announced absent on account of sickness.

Mr. Caldwell moved to reconsider the vote by which S. B. 253, bill to establish a new county to be called Vance, failed to pass its second reading, which

On motion of Mr. Everett, was postponed until to-morrow at 11 A. M.

On motion of Mr. Everett, the Senate adjourned.

TWENTY-FIRST DAY.

SENATE CHAMBER, January 31st, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. McEachairn, petition of A. S. Baker *et al.* Referred to the committee on Propositions and Grievances.

By Mr. Erwin, petitions (2) from citizens of Old Fort, in McDowell county. Referred the committee on Propositions and Grievances.

By Mr. Scales, petition of citizens of Danbury. Referred to the committee on Propositions and Grievances.

By Mr. Caldwell, a memorial from Thos. Branch. Referred to the committee on State Debt.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the Committee on the Judiciary:

By Mr. Waddell, H. B. 83, S. B. 302, bill to repeal chapter 29, laws of 1876–'77, recommending its reference to the committee on Fish and Fisheries. The bill was so referred.

By Mr. Henderson, H. B. 187, S. B. 304, bill declaratory

of the meaning of an act in relation to the probate of deeds and the privy examination of married women, recommending it do pass.

S. B. 138, bill to amend section 2, chapter 15, laws of 1876–'77, recommending it do pass.

S. B. 30, bill in relation to warrants on bastardy, reporting an amendment and recommending the bill as amended do pass.

By Mr. Everett, S. B. 311, bill to change the times for holding the superior courts in the counties of Beaufort, Hyde, Pamlico, Dare and Tyrrell, recommending it do pass.

S. R. 176, resolution on roads, recommending its reference to the committee on Public Roads and Highways.

By Mr. Caldwell, H. B. 132, S. B. 303, bill to provide a fund for the payment of jurors of Alleghany and Clay counties, chapter 102, laws of 1876–'77, recommending it do pass.

S. B. 56, bill to amend section 4, chapter 27, Battle's Revisal, recommending it be laid on the table.

S. R. 44, resolution of inquiry to the Judiciary Committee, recommending it be laid on the table.

By Mr. Dortch, S. B. 306, bill to simplify bills of indictment in certain cases, recommending it do pass.

H. B. 153, S. B. 305, bill to change the time of the terms of the superior courts of the counties of Gates and Hertford, recommending it do pass.

S. B. 197, bill to simplify the form of indictments for murder, recommending it be laid on the table.

By Mr. Snow, S. B. 298, bill to amend chapter 59, private acts of 1876–'77, recommending it do pass.

Mr. Leach, from the same committee, reported back a petition from the citizens of McDowell, without recommendation.

By Mr. Bynum, H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties, reporting an amendment and recommending the bill, as amended, do pass.

From the committee on Propositions and Grievances:

By Mr. Dillard, S. R. 192, resolution to make Lumber river navigable, recommending it do not pass.

S. B. 297, bill to prohibit the carrying of concealed weapons, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, H. B. 121, S. B. 245, bill to amend chapter 48, Battle's Revisal.

S. B. 129, bill to amend section 1, chapter 219, laws of 1876–'77.

S. B. 219, bill to amend chapter 27, Battle's Revisal.

Senate substitute to H. B. 1, S. B. 207, bill to amend subsection 9, section 33, code of civil procedure.

S. B. 203, bill to prevent the driving of cattle from South Carolina and other places into counties west of the Blue Ridge.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting a message from his Excellency, the Governor, conveying to the General Assembly the report of Hon. Wm. F. Martin, State proxy in the Chesapeake and Albemarle Canal Company, with the proposition that the same be printed, which was concurred in.

Also transmitting a communication from the Secretary of State, in answer to a resolution of the General Assembly.

Also transmitting a message from his Excellency, the Governor, conveying the papers in the case of Michael Clements against the State of North Carolina, which were referred to the committee on Claims.

Also transmitting, for concurrence, H. B. 9, S. B. 337, bill for the relief of jurors in the county of Wilkes, which was referred to the committee on the Judiciary.

Also transmitting, without engrossment, H. R. —, S. R. 344, resolution concerning the signing of certificates for *per*

diem by the Speaker *pro tempore*, which was placed upon the Calendar.

Also, without engrossment,

H. B. 348, S. B. 345, bill to amend an act to prohibit the sale of liquors within certain localities in Halifax county. Placed upon the Calendar.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced and disposed of as follows:

By Mr. Mebane, S. R. 338, resolution in favor of W. W. Rollins. Referred, with the report of the said Rollins, to the Judiciary Committee.

By Mr. Scales, S. B. 339, bill to repeal chapter 148, private laws 1868–'69. Referred to the committee on the Judiciary.

By Mr. Lyon, S. B. 340, bill to prevent drunkenness in county officers. Referred to the committee on the Judiciary.

By Mr. Mebane, S. B. 341, bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State, (not special tax.) Referred to the committee on the State Debt.

By Mr. Henderson, S. B. 342, bill to amend chapter 106, laws 1876–'77, being an act to provide for the speedy completion of the Western North Carolina Railroad. Referred to the committee on Internal Improvements.

By Mr. Waddell, S. B. 343, bill to incorporate the Smithfield and Narrow Gauge Railroad Company. Referred to the committee on Internal Improvements.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws 1874–'75, was, on motion, returned to the House of Representatives for correction.

H. B. 138, S. B. 272, bill to legalize the acts of the Board of county commissioners of Wilkes county at a meeting on the 16th of December, 1878, passed its several readings.

Mr. Robinson moved to reconsider the vote by which S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners, passed its third reading on yesterday. The motion prevailed, and upon his further motion it was postponed until Tuesday, 4th February next, and made the special order for 11 A. M., of that day.

S. B. 181, bill for the relief of J. M. Monger, was laid upon the table.

S. R. 265, resolution of instruction to the Judiciary Committee to simplify the attachment law, was laid upon the table.

S. B. 298, bill to amend chapter 59, private acts 1876–'77, failed to pass its second reading.

S. B. 223, bill to repeal section 43, chapter 32, Battle's Revisal, on its second reading, upon which

Mr. Everett demanded the ayes and noes, which were ordered.

Mr. Scales moved to refer the bill to the committee on Agriculture, Mechanics and Mining, which prevailed.

The hour for the special order arrived, being the motion of Mr. Caldwell to reconsider the vote by which S. B. 253, bill to establish a new county to be called Vance, failed to pass its second reading on yesterday.

Mr. Dortch moved to lay the motion to reconsider upon the table, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to lay on the table prevailed, ayes 21, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bynum, Cald-

well, Dillard, Dortch, Erwin, Graham of Lincoln, Henderson, King, Lyon, Matheson, Mebane, Nicholson, Robinson, Scales, Shackleford, Snow, Taylor, and Williamson—21.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bull, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, Hoyle, McEachairn, Merritt, Mitchell, Ormand, Redwine, Waddell, Waldo, Ward, and White—20.

S. B. 134, bill defining the jurisdiction of judges of the superior courts as to the granting of injunctions and restraining orders and the appointment of receivers, on its second reading.

The substitute reported by the committee on the Judiciary was adopted. The bill then passed its several readings.

H. B. 200, S. B. 213, bill for the relief of sheriffs and tax collectors, on its second reading.

Mr. Caldwell moved to strike out the 5th section. Lost.

The substitute reported by the committee on the Judiciary was adopted.

Bill then passed its several readings.

The hour for the consideration of the special order having arrived,

S. B. 128, bill to incorporate the Bennettsville and Hamlet Railroad Company, was taken up on its third reading.

Mr. Leach moved to amend:

Add as a new section the following: "Sec. —. That nothing herein contained shall exempt the property of said corporation within this State from taxation, not to exceed, however, the rates levied on other railroad corporations in the States."

Adopted.

Mr. Everett moved to amend by adding the following proviso at the end of the last section: "*Provided further*,

that nothing in this charter shall prevent the Legislature of North Carolina from enacting statutes to regulate passenger and freight rates whenever the public service shall demand, on this road; that the road shall be what is known as a narrow gauge railroad, not exceeding three feet between rails." Adopted.

As amended, the bill passed its third reading.

Mr. Scales moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

Mr. Graham of Lincoln, moved to reconsider the vote by which S. B. 298, bill to amend chapter 59, private laws of 1876–'77, failed to pass its second reading, and moved to make that motion the special order for Monday, 10th February, at 12 M., which latter motion prevailed.

Mr. Graham moved to suspend the rules and take up

H. B. 348, S. B. 345, bill to amend an act to prohibit the sale of liquor within certain localities in Halifax county, which prevailed.

The bill then passed its several readings.

Leave of absence was granted Messrs. Harris, Stewart, Austin, Merritt and King, until Tuesday; Mr. Waddell until Monday; Mr. Holleman until Saturday; Mr. Davidson for to-day.

Messrs. Respass and Ross were announced absent on account of sickness.

The President announced the following Senate branch joint committee to report names for magistrates to the General Assembly:

Messrs. Waddell, McEachairn, Hoyle, Lyon and Mitchell.

On motion of Mr. Everett, the Senate adjourned.

TWENTY-SECOND DAY.

SENATE CHAMBER, Feb. 1st, 1879.

The Senate met pursuant to adjournment, Mr. Leach in the Chair.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Dortch, petition from citizens of Lenoir county. Referred to the committee on Propositions and Grievances.

By Mr. Ross, petition of citizens of Brunswick county. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petition of citizens and merchants in Salisbury. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting for concurrence:

H. B. 119, S. B. 346, bill to amend the charter of the Mount Airy Railroad and provide for the building of a railroad from Greensboro, in Guilford county, to Ore Knob, in Ashe county. Referred to the committee on Internal Improvements.

H. B. 45, S. B. 347, bill to charter the Louisburg and Nashville branch of the Wilmington and Weldon Railroad Company. Referred to the committee on Internal Improvements.

Also announcing the refusal of that honorable body to

concur in Senate amendment to H. B. 200, S. B. 213, bill to amend chapter 36, laws 1876–'77.

On motion of Mr. Henderson, the Senate receded from its amendment, and the bill was ordered enrolled for ratification.

Also announcing the refusal of that honorable body to concur in the Senate amendment to H. R. —, S. R. 335, resolution concerning the subordinates of the General Assembly.

On motion of Mr. Bynum, the Senate refused to recede, and the resolution was laid upon the table.

Also announcing the concurrence of that honorable body in the proposition of the Senate to print the report of the committee to examine the office of the State Treasurer.

In the Senate amendments to H. B. 49, S. B. ..., bill to incorporate Payne's Benevolent Society in Rutherford county.

In Senate amendments to H. B. 245, S. B. ..., bill to amend chapter 48, Battle's Revisal.

REPORTS OF STANDING COMMITTEES.

Reports were submitted from committees as follows:

From the committee on Propositions and Grievances:

By Mr. Dillard, sundry petitions, which were laid upon the table.

S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton, recommending it do not pass.

From the committee on Claims:

By Mr. Waldo, S. R. 293, resolution in relation to the funeral expenses of the late Chief Justice Pearson, recommending it do pass.

H. R. 97, S. R. 317, resolution in favor of John S. Hampton, recommending it do pass.

From the committee on the Judiciary:

By Mr. Scales, H. B. 26, S. B. 278, bill to amend chapter

161, laws 1876–'77, reporting an amendment, and as amended recommending the bill do pass.

S. B. 25, bill to amend chapter 87, private laws 1870–'71, recommending it do pass.

By Mr. Bynum, S. R. 85, resolution for the relief of the county of Caswell, recommending it do pass.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Henderson, S. B. 348, bill to organize and incorporate the Christian Association. Referred to the committee on Corporations.

By Mr. Bryan of Duplin, S. B. 349, bill to punish magistrates, sheriffs, constables, attorneys and other agents for abusing their trusts. Referred to the committee on the Judiciary.

By Mr. Alexander, S. B. 350, bill to prevent children under the age of eighteen years from living out without the consent of parents. Referred to the committee on the Judiciary.

By the same, S. B. 351, bill for the creation and regulation of industrial and provident societies. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Ross, S. B. 352, bill to prohibit the sale of intoxicating liquor within three miles of Smithville Methodist Church and Bethel Baptist Church in Brunswick county. Referred to the committee on Propositions and Grievances.

By Mr. Redwine, S. R. 353, resolution in favor of Jesse Haithcock of Cabarrus county. Referred to the committee on Propositions and Grievances.

By Mr. Scales, S. B. 354, bill to be entitled an act to amend section 93, chapter 32, Battle's Revisal. Referred to the committee on the Judiciary.

By Mr. Dancey, S. B. 355, bill to punish adulterers. Referred to the committee on the Judiciary.

By Mr. Nicholson, S. B. 356, bill to provide for the payment of the public debt of the State and for other purposes. Referred to the committee on the State debt, and ordered to be printed.

By Mr. Respass, S. B. 357, bill for the payment of justices of the peace for the transacting of county business. Referred to the committee on the Judiciary.

By Mr. Everett, S. B. 358, bill to amend and revise the charter of the town of Winston, North Carolina. Referred to the committee on Corporations.

CALENDAR.

Bills and resolutions upon the Calendar were disposed of as follows:

S. R. 44, resolution of inquiry to the committe on the Judiciary, was laid on the table.

S. B. 56, bill to amend section 4, chapter 27, Battle's Revisal, was on motion laid on the table.

S. B. 268, bill to amend chapters 20, 35 and 76, Battle's Revisal, passed its several readings.

H. B. 98, S. B. 238, bill to amend section 1, chapter 260, laws of 1876–'77, passed its several readings.

H. B. 130, S. B. 282, bill to prevent felling timber and brush in Swift creek from its mouth to Whitaker's bridge, in Nash county, was, on motion, laid on the table.

S. B. 97, bill to amend section 149, chapter 32, Battle's Revisal, was, on motion, recommitted to the committee on the Judiciary.

S. B. 221, bill to fix the times for holding the superior courts in the third judicial district, was, on motion, laid on the table.

H. B. 71, S. B. 243, bill for the relief of prisoners confined in the common jails of this State, passed its second reading.

H. B. 19, S. B. 189, bill for the punishment of the crime of incest, passed its several readings.

S. B. 296, bill to provide for the better proof of deeds executed beyond the State, was, on motion, recommitted to the committee on the Judiciary.

S. B. 241, bill to prevent frivolous prosecutions, was, on motion, laid on the table.

H. R. 97, S. R. 317, resolution in favor of J. S. Hampton, passed its several readings.

H. B. 153, S. B. 305, bill to change time of the terms of the superior courts of the counties of Gates and Hertford, passed its several readings.

S. B. 306, bill to simplify bills of indictment in certain cases, passed its several readings.

H. B. 132, S. B. 303, bill to provide a fund for the payment of jurors of Alleghany and Clay counties, passed its several readings.

S. B. 297, bill to prohibit the carrying of concealed weapons, on its second reading.

Mr. Ormand moved to amend by inserting "brass, steel, or other metalic knuckles, or razors, or stick weighing more than (2) ounces."

Mr. Bynum moved to amend by inserting "and upon conviction shall be fined not more than fifty dollars or imprisoned not more than six months."

Mr. Nicholson moved to refer the bill to the committee on the Judiciary.

Mr. Ormand moved to lay the bill upon the table, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 7, noes 39, as follows:

Those voting in the affirmative were:

Messrs. Alston, Brower, Bryan of Duplin, Dancey, Eppes, Ormand, and Ross—7.

Those voting in the negative were:

Messrs. Alexander, Black, Bledsoe, Bynum, Caldwell, Dillard, Dortch, Eaves, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Leach, Lyon, Matheson, McEachairn, Mebane, Mitchell, Nicholson, Redwine, Respass, Robinson, Scales, Shackleford, Waldo, Ward, Williamson, and White—30.

The motion of Mr. Nicholson to refer prevailed.

S. R. 192, resolution to make Lumber river navigable, was, on motion, recommitted to the committee on Propositions and Grievances.

S. B. 311, bill to change the times of holding the superior courts in the counties of Beaufort, Hyde, Pamlico, Dare and Tyrrell, passed its several readings.

The hour for the special order arrived, being

S. B. 266, bill in relation to the ton tax on fertilizers, on its second reading.

On motion of Mr. Mebane, the bill was postponed until Monday, 3rd inst., at 12 M.

Mr. Snow, of committee to investigate the Western North Carolina Railroad and Western Insane Asylum, was granted indefinite leave of absence to attend the duties of the committee.

Messrs. Henderson and Taylor were granted leave of absence until Monday, and Mr. Davidson for to-day.

On motion of Mr. Ormand, the Senate adjourned.

TWENTY-THIRD DAY.

SENATE CHAMBER, Feb. 3rd, 1879.

The Senate met pursuant to adjournment. Mr. Mebane in the Chair.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Mr. Ward was announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Shackleford, petition of citizens of Lenoir county. Referred to the joint select committee on Justices of the Peace.

By Mr. Bryan of Pender, petition of citizens of New Hanover. Referred to the committee on Propositions and Grievances.

By Mr. Nicholson, petition from citizens of Iredell. Referred to the committee on Propositions and Grievances.

By Mr. Bryan of Pender, petition in favor of David J. Moore. Referred to the committee on Claims.

By the same, petition of citizens of Pender county. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting a message from His Excellency, the Governor, conveying to the General Assembly joint resolutions of the Legislature of the State of Alabama, and proposing to refer said message and joint resolutions to a select joint committee.

On motion of Mr. Scales, the Senate refused to concur in the proposition of reference of the House, and proposed its reference to the joint committee on Federal Relations. A message to that effect was sent to the House.

Also transmitting for concurrence,

H. B. 401, S. B. ..., bill to amend chapter 155, private laws 1874–'75. Referred to the committee on Propositions and Grievances.

Also announcing the concurrence by that honorable body in the Senate proposition to refer the joint resolutions of

the Legislature of Alabama to the committee on Federal Relations.

And asking a committee of conference on H. R. ..., S. R. 335, resolution in regard to the pay of pages, &c., which was concurred in, and Messrs. Bynum and Eaves appointed Senate Branch of said committee.

Also transmitting without engrossment, H. R. 124, S. R. 365, resolution in reference to the inauguration of Gov. T. J. Jarvis. The resolution was taken up for consideration.

Mr. Robinson moved to amend by adding, "that a committee of three on the part of the Senate and five on the part of the House, be appointed a committee to make suitable arrangements for the inaugural, which was adopted, and sent to the House without engrossment.

A message from the House announcing the concurrence by that honorable body in the amendment of the Senate, and that Messrs. Jones of Caldwell, Covington, Armstrong, Clarke and Norment were appointed House Branch of said committee. The President announced as Senate Branch of same committee Messrs. Leach, Nicholson and Everett.

Also announcing the appointment as House Branch of the committee on conference upon the resolution in regard to the pay of pages and employees of the General Assembly, Messrs. Bryson, Foard and Blocker.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Dillard, S. B. 307, bill to make the Upper and Lower rivers in Harnett county lawful fences, and for other purposes, recommending it do pass.

By the same, S. B. 330, bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for

themselves the question of prohibition, recommending it do pass.

By the same, S. B. 308, bill to allow the commissioners of Pasquotank county to ascertain the county indebtedness, reporting an amendment, and as amended, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Eaves, H. R. 19, S. R. 185, resolution for a conference with the South Carolina Legislature, &c., reporting a substitute, and recommending the substitute do pass.

By Mr. Brower, H. B. 119, S. B. 346, bill to amend the charter of the Mount Airy Railroad, and provide for the building of a railroad from Greensboro to Ore Knob, recommending it do pass.

From the committee on Corporations:

By Mr. Davidson, S. B. 161, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, recommending its reference to the committee on Internal Improvements.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed,

S. B. 240, bill concerning civil actions for the recovery of debts contracted for the purchase of land.

S. B. 134, bill concerning the jurisdiction of judges of the superior courts as to the granting of injunctions and restraining orders, and the appointment of receivers.

The President *pro tem.* presented report from William H. Bagley, Esq., clerk to the supreme court, in answer to Senate resolution asking information of that officer, which was read and referred to the committee on Retrenchment and Reform.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Dillard, S. R. 360, resolution of inquiry. Referred to the joint committee on the Insane Asylum.

By Mr. Respass, S. B. 361, bill to amend the corporation

of the town of Creswell, in the county of Washington. Referred to the committee on Corporations.

By Mr. Everett, S. B. 362, bill to amend an act to ascertain the indebtedness of the different counties, cities and towns of the State, and to provide a statute of limitations. Referred to the committee on the Judiciary.

By Mr. Matheson, S. B. 363, bill to amend the charter of the Charlotte and Taylorsville Railroad Company. Referred to the committee on Internal Improvements.

By Mr. Williamson, S. B. 364, bill to abolish private seals and to prescribe a short form of a deed, and for other purposes. Referred to the committee on the Judiciary.

By Mr. Bryan of Pender, S. B. 359, bill to change the names of certain townships in Pender county. Referred to the committee on Propositions and Grievances.

By Mr. Waldo, S. B. 365, bill to amend the charter of the town of Edenton. Referred to the committee on Corporations.

By Mr. White, S. B. 366, bill to amend section 3, chapter 61, laws of 1871–'72. Referred to the committee on Internal Improvements.

By Mr. Bryan of Pender, S. B. 367, bill to enable the city of Wilmington to pay its present bonded indebtedness. Referred to the committee on Propositions and Grievances.

By Mr. Scales, S. B. 368, bill to prevent the exclusion of evidence on the trial of civil actions and special proceedings. Referred to the committee on the Judiciary.

By Mr. Williamson, S. B. 369, bill to settle disputes and to lighten the expense of litigation. Referred to the committee on Judiciary.

By Mr. Respass, S. B. 370, bill to prevent the felling of trees or otherwise obstructing the waters of Bay river in Pamlico county. Referred to the committee on Propositions and Grievances.

By consent,

Mr. Dillard reported from committee on Propositions and Grievances:

S. B. 370, bill to prevent the felling of trees or otherwise obstructing the waters of Bay river in Pamlico county, recommending it do not pass.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 71, S. B. 243, bill for the relief of prisoners confined in the common jails of this State, on its third reading, and passed.

S. B. 330, bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition, on its second reading, and passed.

S. R. 85, resolution for the relief of the county of Caswell, was on motion, laid on the table.

S. B. 30, bill in relation to warrants on bastardy, on its second reading.

The amendment reported by the committee on Judiciary was adopted, and the bill passed its second reading.

S. B. 138, bill to amend section 2, chapter 15, laws of 1876–'77, concerning the Cheraw and Salisbury Railroad, passed its second reading.

H. B. 153, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties, on its second reading.

Amendments reported by the committee on the Judiciary were adopted, and the bill, as amended, passed its second reading.

S. B. 222, bill to submit the question of prohibition and license to the voters of the town of Rutherfordton, on its third reading.

Mr. Eaves demanded the ayes and noes upon the passage of the bill, which were ordered, and the bill passed its third reading, ayes 25, noes 9, as follows:

Those voting in the affirmative were :

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Dancey, Davidson, Dillard, Eaves, Eppes, Everett, Graham of Montgomery, Leach, Lyon, McEachern, Mebane, Mitchell, Ormand, Respass, Ross, Waldo, Williamson, and White—25.

Those voting in the negative were :

Messrs. Alexander, Caldwell, Erwin, Hoyle, Matheson, Nicholson, Robinson, Scales, and Shackleford—9.

H. B. 26, S. B. 278, bill to amend chapter 161, laws of 1876–'77, on its second reading.

The amendment reported by the committee on the Judiciary was adopted, and thus amended, the bill passed its second reading.

H. B. 187, S. B. 304, bill declaratory of the meaning of an act in relation to the probate of deeds and the privy examination of married women, &c., passed its second reading.

S. R. 334, resolution proposing to raise a joint select committee to investigate the Bank of North Carolina, on its second reading.

On motion, the bill was referred to the committee on Finance.

H. R. —, S. R. 344, resolution concerning the signing of certificates for the *per diem* by the Speaker of the House of Representatives *pro tempore*, was, on motion, laid on the table.

H. B. 119, S. B. 346, bill to amend the charter of the Mount Airy Railroad and to provide for the building of a railroad from Greensboro to Ore Knob, on its second reading and passed, ayes 37, noes 2, as follows :

Those voting in the affirmative were :

Messrs. Alexander, Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, Leach, Lyon, Matheson, McEachern, Mitchell, Nicholson, Ormand,

Redwine, Respass, Robinson, Ross, Scales, Shackleford, Taylor, Waldo, and White—37.

Those voting in the negative were :

Messrs. Mebane and Williamson—2.

On motion, its further consideration was postponed until Friday, 7th instant, at 11 A. M., and made special order for that hour.

S. B. 161, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, was, on motion, referred to the committee on Internal Improvements.

H. R. 19, S. R. 185, resolution for a conference with the South Carolina Legislature, &c., on its second reading.

The substitute reported by the committee on Internal Improvements was adopted, and the resolution passed its second reading.

On motion, the rules were suspended and the bill put upon its third reading.

Mr. Alexander moved to amend by adding "Tennessee" after "South Carolina." Adopted, and thus amended, the resolution passed its third reading.

S. B. 308, bill to enable the county commissioners of Pasquotank to ascertain the county indebtedness, on its second reading.

The amendment reported by the committee on Propositions and Grievances was adopted, and the bill passed its second reading.

S. B. 307, bill to make the Upper and Lower Little rivers in Harnett county lawful fences, and for other purposes, passed its second reading.

S. B. 266, bill in relation to the ton tax on fertilizers was taken up, it being the special order for this hour, on its second reading.

On motion of Mr. Alexander, the bill was referred to the committee on the Judiciary.

S. B. 370, bill to prevent the felling of trees or otherwise

obstructing the waters of Bay river in Pamlico county, was, on motion, indefinitely postponed.

S. R. 293, resolution in relation to the funeral expenses of the late Chief Justice Pearson, passed its second reading, and, under a suspension of the rules, was put upon its third reading, upon which

Mr. Williamson demanded the ayes and noes, which were ordered, and the resolution passed its third reading, ayes 31, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Leach, Lyon, Matheson, McEachern, Mebane, Mitchell, Nicholson, Ormand, Respass, Ross, Scales, Taylor, Waldo, and White—31.

Those voting in the negative were:

Messrs. Bryan of Duplin, Erwin, Hoyle, Redwine, Robinson, Shackleford, and Williamson—7.

Mr. Bynum was excused from voting, owing to his relationship to the late Chief Justice.

On motion of Mr. Robinson, S. R. 232, bill to incrporate the Wilmington, Charlotte and Western Railway, now in the hands of the committee on Internal Improvements, was ordered to be printed.

On motion of Mr. Everett, the Senate adjourned.

TWENTY-FOURTH DAY.

SENATE CHAMBER, Feb. 4th, 1879.

The Senate met pursuant to adjournment.

Mr. Dortch in the Chair.

Prayer by Rev. Mr. Bull of the Senate.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Graham, petition from citizens of Montgomery. Referred to the committee on the Judiciary.

By Mr. Mebane, petition from citizens of Person county. Referred to the committee on Finance.

By Mr. Dancey, petition from citizens of Edgecombe county. Referred to the committee on Propositions and Grievances.

By Mr. Davidson, petitions (2) from citizens of Chowan county. Referred to the committee on Fish and Fisheries.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, a report accompanied by a bill, S. B. 391, concerning acts of 1874–'75, pertaining to application for license to retail spirituous liquors. The bill with report was placed upon the Calendar.

From the committee on Engrossed Bills:

By Mr. Shackleford, and as properly engrossed:

S. B. 426, bill to incorporate the Farmers' Bank of Milton, Caswell county, N. C.

S. B. 167, bill to extend the charter of certain banks.

S. B. 568, bill to authorize the board of commissioners of Onslow county to issue bonds and for other purposes.

The following bills and resolutions, reported as correctly enrolled by the committee on Enrolled Bills, were duly ratified and transmitted to the Secretary of State:

H. B. 19, S. B. 148, an act for the punishment of the crime of incest.

H. B. 138, S. B. 272, an act to legalize the acts of the board of county commissioners of Wilkes county at a meeting on the 16th December, 1878.

H. B. 153, S. B. 305, an act to change the time of holding the terms of the superior courts in the counties of Gates and Hertford.

H. B. 49, S. B. 183, an act to incorporate Payne's Benevolent Society in Rutherford county.

H. B. 121, S. B. 245, an act to amend section 1, chapter 48, Battle's Revisal.

H. R. 62, S. R. 251, a resolution concerning the free navigation of the Cape Fear river.

H. B. 98, S. B. 283, an act to amend section 1 of chapter 260, laws of 1876–'77.

H. B. 105, S. B. 212, an act to amend chapter 83, private laws of 1876–'77.

H. B. 132, S. B. 303, an act to repeal an act to provide a fund for the payment of jurors of Alleghany and Clay counties, being chapter 102, laws of 1876–'77, ratified 16th day of February, A. D. 1877.

H. R. 97, S. R. 317, a resolution in favor of John S. Hampton.

S. B. 289, H. B. 395, an act to amend the charter of Davidson College.

S. B. 213, H. B. 200, an act to amend chapter 36, laws of 1876–'77.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Shackleford, S. B. 371, resolution of request to our Senators and members in the Congress of the United States, to ask for additional appropriations for the improvement of the rivers in North Carolina. Referred to the committee on Federal Relations.

By Mr. Ormand, S. B. 372, bill to repeal an act to establish courts inferior to the supreme court, to be styled 'inferior courts.' Referred to the committee on the Judiciary.

By Mr. Bryan of Pender, S. B. 373, bill to allow the commissioners of Pender to levy a special tax. Referred to the committee on the Judiciary.

By Mr. Brower, S. B. 374, bill to amend chapter 155 and 162, laws 1876–'77. Referred to the committee on Finance.

By Mr. Black, S. B. 375, bill to incorporate the town of Keyser, in the county of Moore. Referred to the committee on Corporations.

By Mr. Shackleford, S. B. 376, bill to amend an act to create a finance committee in the several counties in this State. Referred to the committee on Propositions and Grievances.

By Mr. Everett, S. R. 377, resolution concerning the relationship between free passes and the public school fund. Placed upon the Calendar.

By Mr. Bynum, S. B. 389, bill to provide for the completion of the Western Insane Asylum. Referred to the committee on the Judiciary.

By Mr. Respass, S. B. 390, bill to repeal an act prohibiting the sale of liquor near "Christian's Delight" church, in Beaufort county. Referred to the committee on Propositions and Grievances.

By Mr. Bynum, S. B. 393, bill to amend section 7, chapter 255, laws of 1876–'77. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 30, bill in relation to warrants on bastardy, on its third reading and passed.

S. B. 138, bill to amend section 2, chapter 15, laws of

1876–'77, concerning the Cheraw and Salisbury Railroad, on its third reading and passed.

H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties, on its third reading.

On motion of Mr. Henderson, the bill was recommitted to the committee on the Judiciary.

H. B. 187, S. B. 304, bill declaratory of the meaning of an act in relation to the probate of deeds and the privy examination of married women, &c., on its third reading and passed.

S. B. 307, bill to make the Upper and Lower Little Rivers in Harnett county lawful fences, and for other purposes, on its third reading and passed.

S. B. 308, bill to enable the commissioners of Pasquotank county to ascertain the indebtedness of said county, on its third reading and passed.

S. B. 330, bill to repeal chapter 126, laws of 1874–'75, and to allow certain townships to determine for themselves the question of prohibition, on its third reading and passed.

S. R. 377, resolution concerning the relationship between free passes and the public school fund, on its second reading.

Mr. Ormand moved to amend by adding a new section: "Those that do not use free passes shall pay the amount of their *per diem* to the school fund."

Mr. Mebane moved to amend the amendment by striking out the "school fund" and insert the "State debt." Lost.

Mr. Ormand's amendment was adopted.

Mr. Mebane moved to lay the resolution on the table, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 24, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Dancey, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, King, McEachern, Mebane, Moye, Redwine, Respass, Scales, Taylor, Waddell, Waldo, Williamson, and White—24.

Those voting in the negative were:

Messrs. Brower, Bynum, Davidson, Eaves, Eppes, Everett, Graham of Montgomery, Henderson, Hoyle, Leach, Lyon, Matheson, Nicholson, Ormand, Robinson, Ross, and Shackleford—17.

S. B. 391, bill to repeal an act passed at the session of the General Assembly of 1874-'75, entitled an act concerning applications for the sale of spirituous liquors or repeal of prohibitory laws in the State, on its second reading and passed.

Mr. Bledsoe moved to reconsider the vote by which S. R. 293, resolution concerning the funeral expenses of the late Chief Justice Pearson passed its third reading on yesterday.

Mr. Everett moved to lay the motion to reconsider on the table, upon which

Mr. Bledsoe demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 23, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alston, Brower, Bryan of Duplin, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Harris, Henderson, Leach, Lyon, McEachern, Ormand, Respass, Ross, Scales, Waddell, Waldo, and White—23.

Those voting in the negative were:

Messrs. Black, Bledsoe, Bryan of Pender, Bull, Davidson, Erwin, Graham of Lincoln, Hoyle, King, Matheson, Mebane, Mitchell, Moye, Nicholson, Redwine, Robinson, Shackleford, Taylor, and Williamson—19.

Mr. Bynum was excused from voting, owing to his relationship to the late Chief Justice.

Mr. Bledsoe asked to change his vote upon the passage of the resolution (S. R. 293) its third reading on yesterday, from the affirmative to the negative, which was granted.

The hour for the special order arrived, being

S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners; it was taken up on its third reading.

On motion of Mr. Robinson, it was further postponed until Friday next, 7th inst., at 12 M., and made the special order for that hour.

THE CALENDAR.

was resumed.

S. R. 109, resolution to provide for heating the capitol.

Mr. Everett moved to amend: "That the committee ascertain and report to the Assembly, as early as practicable, the cost of heating and ventilating the capitol, and the methods of so doing," which was adopted.

Mr. Williamson moved to lay the resolution on the table. Lost.

As amended, the resolution was adopted.

S. B. 25, bill to amend chapter 87, private laws of 1870–'71, on its second reading.

On motion of Mr. Graham of Lincoln, the bill was recommitted to the committee on the Judiciary.

S. R. 329, resolution to raise a joint select committee on Railroads and Transportation Companies.

Upon the passage of the resolution,

Mr. Everett demanded the previous question, which was sustained, and the resolution was adopted.

H. B. 26, S. B. 278, bill to amend chapter 161, laws of 1876–'77, being an act in relation to the probate of deeds, &c., passed its third reading.

S. B. 197, bill to simplify the form of indictments for murder, was laid on the table.

S. B. 194, bill to provide for the registration of certain deeds and other instruments of writing, and to make valid the registration of others, passed its second and third readings.

S. B. 57, bill for the benefit of W. P. Oldham and others, was laid on the table.

S. B. 135, bill concerning the service of summons of publication, was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting without engrossment

H. B. 449, S. B. 392, bill supplemental to a bill to change the time of holding the superior courts in the fourth judicial district.

On motion of Mr. Waddell, the rules were suspended and the bill passed its several readings.

Also a message transmitting a message from his Excellency, the Governor, communicating a report from the Attorney General, with a proposition to print the same, which was concurred in.

Also transmitting for concurrence

H. B. 103, S. B. 378, bill to amend the charter of the North-western North Carolina Railroad for the construction of a division from the towns of Winston and Salem, up the Yadkin Valley by Wilkesboro to Patterson's factory in Caldwell county. Referred to the committee on Internal Improvements.

H. B. 451, S. B. 379, bill to make the killing of live stock indictable. Referred to the committee on the Judiciary.

H. B. 426, S. B. 380, bill to amend chapter 67, laws of 1876-'77, it being an act for the protection of fish in Wacca-

maw lake and adjacent waters. Referred to the committee on Fish and Fisheries.

H. B. 455, S. B. 381, bill to establish a State line between the States of North Crrolina and Georgia. Referred to the committee on the Judiciary.

H. B. 25, S. B. 382, bill to protect game in Union, Granville, Davie, Wilson and other counties in this State. Referred to the committee on Propositions and Grievances.

H. B. 21, S. B. 383, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds. Referred to the committee on Propositions and Grievances.

H. B. 452, S. B. 384, bill to secure litigants in the courts of justices of the peace a more speedy determination of their rights. Referred to the committee on the Judiciary.

H. B. 432, S. B. 385, bill to change the time of holding the superior courts of Jones and Pitt counties. Referred to the committee on the Judiciary.

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville. Referred to the committee on Corporations.

H. B. 104, S. B. 387, bill in reference to sheriffs, superior court clerks and registers of deeds. Referred to the committee on Finance.

H. B. 35, S. B. 388, bill to amend an act to aid in the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow Gauge Railroads, and for other purposes. Referred to the committee on Internal Improvements.

INAUGURATION CEREMONIES.

Mr. Leach, from the joint select committee to arrange for the inauguration of His Excellency, Gov. Thomas J. Jarvis, reported as follows:

The General Assembly will take a recess at 11:30 o'clock, A. M.

The Senate assembles in the Hall of the House of Representatives at 11:45 A. M.

The outgoing and incoming Governors, preceded by the Chief Justice, and escorted by the Committee of Arrangements, enter the Hall of the House of Representatives at 12 o'clock, M.

Both Houses receive the Governors standing.

Prayer by the Rev. W. S. Black.

The oaths of office will be administered by the Chief Justice.

The Inaugural Address will be delivered by His Excellency, Gov. Jarvis.

Governor Jarvis will be escorted to the Executive office by the committee of arrangements.

The Senate retires to its chamber, and the business of the House is resumed.

The report was adopted.

Mr. Ward was announced absent on account of sickness.

On motion of Mr. Robinson, the Senate adjourned.

TWENTY-FIFTH DAY.

SENATE CHAMBER, Feb. 5th, 1879.

The Senate met pursuant to adjournment. Mr. Dortch in the chair.

The Journal of yesterday was approved.

Leave of absence was granted to Mr. White for one week from to-morrow; to Mr. Waldo for three days; to Mr. McEachern one week from to-day; to Mr. Dillard indefinitely.

Messrs. Ward, and Bryan of Pender, were announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Henderson, petition of Sydney H. Hart and others. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Caldwell, petition from citizens of Alamance, relative to a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

By the same, petitions from citizens of Fayetteville. Referred to the committee on Finance.

By. Mr. Merritt, petition from members of Mount Vernon church, Ore Hill, North Carolina. Referred to the committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Penal Institutions:

By Mr. Graham of Lincoln, S. B. 204, bill to amend chapter 107, laws of 1874–'75, concerning expenses incurred in transporting convicts to the State's prison, recommending it do not pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Graham of Lincoln, S. B. 158, bill for the protection of birds, recommending it do pass.

From the committee on Public Roads and Highways:

By Mr. Alexander, S. B. 331, bill to establish a public road in the county of Stokes, recommending it do pass.

From the committee on the Judiciary:

By Mr. Davidson, S. B. 170, bill to regulate in certain respects the computation of the degrees of kinship within which persons in this State may not lawfully marry, recommending it do pass.

By the same, S. B. 82, bill to amend chapter 161, laws of 1876–'77, in relation to the probate of deeds, &c., recommending it be indefinitely postponed.

By the same, S. B. 262, bill to change the time for holding the superior courts in the ninth judicial district, recommending it do pass.

By Mr. Erwin, S. B. 157, bill to amend section 8, chapter 255, laws of 1876–'77, reporting an amendment, and as amended recommending it do pass.

By Mr. Caldwell, H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws of 1874–'75, reporting an amendment, and as amended recommending the bill do pass.

By the same, S. B. 355, bill to punish adulterers, recommending it do not pass.

By Mr. Scales, S. B. 354, bill to amend section 93, chapter 32, Battle's Revisal, recommending it do pass.

By the same, S. B. 357, bill for the payment of justices of the peace for the transacting of county business, recommending it do not pass.

By Mr. Waddell, H. B. 174, S. B. 274, bill to prevent the desecration of the Sabbath day, asking its return to the House of Representatives for proper engrossment. It was so ordered.

By the same, S. B. 97, bill to be entitled an act to amend section 149, chapter 32, Battle's Revisal, reporting a substitute, and recommending the substitute do pass.

By the same, H. B. 131, S. B. 313, bill to repeal chapter 65, laws of 1876–'77, entitled an act for the removal of road exemptions in Clay county, recommending it do pass.

By the same, S. B. 336, bill to amend the law of bastardy, recommending it do not pass.

By Mr. Leach, S. B. 296, bill to provide for the better proof of deeds executed beyond the State, recommending it do pass.

By the same, S. B. 350, bill to prevent children under the age of eighteen from living out without the consent of parents, recommending it do not pass.

By Mr. Bynum, S. B. 340, bill to punish drunkenness in county officials, recommending it do not pass.

By the same, S. B. 297, bill to prohibit the carrying of concealed weapons, recommending it do not pass.

By the same, H. B. 15, S. B. 323, bill to amend chapter 255, acts 1876–77, entitled an act to divide the State into nine judicial districts, recommending it do pass.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting for concurrence:

H. B. 241, S. B. 394, bill for the benefit of the Winston, Salem and Mooresville Railroad Company. Referred to the committee on Internal Improvements.

The President *pro tem.* presented to the Senate preamble and resolutions of the justices of Wake county, which were read and referred to the committee on Finance.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Davidson, S. B. 395, bill to make the carrying of concealed deadly weapons a misdemeanor. Referred to the committee on the Judiciary.

By Mr. Hoyle, S. B. 396, bill to ascertain and audit the debt of Cleaveland county. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 397, bill to amend the election law. Referred to the committee on the Judiciary.

By Mr. Shackleford, S. B. 398, bill to establish a board of commissioners for the improvement of Trent river. Referred to the committee on Propositions and Grievances.

By Mr. Dillard, S. B. 399, bill to protect the holders of policies of insurance. Referred to the committee on the Judiciary.

By Mr. Nicholson, S. B. 400, bill to amend "An act to re-

duce and regulate the cost of the public printing," ratified the 18th day of January, A. D. 1879. Placed upon the Calendar.

By Mr. Erwin, S. B. 401, bill to repeal the law providing for the maintenance of lunatics outside the Insane Asylum. Referred to the committee on Finance.

CALENDAR

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 355, bill to punish adulterers, was laid upon the table.

S. B. 354, bill to amend section 93, chapter 32, Battle's Revisal, passed its several readings.

S. B. 357, bill for the payment of justices of the peace for the transaction of county business, was, on motion, laid on the table.

H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws of 1874-'75, on its second reading.

The amendments reported by the committee on the Judiciary were adopted. Bill then passed its several readings.

S. B. 157, bill to amend section 8, chapter 255, laws of 1876-'77, on its second reading.

The amendments reported by the committee on the Judiciary were adopted, and thus amended, the bill passed its several readings.

S. B. 262, bill to change the time for holding the superior courts in the ninth judicial district, on its second reading and passed.

S. B. 82, bill to amend chapter 161, laws 1876-'77, in relation to the probate of deeds, &c., was, on motion, indefinitely postponed.

S. B. 170, bill to regulate in certain respects the computa-

tion of the degrees of kinship within which persons in this State may not lawfully marry, passed its several readings.

S. B. 158, bill for the protection of birds, on its second reading.

The substitute reported by the committee on Agriculture, Mechanics and Mining was adopted.

Various amendments were offered, pending which

Mr. King moved to lay the bill upon the table, upon which

Mr. Austin demanded the ayes and noes, which were ordered, and the motion to table did not prevail, ayes 11, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Dancey, Eaves, Graham of Lincoln, Harris, King, Mitchell, Ross, Stewart, and White—11.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Brower, Bryan of Duplin, Bull, Bynum, Caldwell, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Montgomery, Henderson, Hoyle, Lyon, Matheson, McEachern, Moye, Nicholson, Ormand, Redwine, Respass, Robinson, Scales, Shackleford, Taylor, Waddell, and Williamson—31.

On motion of Mr. Davidson, the bill and amendments were recommitted to the committee on Agriculture, Mechanics and Mining.

At 11:35 o'clock the Senate took a recess, for the purpose of attending the House of Representatives and witnessing the inaugural ceremonies of his Excellency, Governor Jarvis.

The Senate having returned to its chamber, the President *pro tem.* called the body to order.

On motion of Mr. Bynum, the Senate proceeded to ballot for a President of the Senate.

Mr. Leach nominated Hon. James L. Robinson, Senator from Macon.

Mr. Eaves nominated Hon. George B. Everett, Senator from Forsythe.

The Senate proceeded to vote as follows:

Those voting for Mr. Robinson were:

Messrs. Alexander, Austin, Bledsoe, Brower, Bryan of Duplin, Bynum, Caldwell, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and Williamson—32.

Those voting for Mr. Everett were:

Messrs. Alston, Black, Bull, Dancey, Eaves, Eppes, Graham of Montgomery, Mitchell, Ormand, Ross, and White—11.

Mr. Robinson voted for Mr. Dortch.

Mr. Robinson was declared duly elected President of the Senate, and Messrs Leach and Brower were appointed to conduct the President elect to the Chair.

The President then addressed the Senate in the words following, to-wit:

FELLOW SENATORS:—The position which your confidence and partiality has assigned me, is one of responsibility and importance, and a proper appreciation of these facts, will, I hope, prevent my entering upon its duties with anything like presumption or over confidence.

I want to assure you of my appreciation of the distinguished honor you have done me, but language is too poor and feeble to give utterance to the feelings and emotions that my heart is so full of. To show that your confidence has not been misplaced, and to prove worthy of this distinction, shall be my highest ambition.

Thanking you again most sincerely, and pledging a strict

impartiality in the enforcement of your rules, I declare the Senate ready to proceed with the dispatch of public business.

On motion of Mr. Bynum, the rules were suspended, and H. B. 15, S. B. 323, bill to amend chapter 255, laws 1876–'77, entitled an act to divide the State into nine judicial districts, was taken up and passed its several readings.

On motion of Mr. Alexander, H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist, appointed for the hour of 12 M. to-day, was postponed until Wednesday, 12th instant, at 12 M., and made special order for that hour.

On motion of Mr. Taylor, the Senate adjourned.

TWENTY-SIXTH DAY.

SENATE CHAMBER, Feb. 6th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Father White.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Caldwell, petitions (2) from citizens of Guilford. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Eaves, petition from Greensboro District Conference and school. Referred to the committee on Education.

By Mr. Hoyle, petition from citizens of Cleaveland. Referred to the committee on Propositions and Grievances.

By Mr. Redwine, petitions (2) from citizens of Albemarle. Referred to the committee on Propositions and Grievances.

By Mr. Ormand, petitions (2) from citizens of Beaufort. Referred to the committee on Propositions and Grievances.

By Mr. Erwin, petition from citizens of McDowell. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on the Judiciary:

By Mr. Dortch, S. B. 349, bill to punish magistrates, sheriffs, constables, attorneys and other agents for abusing their trusts, recommending it do pass.

From the Committee on Corporations:

By Mr. Lyon, H. B. 188, S. B. 281, bill to incorporate Germania Lodge, No. 4, order of Knights of Pythias, Wilmington, North Carolina, recommending it do pass.

H. B. 130, S. B. 246, bill to incorporate the Burgaw Male and Female Academy in Pender, recommending it do pass.

By Mr. Nicholson, H. B. 70, S. B. 239, bill to incorporate the Trustees of Centre Point Institute in Iredell county, recommending it do pass.

H. B. 210, S. B. 276, bill to incorporate the town of Taylorsville in Alexander county, recommending it do pass.

By Mr. McEachern, H. B. 320, S. B. 319, bill to incorporate Charlotte home and hospital, recommending it do pass.

By the same, H. B. 128, S. B. 242, bill to incorporate the Kinston fire insurance company No. 1, of the town of Kinston, recommending it do pass.

By the same, H. B. 73, S. B. 209, bill to amend chapter 67, private laws of 1876–'77, recommending it do pass.

By Mr. Eppes, H. B. 251, S. B. 301, bill to incorporate the town of Davidson College, in Mecklenburg county, recommending it do pass.

From the Committee on Finance:

By Mr. Erwin, S. B. 401, bill to repeal the law providing for the maintenance of lunatics outside the Insane Asylum, recommending that it be referred to the committee on Retrenchment and Reform. It was so referred.

By Mr. Henderson, S. R. 334, resolution proposing to raise a joint select committee of eight to investigate the Bank of North Carolina, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed:

S. B. 222, to submit the question of prohibition and license to the voters of the town of Rutherfordton.

S. B. 311, to change the times of holding the superior courts in the counties of Beaufort, Hyde, Pamlico, Dare and Tyrrell.

H. R. 19, S. R. 185, Senate substitute resolution for a conference with the authorities of South Carolina and Tennessee, for the purpose of securing the removal of obstacles to the free passage of fish up the Yadkin and other streams.

S. R. 293, resolution in relation to the funeral expenses of the late Chief Justice Pearson.

S. B. 306, to modify bills of indictment in certain cases.

S. B. 330, bill to repeal chapter 126, laws of 1874-'75, and to allow certain townships to determine for themselves the question of prohibition.

S. B. 400, to amend "An act to reduce and regulate the cost of public printing," ratified the 18th day of January, 1879.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting for concurrence:

H. B. 165, S. B. 409, bill to regulate the practice of dentistry, and to protect the people against quackery, &c. Referred to the committee on the Judiciary.

H. B. 231, S. B. 410, bill to regulate insurance in this State. Referred to the committee on Insurance.

H. B. 345, S. B. 411, bill to amend "An act to prohibit the sale of spirituous liquors within certain localities," it being chapter 260, laws of 1876–'77. Referred to the committee on Propositions and Grievances.

H. B. 296, S. B. 412, bill to punish treasurers of benevolent and religious institutions, &c. Referred to the committee on the Judiciary.

H. B. 262, S. B. 424, bill to continue in force the "Act to establish normal schools, and for other purposes," &c. Referred to the committee on Education.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Caldwell, S. R. 413, resolution to advance the interest of agriculture in this State. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Erwin, S. R. 415, resolution to print the Governor's inaugural address. Placed upon the Calendar.

By Mr. Graham of Montgomery,

S. B. 416, bill to regulate the duties of constables. Referred to the committee on Judiciary.

By Mr. Austin, S. B. 417, bill to authorize the commissioners of Union county to levy a special tax. Referred to the committee on Finance.

By Mr. Dortch, S. B. 418, bill to incorporate the town of Little Washington, in the county of Wayne. Referred to the committee on Corporations.

By the same, S. B. 419, bill to incorporate the town of Sandy Cross Roads, in the county of Wayne. Referred to the committee on Corporations.

By Mr. Black, S. B. 421, bill for the relief of Moore county. Referred to the committee on the Judiciary.

By Mr. Caldwell, S. B. 422, bill requiring the justices of the peace to file an annual transcript of all the State cases tried and fines imposed by them. Referred to the committee on the Judiciary.

By Mr. Scales, S. B. 423, bill to incorporate the Grand Lodge of Good Templars in North Carolina. Referred to the committee on Corporations.

By Mr. Caldwell, S. R. 425, resolution in relation to the Texas Southern Pacific Railroad. Referred to the committee on Federal Relations.

By Mr. Williamson, S. B. 426, bill to incorporate the Farmer's Bank of Milton, in Caswell county. Referred to the committee on Corporations.

By Mr. Bryan of Pender, S. B. 427, bill to incorporate the Historical and Scientific Society, of Wilmington. Referred to the committee on Corporations.

THE CALENDAR

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 400, bill to amend an act to reduce and regulate the cost of public printing ratified the 18th day of January A. D. 1879, passed its second and third readings, was ordered to be engrossed forthwith and transmitted to the House of Representatives.

H. B. 131, S. B. 313, bill to repeal chapter 65, laws of 1876–'77, entitled an act for the removal of road exemptions in Clay county, passed its second reading.

S. B. 97, bill to amend section 149, chapter 32, Battle's Revisal, on its second reading.

The substitute reported by the committee on the Judiciary was read.

Mr. Austin moved to lay the bill and substitute on the table, upon which

Mr. Everett demanded the ayes and noes, which were

ordered, and the motion to table prevailed, ayes 23, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Caldwell, Davidson, Dillard, Dortch, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Leach, Lyon, Mebane, Merritt, Moye, Ormand, Redwine, Respass, Scales, and Williamson—23.

Those voting in the negative were:

Messrs. Alston, Bledsoe, Bull, Dancey, Eaves, Eppes, Erwin, Everett, Matheson, McEachern, Mitchell, Nicholson, Ross, Stewart, and Ward—15.

S. B. 336, bill to amend the law of bastardy, was, on motion, laid on the table.

S. B. 331, bill to establish a public road in the county of Stokes, passed its second and third readings.

S. B. 340, bill to punish drunkenness in county officials, on it second reading.

On its passage, Mr. Lyon demanded the ayes and noes, which were ordered, and the bill failed to pass it second reading, ayes 13, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bull, Eaves, Hoyle, King, McEachern, Mebane, Ormand, Ross, Stewart, Ward, and Williamson—13.

Those voting in the negative were:

Messrs. Alexander, Austin, Black, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Leach, Lyon, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Taylor, and Waddell—28.

S. B. 350, bill to prevent children under the age of eighteen from living out without consent of parents, on its second reading.

On motion of Mr. Everett, the bill was recommitted to the committee on the Judiciary.

S. B. 296, bill to provide for the better proof of deeds executed beyond the State, passed its second reading.

S. B. 297, bill entitled an act to prohibit the carrying of concealed weapons, on its second reading.

Mr. Bynum moved to amend :

"And upon conviction shall be fined not more than fifty dollars or imprisoned more than six months."

Mr. Ormand moved to amend by adding :

"Brass, steel, or other metal knuckles, or razors."

Mr. Brower moved to amend :

"That this act shall not apply to the counties of Surry and Yadkin."

Mr. Austin demanded the previous question upon the passage of the bill and amendments, which was sustained.

Mr. Bynum's amendment was adopted.

Mr. Ormand's amendment was adopted.

Mr. Brower's amendment was lost.

Mr. Ormand moved to amend by striking out the word "concealed." Lost.

Question recurring upon the passage of the bill its second reading,

Mr. Austin demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 32, noes 11, as follows :

Those voting in the affirmative were :

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bull, Caldwell, Davidson, Dortch, Eaves, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Respass, Stewart, Taylor, Ward, and Williamson—32.

Those voting in the negative were:

Messrs. Brower, Bryan of Duplin, Bryan of Pender, Bynum, Dancey, Eppes, Moye, Ormand, Ross, Scales, and Waddell—11.

On motion of Mr. Davidson the rules were suspended and the bill was put upon its third reading.

Mr. Respass moved to amend, by striking out "six months" and inserting "thirty days." Adopted.

Mr. Ormand moved to amend, by adding the word "coroner" after the word "sheriff." Adopted.

Mr. Bynum moved to amend:

"*Provided*, that pocket knives shall not be considered deadly weapons within the meaning of this statute."

Mr. Ormand moved to amend the amendment by inserting after "knives" the words "with blades not more than one and a half inches long." Lost.

Mr. Bynum's amendment was lost.

Mr. Bryan of Pender, moved to amend: "That the counties of Duplin, New Hanover and Wake are hereby excepted from the operations of this act."

Mr. Williamson moved to adjourn, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 12, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Alston, Brower, Bryan of Duplin, Dancey, McEachern, Merritt, Moye, Ormand, Respass, Ross, Scales, and Williamson—12.

Those voting in the negative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan, of Pender, Bull, Bynum, Caldwell, Davidson, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, Mebane, Mitchell, Nicholson, Redwine, Stewart, Taylor, Waddell, and Ward—30.

Mr. Davidson demanded the previous question upon the passage of the bill and amendments, which was sustained.

The amendment of Mr. Bryan of Pender, was lost.

Upon the passage of the bill on its third reading,

Mr. Ormand demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 33, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bull, Bynum, Caldwell, Davidson, Eaves, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Stewart, Taylor, Ward and Williamson—33.

Those voting in the negative were:

Messrs. Brower, Bryan of Duplin, Bryan of Pender, Dancey, Eppes, Ormand, Ross, Scales, and Waddell—9.

Mr. Caldwell moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider upon the table, which latter motion prevailed.

Mr. Erwin moved to suspend the rules and take up

S. R. 415, resolution to print the Governor's inaugural address, which prevailed.

The question was upon the adoption of the resolution.

Mr. Davidson moved to amend by striking out "two thousand," and insert "twenty copies for each member," which was accepted, and thus amended the resolution was adopted.

By consent,

Mr. Leach reported from the committee on Federal Relations S. R. 371, resolutions requesting our Senators and Representatives in Congress to ask for additional appropriations for the improvement of rivers in North Carolina, recommending it do pass.

On motion of Mr. Leach, the rules were suspended and

the resolutions were adopted and ordered sent to the House of Representatives without engrossment.

On motion of Mr. Dillard, S. B. 399, bill to protect holders of insurance policies in North Carolina, referred to the committee on the Judiciary yesterday, was withdrawn from said committee and referred to the committee on Insurance.

On motion, the Senate adjourned.

TWENTY-SEVENTH DAY.

SENATE CHAMBER, Feb. 7th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Shackleford until Tuesday next; Mr. Eppes until Monday next; Mr. Alston until Tuesday next.

PETITIONS.

Petitions were presented and disposed of as follows:

Mr. Henderson, petition of Phillip Owens and others. Referred to the committee on Propositions and Grievances.

By the same, petition of W. S. Negus and others. Referred to the committee on Propositions and Grievances.

By Mr. Austin, petition from the colored citizens of Sandy Ridge. Referred to the committee on Propositions and Grievances.

By Mr. Respass, petitions (2) from citizens of Beaufort, N. C. Referred to the committee on Propositions and Grievances.

By Mr. Caldwell, petition from citizens of Guilford. Referred to the committee on Agriculture, Mechanics and Mining.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Davidson, S. B. 428, bill to amend chapter 156, laws of 1876–'77. Referred to the committee on Finance.

By Mr. Black, S. B. 429, bill to protect the public against combinations. Referred to the committee on Propositions and Grievances.

By Mr. Alexander, S. B. 430, bill relating to public roads and highways. Referred to the committee on Public Roads and Highways, and ordered to be printed.

By Mr. Scales, S. B. 431, bill to incorporate Aurora Lodge, No. 108, I. O. G. T., of Warrenton. Referred to the committee on Corporations.

By Mr. Henderson, S. R. 436, resolution in favor of the Raleigh National Bank. Referred to the committee on Claims.

By the same, S. B. 437, bill to correct the erroneous numbering of a certain bond. Referred to the committee on Claims.

By Mr. Erwin, S. B. 438, bill to amend section 72, title 7, Code of Civil Procedure, and chapter 17 of Battle's Revisal. Referred to the committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

From the committee on the State Debt:

By Mr. Graham of Lincoln, S. B. 341, bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds

of the State (not special tax,) reporting a substitute, and recommending the substitute do pass.

From the committee on Salaries and Fees:

By Mr. Hoyle, S. B. 69, bill concerning salaries and fees in certain cases, reporting a substitute and recommending the substitute do pass.

By the same, S. B. 267, bill to regulate the amount for servant hire in the capital building, recommending it do not pass.

From the committee on Corporations:

By Mr. Davidson, H. B. 213, S. B. 315, bill to amend the charter of Mooresville, in Iredell county, reporting amendments, and as amended, recommending it do pass.

By Mr. Eppes, S. B. 348, bill to organize and incorporate the Christian Association, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, S. B. 361, bill to amend the corporation of the town of Creswell, in the county of Washington, reporting an amendment, and as amended recommending it do pass.

By the same, S. B. 359, bill to change the names of certain townships in the county of Pender, recommending it do pass.

By Mr. Respass, H. B. 249, S. B. 334, bill to prevent the felling of trees in Tar river, from the Granville line to the falls of Tar river, in the county of Nash, recommending it do not pass.

By the same, H. B. 209, S. B. 321, bill to prevent the felling of trees in Jonathan's Creek, in the county of Haywood, recommending it do not pass.

From the committee on Judiciary:

By Mr. Henderson, S. B. 397, bill to amend the election law, recommending it be printed and do pass. It was ordered to be printed.

By the same, S. B. 33, bill to provide for holding terms

of superior courts in certain cases, reporting certain amendments, and as amended, recommending it do pass.

By Mr. Everett, S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the State of North Carolina, recommending it do not pass, and that it be recommitted to the committee on the Judiciary. It was recommitted.

By Mr. Erwin, H. B. 9, S. B. 337, bill for the relief of jurors in the county of Wilkes, recommending it do pass.

From the committee on Finance:

By Mr. Henderson, S. B. 156, bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of the taxes for the year 1873, recommending it do pass.

By the same, H. B. 106, S. B. 211, bill to amend sections 8 and 10, chapter 30, Battle's Revisal, relating to the duties of county treasurers, recommending it do pass.

From the committee on Federal relations:

By Mr. Bynum, from the committee of Conference to consider H. R. ——, S. R. 335, resolution concerning the employees of the General Assembly, submitted a report.

From the committee on Engrossed Bills:

By Mr. Nicholson:

S. R. 109, a resolution to provide for the heating of the capital.

S. B. 170, a bill to regulate the degree of kinship within which persons in this State may not lawfully marry.

Senate amendment, H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws of 1874–'75.

S. B. 354, bill to amend section 93, chapter 32, Battle's Revisal.

S. B. 30, bill in relation to warrants on bastardy.

S. R. 415, resolution to print the Governor's Inaugual Address.

S. B. 331, bill to establish a public road in the county of Stokes.

S. B. 157, bill to amend an act to amend section 8, chapter 255, laws of 1876–'77.

From the committee on Enrolled Bills:

The committee on enrolled bills reported the following bills and resolutions as correctly enrolled, viz:

H. B. 71, S. B. 243, an act for the relief of prisoners confined in the common jails of this State.

H. B. 449, S. B. 392, an act supplemental to an act to change the time of holding the superior courts in the fourth judicial district.

H. B. 187, S. B. 304, an act declaratory of the meaning of an act, entitled 'an act in relation to probate of deeds, and the privy examination of married women.'

S. B. 178, H. B. 318, an act to allow Leaksville township, in Rockingham county, to subscribe to the capital stock in a railroad.

H. B. 200, S. B. 213, an act for the relief of sheriffs and tax collectors.

H. B. 15, S. B. 323, an act to amend chapter 255 of the acts of 1876–'77, entitled 'an act to divide the State into nine judicial districts.'

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting without engrossment:

H. B. 230, S. B. 432, bill to amend chapter 65, sub-division 18, line 5, in reference to lien on colts. Referred to the committee on the Judiciary.

Also transmitting for concurrence:

H. B. 298, S. B. 433, bill to authorize the commissioners of Craven county to fund their debt and issue bonds for other purposes. Referred to the committee on Finance.

H. B. 308, S. B. 434, bill to amend chapter 45, laws of 1873–'74. Referred to the committee on the Judiciary.

H. R. 64, S. R. 435, resolution requesting our Senators

and Representatives in Congress to obtain an appropriation from Congress to open the Waccamaw rivers. Referred to the committee on Federal Relations.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 188, S. B. 281, bill to incorporate Germania Lodge, Number 4, Order of Knights of Pythias, Wilmington, on its third reading, and passed.

S. B. 296, bill to provide for the better proof of deeds executed beyond the State, on its third reading, and passed.

H. B. 251, S. B. 301, bill to incorporate the town of Davidson College, in Mecklenburg county, on its third reading, and passed.

S. B. 349, bill to punish magistrates, sheriffs, constables, attorneys and other agents for abusing their trusts, on its third reading, and passed.

H. B. 70, S. B. 239, bill to incorporate the trustees of Centre Point Institute, in Iredell county, on its third reading, and passed.

H. B. 128, S. B. 342, bill to incorporate the Kinston Fire Company, No. 1, of the town of Kinston, on its third reading, and passed.

The hour for the special order having arrived,

S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners, was taken up on its third reading.

On motion of Mr. Stewart, the bill was recommitted to the committee on Propositions and Grievances.

H. B. 130, S. B. 246, bill to incorporate the Burgaw male and female academy in Pender county, on its third reading and passed.

S. R. 334, resolution proposing to raise a joint select com-

mittee of eight to investigate the Bank of North Carolina, was adopted.

H. B. 320, S. B. 319, bill to incorporate the Charlotte home and hospital, passed its several readings.

H. B. 210, S. B. 276, bill to incorporate the town of Taylorsville in Alexander county, on its third reading and passed.

The hour having arrived for the consideration of the second special order,

H. B. 119, S. B. 346, bill to amend the charter of the Mount Airy railroad and provide for the building of a railroad from Greensboro to Ore Knob, was taken up on its third reading.

Mr. Everett demanded the previous question, which was sustained.

The bill then passed its third reading, ayes 35, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Merritt, Mitchell, Moye, Nicholson, Ormand, Respass, Robinson, Ross, Scales, Stewart, Taylor, and Waddell—35.

Those voting in the negative were:

Messrs. Alexander, Austin, and Mebane—3.

Mr. Scales moved to reconsider the vote by which the bill passed its third reading, and moved further to lay that motion on the table, which latter motion prevailed.

On motion of Mr. Graham of Lincoln, S. B. 69, bill in relation to salaries and fees in certain cases, was taken up, and on his further motion it was made the special order for Tuesday 11th inst., at 11 A. M., and ordered to be printed.

On motion of Mr. Henderson,

H. B. —, S. R. 335, resolution concerning the employees of the General Assembly, was taken up, and on his further

motion, the resolution was recommitted to the Senate branch of the committee of Conference by whom the resolution was reported.

By consent,

Mr. Leach, from the Joint Committee on Federal Relations, reported

H. R. 64, S. R. 435, resolution requesting our Senators and Representatives in Congress to obtain an appropriation from Congress to open the Waccamaw river, recommending it do pass.

On motion of Mr. Leach, the rules were suspended, the resolutions were adopted, and ordered enrolled forthwith.

Messrs. Bynum, King and Ward were announced as absent serving on committee duty.

On motion of Mr. Moye, the Senate adjourned.

TWENTY-EIGHTH DAY.

SENATE CHAMBER, Feb. 8th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Gwaltney.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Merritt, petition of Rev. P. R. Law *et al.* Referred to the committee on Propositions and Grievances.

By Mr. Williamson, petition of citizens of Caswell county. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petition of John K. Graham and others. Referred to the committee on Propositions and Grievances.

By Mr. Mebane, petition of citizens of Allensville township, in Person county. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, petition of Milo A. J. Roseman *et al.* Referred to the committee on Agriculture.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Internal Improvements:

By Mr. Dortch, H. B. 45, S. B. 346, bill to charter the Louisburg and Nashville branch of the Wilmington and Weldon Railroad Company, recommending it do pass.

By the same, S. B. 196, bill to ———— Canal Goshen Swamp, ——— reporting amendments and recommending as amended, it do pass.

By Mr. Eaves, H. B. 35, S. B. 388, bill to amend an act to aid in the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow Guage Railroad, and for other purposes, recommending it do pass.

By Mr. Leach, S. B. 366, bill to amend section 3, chapter 61, laws of 1871–'72, recommending it do pass.

From the committee on Finance:

By Mr. Erwin, S. B. 333, bill to provide a fund for the payment of jurors, recommending it do pass.

By the same, memorial of the board of justices of the county of Wake, asking to be discharged from its further consideration.

By Mr. Graham of Montgomery,

S. B. 374, bill to amend chapters 155 and 162, laws 1876 –'77, recommending it do not pass.

By the same, H. B. 104, S. B. 387, bill in reference to the sheriffs, superior court clerks and registers of deeds, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, H. B. 401, S. B. 370, bill to amend chapter 155, private laws 1874–'75, concerning inspection of timber in the city of Wilmington, recommending it do pass.

From the committee on the Judiciary:

By Mr. Leach, S. B. 326, bill concerning mortgages issued by incorporated companies, recommending it do not pass.

From the committee on Fish and Fisheries:

By Mr. Moye, H. B. 426, S. B. 380, bill to amend chapter 67, laws 1876–'77, it being an act for the protection of fish in Waccamaw Lake and adjacent counties, recommending it do pass.

From the committee on the State Debt:

By Mr. Mebane, S. B. 450, bill to compromise, commute and settle the State debt, recommending it do pass.

From the committee on Public Roads:

By Mr. Alexander, S. R. 176, resolution on roads, recommending it do not pass.

From the special committee on Retrenchment and Reform:

By Mr. Scales, S. B. 401, bill to repeal the law providing for the maintenance of lunatics outside the Insane Asylum, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Nicholson,

H. B. 26, S. B. 278, Senate amendment, bill to amend chapter 161 of the laws of 1876–'77, entitled "An act in relation to probate of deeds and conveyance, and privy examination of married women."

S. B. 307, bill to make Upper and Lower Little rivers, in Harnett county, a lawful fence, and for other purposes.

S. B. 296, bill to provide for the better proof of deeds executed beyond the State.

By Mr. King,

S. B. 138, bill to amend section 2, chapter 15, laws of 1876–'77, concerning the Cheraw and Salisbury Railroad.

S. R. 329, resolution to raise a joint committee on Railroads and Transportation Companies.

The committee on Enrolled Bills reported the following bills and resolutions as correctly enrolled, viz.:

H. B. 210, S. B. 276, an act to incorporate the town of Taylorsville, in the county of Alexander.

S. R. 371, H. R. 136, a resolution of request to our Senators and Representatives in Congress.

H. B. 128, S. B. 242, an act to incorporate Kinston Fire Company, No. 1, of the town of Kinston.

S. B. 246, H. B. 130, an act to incorporate the Burgaw Male and Female Academy.

H. R. 64, S. R. 435, a resolution requesting our Senators and Representatives in Congress to obtain an appropriation from the Congress of the United States to open Waccamaw river.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Respass, S. B. 439, bill to amend chapter 43, Battle's Revisal. Referred to the committee on Judiciary.

By Mr. Nicholson, S. B. 440, bill to amend chapter 32, sections 154 and 155, Battle's Revisal. Referred to the committee on Propositions and Grievances.

By Mr. Davidson, S. B. 441, bill to authorize Asheville township, in Buncombe county, to levy taxes for the support of graded schools. Referred to the committee on Education.

By the same, S. B. 442, bill to aid in the early completion of the Spartanburg and Asheville Railroad. Referred to the committee on Internal Improvements.

By Mr. Stewart, S. B. 443, bill to amend the charter of

the Flat Swamp Lock's Creek and Evans' Creek Canal Company, of Cumberland county. Referred to the committee on Corporations.

By Mr. Merritt, S. R. 445, resolution to print 200 copies of S. B. 430, bill relating to public roads. Placed upon the Calendar.

By Mr. Everett, S. B. 451, bill providing for railroad commissioner and to regulate passenger and freight rates for the railroads in North Carolina. Placed upon the Calendar and ordered to be printed.

By Mr. Caldwell, S. B. 453, bill to amend an act passed in 1869–'70, entitled an act to incorporate the trustees of Greensboro Female College. Referred to the committee on Corporations.

By Mr. Scales, S. B. 454, bill for the relief of Nathaniel R. Jones, sheriff of Warren county. Referred, (with memorial) to the committee on Finance.

By Mr. Davidson, S. R. 455, resolution for the relief of W. W. Rollins. Referred to the committee on Internal Improvements.

By Mr. Graham of Lincoln, S. B. 456, bill supplemental to an act creating the State Board of Health. Referred to the committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 183, S. B. 446, bill to secure the better drainage of the low bottom lands of Silver Creek in Burke county. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 475, S. B. 447, bill to change a portion of the county line between the counties of Hertford and Bertie. Referred to the committee on Propositions and Grievances.

H. B. 456, S. B. 448, bill to allow the Independent Order of Good Samaritans and Daughters of Samaria in America

Lodge, No. 2, of North Carolina, to establish a beneficial department. Referred to the committee on Corporations.

H. B. 329, S. B. 449, bill to elect a road surveyor of Watauga county. Referred to the committee on Public Roads and Highways.

H. B. 515, S. B. 452, bill to extend the time of paying the State taxes in the county of Dare. Placed upon the Calendar.

CALENDAR

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 156, bill for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of the taxes for the year 1873, passed its several readings.

H. B. 45, S. B. 346, bill to charter the Louisburg and Nashville branch of the Wilmington and Weldon Railroad Company, passed its several readings.

H. B. 515, S. B. 452, bill to extend the time of paying the State taxes in the county of Dare, passed its several readings.

S. R. 445, resolution to print 200 copies of S. B. 430, bill in relation to public roads, was taken up, adopted, and sent to the House of Representatives without engrossment.

S. B. 366, bill to amend section 3, chapter 61, laws of 1871–'72, passed its several readings.

S. B. 391, bill to repeal an act passed at session of the General Assembly of 1874–'75, entitled an act concerning applications for the sale of spirituous liquors, or repeal of prohibitory laws in this State, was taken up on its third reading.

Mr. Dancey demanded the ayes and noes on the third reading of the bill, which were ordered, and the bill failed to pass its third reading, ayes 15, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Pender, Bull, Erwin, Graham of Lincoln, Henderson, Holleman, Merritt, Nicholson, Ormand, Redwine, Ross, and Stewart—15.

Those voting in the negative were:

Messrs. Black, Bryan of Duplin, Caldwell, Dancey, Davidson, Dortch, Eaves, Everett, Graham of Montgomery, Harris, King, Leach, Lyon, Mebane, Mitchell, Moye, Respass, Scales, Taylor, Waddell, and Williamson—21.

S. B. 196, bill to canal Goshen Swamp, in Duplin county, on its second reading. Amendment reported by the committee on Internal Improvements was adopted, and thus amended the bill passed its second reading.

S. B. 450, bill to compromise, commute and settle the State debt, was taken up, and

On motion of Mr. Scales, it was postponed until Wednesday, 19th inst., at 12 M., and made the special order for that hour.

On motion of Mr. Mebane, 220 copies of the bill were ordered printed.

On motion of Mr. Everett, H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist, appointed the special order for Wednesday, 12th, at 12 M., was postponed until Thursday, 13th, at 12 M.

Messrs. Bynum and Ward were announced absent on committee duty.

Reports from the several departments of State and other officers were referred by the President to appropriate committees.

On motion of Mr. Everett, the Senate adjourned.

TWENTY-NINTH DAY.

SENATE CHAMBER, Feb. 10th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

Leave of absence was granted Mr. Scales for to-day, to serve on committee duty; to Mr. Everett until Wednesday; to Mr. Lyon for to-day; to the Assistant Door Keeper for to-day.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Bryan of Pender, petition of citizens of Harnett township, New Hanover county, that W. W. Humphrey be appointed a justice of the peace. Referred to the committee on Justices of the Peace.

By Mr. Caldwell, petition of citizens of Guilford. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Graham of Lincoln, petition of citizens of Lincoln county against special tax. Referred to the committee on Propositions and Grievances.

By Mr. Graham of Montgomery, petition of citizens of Montgomery. Referred to the committee on Judiciary.

By Mr. Graham of Lincoln, petition of citizens of Lincoln for a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Moye, petitions from citizens of Farmville, Pitt county. Referred to the committee on Corporations.

By Mr. Erwin, petition from citizens of McDowell. Referred to the committee on Propositions and Grievances.

By Mr. Bynum, petitions (2) from citizens of Burke. Referred to the committee on Propositions and Grievances.

By Mr. Ormand, petition from the commissioners of Greene county. Referred to the committee on Propositions and Grievances.

By Mr. Davidson, petition from citizens of Reem's Creek, Buncombe county. Referred to the committee on Justices of the Peace.

By the same, petition from citizens of Madison county. Referred to the committee on Justices of the Peace.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, H. B. 475, S. B. 447, bill to change a portion of the dividing line between Hertford and Bertie counties, reporting a substitute, and recommending the substitute do pass.

From the Committee on Internal Improvements:

By Mr. Davidson, S. B. 161, bill to aid in the extension of the Atlantic, Tennessee and Ohio railroad, reporting amendments, and recommending the bill as amended do pass.

From the committee on Claims:

By Mr. Ormand, S. B. 437, bill to correct the erroneous numbering of a certain bond, recommending it do pass.

By Mr. Waldo, S. R. 310, resolution in behalf of Cooper Huggins, recommending it do pass.

By Mr. Taylor, S. R. 436, resolution in favor of the Raleigh National Bank, recommending it do pass.

Mr. Bynum from the committee on conference to consider resolution pertaining to the employees of the General Assembly, submitted a report in the nature of resolutions, which were placed upon the Calendar.

From the committee on Engrossed Bills:

By Mr. Nicholson, as properly engrossed,

S. B. 349, bill to punish magistrates, sheriffs, attorneys and other officers for abusing their trust.

S. B. No. 308, bill to enable the county commissioners of Pasquotank to ascertain the county indebtedness, &c.

S. B. No. 297, bill to prohibit the carrying of concealed weapons.

S. B. 194, to provide for the registration of certain deeds and other instruments of writing.

S. R. 334, resolution proposing to raise a joint select committee of eight to investigate the Bank of North Carolina.

S. B. 56, bill to relieve sureties of T. F. Lee, late sheriff of Wake county.

S. B. 366, bill to amend section 3, chapter 61, laws of 1871–'72.

S. B. 437, bill to correct the erroneous numbering of a certain bond.

S. R. 335, resolution in relation to providing for the employment of laborers in the two Houses.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that honorable body in the Senate proposition to print 200 copies of S. B. 430, bill in relation to public roads.

Also transmitting for concurrence,

H. R. 141, S. R. 457, resolution in regard to the printing of bills for the use of the members of this General Assembly. Placed upon the Calendar.

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and complete the same. Referred to the committee on Internal Improvements, and ordered to be printed.

Also announcing concurrence by that honorable body in Senate amendments to

H. B. 26, S. B. 278, bill to amend chapter 161, laws of 1876–'77, entitled an act in relation to probate of deeds, conveyances, and privy examination of married women.

In Senate amendments to

H. B. 34, S. B. 208, bill to amend section 1, chapter 14, laws 1874–'75;

And had ordered same enrolled for ratification.

Also transmitting for concurrence engrossed House amendments to

S. B. 139, H. B. 394, bill to protect holders of policies in fire insurance companies in this State, which were referred to the committee on Judiciary.

Transmitting for concurrence

H. B. 258, S. B. 465, bill to change the time of holding the superior courts in the fifth judicial district. Referred to the committee on Judiciary.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Harris, S. R. 459, resolution providing for aid for the Orphan Asylum, at Oxford, North Carolina. Referred to the committee on Finance.

By Mr. Erwin, S. R. 460, resolution to protect the product of farms. Placed upon the Calendar.

By Mr. Ormand, S. B. 461, bill to authorize the commissioners of Greene county to levy a special tax. Referred to the committee on Propositions and Grievances.

By Mr. Bryan of Duplin, S. B. 462, bill to define the status of the day. Referred to the committee on Judiciary.

By Mr. Scales, S. B. 463, bill to allow the Bank of Greensboro further time to wind up its business. Referred to the committee on Finance.

By Mr. Moye, S. B. 464, bill to amend the charter of the

town of Farmville. Referred to the committee on Corporations.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 437, bill to correct the erroneous numbering of a certain bond, passed its several readings.

S. B. 33, bill to provide for holding terms of the superior court in certain cases, on its second reading.

Amendments reported by the committee on judiciary were adopted.

Bill then passed its second reading, and, on motion, was put on its third reading.

Mr. Bynum moved to amend:

"*Provided*, that this act shall not apply to the counties comprising the ninth judicial district, but the law now in force shall apply to said counties."

Adopted.

Thus amended the bill passed its third reading.

H. B. 106, S. B. 211, bill to amend sections 8 and 10, chapter 30, Battle's Revisal, relating to the duties of county treasurer, passed its several readings.

H. B. 213, S. B. 315, bill to amend the charter of the town of Mooresville, in Iredell county, on its second reading.

Amendments reported by the committee on Corporations were adopted.

Bill then passed its second reading, ayes 30, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Mebane, Merritt, Mitchell, Moye, Nichol-

son, Ormand, Redwine, Respass, Ross, Stewart, Waddell, Waldo, Ward, and Williamson--30.

S. B. 341, bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State (not special tax), on its second reading.

Amendments reported by the committee on State Debt were adopted. Bill then passed its second reading.

On motion of Mr. Erwin, the bill was ordered to be printed.

The hour for the special order arrived, and the motion to reconsider the vote by which

S. B. 298, bill to amend chapter 59, private acts 1876–'77, failed to pass its second reading, was taken up, and

On motion of Mr. Graham of Lincoln, the further consideration of the motion was postponed until Monday, 17th inst., at 12 M., and made the special order for that hour.

S. B. 393, bill to amend section 7, chapter 255, laws of 1876–'77, passed its several readings.

S. B. 326, bill concerning mortgages issued by incorporated companies, on its second reading, and passed.

S. B. 333, bill to provide a fund for the payment of jurors, on its second reading.

Mr. Alexander moved the recommitment of the bill with instructions. Lost.

Amendment reported by the committee on Finance was lost.

Mr. Bynum moved to amend by striking out, in section 2, "three," and inserting "four," upon which he demanded the ayes and noes, which were ordered.

Mr. Ormand moved to amend the amendment by striking out "three" and inserting "one."

Mr. Graham of Lincoln moved to lay the whole matter upon the table, upon which he demanded the ayes and noes, which were ordered, and the motion to table failed, ayes 18, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Black, Brower, Bryan of Duplin, Dancey, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Holleman, King, Lyon, Mitchell, Moye, Ormand, Respass, Ross, Ward, and Williamson—18.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bull, Bynum, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Hoyle, Leach, Mebane, Merritt, Nicholson, Redwine, Stewart, Taylor, Waddell, and Waldo—20.

Mr. Ormand's amendment was lost.

Mr. Bynum's amendment was lost, ayes 17, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bynum, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Hoyle, Lyon, Mebane, Merritt, Nichson, Stewart, Taylor, Waddell, and Waldo—17.

Those voting in the negative were:

Messrs. Alexander, Black, Bledsoe, Brower, Bryan of Duplin, Bull, Dancey, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Holleman, King, Leach, Mitchell, Moye, Ormand, Redwine, Respass, Ross, Ward, and Williamson—22.

Mr. Respass moved to amend: "That in all land suits the successful suitor shall receive a full reimbursement for all cost and damages, including his lawyers' fees; and the same shall be estimated by the judge of the court." Lost.

Question recurring upon the passage of the bill on its second reading,

Mr. Williamson demanded the ayes and noes, which were ordered.

Mr. Ormand moved to amend: "*Provided*, This act does not apply to appeals from courts of justices of the peace." Lost.

Mr. Mebane demanded the previous question, which was sustained.

The bill then passed its second reading, ayes 20, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bull, Bynum, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Hoyle, Mebane, Merritt, Nicholson, Redwine, Respass, Stewart, Taylor, Waddell and Waldo—20.

Those voting in the negative were:

Messrs. Black, Brower, Bryan of Duplin, Dancey, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Holleman, King, Leach, Lyon, Mitchell, Moye, Ormand, Ross, Ward, and Williamson—18.

On motion of Mr. Bynum, the resolution reported by him from the committee of Conference, relating to the laborers of the General Assembly, were taken up and adopted.

The President announced the following Senators as having been added to committees:

To the committee on Education, Mr. Hoyle.

To the committee on Salaries and Fees, Mr. Harris.

To the committee on Internal Improvements, Mr. Taylor.

Mr. Scales asked leave to be excused from serving upon committee on Education, as urgent duties upon the committee upon Retrenchment and Reform, and other committees prevented his attention to said committee.

He was excused, and Mr. Merritt announced as chairman.

On motion of Mr. Ross, the Senate adjourned.

THIRTIETH DAY.

SENATE CHAMBER, Feb. 11th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Black.

The Journal of yesterday was approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Hoyle, petition of M. V. Harris and others. Referred to the committee on Propositions and Grievances.

By Mr. Matheson, petition of Spencer Green and others. Referred to the committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. Moye, S. B. 231, bill for the protection of fish, reporting an amendment, and, as amended, recommending it do pass.

By the same, H. B. 8, S. B. 162, bill to repeal chapter 206, laws 1876–'77, recommending it do not pass.

By the same, H. B. 175, S. B. 320, bill to prevent the obstruction of Rockfish and other streams in Duplin county, recommending it do pass.

By the same, H. B. 83, S. B. 302, bill to repeal chapter 29, laws of 1876–'77, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Alexander, S. B. 351, bill for the creation and regulation of Industrial and Provident Societies, recommending it do pass.

By Mr. Bynum of Duplin, H. B. 157, S. B. 247, bill to repeal sections 5 and 6, Battle's Revisal, recommending it do not pass.

By the same, S. B. 249, bill to repeal the agricultural lien law, recommending it do not pass.

By the same, S. B. 312, bill to punish the shooting of cattle

and live stock running at large, recommending its reference to the committee on Judiciary. The bill was so referred.

By the same, S. B. 158, bill for the protection of birds, recommending it do pass.

By the same, S. R. 413, resolution to advance the interest of agriculture of this State, recommending it do pass.

By Mr. Graham of Lincoln,

S. B. 223, bill to repeal section 43, chapter 32, Battle's Revisal, concerning fences, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Leach, H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company and to complete the same, recommending it do pass.

By Mr. Davidson, S. B. 442, bill to aid in the early completion of the Spartanburg and Asheville Railroad, recommending it do pass.

By Mr. Brower, H. B. 103, S. B. 378, bill to amend the charter of the North Western North Carolina Railroad for the construction of a second division from the town of Winston and Salem, Forsythe county up the Yadkin Valley by Wilkesboro to Patterson's Factory, Caldwell county, recommending it do pass.

By the same, H. B. 241, S. B. 394, bill for the benefit of the Winston, Salem and Mooresville railroad company, reporting an amendment, and as amended recommending it do pass.

From the committee on Corporations:

By Mr. Eaves, S. B. 148, bill to incorporate the Pungo and Alligator River Canal Company, reporting an amendment, and as amended recommending it do pass.

Mr. Scales, from the Joint Select Committee on Retrenchment and Reform, submitted a report, 220 copies of which were ordered to be printed.

From the committee on Engrossed Bills:

S. B. 393, bill to be entitled an act to amend section 7,

chapter 255, laws of 1876–'77, in relation to holding the courts in the seventh judicial district.

H. B. 543, S. B. 478, engrossed Senate amendment, bill to amend chapter 83, of the private laws of 1874–'75, in regard to Wake Forest college.

S. B. 33, bill to provide for holding terms of the superior court in certain cases.

The committee on Enrolled Bills reported the following bills and resolutions as correctly enrolled:

H. B. 257, S. B. 301, an act to incorporate the town of Davidson College, in the county of Mecklenburg.

H. B. 320, S. B. 319, an act to incorporate the Charlotte Home and Hospital.

H. B. 119, S. B. 346, an act to amend the charter of Mount Airy Railroad, and provide for the building of a railroad from Greensboro to Ore Knob.

H. B. 515, S. B. 452, an act to extend the time of paying the State taxes in the county of Dare.

H. B. 188, S. B. 281, an act to incorporate Germania Lodge No. 4, Knights of Pythias, Wilmington, North Carolina.

H. B. 45, S. B. 346, an act to revive and amend the charter of the Louisburg Branch of the Wilmington and Weldon Railroad.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Graham of Lincoln, S. B. 466, bill concerning receiving freights and change of rates for transportation by railroads and other transportation companies. Referred to the committee on Internal Improvements.

By Mr. Nicholson, S. B. 467, bill to incorporate Shiloh Camp Ground, in the county of Gaston. Referred to the committee on Corporations.

By Mr. Bryan of Duplin, S. B. 468, bill requiring county officers to render an account of their salaries and fees to county commissioners. Referred to the committee on Salaries and Fees.

By Mr. Erwin, S. B. 469, bill to authorize the commissioners of McDowell county to levy a special tax. Placed upon the Calendar.

By Mr. Dortch, S. B. 470, bill to authorize the commissioners of Edgecombe county to appoint a tax collector. Placed upon the Calendar.

By the same, S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor. Referred, with accompanying petitions to the committee on the Judiciary.

By Mr. Ward, S. B. 472, bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Scales, S. B. 476, bill to abolish the "Insane Asylum of North Carolina," and to incorporate "The North Carolina Insane Asylum." Placed upon the Calendar, and 220 copies ordered to be printed.

By the same, S. B. 477, bill to repeal chapter 59, entitled "an act to provide a suitable house for the Governor," and to abolish the assistant clerkship in the executive office. Placed upon the Calendar, and 220 copies ordered to be printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House amendments to

S. B. 331, H. B. 557, bill to establish a public road in the county of stokes.

The amendments were concurred in, and the bill ordered enrolled for ratification.

Also transmitting for concurrence,

H. B. 310, S. B. 473, bill for the better protection of wild fowl in Carteret county. Referred to the committee on Propositions and Grievances.

H. B. 558, S. B. 474, bill to amend sections 4 and 7, chapter 37, Battle's Revisal, it being the law on the subject of divorce. Referred to the committee on Judiciary.

H. B. 46, S. B. 475, bill to allow the commissioners of Caldwell county to levy a special tax. Placed upon the Calendar.

Also transmitting without engrossment

H. B. 543, S. B. 478, bill to amend chapter 83, private laws of 1874–'75. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 213, S. B. 315, bill to amend the charter of the town of Mooresville, in Iredell county, passed its third reading, ayes 37, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson—37.

S. B. 326, bill concerning mortgages issued by incorporated companies, on its third reading.

Mr. Davidson demanded the ayes and noes, which were ordered.

Pending consideration, the hour for the special order

arrived, being S. B. 69, bill to regulate salaries and fees in certain cases.

On motion of Mr. Austin, the special order was postponed for twenty minutes.

The consideration of S. B. 326 was resumed.

The President announced the arrival of the time for the consideration of the special order, S. B. 69.

On motion of Mr. Scales, its further consideration was postponed until Tuesday, 18th inst., at 11 o'clock, A. M., and made the special order for that hour.

The consideration of S. B. 326 was resumed, and it passed its third reading, ayes 28, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Eaves, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Respass, Stewart, Taylor, Waldo, Ward, and Williamson—28.

Those voting in the negative were:

Messrs. Brower, Caldwell, Davidson, Dortch, Eppes, Henderson, Leach, Merritt, Redwine, Ross, and Waddell—11.

On motion of Mr. Nicholson,

H. B. 103, S. B. 378, bill to amend the charter of the Northwestern North Carolina Railroad for the construction of a second division from the towns of Winston and Salem, Forsythe county, up the Yadkin Valley by Wilkesboro, to Patterson's Factory, in Caldwell county, was taken up on its second reading and passed, ayes 33, noes 5, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Stewart, Taylor, Waddell, and Ward—33.

Those voting in the negative were:

Messrs. Alexander, Austin, King, Mebane, and Williamson—5.

On motion of Mr. Graham of Lincoln,

H. B. 543, S. B. 478, bill to amend chapter 83, private laws 1874–'75, was taken up on its second reading.

Mr. Graham moved to amend the title by adding after the words "1874–'75," the words "in regard to Wake Forest College," which was adopted; and thus amended, the bill passed its several readings.

On motion of Mr. Leach,

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, was taken up on its second reading.

On motion of Mr. Graham of Lincoln,

The bill was postponed until to-morrow at 11 o'clock, A. M., and made the special order for that hour.

On motion of Mr. Ormand,

S. B. 198, bill to re-enact an act to run and establish the dividing line between the counties of Wayne and Greene, was taken up and passed its several readings.

S. B. 161, bill to aid in the extension of Atlantic, Tennessee and Ohio Railroad, on its second reading.

The amendment reported by the committee on Internal Improvements was adopted.

Mr. Davidson moved to amend:

Strike out section 1, and the words in section 2, "but the number assigned said road directly from the courts of the above mentioned counties and from the Penitentiary, shall not exceed one hundred on each of said roads."

Adopted.

Bill then passed its second reading, ayes 30, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eaves, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Stewart, Taylor, Waddell, Waldo, and Ward—30.

Those voting in the negative were:

Messrs. Alexander, Mebane, and Williamson—3.

S. B. 397, bill to amend the election law, on its second reading.

Mr. Bull moved to amend by striking out section six. Adopted.

Mr. Davidson moved to amend section 4 by striking out the following in lines 1 and 2, "out the word 'thirty' in line nine, of section six, and insert 'fifteen,' and strike out." Adopted.

Thus amended the bill passed its second and third readings.

H. B. 426, S. B. 380, bill to amend chapter 67, laws of 1876–'77, it being an act for the protection of fish in Waccamaw Lake and adjacent waters, passed its several readings.

S. B. 262, a bill to be entitled an act to change the time for holding the superior courts in the ninth judicial district, passed its third reading.

On motion of Mr. Brower,

H. B. 241, S. B. 394, bill for the benefit of the Winston, Salem and Mooresville railroad company, was taken up on its second reading.

The amendment reported by the committee on Internal Improvements was adopted.

Thus amended the bill passed its several readings.

H. B. 249, S. B. 324, bill to prevent the felling of trees in Tar river from the Granville line to the falls of Tar river in the county of Nash, passed its several readings.

H. B. 9, S. B. 337, bill for the relief of jurors in the county of Wilkes, passed its reveral readings.

S. B. 359, bill to change the names of certain townships in the county of Pender, passed its several readings.

S. B. 348, bill to organize and incorporate the Christian Association, passed its several readings.

S. B. 361, bill to amend the corporation of the town of Creswell, in the county of Washington.

The amendment reported by the committee on Propositions and Grievances was adopted.

As amended, the bill passed its several readings.

S. B. 374, bill to amend chapters 155 and 162, laws of 1876–'77.

On motion of Mr. Henderson, the bill was laid on the table.

Mr. Taylor moved to adjourn. Lost.

H. B. 104, S. B. 307, bill in relation to sheriffs, superior court clerks and registers of deeds, on its second reading.

Mr. Redwine moved to indefinitely postpone, upon which the ayes and noes were ordered, and the motion prevailed, ayes 23, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Brower, Caldwell, Dancey, Dortch, Eppes, Graham of Lincoln, Harris, Leach, Matheson, Mebane, Merritt, Nicholson, Ormand, Redwine, Respass, Stewart, Taylor, Waddell, Waldo, and Ward—23.

Those voting in the negative were:

Messrs. Bryan of Duplin, Bull, Davidson, Eaves, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Mitchell, Moye, Scales, and Williamson—13.

Mr. Davidson asked to be excused from serving on the committee on Fish and Fisheries, owing to constant and increasing duties upon other committees. The request was granted.

On motion of Mr. Dortch, the Senate adjourned.

THIRTY-FIRST DAY.

SENATE CHAMBER, Feb. 12th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Watkins.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Graham of Lincoln, petition of citizens of Lincoln county for a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

By the same, petition from citizens of Lincoln against levying a special tax. Referred to the committee on Propositions and Grievances.

Mr. Leach arose to a question of personal privilege upon matters touching his course as a Senator, criticised in the *Daily News* of to-day.

Mr. Everett gave notice that, as a member of the committee on Retrenchment and Reform, he should file a minority report, dissenting from the report as submitted on yesterday by the majority of the committee.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Education:

By Mr. Merritt, S. B. 441, bill to authorize Asheville township, in Buncombe county, to levy taxes for the support of graded schools, recommending it do pass.

By the same, S. B. 205, bill to authorize the board of education for Johnston county to pay the orders made on the

treasurer of said county by township trustees to school teachers, prior to the adoption of the school law of 1876–'77, recommending it do pass.

By the same, S. B. 95, bill to amend an act to revise and consolidate the public school laws, recommending it do not pass.

By the same, H. B. 262, S. B. 424, bill to continue in force the act to establish normal schools, and for other purposes, recommending it do pass.

By the same, S. B. 173, bill to alter and amend the 42d section of the 68th chapter of Battle's Revisal, in relation to school committee, recommending it do not pass.

By the same, S. B. 255, bill to amend an act to establish normal schools, recommending it do not pass.

By the same, memorial concerning Kernersville Academy, recommending its reference to the committee on Propositions and Grievances. It was so referred.

From the committee on Public Buildings and Grounds:

By Mr. Moye, S. B. 263, bill to amend chapter 59, private laws of 1876–'77, concerning the sale of the Baptist Grove and Nash Square, in Raleigh, recommending it do not pass.

From the committee on Enrolled Bills:

The committee on Enrolled Bills reported the following bills as correctly enrolled:

H. B. 106, S. B. 211, an act to amend section 8 and 10 of chapter 30, of Battle's Revisal, relating to the duties of county treasurer.

H. B. 9, S. B. 337, an act for the relief of jurors in the county of Wilkes.

S. B. 331, H. B. 557, an act to establish a public road in the county of Stokes.

S. B. 400, H. B. 501, an act to amend an act to reduce and regulate the cost of public printing.

H. B. 426, S. B. 380, an act to amend section 1, of chap-

ter 67, of laws 1876–'77, it being an act to protect fish in Waccamaw lake and adjacent waters.

H. B. 249, S. B. 324, an act to prevent the felling of trees in Tar River in the Granville line to the falls of Tar river, in the county of Nash.

H. B. 26, S. B. 278, an act to amend chapter 161, of the laws of 1876–'77, entitled an act in relation to the probate of deeds and conveyances and the privy examination of married women.

H. B. 34, S. B. 208, an act to amend an act to charter the Watauga and Caldwell Narrow Guage Railroad.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Graham of Lincoln, S. R. 479, resolution asking information concerning the Western Railroad. Placed upon the Calendar.

By Mr. Snow, S. R. 480, resolution in regard to tax on State banks. Placed upon the Calendar.

By Mr. Everett, S. R. 481, resolution looking to the enforcement of the amendments to the Constitution of the United States. Placed upon the Calendar.

By Mr. Bynum, S. R. 482, resolution of enquiry to the Judiciary committee in regard to the colored insane asylum. Placed upon the Calendar.

By Mr. Scales, S. B. 483, bill to incorporate North Carolina Works. Referred to the committee on Corporations.

By the same, S. B. 484, bill to incorporate the Chapel Hill Iron Mountain Company. Referred to the committee on Corporations.

By Mr. Dortch, S. B. 485, bill to change the name of Bull Doze township, in the county of Greene, to Bull Head township. Placed upon the Calendar.

By Mr. Henderson, S. B. 486, bill to define the terms of

office of notaries public. Referred to the committee on the Judiciary.

By the same, S. B. 187, bill to prevent live stock from running at large in Rowan, Davidson, Cabarrus and other counties. Placed upon the Calendar.

By Mr. Merritt, S. B. 488, bill to regulate the working the public roads and highways of the State. Referred to the committee on Public Roads and Highways, and ordered to be printed.

By Mr. Davidson, S. B. 489, bill to authorize the county of Madison to pay the claim of certain school teachers. Referred to the committee on Propositions and Grievances.

By Mr. Waddell, S. B. 490, bill to regulate fishing in Hannah's creek and Black Mingo, in the counties of Johnston and Harnett. Referred to the committee on Fish and Fisheries.

By Mr. Caldwell, S. B. 491, bill to repeal the 99th chapter Battle's Revisal. Referred to the committee on Internal Improvements.

By Mr. Snow, S. B. 492, bill to cure irregularities in certain judicial proceedings, wherein some or all of the defendants named in the summons were infants, idiots, lunatics, or persons *non compos mentis*. Referred to the committee on the Judiciary.

By the same, S. B. 493, bill to incorporate the North Carolina Industrial Association. Referred to the committee on Corporations.

By Mr. Bynum, S. R. 498, resolution of inquiry to the committee on Military Affairs as to the Adjutant-General's office. Referred, with report, to the committee on Military Affairs.

By Mr. Respass, S. B. 499, bill to regulate pilotage over the bar of Ocracoke Inlet, and over the Swash. Referred to the committee on the Judiciary.

By Mr. Leach, S. R. 500, resolution authorizing the com-

mittee on Insane Asylum to administer oaths, &c. Placed upon the Calendar.

By Mr. Graham of Lincoln, S. R. 501, resolution to refund sureties of Jonas Cline, late sheriff of Catawba county, taxes over-paid. Referred to the committee on Finance.

By Mr. Bynum, S. R. 502, resolution in regard to magistrates. Referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, announcing the concurrence, by that honorable body, in Senate amendments to H. B. 543, S. B. —, bill to amend chapter 83, private laws of 1874–'75, in regard to Wake Forest College, and had ordered it enrolled for ratification.

Also transmitting for concurrence :

H. B. 357, S. B. 494, bill to protect the State's interest in public works. Referred to the committee on Internal Improvements.

H. B. 37, S. B. 495, bill to repeal chapter 271, laws of 1876–'77. Referred to the committee on the Judiciary.

H. B. 578, S. B. 496, bill to give certain colored persons the right of inheritance. Referred to the committee on the Judiciary.

H. B. 256, S. B. 497, bill to extend the corporate limits of the town of Elizabeth City. Referred to the committee on Corporations.

The hour for the consideration of the special order arrived, being

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western railroad company with the Mount Airy railroad company, and to complete the same, was taken up on its second reading.

Mr. Nicholson moved to postpone the bill for the purpose of taking up certain bills specified by himself.

Mr. Graham of Lincoln, moved to postpone for one week, for the purpose of obtaining certain information.

Mr. Mebane demanded the previous question upon the motion to postpone, which was sustained.

Upon the motion of Mr. Graham, Mr. Caldwell demanded the ayes and noes, which were ordered, and the motion to postpone failed, ayes 18, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Mebane, Mitchell, Moye, Redwine, Respass, and Wlliamson—18.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Eaves, Holleman, Leach, Matheson, Merritt, Nicholson, Ormand, Ross, Scales, Snow, Stewart, Taylor, Waddell, and Ward—24.

Mr. Snow moved to postpone until Friday, 14th inst., at 12 M., make it the special order for that hour, and upon this motion demanded the previous question, which was sustained, and the motion to postpone prevailed.

On motion of Mr. Bynum, the rules were suspended and S. R. 479, resolution asking information concerning the Western Railroad, was taken up.

Mr. Bynum moved to amend:

Strike out "at as early a time as possible," and insert "by Friday morning, 14th inst., at 11 o'clock, if possible."

Adopted, and thus amended, the resolution was adopted.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 161, bill to aid in the extension of the Atlantic, Ten-

nessee and Ohio Railroad, on its third reading, and passed, ayes 32, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Dortch, Eaves, Erwin, Graham of Lincoln, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, Merritt, Nicholson, Ormand, Redwine, Ross, Scales, Stewart, Taylor, Waddell, Waldo, and Ward—32.

H. B. 475, S. B. 447, bill to change a portion of the dividing line between Hertford and Bertie counties, was, on

Motion of Mr. Bryan of Pender, recommitted to the committee on Propositions and Grievances.

H. B. 103, S. B. 378, bill to amend the charter of the Northwestern North Carolina Railroad for the construction of a second division from the town of Winston and Salem, in Forsythe county, up the Yadkin Valley by Wilbesboro to Patterson's Factory, in Caldwell county, passed its third reading, ayes 35, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mitchell, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Stewart, Taylor, Waddell, Waldo, and Ward—35.

Mr. Williamson voted in the negative.

Mr. Leach moved a suspension of the rules to take up

S. R. 500, resolution authorizing the committee on Insane Asylum to take testimony, administer oaths, &c.

Upon the motion to suspend the rules,

Mr. Davidson demanded the previous question, which was sustained.

On a division of the Senate, the rules were suspended.

On the passage of the resolution

Mr. Erwin demanded the ayes and noes.

Mr. Davidson demanded the previous question upon the passage of the resolution, which was sustained.

The ayes and noes were ordered, and the resolution failed to pass, ayes 18, noes 27, as follows:

Those voting the affirmative were:

Messrs. Alston, Black, Bull, Bynum, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, King, Leach, Mitchell, Ormand, Redwine, Ross, Snow, and Ward—18.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, Waldo, and Williamson—27.

Mr. Bynum submitted a report from General Johnstone Jones, Adjutant General of North Carolina, which was referred to the committee on Military Affairs.

Mr. Snow moved that the report of the joint select committee on Retrenchment and Reform, and bills submitted yesterday, be referred to appropriate committees.

Pending consideration

On motion of Mr. Davidson, the Senate adjourned.

THIRTY-SECOND DAY.

SENATE CHAMBER, Feb. 13th, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Leave of absence was granted to Messrs. Bull and Ward until Tuesday next; to Mr. Everett until Monday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Nicholson, petitions (3) from the citizens of Iredell county. Referred to the committee on Propositions and Grievances.

By Mr. Graham of Lincoln, petition of citizens of Lincoln against a special tax. Referred to the committee on Finance.

By Mr. Everett, petitions (2) from citizens of the town of Winston. Referred to the committee on Corporations.

By Mr. Matheson, petition from citizens of Alexander and Iredell counties. Referred to the committee on Propositions and Grievances.

By Mr. Shackleford, petitions (2) from citizens of Onslow county. Referred to the committee on Propositions and Grievances.

By Mr. Redwine, petition from citizens of Stanley and Union counties. Referred to the committee on Propositions and Grievances.

By Mr. Alexander, petition of miners of Mecklenburg county against the abolishment of the Geological Survey of the State. Placed upon the Calendar.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Eaves, H. B. 117, S. B. 237, bill to incorporate the Trustees of Macedonia Baptist church, in the county of Transylvania, recommending it do pass.

By Mr. Nicholson, S. B. 484, bill to incorporate the Chapel Hill Iron Mountain Company, recommending it do pass.

By Mr. Lyon, S. B. 365, bill to amend the charter of the

town of Edenton, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Eppes, S. B. 467, bill to incorporate Shiloh Camp Ground in the county of Gaston, recommending it do pass.

By Mr. Waldo, S. B. 483, bill to incorporate the North Carolina Chemical Works, recommending it do pass.

From the committee on the Judiciary:

By Mr. Henderson, S. B. 421, bill for the relief of Moore county, recommending it do not pass.

S. B. 364, bill to abolish private seals and to prescribe a short form of a deed, and for other purposes, reporting a substitute and recommending the substitute do pass.

H. B. 174, S. B. 274, bill to prevent the desecration of the Sabbath day, recommending it do not pass.

S. B. 396, bill to ascertain and audit the debt of Cleaveland county, reporting an amendment, and, as amended, recommending it do pass.

S. B. 422, bill requiring justices of the peace to file an annual transcript of all the State cases tried and fines imposed by them, reporting a substitute, and recommending it do pass.

By Mr. Everett, S. B. 155, bill to create a municipal official board for the respective counties of this State, recommending it do not pass.

By the same, S. B. 187, bill to amend section 345, Code of Civil Procedure, being section 345, chapter 17, Battle's Revisal, recommending it do not pass.

H. B. 165, S. B. 404, bill to regulate the practice of dentistry and to protect the people against quackery, &c., recommending it do pass.

S. B. 8, bill to encourage the manufacture of cotton and woolen fabrics and agricultural implements in the State of North Carolina, recommending it do not pass.

S. B. 147, bill to prevent gambling in railroad cars, reporting a substitute and recommending it do pass.

S. B. 172, bill to allow legatees and distributees to sue ex-

ecutors and administrators at any time, recommending it do pass.

By Mr. Waddell, H. B. 308, S. B. 434, bill to amend chapter 45, laws 1873-'74, recommending it do pass.

H. B. 452, S. B. 384, bill to secure litigants in the courts of justices of the peace a more speedy determination of their rights, recommending it do pass.

S. B. 372, bill to repeal an act to establish courts inferior to the supreme court, to be styled inferior courts, recommending it do not pass.

Also reporting back sundry petitions, recommending they be laid on the table, which was ordered.

By Mr. Dortch, H. B. 432, S. B. 385, bill to change the times of holding the superior courts of Jones and Pitt counties, recommending it do not pass.

S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor, recommending it do pass.

By Mr. Erwin, S. B. 438, bill to amend section 72, title 7, Code of Civil Procedure, and chapter 17, Battle's Revisal, recommending it do not pass.

S. B. 373, bill to allow the commissioners of Pender county to levy a special tax, recommending it do pass.

H. B. 230, S. B. 432, bill to amend sub-division 18, line 5, chapter 65, in reference to lien on colts, recommending it do pass.

Also, reporting back a petition from the citizens of Montgomery county, and asking to be discharged from its further consideration.

By Mr. Bynum, S. B. 389, bill to provide for the completion of the Western Asylum for the insane, recommending its reference to the committee on the Insane Asylum. It was so referred.

H. B. 451, S. B. 379, bill to make the killing of live stock indictable, recommending it do not pass.

S. B. 462, bill to define the status of the dog, reporting it back without prejudice.

Engrossed House amendments to S. B. 139, H. B. 394, bill to protect holders of policies in fire insurance companies in this State, reporting an amendment, and as amended recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Duplin,

S. B. 429, bill to protect the public against combinations, recommending it do pass.

By Mr. Bryan of Pender,

S. B. 367, bill to enable the city of Wilmington to pay its present bonded indebtedness and to provide for its bonds maturing in the years 1879 and 1880, recommending it do pass.

S. B. 461, bill to authorize the commissioners of Greene county to levy a special tax, recommending it do pass.

H. B. 310, S. B. 473, bill for the better protection of wild fowl in Carteret county, recommending it do pass.

H. B. 475, S. B. 447, bill to change a portion of the dividing line between Hertford and Bertie counties, reporting a substitute and recommending the substitute do pass.

Mr. Erwin, from the committee on the Institution for the Deaf, the Dumb and the Blind, submitted a report relative to that institution and its management, which was placed upon the Calendar, accompanying S. B. 512, bill to provide for the support of the North Carolina Institution for the Deaf, the Dumb and the Blind, for the years 1879 and 1880.

Mr. Shackleford, from the committee on Engrossed Bills, reported as properly engrossed,

S. B. 198, bill to re-enact an act to run and establish the dividing line between the counties of Wayne and Greene.

S. B. 397, bill to amend the election law.

S. B. 326, bill concerning mortgages issued by incorporated companies.

H. B. 213, S. B. 315, Senate amendment to H. B. 213.

H. B. 241, S. B. 394, engrossed Senate amendment to H. B. 241.

S. B. 262, bill to change the time for holding the superior courts in the ninth judicial district.

S. B. 359, bill to change the names of certain townships in the county of Pender.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Dortch, S. R. 503, resolution on adjournment. Placed upon the Calendar.

By Mr. Davidson, S. R. 504, resolution to adjourn on the 20th February, inst. Placed upon the Calendar.

By Mr. Shackleford, S. B. 505, bill for the better protection of fish in Brown Sound, Onslow county. Referred to the committee on Propositions and Grievances.

By Mr. Mebane, S. B. 506, bill to incorporate the Anglo-American Colonization and Improvement Company in North Carolina. Referred to the committee on Corporations.

By Mr. Ross, S. B. 507, bill to amend the Constitution of the State so as to require the exhibition of a capitation tax receipt as a requisite qualification to vote. Referred to the committee on the Judiciary.

By Mr. King, S. B. 508, bill in regard to the removal of civil causes for trial from the State courts to the circuit court of the United States. Referred to the committee on Insurance.

By Mr. Moye, S. B. 509, bill to amend chapter 36, laws of 1876–'77. Referred to the committee on the Judiciary.

By Mr. Henderson, S. B. 510, bill to amend chapter 50, Battle's Revisal, in relation to frauds and fraudulent conveyances. Referred to the committee on the Judiciary.

By Mr. Ward, S. B. 511, bill for the internal improvement

of Sampson county. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Erwin, S. B. 512, bill to provide for the support of the North Carolina Institution for the Deaf, the Dumb, and the Blind, for the years 1879 and 1880. Placed upon the Calendar.

By Mr. Nicholson, S. B. 515, bill to allow the county of Iredell to fund her outstanding railroad bonds. Referred to the committee on Finance.

By Mr. Waldo, S. B. 516, bill to incorporate the town of Palmyra, in Halifax county. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting for concurrence

H. B. 363, S. B. 513, bill for the relief of the sureties of Jonas Cline, late sheriff of Catawba county. Placed upon the Calendar.

H. B. 421, S. B. 514, bill to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, and for other purposes. Referred to the committee on Internal Improvements.

A message was received from His Excellency the Governor, transmitting a report from Col. L. C. Jones, President of the Western Railroad, in answer to Senate resolution asking certain information. The message and report were ordered printed.

Mr. Davidson asked that the committee on Engrossed Bills be authorized to make a verbal correction in S. B. —, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad, which was ordered.

The hour for the consideration of the special order having arrived,

H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Re-

visal, and chapter 274 of laws of 1876-'77, so as to abolish the office of State Geologist, was taken up upon its second reading.

The amendments recommended by the committee on Agriculture, Mechanics and Mining were read.

Mr. Merritt offered a substitute for the bill.

Mr. Davidson submitted a substitute, which was read for information.

Pending consideration, on motion of Mr. Dortch, the Senate adjourned.

THIRTY-THIRD DAY.

SENATE CHAMBER, Feb. 14th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Alexander until Monday; Messrs. Lyon, Nicholson, and Alston, until Tuesday; Mr. Black until Wednesday; Mr. Brooks, Enrolling Clerk, until Monday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. White, petition from the county commissioners of Perquimans county. Referred to the committee on Finance.

By Mr. Moye, petition from citizens of Pitt. Referred to the committee on Justices of the Peace.

By Mr. Merritt, petition from Pleasant Hill Temperance Society. Referred to the committee on Propositions and Grievances.

By Mr. Scales, petitions (3) from citizens of Guilford. Placed upon the Calendar.

By Mr. McEachern, petition from citizens of Robeson and Richmond counties. Referred to the committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

By Mr. Mebane, from the committee on the State Debt, a report, which he requested to be printed, which was ordered.

From the committee on Internal Improvements:

By Mr. Dortch, S. B. 133, bill to authorize the employment of convict labor on the Wilson and Tar River Railroad, reporting certain amendments, and, as amended, recommending it do pass.

S. B. 343, bill to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Company, reporting amendments, and as amended recommending it do pass.

By Mr. Leach,

S. B. 232, bill to incorporate the Wilmington, Charlotte and Western Railroad Company, reporting amendments, and thus amended recommending it do pass.

S. B. 466, bill concerning receiving freights and change of charges for transportation of same by railroad and other transportation companies, recommending it do pass.

S. B. 363, bill to amend the charter of the Charlotte and Taylorsville Railroad Company, reporting certain amendments, and as amended recommending it do pass.

H. B. 357, S. B. 494, bill to protect the State's interest in public works, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 256, bill to require enterers of land in North Caro-

lina to give notice to adjoining owners, recommending its passage.

H. B. 25, S. B. 382, bill to protect game in Union, Granville, Davie, Wilson, Duplin, Robeson, Cumberland and other counties, reporting certain amendments, and as amended recommending it do pass.

S. B. 376, bill to amend an act to create a finance committee in the several counties of the State, recommending it do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as correctly engrossed:

S. B. 161, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad.

The committee on Enrolled Bills reported as correctly enrolled:

S. B. 159, H. B. 396, an act to abolish the tax-fees of attorneys charged in bills of cost in civil suits.

H. B. 363, S. B. 513, an act for the relief of the sureties of Jonas Cline, late sheriff of Catawba county.

H. B. 348, S. B. 345, an act to amend an act entitled an act to prohibit the sale of liquors within certain localities, it being chapter 260, laws of N. C. 1876–'77, so far as the same relates to Zion Baptist church in Halifax county.

H. B. 543, S. B. 478, an act to amend chapter 83 of the private laws of 1874–'75, in regard to Wake Forest College.

H. B. 70, S. B. 239, an act to incorporate the Trustees of Center Point Institute in Iredell county, and for other purposes.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. White, S. B. 517, bill to levy a special tax in Perquimans county. Referred to the committee on Finance.

By Mr. Leach, S. B. 518, bill to charter the Thomasville

and Albemarle Railroad Company. Referred to the committee on Internal Improvements.

By Mr. McEachern, S. B. 519, bill to establish a new county by the name of Scotland. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 42, S. B. 520, bill to extend the Raleigh and Augusta Air Line Railroad from any point on its line to any point in or near the city of Charlotte. Referred to the committee on Internal Improvements.

Also, without engrossment,

H. B. 544, S. B. 521, bill to establish Black Mountain township in Buncombe county. Placed upon the Calendar.

Also, transmitting a message from His Excellency, conveying to the General Assembly the report of General Johnstone Jones, Adjutant General of the State.

Also, announcing the concurrence by that honorable body in the Senate amendments to H. B. 213, S. B. --, bill to amend the charter of the town of Mooresville in Iredell county, and ordered the same enrolled for ratification.

On motion of Mr. Dortch,

S. R. 503, resolution on adjournment, was taken up and adopted.

On motion of Mr. Henderson,

H. B. 363, S. B. 513, bill for the relief of the sureties of Jonas Cline, late Sheriff of Catawba county, was taken up and passed its several readings.

Mr. Graham of Lincoln, moved to reconsider the vote by which the bill passed its third reading; and moved to lay that motion upon the table, which latter motion prevailed.

On motion of Mr. Stewart,

H. B. 8, S. B. 162, bill to repeal chapter 206, laws of 1876–'77, was taken up, and passed its several readings.

On motion of Mr. Everett,

S. B. 451, bill providing for a railroad commissioner and to regulate passenger and freight rates for the railroads in North Carolina, was taken up, and

On his further motion was referred to the committee on Internal Improvements.

UNFINISHED BUSINESS,

being H. B. 32, S. B. 136, bill to amend chapter 2, Battle's Revisal, and chapter 274, laws of 1876–'77, so as to abolish the office of State Geologist, was taken up, the question recurring upon the amendment offered, in the nature of a substitute for the bill.

Mr. Snow moved to refer the matter to the committee on the Judiciary, upon which

Mr. Caldwell demanded the ayes and noes, which were ordered, and the motion to refer was lost, ayes 17, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Brower, Bynum, Dortch, Eaves, Eppes, Everett, Graham of Lincoln, Harris, Henderson, Leach, Lyon, Merritt, Ormand, Ross, Scales, Snow, and Stewart—17.

Those voting in the negative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Erwin, Graham of Montgomery, Holleman, Hoyle, King, Matheson, Mebane, Moye, Redwine, Respass, Shackleford, Taylor, Waddell, Williamson, and White—26.

Mr. Merritt, by consent, withdrew his substitute.

Mr. Davidson offered a substitute for the bill.

Mr. Williamson moved to amend the substitute, by adding at the end of section 2: "That such officer shall hold office for two years: *Provided*, That the person so appointed shall be liable to removal at any time by the Governor, by and with the consent of the board of agriculture, immigration and statistics," which was accepted.

Mr. Merritt moved to amend section 2 by striking out after the word "appoint" in second line the words "by and

with the consent of the Senate," and insert "by and with the consent of the State board of education." Lost.

Mr. Dortch demanded the previous question. Not sustained.

Mr. Ormand moved to lay the whole matter on the table, upon which

Mr. Erwin demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 18, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Brower, Bull, Dancey, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, McEachern, Merritt, Mitchell, Moye, Ormand, Redwine, Ross, and Scales —18.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Respass, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White —28.

Messrs. Erwin, Scales and Dillard arose to questions of personal privilege.

Mr. McEachern moved to adjourn, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 7, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Graham of Montgomery, McEachern, Ross, and Shackleford—7.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Moye, Redwine, Respass, Scales, Snow, Stewart, Taylor, Waddell, and Williamson—33.

Mr. Davidson demanded the previous question, which was sustained.

Question recurring upon the adoption of the substitute as amended,

Mr. Hoyle demanded the ayes and noes, which were ordered, and the substitute was adopted, ayes 38, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Redwine, Respass, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—38.

Those voting in the negative were:

Messrs. Alexander, Graham of Lincoln, King, Mebane, Moye, Ormand, Ross, and Shackleford—8.

Bill then passed its second reading.

Mr. Everett moved to suspend the rules and put the bill on its third reading, which prevailed.

On the passage of the bill its third reading,

Mr. Ormand demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 36, noes 9, as follows:

Those voting the affirmative were:

Messrs. Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—36.

Those voting in the negative were:

Messrs. Alexander, Caldwell, Graham of Lincoln, Graham of Montgomery, King, Mebane, Moye, Ormand, and Ross—9.

Mr. Davidson moved to reconsider the vote by which the

bill passed its third reading, and moved to lay that motion upon the table, which latter motion prevailed.

The hour for the special order having arrived,

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, was taken up on its second reading.

On motion of Mr. Snow, the bill was postponed until Thursday, 20th inst., at 11 A. M., and made the special order for that hour.

On motion of Mr. Davidson, the rules were suspended, and

H. B. 544, S. B. 521, bill to establish Black Mountain township in Buncombe county, was taken up and passed its several readings.

Mr. Hoyle asked to be excused from serving upon the joint committee upon justices of the peace, owing to the engrossing duties upon other committees. He was excused, and

The President named Mr. Respass to serve on said committee in place of Mr. Hoyle.

Mr. Bynum moved to adjourn until to-night at 7½ o'clock.

Mr. Snow moved to adjourn, which prevailed.

THIRTY-FOURTH DAY.

SENATE CHAMBER, Feb. 15th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Bledsoe until Wednesday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Redwine, petition of certain citizens of Stanley county. Referred to the committee on Propositions and Grievances.

By Mr. Austin, petition of citizens of Layne's Creek township, Anson county. Referred to the committee on Justices of the Peace.

By Mr. Graham of Lincoln, petition of citizens of Lincoln county against a special tax. Referred to the committee on Propositions and Grievances.

By the same, petition of citizens of Catawba Springs township, Lincoln county. Referred to the committee on Education.

By Mr. Scales, petition of four hundred citizens of Guilford county. Placed upon the Calendar.

By Mr. Bynum, petition of citizens of Burke county for a two weeks' term of the superior court. Referred to the committee on the Judiciary.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Finance:

By Mr. Graham of Lincoln, S. B. 299, bill for the relief of Joseph Cobb, former sheriff of Edgecombe county, recommending it do not pass.

By Mr. Graham of Montgomery, S. B. 428, bill to amend chapter 156, laws of 1876–'77, recommending it do not pass.

By Mr. White, S. R. 459, resolution providing for aid for

the Orphan Asylum, at Oxford, North Carolina, reporting it back without prejudice.

By Mr. Henderson, S. B. 463, bill to allow the Bank of Greensboro further time to wind up its business, recommending it do pass.

From the committee on Corporations:

By Mr. Eaves, S. B. 418, bill to incorporate the town of Little Washington in the county of Wayne, recommending it do pass.

S. B. 419, bill to incorporate the town of Saul's Cross Roads, in the county of Wayne, recommending it do pass.

By Mr. Lyon, H. B. 43, S. B. 386, bill to incorporate the bank of Asheville, recommending it do pass.

By Mr. Eppes, H. B. 197, S. B. 283, bill to incorporate the Love and Charity Society of Wilson Creek Academy, in the county of Caldwell, recommending it do pass.

S. B. 248, bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity, recommending it do pass.

H. B. 195, S. B. 279, bill to incorporate the Warrior Camp Ground, in Caldwell county, recommending it do pass.

By Mr. Lyon, S. B. 431, bill to incorporate Aurora Lodge No. 108 I. O. G. T., of Warrenton, recommending it do pass.

By Mr. Eaves, S. B. 423, bill to incorporate the Grand Lodge of Good Templars in North Carolina, recommending it do pass.

By Mr. McEachern, H. B. 256, S. B. 497, bill to extend the corporate limits of the town of Elizabeth City, recommending it do pass.

S. B. 375, bill to incorporate the town of Keyser in the county of Moore, reporting an amendment, and as amended, recommending it do pass.

By Mr. Waldo, S. B. 519, bill to establish a new county, to be called Scotland, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Dortch, S. B. 491, bill to repeal the 99th chapter of Battle's Revisal, recommending it do pass.

By Mr. Davidson, S. B. 342, bill to amend chapter 106, laws of 1876–'77, ratified February 19th, 1877, entitled an act to provide for the speedy completion of the Western North Carolina Railroad, and to amend an act in relation to the Western North Carolina Railroad, ratified March 13, A. D. 1875, reporting a substitute, and recommending the substitute do pass.

From the committee on Insurance:

By Mr. Dillard, S. B. 508, bill in regard to the removal of civil causes for trial from the State courts to the circuit court of the United States, recommending its reference to the committee on the Judiciary. It was so referred.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, S. B. 505, bill for the better protection of fish in the waters of Brown Sound, Onslow county, recommending it do pass.

H. B. 298, S. B. 433, bill to authorize the commissioners of Craven county to fund their debt and issue bonds for other purposes, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Military Affairs:

By Mr. Williamson, S. B. 527, bill in relation to the staff of the Governor, recommending it do pass.

From the committee on the Judiciary:

By Mr. Bynum, S. B. 75, bill to amend section 343, chapter 17, Battle's Revisal, without recommendation.

From the committee on Engossed Bills:

By Mr. Shackleford, as properly engrossed:

S. B. 348, bill to organize and incorporate the Christian Union.

S. R. 436, resolution in favor of the Raleigh National Bank.

S. B. 376, bill to amend an act to create a finance committee in several counties.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Shackleford, S. B. 522, bill to incorporate the Burgaw and Onslow Railroad. Referred to the committee on Internal Improvements, and ordered printed.

By Mr. Merritt, S. B. 523, bill to incorporate the Sons and Daughters of Temperance of Chatham county. Referred to the committee on corporations.

By Mr. Moye, S. B. 524, bill to prohibit fishing in Coneto creek, Pitt county. Referred to the committee on Fish and Fisheries.

By Mr. King, S. B. 525, bill to expedite the trial of criminal actions upon their merits. Referred to the committee on the Judiciary.

By Mr. Dortch, S. B. 526, bill to prohibit fishing with nets or seines in the waters of Great Swamp, in the county of Wayne. Placed upon the Calendar.

By Mr. Williamson, S. B. 527, bill in relation to the staff of the Governor. Referred to the committee on Military Affairs.

By Mr. Everett, S. B. 537, bill for the equitable relief of certain classes of indebted persons. Referred to the committee on the Judiciary.

By Mr. Mebane, S. B. 538, bill to incorporate the town of Roxboro, in Person county. Referred to the committee on Corporations.

By Mr. Davidson, S. B. 539, bill for the relief of Noah H. Rice. Referred to the committee on Propositions and Grievances.

By Mr. Taylor, S. B. 540, bill to amend chapter 88, laws of 1876–'77. Referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting for concurrence,

H. B. 314, S. B. 528, bill to incorporate Marvin camp ground in Caldwell county. Referred to the committee on Corporations.

H. B. 464, S. B. 529, bill to incorporate the town of Mathews, in the county of Mecklenburg. Referred to the committee on Corporations.

H. B. 114, S. B. 530, bill to prevent the enticing of seamen from vessels. Referred to the committee on Judiciary.

H. B. 267, S. B. 531, bill to incorporate the town of Newton Grove in the county of Sampson. Referred to the committee on Corporations.

H. B. 540, S. B. 532, bill to repeal chapter 189, laws of 1876–'77, and to lay off and construct a public road, &c. Referred to the committee on Public Roads and Highways.

H. B. 369, S. B. 533, bill to incorporate the town of Burgaw, in Pender county. Referred to the committee on Corporations.

H. B. 276, S. B. 534, bill to create two new townships in the county of Bladen. Referred to the committee on Corporations.

H. B. 350, S. B. 535, bill to relieve farmers and others from paying a special tax. Referred to the committee on Finance.

H. R. 140, S. R. 536, resolution in regard to the Albemarle and Chesapeake Canal. Referred to the committee on Judiciary.

CALENDAR.

Bills and resolutions upon the Calendar were taken up, and disposed of as follows:

S. B. 483, bill to incorporate the North Carolina Chemical Works, on its second reading and passed.

On motion of Mr. Scales, the bill was put upon its third reading.

Mr. Scales moved to amend:

Insert after the words "rate of interest" in section 1, line 19, the words "at a rate not exceeding eight per centum per annum,"

which was adopted, and as amended, the bill passed its third reading.

S. B. 95, bill to amend an act to revise and consolidate the public school laws, was, on motion, laid on the table.

S. R. 436, resolution in favor of Raleigh National Bank, passed its several readings.

H. B. 262, S. B. 424, bill to continue in force the act to establish normal schools, and for other purposes, passed its several readings.

Mr. Merritt moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table, which latter motion prevailed.

On motion of Mr. Graham of Lincoln, the Calendar was placed in the hands of the President for to-day.

H. B. 197, S. B. 283, bill to incorporate the Love and Charity Society of Wilson Creek Academy, in Caldwell county, passed its several readings.

H. B. 195, S. B. 279, bill to incorporate the Warrior Camp Ground, in Caldwell county, passed its several readings.

S. B. 376, bill to amend an act to create a finance committee in several counties, on its second reading.

Mr. Shackleford moved to amend:

Add new section: Said Committee shall have power to pursue the investigation back to September 1st, 1868, and have power to administer oaths,

which was adopted, and thus amended, passed its several readings.

Mr. Shackleford moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider upon the table, which latter motion prevailed.

S. B. 396, bill to ascertain and audit the debt of Cleaveland county, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Mr. Hoyle moved to amend:

Strike out all of section 1, and substitute therefor the following:

"That the county commissioners, together with a majority of the justices of the peace of Cleaveland county, may elect three suitable persons, one of whom shall reside in the lower, one in the central, and one in the upper part of the county, and none of whom shall have held any county office (except justice of the peace or overseer of roads,) since the year 1856, to be known as a Special Finance Committee, whose duty it shall be to investigate the financial affairs of said county."

Amend section 3 by striking out in line 3 "to receive" and insert "may be allowed;" and in line four strike out "and fifty cents." Adopted.

Thus amended, the bill passed its several readings.

S. B. 205, bill to authorize the board of education of Johnston county to pay orders made on the treasurer of Johnston county township by trustees to school teachers, prior to the adoption of the school law of 1876–'77, passed its several readings.

S. B. 343, bill to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Company, on its second reading.

The amendments reported by the committee on Internal Improvements were adopted.

Thus amended, the bill passed its several readings.

S. B. 484, bill to incorporate the Chapel Hill Iron Mountain Company, passed its several readings.

S. B. 365, bill to amend the charter of the town of Edenton, passed its several readings.

H. B. 310, S. B. 473, bill for the better protection of wild fowl in Cateret county, passed its several readings.

H. 432, S. B. 385, bill to change the time of holding the superior courts of Jones and Pitt counties, was, on motion of Mr. Moye, indefinitely postponed.

H. B. 35, S. B. 388, bill to amend an act to aid in the construction of the Chester and Lenoir and the Caldwell and Watauga Narrow Guage Railroads, and for other purposes, passed its several readings.

S. B. 428, bill to amend chapter 156, laws of 1876–'77, was,

On motion of Mr. Henderson, indefinitely postponed.

S. B. 461, bill to authorize the commissioners of Greene county to levy a special tax, passed its second reading, ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs Austin, Brower, Bull, Bynum, Caldwell, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Merritt, Moye, Ormand, Redwine, Respass, Ross, Scales, Shackelford, Snow, Stewart, Taylor, Waddell, and Waldo—32.

S. B. 133, bill to authorize the employment of convict labor on the Wilson and Tar River Railroad, on its second reading.

The amendments reported by the committee on Internal Improvements were adopted, and the bill then passed its several readings.

S. B. 172, bill to allow legatees and distributees to sue

executors and administrators at any time, on its second reading.

The amendments reported by the committee on the Judiciary were adopted. Bill then passed its several readings.

S. B. 485, bill to change the name of "Bull Doze" township, in the county of Greene, to Bull Head, passed its several readings.

H. B. 46, S. B. 475, bill to allow the commissioners of Caldwell county to levy a special tax, passed its second reading, ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Austin, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Moye, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—35.

S. B. 463, bill to allow the Bank of Greensboro further time to wind up its business, passed its several readings.

S. B. 469, bill to authorize the commissioners of McDowell county to levy a special tax, passed its second reading, ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Mitchell, Moye, Ormand, Redwine, Respass, Ross, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson.—32.

S. B. 487, bill to prevent live stock from running at large in the counties of Rowan, Davie and Cabarrus, passed its second reading, ayes 31, noes 5, as follows:

Those voting in the affirmative were:

Messrs. Austin, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Everett, Gra-

ham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, and Waddell—31.

Those voting in the negative were:

Messrs. Eaves, Eppes, Erwin, Ormand, and White—5.

On motion of Mr. Merritt, the bill was ordered printed.

S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners, on its third reading.

Mr. Davidson moved to amend by adding at the end of section 4:

"*Provided*, this act shall only apply to the counties of Cumberland and Harnett."

Adopted.

The bill then passed its third reading.

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville, passed its second reading.

On motion of Mr. Dortch, the bill was ordered printed.

S. B. 466, bill concerning the receiving of freights and change of charges for transporting same, by railroad and other transportation companies, passed its several readings.

S. B. 342, bill to amend chapter 106, laws of 1876-'77, ratified Feb'y 19th, 1877, entitled an act to provide for the speedy completion of the Western North Carolina Railroad, and to amend an act in relation to Western North Carolina Railroad, ratified March 13th, 1875, on its second reading.

The substitute reported by the committee on Internal Improvements was read.

Mr. Davidson moved to amend the substitute: add at the end of section 4:

"*Provided, however*, nothing in this act shall be construed to authorize the reduction of the number of convicts em-

ployed on the Western North Carolina Railroad below the present working force."

Adopted.

Pending consideration,

Mr. Snow announced the death of Hon. Joseph A. Engelhard, Secretary of State, and,

On his motion, the Senate adjourned.

THIRTY-FIFTH DAY.

SENATE CHAMBER, Feb. 17th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was read and approved.

Leave of absence was granted to the Assistant Doorkeeper for to-day.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 216, S. B. 383, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds, recommending it do pass.

S. R. 192, resolution to make Lumber River navigable, reporting an amendment, and recommending it do pass.

S. B. 489, bill to authorize the county of Madison to pay the claims of certain school teachers, recommending it do pass.

From the committee on Fish and Fisheries:

By Mr. Moye, S. B. 524, bill to prohibit fishing in Coneto Creek, Pitt county, recommending it do pass.

From the committee on Corporations:

By Mr. Eppes, S. B. 516, bill to incorporate the town of Palmyra, in Halifax county, recommending it do pass.

From the Committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed:

Senate substitute for H. B. 32, S. B. 136.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Waddell, S. R. 541, resolution postponing the day for the election of justices of the peace. Placed upon the Calendar.

By Mr. Davidson, S. R. 542, resolution to adjourn in respect to the memory of the late Hon. Joseph A. Engelhard, and to attend his funeral in a body. Placed upon the Calendar.

By Mr. Williamson, S. B. 543, bill to define the duties of the sheriffs performing the duties of county treasurer. Referred to the committee on the Judiciary.

By Mr. Eaves, S. B. 544, bill to amend the charter of the Rutherford and Spartanburg Railroad and for other purposes. Referred to the committee on Internal Improvements.

By Mr. Waddell, S. B. 545, bill to amend section 1, chapter 260, laws of 1876–'77, prohibiting the sale of liquor in certain localities. Referred to the committee on Propositions and Grievances.

By Mr. Respass, S. B. 546, bill to secure convict labor to build public roads in Beaufort and Pamlico counties. Referred to the committee on Propositions and Grievances.

By Mr. Bryan of Pender, S. B. 548, bill to extend the ben-

efits of the lien law. Referred to the committee on the Judiciary.

By Mr. Snow, S. B. 559, bill in regard to restoring lost records in the county of Burke. Referred to the committee on the Judiciary.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting engrossed House amendment to S. B. 61, H. B. 144, bill to amend section 40, chapter 105, Battle's Revisal, regulating the fees of jailors.

On motion of Mr. Henderson, the Senate refused to concur in the amendments, and asked for a committee of conference. A message was sent to the House accordingly.

Also, a message from the House, transmitting

H. R. 109, S. R. 547, resolution in favor of the engrossing and enrolling clerks of this General Assembly. Placed upon the Calendar.

Also, without engrossment,

H. B. 517, S. B. 549, bill to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail. Placed upon the Calendar.

Also,

H. B. 111, S. B. 550, bill to incorporate the Warm Springs Toll Bridge Company. Referred to the committee on Corporations.

H. B. 265, S. B. 551, bill to incorporate the Standard Gold Company of North Carolina. Referred to the committee on Corporations.

H. B. 494, S. B. 552, bill to prevent the felling of timber in Silver creek, in Burke county. Referred to the committee on Propositions and Grievances.

H. B. 264, S. B. 553, bill to incorporate the American Gold Company of North Carolina. Referred to the committee on Corporations.

H. B. 560, S. B. 554, bill to legalize Iron Bluff township, in the county of Haywood. Referred to the committee on Corporations.

H. B. 245, S. B. 555, bill to require town and city collectors of taxes and fines to make monthly reports. Referred to the committee on Finance.

H. B. 425, S. B. 556, bill to make Tuckasege river in Jackson county, a lawful fence. Referred to the committee on Propositions and Grievances.

H. B. 518, S. B. 557, bill for a stock law in Iredell county. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 621, S. B. 558, bill to prevent tramps infesting or depredating on citizens of this State. Referred to the committee on the Judiciary.

Engrossed House amendments to S. B. 376, H. B. 631, bill to create a Finance Committee in the several counties of this State.

On motion of Mr. Shackleford, the amendment was concurred in, and the bill was ordered enrolled for ratification.

Also, announcing the concurrence by that honorable body in S. R. 335, resolution relating to the laborers and pages of the General Assembly, and had ordered the same enrolled for ratification.

On motion of Mr. Williamson,

S. B. 527, bill in relation to the staff of the Governor, was taken up and passed its several readings, and was ordered transmitted to the House without engrossment.

On motion of Mr. Davidson,

H. B. 517, S. B. 549, bill to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail, was taken up and passed its second reading, ayes 29, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Graham of Lincoln, Graham

of Montgomery, Harris, Holleman, Hoyle, Lyon, McEachern, Mebane, Merritt, Moye, Ormand, Redwine, Respass, Ross, Scales, Snow, Stewart, Waddell, Waldo, Williamson and White—29.

On motion of Mr. Brower, the vote by which S. B. 466, bill concerning receiving freights and change of charges for transporting same by railroads and other transportation companies, passed its third reading on Saturday was reconsidered, and on his further motion it was recommitted to the committee on Internal Improvements.

On motion of Mr. Waddell, S. R. 541, resolution to postpone the day for the election of justices of the peace, was taken up, adopted, and ordered sent to the House of Representatives without engrossment.

S. B. 516, bill to incorporate the town of Palmyra in Halifax county, passed its several readings.

S. B. 489, bill authorizing the county of Madison to pay the claims of certain school teachers, on its second reading.

Mr. Davidson moved to amend the proviso in section 2, by inserting after the word "portion" the words "of the said school fund." Adopted.

Mr. Davidson moved to amend at end of bill:

"This act shall be in force from its ratification." Adopted.

Thus amended the bill passed its several readings.

S. B. 461, bill to authorize the commissioners of Greene county to levy a special tax, passed its third reading, ayes 30, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Ormand, Redwine, Ross, Scales, Snow, Stewart, Waddell, Waldo, Williamson, and White—30.

H. B. 46, S. B. 475, bill to allow the commissioners of Caldwell county to levy a special tax, passed its third reading, ayes 31, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Waddell, Waldo, Williamson, and White—31.

S. B. 469, bill to authorize the commissioners of McDowell county to levy a special tax, passed its third reading, ayes 26, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, Lyon, McEachern, Mebane, Merritt, Mitchell, Moye, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, and White—26.

S. R. 542, resolution proposing to adjourn to-day in respect to the late Hon. Joseph A. Engelhard, Secretary of State, was taken up, adopted, and ordered sent to the House without engrossment.

S. B. 423, bill to incorporate the Grand Lodge of Good Templars of North Carolina, passed its several readings.

Mr. Harris moved that when the Senate adjourn, it do so to meet to-night at half-past seven o'clock, which prevailed.

H. B. 256, S. B. 497, bill to extend the corporate limits of the town of Elizabeth City, passed its several readings.

A message was received from the House of Representatives announcing the concurrence of that honorable body in S. R. 542, resolution to adjourn in respect to the late Hon. Joseph A. Engelhard, and the Senate was declared adjourned accordingly.

NIGHT SESSION.

Senate met pursuant to adjournment.

The unfinished business of yesterday was taken up, being S. B. 342, bill to amend chapter 106, laws of 1876–'77, ratified February 19th, 1877, entitled an act to provide for the speedy completion of the Western North Carolina Railroad, and to amend an act entitled an act in relation to Western North Carolina Railroad, ratified March 13th, 1875, on its second reading.

Question recurring upon the adoption of the substitute reported by the committee on Internal Improvements, it was adopted.

Upon the passage of the bill its second reading,

Mr. Shackleford moved to amend:

"That this railroad shall have its *pro rata* of the convict labor."

Upon the passage of which, he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 22, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Bynum, Dancey, Dillard, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Lyon, Mebane, Mitchell, Moye, Ormand, Ross, Shackleford, Stewart, Taylor, Waddell, Waldo, Williamson, and White—22.

Those voting in the negative were:

Messrs. Austin, Brower, Caldwell, Davidson, Eaves, Graham of Montgomery, Henderson, Holleman, Hoyle, Matheson, Merritt, Redwine, and Scales—13.

Thus amended, the bill passed its second and third readings.

H. R. 141, S. R. 457, resolution in regard to the printing of bills for the use of the members of this General Assembly.

Mr. Bynum moved that it be laid on the table, and upon the passage of the resolution demanded the previous question, which was sustained.

The motion to table did not prevail.

The resolution was then adopted, and ordered to be enrolled.

H. B. 452, S. B. 384, bill to secure litigants in the courts of justices of the peace a more speedy determination of their rights, was, on motion, indefinitely postponed.

S. B. 372, bill to repeal an act to establish courts inferior to the supreme court, to be styled inferior courts, was, on motion, indefinitely postponed.

H. B. 230, S. B. 432, bill to amend chapter 265, sub-division 18, line 5, in reference to lien on colts, passed its several readings.

S. B. 462, bill to define the status of the dog, on its second reading.

Mr. Bryan of Duplin moved to amend:

"That the dog is the natural sentinel, provided, in the economy of Nature by an allwise and provident Creator, to stand guard over the dwelling and property of his toiling, weary master during the night, by which service he earns his rations. If said dog shall desert his post to forage a neighbor's sheepfold or hen-nest, he shall incur the same penalty as a sentinel in actual service of the U. S. Army."

Mr. Austin moved that the bill be laid on the table, upon which

Mr. Waddell demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 23, noes 12, as follows:

Those voting the affirmative were:

Messrs. Austin, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Lyon, Matheson, Mebane, Mitchell, Moye, Ormand, Scales, Shackleford, Stewart, Taylor, and Williamson—23.

Those who voted in the negative were:

Messrs. Bledsoe, Brower, Bryan of Duplin, Bynum, Dortch, Graham of Montgomery, Holleman, Merritt, Redwine, Ross, Waddell, and White—12.

H. B. 451, S. B. 379, bill to make the killing of live stock indictable, on its second reading.

Mr. Dortch moved to amend:

"*Provided, however*, that this act shall apply only to the Carolina Central Railroad Company and its officers."

Mr. Davidson demanded the previous question, which was sustained.

Mr. Dortch's amendment was adopted.

Mr. Dortch moved to further amend:

"Strike out all the officers named except conductors and engineers."

Mr. Bynum moved to amend the amendment: Strike out "conductors." Lost.

Mr. Dortch's amendment was adopted.

Question recurring upon the passage of the bill its second reading,

Mr. Bynum demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 29, noes 5, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Davidson, Dillard, Dortch, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Ormand, Scales, Shackleford, Stewart, Taylor, Waddell, Williamson, and White—29.

Those voting in the negative were:

Messrs. Brower, Bynum, Dancey, Eaves, and Ross—5.

Mr. Austin moved that the rules be suspended and the

bill be put upon its third reading. Prevailed, and the bill passed its third reading.

By consent,

Mr. Scales introduced

S. B. 560, bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists. Referred to the committee on Finance.

Mr. McEachern introduced

S. B. 561, bill to provide for the removal of registers of deeds in certain cases. Referred to the committee on Judiciary.

Mr. Bryan, of Duplin, presented a petition of citizens of Hallsville, Duplin county. Referred to the committee on Propositions and Grievances.

On motion of Mr. Williamson, the Senate adjourned.

THIRTY-SIXTH DAY.

SENATE CHAMBER, Feb. 18th, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

Leave of absence was granted to Mr. Leach from last Saturday until Friday next.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Moye, petition of Augustus Holly and others, citizens of Bertie. Referred to the committee on Fish and Fisheries.

By Mr. Williamson, petition of four hundred citizens of

Caswell. Referred to the committee on Agriculture, Mechanics and Mining.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on the Judiciary:

By Mr. Erwin, H. B. 296, S. B. 412, bill to punish treasurers of benevolent and religious institutions, &c., reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Finance:

By Mr. Erwin, S. R. 165, resolution in favor of North Carolina soldiers, reporting a substitute, and recommending the substitute do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as correctly engrossed,

S. B. 469, a bill to authorize the commissioners of McDowell county to levy a special tax.

S. B. 463, bill to allow the bank of Greensboro further time to wind up its business.

S. B. 361, bill to amend the corporate limits of the town of Creswell, in Washington county.

S. B. 396, an act to ascertain and audit the indebtedness of Cleaveland county.

S. B. 256, bill to require enterers of land in North Carolina to give notice to adjoining owners.

S. B. 485, bill to change the name of Bull-Doze township, in Greene county, to Bull Head township.

S. B. 483, bill to incorporate the North Carolina Chemical Works.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Moye, S. R. 563, resolution appointing Augustus Holly, P. H. Winston and W. R. Capehart and others, a committee on the fishing industries of Eastern North Carolina. Referred to the committee on Fish and Fisheries.

By Mr. Erwin, S. B. 562, bill to amend chapter 20, laws of 1876–'77. Referred to the committee on Internal Improvements.

By Mr. Henderson, S. B. 564, bill to incorporate the Lutheran Chapel, in Rowan county. Referred to the committee on the Judiciary.

By Mr. Shackleford, S. B. 565, bill to re-convey a house and lot heretofore sold for taxes. Referred to the committee on Propositions and Grievances.

By Mr. Alexander, S. B. 566, bill to amend an act to establish a department of agriculture, immigration and statistics, and for the encouragement of sheep husbandry, ratified March 12th, 1877. Referred to the committee on Judiciary.

The President announced Mr. Shackleford as a member of the committee on Fish and Fisheries, to fill a vacancy created by the retirement of Mr. Davidson.

Mr. Austin moved to reconsider the vote by which H. B. 451, S. B. 379, bill to make the killing of live stock indictable, passed its third reading last night. Prevailed.

The question recurring upon the passage of the bill its third reading,

On motion of Mr. Austin, the bill was recommitted to the committee on the Judiciary.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 431, bill to incorporate Aurora Lodge, No. 108, I. O. G. T., Warrenton, passed its several readings.

S. B. 519, bill to establish a new county, to be called Scotland, on its second reading.

Mr. McEachern moved to amend: Strike out after the word "beginning" in the fourth line, section first, the words "at the Western corner of Williamson's township, Richmond county, on the State line," and insert "at the point where the old telegraph road crosses the State line in Richmond county," and insert after the word "to" in the seventh line the words "a point one and a half miles North-west of;" also strike out all after the word "to" in the ninth line up to and including the word "to" in the eleventh line of section first, and insert "a point one mile and a half West of." Adopted.

Mr. Graham of Montgomery, moved to postpone the bill until Wednesday, 26th inst. Prevailed.

S. B. 148, bill to incorporate the Pungo and Alligator Rivers Canal Company, on its second reading.

The amendment reported by the committee on Corporations was adopted.

Pending consideration

The hour for the consideration of the special order arrived.

Mr. Shackleford moved to postpone the consideration of the special order for the present. Lost.

The special order was taken up, being S. B. 69, bill to regulate salaries and fees in certain cases, on its second reading.

The substitute reported by the committee on Salaries and Fees was adopted.

On motion of Mr. Dortch, each section of the bill was considered *seriatim*.

Section first was read.

Mr. Erwin moved to amend:

Strike out "five hundred dollars" as salary for private secretary and insert "three hundred dollars and fees."

Adopted.

Section two was read.

Mr. Scales moved to amend:

Strike out section 2 and insert in lieu thereof: "The salary of the Treasurer shall be three thousand dollars. He shall be allowed his present clerks and three hundred dollars for extra clerical assistance. He shall be the Treasurer of the Insane Asylum, the Deaf and Dumb and Blind Asylum, the Penitentiary, and the Agricultural Department, and shall perform his duties as Treasurer of these several institutions under such regulations as shall be prescribed in each case by their respective boards of directors, with the approval of the Governor, and the said Treasurer shall be responsible on his official bond for the faithful discharge of his duties as Treasurer of each of the several institutions aforesaid."

Adopted.

Mr. Graham of Lincoln, moved to amend the section by striking out "three hundred dollars additional for clerical services," upon which

Hr. Hoyle demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 26, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Rledsoe, Brower, Caldwell, Dillard, Eaves, Erwin, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Moye, Nicholson, Ormand, Redwine, Respass, Stewart, Taylor, Waddell, Williamson, and White—26.

Those voting in the negative were:

Messrs. Bryan of Duplin, Bryan of Pender, Bynum, Dancey, Davidson, Dortch, Eppes, Henderson, Mebane, Merritt, Mitchell, Ross, Scales, Shackleford, Snow, and Waldo—16.

Mr. Snow moved to amend: Strike out all after the word "annum," in line 4. Lost.

Mr. Ormand moved to amend by striking out "three thousand" and insert "twenty-five hundred." Lost.

Section three was read and adopted.

Section four was read.

Mr. Snow moved to amend by striking out "$2,000," in line 2, and insert "$2,500;" and strike out all after the word "Assembly," in line 6. Also, strike out the whole of section five.

Upon this amendment Mr. Bryan of Duplin, demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Davidson, Dortch, Eppes, Erwin, Henderson, Merritt, Ross, Scales, Shackleford, Snow, Taylor and Waldo—13.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Dillard, Eaves, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Stewart, Wadell, Williamson, and White—31.

Mr. Ormand moved to amend by striking out all of the section after the word "Assembly," in the sixth line, on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 16, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Brower, Bryan of Duplin Davidson, Eaves, Eppes, Holleman, Lyon, McEachern, Moye, Ormand, Respass, Ross, Snow, and White—16.

Those voting in the negative were:

Messrs. Alston, Bledsoe, Bryan of Pender, Bynum, Caldwell, Dancey, Dillard, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Matheson, Mebane, Merritt, Mitchell, Nicholson, Redwine,

Scales, Shackleford, Stewart, Taylor, Waddell, Waldo, and Williamson—28.

Mr. Caldwell moved to amend: Strike out all after the word "week" in the ninth line.

Upon which Mr. Bledsoe demanded the previous question, which was sustained.

Mr. Erwin demanded the ayes and noes on the passage of the amendment, which were ordered, and the amendment was lost, ayes 12, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Pender, Caldwell, Davidson, Dortch, Eppes, Lyon, Mebane, Moye, Respass, Scales, and Snow—12.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bynum, Dancey, Dillard, Eaves, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Matheson, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Shackleford, Stewart, Taylor, Waddell, Waldo, Williamson, and White—31.

Sections five and six were adopted.

Section seven was read.

Mr. Graham of Lincoln, moved to amend: Strike out "seventeen hundred and fifty dollars," and insert "fifteen hundred dollars." Adopted. The section was then adopted.

Sections eight and nine were adopted.

Section ten was read.

Mr. Lyon moved to amend: Strike out "300" and insert "100," upon which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 12, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Brower, Davidson, Eaves, Eppes, Graham of Montgomery, Holleman, Lyon, McEachern, Ormand, Redwine, Ross, and White—12.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and Williamson—31.

Mr. Bynum moved to amend: Strike out all after the word "expenses," in the third line, and add, "and he shall be allowed clerical assistance not to exceed one hundred and fifty dollars," upon which

Mr. Ormand demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 3, noes 39, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Pender, and Bynum—3.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Caldwell, Dancey, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—39.

Mr. Moye moved to amend: Strike out "three hundred," and insert "two hundred."

Mr. Mebane asked for a division of the question, which was ordered.

Mr. Moye demanded the ayes and noes, which were ordered.

The motion to strike out was lost, ayes 18, noes 23, as follows:

Those voting in the affimative were:

Messrs. Alston, Brower, Davidson, Eaves, Eppes, Erwin, Graham of Montgomery, Henderson, Holleman, King, Lyon, McEachern, Moye, Ormand, Redwine, Respass, Ross, and White—18.

Those voting in the negative were:

Messrs. Alexander, Austin Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Dillard, Dortch, Graham of Lincoln, Harris, Hoyle, Matheson, Mebane, Mitchell, Nicholson, Scales, Shackleford, Stewart, Taylor, Waddell, Waldo, and Williamson—23.

The section was adopted.

Sections eleven, twelve and thirteen were adopted.

Section fourteen and fifteen were read:

Mr. Scales moved to strike out the two sections, and insert as a section: "The Keeper of the Capitol shall also be the State Librarian, and shall receive as a salary for the consolidated positions the sum of eight hundred dollars. He shall keep the Library open at least three hours each day."

Adopted.

Section sixteen was read.

Mr. Lyon moved to amend line one by striking out "six" and inserting "four." Lost.

Mr. Redwine moved to amend by striking out "six" and inserting "five."

Mr. Mebane demanded a division of the question, and also demanded the ayes and noes upon the motion to strike out, which were ordered. The motion was lost, ayes 10, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Brower, Davidson, Eaves, Graham of Montgomery, Holleman, Lyon, McEachern, Moye, Ormand, and White—10.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Dillard, Dortch, Eppes, Erwin, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Merritt, Redwine, Respass, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, and Waldo—28.

Mr. Hoyle moved to amend:

Insert in line 2 after the word "servant," the words "and watchman."

Adopted.

Mr. Moye moved to amend by adding:

"*Provided*, that no money shall be paid for servant hire in any of the State Departments of the Capitol, except the Supreme Court room."

Adopted.

As amended the section was adopted.

Section seventeen was read.

Mr. Hoyle moved to amend by adding after the word "treasurer," in line 4, the words "or clerk." Adopted.

The section was adopted.

Section eighteen was read.

Mr. Henderson moved to amend by adding at the end thereof the following:

"Or as soon thereafter as the Constitution and the laws passed in pursuance thereof will permit."

Adopted.

Question recurred upon the passage of the bill its second reading, which prevailed.

Mr. Ormand moved to adjourn. Lost.

On motion of Mr. Graham of Lincoln, the rules were suspended and the bill taken up upon its third reading; and on his further motion it was postponed until to-morrow at 11 o'clock A. M., made the special order for that hour, and ordered engrossed.

On motion of Mr. Lyon, the Senate adjourned.

THIRTY-SEVENTH DAY.

SENATE CHAMBER, Feb. 19th, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were introduced and disposed of as follows:

By Mr. Dillard, petitions (2) from citizens of Rockingham. Referred to the committee on Propositions and Grievances.

By Mr. Nicholson, petitions (2) of citizens of Iredell, relative to a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Alexander, petition from citizens of Paw Creek township. Referred to the committee on Propositions and Grievances.

Petition of citizens of Warren county, relative to a stock law. Referred to the committee on Agriculture, Mechanics and Mining.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Dortch, H. B. 455, S. B. 381, bill to establish a State line between the States of North Carolina and Georgia, reporting an amendment, and as amended recommending it do pass.

S. B. 540, bill to amend chapter 88, laws of 1876–'77, recommending it do pass.

By Mr. Erwin, S. B. 561, bill to provide for the removal

of registers of deeds in certain cases, recommending it do pass.

S. B. 160, bill to amend chapter 41, Battle's Revisal, entitled entries and grants, and to protect the State's interest in public lands, recommending it do not pass.

Also, a petition from citizens of Burke county, asking for a two weeks' term of the superior court, asking to be discharged from its further consideration.

By Mr. Waldo, S. B. 543, bill to define the duties of sheriffs performing the duty of county treasurer, recommending it do pass.

H. B. 578, S. B. 496, bill to give certain colored persons the right of inheritance, recommending it do pass.

By Mr. Davidson, S. B. 28, bill to render more speedy the execution of persons convicted of capital felonies, recommending it do not pass.

S. B. 395, bill to make the carrying of concealed deadly weapons a misdemeanor, recommending it be laid on the table.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, S. B. 565, bill to reconvey a house and lot heretofore sold for taxes, recommending it do pass.

S. B. 546, bill to secure convict labor to build public roads in Beaufort and Pamlico counties, reporting an amendment, and as amended recommending it do pass.

From the committee on Corporations:

By Mr. Davidson, S. B. 225, bill to incorporate the town of Middleburg, in the county of Warren, recommending it do pass.

From the committee on the Judiciary:

By Mr. Waldo, H. R. 140, S. R. 536, resolution in regard to the Albemarle and Chesapeake Canal, reporting a substitute, and recommending the substitute do pass.

From the committee on Engrossed Bills:

By Mr. Shackleford, as properly engrossed, S. B. 484, bill to incorporate the Chapel Hill Iron Mountain Company.

By Mr. King, S. B. 133, bill to authorize the employment of convict labor on the Wilson and Tar River Railroad.

The President announced the following:

Senate branch of joint committee to arrange the Calendars of the two Houses, Messrs. Dortch, Nicholson, and Eaves.

Senate branch of joint committee on Railroad Charges, &c., Messrs. King and Davidson.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Dortch, S. B. 567, bill to prevent obstruction to navigation in the waters of Newport river, Carteret county, passed at the session of 1874–'75, and to amend chapter 108, Battle's Revisal, entitled "Statutes," &c. Placed on the Calendar.

By Mr. Shackleford, S. B. 568, bill to authorize the commissioners of Onslow county to issue bonds, and for other purposes. Referred to the committee on Propositions and Grievances.

By Mr. Henderson, S. B. 569, bill to authorize constables to serve civil and criminal process in Halifax county. Referred to the committee on Judiciary.

By Mr. Davidson, S. B. 577, bill to establish a criminal judicial district, and to provide courts therefor. Referred to the committee on the Judiciary.

By the same, S. R. 578, resolution in favor of L. Rosenthal. Referred to the committee on Claims.

By Mr. Respass, S. B. 579, bill to prevent the hauling of drag nets in the waters of Bay river and its tributaries, in the county of Pamlico. Referred to the committee on Fish and Fisheries.

By Mr. Moye, S. B. 580, bill to fund the floating debt of Edgecombe county. Referred to the committee on Propositions and Grievances.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing the concurrence by that honorable body in Senate substitute for H. B. 32, S. B. 136, bill to repeal sections 14 and 16, chapter 2, Battle's Revisal, and to provide for the reorganization of the department of agriculture, and had ordered the same enrolled for ratification.

Also, announcing the appointment of the House branch of the committee of conference on

S. B. 61, H. B. 144, bill to regulate the fees of jailors, as follows: Messrs. Bost, Lewis, Richardson of Columbus, Harrison and Lowry.

The President announced as Senate branch of same committee, Messrs. Henderson, Everett and Hoyle.

Also, transmitting for concurrence,

H. B. 304, S. B. 570, bill for the drainage of lands of Muddy creek, in the county of McDowell. Placed upon the Calendar.

H. B. 448, S. B. 571, bill respecting the collection of railroad taxes in Forsythe county. Referred to the committee on Finance.

H. B. 423, S.B. 572, bill to incorporate the Trustees of Brook's Chapel Camp Ground, in Cleaveland county. Referred to the committee on Corporations.

H. B. 523, S. B. 573, bill to authorize the commissioners of Sampson county to levy a special tax. Referred to the committee on Finance.

H. B. 393, S. B. 574, bill to authorize the commissioners of Brunswick county to submit to the people of the county the question of changing their court house, &c. Placed upon the Calendar.

H. B. 331, S. B. 575, bill in regard to wharves and depots. Referred to the committee on Judiciary.

Also, without engrossment,

H. B. 328, S. B. 576, bill for the more effectual punishment of horse stealing. Referred to the committee on the Judiciary.

H. B. 492, S. B. 581, bill to empower the commissioners of Haywood county to build a court house. Referred to the committee on Finance.

UNFINISHED BUSINESS,

being S. B. 148, bill to incorporate the Pungo and Alligator Rivers Canal Company, was taken up on its second reading.

The amendment reported by the committee on Corporations was adopted.

Mr. Shackleford moved to amend by adding a proviso at the end of the third section, "That the Pungo and Alligator Rivers Canal Company shall have only its prorata part of the convict labor." Accepted. Thus amended, the bill passed its several readings.

Mr. McEachern moved to reconsider the vote by which S. B. 519, bill to establish a new county to be called Scotland, was postponed on yesterday until Wednesday, 27th inst. Prevailed.

The question recurred upon the motion to postpone, which was lost.

Pending consideration, the hour for the consideration of the special order, S. B. 69, bill to regulate salaries and fees in certain cases, arrived, and the bill was taken up on its third reading.

On motion of Mr. Graham of Lincoln, the bill was considered by sections.

Section one was read.

Mr. Graham moved to amend:

Strike out "three hundred" and insert "five hundred,"

On which Mr. Ormand demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 25, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Dancey, Davidson, Dillard, Dortch, Eppes, Everett, Graham of Lincoln, Henderson, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Ross, Scales, Snow, Waddell, and Waldo—25.

Those voting in the ngative were:

Messrs. Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Caldwell, Eaves, Erwin, Graham of Montgomery, King, Moye, Ormand, Respass, Shackleford, Stewart, Ward, and White—16.

Mr. Dortch moved to amend: After "thousand," in third line, insert "five hundred," upon which

Mr. Hoyle demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 9, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Davidson, Dortch, Henderson, Merritt, Ross, Scales, Snow, and Waldo—9.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Shackleford, Stewart, Taylor, Waddell, Ward, Williamson, and White—34.

Section first was then adopted.

Section two was read.

Mr. Scales moved to amend:

Strike out the words "present clerks" and insert "two

clerks" at salaries respectively of fifteen hundred and seven hundred and fifty dollars per annum."

Adopted.

Mr. White moved to amend:

"The Treasurer shall be allowed the sum of four hundred dollars per annum for extra clerical help."

Lost.

The section as amended was adopted.

Section three was read.

Mr. Respass moved to amend:

Strike out "twenty-five hundred" and insert "two thousand."

Mr. Dortch demanded a division of the question.

On the motion to strike out, the ayes and noes were ordered, and the motion did not prevail, ayes 3, noes 40, as follows:

Those voting in the affirmative were:

Messrs. Graham of Montgomery, Redwine, and Ward —3.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bledsoe Brower, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincon, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Respas, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—40.

The section was adopted.

Section four was read.

Mr. Everett moved to amend:

Insert "twenty-five hundred dollars" instead of "two thousand dollars."

Mr. Davidson offered a substitute for Mr. Everett's amendment, which was adopted.

On the adoption of the section as amended,

Mr. Brower demanded the ayes and noes, which were ordered, and the section was adopted, ayes 21, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Caldwell, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Harris, Henderson, King Lyon, Merritt, Moye, Ross, Scales, Shackleford, Snow, Taylor, Waddell, and Waldo—22.

Those voting in the negative were:

Messrs. Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Dancey, Eaves, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, Matheson, Mebane, Nicholson, Ormand, Redwine, Stewart, Ward, Williamson, and White —19.

Section five was read.

Mr. Graham of Lincoln, moved to amend: Add "unless he shall be prevented by sickness or other unavoidable cause." Adopted. And thus amended the section was adopted.

Section six was read.

Mr. Davidson moved to amend: Strike out section six and insert:

"The salary of the Secretary of State shall be two thousand dollars per annum; and he shall be allowed a clerk at a salary not to exceed twelve hundred dollars. All fees received by him shall be paid quarterly into the public treasury."

Mr. Dortch demanded a division of the question.

On the motion to strike out,

Mr. Hoyle demanded the ayes and noes, which were ordered, and the motion was lost, ayes 8, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Alexander,. Davidson, Henderson, McEachern, Mebane, Ross, Scales, and Snow—8.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Shackleford, Stewart, Taylor, Waddell, Ward, Williamson, and White—35.

Section six was adopted.

Section seven was read.

Mr. Hoyle moved to amend:

Strike out "fifteen hundred" and insert "seventeen hundred and fifty."

Mr. Ormand demanded a division of the question, and on the motion to strike out, demanded the ayes and noes. Ordered.

Mr. Henderson offered the following as a substitute for the amendment of Mr. Hoyle:

"The Auditor shall receive a salary of twelve hundred and fifty dollars per annum, and shall be allowed a clerk at a salary of five hundred dollars per annum."

The motion to strike out prevailed, ayes 26, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Pender, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Henderson, Hoyle, Matheson, Mebane, Mer-

ritt, Mitchell, Nicholson, Ross. Scales, Shackleford, Stewart, Taylor, and Waddell—26.

Those voting in the negative were:

Messrs. Brower, Bryan of Duplin, Eaves, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, King, Lyon, McEachern, Moye, Ormand, Redwine, Respass, Ward, Williamson, and White—17.

The question recurring upon the adoption of the substitute of Mr. Henderson,

Mr. Ormand moved to amend: Strike out "five hundred" and insert "two hundred and fifty,"

On which Mr. Brower demanded the ayes and noes, which were ordered, and the motion did not prevail, ayes 14, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alston, Brower, Caldwell, Dancey, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Holleman, Lyon, Ormand, Redwine, Ward, and White—14.

Those voting in the negative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Davidson, Dillard, Dortch, Erwin, Everett, Henderson, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Respass, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, and Williamson—28.

Mr. Henderson's amendment was adopted, and thus amended the section was adopted.

Section eight was adopted.

Section nine was read.

Mr. Hoyle moved to amend: Strike out the words "five hundred dollars," in lines one and two, and insert instead thereof the sum of "one thousand dollars;" strike out in line two, "and fees allowed by law," and add, after "per annum," in last line, "and all fees received by him shall be covered into the treasury." Adopted; and thus amended the section was adopted.

Section ten was read.

Mr. Ormand moved to strike out the section. Lost.

The section was adopted.

Sections eleven, twelve and thirteen were adopted.

Section fourteen was read.

Mr. Merritt moved to amend: Strike out section fourteen, and substitute:

"Section 14.—The Librarian shall receive a salary of four hundred dollars as keeper of the State Library.

Section 15.—The Keeper of the capital shall receive a salary of six hundred dollars."

Mr. Shackleford asked for a division of the question.

Mr. Ormand moved to amend the amendment: Strike out "four hundred" and insert "two hundred and fifty;" strike out "six hundred" and insert "seven hundred and fifty."

The motion to "strike out" prevailed.

Mr. Ormand's amendment was lost.

Mr. Merritt's amendment was adopted.

The section as amended was adopted.

Section fifteen was adopted.

Section sixteen was read.

Mr. Graham of Lincoln, offered a substitute for the section, as follows: Strike out the section and insert therefor, "all laws or clauses of laws in conflict with the provisions of this act are hereby repealed; and all laws, or clauses of laws, allowing clerks, or compensation therefor, in the offices of the Governor, Treasurer, Auditor or Secretary of State; or treasurer, or compensation therefor, in the Penitentiary, Insane Asylum, institution for the Deaf, the Dumb and the Blind, or the Agricultural Department, except as herein provided for, are hereby repealed." Adopted.

Thus amended, the section was adopted.

Bill then passed its third reading.

Mr. Graham of Lincoln, moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

The hour for the consideration of the special order arrived, and

S. B. 450, bill to compromise, commute and settle the State debt, was taken up on its second reading.

On motion of Mr. Erwin, its further consideration was postponed until 7½ o'clock this evening.

On motion of Mr. Williamson, the rules were suspended, and

S. B. 543, bill to define the duties of sheriffs performing the duty of county treasurer, was taken up on its second reading.

Mr. Mebane moved to amend:

Add at the end of section 1st, "For this additional service the sheriff shall receive the sum of one per centum upon all moneys disbursed by him in pursuance of this act."

Lost.

Mr. Henderson moved to amend:

Insert as section 2d, "Wherever the word 'county treasurer' is used in any of the statute laws of this State now in force, or hereafter to be passed, it shall be construed to refer to and include the person authorized by law to perform the duties of that officer in any county if there be no county treasurer therein."

Adopted.

The bill then passed its several readings.

Mr. Williamson moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider upon the table, which latter motion prevailed.

The unfinished business of yesterday was taken up, being

S. B. 519, bill to establish a new county to be called Scotland, on its second reading.

Mr. Ormand moved to amend:

"*Provided*, that it shall be ratified by the qualified voters of the counties of Robeson and Richmond."

Mr. Bryan of Pender, moved to strike out "of the counties of Robeson and Richmond," and insert "within the limits of the proposed county."

On which

Mr. Graham of Montgomery, demanded the ayes and noes, which were ordered, and the amendment of Mr. Bryan was lost, ayes 16, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Pender, Bynum, Davidson, Dortch, Erwin, Matheson, McEachern, Nicholson, Respass, Shackleford, Snow, Taylor, Waddell, and Waldo—16.

Those voting in the negative were:

Messrs. Alston, Austin, Brower, Bull, Caldwell, Dancey, Dillard, Eppes, Graham of Montgomery, Henderson, Holleman, Lyon, Moye, Ormand, Redwine, Stewart, Ward, Williamson, and White—19.

Pending consideration,

On motion of Mr. Mebane, the Senate took a recess until 7½ o'clock this evening.

The Senate was declared adjourned.

NIGHT SESSION, Feb. 19th, 1879.

The Senate met pursuant to adjournment.

The special order for the hour, being

S. B. 450, bill to compromise, commute and settle the State debt, was taken up on its second reading.

Mr. McEachern moved to postpone the immediate consideration of the bill for the purpose of taking up the unfinished business of this morning. Lost.

The substitute reported by the committee on the State Debt was read.

Mr. Mebane moved to amend:

Strike out all of line 13, and down to and including the word "company," in line 19, in section 1. Strike out all after the word "fifty-six" in line 13, class II, section 4, down to and including the word "the," at end of line 17, same section. Insert after word "fund," in line 28, same section and class, the words "for the bonds issued July first, eighteen hundred and sixty-two, by authority of act of eighteen hundred and sixty and sixty-one, chapter one hundred and forty-three, for the construction of the Wilmington, Charlotte and Rutherford Railroad." Strike out all of class III, same section, down to the word "those," in line 34.

Adopted.

Mr. Nicholson offered a substitute for the bill. Lost.

Upon the passage of the bill its second reading,

Mr. Everett demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 25, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dillard, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, McEachern, Mebane, Redwine, Scales, Shackleford, Stewart, Taylor, Waddell, and Waldo—25.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Bynum, Dancey, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, Matheson, Moye, Nicholson, Ormand, Respass, Snow, Ward, Williamson, and White—20.

The unfinished business of this morning,

S. B. 519, bill to establish a new county to be called Scotland, was taken up on its second reading.

The amendment offered by Mr. Ormand was adopted.

Bill then passed its second reading.

On motion of Mr. McEachern, the rules were suspended and the bill put on its third reading.

On the passage of the bill its third reading,

Mr. Graham of Montgomery, demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 23, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Davidson, Dillard, Erwin, Harris, Hoyle, King, Lyon, McEachern, Mebane, Mitchell, Moye, Ormand, Shackleford, Snow, Stewart, Waddell, and Waldo —23.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Caldwell, Dortch, Eaves, Eppes, Everett, Graham of Montgomery, Henderson, Holleman, Matheson, Merritt, Nicholson, Redwine, Scales, Ward, Williamson, and White—19.

Mr. Bynum moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table, which latter motion prevailed.

On motion of Mr. Waldo, the rules were suspended, and

H. R. 140, S. R. 536, resolution in regard to Albemarle and Chesapeake Canal, was taken up on its second reading.

Mr. Davidson demanded the previous question upon the passage of the resolution, which was sustained.

The substitute reported by the committee on the Judiciary was adopted.

On the passage of the resolution on its second reading,

Mr. Ward demanded the ayes and noes, which were ordered, and the resolution passed its second reading, ayes 29, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Brower, Bull, Bynum, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett,

Graham of Montgomery, Holleman, Hoyle, Lyon, Matheson, McEachern, Moye, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, Waldo, Ward, and White—29.

Those voting in the negative were:

Messrs. Austin, Black, Bryan of Duplin, Bryan of Pender, Caldwell, Graham of Lincoln, Henderson, King, Mebane, Merritt, Nicholson, Respass, and Waddell—13.

On motion of Mr. Bryan of Pender, the Senate adjourned.

THIRTY-EIGHTH DAY.

SENATE CHAMBER, Feb. 20th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Norman.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Ward, petition of Rev. R. A. Johnson and others. Referred to the committee on Propositions and Grievances.

By Mr. Nicholson, petition of citizens of Warren, Granville and Franklin counties, against proposed new county. Referred to the committee on Propositions and Grievances.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted, as follows:

From the committee on Agriculture:

By Mr. Graham of Lincoln, H. B. 183, S. B. 446, bill to secure the better drainage of the low bottom lands of Silver creek in Burke county, recommending it do pass.

By Mr. Mebane, S. B. 472, bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences, recommending it do pass.

By the same, H. B. 518, S. B. 557, bill for a stock law in Iredell county, recommending it do pass.

By Mr. Alexander, sundry petitions, asking to be discharged from their further consideration.

From the committee on Corporations:

By Mr. Eaves, H. B. 267, S. B. 531, bill to incorporate the town of Newton Grove, in the county of Sampson, recommending it do pass.

By Mr. Waldo, S. B. 426, bill to incorporate the Farmers' Bank of Milton, in Caswell county, recommending it do pass.

By the same, S. B. 464, bill to amend the charter of the town of Farmville, recommending it do pass.

By Mr. Nicholson, S. B. 167, bill to extend the charter of certain banks, recommending it do pass.

By the same, S. B. 358, bill to amend and revise the charter of the town of Winston, North Carolina, recommending it do pass.

By Mr. Eppes, S. B. 523, bill to incorporate the Sons and Daughters of Temperance of Chatham county, recommending it do pass.

By Mr. McEachern, S. B. 427, bill to incorporate the Historical and Scientific Society of Wilmington, recommending it do pass.

By the same, H. B. 369, S. B. 533, bill to incorporate the town of Burgaw, in Pender county, recommending it do pass.

By Mr. Davidson, S. B. 538, bill to incorporate the town of Roxboro, Person county, recommending it do pass.

From the committee on Insurance:

By Mr. Dillard, H. B. 231, S. B. 410, bill to regulate insurance in this State, recommending it do not pass.

By Mr. Taylor, S. B. 399, bill to protect the holders of policies of insurance, recommending it do not pass.

From the committee on Judiciary:

By Mr. Erwin, S. B. 507, bill to amend the Constitution of the State, so as to require the exhibition of a capitation tax receipt as a requisite qualification to vote, recommending it do not pass.

By Mr. Everett, S. B. 369, bill to settle disputes and to lighten the expense of litigation, recommending it do not pass.

By Mr. Davidson, S. B. 25, bill to amend chapter 87, private laws 1870–'71, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Scales, H. B. 114, S. B. 530, bill to prevent the enticing of seamen from vessels, recommending it do pass.

By the same, S. B. 509, bill to amend chapter 36, laws of 1876–'77, recommending it do not pass.

By Mr. Davidson, S. B. 453, bill to amend an act passed in 1869–'70, entitled an act to incorporate the Trustees of Greensboro' Female College, reporting a substitute and recommending the substitute do pass.

From the committee on the State Debt:

By Mr. Mebane, S. B. 356, bill to provide for the payment of the public debt of the State, and for other purposes, recommending it do not pass.

From the committee on Fish and Fisheries:

By Mr. Moye, S. B. 490, bill to regulate fishing in the waters of Hannah's creek and Black Mingo, in the counties of Johnston and Harnett, recommending it do pass.

Mr. Everett, of committee on Retrenchment and Reform, submitted a minority report, which was ordered printed.

From the committee on Finance:

By Mr. Henderson, S. B. 234, bill for the levying, equalizing and collecting taxes, recommending it do not pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 133, a bill to be entitled an act to authorize the employment of convict labor on the Wilson and Tar River Railroad.

S. B. 172, bill to allow legatees and distributees to sue executors and administrators at any time.

S. B. 205, bill to authorize the board of education for Johnston county to pay the orders made on the treasurer of Johnston county by township trustees to school teachers prior to the adoption of the school law of 1876–'77.

S. B. 461, bill to authorize the commissioners of Greene county to levy a special tax.

S. B. 489, bill to authorize Madison county to pay the claims of certain school teachers.

S. B. 516, bill to incorporate the town of Palmyra, in Halifax county.

S. B. 342, bill to amend an act to incorporate the Yadkin Railroad company, ratified the 5th day of April, 1871.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 32, S. B. 36, an act to repeal sections fourteen and sixteen of chapter 2, Battle's Revisal, and provide for the reorganization of the Geological Bureau.

S. B. 156, H. B. 575, an act for the relief of the sureties to the State and county bonds given by T. F. Lee, late sheriff of Wake county, for the collection of taxes for the year 1873.

S. B. 23, H. B. 219, an act for draining and damming lowlands.

H. B. 201, S. B. 342, an act to repeal section 29, chapter 6, Battle's Revisal.

H. B. 117, S. B. 843, an act concerning streams and to propel machinery.

S. B. 376, H. B. 631, an act to amend section 5, chapter 71,

laws of 1871-'72, as brought forward in chapter 27, section 26, Battle's Revisal.

S. R. 355, H. R. 157, a resolution to provide for the employment of laborers in the two houses.

H. B. 256, S. B. 497, an act to extend the corporate limits of the town of Elizabeth City.

H. B. 103, S. B. 378, an act to amend the charter of the North Western North Carolina Railroad, and for the construction of a second division from the town of Winston and Salem, Forsythe county, up the Yadkin Valley, by Wilkesboro, to Patterson's Factory, Caldwell county.

H. B. 197, S. B. 283, an act to incorporate the Love and Charity Society of Wilson Creek Academy, in the county of Caldwell.

H. B. 46, S. B. 475, an act to allow the commissioners of Caldwell county to levy a special tax.

H. B. 213, S. B. 315, an act to amend the charter of the town of Mooresville, in the county of Iredell.

S. B. 437, H. B. 570, an act to correct the erroneous numbering of a certain bond.

S. B. 64, H. B. 302, an act to require the prosecution to pay the cost in criminal proceedings in certain cases.

S. B. 376, H. B. 631, an act to create a finance committee in the several counties of this State.

S. R. 503, H. R. 168, a resolution on adjournment.

H. B. 195, S. B. 279, an act to incorporate the Warrior Camp Ground in Caldwell county.

H. B. 35, S. B. 388, an act to amend an act entitled an act to aid in the construction of the Chester and Lenoir, and the Caldwell and Watauga Narrow Guage Railroad, and for other purposes.

S. B. 50, H. B. 366, an act to prohibit the removal of cases except where the ends of justice absolutely require it.

H. B. 310, S. B. 473, an act for the better protection of wild fowl in Carteret county.

H. B. 230, S. B. 432, an act to amend chapter sixty-five

(65), sub-division eighteen, line five, in reference to liens on colts.

H. B. 262, S. B. 424, an act to continue in force the act to establish normal schools, and for other purposes.

H. B. 8, S. B. 162, an act to repeal chapter 206, laws of 1876–'77.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Alexander, S. B. 581, bill to amend an act to prevent live stock from running at large in the county of Mecklenburg, and certain townships in Cabarrus county, chapter 122, laws 1876–'77. Placed upon the Calendar.

By Mr. Waldo, S. B. 582, bill to incorporate the Beech Swamp Agricultural Canal Company. Referred to the committee on Corporations.

By Mr. Graham of Lincoln, S. B. 583, bill to amend chapter 96, section 5, laws of 1876–'77, an act to incorporate the town of Denver, in Lincoln county. Referred to the committee on Corporations.

By the same, S. B. 584, bill to amend Battle's Revisal, chapter 48, entitled fences, and to make railroad cuts and ditches eight feet deep a lawful fence. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Waddell, S. B. 585, bill exempting Lee's Agricultural Lime from the five hundred dollar tax, imposed on manufacturers of fertilizers. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Bryan of Duplin, S. B. 599, bill to prevent railroad employees and agents from violating the Sabbath day. Referred to the committee on Propositions and Grievances, and ordered printed.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that honorable body in the Senate's proposition to print the report of the joint select committee to investigate the Western North Carolina Railroad and the Western Insane Asylum.

Also, transmitting for concurrence,

H. B. 327, S. B. 586, bill concerning the official bonds to be given by sheriffs. Referred to the committee on Finance.

H. B. 445, S. B. 587, bill to incorporate River Side Camp Ground, in the county of Ashe. Referred to the committee on Corporations.

H. B. 447, S. B. 588, bill to punish the entering of dwellings in the night time, otherwise than by breaking. Referred to the committee on Judiciary.

H. B. 674, S. B. 589, bill to amend the laws of North Carolina in relation to crimes and punishment. Referred to the committee on the Judiciary.

H. B. 564, S. B. 590, bill to allow the commissioners of Mitchell county to levy a special tax. Placed upon the Calendar.

H. B. 522, S. B. 591, bill to authorize the commisssioners of Chowan county to levy a special tax. Referred to the committee on Finance.

H. B. 588, S. B. 592 bill to prohibit the sale of spirituous liquors within three miles of East La Port Academy in Jackson county. Placed upon the Calendar.

H. B. 627, S. B. 593, bill to amend chapter 285, laws of 1876–'77, concerning graded schools. Referred to the committee on Education.

H. B. 563, S. B. 594, bill to secure a better condition of the public roads in Granville county. Referred to the committee on Public Roads and Highways.

H. B. 341, S. B. 595, bill to authorize the commissioners

of Lenoir county to levy a special tax. Placed upon the Calendar.

H. B. 158, S. B. 596, bill to amend chapter 104, Battle's Revisal, in regard to the manner of laying off public roads. Referred to the committee on Public Roads and Highways.

H. B. 95, S. B. 597, bill to allow the commissioners of Craven county to work prisoners, sentenced to the penitentiary for one year, on county works. Referred to the committee on Internal Improvements.

H. B. 48, S. B. 598, bill to repeal the law for the sustenance of lunatics outside of the Insane Asylum. Referred to the committee on Finance.

Engrossed House amendment to S. B. 30, H. B. 553, bill in relation to warrants on bastardy. Referred to the committee on Judiciary.

On motion of Mr. Everett, the rules were suspended, and

S. B. 358, bill to amend and revise the charter of the town of Winston, was taken up and passed its second reading, ayes 34, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, Ward, and White—34.

Those voting in the negative were:

Messrs. Alexander, Alston, Respass, and Williamson—4.

On motion of Mr. Scales, the rules were suspended, and

H. B. 258, S. B. 465, bill to change the time of holding the superior courts in the fifth judicial district, was taken up and passed its several readings.

On motion of Mr. Henderson, the rules were suspended and

S. B. 487, bill to prevent live stock from running at large

in Rowan, Davie, Cabarrus, and certain other counties, was taken up on its third reading, and passed, ayes 34, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Mebane, Merritt, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Stewart, Taylor, Waldo, and Ward—34.

Those voting in the negative were:

Messrs. Alston, Eppes, Lyon, and White—4.

On motion of Mr. Nicholson, the rules were suspended and

H. B. 518, S. B. 557, bill for a stock law in Iredell county, was taken up on its second reading and passed, ayes 33, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Stewart, Taylor, Waddell, and Waldo—33.

Those voting in the negative were:

Messrs. Alston, and White—2.

On motion of Mr. Ormand the rules were suspended, and H. B. 341, S. B. 595, bill to authorize the commissioners of Lenoir county to levy a special tax, was taken up on its second reading and passed, ayes 37, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King,

Lyon, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Snow, Stewart, Taylor, and Ward—36.

The hour for the consideration of the special order having arrived,

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, was taken up on its second reading.

Mr. Everett demanded the previous question, which was sustained.

The bill then passed its second reading, ayes 25, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Black, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Erwin, Everett, Graham of Montgomery, Matheson, McEachern, Merritt, Nicholson, Ormand, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Ward—25.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bryan of Duplin, Dillard, Dortch, Eaves, Eppes, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, Lyon, Mebane, Moye, Redwine, Respass, Williamson, and White—20.

Mr. King stated, when his name was called, that he was paired with Mr. Leach upon this bill. If that gentleman were present, he would vote in the affirmative, and he, Mr. King, in the negative.

Mr. Waddell, of committee on Enrolled Bills, asked and obtained permission to correct a clerical error in an enrolled bill.

On motion of Mr. Bledsoe, the Senate adjourned.

THIRTY-NINTH DAY.

SENATE CHAMBER, Feb. 21st, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was read and approved.

On motion of Mr. Dortch, indefinite leave of absence was granted Mr. Harris on account of sickness in his family.

Also, leave was granted Messrs. Austin and Lyon until Tuesday next.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Scales, memorial of citizens of Alamance against stock law. Referred to the committee on Propositions and Grievances.

By Mr. Bledsoe, petition from citizens of Alexander. Placed upon the Calendar.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted by Standing Committees as follows:

From the committee on Finance:

By Mr. White, S. B. 560, bill to revise and correct the tax lists of Alamance county, and to authorize the collection of taxes due on said lists, recommending it do pass.

By Mr. Henderson, S. B. 250, bill to raise revenue for the use of the public schools from the sale of liquor, reporting it back without prejudice.

S. B. 454, bill for the relief of Nathaniel R. Jones, sheriff of Warren county, recommending it do pass.

S. B. 229, bill to regulate the sale of liquor in this State, reporting it back without prejudice.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, S. B. 568, bill to authorize the board of commissioners of Onslow county to issue bonds and for other purposes, recommending it do pass.

S. B. 580, bill to fund the floating debt of Edgecombe county, recommending it do pass.

From the committee on Fish and Fisheries:

By Mr. Moye, S. B. 579, bill to prevent the hauling of drag-nets in the waters of Bay river and its tributaries, in the county of Pamlico, recommending it do pass.

From the committee on Corporations:

By Mr. Davidson, H. B. 560, S. B. 554, bill to legalize Iron Duff township, in the county of Haywood, recommending it do pass.

By Mr. Lyon, S. B. 583, bill to amend chapter 96, section 5, laws of 1876–'77, an act to incorporate the town of Denver, in Lincoln county, recommending it do pass.

By Mr. Eppes, S. B. 493, bill to incorporate the North Carolina Industrial Association, recommending it do pass.

From the committee on the Judiciary:

By Mr. Davidson, S. B. 508, bill in regard to the removal of civil causes for trial from the State courts to the circuit court of the United States, recommending it do not pass.

From the committee on Public Roads and Highways:

By Mr. Alexander, S. B. 488, bill to regulate the working the public roads and highways of the State, recommending it do not pass.

H. B. 329, S. B. 449, bill to repeal chapter 189, laws of 1876–'77, and to lay off and construct a public road, &c., recommending it do pass.

S. B. 430, bill relating to public roads and highways, reporting amendments and recommending, as amended, the bill do pass.

From the committee on Insane Asylum:

Mr. Bynum submitted a report, in behalf of the committee, which was ordered to be printed.

Mr. Henderson, of committee of conference upon S. B. 61, H. B. 144, bill to amend laws regulating the fees of jailors, reported amendments to the bill, which were adopted, and the bill was sent to the House of Representatives for concurrence in the amendments.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 487, bill to be entitled an act to prevent live stock from running at large in Rowan, Davie and other counties.

S. B. 69, bill to regulate salaries and fees in certain cases.

S. B. 454, bill for the relief of Nathaniel R. Jones, sheriff of Warren county.

S. B. 519, bill to establish a new county to be called Scotland.

S. B. 365, bill to amend the charter of the town of Edenton.

S. B. 431, bill to incorporate Aurora Lodge, No. 108, Independent Order of Good Templars, of Warren county.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Bynum, S. B. 600, bill to provide for the support and maintenance of the Insane Asylum of North Carolina for the years 1879 and 1880. Placed upon the Calendar and ordered printed.

By Mr. Respass, S. B. 601, bill to incorporate the Ocean Fire Company of Washington, N. C. Referred to the committee on Coporations.

By Mr. Graham of Lincoln, S. B. 602, bill to regulate the penal bonds of county officers. Referred to the committee on Judiciary.

By Mr. Moye, S. B. 603, bill to authorize the Treasurer of

the State to pay the county of Pitt for the maintenance of certain lunatics. Referred to the committee on Claims.

By Mr. Snow, S. B. 611, bill in relation to the city of Raleigh. Referred to the committee on Corporations.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the concurrence by that honorable body in Senate amendments to H. B. 241, S. B. ..., bill for the benefit of Winston, Salem and Mooresville Railroad, and had ordered the same enrolled for ratification.

Also, transmitting for concurrence,

H. B. 458, S. B. 604, bill to allow the commissioners of the town of Graham to levy a license tax on spirituous liquors. Referred to the committee on Finance.

H. B. 350, S. B. 605, bill to allow Rabun Gap Short Line Railway Company to use fifty convicts. Referred to the committee on Internal Improvements.

H. B. 583, S. B. 606, bill to incorporate the Six Runs Land Draining Company. Referred to the committee on Corporations.

H. B. 643, S. B. 607, bill to prevent the use of drags in New River in Onslow county, and for other purposes. Referred to the committee on Fish and Fisheries.

H. B. 354, S. B. 608, bill to canal Angola Bay, in the counties of Duplin and Pender. Referred to the committee on Internal Improvements.

H. B. 225, S. B. 609, bill to provide for the repairing of the quarantine hospital at Smithville. Referred to the committee on Finance.

H. B. 479, S. B. 610, bill to change the name of the county site of Alleghany county, and to incorporate the town of Sparta. Placed upon the Calendar.

Also, transmitting engrossed House amendment to

S. B. 17, H. B. 278, bill to amend chapter 105, private laws of 1876–'77.

On motion, the amendments were concurred in, and the bill ordered enrolled for ratification.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

H. B. 298, S. B. 433, bill to authorize the commissioners of Craven county to fund their debt and issue bonds for other purposes, on its second reading.

Amendments reported by the committee on Propositions and Grievances were adopted.

Mr. Bull moved to amend: Insert the words "and floating" after the word "judgment," in the second line of section one; and insert the words "and floating debt" after the word "bonds," in the ninth line of the same section. Adopted.

Thus amended, the bill passed its second reading, ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—39.

On motion of Mr. Graham of Lincoln, the Calendar was placed under the control of the President for to-day.

S. B. 358, bill to revise and amend the charter of the town of Winston, passed its third reading, ayes 37, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan

of Duplin, Bryan of Pender, Bull, Caldwell, Dillard, Dortch, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Waldo, Ward, and White—37.

Mr. Williamson voted in the negative.

On motion, the bill was sent to the House of Representatives without engrossment.

H. R. 109, S. R. 547, resolution in favor of the Engrossing Clerks, and Enrolling Clerk of this General Assembly, passed its several readings.

S. B. 454, bill for the relief of Nathaniel R. Jones, sheriff of Warren county, passed its several readings.

S. B. 470, bill to authorize the commissioners of Edgecombe county to appoint a tax collector, on its second reading.

Mr. Respass moved to amend by adding the county of Beaufort. Adopted.

Upon the passage of the bill its second reading,

Mr. Dancey demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading, ayes 13, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Dortch, Graham of Lincoln, King, McEachern, Moye, Respass, Waddell, Waldo, and Williamson—13.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bull, Bynum, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, Hoyle, Lyon, Matheson, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Taylor, Ward, and White—29.

Mr. Ormand moved to reconsider the vote by which the bill failed to pass its second reading; and moved further to

lay the motion to reconsider on the table, which latter motion prevailed.

S. B. 426, bill to incorporate the Farmers' Bank of Milton, in Caswell county, North Carolina, on its second reading.

Mr. Davidson moved to amend:

"That each stockholder shall be responsible to depositors and creditors of the bank to the amount of his stock."

Adopted.

Thus amended the bill passed its several readings and was ordered transmitted to the House of Representatives without engrossment.

S. B. 565, bill to reconvey a house and lot heretofore sold for taxes, passed its several readings.

H. B. 578, S. B. 496, bill to give certain colored persons the right of inheritance, passed its several readings.

H. B. 518, S. B. 557, bill for a stock law in Iredell county, passed its third reading, ayes 38, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Everett, Graham of Lincoln, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and Ward—38.

S. B. 25, bill to amend chapter 87, private laws of 1870–'71, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Thus amended the bill passed its several readings.

H. B. 357, S. B. 494, bill to protect the State's interest in public works, passed its several readings.

S. B. 580, bill to fund the floating debt of Edgecombe county, passed its second reading, ayes 40, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waldo, Ward, Williamson, and White—40.

Mr. Respass asked to be excused from serving upon the Committee to report names for justices of the peace for the several counties of the State, which was granted, and the President appointed Mr. Merritt to supply the vacancy.

Mr. Bynum moved to reconsider the vote by which H. B. 357, S. B. 494, bill to protect the State's interest in public works, passed its third reading, which prevailed; and on his further motion the bill was recommitted to the committee on Internal Improvements.

S. B. 167, bill to extend the charter of certain Banks, passed its several readings.

S. B. 583, bill to amend chapter 96, section 5, laws of 1876-'77, an act to incorporate the town of Denver in Lincoln county, passed its several readings.

H. B. 296, S. B. 412, bill to punish treasurers of benevolent and religious institutions, &c., on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its several readings.

H. B. 479, S. B. 610, bill to change the name of the county site of Alleghany county, and to incorporate the town of Sparta, passed its several readings.

S. B. 560, bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists, on its second reading.

Mr. Scales demanded the previous question, which was sustained.

Bill then passed its second reading, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Erwin, Everett, Graham of Lincoln, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waldo, and Ward—32.

Messrs. Black and Dortch voted in the negative.

Mr. Graham of Lincoln, moved that when the Senate adjourn, it do so to meet to-night at 7½ o'clock. Prevailed.

Mr. Scales moved to suspend the rules to take up H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, which prevailed.

The bill was taken up on its third reading.

Mr. Henderson moved to postpone the further consideration of the bill until Wednesday, 26th inst., at 11 A. M.; and upon the motion to postpone, demanded the ayes and noes, which were ordered, and the motion was lost, ayes 19, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Dancey, Davidson, Dillard, Graham of Lincoln, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Redwine, Respass, Shackleford, Waldo, and Williamson—19.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dortch, Eaves, Eppes, Erwin, Everett, Holleman, McEachern, Merritt, Ormand, Ross, Scales, Snow, Stewart, Taylor, and Ward—23.

Mr. Williamson moved that the Senate do now adjourn, and upon that motion demanded the ayes and noes, which were ordered, and the motion adopted, ayes 22, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Duplin, Dancey, Dillard, Dortch, Eppes, Graham of Lincoln, Henderson, Hoyle, King, Lyon, Matheson, Mitchell, Moye, Nicholson, Redwine, Respass, Shackleford, Waldo, Ward, Williamson, and White—22.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Caldwell, Davidson, Eaves, Erwin, Everett, McEachern, Mebane, Merritt, Ormand, Ross, Scales, Snow, Stewart, and Taylor—20.

The Senate was declared adjourned until to-night at half-past seven o'clock.

NIGHT SESSION, Feb. 21st, 1879.

The Senate met pursuant to adjournment.

Mr. Mebane, in behalf of the committee on the State Debt, introduced

S. B. 612, bill to compromise and adjust a portion of the State debt, and to provide for the payment thereof. Placed upon the Calendar and ordered to be printed.

On motion of Mr. Ormand,

H. B. 341, S. B. 595, bill to authorize the commissioners of Lenoir county to levy a special tax, was taken up and passed its third reading, ayes 37, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson,

Ormand, Redwine, Ross, Scales, Shackleford, Stewart, Taylor, Waldo, Ward, and White—37.

On motion of Mr. Williamson,

S. B. 369, bill to settle disputes and to lighten the expense of litigation, was taken up; and on his further motion it was ordered to be printed.

On motion of Mr. Henderson,

S. B. 250, bill to raise revenue for the use of the public schools from the sale of liquor, was taken up; and on his further motion, its consideration was postponed until Tuesday, 25th instant, at half-past seven, P. M., made the special order for that hour, and ordered to be printed.

On motion of Mr. Graham of Lincoln,

S. B. 229, bill to regulate the sale of liquors in this State, was taken up; and on his further motion, its consideration was postponed until Tuesday, 25th inst., at half-past seven o'clock, P. M., and made the special order for that hour.

By consent,

Mr. Davidson, from the committee on the Judiciary, reported

H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties, with certain amendments, and as amended, recommending the bill do pass.

The unfinished business of this morning, being

H. B. 367, S. B. 458, bill to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company, and to complete the same, was taken up on its third reading.

Mr. Matheson moved to amend by inserting as a new section to come in as section 9:

"That the Treasurer of the State be and he is hereby directed not to purchase the fifty thousand dollars' worth of first mortgage bonds of said Company as provided for in section eight of this act, unless the said Cape Fear and

Yadkin Valley Railroad Company shall, within nine months from the ratification of this act, actually survey and locate said Railroad West from Greensboro, Winston or Salem up the Valley of the Yadkin, by way of Wilkesboro, in Wilkes county, to Patterson, in Caldwell county, and put one hundred of the convicts assigned by this act to work upon the line of said road so surveyed and located, and shall continue to work them thereon in the construction of said line of road."

Mr. Nicholson submitted an amendment to come in at end of section 9:

"*Provided further*, that all the convicts that have been assigned to this consolidated road above the number of four hundred shall be assigned to the Statesville Air-Line Railroad Company."

Mr. Henderson moved the bill be considered by sections. Lost.

On Mr. Matheson's amendment

Mr. Graham of Lincoln, demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 12, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Dillard, Graham of Lincoln, Henderson, Hoyle, Lyon, Matheson, Moye, Nicholson, Respass, Ward, and Williamson—12.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, McEachern, Mebane, Merritt, Ormand, Ross, Scales, Shackleford, Snow, Stewart, Taylor and White—27.

When Mr. Bynum's name was called, he stated that he was paired upon this bill with Mr. Harris; were that gen-

tleman present he would vote in the negative, and he (Mr. B.) in the affirmative.

Mr. King was paired with Mr. Leach, who, if present, would vote in the affirmative, and he (Mr. King) in the negative.

The ayes and noes were ordered upon Mr. Nicholson's amendment, which was lost, ayes 16, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Dillard, Graham of Lincoln, Henderson, Hoyle, Lyon, Matheson, Moye, Nicholson, Respass, Shackleford, Ward, Williamson, and White—16.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, McEachern, Mebane, Merritt, Ormand, Ross, Scales, Snow, Stewart, and Taylor—24.

Mr. Respass moved to amend: Add, to be known as section 10: "That the Treasurer of the State is hereby authorized and directed to pay over to the President of the Raleigh and Seaboard Railroad, upon the warrant of the Governor, out of any money not otherwise appropriated, the sum of twenty thousand dollars per annum, for three years, to aid in the completion of said road: *Provided, however*, that the said Raleigh and Seaboard Railroad Company shall first make and execute to the State of North Carolina a mortgage upon said railroad bed, equipments, &c., which shall be a first mortgage upon said road: *And provided further*, that before paying over the said money the said company shall deliver to the Treasurer of the State the one hundred and fifty thousand dollars in bonds which were issued to aid in the construction of the Williamston and Tarboro Railroad by the Convention of 1868: *And provided further*, that the said money above appropriated shall only be used for the

purchase of iron and other materials necessary for the completion of said road."

Mr. Caldwell demanded the previous question upon the passage of the bill.

Mr. Henderson gave notice of an amendment.

Mr. King gave notice of an amendment in the nature of a substitute.

Mr. Bryan of Duplin, gave notice of an amendment.

The demand for the previous question was sustained.

The amendment offered by Mr. Respass was lost.

Mr. Henderson's amendment was read:

Amend section eight so that it shall read as follows:

"For the purpose of discharging all liens and incumbrances now existing against said company, and for preserving the State's interest in said road, and for paying all the expenses incident to the litigation in which said company has been compelled to engage in to preserve its existence, the Public Treasurer is hereby directed to pay over to said company fifty thousand dollars out of any moneys which may be in his hands not otherwise appropriated; but said sum shall not be paid over until all the liens, judgments, incumbrances or mortgages now existing against said company, except those in favor of the State, shall be satisfied in full, released and cancelled: *Provided*, that for said sum of fifty thousand dollars to be so advanced, and for all moneys heretofore or hereafter to be expended for the support, maintenance, medical attention, guarding, clothing, feeding and supervising of the convicts heretofore or hereafter to be furnished to said company, by whatever name it may have been or may be called, including the value of the labor of such convicts, the State of North Carolina shall have a first lien upon the franchises and all other property of said company whatever, which it now owns or which it may hereafter acquire, as security for repayment to the State of all such advances and aid as aforesaid heretofore or

hereafter to be extended under this act, or any other act of the General Assembly heretofore or hereafter to be passed; and this lien, with interest thereon, shall be superior to every other and shall have priority of all mortgage bonds to be issued by the company, the amount of which bonds shall not exceed four thousand dollars per mile of road constructed and to be constructed, the interest on which shall not exceed the rate of seven *per centum*, payable semi-annually, and shall not be sold except as the grading of said road is completed: *Provided further*, that after the expiration of the year for which the present board of directors shall have been appointed, the State shall be entitled to six directors, and the private stockholders shall be entitled to three directors."

Mr. Bryan's amendment to Mr. Henderson's amendment, was read:

"Strike out all of Mr. Henderson's amendment except the last four lines. Strike out in section 8, all from line 8 to end of line 12; and add before section 10: *Provided*, That the General Assembly reserves to itself the right to regulate, by future legislation, the rates of freight and transportation on this road."

Lost.

The ayes and noes were ordered on Mr. Henderson's amendment, which was lost, ayes 19, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Duplin, Davidson, Dillard, Dortch, Eppes, Graham of Lincoln, Henderson, Hoyle, Lyon, Matheson, Mebane, Moye, Nicholson, Redwine, Respass, Ward, Williamson, and White—19.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Caldwell, Dancey, Eaves, Erwin, Everett, Graham of

Montgomery, Holleman, McEachern, Merritt, Ormand, Ross, Scales, Shackleford, Snow, Stewart, and Taylor—22.

Mr. King's substitute for the bill was read: Strike out all after the enacting clause, the first nine sections, and insert the following:

"That the Public Treasurer, upon the delivery to him on or before the first day of January, 1880, by the Western Railroad Company, bonds of the State of North Carolina issued before the 20th of May, A. D. 1861, to the amount of eleven hundred thousand dollars, not including the interest, be and he is hereby authorized to assign and convey to the said Western Railroad Company all the shares of stock held by the State in said Railroad Company.

This act shall be in force from and after its ratification."

Upon the passage of this substitute, Mr. King demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 14, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Duplin, Dillard, Dortch, Eppes, Graham of Lincoln, Henderson, Hoyle, Lyon, Mathson, Moye, Redwine, Respass and Williamson—13.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Caldwell, Dancey, Davidson, Eaves, Erwin, Everett, Graham of Montgomery, Holleman, McEachern, Mitchell, Nicholson, Ormand, Ross, Scales, Shackleford, Snow, Stewart, Taylor, and Ward—24.

Question recurred upon the passage of the bill its third reading, upon which the ayes and noes were ordered, and the bill passed, ayes 20, noes 19, as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Erwin,

Everett, McEachern, Merritt, Ormand, Ross, Scales, Shackleford, Stewart, and Taylor—20.

Those voting in the negative were:

Messrs. Alexander, Bryan of Duplin, Dillard, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Lyon, Matheson, Mebane, Mitchell, Moye, Redwine, Respass, Waldo, Ward, and Williamson—19.

When Mr. Snow's name was called he stated he was paired with Mr. Austin upon the passage of the bill, reserving a right to vote on all amendments; were Mr. A. present he would have voted in the negative, and he, Mr. S., would have voted in affirmative.

Mr. Dortch was paired with Mr. Waddell, who if present would have voted in the affirmative, while he, Mr. Dortch, would have voted in the negative.

Mr. Brower moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table, upon which latter motion

Mr. Moye demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 20, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Erwin, Everett, Graham of Montgomery, McEachern, Merritt, Ross, Scales, Shackleford, Snow, Stewart, and Taylor—20.

Those voting in the negative were:

Messrs. Alexander, Bryan of Duplin, Dillard, Eppes, Graham of Lincoln, Henderson, Hoyle, Lyon, Matheson, Mebane, Mitchell, Moye, Ormand, Redwine, Respass, Waldo, and Williamson—17.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the appointment as House branch of the joint committee on

railroad charges, &c., Messrs. Carter of Buncombe, Orchard Clarke;

Also transmitting without engrossment

H. R. 185, S. R. 613, resolution in regard to purchase of stationery;

H. R. 186, S. R. 614, resolution in regard to the publication of the captions of the acts of this General Assembly, both of which were placed upon the Calendar.

Also announcing the adoption of the amendments reported by the committee of conference on

S. B. 61, H. B. 144, bill regulating the fees of jailors.

Also transmitting engrossed amendments to

S. B. 54, H. B. 303, bill to be entitled an act to define the criminal jurisdiction of justices of the peace.

On motion of Mr. Henderson, the amendments were postponed until Wednesday, 26th, at 11. A M., made the special order for that hour, and ordered to be printed for the use of the Senate.

Also transmitting without engrossment

H. B. 477, S. B. 615, bill for the purpose of aiding in the construction of the Winston, Salem and Mooresville railroad, being a substitute for the bill heretofore transmitted. Placed upon the Calendar.

H. B. 648, S. B. 616, bill to lay out and construct a public road from Union church in Alleghany county to Brush Hill in Wilkes county. Placed on the Calendar.

Mr. Henderson introduced

S. B. 617, bill to amend the charter of the town of Salisbury. Placed upon the Calendar.

BILLS AND RESOLUTIONS

upon the Calendar are taken up and disposed of as follows:

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville, on its third reading.

Mr. Davidson moved to amend:

Strike out in line 2 (of printed bill) section 1, the words "Theo. F. Davidson."

Amend by adding at the end of section 6, the following words:

"Each stockholder shall be liable to depositors and creditors to the extent of the amount of his stock at the time the deposit was made or debt contracted: *Provided*, that all liabilities incurred under this section shall be borne by the stockholders *pro rata*."

Amend by inserting after the word "interest" in line eight (of printed bill) section 5, the words:

"Not to exceed the legal rate as prescribed by the laws of this State."

Adopted, and thus amended the bill passed its third reading.

S. B. 147, bill to prevent gambling in railroad cars, on its second reading.

The substitute reported by the committee on the Judiciary was adopted.

Bill then passed its several readings.

S. B. 567, bill to amend an act to prevent obstructions to navigation in the waters of Newport river, Carteret county, passed at the session of 1874-'75, and to amend chapter 108, Battle's Revisal, entitled "statutes, &c.," passed its several readings.

On motion of Mr. Mebane, the rules were suspended, and

S. B. 450, bill to compromise, commute and settle the State debt, was taken up; and on his further motion, it was

postponed until Saturday 22d, inst., at 11 o'clock A. M., and made the special order for that hour.

S. B. 430, bill relating to public roads and highways, on its second reading.

Amendments reported by the committee on Agriculture, Mechanics and Mining, were adopted.

Bill then passed its second reading, ayes 37, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Snow, Stewart, Taylor, and Ward—37.

On motion the Senate adjourned.

FORTIETH DAY.

SENATE CHAMBER,
Saturday, Feb. 22d, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

PETITIONS.

By Mr. Ormand, petition of citizens of Wilmington. Referred to the committee on Corporations.

REPORTS FROM STANDING COMMITTEES.

From the committee on Finance:

By Mr. Graham of Lincoln,

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, reporting an amendment, and as amended, recommending it do pass.

By Mr. White,

S. B. 377, bill to levy a special tax in Perquimans county, recommending it do pass.

By Mr. Graham of Montgomery,

S. B. 575, a bill to allow the county of Iredell to fund her outstanding railroad bonds, recommending it do pass.

By Mr. Erwin,

H. B. 245, S. B. 555, bill to require town and city collectors of taxes and fines to make monthly reports, recommending it do pass.

From the committee on Corporations:

By Mr. Nicholson,

H. B. 423, S. B. 572, a bill to incorporate the Trustees of Brook's Chapel Camp Ground, in Cleaveland county, recommending it do pass.

By Mr. Eppes,

H. B. 456, S. B. 448, bill to allow the Independent Order of Good Samaritans and Daughters of Samaria in America Lodge No. 2, of North Carolina, to establish a Beneficial Department, reporting amendments, and as amended recommending it do pass.

By Mr. Waldo,

H. B. 445, S. B. 587, bill to incorporate River Side Camp Ground, in the county of Ashe, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Alexander,

S. B. 511, bill for the internal improvement of Sampson county, recommending its reference to the committee on Internal Improvements. It was so referred.

From the committee on Internal Improvements:

By Mr. Taylor,

H. B. 357, S. B. 494, bill to protect the State's interest in public works, recommending it do not pass.

Mr. Dortch, from the Joint Select Committee to examine the Calendars of the two Houses, submitted a report, which was read, and ordered transmitted to the House with a proposition to print.

From the committee on the Judiciary:

By Mr. Snow,

H. B. 201, S. B. 280, bill to amend chapter 38, private laws of 1873-'74, reporting certain amendments, and as amended recommending the bill do pass.

From the committee on Finance:

By Mr. Erwin,

S. R. 327, resolution in favor of McDowell county, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 494, S. B. 552, bill to prevent the felling of timber in Silver Creek, in Burke county, recommending it do pass.

H. B. 425, S. B. 556, bill to make the Tuckasiege river, in Jackson county, a lawful fence, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. R. 628, resolution in favor of North Carolina's memorial of arms in honor of Gen. George Washington.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 241, S. B. 394, an act for the benefit of the Winston, Salem and Mooresville Railroad Company;

H. B. 258, S. B. 469, an act to change the time of holding the superior courts in the fifth judicial district;

S. B. 454, H. B. 742, an act in favor of Nathaniel R. Jones, sheriff of Warren county;

S. B. 91, H. B. 279, an act to incorporate Brevard Station, Gaston county, N. C.;

S. B. 376, H. B. 631, an act to amend section 5, chapter 71, laws of 1871-'72, as brought forward in chapter 27, section 26, Battle's Revisal;

H. B. 256, S. B. 497, an act to extend the corporate limits of the town of Elizabeth City.

S. R. 503, H. R. 168, a resolution on adjournment.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Eaves, S. B. 618, bill to authorize the commissioners of Rutherford county to fund certain bonds issued in aid of the Wilmington, Charlotte and Rutherford Railroad. Referred to the committee on Finance.

By Mr. Respass, S. B. 619, bill to provide for the collection of taxes. Referred to the committee on Finance.

By Mr. Respass, S. B. 620, bill to establish the line between the counties of Beaufort and Martin. Referred to the committee on Propositions and Grievances.

By Mr. Moye, S. R. 621, resolution of instruction to the Keeper of the Capitol. Referred to the committee on Public Buildings and Grounds.

By Mr. Stewart, S. B. 631, bill to authorize the commissioners of Harnett county to levy a special tax and for other purposes. Referred to the committee on Propositions and Grievances.

By Mr. Mebane, S. R. 632, resolution of enquiry of Claims Committee. Referred to the committee on Claims.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting for concurrence

H. B. 133, S. B. 622, bill to secure the better drainage of the low lands of Fourth Creek in the counties of Rowan

and Iredell. Referred to the committee on Propositions and Grievances.

H. B. 740, S. B. 623, bill to amend chapter 152 of the acts of the Assembly of 1871–'72. Referred to the committee on Fish and Fisheries.

H. B. 481, S. B. 624, bill to be entitled an act to make Purvines creek a lawful fence. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 505, S. B. 625, bill to prevent over-charges in the sale of produce. Referred to the committee on Propositions and Grievances.

H. B. 211, S. B. 626, bill to incorporate the State University Railroad Company. Referred to the committee on Internal Improvements.

H. B. 65, S. B. 627, bill to amend chapter 32, Battle's Revisal, entitled crimes and punishments. Referred to the committee on the Judiciary.

H. B. 292, S. B. 628, bill to amend sections 3 and 4, chapter 80, Battle's Revisal. Referred to the committee on the Judiciary.

Also, without engrossment,

H. B. 723, S. B. 629, bill relating to the city of Wilmington. Referred to the committee on Corporations.

Also,

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers. Referred to the committee on Fish and Fisheries.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 298, S. B. 433, bill to authorize the commissioners of Craven county to fund their debt and issue bonds for other purposes, passed its third reading, ayes 31, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Brower, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, King, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Ward—31.

On motion of Mr. Graham of Lincoln, the Calendar was placed at the disposal of the President for to-day.

S. B. 568, bill to authorize the board of commissioners of Onslow county to issue bonds and for other purposes, passed its second reading ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, King, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, and Waddell—33

The hour for the consideration of

THE SPECIAL ORDER

arrived, being

S. B. 450, bill to compromise, commute and settle the State debt.

On motion it was postponed for twenty-five minutes.

S. B. 560, bill to revise and correct the tax lists of Alamance county, and to authorize the collection of the taxes due on said lists, passed its third reading, ayes 33, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Eaves, Erwin, Everett, Graham of Montgomery, Holleman, Hoyle,

King, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—32.

Those voting in the negative were:

Messrs. Black, Dortch and Eppes—3.

On motion of Mr. Scales, the bill was ordered engrossed at once.

S. B. 580, bill to fund the floating debt of Edgecombe county, passed its third reading, ayes 36, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and White—36.

House substitute for H. B. 477, S. B. 615, bill for the construction of Winston, Salem and Mooresville Railroad Company, on its second reading and passed, ayes 25, noes 5, as follows:

Those voting in the affirmative were:

Messrs. Black, Bledsoe, Brower, Bryan of Duplin, Bull, Caldwell, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Henderson, Matheson, Merritt, Moye, Nicholson, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Ward, and White—25.

Those voting in the negative were:

Messrs. Dortch, Mebane, Respass, Waddell, and Williamson—5.

The bill was put on its third reading.

On motion of Mr. Williamson, it was referred to the committee on Internal Improvements.

S. B. 450, bill to compromise, commute and settle the

State debt, being the special order for this hour, was taken up on its third reading.

On motion of Mr. Mebane, the bill was postponed until Monday, 24th instant, at 11 o'clock, A. M., and made the special order for that hour.

H. B. 517, S. B. 549, bill to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail, passed its third reading, ayes 37, noes none, as follows:

Those voting in the affimative were:

Messrs. Alston, Black, Bledsoe, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—37.

H. B. 393, S. B. 574, bill to authorize the commissioners of Brunswick county to submit to the people of the county the question of changing their court house, &c., passed its second reading, ayes 29, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Bull, Caldwell, Dillard, Eaves, Eppes, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Waldo, and Ward—29.

S. B. 464, bill to amend the charter of the town of Farmville, passed its several readings.

H. B. 201, S. B. 280, bill to amend chapter 38, private laws of 1873-'74, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its several readings.

Mr. Bryan of Duplin, moved to adjourn in honor of Washington's birthday, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 8, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Davidson, Everett, Moye, Ormand, Ross, Taylor, and Waldo—8.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Nicholson, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Waddell, Ward, Williamson, and White—30.

By consent,

Mr. Mebane introduced

S. R. 628, resolution in favor of Mrs. Lititia Walker, in words following, to-wit:

"WHEREAS, The Mount Vernon Association has requested of each State the memorial of arms of such State, therefore,

Resolved, That the Treasurer of the State pay Mrs. Lititia Walker, North Carolina's representative in said Association, the sum of fifty dollars for a memorial of arms."

On motion of Mr. Mebane, the rules were suspended.

The resolution passed its several readings, and was ordered forthwith engrossed and sent to the House of Representatives.

H. B. 369, S. B. 533, bill to incorporate the town of Burgaw in Pender county, passed its several readings.

S. B. 526, bill prohibiting fishing with nets or seines in

the waters of Great Swamp in the county of Wayne, passed its several readings.

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, on its second reading.

On motion of Mr. Graham of Lincoln, the bill was referred to the committee on the Judiciary.

S. B. 225, bill to incorporate the town of Middleburg, in the county of Warren, passed its several readings.

H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties, on its third reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its third reading.

S. B. 419, bill to incorporate the town of Saul's Cross Roads, in Wayne county, passed its several readings.

S. B. 523, bill to incorporate the Sons and Daughters of Temperance of Chatham county, passed its several readings.

H. B. 560, S. B. 554, bill to legalize Iron Duff township in the county of Haywood, passed its several readings.

S. B. 418, bill to incorporate the town of Little Washington, in the county of Wayne, passed its several readings.

H. B. 209, S. B. 321, bill to prevent the felling of trees in Jonathan's creek, in the county of Haywood, passed its several readings.

H. B. 20, S. B. 206, bill concerning the captions of bills and resolutions, passed its several readings.

S. B. 515, bill to allow the county of Iredell to fund her outstanding railroad bonds, passsed its several readings.

H. B. 329, S. B. 449, bill to elect a road surveyor for Watauga county, passed its several readings.

H. B. 564, S. B. 590, bill to allow the commissioners of Mitchell county to levy a special tax, passed its second readings, ayes 34, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Scales, Shackleford, Stewart, Waldo, Ward, Williamson, and White—34.

S. B. 441, bill to authorize Asheville township, in Buncombe county, to levy taxes for the support of graded schools, on its second reading.

Mr. Davidson moves to amend:

Strike out the word "township" in section one, and insert before the word "Asheville" the words "town of."

Adopted.

Bill then passed its second reading, ayes 35, as follows:

Those voting in the affirmattve were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Stewart, Ward, Williamson, and White—35.

S. B. 430, bill relating to public roads and highways, on its third reading.

Mr. Alexander moved to amend section 34, line 4, (printed bill) by striking out the word "twenty" and inserting the word "five;" and in line 5 strike out the word "and" and insert the word "on."

Amend section 36, line 6, by striking out the word "five" and inserting the word "three."

Amend section 37, line 7, by inserting the word "wilfully" between the word "person" and the word "offend-

ing;" and in line 9, strike out the word "twenty" and insert the word "five," which were adopted.

Thus amended the bill passed its several readings, ayes 30, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Stewart, and Waddell—30.

S. B. 517, bill to levy a special tax in Perquimans county, passed its second reading, ayes 31, as follows:

Those voting in the affirmative were:

Messrs. Black, Bryan of Duplin, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Ward, and White—31.

S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall and to purchase a site therefor, passed its second reading, ayes 27, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bull, Caldwell, Dillard, Dortch, Eppes, Graham of Montgomery, Holleman, Hoyle, King, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Waddell and Ward—27.

On motion of Mr. Erwin, the Senate adjourned.

FORTY-FIRST DAY.

SENATE CHAMBER,
Monday, Feb. 24th, 1879.

The Senate met pursuant to adjournment.

The Journal of Saturday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Alexander, petition of citizens of Halifax and Edgecombe. Referred to the committee on Agriculture, Mechanics and Mining.

By Mr. Black, petition of citizens of Moore and Montgomery counties. Referred to the committee on Propositions and Grievances.

By Mr. Snow, petition from citizens of Chatham and Wake, asking for a new county. Referred to the committee on Corporations.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Waldo,

S. B. 601, bill to incorporate the Ocean Fire Company, of Washington, N. C., reporting amendments, and as amended recommending it do pass.

By Mr. Davidson,

H. B. 464, S. B. 529, bill to incorporate the town of Matthews, in the county of Mecklenburg, reporting amendments, and as amended recommending it do pass.

H. B. 111, S. B. 550, bill to incorporate the Warm Springs

Toll Bridge Company, reporting amendments, and, as amended, recommending it do pass.

S. B. 228, bill to incorporate Oak City Lodge Knights of Honor, No. 419, recommending it do pass.

S. B. 506, bill to incorporate the Anglo-American Colonization and Improvement Company in North Carolina, reporting amendments, and, as amended, recommending it do pass.

From the committee on Public Buildings and Grounds:

By Mr. Moye, a joint resolution concerning the building of a mansion for the Governor. Placed upon the Calendar and ordered to be printed.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender, S. B. 398, bill to establish a board of commissioners for the improvement of Trent river, without recommendation, and asking to be discharged from its further consideration.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Bryan of Pender, S. B. 633, bill to prohibit the sale of intoxicating liquors in certain localities. Placed upon the Calendar.

By Mr. Moye, S. B. 634, bill to amend chapter 59, private laws of 1876–'77, in relation to a house for the Governor of the State. Placed upon the Calendar.

By Mr. Respass, S. B. 635, bill concerning the official bonds of the sheriff of Dare. Referred to the committee on Propositions and Grievances.

By Mr. Black, S. B. 636, bill to incorporate the town of Manly Station, in the county of Moore. Referred to the committee on Corporations.

By Mr. King, S. B. 637, bill to prohibit net fishing in

Black creek, Wilson county. Referred to the committee on Fish and Fisheries.

By the same,

S. B. 638, bill concerning the charges for freights on railroad and transportation companies. Referred to the Joint Committee on Railroad Charges, &c.

By Mr. Waldo,

S. B. 639, bill to change the county of Martin from the second to the first judicial district. Referred to the committee on the Judiciary.

By Mr. Bryan of Pender,

S. B. 640, bill to amend chapter 242, laws 1876–'77. Referred to the committee on the Judiciary.

By Mr. Dillard,

S. B. 641, bill supplmental to an act to allow Leaksville and other townships, in Rockingham county, to subscribe to the capital stock of railroads. Referred to the committee on Internal Improvements.

By Mr. Bryan of Pender,

S. B. 642, bill to re-enact chapter 227, acts of 1876–'77. Referred to the committee on Propositions and Grievances.

By Mr. Williamson,

S. B. 658, bill to incorporate the Roxboro and ..... Narrow Gauge Railroad. Referred to the committee on Corporations.

By the same,

S. B. 659, bill to authorize the county of Person to subscribe to the Roxboro and ..... Railroad. Referred to the committee on Corporations.

By Mr. Henderson,

S. R. 660, resolution in regard to clerical assistance. Placed upon the Calendar.

By Mr. White,

S. B. 661, bill to change the time of holding municipal elections in the town of Elizabeth City. Placed upon the Calendar.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting for concurrence

H. B. 641, S. B. 643, bill to secure the better drainage of the bottom lands on Silver creek in Burke county. Placed upon the Calendar.

H. B. 390, S. B. 644, bill to amend the charter of the city of Newberne. Referred to the committee on Corporations.

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State. Referred to the committee on Public Roads and Highways.

H. B. 524, S. B. 646, bill to authorize the county of Bladen to fund its floating debt. Referred to the committee on Finance.

H. B. 246, S. B. 647, bill to amend and consolidate the Great Falls Manufacturing Company at Rockingham, in Richmond county. Referred to the committee on Corporations.

H. B. 678, S. B. 648, bill to incorporate the East La Porte Masonic Lodge, No. 358, in Jackson county. Referred to the committee on Corporations.

H. B. 567, S. B. 650, bill to amend section 7, chapter 75, laws of 1825, being an act for the government of Wadesboro, in Anson county. Referred to the committee on Corporations.

H. B. 352, S. B. 651, bill for the relief of certain citizens in the counties of New Hanover, Union, Hertford and Washington. Referred to the committee on Propositions and Grievances.

H. B. 148, S. B. 652, bill for the speedy trial of criminals. Referred to the committee on Judiciary.

H. B. 254, S. B. 653, bill to amend chapter 107, laws of 1874–'75, relating to the town of LaGrange, Lenoir county. Referred to the committee on Corporations.

H. B. 459, S. B. 654, bill to prescribe the mode of selling tar. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 224, S. B. 655, bill to amend section 20, chapter 98, Battle's Revisal. Referred to the committee on Judiciary.

H. R. 173, S. R. 656, resolution requiring the Secretary of State to issue a grant to Joel T. Ferguson, of Wilkes county. Referred to the committee on the Judiciary.

H. B. 595, S. B. 657, bill to create a new township in the county of Haywood. Referred to the committee on Corporations.

Engrossed House substitute for

S. B. 203, H. B. 430, bill to prevent the driving of cattle from South Corolina and other places into counties West of the Blue Ridge. Referred to the committee on Propositions and Grievances.

Engrossed amendments to

S. B. 393, H. B. 577, bill to amend section 7, chapter 255, laws of 1876-'77, in regard to the holding of the courts of the 7th judicial district.

On motion, the amendments were concurred in, and the bill was ordered enrolled for ratification.

Also, without engrossment,

H. B. 784, S. B. 661, substitute for H. B. 225, bill for the relief of land owners, whose land has been sold to the State for taxes. Referred to the committee on Finance.

Also, announcing the adoption of the report of the committee of Conference on

S. B. 61, H. B. —, bill to amend Battle's Revisal regulating the fees of jailors.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 564, S. B. 590, bill to allow the commissioners of

Mitchell county to levy a special tax, passed its third reading, ayes 32, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Matheson, McEachern, Merritt, Moye, Nicholson, Redwine, Respass, Ross, Shackleford, Stewart, Waddell, Waldo, Ward, Williamson, and White—32.

S. B. 568, bill to authorize commissioners of Onslow county to issue bonds and for other purposes, passed its third reading, ayes 33, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Stewart, Waddell, Ward, and White—33.

S. B. 517, bill to levy a special tax in Perquimans county, passed its third reading, ayes 32, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bull, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Stewart, Waddell, Waldo, Ward, and White—32.

S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor, passed its third reading, ayes 34, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes,

Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Redwine, Ross, Shackleford, Snow, Stewart, Waddell, Waldo, Ward, and White—34.

S. B. 228, bill to incorporate Oak City Lodge of Knights of Honor, No. 419, passed its several readings.

The hour for the consideration of the special order having arrived,

S. B. 450, bill to compromise, commute and settle the State debt, was taken up on its third reading.

On motion of Mr. Davidson, the bill was postponed until half-past seven o'clock to-night, and made special order for that hour.

Mr. Davidson moved that when the Senate adjourn today, it do so to meet at half-past seven o'clock P. M., which motion prevailed.

S. B. 234, bill to be entitled an act for levying, equalizing and collecting taxes, was taken up on its second reading.

On motion of Mr. Alexander, it was postponed until Thursday next at 11 o'clock A. M., and made the special order for that hour.

H. B. 393, S. B. 574, bill to authorize the commissioners of Brunswick county to submit to the people of the county the question of changing their court house, passed its third reading, ayes 28, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bull, Dancey, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Stewart, Waldo, and Ward—28.

S. B. 441, bill to authorize Asheville township, in Buncombe county, to levy taxes for the support of graded schools, on its third reading.

Mr. Davidson moved to amend:

Strike out the word "township" in the caption, and insert between the words "authorize" and "Asheville" in the said caption the words "the town of."

Amend by striking out the word township wherever it occurs in the bill, and substitute therefor the word "town," (so that the act shall so read as to apply only to the town of Asheville.)

Which amendments were adopted, and the bill then passed its third reading, ayes 32, as follows.

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bull, Dancey, Davidson, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Matheson, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Snow, Stewart, Waddell, Ward, and White—32.

H. R. 140, S. R. 536, resolution in regard to the Albemarle and Chesapeake Canal, on its third reading.

Mr. Davidson moved to amend: Strike out the words "two hundred dollars," and insert a proviso at the end of the resolution, as follows:

"*Provided*, that no public funds or moneys shall be expended in said investigation; and said committee shall have permission to sit and take testimony after the adjournment of the Legislature."

Mr. King moved to indefinitely postpone the bill, upon which

Mr. Everett demanded the ayes and noes, which were ordered, and the motion to postpone prevailed, ayes 20, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Caldwell, Davidson, Dillard, Graham of Lincoln, Graham of Mont-

gomery, Henderson, King, Matheson, Mebane, Mitchell, Nicholson, Redwine, Respass, Ross, Snow, Stewart, and Waddell—20.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Bull, Dancey, Eaves, Eppes, Erwin, Everett, Holleman, Hoyle, McEachern, Merritt, Moye, Ormand, Shackleford, Waldo, and Ward—18.

S. B. 341, bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State (not special tax), on its third reading.

On motion of Mr. Everett, the bill was postponed and made the second special order for to-night.

On motion of Mr. King,

S. B. 249, bill to repeal the agricultural lien law, was taken up on its second reading; and on his further motion, the bill was recommitted to the committee on Agriculture, Mechanics and Mining.

S. B. 248, bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity, passed its several readings.

S. B. 493, bill to incorporate the North Carolina Industrial Association, passed its several readings.

S. B. 617, bill to amend the charter of the town of Salisbury, passed its second reading, ayes 33, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, Ward, and Williamson—33.

H. B. 540, S. B. 532, bill to repeal chapter 189, laws of 1876–'77, and to lay off and construct a public road, &c., passed its second and third readings.

S. R. 192, resolution to make Lumber river navigable, on its second reading,

Amendments reported by the committee on Propositions and Grievances were adopted.

Mr. McEachern moved to amend by striking out section two.

Also,

Amend section three by making it read, "that the Secretary of State be requested to forward copies of these resolutions to our members in Congress," &c.

Adopted.

S. B. 524, bill to prohibit fishing in Coneto Creek, Pitt county, passed its several readings.

S. B. 363, bill to amend the charter of the Charlotte and Taylorsville Railroad Company, on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its several readings.

S. B. 373, bill to allow commissioners of Pender county to levy a special tax, passed its second reading, ayes 36, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—36.

H. B. 165, S. B. 404, bill to regulate the practice of dentistry and to protect the people against quackery, &c., on its second reading.

On the passage of the bill Mr. Moye demanded the ayes

and noes, which were ordered, and the bill passed its second reading, ayes 26, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Henderson, Hoyle, King, Matheson, Merritt, Mitchell, Snow, Taylor, Waddell, and Ward—26.

Those voting in the negative were:

Messrs. Caldwell, Graham of Montgomery, Holleman, McEachern, Moye, Nicholson, Ormand, Redwine, Respass, Shackleford, Stewart, Waldo, Williamson, and White—14.

Mr. Everett moved to suspend the rules and put the bill upon its third reading. Lost.

H. B. 153, S. B. 446, bill to secure the better drainage of the low bottom lands of Silver creek, in Burke county, passed it several readings.

S. B. 422, bill requiring justices of the peace to file an annual transcript of all the State cases tried and fines imposed by them, on its second reading.

The substitute reported by the committee on the Judiciary was adopted. Bill then passed its second reading, and was put upon its third reading.

Mr. Black moved to amend: Strike out "thirty days," and insert "sixty days." Adopted.

Bill then passed its third reading.

H. B. 111, S. B. 550, bill to incorporate the Warm Springs Toll Bridge Company, on its second reading.

Amendments reported by committee on corporations were adopted.

Bill then passed its several readings.

H. B. 304, S. B. 570, bill for the drainage of lands of Muddy creek, in the county of McDowell, passed its several readings.

Owing to the absence of Mr. Lyon, of committee to report names for justices of the peace to the General Assembly,

Mr. Waddell, chairman, asked the temporary appointment of some one to supply the vacancy.

The President appointed Mr. Stewart.

On motion of Mr. Merritt, the Senate adjourned.

NIGHT SESSION.

SENATE CHAMBER, Feb. 24th, 1879.

The Senate met pursuant to adjournment.

S. B. 450, bill to compromise, commute and settle the State debt, being

THE SPECIAL ORDER

for this hour, was taken up on its third reading.

On motion of Mr. Mebane, the bill was considered by sections.

Section one was read.

Mr. Mebane moved to amend:

Atter the words "sixty-one," line 6, insert the words "exclusive of bonds issued for the construction of the North Carolina Railroad."

Adopted.

Mr. Davidson moved to amend:

Strike out the words "July, A. D. eighteen hundred and eighty" in lines 36 and 37, and insert instead thereof the words "January, eighteen hundred and eighty-one."

Lost.

The section was then adopted.

Sections two and three were adopted.

Section four was read.

Mr. Henderson moved to amend:

Add at the end of the section: "*Provided*, that all bonds issued in exchange for the new bonds shall be surrendered with all the coupons attached."

Adopted.

The section was then adopted.

Sections five, six, seven, eight nine and ten were adopted.

Section eleven was read.

Mr. Henderson moved to amend by striking out the section. Lost.

The section was then adopted.

Sections twelve, thirteen, fourteen, fifteen, sixteen, seventeen and eighteen were adopted.

Question recurred upon the passage of the bill its third reading.

Mr. Henderson moved to amend section one by adding after the word "interest" in line 37, the words "from date." Adopted.

On the passage of the bill, Mr. Everett demanded the previous question, which was sustained.

Bill then passed its third reading, ayes 25, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dillard, Graham of Lincoln, Henderson, Holleman, Hoyle, King, Mebane, Mitchell, Redwine, Respass, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, Waldo, and Ward—25.

Those voting in the negative were:

Messrs. Black, Bynum, Dancey, Davidson, Dortch, Eaves,

Eppes, Erwin, Matheson, Moye, Nicholson, Ormand, Williamson, and White—14.

When Mr. Everett's name was called he stated he was paired with Mr. Snow; were that gentleman present he would vote in the affirmative, while he, Mr. E., would vote in the negative.

Mr. Graham of Montgomery, was paired with Mr. Harriss, who, if present, would vote in the affirmative, and he, G., in the negative.

Mr. Ormand moved to adjourn. Lost.

The second special order was taken up, being

S. B. 341, bill to authorize the treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State, (not special tax,) on its third reading.

The previous question was demanded on the passage of the bill and sustained.

Mr. Everett demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 32, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, and Waddell—32.

Those voting in the negative were:

Messrs. Black, Brower, Bynum, Eaves, Eppes, Everett, Ormand, Waldo, Ward, and White—10.

MESSAGE FROM HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment,

H. R. 143, S. R. 662, resolution to develop the agricul-

tural and other material interests of North Carolina. Placed upon the Calendar.

Mr. Snow reported from the committee on Salaries and Fees:

S. R. 164, resolution amending a resolution requiring and providing for the indexing the Journals of the Houses of the General Assembly, and preparation and indexing of Legislative Documents, recommending it do pass.

On motion of Mr. Davidson, the Senate adjourned.

FORTY-SECOND DAY.

SENATE CHAMBER,
Tuesday, Feb. 25th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Jurney.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Graham of Lincoln, petition of citizens of Lincoln county. Referred to the committee on Propositions and Grievances.

REPORTS OF STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Nicholson, H. B. 723, S. B. 629, bill relating to the city of Wilmington, recommending it do pass.

From the committee on Finance:

By Mr. Graham of Montgomery, H. B. 448, S. B. 571, bill respecting the collection of railroad taxes in Forsythe county, recommending it do pass.

By Mr. Graham of Lincoln, H. B. 492, S. B. 581, bill to empower the commissioners of Haywood county to build a court house, recommending it do pass.

By Mr. White, S. B. 618, bill to authorize the commissioneas of Rutherford county to fund certain bonds issued in aid of the Wilmington, Charlotte and Rutherford Railroad, recommending it do pass.

By Mr. Erwin,

H. B. 522, S. B. 591, bill to authorize the commissioners of Chowan county to levy a special tax, recommending it do pass.

By Mr. Henderson,

H. B. 225, S. B. 609, bill to provide for the repairing of the Quarantine Hospital at Smithville, recommending it do pass.

H. B. 458, S. B. 604, bill to allow the commissioners of the town of Graham to levy a license tax on spirituous liquors, recommending it do pass.

H. B. 327, S. B. 586, bill concerning the official bonds to be given by sheriffs, recommending it do pass.

From the committee on the Judiciary:

By Mr. Henderson,

S. B. 525, bill to expedite the trial of criminal actions upon their merits, recommending it do pass.

S. B. 537, bill for the equitable relief of certain classes of indebted persons, recommending it do not pass.

By Mr. Scales,

H. B. 328, S. B. 576, bill for the more effectual punishment of horse stealing, recommending it do pass.

Engrossed House amendments to

S. B. 30, H. B. 553, bill in relation to warrants on bastardy, recommending it do pass.

By Mr. Dortch,

S. B. 566, bill to amend an act to establish a department of agriculture, immigration and statistics, and for the encouragement of sheep husbandry, ratified March 12th, 1877, recommending it do pass.

S. B. 499, bill to regulate pilotage over the bar of Ocracoke Inlet and over the Swash, recommending it do pass.

S. B. 510, bill to amend chapter 50, Battle's Revisal, in relation to frauds and fraudulent conveyances, recommending it do not pass.

By Mr. Henderson,

S. B. 439, bill to amend chapter 43, Battle's Revisal, recommending it do not pass.

By Mr. Everett,

H. B. 331, S. B. 575, bill in regard to public wharves and depots, recommending it do pass.

S. B. 90, bill to allow solicitors to appear before grand juries, recommending it do pass.

S. B. 350, bill to prevent children under the age of eighteen from living out without consent of parents, recommending it do not pass.

By Mr. Snow,

S. B. 492, bill to cure irregularities in certain judicial proceedings wherein some or all of the defendants named in the summons were infants, idiots, lunatics, or persons *non compos mentis*, recommending it do pass.

H. B. 37, S. B. 495, bill to repeal chapter 271, laws of 1876–'77, recommending it do pass.

S. B. 569, bill to authorize constables to serve civil and criminal process in Halifax county, recommending it do not pass.

S. B. 186, bill to amend section 31, Code of Civil Procedure, being section 31, chapter 17, Battle's Revisal, recommending it do pass.

S. B. 486, bill to define the terms of office of Notaries Public, recommending it do not pass.

H. B. 292, S. B. 628, bill to amend sections 3 and 4, chapter 80 of Battle's Revisal, recommending it do not pass.

S. B. 339, bill to repeal chapter 148, private laws of 1868–'69, recommending it do pass.

H. B. 447, S. B. 588, bill to punish the entering of dwellings in the night time otherwise than by breaking, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Eaves,

H. B. 421, S. B. 514, bill to aid in the construction of the Caldwell and Watauga Narrow Guage Railroad and for other purposes, recommending it do pass.

S. B. 562, bill to amend chapter 20, laws of 1876–'77, recommending it do pass.

By Mr. Taylor, H. B. 95, S. B. 597, bill to allow commissioners of Craven county to work prisoners sentenced to the Penitentiary for one year on county works, recommending it do not pass.

S. B. 544, bill to amend the charter of Rutherford and Spartanburg Railroad and for other purposes, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Davidson,

H. R. 31, S. R. 163, joint resolution to appoint a committee to furnish tabular report of State's interest in all public works, recommending it do not pass.

S. R. 455, resolution for the relief of W. W. Rollins, recommending it do pass.

By Mr. Brower,

H. B. 350, S. B. 605, bill to allow the Rabun Gap Short Line Railway Company to use fifty convicts, recommending it do pass.

S. B. 522, bill to incorporate the Burgaw and Onslow Railroad, recommending it do pass.

S. B. 169, bill to regulate work on public roads, recommending its reference to the committee on Agriculture, Mechanics and Mining.

The bill was so referred.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 352, S. B. 651, bill for the relief of certain citizens in the counties of New Hanover, Union, Hertford, and Washington, recommending it do pass.

S. B. 620, bill to establish the line between the counties of Beaufort and Martin, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Bryan of Duplin,

Bill to repeal the agricultural lien law, recommending it do pass.

By Mr. Alexander,

S. B. 584, bill to amend Battle's Revisal, chapter 48, entitled "Fences," and to make railroad cuts and ditches eight feet deep a lawful fence, recommending it do pass.

S. B. 585, bill exemping "Lee's Agricultural Lime" from the five hundred dollars tax imposed on manufacturers of fertilizers, recommending it do not pass.

H. B. 481, S. B. 624, bill to make Pervine's creek a lawful fence, recommending it do pass.

H. B. 133, S. B. 622, bill to secure the better drainage of the low lands of Fourth creek, in the counties of Rowan and Iredell, recommending it do pass.

H. B. 505, S. B. 625, bill to prevent overcharges in the sale of produce, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 515, bill to allow the county of Iredell to fund her outstanding railroad bonds;

S. B. 419, bill to incorporate the town of Sauls' Cross Roads, in Wayne county;

S. B. 341, bill to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal for the bonds of the State, (not special tax;)

S. B. 256, bill prohibiting fishing with nets or seins in the waters of Great Swamp, county of Wayne;

S. B. 225, bill to incorporate the town of Middleburg, Warren county;

S. B. 441, bill to authorize Asheville township, in Buncombe county, to levy taxes for the support of graded schools;

S. B. 464, bill to amend the charter of the town of Farmville;

S. B. 524, bill to prohibit fishing in Coneta Creek, in Pitt county;

S. B. 418, bill to incorporate the town of Little Washington, in the county of Wayne;

S. B. 523, bill to incorporate the Sons and Daughters of Temperance of Chatham county;

S. B. 25, bill to amend chapter 87, private laws of 1870-'71.

The committee on Enrolled Bills reported as correctly enrolled:

S. B. 17, H. B. 278, an act to amend chapter 105, private laws of 1876-'77;

H. B. 479, S. B. 610, an act to change the name of the county site of Alleghany county and to incorporate the town of Sparta;

H. B. 209, S. B. 321, an act to prevent the felling of trees in Jonathan's creek, in the county of Haywood;

H. B. 518, S. B. 557, an act to prohibit live stock from running at large in Iredell county;

H. B. 367, S. B. 533, an act to incorporate the town of Burgaw, in Pender county;

S. R. 628, H. R. 191, a resolution in favor of North Carolina memorial of arms in honor of Gen. George Washington;

H. B. 329, S. B. 449, an act to elect a road surveyor for Watauga county;

S. B. 134, H. B. 454, an act defining the jurisdiction of judges of the superior courts as to granting injunctions and restraining orders, and the appointment of receivers;

H. R. 109, S. R. 547, a resolution in favor of the Engrossing and Enrolling Clerks of this General Assembly;

H. B. 517 S. B. 547, an act to authorize the commissioners of Transylvania county to levy a special tax to build a court house and jail;

H. B. 341, S. B. 595, an act to authorize the county commissioners of Lenoir county to levy a special tax;

H. B. 367, S. B. 458, an act to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad, and to complete the same.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting for concurrence

H. B. 695, S. B. 663, bill for the collection of taxes against the property of Corporations. Referred to the committee on Finance.

H. B. 184, S. B. 664, bill to amend the charter of the town of Fayetteville and to appoint a Finance committee. Referred to the committee on Corporations.

H. B. 580, S. B. 665, bill to regulate the size of fish packages. Referred to the committee on Fish and Fisheries.

H. B. 411, S. B. 666, bill to prevent the reckless destruction of fish in the various water courses of the Sate. Referred to the committee on Fish and Fisheries.

H. B. 699, S. B. 667, bill supplemental to an act authorizing the working of convicts on the Ore Knob and Mount Airy Railroad, Chester and Lenoir and Caldwell and Watauga Railroad Company. Referred to the committee on Internal Improvements.

H. B. 163, S. B. 668, bill to create a sinking fund. Referred to the committee on Finance.

Engrossed House amendments to

S. B. 307, H. B. 547, bill to make Upper and Lower Lit-

tle river a lawful fence, and for other purposes. Referred to the committee on Agriculture, Mechanics and Mining.

Engrossed House amendments to

S. B. 25, H. B. 170, bill to make slander of women indictable. Referred to the committee on Judiciary.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Caldwell,

S. R. 669, resolution to inquire into certain charges made of corruption. Placed upon the Calendar.

By Mr. Bryan of Pender,

S. B. 670, bill to protect live stock in time of drouths and fish in small streams. Referred to the committee on Fish and Fisheries.

By the same,

S. B. 671, bill to provide for the payment of debts due by Wilmington township, in the county of New Hanover. Referred to the committee on Finance.

By Mr. Respass,

S. B. 672, bill to authorize the board of education to make title to certain lands in Dare, Hyde, Tyrrell and Beaufort. Referred to the committee on Propositions and Grievances.

By Mr. Eppes,

S. B. 673, bill to authorize the several townships in Halifax county to levy taxes for graded public schools. Referred to the committee on Education.

By Mr. Ross,

S. B. 674, bill to authorize the payment of outstanding school debts in Brunswick county. Referred to the committee on Education.

By Mr. Mitchell,

S. B. 675, bill for the protection of keepers of inns and taverns. Referred to the committee on the Judiciary.

Mr. Williamson submitted for himself and others a protest to the passage of

H. B. 367, S. B. 458, bill to charter the Cape Fear and Yadkin Valley Railroad.

Mr. Caldwell moved to strike out certain objectionable features of the protest.

Mr. Dortch moved the protest be received and spread upon the Journal, which prevailed.

The protest is in words following, to-wit:

The undersigned respectfully protest against the passage of House Bill No. 367, "entitled an act to change the name and authorize the consolidation of the Western Railroad Company with the Mount Airy Railroad Company and to complete said roads."

1st. In our opinion the preamble to the bill is deceptive and well calculated to mislead as to its full meaning. It recites: "That the stock has been preserved by the action of the president and directors of the company at heavy expense and pecuniary responsibility, (mark you not pecuniary loss,) to them, without expense incurred by the State."

We with our limited knowledge, frankly admit that the State had suffered no detriment before the passage of this bill, but after its passage, we do aver that a plain statement of accounts show as follows: State's interest in railroad $1,100,000; approximate and full value in market $66,000.

Appropriations under this bill:

Direct appropriation	$50,000
Expense of convicts, clothing and feeding 750 convicts for 1879	75,000
Expense ditto ditto, 1880	75,000
Total of direct and indirect appropriations...	$200,000

2d. This bill (or law) accomplishes and perfects a departure from well established rules in political economy,

and is a bold innovation on well settled principles in the financial world.

It compels the State to give two hundred thousand dollars of good money to save sixty-six thousand of bad, with a possible contingency that in the future she may realize eleven hundred thousand dollars.

3d. While it is claimed by the friends of the bill that this appropriation is, and should be made, to save the interest of the State in this road, it in effect amounts to a gift of two hundred thousand dollars, and it is proposed to immediately mortgage the road for four hundred thousand dollars, which being accomplished, at once the whole property is at the mercy of the mortgage bondholders, who will in a short time inevitably own the whole road, unless the State in her generosity comes forward and by increased taxation purchases it at a sacrifice of probably one million dollars.

4th. We regard such legislation as this bill perfects as directly in the interest of the railroad monopolies and combinations, and in conflict with the material good of the State. And in view of the fact that our citizens are now burdened with taxation, the State laboring under a debt which all good men desire to be adjusted, and all intelligent men know that the dearly beloved old State of North Carolina is trembling and cowering on the very brink of the abyss that leads to repudiation and dishonor, we do think it not wise or statesmen-like to make any appropriations other than those the Constitution and laws of the State make imperative.

5th. We are aware of and deprecate the fact that the railroad corporations in the United States, as in Europe, are surely and steadily assuming the position of one of the most potent influences in directing and controlling legislation in the interest of the money kings, as against the bone and sinew of the land. And even now, we know or believe that railroad corporations, by powerful combinations, are exerting an influence upon the Congress of the United States, as well

as here in North Carolina, which must be hurtful to the masses of the people.

6th. The friends of the bill, in their zealous support of this measure, used the very plausible, but in our opinion fallacious argument, that it was honest and right to make the appropriation this bill calls for, to save private stockholders "three hundred thousand dollars (nominally,) but really eighteen thousand dollars, because these patriotic stockholders saved to the State eleven hundred thousand dollars, really sixty-six thousand dollars."

In view of all these recited facts, the State appropriates two hundred thousand dollars to save sixty-six thousand, with a railroad contingency of eleven hundred thousand dollars in the remote future. Well might this good old commonwealth, which we so dearly love, exclaim, "God save us from such friends."

The undersigned believe that this bill will be injurious to the interest of the State; they believe that increased taxation upon an already complaining people must necessarily follow, and they know the masses of our citizens are poor and unable to pay greatly increased taxes, hence they respectfully ask to enter this protest against the passage of this bill, and at the same time disclaim all intention to wound the feelings of any one who has differed with us as to the wisdom of this measure.

(Signed) GEO. WILLIAMSON,
J. M. REDWINE,
E. A. MOYE,
J. P. DILLARD,
GEO. A. GRAHAM,
JAMES T. RESPASS,
E. E. LYON.

On motion of Mr. Davidson, a message was sent to the House of Representatives informing that honorable body that the Senate would, at 12 M., proceed to elect justices of the peace for the several townships, towns and cities of the State, in accordance with the resolution of Assembly, and that Messrs. Dillard and Bull were appointed tellers on the part of the Senate.

On motion,

H. R. 143, S. R. 662, resolution to develop the agricultural and other material interest of North Carolina, passed its several readings.

A message was received from the House of Representatives announcing the readiness of that honorable body to proceed with the election of justices of the peace, and that Messrs. Lewis and Clarke had been appointed tellers on the part of the House.

The hour for the special order having arrived, being the election of jutices of the peace for the several townships and towns of the State,

Mr. Waddell

Of the Joint Committee to whom was referred the nominations for justices of the peace for the several counties of the State, to fill the vacancies of such justices of the peace whose terms expire in August, 1879, having performed their duty, respectfully recommend that the followiug persons be elected by this General Assembly as justices of the peace to fill such vacancies as will occur in August, 1879, in the several townships in the various counties in the State.

The Committee would further report that new townships have been created since the last election of justices of the peace in the counties of Bladen, Buncombe, Davidson, Harnett, Haywood, Orange and Yancey, for which we make nominations.

Also, there are newly incorporated towns in several counties, for which nominations are made in the report.

L. R. WADDELL, Chm'n,
D. P. McEACHERN,
NEILL S. STEWART,
E. E. LYON,
A. H. MERRITT,
Senate Branch.
GEO. N. LEWIS, Chm'n.
L. R. CARROLL,
T. D. BRYSON,
D. C. MOORE,
D. F. COVINGTON,
J. T. BLAISDELL,
House Branch.

Upon a call of the roll Senator Austin voted for the following named persons for justices of the peace to fill vacancies occurring in this State in August, A. D. 1879, and for such new townships as have been created since the last election of magistrates, also for such newly incorporated towns as have no justices of the peace now:

ALAMANCE COUNTY.

Patterson township—Roderick Kimery.
Cobel township—Frederick Graves.
Boone Station township—Joseph P. Albright.
Morton township—Asa Isley.
Faucett's township—Frederick U. Blanchard.
Pleasant Grove township—Charles G. Maynard.
Albright's township—John R Stockard.
Newlin's township—Thomas Stafford.
Thompson's township—William Stafford.
Melville's township—William H Lashley.
Graham township—Thomas C Foust.

ALEXANDER COUNTY.

Miller's township—T A Hudson.
Sharp's township—W R Sloan.
Gwaltney's township—Fielding McLain.
Sugar Loaf township—D M Baker.
Little River township—Amon Bumgarner.
Ellendale township—W S Teague.
Wittenburg's township—W W Stafford.
Taylorsville township—Thomas Little.

ALLEGHANY COUNTY.

Cherry Lane township—W B Kennedy.
Glade Creek township—W H Joins.
Gap Civil township—A J Waggoner.
Cranberry township—Josiah Caudell.
Prather's Creek township—Claude Cox.
Piney Creek township—John S Parsons.

ANSON COUNTY.

Wadesboro township—John A Boggan.
Lilesville township—W T Williams.
Morvin township—John J Dunlap.
Gulledge's township—James F Burch.
White's Store township—James T Lowrey.
Lanesboro township—Isaac M Williams.
Burnsville township—James D Hyatt.
Ansonville township—James W Hendley.

ASHE COUNTY.

Jefferson township—Martin Hardin.
Old Field township—Jacob B Hauck.
Pine Swamp township—Granville Osborne.

Peak Creek township—W B Carson.
Chestnut Hill township—J C Plumer.
Hilton's township—Johnson Perkins.
Piney Creek township—Jefferson Baldwin.
Horse Creek township—Reevis Osborne.
Stag Creek township—Gideon Weaver.
Laurel township—John Grayveal, (Andy's son.)
North Fork township—C W Osborne.

BEAUFORT COUNTY.

Pantego township—Ira H Topping.
Bath township—Mike Jones.
Long Acre township—Nelson Waters.
Washington township—David Tayloe.
Chockowinity township—John Moore.
Richland township—William Cowpen.

BERTIE COUNTY.

Windsor township—Lewis B Sutton.
Merry Hill township—Joseph E Nichols.
Mitchell's township—A J Dunning.
Roxabel township—Stephen A Norfleet.
Woodville township—Watson Lewis.
White's township—George W Cobb.
Snakebite township—Jesse H Bunch.
Coleraine township—E E Etheridge.

BLADEN COUNTY.

Elizabeth township—William B. Hester.
Bethel township—George F Allen.
Hawler township—T D Love, Jr.
Bladenboro township—Isaac A Davis.
Abbottsburg township—John H Thompson.
Brown Marsh township—James M Pearce.

White's Creek township—John R Rackley.
Carver's Creek township—Thomas O Brown.
French's Creek township—Alston Allen.
Colley township—Daniel Patterson.
Turnbull township—Joseph M Melvin.
White Oak township—Charles T Davis.
Cypress Creek township—For two years, William B Cromarty; for four years, Murdock M Smith; for six years, Charles B Parker.
Lake Creek township—For two years, W J Shaw; for four years, T F Pridgeon; for six years, George Henry.
Cypress Creek and Lake Creek townships are new townships created since the last election of magistrates.

BRUNSWICK COUNTY.

North West township—Francis M Moore.
Town Creek township—Augustus W Reiger.
Smithville township—L A Galloway.
Lockwood Folly township—Franklin Galloway.
Shallotte township—S J Stanley.
Waccamaw township—W Scott Millican.

BUNCOMBE COUNTY.

Avery's Creek township, No. 1—William T Springs.
Township No. 2—Alfred Starns.
Township No. 3—W H Green.
Township No. 4—J M Green.
Township No. 5—J W Wells.
Township No. 6—Foster Johnson.
Township No. 7—L A Lanning.
Township No. 8—Cornelius Clark.
Township No. 9—N A Penland.
Township No. 10—John G Chambers.
Township No. 11—William C Eller.

Township No. 12—T C Morgan.

Township No. 13, Black Mountain—For two years, G W Fortune; for four years, W Y Porter; for six years, John Stepp.

No. 13, or Black Mountain township, is a new township created by this General Assembly.

BURKE COUNTY.

Silver Creek township—Arthur Walker.

Linville township—Joseph B Hunter.

Upper Creek township—N P. Beck.

Quaker Meadow township—W A Bearfield.

Lower Creek township—John Sims.

Lovelady township—Jacob Bolinger.

Icard township—David Cook.

Lower Fork township—D D Mull.

Upper Fork township—Jerre Smith.

Morganton township—T. M. Asberry.

Brindletown township—For two years, Henry Fisher; for four years, Jasper Yelton; for six years, J C Mills.

Brindletown township is a new township created since last election of magistrates.

CABARRUS COUNTY.

Township No. 1—F A Archibald.

Township No. 2—Theopolus Cannon.

Township No. 3—E G Irwin.

Township No. 4—P A Carroll.

Township No. 5—W H Blackwelder.

Township No. 6—Lawrence Klutts.

Township No. 7—John H. Moore.

Township No. 8—Jacob Ludwick.

Township No. 9—W M Widenhouse.

Township No. 10—E P Boger.

Township No. 11—N G White.

Township No. 12—W A Patterson.

CALDWELL COUNTY.

Lenoir township—B M Tuttle.
Lower Creek township—J G Ballen.
Lovelady township—Joseph Sherrill.
Little River township—Thomas C Sherrill.
King's Creek township—Thomas Livingston.
Buffalo township—S L Patterson.
Patterson township—Robert Holloway.
Globe township—Lot Estes.
John's River township—Joseph H Dixon.

CAMDEN COUNTY.

Shiloh township—G C Barco.
Court House township—E D Foard.
South Mills township—Frank Spence.

CARTERET COUNTY.

White Oak township No. 1—B F Taylor.
Morehead township No. 2—M F Arendell.
Newport township No. 3—D S Quinn.
Beaufort township No. 4—William F Howland.
Straits township No. 5—Thomas M Gillikin.
Smyrna township No. 6—Nathan Davis.
Hunting Quarters township No. 7—Wallace Willis.
Portsmouth township No. 8—Thomas Robinson.

CASWELL COUNTY.

Milton township—W T Forley.
Dan River township—W G Graves.
Pelham township—W H Gatewood.
Locust Hill township—John S Blackwell.
Yanceyville township—Monroe Oliver.

Leesburg township—James P Williams.
High Tower township—John A Johnston.
Anderson's township—J M Simpson.
Stoney Creek township—W Maynard.

CATAWBA COUNTY

Newton township—G W Rabb.
Cline's township—Nelson E Sigmon.
Hamilton township—W H Trott.
Mountain Creek township—Powell Sherrill.
Caldwell's township—R England.
Jacob's Fork township—John A Whitener.
Baudy's township—D M Myant.
Hickory township—J W Mouser.

CHATHAM COUNTY.

Albright's township—William O Kirkman.
Baldwin's township—J B West.
Bear Creek township—S W Brewer.
Cape Fear township—J E Bryan.
Centre township—B G Womble.
Hadley's township—Oliver Clark.
Matthew's township—O A Hanner.
Hickory Mountain township—James N Green.
Gulf township—John F. Ausley.
Oakland township—A W Wicker.
New Hope township—J K Gibson.
Williams' township—Atlas J Riggsbee.

CHEROKEE COUNTY.

Murphy township—R D McCombs.
Valley Town township—J W Hyatt.
Beaver Dam township—H H Davidson.

Shoal Creek township—Jasper Barnett.
Hot House township—J R Hyatt.
Notla township—Alfred Arp.

CHOWAN COUNTY.

Edenton township—William E Bond.
Yeopin township—William J Webb.
Middle township—Elisha J Burk.
Upper township—Jacob U Hudson.

CLAY COUNTY.

Haysville township—T H Hancock.
Brass Town township—J S Bell.
Hiawassee township—Bryant Curtis.
Tusquitte township—W P Moore.
Shooting Creek township—Julius Killion.

CLEAVELAND COUNTY.

Township No. 1—J T M D Helton.
Township No. 2—D S Lovelace.
Township No. 3—John R Logan.
Township No. 4—A V Falls.
Township No. 5—T M A Oates.
Township No. 6—Walter Hardin.
Township No. 7—D A T Hamrick.
Township No. 8—Richard Hoard.
Township No. 9—J J Hardin.
Township No. 10—Zimri Falls.
Township No. 11—J F Whisnant.

COLUMBUS COUNTY.

Ransom township—Z F Murrell.
Lake Waccamaw township—J A Clark.

Bogue township—Thomas Barefoot.
Welch's township—Elijah Creech.
Whiteville township—J W Powell.
Western Prong township—B Brown.
Tatum's township—Labon Williamson.
Fair Bluff township—Dempsey Coleman.
William's township—A Tooms.
Bug Hill township—J J C Gore.
Lee's township—J J Long.

CRAVEN COUNY.

Township No. 1—Richard S Chapman.
Township No. 2—Gilbert Arthur.
Township No. 5—Edward A Caraway.
Township No. 6—James H Hunter.
Township No. 7—Oliver H Perry.
Township No. 8—Edmund S Street.
Township No. 9—James W. Riddle.

CUMBERLAND COUNTY.

Seventy-First township—John A McPherson.
Rock Fish township—Colin McRae.
Gray's Creek township—J B Carver.
Quwhiffle township—D A McDiamond.
Cross Creek township—D G McRae.
Little River township—Dugald McLauchlin.
Cedar Creek township—G A Downing.
Flea Hill township—K McC Williams.
Black River township—J T Williams.
Beaver Dam township—Morris Hall.
Carver's Creek township—W R King.

CURRITUCK COUNTY.

Moyock township—John Barnard, Jr.

Crawford township—Virginius L Pitts.
Fruitville township—Elias Williams.
Poplar Branch township—James P Williams.
Atlantic township—Starke Harris.

DARE COUNTY.

Hatteras township—E H Riggs.
Kennekeet and Chickamacomeco township—Zion F Scarborough.
Nag's Head and Roanoke township—J H Tillett.
Croatan and Stumpy Point township—Thomas R Mann.
East Lake township—Thomas Owens.

DAVIDSON COUNTY.

Lexington township—James Smith.
Cotton Grove township—John H Miller.
Boone township—Henry Broadway.
Tyro township—J H Koonce.
Yadkin township—C C Byerly.
Clemmonsville township—A W Walker.
Arcadia township—J H Miller.
Bethany or Midway township—B F Beckerdite.
Abbott's Creek township—W W Pickard.
Thomasville township—Isham Regan.
Conrad Hill or Imbler's township—H C Hedrick.
Silver Hill township—Abraham Cross.
Emmon's township—John A Peacock.
Jackson Hill township—Lewis S Suratt.
Alleghany township—John G Suratt.
Healing's Springs township—Thomas Daniel.
Yadkin Bend township—For two years, C C Byerly; for four years, J H Walser; for six years, G W Hege.
Yadkin Bend is a new township and entitled o three magistrates.

DAVIE COUNTY.

Mocksville township—M R Chaffin.
Jerusalem township—J A Kelly.
Fulton township—John H Hanes.
Farmington township—James M Johnson.
Clarksville township—H E Holman.
Calahu township—Winfield S. Smoot.

DUPLIN COUNTY.

Keenansville township—B F Pearsall.
Limestone township—T I Armstrong.
Cypress Creek township—B G Larkins.
Island Creek township—R Teachy.
Rock Fish township—D S Williams.
Warsaw township—D G Morrisey.
Faison's township—M A Lewis.
Wolf Creek township—B H Walker.
Albertson's township—B F Grady.
Dale's township—E B Herring.
Smith's township—John G Smith.
Magnolia township—Abner Robinson.
Incorporated town of Magnolia—O J Carroll.

EDGECOMBE COUNTY.

Township No. 1—Richard M Johnson.
Township No. 2—John A Little.
Township No. 3—James W Howard.
Township No. 4—Louis B Knight.
Township No. 5—H Lafayette Leggett.
Township No. 6—James W Draughorn.
Township No. 7—David H Barlow.
Township No. 8—John A Davis.

Townsnip No. 9—Amos Wooten.
Township No. 10—Frank Malston.
Township No. 11—W H Knight.
Township No. 12—Charles S Kettlebrew.
Township No. 13—Patrick H Edge.
Township No. 14—Jesse W Williams.

FRANKLIN COUNTY.

Louisburg township—J A May.
Franklinton township—W P Morris.
Freeman's township—Thomas J Crocker.
Haysville township—R G Winne.
Gold Mine township—A M Hamlette.
Cedar Rock township—A Thomas.
Cypress Creek township—James M White.
Dunn's township—W K Phillips.
Harris township—B F Wilder.
Sandy Creek township—N H Murphy.

FORSYTHE COUNTY.

Winston township—William Barrow.
South Fork township—John E Faw.
Old Town township—S N McGee.
Broad Bay township—F A Tucker.
Abbott's Creek township—J H Chamberlain.
Middle Fork township—John Beeson.
Kernersville township—J H Morris.
Below's Creek township—A S Ham.
Salem Chapel township—Thomas M Marshall.
Bethania township—A P Styers.
Old Richmond township—E L Reed.
Vienna township—E C Dull.
Lewisville township—William Hauser.

GASTON COUNTY.

Cherryville township—Martin H Shuford.
Dallas township—Caleb Paysour.
River Bend township—John C Fite.
South Point township—John F Leeper.
Crowder's Mt. township—William Pearson.

GATES COUNTY.

Gatesville township—E J Brady.
Hall township—Elisha Parker.
Reynoldson township—H H Willy.
Haslett township—William H Riddick.
Holly Grove township—William H Palson.
Hunter's Mill township—John W Hofler.
Mintonsville township—Nathan O Ward.

GRAHAM COUNTY.

Cheoaih township—N G. Phillips.
Stecoaih township—Philip Crisp.

GRANVILLE COUNTY.

Henderson township—J E Burrough.
Kittrell's township—Erasmus A Powell.
Brassfield township—J Y Moss.
Dutchville township—E E Lyon.
Walnut Grove township—Benjamin F Hester.
Sassafras Fork township—Thomas Pittard.
Townsville township—John E Haithcock.
Oxford township—E G Butler.
Oak Hill township—M S Daniel.
Tally Ho township—Arthur S Carrington.
Fishing Creek township—Elijah C Montague.

GREENE COUNTY.

Snow Hill township—Levi J H Mewborne.
Hookerton township—James S Smith.
Speight's Bridge township—Bennet Fields, jr.
Old's township—W P Ormand.
Bulldose township—Benjamin W. Best.

GUILFORD COUNTY.

Washington township—Alexander Tickel.
Rock Creek township—A G Clapp.
Greene township—Zimri M Foust.
Madison township—Robert C Rankin.
Jefferson township—William F Thom.
Clay township—Addison Coble.
Monroe township—J M McMickel.
Gilmer township—John A Pritchett.
Fentress township—John M Fentress.
Centre Grove township—Thomas Moore.
Morehead township—Arrington Dilworth.
Summer township—J S Murrow.
Bruce's township—J T Rhodes.
Friendship township—A H Lindsay.
Jamestown township—W. G. Sapp.
Deep River township—Jason Thompson.
High Point township—Henry Clapp.
Oak Ridge township—Walter Benbow.

HALIFAX COUNTY.

Halifax township—R H Shaw.
Caledonia township—T W Fenner.
Palmyra township—E W Hyman.
Roseneath township—R H Purrington.
Conoconarie township—W M Shields.

Weldon township—W A Daniel.
Enfield township—James H Whitaker.
Littleton township—W A Johnston.
Butterwood township—E A Thorne.
Brinkleysville township—F M Parker.
Faucett township—R B Brickell.

HARNETT COUNTY.

Johnsonville township—A C Buie.
Barbecue township—James Cameron.
Upper River township—J S Harrington.
Lillington township—J R Marsh.
Averysboro township—Joel Barefoot.
Grove township—S R Wilson.
Neill's Creek township—W J Long.
Hector Creek township—Ben Gardner.
Buck Horne township—J S Hoslt.
Stewart's Creek township—J T McLean.
Black River township—For 2 years, J C Williams; for 4 years, J P Cutts; for 6 years, T Matthews.
Black River is a new township, created since the last election of magistrates.

HAYWOOD COUNTY.

Waynesville township No. 1—H. B. Platt.
Township No. 2—Henry Ivester.
Township No. 3—T B Edmundson.
Township No. 4—Joseph Christopher.
Township No. 5—R. M. Ferguson.
Township No. 6—R M Noland.
Township No. 7—Daniel Cook.
Township No. 8—J. M. Rice.
Township No. 9—A C Cagle.

Township No. 10, Iron Duff—For 2 years, J M White, jr; for 4 years, E L Medford; for 6 years, J M Crawford.

No. 10, or Iron Duff township, was created by this General Assembly.

HENDERSON COUNTY.

Hendersonville township—A M McCarson.
Edneyville township—R A Freeman.
Blue Ridge township—L R Edney.
Green River township—Edward Freeman.
Clear Creek township—A J McMinn.
Hooper Creek township—A E Fletcher.
Crab Creek township—George Sentill.
Mills River township—A E Posey.

HERTFORD COUNTY.

Winton township—Charles N Pruden.
Harrellsville township—James P Howell.
St. John's township—Julian S. Moore.
Manning's Neck township—S B. Winburn.
Murphreysboro township—W T Brown.

HYDE COUNTY.

Ocracoke township—Daniel Folsom.
Lake Landing township—T M Davis.
Swan Quarter township—Samuel Jones.
Currituck township—Daniel Burgess.
Fairfield township—Will Jones.
Engelhard (incorporated town)—R. B. Sanderson.

IREDELL COUNTY.

Eagle Mills' township: Lewis Tuberville.
Union Grove township: W G Templeton.

New Hope township: J D Wellbourne.
Turnersburg township: Benjamin Turner.
Olin township: Thomas J. Allison.
Sharpesburg township: A A Hines.
Cool Springs township: G F Shepherd.
Bethany township: J A Austin.
Concord township: Abner Morrison.
Chambersburg township: J A White, jr.
Statesville township: John Bradley.
Shiloh township: Peter Little.
Barringer township: J W Sanders.
Falls Town township: A P. Clark.
Coddle Creek township: J S Harris.
Davidson township: J M Shook.

JACKSON COUNTY.

Cashier's Valley township: S N Allison.
Hamburg township: J P Stewart.
Canada or Saul's Creek township: J A Galaway.
Cary Fork township: R H Stephens.
Fork of the River township: W M Hooper.
Cullowhee township: R L Watson.
Scott's Creek township: Samuel H Bryson.
Webster C. H. township: E P Stillwell.
Savannah township: B H Jones.
Barker's Creek township: J B Raby.
Qualla Town township: T K Welch.

JOHNSTON COUNTY.

Clayton township: John L Banks.
Pleasant Grove township: Joseph Ogburn.
Elevation township: Carroll Langdon.
Meadow township: D G Johnson.
Bentonsville township: Ransom Lee.

Ingram's township: N T Cole.
Smithfield township: John R Creech.
Princeton township: L P Creech.
Beulah township: B R Hinnant.
O'Neal's township: William H O'Neal.
Wilder township: James A Hocutt.
Selma township: W J Barrow.

JONES COUNTY.

White Oak township: Lewis Brynum.
Pollocksville township: Henry C Fascue.
Trenton township: Edgar M Fascue.
Cypress Creek township: Calvin Koonce.
Tuckahoe township: John W Eubanks.
Beaver's Creek township: Lewis H Haskies.

LINCOLN COUNTY.

North Brook township: S J Weaver.
Howard's Creek township: Phillip Carpenter.
Lincolnton township: W T Shipp.
Ironton township: R S Rhinehardt.
Catawba township: Freeman Kelly.
Town of Lincolnton: H W Burton.

LENOIR COUNTY.

Sand Hill township: S T Croslan.
Woodington township: Jesse Jackson, jr.
Trent township: A W Whitfield.
Pink Hill township: George Turner.
Mosely Hall township: S J Sutton.
Lenoir Institute township: M B Creech.
Falling Creek township: J W Dailey.
Vance township: J M Mewbern.

Contentnea Neck township: H H Moore.
Kinston township: S H Rountree.

MACON COUNTY.

Franklin township: F Poindexter.
Mill Shoal township: Jesse S Elmore.
Ellijay township: William H Higden.
Sugar Fork township: I N Keener.
Clear Creek township: J W Wilson.
Smith's Bridge township: L. F. Howard.
Cartoogechage township: Albert Siler.
Nantihala township: John D Howard.
Burningtown township: Posey C Wilds.
Cowee township: Col A Hall.

MADISON COUNTY.

Marshal township: C G Rector.
Pine Creek township: Adolphus Payne.
Little Sandy Mush township: John M Carver.
Spring Creek township: Jasper Ebbs.
Warm Spring township: Peter Scism.
Big Laurel township: James E Rice.
Shelton Laurel township: J S Tweed.
Gabriel Creek township: L C Huff.
Middle Fork township: W W Ponder.
West Fork township: W M Jervis.
Upper Laurel township: William A Ray.

MARTIN COUNTY.

Hamilton township: W H Watson.
Williamston township: S M Parrington.
Jonesville township: D R Daniel.

MECKLENBURG COUNTY.

Charlotte township: F A McNinch.
Clear Creek township: T A Jerome.
Crab Orchard township: W H Taylor.
Berryhill township: L M McAlister.
Sharon township: Oswald Alexander.
Pineville township: J M Boyce.
Providence township: W M Matthews.
Steele Creek township: F Lee Erwin.
Dewese township: W D Mayes.
Long Creek township: Thomas Glugas.
Pan Creek township: James M Sloan.
Lemley's township: R A Torrence.
Morning Star township: S B Smith.
Mallard's Creek township: J B Thomason.

McDOWELL COUNTY.

Jamestown township: B F Brackett.
Higgins' township: A C Gardner.
Dysartsville township: W J Allen.
Dobson township: J S Stacey.
North Cove township: Robert H McCall.
Marion township: Henry Presnall.
Old Fort township: E H Grant.
Crooked Creek township: R M Burgin.
Broad River township: Jesse Burgin.
Sugar Hill township: Alfred Clayton.

MITCHELL COUNTY.

Bakersville township: T L Randolph.
Snow Creek township: S F Hensley.
Grassy Creek township: H L Brinkley.

Toe River township: W H Ollis.
Linville township: F P Slagle.
Little Creek township: J G Burleyson.
Red Hill township: Henry Masters.
Harrill's township: Green Y Buchanan.
Hollow Poplar township: Simeon J Moore.

MONTGOMERY COUNTY.

Troy township: Neill McInnis.
Mt. Gilead township: D C McAuley.
Pee Dee township: W G DeBerry.
Rocky Spring township: D I Ewing.
Little River township: E C Martin.
Edward's township: John F Cotten.
Hollingsworth township: Martin Gillis.
Uwharrie township: Littleton Davis.
Cheek's township: R T Rush.
Ophir township: W C Davis.
Hill township: M M Leach.

MOORE COUNTY.

Carthage township: Daniel Hannon.
Ben Salem township: L B Currie.
Seffield's township: Thomas Brown.
Ritter's township: J W Seawell.
Jonesboro township: Absalom Kelly.
Greenwood township: William P Cameron.
Thugard's township: D S Byrd.
Pocket township: A M Wicker.
Sand Hill township: J B McDonald.
Mineral Springs township: A M Black.

NASH COUNTY.

Castalia township: Thomas J Brasswell, jr.

Griffin township: James V Bunting.
Whitaker's township: T P Brasswell.
Stoney Creek township: John E Lindsay.
Nashville township: L W Hedgepeth.
Cooper's township: Willis Eason.
Manning's township: S C Edwards.
Ferrell's township: William H Griffin.
Bailey's township: W B Winbourne.
Jackson township: A B Williams.
Rocky Mount township: D W Winstead.

NEW HANOVER COUNTY.

Wilmington township: John D Taylor.
Federal Point township: J P Montgomery.
Masonboro township: John A Farren.
Harnett township: Gerritt Walker.
Cape Fear township: Iredell Johnston.

NORTHAMPTON COUNTY.

Gaston township: W E Bradley.
Occoneechee township: W H Summerrell.
Jackson township: Isaac Peele.
Roanoke township: William Grant.
Rich Square township: Henry Copeland.
Wiccacanoe township: W J Rogers.
Kirby township: J H Edwards.
Seaboard township: R T Stephenson.
Town of Jackson: William Barrow.

ONSLOW COUNTY.

Richland township: D A Sandlin.
Jacksonville township: J H Mashbourne.
Stump Sound township: N N McMillan.

Swansboro township: J A Freshwater.
White Oak township: Noble Somersill:

ORANGE COUNTY.

Hillsboro township: Calvin E Smith.
Little River township: Samuel H. Jordan.
Mangum township: Alvis K Umstead.
Durham township: William W Guess.
Patterson township: Samuel H Turrentine.
Chapel Hill township: Charles W Johnson.
Bingham township: D M Durham.
Cedar Grove township: William W Allison.
Lebanon township: For two years, James G Latta; for four years, S W Holman; for six years, R G Russell.
Lebanon is a new township and the present justices were appointed by the Governor. Their time expires August, 1879.

PAMLICO COUNTY.

Township No. 1; David L Benison.
Township No. 2: Stephen B Lane.
Township No. 3: John D McCotter.
Township No. 4: Fred A Spain, sr.
Township No. 5: R B Hardison.

PASQUOTANK COUNTY.

Elizabeth City township: M B Culpepper.
Newland township: James White.
Providence township: David Daily.
Nixonton township: S J Halstead.
Mt. Hermon township: W J Munden.
Salem township: J S Wilcox.

PENDER COUNTY.

Holden township: Rufus W Collins.
Union township: Stephen C Filyaw.
Columbus township: G F Walker.
Caswell township: J 3 Pridgeon.
Lincoln township: W W Larkin.
Rocky Point township: Thomas A McClendon.
Holly township: R T Williams.
Grant township: Newnan Atkinson.
Incorporated town of Burgaw: W E Duncan.

PERQUIMANS COUNTY.

Hertford township: William Gunn.
Bethel township: H H Griffin.
Belvidere township: Robert Newby.
Parkville township: Elijah Peel.
New Hope township: John A Johnson.

PERSON COUNTY.

Cunningham's township: Samuel A Barnett.
Olive Hill township: W G Winstead.
Bushy Fork township: J L Brooks.
Flat River township: William A Barton.
Roxboro township: W C Satterfield.
Woodall township: John A Barnett.
Holloway's township: T J Montague.
Allensville township: T A Yancey.
Mt. Tirzah township: G G Moore.

PITT COUNTY.

Swift Creek township: Slade Chapman.
Chicor township: John Galloway, Jr.

Greenville township: W A Hollowell.
Belvoir township: B F Bryan.
Pactolus township: J R Congleton.
Falkland township: W R Williams.
Farmville township: James S Norman.
Contentnea township: R P Collins.

POLK COUNTY.

Columbia township: James H Armes.
White Oak township: George J Mills.
Tryon township: C P Williams.
Cooper's Gap township: Lewis Cowart.
Green's Creek township: William Shields.

RANDOLPH COUNTY.

Trinity township: J R Frazier.
New Market township: B F Steed.
New Salem township: W D Siler.
Liberty township: W P Fox.
Columbus township: Henry Craven.
Franklinsville township: O R Cox.
Asheboro township: R M Free.
Tabernacle township: A B Finch.
Back Creek township: J T Bostick.
Concord township: J B Horney.
Cedar Grove township: R M Moffitt.
Grant township: H T Bray.
Pleasant Grove township: H T Moffitt.
Brower township: John Brady.
Richland township: W D King.
Union township: George Auman.
New Hope township: P C Brewer.

RICHMOND COUNTY.

Rockingham township: John Shortridge.
Stewartsville township: James M Graham.
Laurel Hill township: William Johnston.
Williamson's township: John W Snead.
Mineral Springs township: Daniel W Gibson.
Black Jack township: Alfred B Covington.
Wolf Pitt township: Hampton S Wade.
Beaver Dam township: John C Terry.
Steele's township: James T Bradley.

ROBESON COUNTY.

Alfordsville township: Evander Alford.
Blue Springs township: Thomas McBryde.
Back Swamp township: D C McIntyre.
Britt's township: H F Pittman.
Howellsville township: W Regan.
Lumberton township: Dr W A Dick.
Lumber Bridge township: S J Cobb.
St. Paul township: Lochlin Shaw.
Sterling's Mills township: R R Barnes.
Smith's township: A T McCallum.
Shoe Heel township: W B Harker.
Thompson's township: Needham B Thompson.
Wishart's township: W Wishart.
Burnt Swamp township: D A Buie.
White House township: Colin Williams.

ROWAN COUNTY.

Salisbury township: John A Hedrick.
Franklin township: William R Fraley.
Unity township: Richard Culbertson.
Scotch Irish township: Jesse Powless.

Mt. Ulla township: Phi. Alexander.
Atwell township: Joseph F McLean.
Locke township: J F Robinson.
Littaker township: Isaac S Linker.
Gold Hill township: Adam C Earnhart.
Morgan's township: Wiley Bean.
Providence township: George L Lyerly.

ROCKINGHAM COUNTY.

Leaksville township: W R Strong.
Stoneville township: Nathaniel Scales.
Madison township: James A Vernon.
Huntsville township: A T Neal.
New Bethel township: Thomas Cummings.
Simpsonville township: W P Hopkins.
Wentworth township: Nathan Mobley.
Oregon township: James Hutchinson.
Williamsborough township: Ezekiel Paschal.

RUTHERFORD COUNTY.

Rutherfordton township: Joseph H Smith.
Green Hill township: M K Linch.
Union township: J Y McEntire.
Sulphur Spring's township: John L McDowell.
High Shoals township: J J Camp.
Colfax township: J B McDaniel.
Cool Spring's township: William Martin.
Duncan's Creek township: W J Witheron.
Golden Valley township: J M Mode.
Logan's Store township: H B Wilson.
Camp Grove township: S K Cannon.
Morgan township: T P Hemphill.
Chimney Rock township: W H Henderson.

SAMPSON COUNTY.

Clinton township: L C Hubbard.
Taylor's Bridge township: V J McArthur.
Lisbon township: A M Blackburn.
Franklin township: W B Murphy.
Turkey township: Walter J Moore.
Piney Grove township: M W Clifton.
Westbrook township: Ransom West.
Mingo township: N B Barefoot.
Hall's township: H H Cobb.
Dismal township: James D Malloy.
Little Coharie township: Amos Bullard.
Hunnycutt's township: Jas. H Turlington.
McDaniel's township: James N Smith.

STANLY COUNTY.

Township No. 1: W S Smith.
Township No. 2: J J Freeman.
Township No. 3: John R Ivey.
Township No. 4: Coleman Lefler.
Township No. 5: E R Herrin.
Township No. 6: J E Hartsell.
Township No. 7: F G Turner.
Township No. 8: J E Maulden.

STOKES COUNTY.

Meadow township: James M Fulton.
Sauratown township: W W Withers.
Beaver Island township: J P Dalton.
Snow Creek township: John Martin.
Peter's Creek township: W V Shelton.
Quaker Gap township: M T Smith.
Yadkin township: J H Shamel.

SURRY COUNTY.

Dobson township: T B Hamlin.
Mt. Airy township: Robert S Gilmer.
Westfield township: William D Haymore.
Pilot township: John C Dodson.
Rockford township: John G Burriss.
Marsh township: F F Anthony.
Hotel township: John A Park.
Bryant township: Steven Venable.
Franklin township: M Y Tucker.
Stewart's Creek township: Samuel P Freeman.
Eldora township: B Badget.

SWAIN COUNTY.

Oconolufty township: W R Grant.
Charleston township: J C Cogdill.
Nantihala township: Thomas P Sawyer.
Toney's Creek township: Daniel Lester.

TRANSYLVANIA COUNTY.

Boyd's township: W O Miller.
Little River township: S W Hamilton.
Davidson township: J J Shipman.
Dunn's Rock township: B F Aiken.
Cathey's Creek township: G F Justice.
East Fork township: L D Gillespie.
Gloucester township: W P Galloway.
Hogback township: C J Henderson.

TYRRELL COUNTY.

Columbia township: Austin Perisher.
Scuppernong township: Samuel M Alexander.

Gum Neck township: J W Swain.
Alligator township: B F Duncan.
South Fork township: S C Patrick.

UNION COUNTY.

Monroe township: Jonathan Trull.
Buford township: Zacharia Yarborough.
Jackson township: Alexander McIlwain.
Sandy Ridge township: E H Harkness.
Goose Creek township: Thomas H Benton.
New Salem township: J W Hamilton.
Lane's Creek township: Vachel T Cheers.

WAKE COUNTY.

Barton's Creek township: M H Ellen.
St. Mary's township: W N Snelling.
Buckhorn township: L B Seagraves.
Carey township: J P H Adams.
Cedar Fork township: Hiram Weatherspoon.
House's Creek township: J D Hayes.
Little River township: P P Pace.
Mark's Creek township: H A Rhodes.
Middle Creek township: D C Adams.
New Light township: Caswell H Ray.
Neuse township: J J Dunn.
Oak Grove township: W H Gully.
Panther Branch township: W D. Crowder.
St. Matthew's township: N W Pool.
Swift Creek township: Thomas Woodall.
Wake Forest township: W C Brewer.
White Oak township: G G Maynard.
Raleigh township: Zach T Broughton.

WARREN COUNTY.

River township: Samuel D King.
Haw River township: B P Davis.
Smith's Creek township: Robert F Rose.
Nut Bush township: Thomas P Paschal.
Sandy Creek township: John W Allen.
Shoco township: George R Clements.
Fishing Creek township: William T Perry.
Judkins township: Samuel W Dowtin.
Warrenton township: Joseph E Drake.
Six Pound township: Horace Palmer.

WASHINGTON COUNTY.

Plymouth township: Lewis C Marriner.
Lee's Mill township: Thomas G Blount.
Skinnersville township: Yorach M Woodley.
Scuppernong township: Charles L Pettigrew.

WATAUGA COUNTY.

Boon township: Nathan Horton.
Ball Mountain township: John J L Church.
Blue Ridge township: A W Penley.
Blowing Rock township: W W Sherrill.
Beaver Dam township: Marion Wilson.
Cove Creek township: John McGuire.
Elk Creek township: Isham T Calloway.
Laurel Creek township: Miles A Presnell.
Meet Camp township: Joel Norris.
Stoney Fork township: John N Idol.
Watauga township: J W McCleard.
Shoaneehan township: George W Brown.

WAYNE COUNTY.

Goldsboro township: Nathan Boyett.
Stony Creek township: N J Smith.
Nahunta township: W E Fountain.
Great Swamp township: J M Perkins.
Pikeville township: J T Dees.
Saulston township: W H Speight,
New Hope township: John W Isler.
Indian Spring's township: John A Kernegay.
Brogden township: D E Stevens.
Grantham township: George M Bridgers.
Fork township: Hillory Hastings.

WILKES COUNTY.

Edward's township: Joseph Edwards.
Trap Hill township: James McCan.
Walnut Grove township: W H Handy.
Rock Creek township: Smith Johnson.
Mulberry township: P R McGrady.
Union township: Thomas Whittington.
Reddy River township: J A Crysle.
Lewis' Fork township: J W Church.
Job's Cabin township: Harrison Church.
Elk township: H H Miller.
Beaver Creek township: Pickens Carlton.
Wilkesboro township: T J Gilreath.
Summer's township: Welmuth Jarvis.
Fishing Creek township: T B James.
Lovelace township: G J Thornburg.
Brushy Mountain township: E E Hendren.
New Castle township: R W Wooten.
Antioch township: B P Johnston.

WILSON COUNTY.

Wilson township: F W Barnes.
Gardener's township: Thadeus W Pender.
Stauntonburg township: J H Applewhite.
Taylor's township: B E Thompson.
Black Creek township: A G Person.
Cross Roads township: T A Thompson.
Spring Hill township: William Watson.
Saratoga township: S H Tyson.
Old Field's township: Joseph Farmer.
Toisnot township: J H Barclay.

YADKIN COUNTY.

Boonville township: James H Flemming.
Knob's township: Benjamin Sparks.
Buck Shoals township: J F Couch.
Deep Creek township: John B Holcomb.
Liberty township: Thomas Williams.
Forbush township: Alvis Cornelius.
Little Yadkin township: Joseph Williams.
East Bend township: T F Matthews.
Falls' Creek township: J L Shugard.

YANCEY COUNTY.

Burnsville township: Samuel M Bennett.
Cane River township: Melton P Hampton.
Egypt township: B S Hensley.
Ramseytown township: C R Byrd.
Jack's Creek township: Dobson Deyton.
Brush Creek township: Green B Woody.
Crab Tree township: David H Silver.
South Toe River township: John D Patton.
Pensacola township: Samuel F McPeters.

Green Mountain township: For two years, A J Bennett; for four years, Jere Hughes; for six years, John Hughes.

Green Mountain township is a new township created since the last election of magistrates.

Senators Alexander, Bryan of Duplin, Bryan of Pender, Dortch, Erwin, Graham of Lincoln, Henderson, King, Lyon, Matheson, McEachern, Mebane, Redwine, Respass, Shackleford, Snow, Waddell, and Waldo, voted for the list above reported except as to the county of Mitchell, substituting for Bakersville township, said county, the name of T. L. Randolph for Charles Slagle; and for Linville township the name of F. P. Slagle in place of Alexander Erwin.

Mr. Bledsoe voted for the list above reported except the name of J. H. Hunter for township No. 6, Craven county, substituting therefor the name of V. A. Tolson; and for James Gambril, for Gap Civil, Alleghany county.

Mr. Bynum voted for the list above reported, except for the names of Charles Slagle in Bakersville township, and Alexander Erwin in Linville township, Mitchell county, substituting therefor respectively the names of T. L. Randolph and F. P. Slagle; also omitting the name of J. H. Hunter in Craven county, and substituting the name of V. A. Tolson for the township named.

Mr. Bull voted only for Mr. V. A. Tolson, for township No. 6, Craven county.

Mr. Caldwell voted only for the names reported for Guilford and Alamance counties, for Messrs. Randolph and F. P. Slagle of Mitchell, and Mr. V. A. Tolson of Craven.

Mr. Davidson voted for the list above reported, omitting R. M. Johnston of Edgecombe, and N. G. Phillips of Graham, substituting the name of John G. Latham for the name of the said Phillips; and for V. A. Tolson for township No. 6, Craven county, in place of J. H. Hunter; and for Messrs. Randolph and F. P. Slagle for Mitchell county, in place of Charles Slagle and Alexander Erwin.

Messrs. Dillard, Merritt, Nicholson, Scales, Stewart, Taylor, and Williamson, voted for the list above reported, except Messrs. Charles Slagle and Alexander Erwin of Mitchell, and J. H. Hunter of Craven, substituting for those names respectively Messrs. T. L. Randolph, F. P. Slagle and V. A. Tolson.

Mr. Holleman voted only for the list reported for the county of Northampton.

Mr. Hoyle voted only for the list reported for the counties of Cleaveland and Gaston, and substituted the name of Mr. Tolson for that of Mr. Hunter, for Craven county.

Mr. Mitchell voted for the list above reported except for Hertford county, substituting for the names of Charles N. Pruden and J. G. Moore, the names of J. B. Hare and E. T. Snipes, respectively.

Mr. Moye voted for the list above reported, except for the names of Charles Slagle and Alexander Erwin for Mitchell county, and R. M. Johnston for Edgecombe county, substituting for said names respectively the names of T. L. Randolph, F. P. Slagle and John W. Cotton.

Mr. Everett gave notice of a protest to the method of electing Justices of the Peace.

On motion of Mr. Bryan of Pender,

H. B. 723, S. B. 629, bill relating to the city of Wilmington, was taken up on its second reading.

Mr. Dancey moved to postpone. Lost.

On the passage of the bill on its second reading,

Mr. Ormand demanded the ayes and noes, which were ordered, and the bill passed, ayes 20, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Bledsoe, Bryan of Pender, Bynum, Dillard, Dortch, Erwin, Graham of Lincoln, Henderson, King, Lyon, Matheson, Mebane, Nicholson, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and Waldo—20.

Those voting in the negative were:

Messrs. Austin, Black, Bull, Caldwell, Dancey, Eppes, Holleman, Ormand, Ward, and Williamson—10.

Mr. Bryan of Pender, moved to suspend the rules and put the bill upon its third reading, upon which

Mr. Ormand demanded the ayes and noes, which were ordered, and the motion to suspend the rules prevailed, ayes 23, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Pender, Bynum, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Nicholson, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and Waldo—23.

Those voting in the negative were:

Messrs. Black, Bull, Caldwell, Dancey, Eppes, Ormand, Ward, and Williamson—8.

On the third reading of the bill,

Mr. Dancey demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 21, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Bledsoe, Bryan of Pender, Bynum, Dillard, Dortch, Erwin, Graham af Lincoln, Henderson, King, Lyon, Matheson, Mebane, Moye, Nicholson, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and Waldo—21.

Those voting in the negative were:

Messrs. Black, Bull, Caldwell, Dancey, Eppes, Holleman, Hoyle, Ormand, Ward, and Williamson—10.

Mr. Bryan of Pender, moved to reconsider the vote by which the bill passed its third reading; and moved to lay the motion to reconsider on the table, which latter motion prevailed.

On motion of Mr. Dortch, the Senate took a recess until to-night at half-past seven o'clock.

NIGHT SESSION.

SENATE CHAMBER, Feb. 25th, 1879.

The Senate met pursuant to adjournment.

By consent,

Mr. Nicholson reported from the committee on Corporations H. B. 390, S. B. 644, bill to amend the charter of the city of Newberne, recommending it do pass.

On motion of Mr. Nicholson, the rules were suspended and the bill taken up on its second reading; and on his further motion it was postponed until Wednesday, 26th inst., at half-past eleven o'clock A. M.

Mr. Bryan of Pender, moved to take up

S. B. 522, bill to incorporate the Burgaw and Onslow Railroad Company on its second reading, which prevailed; and on his further motion the bill was postponed until Wednesday, 26th inst., at half-past 12 P. M., and made the special order for that hour.

The hour for the consideration of the special order having arrived,

S. B. 229, bill to regulate the sale of liquors in this State, was taken up.

On motion of Mr. Nicholson the bill was considered by sections.

Section one was read.

Pending consideration

Mr. Dortch submitted the following:

"*Resolved*, That Senate bills 229 and 250 be committed to a special committee of five, with instructions to report a bill embodying the principles of a bell punch."

Mr. Graham of Lincoln, moved to amend the resolution by instructing the committee to report a bill by Friday,

28th inst, at 12 M., and that the bill so reported shall be the special order for that hour. Adopted.

Mr. Dortch demanded the ayes and noes on the adoption of the resolution, which were ordered, and the resolution was adopted, ayes 35, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, Williamson, and White—35.

Those voting in the negative were:

Messrs. Black, Bledsoe, Brower, Dancey, Eaves, Henderson, Mitchell, and Ormand—8.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 425, S. B. 556, bill to make the Tuckasiege river in Jackson county a lawful fence, passed its several readings.

S. B. 477, bill to repeal chapter 59, entitled an act to provide a suitable house for the Governor, and to abolish the assistant clerkship in the executive office, was taken up on its second reading.

Mr. Moye of Pitt, submitted a substitute for the bill, upon which he called the ayes and noes, which were ordered.

Mr. Snow moved to amend the substitute:

"*Provided*, that said commissioners shall not have the power to sell Nash, Moore and Burke squares."

Adopted.

The substitute was then lost, ayes 8, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Dortch, Graham of Lincoln, Lyon, McEachern, Mitchell, Moye, Respass, and Stewart—8.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Eaves, Erwin, Everett, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Taylor, Ward, Williamson, and White —33.

Mr. Ormand demanded the previous question upon the passage of the bill, which was sustained.

Bill then passed its second reading, ayes 34, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Nicholson, Ormand, Redwine, Scales, Shackleford, Taylor, Waddell, Ward, and White —34.

Those voting in the negative were:

Messrs. Bynum, Dortch, Graham of Lincoln, McEachern, Moye, Respass, Snow, and Stewart—8.

On motion of Mr. Henderson, the rules were suspended and the bill put upon its third reading and passed.

Mr. Henderson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed.

On motion of Mr. Henderson, the Calendar was placed in the hands of the President for this evening.

S. B. 223, bill to repeal section 43, chapter 32, Battle's Re-

visal, concerning fences, on its second reading and passed.

Bill was put upon its third reading, upon which

Mr. Black demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 25, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Dillard, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, King, Matheson, Mebane, Merritt, Nicholson, Redwine, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and Williamson—25.

Those voting in the negative were:

Messrs. Alston, Black, Bryan of Duplin, Caldwell, Dancey, Eaves, Eppes, Holleman, Hoyle, Lyon, McEachern, Mitchell, Ormand, Respass, Scales, and White—16.

Mr. Merritt moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

H. B. 494, S. B. 552, bill to prevent the felling of timber in Silver Creek, in Burke county, passed its several readings.

H. B. 423, S. B. 572, bill to incorporate the trustees of Brooks' Chapel Camp Ground, in Cleaveland county, passed its several readings.

H. B. 445, S. B. 587, bill to icorporate Riverside Camp Ground, in the county of Ashe, passed its several readings.

H. B. 352, S. B. 651, bill for the relief of certain citizens in the counties of New Hanover, Union, Hertford and Washington, passed its several readings.

H. B. 588, S. B. 592, bill to prohibit the sale of spirituous liquors within three miles of East La Porte Academy, in Jackson county, was, on motion, laid on the table.

On motion of Mr. Bynum,

S. B. 232, bill to incorporate the Wilmington, Charlotte and Western Railway Company, was taken up on its second reading, and on his further motion, it was postponed until

Wednesday, 26th inst., at one o'clock P. M., and made the special order for that hour.

On motion of Mr. Everett,

S. B. —, bill to provide for the appointment of a Railroad Commissioner, &c., was taken up on its second reading, and on his further motion, it was postponed until Thursday, 27th inst., at 11 o'clock A. M., and made the special order for that hour.

H. B. 456, S. B. 448, bill to allow the Independent Order of Good Samaritians and Daughters of Samaria in America Lodge No. 2, of North Carolina, to establish a beneficial department, on its second reading.

Amendment reported by the committee on Corporations was adopted.

Bill then passed its several readings.

H. B. 216, S. B. 514, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds, was on motion laid on the table.

H. B. 421, S. B. 514, bill to aid in the construction of the Caldwell and Watauga Narrow Guage Railroad, and for other purposes, passed its second reading, under a call of the ayes and noes, as follows:

Those voting in the affirmative were:

Messrs. Alson, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Taylor, Waddell, and Waldo—34.

Mr. Williamson voted in the negative.

On motion of Mr. Graham of Lincoln, the Senate adjourned.

FORTY-THIRD DAY.

SENATE CHAMBER,
WEDNESDAY, Feb. 26th, 1879.

The Senate met pursuant to adjournment.
Prayer by Rev. Dr. Watkins.
The Journal of yesterday was approved.
Mr. Respass was announced absent, sick.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Austin, petition to have Union Spring Church and Camp Ground incorporated. Referred to the committee on Corporations.

By Mr. McEachern, petition from citizens of Tilden. Referred to the committee on Propositions and Grievances.

By Mr. Caldwell, petition from citizens of Guilford. Referred to the committee on Finance.

By Mr. Henderson, various petitions, which were referred to the committee on Agriculture Mechanics and Mining.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Fish and Fisheries:

By Mr. Shackleford,

H. B. 740, S. B. 623, bill to amend chapter 152 of the acts of Assembly of 1871–'72, recommending it do pass.

By Mr. Moye,

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers, laws of 1876–'77, recommending it do pass.

S. B. 637, bill to prohibit net fishing in Black creek, in Wilson county, recommending it do pass.

From the committee on Corporations:

By Mr. McEachern,

H. B. 246, S. B. 647, bill to amend and consolidate the Great Falls Manufacturing Company at Rockingham in Richmond county, recommending it do pass.

By Mr. Eaves,

H. B. 254, S. B. 653, bill to amend chapter 107, laws of 1874–'75, relating to the town of LaGrange, Lenoir county, recommending it do pass.

H. B. 264, S. B. 553, bill to incorporate the American Gold Company of North Carolina, recommending it do pass.

H. B. 265, S. B. 551, bill to incorporate the Standard Gold Company of North Carolina, recommending it do pass.

By Mr. Eppes,

H. B. 276, S. B. 534, bill to create two new townships in the county of Bladen, recommending it do pass.

By Mr. Lyon,

H. B. 595, S. B. 657, bill to create a new township in the county of Haywood, recommending it do pass.

By Mr. Waldo,

S. B. 636, bill to incorporate the town of "Manly Station," in the county of Moore, reporting an amendment, and as amended recommending it do pass.

By Mr. Davidson,

H. B. 678, S. B. 648, bill to incorporate the Fast LaPorte Masonic Lodge, No. 358, in Jackson county, recommending it do pass.

S. B. 443, bill to amend the charter of the Flat Swamp, Lock's Creek and Evans' Creek Canal Company of Cumberland county, recommending it do pass.

H. B. 367, S. B. 650, bill to amend section 7, laws of 1825, being an act for the government of Wadesboro in Anson county, recommending it do pass.

From the committee on Education:

By Mr. Merritt,

H. B. 627, S. B. 593, bill to amend chapter 285, laws of

1876-'77, concerning graded schools, recommending it do pass.

From the committee on Judiciary:

By Mr. Snow,

S. R. 338, resolution in favor of W. W. Rollins, recommending it do pass.

By Mr. Dortch, H. B. 104, S. B. 322, bill to amend chapter 240, laws of 1874-'75, an act entitled an act to prevent discrimination in freight tariffs by railroad companies, reporting amendments and as amended recommending it do pass.

By Mr. Henderson,

H. B. 451, S. B. 379, bill to make the killing of live stock indictable, reporting amendments, and as amended recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 631, bill to authorize the commissioners of Harnett county to levy a special tax and for other purposes, reporting amendments, and as amended reccommending it do pass.

By Mr. Dillard,

S. B. 599, bill to prevent railroad employees and agents from violating the Sabbath day, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Leach,

H. B. 211, S. B. 626, bill to incorporate the State University Railroad Company, recommending it do pass.

By Mr. Davidson,

H. B. 477, S. B. 615, substitute to House Bill 477, for the construction of the Winston, Salem and Mooresville Railroad, recommending it do pass.

From the committee on the Judiciary:

By Mr. Davidson,

S. B. 577, bill to establish a criminal judicial district and to provide courts therefor, recommending it do pass.

From the committee on Insane Asylum:

By Mr. King,

S. B. 389, bill to provide for the completion of the Western Insane Asylum, reporting amendments, and as amended recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 430, bill relating to public roads and highways;

S. B. 522, bill to incorporate the Burgaw Railroad Company;

S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and a town hall;

S. B. 493, bill to incorporate the North Carolina Industrial Association;

S. B. 517, bill to levy a special tax in Perquimans county;

S. B. 223, bill to repeal section 43, chapter 32, Battle's Revisal, concerning fences;

S. B. 477, bill to repeal chapter 59, an act to provide a suitable house for the Governor and to abolish the assistant clerk in the Executive Department;

S. B. 248, bill to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of the Brothers and Sisters of Love and Charity;

S. B. 228, bill to incorporate Oak City Lodge Knights of Honor, No. 419;

S. B. 147, bill to prevent gambling on railroad cars;

S. R. 192, resolution to make Lumber river navigable;

Engrossed Senate amendment to

H. B. 111, S. B. 550, bill to incorporate Warm Springs Toll Bridge Company;

Engrossed Senate amendments to

H. B. 53, S. B. 210, bill for the benefit of jurors in Alleghany, Surry and other counties;

Engrossed Senate amendments to

H. B. 456, S. B. 448, bill to allow the Independent Order of Good Samaritians, &c., &c., to establish a beneficial department;

Engrossed Senate amendment to

H. B. 296, S. B. 412, bill to punish treasurers of religious and benevolent societies;

Engrossed Senate amendment to

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 298, S. B. 433, an act to authorize the commissioners of Craven county to issue bonds to fund the county debt and for other purposes;

H. B. 201, S. B. 280, an act to amend chapter 38, private laws of 1873–'74, relating to the weighing of cotton in the city of Raleigh;

S. R. 436, H. R. 165, a resolution in favor of the Raleigh National Bank.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 581, S. B. 680, bill to authorize the commissioners of Macon county to levy a special tax. Placed upon the Calendar.

H. B. 623, S. B. 681, bill to amend chapter 154, laws of 1876–'77. Referred to the committee on Judiciary.

H. B. 325, S. B. 682, bill to make the carrying of concealed deadly weapons a misdemeanor. Placed upon the Calendar.

H. B. 689, S. B. 683, bill to amend charter of the Snow Hill, Greenville and Goldsboro Railroad. Placed upon the Calendar.

H. B. 696, S. B. 684, bill to authorize the history of North

Carolina for the use of the common schools in this State. Placed upon the Calendar.

Without engrossment

H. B. 408, S. B. 685, bill to incorporate the town of Hickory, in the county of Catawba. Referred to the committee on Corporations.

Without engrossment,

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits. Referred to the committee on Corporations.

Without engrossment,

H. B. 698, S. B. 687, bill to incorporate the town of Troy, in the county of Montgomery. Referred to the committee on Corporations.

Engrossed

H. B. 759, S. B. 688, bill to establish cotton weighers for the town of Goldsboro, Kinston and Newberne. Referred to the committee on Propositions and Grievances.

Engrossed amendments to

S. B. 26, H. B. 167, bill to punish the abduction of children under the age of eighteen.

On motion, the amendments were concurred in, and the bill ordered to be enrolled for ratification.

Also announcing the concurrence by that honorable body in Senate amendments to

H. B. 298, S. B. 433, bill to authorize the commissioners of Craven county to fund their debt, and issue bonds for other purposes;

Also, in Senate amendments to H. B. 201, S. B. —, bill to amend chapter 38, private laws of 1873–'74;

Also, in the Senate proposition to print the report of the joint committee on the Calendar of the two Houses.

Also, transmitting without engrossment,

H. B. 107, S. B. 689, bill to amend chapter 88, private acts of the General Assembly passed at the session of 1874–'75, entitled "an act to incorporate the Fayetteville, Golds-

boro and Harnett Railway Company." Referred to the committee on Internal Improvements.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows :

By Mr. Bryan of Duplin,

S. R. 676, resolutions instructing our Senators in Congress and requesting our Representatives to use their influence to adjust the United States tariff on a strictly revenue basis. Placed upon the Calendar and ordered printed.

By Mr. Nicholson,

S. B. 677, bill to aid in the construction of the Statesville Air-Line Railroad. Placed on the Calendar.

By Mr. McEachern,

S. B. 678, bill to charter the town of Tilden, formerly Shoe Heel. Referred to the committee on Corporations.

By Mr. Hoyle,

S. B. 679, bill to incorporate the town of Cherryville in Gaston county. Referred to the committee on Corporations.

By Mr. Merritt,

S. B. 687, bill to amend the charter of the town of Pittsboro, North Carolina. Referred to the committee on Corporations.

The President announced as select committee to consider and report upon Senate Bills 229 and 250, concerning tax upon liquor, as follows:

Messrs. Henderson, Graham of Lincoln, Hoyle, Eaves and Bull..

On motion of Mr. Davidson,

S. B. 577, bill to establish a criminal judicial district and to provide courts therefor, was taken up on its second reading; and on his further motion it was postponed until to-night at half-past seven o'clock, and made the special order for that hour.

On motion of Mr. Erwin,

S. B. 512, bill to provide for the support of the North Carolina Institution for the Deaf, Dumb and the Blind, for the years 1879 and 1880, was taken up on its second reading; and on his further motion it was postponed until eight o'clock to-night, and made the special order for that hour.

On motion of Mr. Scales,

S. B. 476, bill to "abolish the Insane Asylum of North Carolina and to incorporate The North Carolina Insane Asylum," was taken up on its second reading, and on his further motion, it was made the third special order for to-night.

On motion of Mr. Mebane,

S. B. 612, bill to compromise and adjust a portion of the debt of the State and to provide for the payment thereof, was taken up on its second reading, and on his further motion, it was recommitted to the committee on the State Debt.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 37, S. B. 495, bill to repeal chapter 271, laws of 1876-'77, passed its several readings.

Mr. Snow moved to reconsider the vote by which the bill passed its third reading and moved to lay that motion on the table, which latter motion prevailed.

Mr. Caldwell arose to a question of personal privilege relative to an article in the *Daily News* of this morning, which he had read.

Mr. Caldwell moved to suspend the rules and take up

S. R. 669, resolution to enquire into certain charges made of corruption, which prevailed.

Mr. Caldwell moved to amend:

Strike out the words in the preamble "by the Junior Senator from Caswell."

Adopted.

Mr. Mebane demanded the previous question upon the adoption of the resolution, which was sustained.

The resolution was adopted, and the President appointed as the special committee under the resolution,

Messrs. Dortch, Henderson, Matheson, Eaves and Mebane.

Mr. Graham of Lincoln, moved that the Calendar be placed under the control of the President for to-day, which prevailed.

Mr. Dortch moved that when the Senate adjourn to-day, it do so to meet again to-night at half-past seven o'clock, which prevailed.

The hour for the consideration of the first special order having arrived,

Engrossed House amendments to

S. B. 54, H. B. 303, bill to define the criminal jurisdiction of justices of the peace, was taken up and the amendments were concurred in.

Mr. Henderson moved to reconsider the vote by which the amendments were adopted, and moved to lay that motion on the table; which latter motion prevailed.

H. B. 390, S. B. 644, bill to amend the charter of the city of Newberne, being the second special order for this morning, was taken up on its second reading.

Mr. Bull moved to recommit the bill to the committee on Corporations. Lost.

Bill passed its second reading, ayes 23, noes 13, as follows:

Those voting in the affimative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, King, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Shackleford, Stewart, Taylor, Waddell, and Waldo—23.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Caldwell, Dancey, Eaves, Eppes, Everett, Holleman, Ormand, Ross, Ward, and White —13.

S. B. 522, bill to incorporate the Burgaw and Onslow Railroad, being the third special order for to-day, was taken up on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its several readings.

S. B. 232, bill to incorporate the Wilmington, Charlotte and Western Railway Company, being the fourth special order for to-day, was taken up on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

Mr. Graham of Lincoln, moved to amend by inserting an additional section before the ratifying clause:

"This Company shall have no power to discriminate in charges for transporting freights, as between stations along its route, but shall make equality of charges for same class of freight, and for violation of this provision shall be guilty of a misdemeanor and liable to a fine of not less than one hundred dollars nor more than five hundred dollars for each offence."

Adopted.

Mr. Leach moved to amend: Insert as a new section:

"That chapter two hundred and thirty of the acts of the session of 1869–'70, entitled 'an act to authorize the Wilmington, Charlotte and Rutherford Railroad to construct a branch road in the direction of East Tennessee or Western Virginia Railroad,' is repealed."

Adopted.

Mr. Austin moved to reconsider the vote by which the amendments to the bill reported by the committee on Internal Improvements were adopted. Lost.

Mr. Everett demanded the previous question on the passage of the bill, which was sustained.

Mr. Austin demanded the ayes and noes on the passage of the bill, which were ordered; and the bill passed its second reading, ayes 41, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Brower, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Harris, Henderson, Holleman, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Scales, Snow, Stewart, Taylor, Waddell, Waldo, Ward, Williamson, and White—41.

Those voting in the negative were:

Messrs. Austin, Bryan of Duplin, Bryan of Pender, and Ross.

On motion of Mr. Erwin, the rules were suspended and the bill put upon its third reading.

Mr. Bryan of Pender, moved to lay the bill upon the table. Lost.

Bill then passed its third reading.

Mr. Dortch moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed.

Mr. Bull, of Tellers on the part of the Senate to superintend the election of justices of the peace for the various towns and townships in the State, held on yesterday by the General Assembly, submitted the following report:

REPORT OF THE TELLERS ON THE ELECTION OF JUSTICES OF THE PEACE.

We, the undersigned, tellers on the part of the two Houses

of the General Assembly, to superintend the election of justices of the peace by the General Assembly, on Tuesday, February 25th, 1879, beg leave to report that we have examined the rolls of the two Houses and find the following named persons received a majority of the votes cast in each House of the General Assembly for justices of the peace in the various townships of the several counties of the State, to fill the vacancies of such justices of the peace whose terms expire in August, 1879; also the justices of the peace for such new townships as have been created since the last election of justices; also justices of the peace for such incorporated towns as have no justices of the peace now, to-wit:

ALAMANCE COUNTY.

Patterson township—Roderick Kimery.
Cobel township—Frederick Graves.
Boone Station township—Joseph P. Albright.
Morton township—Asa Isley.
Faucett's township—Frederick U. Blanchard.
Pleasant Grove township—Charles G. Maynard.
Albright's township—John R Stockard.
Newlin's township—Thomas Stafford.
Thompson's township—William Stafford.
Melville's township—William H Lashley.
Graham township—Thomas C Foust.

ALEXANDER COUNTY.

Miller's township—T A Hudson.
Sharp's township—W R Sloan.
Gwaltney's township—Fielding McLain.
Sugar Loaf township—D M Baker.
Little River township—Amon Bumgarner.
Ellendale township—W S Teague.
Wittenburg's township—W W Stafford.
Taylorsville township—Thomas Little.

ALLEGHANY COUNTY.

Cherry Lane township—W B Kennedy.
Glade Creek township—W H Joins.
Gap Civil township—A J Waggoner.
Cranberry township—Josiah Caudell.
Prather's Creek township—Claude Cox.
Piney Creek township—John S Parsons.

ANSON COUNTY.

Wadesboro township—John A Boggan.
Lilesville township—W T Williams.
Morvin township—John J Dunlap.
Gulledge's township—James F Burch.
White's Store township—James T Lowrey.
Lanesboro township—Isaac M Williams.
Burnsville township—James D Hyatt.
Ansonville township—James W Hendley.

ASHE COUNTY.

Jefferson township—Martin Hardin.
Old Field township—Jacob B Hauck.
Pine Swamp township—Granville Osborne.
Peak Creek township—W B Carson.
Chestnut Hill township—J C Plumer.
Hilton's township—Johnson Perkins.
Piney Creek township—Jefferson Baldwin.
Horse Creek township—Reevis Osborne.
Stag Creek township—Gideon Weaver.
Laurel township—John Grayveal, (Andy's son.)
North Fork township—C W Osborne.

BEAUFORT COUNTY.

Pantego township—Ira H Topping.

Bath township—Mike Jones.
Long Acre township—Nelson Waters.
Washington township—David Tayloe.
Chockowinity township—John Moore.
Richland township—William Cowpen.

BERTIE COUNTY.

Windsor township—Lewis B Sutton.
Merry Hill township—Joseph E Nichols.
Mitchell's township—A J Dunning.
Roxabel township—Stephen A Norfleet.
Woodville township—Watson Lewis.
White's township—George W Cobb.
Snakebite township—Jesse H Bunch.
Coleraine township—E E Etheridge.

BLADEN COUNTY.

Elizabeth township—William B. Hester.
Bethel township—George F Allen.
Hawler township—T D Love, Jr.
Bladenboro township—Isaac A Davis.
Abbottsburg township—John H Thompson.
Brown Marsh township—James M Pearce.
White's Creek township—John R Rackley.
Carver's Creek township—Thomas O Brown.
French's Creek township—Alston Allen.
Colley township—Daniel Patterson.
Turnbull township—Joseph M Melvin.
White Oak township—Charles T Davis.
Cypress Creek township—For two years, William R Cromarty; for four years, Murdock M Smith; for six years, Charles P Parker.
Lake Creek township—For two years, W J Shaw; for four years, T F Pridgeon; for six years, George Henry.

Cypress Creek and Lake Creek townships are new townships created since the last election of magistrates.

BRUNSWICK COUNTY.

North West township—Francis M Moore.
Town Creek township—Augustus W Reiger.
Smithville township—L A Galloway.
Lickwood Folly township—Franklin Galloway.
Shallotte township—S J Stanley.
Waccamaw township—W Scott Millican.

BUNCOMBE COUNTY.

Avery's Creek township, No. 1—William G Springs.
Township No. 2—Alfred Starns.
Township No. 3—W H Green.
Township No. 4—J M Green.
Township No. 5—J W Wells.
Township No. 6—Foster Johnson.
Township No. 7—L A Lanning.
Township No. 8—Cornelius Clark.
Township No. 9—N A Penland.
Township No. 10—John G Chambers.
Township No. 11—William C Eller.
Township No. 12—T C Morgan.
Township No. 13, Black Mountain—For two years, G W Fortune; for four years, W Y Porter; for six years, John Stepp.
No. 13, or Black Mountain township, is a new township created by this General Assembly.

BURKE COUNTY.

Silver Creek township—Arthur Walker.
Linville township—Joseph B Hunter.

Upper Creek township—N P. Beck.
Quaker Meadow township—W A Bearfield.
Lower Creek township—John Sims.
Lovelady township—Jacob Bollinger.
Icard township—David Cook.
Lower Fork township—D D Mull.
Upper Fork township—Jerre Smith.
Morganton township—T. M. Asberry.
Brindletown township—For two years, Harvey Fisher; fo four years, Jasper Yelton; for six years, J C Mills.
Brindletown township is a new township created sinc last election of magistrates.

CABARRUS COUNTY.

Township No. 1—F A Archibald.
Township No. 2—Theopholus Cannon.
Township No. 3—E G Irwin.
Township No. 4—P A Carroll.
Township No. 5—W H Blackwelder.
Township No. 6—Lawrence Klutts.
Township No. 7—John H. Moose.
Township No. 8—Jacob Ludwick.
Township No. 9—W M Widenhouse.
Township No. 10—E P Boger.
Township No. 11—N G White.
Township No. 12—W A Patterson.

CALDWELL COUNTY.

Lenoir township—B M Tuttle.
Lower Creek township—J G Ballew.
Lovelady township—Joseph Sherrill.
Little River township—Thomas C Sherrill.
King's Creek township—Thomas Livingston.

Buffalo township—S L Patterson.
Patterson township—Robert Holloway.
Globe township—Lot Estes.
John's River township—Joseph H Dixon.

CAMDEN COUNTY.

Shiloh township—G C Barco.
Court House township—E D Foard.
South Mills township—Frank Spence.

CARTERET COUNTY.

White Oak township No. 1—B T Taylor.
Morehead township No. 2—M F Arendell.
Newport township No. 3—D S Quinn.
Beaufort township No. 4—William F Howland.
Straits township No. 5—Thomas M Gillikin.
Smyrna township No. 6—Nathan Davis.
Hunting Quarters township No. 7—Wallace Willis.
Portsmouth township No. 8—Thomas Robinson.

CASWELL COUNTY.

Milton township—W T Farley.
Dan River township—W G Graves.
Pelham township—W H Gatewood.
Locust Hill township—John S Blackwell.
Yanceyville township—Monroe Oliver.
Leesburg township—James P Williams.
High Tower township—John A Johnston.
Anderson's township—J M Simpson.
Stoney Creek township—W Maynard.

CATAWBA COUNTY.

Newton township—G W Rabb.
Cline's township—Nelson E Sigmon.
Hamilton township—W H Trott.
Mountain Creek township—Powell Sherrill.
Caldwell's township—R England.
Jacob's Fork township—John A Whitener.
Baudy's township—D M Myant.
Hickory township—J W Mouser.

CHATHAM COUNTY.

Albright's township—William O Kirkman.
Baldwin's township—J B West.
Bear Creek township—S W Brewer.
Cape Fear township—J E Bryan.
Centre township—B G Womble.
Hadley's township—Oliver Clark.
Matthew's township—O A Hanner.
Hickory Mountain township—James N Green.
Gulf township—John F. Ausley.
Oakland township—A W Wicker.
New Hope township—J K Gibson.
Williams' township—Atlas J Riggsbee.

CHEROKEE COUNTY.

Murphy township—R D McCombs.
Valley Town township—J W Hyatt.
Beaver Dam township—H H Davidson.
Shoal Creek township—Jasper Barnett.
Hot House township—J R Hyatt.

Notla township—Alfred Arp.

CHOWAN COUNTY.

Edenton township—William E Bond.
Yeopin township—William J Webb.
Middle township—Elisha J Burk.
Upper township—Jacob U Hudson.

CLAY COUNTY.

Haysville township—T H Hancock.
Brass Town township—J S Bell.
Hiawassee township—Bryant Curtis.
Tusquitte township—W P Moore.
Shooting Creek township—Julius Killion.

CLEAVELAND COUNTY.

Township No. 1—J T M D Helton.
Township No. 2—D S Lovelace.
Township No. 3—John R Logan.
Township No. 4—A V Falls.
Township No. 5—T M A Otis.
Township No. 6—Walter Hardin.
Township No. 7—D A T Hamrick.
Township No. 8—Richard Hoard.
Township No. 9—J J Hardin.
Township No. 10—Zimri Falls.
Township No. 11—J F Whisnant.

COLUMBUS COUNTY.

Ransom township—Z F Murrell.
Lake Waccamaw township—J A Clark.

Bogue township—Thomas Barefoot.
Welch's township—Elijah Creech.
Whiteville township—J W Powell.
Western Prong township—B Brown.
Tatum's township—Labon Williamson.
Fair Bluff township—Dempsey Coleman.
William's township—A Tooms.
Bug Hill township—J J C Gore.
Lee's township—J J Long.

CRAVEN COUNTY.

Township No. 1—Richard S Chapman.
Township No. 2—Gilbert Arthur.
Township No. 5—Edward A Caraway.
Township No. 6—James H Hunter.
Township No. 7—Oliver H Perry.
Township No. 8—Edmund S Street.
Township No. 9—James W. Riddle.

CUMBERLAND COUNTY.

Seventy-First township—John A McPherson.
Rock Fish township—Colin McRae.
Gray's Creek township—J B Carver.
Quwhiffle township—D A McDiamond.
Cross Creek township—D G McRae.
Little River township—Dugald McLauchlin.
Cedar Creek township—G A Downing.
Flea Hill township—K McC Williams.
Black River township—J T Williams.
Beaver Dam township—Morris Hall.
Carver's Creek township—W R King.

CURRITUCK COUNTY.

Moyock township—John Barnard, Jr.

Crawford township—Virginius L Pitts.
Fruitville township—Elias Williams.
Poplar Branch township—James P Williams.
Atlantic township—Starke Harris.

DARE COUNTY.

Hatteras township—E H Riggs.
Kennekeet and Chickamacomeco township—Zion F Scarborough.
Nag's Head and Roanoke township—J H Tillett.
Croatan and Stumpy Point township—Thomas R Mann.
East Lake township—Thomas Owens.

DAVIDSON COUNTY.

Lexington township—James Smith.
Cotton Grove township—John H Miller.
Boone township—Henry Broadway.
Tyro township—J H Koonce.
Yadkin township—C C Byerly.
Clemmonsville township—A W Walker.
Arcadia township—J H Miller.
Bethany or Midway township—B F Beckerdite.
Abbott's Creek township—W W Pickard.
Thomasville township—Isham Regan.
Conrad Hill or Imbler's township—H C Hedrick.
Silver Hill township--Abraham Cross.
Emmon's township—John A Peacock.
Jackson Hill township—Lewis S Suratt.
Alleghany township—John G Suratt.
Healing's Springs township—Thomas Daniel.
Yadkin Bend township—For two years, C C Byerly; for four years, J H Walser; for six years, G W Hege.
Yadkin Bend is a new township and entitled to three magistrates.

DAVIE COUNTY.

Mocksville township—M R Chaffin.
Jerusalem township—J A Kelly.
Fulton township—John H Hanes.
Farmington township—James M Johnson.
Clarksville township—H E Holman.
Calahu township—Winfield S. Smoot.

DUPLIN COUNTY.

Keenansville township—B F Pearsall.
Limestone township—T I Armstrong.
Cypress Creek township—B G Larkins.
Island Creek township—R Teachy.
Rock Fish township—D S Williams.
Warsaw township—D G Morrisey.
Faison's township—M A Lewis.
Wolf Creek township—B H Walker.
Albertson's township—B F Grady.
Dale's township—E B Herring.
Smith's township—John G Smith.
Magnolia township—Abner Robinson.
Incorporated town of Magnolia—O J Carroll.

EDGECOMBE COUNTY.

Township No. 1—Richard M Johnson.
Township No. 2—John A Little.
Township No. 3—James W Howard.
Township No. 4—Louis B Knight.
Township No. 5—H Lafayette Leggett.
Township No. 6—James W Draughorn.
Township No. 7—David H Barlow.
Township No. 8—John A Davis.

Townsnip No. 9—Amos Wooten.
Township No. 10—Frank Malston.
Township No. 11—W H Knight.
Township No. 12—Charles S Kettlebrew.
Township No. 13—Patrick H Edge.
Township No. 14—Jesse W Williams.

FRANKLIN COUNTY.

Louisburg township—J A May.
Franklinton township—W P Morris.
Freeman's township—Thomas J Crocker.
Haysville township—R G Winne.
Gold Mine township—A M Hamlette.
Cedar Rock township—A Thomas.
Cypress Creek township—James M White.
Dunn's township—W K Phillips.
Harris township—B F Wilder.
Sandy Creek township—N H Murphy.

FORSYTHE COUNTY.

Winston township—William Barrow.
South Fork township—John E Faw.
Old Town township—S N McGee.
Broad Bay township—F A Tucker.
Abbott's Creek township—J H Chamberlain.
Middle Fork township—John Beeson.
Kernersville township—J H Morris.
Below's Creek township—A S Ham.
Salem Chapel township—Thomas M Marshall.
Bethania township—A P Styers.
Old Richmond township—E L Reed.
Vienna township—E C Dull.
Lewisville township—William Hauser.

GASTON COUNTY.

Cherryville township—Martin H Shuford.
Dallas township—Caleb Paysour.
River Bend township—John C Fite.
South Point township—John F Leeper.
Crowder's Mt. township—William Pearson.

GATES COUNTY

Gatesville township—E J Brady.
Hall township—Elisha Parker.
Reynoldson township—H H Willy.
Haslett township—William H Riddick.
Holly Grove township—William H Palson.
Hunter's Mill township—John W Hofler.
Mintonsville township—Nathan O Ward.

GRAHAM COUNTY.

Cheoaih township—N G. Phillips.
Stecoaih township—Philip Crisp.

GRANVILLE COUNTY.

Henderson township—J E Burroughs.
Kittrell's township—Erasmus A Powell.
Brassfield township—J Y Moss.
Dutchville township—E E Lyon.
Walnut Grove township—Benjamin F Hester.
Sassafras Fork township—Thomas Pittard.
Townsville township—John E Haithcock.
Oxford township—John Blacknall.
Oak Hill township—M S Daniel.
Tally Ho township—Arthur S Carrington.
Fishing Creek township—Elijah C Montague.

GREENE COUNTY.

Snow Hill township—Levi J H Mewborne.
Hookerton township—James S Smith.
Speight's Bridge township—Bennet Fields, jr.
Old's township—W P Ormand.
Bulldose township—Benjamin W. Best.

GUILFORD COUNTY.

Washington township—Alexander Tickel.
Rock Creek township—A G Clapp.
Greene township—Zimri M Foust.
Madison township—Robert C Rankin.
Jefferson township—William F Thom.
Clay township—Addison Coble.
Monroe township—J M McMickel.
Gilmer township—John A Pritchett.
Fentress township—John M Fentress.
Centre Grove township—Thomas Moore.
Morehead township—Arrington Dilworth.
Summer township—J S Murrow.
Bruce's township—J T Rhodes.
Friendship township—A H Lindsay.
Jamestown township—W. G. Sapp.
Deep River township—Jason Thompson.
High Point township—Henry Clapp.
Oak Ridge township—Walter Benbow.

HALIFAX COUNTY.

Halifax township—R H Shaw.
Caledonia township—T W Fenner.
Palmyra township—E W Hyman.
Roseneath township—R H Purrington.
Conoconarie township—W M Shields.

Weldon township—W A Daniel.
Enfield township—James H Whitaker.
Littleton township—W A Johnston.
Butterwood township—E A Thorne.
Brinkleysville township—F M Parker.
Faucett township—R B Brickell.

HARNETT COUNTY.

Johnsonville township—A C Buie.
Barbecue township—James Cameron.
Upper River township—J S Harrington.
Lillington township—J R Marsh.
Averysboro township—Joel Barefoot.
Grove township—S R Wilson.
Neill's Creek township—W J Long.
Hector Creek township—Ben Gardner.
Buck Horne township—J S Hoslt.
Stewart's Creek township—J T McLean.
Black River township—For 2 years, J C Williams; for 4 years, J P Cutts; for 6 years, T Matthews.
Black River is a new township, created since the last election of magistrates.

HAYWOOD COUNTY.

Waynesville township No. 1—H. B. Platt.
Township No. 2—Henry Ivester.
Township No. 3—T B Edmundson.
Township No. 4—Joseph Christopher.
Township No. 5—R. M. Ferguson.
Township No. 6—R W Noland.
Township No. 7—Daniel Cook.
Township No. 8—J. M. Rice.
Township No. 9—A C Cagle.

Township No. 10, Iron Duff—For 2 years, J M White, jr; for 4 years, E L Medford; for 6 years, J M Crawford.

No. 10, or Iron Duff township, was created by this General Assembly.

HENDERSON COUNTY.

Hendersonville township—A M McCarson.
Edneyville township—R A Freeman.
Blue Ridge township—L R Edney.
Green River township—Edward Freeman.
Clear Creek township—A J McMinn.
Hooper Creek township—A E Fletcher.
Crab Creek township—George Sentill.
Mills River township—A E Posey.

HERTFORD COUNTY.

Winton township—Charles N Pruden.
Harrellsville township—James P Howell.
St. John's township—Julian S. Moore.
Manning's Neck township—S B. Winburn.
Murphreysboro township—W T Brown.

HYDE COUNTY.

Ocracoke township—Daniel Folsom.
Lake Landing township—T M Davis.
Swan Quarter township—Samuel Jones.
Currituck township—Daniel Burgess.
Fairfield township—Will Jones.
Engelhard (incorporated town)—R. B. Sanderson.

IREDELL COUNTY.

Eagle Mills' township: Lewis Tuberville.
Union Grove township: W G Templeton.

New Hope township: J D Wellbourne.
Turnersburg township: Benjamin Turner.
Olin township: Thomas J. Allison.
Sharpesburg township: A A Hines.
Cool Springs township: G F Shepherd.
Bethany township: J A Austin.
Concord township: Abner Morrison.
Chambersburg township: J A White, jr.
Statesville township: John Bradley.
Shiloh township: Peter Little.
Barringer township: J W Sanders.
Falls Town township: A P. Clark.
Coddle Creek township: J S Harris.
Davidson township: J M Shook.

JACKSON COUNTY

Cashier's Valley township: S N Allison.
Hamburg township: J P Stewart.
Canada or Saul's Creek township: J A Galaway.
Cary Fork township: R H Stephens.
Fork of the River township: W M Hooper.
Cullowhee township: R L Watson.
Scott's Creek township: Samuel H Bryson.
Webster C. H. township: E P Stillwell.
Savannah township: B H Jones.
Barker's Creek township: J B Raby.
Qualla Town township: T K Welch.

JOHNSTON COUNTY.

Clayton township: John L Banks.
Pleasant Grove township: Joseph Ogburn.
Elevation township: Carroll Langdon.
Meadow township: D G Johnson.
Bentonsville township: Ransom Lee.

Ingram's township: N T Cole.
Smithfield township: John R Creech.
Princeton township: L P Creech.
Beulah township: B R Hinnant.
O'Neal's township: William H O'Neal.
Wilder township: James A Hocutt.
Selma township: W J Barrow.

JONES COUNTY.

White Oak township: Lewis Brynum.
Pollocksville township: Henry C Foscue.
Trenton township: Edward M Foscue.
Cypress Creek township: Calvin Koonce.
Tuckahoe township: John W Edwards.
Beaver's Creek township: Lewis H Haskins.

LINCOLN COUNTY.

North Brook township: S J Weaver.
Howard's Creek township: Phillip Carpenter.
Lincolnton township: W T Shipp.
Ironton township: R S Rhinehardt.
Catawba township: Freeman Kelly.
Town of Lincolnton: H W Burton.

LENOIR COUNTY.

Sand Hill township: S T Croslan.
Woodington township: Jesse Jackson, jr.
Trent township: A W Whitfield.
Pink Hill township: George Turner.
Mosely Hall township: S J Sutton.
Lenoir Institute township: M B Creech.
Falling Creek township: J W Dailey.
Vance township: J M Mewbern.

Contentnea Neck township: H H Moore.
Kinston township: S H Rountree.

MACON COUNTY.

Franklin township: F Poindexter.
Mill Shoal township: Jesse S Elmore.
Ellijay township: William H Higden.
Sugar Fork township: I N Kerner.
Clear Creek township: J W Wilson.
Smith's Bridge township: L. F. Howard.
Cartoogechage township: Albert Siler.
Nantihala township: John D Howard.
Burningtown township: Posey C Wilds.
Cowee township: Col A Hall.

MADISON COUNTY.

Marshal township: C G Rector.
Pine Creek township: Adolphus Payne.
Little Sandy Mush township: John M Carver.
Spring Creek township: Jasper Ebbs.
Warm Spring township: Peter Scism.
Big Laurel township: James E Rice.
Shelton Laurel township: J S Tweed.
Gabriel Creek township: L C Huff.
Middle Fork township: W W Ponder.
West Fork township: W M Jervis.
Upper Laurel township: William A Ray.

MARTIN COUNTY.

Hamilton township: W H Watson.
Williamston township: S M Parrington.
Jonesville township: D R Daniel.

MECKLENBURG COUNTY.

Charlotte township: F A McNinch.
Clear Creek township: T A Jerome.
Crab Orchard township: W H Taylor.
Berryhill township: L M McAlister.
Sharon township: Oswald Alexander.
Pineville township: J M Boyce.
Providence township: W M Matthews.
Steele Creek township: F Lee Erwin.
Dewese township: W D Mayes.
Long Creek township: Thomas Glugas.
Pan Creek township: James M Sloan.
Lemley's township: R A Torrence.
Morning Star township: S B Smith.
Mallard's Creek township: J B Thomason.

McDOWELL COUNTY.

Jamestown township: B F Brackett.
Higgins' township: A C Gardner.
Dysartsville township: W J Allen.
Dobson township: I S Stacey.
North Cove township: Robert H McCall.
Marion township: Henry Presnall.
Old Fort township: E H Grant.
Crooked Creek township: R M Burgin.
Broad River township: Jesse Burgin.
Sugar Hill township: Alford Clayton.

MITCHELL COUNTY.

Bakersville township: T L Randolph.
Snow Creek township: S T Hensley.
Grassy Creek township: H L Brinkley.

Toe River township: W H Ollis.
Linville township: F P Slagle.
Little Creek township: J G Burleyson.
Red Hill township: Henry Masters.
Harrill's township: Green Y Buchan.
Hollow Poplar township: Simeon J Moore.

MONTGOMERY COUNTY.

Troy township: Neill McInnis.
Mt. Gilead township: D C McAuley.
Pee Dee township: W G DeBerry.
Rocky Spring township: D I Ewing.
Little River township: E C Martin.
Edward's township: John F Cotten.
Hollingsworth township: Martin Gillis.
Uwharrie township: Littleton Dennis.
Cheek's township: R T Rush.
Ophir township: W C Davis.
Hill township: M M Leach.

MOORE COUNTY.

Carthage township: Daniel Hannon.
Ben Salem township: L B Currie.
Seffield's township: Thomas Brown.
Ritter's township: J W Seawell.
Jonesboro township: Absalom Kelly.
Greenwood township: William P Cameron.
Thugard's township: D S Byrd.
Pocket township: A M Wicker.
Sand Hill township: J B McDonald.
Mineral Springs township: A M Black.

NASH COUNTY.

Castalia township: Thomas J Brasswell, jr.

Griffin township: James V Bunting.
Whitaker's township: T P Brasswell.
Stoney Creek township: John E Lindsay.
Nashville township: L W Hedgepeth.
Cooper's township: Willis Eason.
Manning's township: S C Edwards.
Ferrell's township: William H Griffin.
Bailey's township: W B Winbourne.
Jackson township: A B Williams.
Rocky Mount township: D W Winstead.

NEW HANOVER COUNTY.

Wilmington township: John D Taylor.
Federal Point township: J P Montgomery.
Masonboro township: John A Farrow.
Harnett township: Gerritt Walker.
Cape Fear township: Iredell Johnston.

NORTHAMPTON COUNTY.

Gaston township: W E Bradley.
Occoneechee township: W H Summerell.
Jackson township: Isaac Peele.
Roanoke township: William Grant.
Rich Square township: Henry Copeland.
Wiccacanoe township: W J Rogers.
Kirby township: J H Edwards.
Seaboard township: R T Stephenson.
Town of Jackson: William Barrow.

ONSLOW COUNTY.

Richland township: D A Sandlin.
Jacksonville township: J H Mashbourne.
Stump Sound township: N N McMillan.

Swansboro township: J A Freshwater.
White Oak township: Noble Somersill.

ORANGE COUNTY.

Hillsboro township: Calvin E Smith.
Little River township: Samuel H. Jordan.
Mangum township: Alvis K Umstead.
Durham township: William W Guess.
Patterson township: Samuel H Turrentine.
Chapel Hill township: Charles W Johnson.
Bingham township: D M Durham.
Cedar Grove township: William W Allison.
Lebanon township: For two years, James G Latta; for four years, S W Holman; for six years, R G Russell.

Lebanon is a new township and the present justices were appointed by the Governor. Their terms expire August, 1879.

PAMLICO COUNTY.

Township No. 1: David L Benison.
Township No. 2: Stephen B Lane.
Township No. 3: John D McCotter.
Township No. 4: Fred A Spain, sr.
Township No. 5: R B Hardison.

PASQUOTANK COUNTY.

Elizabeth City township: M B Culpepper.
Newland township: James White.
Providence township: David Daily.
Nixonton township: S J Halstead.
Mt. Hermon township: W J Munden.
Salem township: J S Wilcox.

PENDER COUNTY.

Holden township: Rufus W Collins.
Union township: Stephen C Filyaw.
Columbus township: G F Walker.
Caswell township: J J Pridgeon.
Lincoln township: W W Larkin.
Rocky Point township: Thomas A McClendon.
Holly township: R T Williams.
Grant township: Newnan Atkinson.
Incorporated town of Burgaw: W E Duncan.

PERQUIMANS COUNTY.

Hertford township: William Gunn.
Bethel township: H H Griffin.
Belvidere township: Robert Newby.
Parkville township: Elijah Peel.
New Hope township: John A Johnson.

PERSON COUNTY.

Cunningham's township: Samuel A Barnett.
Olive Hill township: W G Winstead.
Bushy Fork township: J L Brooks.
Flat River township: William A Barton.
Roxboro township: W C Satterfield.
Woodall township: John A Barnett.
Holloway's township: T J Montague.
Allensville township: T A Yancey.
Mt. Tirzah township: G G Moore.

PITT COUNTY.

Swift Creek township: Slade Chapman.
Chicor township: John Galloway, Jr.

Greenville township: W A Hollowell.
Belvoir township: B F Bryan.
Pactolus township: J R Congleton.
Falkland township: W R Williams.
Farmville township: James S Norman.
Contentnea township: R P Collins.

POLK COUNTY.

Columbia township: James H Armes.
White Oak township: George J Mills.
Tryon township: C P Williams.
Cooper's Gap township: Lewis Cowart.
Green's Creek township: William Shields.

RANDOLPH COUNTY.

Trinity township: J R Frazier.
New Market township: B F Steed.
New Salem township: W D Siler.
Liberty township: W P Fox.
Columbus township: Henry Craven.
Franklinsville township: O R Cox.
Asheboro township: R M Free.
Tabernacle township: A B Finch.
Back Creek township: J T Bostick.
Concord township: J B Horney.
Cedar Grove township: R M Moffitt.
Grant township: H T Bray.
Pleasant Grove township: H T Moffitt.
Brower township: John Brady.
Richland township: W D Kenig.
Union township: George Auman.
New Hope township: P C Brewer.

RICHMOND COUNTY.

Rockingham township: John Shortridge.
Stewartsville township: James M Graham.
Laurel Hill township: William Johnston.
Williamson's township: John W Snead.
Mineral Springs township: Daniel W Gibson.
Black Jack township: Alfred B Covington.
Wolf Pitt township: Hampton S Wade.
Beaver Dam township: John C Terry.
Steele's township: James T Bradley.

ROBESON COUNTY.

Alfordsville township: Evander Alford.
Blue Springs township: Thomas McBryde.
Back Swamp township: D C McIntyre.
Britt's township: H F Pittman.
Howellsville township: W Regan.
Lumberton township: Dr W A Dick.
Lumber Bridge township: S J Cobb.
St. Paul township: Lochlin Shaw.
Sterling's Mills township: R R Barnes.
Smith's township: A T McCallum.
Shoe Heel township: W B Harker.
Thompson's township: Needham B Thompson.
Wishart's township: W Wishart.
Burnt Swamp township: D A Buie.
White House township: Colin Williams.

ROWAN COUNTY.

Salisbury township: John A Hedrick.
Franklin township: William R Fraley.
Unity township: Richard Culbertson.
Scotch Irish township: Jesse Powless.

Mt. Ulla township: Phi. Alexander.
Atwell township: Joseph F McLean.
Locke township: J F Robinson.
Littaker township: Isaac S Linker.
Gold Hill township: Adam C Earnhart.
Morgan's township: Wiley Bean.
Providence township: George L Lyerly.

ROCKINGHAM COUNTY.

Leaksville township: W R Strong.
Stoneville township: Nathaniel Scales.
Madison township: James A Vernon.
Huntsville township: A T Neal.
New Bethel township: Thomas Cummings.
Simpsonville township: W P Hopkins.
Wentworth township: Nathan Mobley.
Oregon township: James Hutchinson.
Williamsborough township: Ezekiel Paschal.

RUTHERFORD COUNTY.

Rutherfordton township: Joseph H Smith.
Green Hill township: M K Linch.
Union township: J Y McEntire.
Sulphur Spring's township: John L McDowell.
High Shoals township: J J Camp.
Colfax township: J B McDaniel.
Cool Spring's township: William Martin.
Duncan's Creek township: W J Witheron.
Golden Valley township: J M Mode.
Logan's Store township: H B Wilson.
Camp Grove township: S K Cannon.
Morgan township: T P Hemphill.
Chimney Rock township: W H Henderson.

SAMPSON COUNTY.

Clinton township: L C Hubbard.
Taylor's Bridge township: V J McArthur.
Lisbon township: A M Blackburn.
Franklin township: W B Murphy.
Turkey township: Walter J Moore.
Piney Grove township: M W Clifton.
Westbrook township: Ransom West.
Mingo township: N B Barefoot.
Hall's township: H H Cobb.
Dismal township: James D Malloy.
Little Coharie township: Amos Bullard.
Hunnycutt's township: Jas. H Turlington.
McDaniel's township: James N Smith.

STANLY COUNTY.

Township No. 1: W S Smith.
Township No. 2: J J Freeman.
Township No. 3: John R Ivey.
Township No. 4: Coleman Lefler.
Township No. 5: E R Herrin.
Township No. 6: J E Hartsell.
Township No. 7: F G Turner.
Township No. 8: J E Maulden.

STOKES COUNTY.

Meadow township: James M Fulton.
Sauratown township: W W Withers.
Beaver Island township: J D Dalton.
Snow Creek township: John Martin.
Peter's Creek township: W V Shelton.
Quaker Gap township: M T Smith.
Yadkin township: J H Shamel.

SURRY COUNTY.

Dobson township: T B Hamlin.
Mt. Airy township: Robert S Gilmer.
Westfield township: William D Haymore.
Pilot township: John C Dodson.
Rockford township: John G Burriss.
Marsh township: F F Anthony.
Hotel township: John A Park.
Bryant township: Steven Venable.
Franklin township: W Y Tucker.
Stewart's Creek township: Samuel P Freeman.
Eldora township: B Badget.

SWAIN COUNTY.

Oconolufty township: W R Grant.
Charleston township: J C Cogdill.
Nantihala township: Thomas P Sawyer.
Toney's Creek township: Daniel Lester.

TRANSYLVANIA COUNTY.

Boyd's township: W O Miller.
Little River township: S W Hamilton.
Davidson township: J J Shipman.
Dunn's Rock township: B F Aiken.
Cathey's Creek township: G F Justice.
East Fork township: L D Gillespie.
Gloucester township: W P Galloway.
Hogback township: C J Henderson.

TYRRELL COUNTY.

Columbia township: Austin Perisher.
Scuppernong township: Samuel M Alexander.

Gum Neck township: J W Swain.
Alligator township: B F Duncan.
South Fork township: S C Patrick.

UNION COUNTY.

Monroe township: Jonathan Trull.
Buford township: Zacharia Yarborough.
Jackson township: Alexander McIlwain.
Sandy Ridge township: E H Harkness.
Goose Creek township: Thomas H Benton.
New Salem township: J W Hamilton.
Lane's Creek township: Vachel T Cheers.

WAKE COUNTY.

Barton's Creek township: M H Ellen.
St. Mary's township: W N Snelling.
Buckhorn township: L B Seagraves.
Carey township: J P H Adams.
Cedar Fork township: Hiram Weatherspoon.
House's Creek township: J D Hayes.
Little River township: P P Pace.
Mark's Creek township: H A Rhodes.
Middle Creek township: D C Adams.
New Light township: Chas H Ray.
Neuse township: J J Dunn.
Oak Grove township: W H Gully.
Panther Branch township: W D. Crowder.
St. Matthew's township: N W Pool.
Swift Creek township: Thomas Woodall.
Wake Forest township: W C Brewer.
White Oak township: G G Maynard.
Raleigh township: Zach T Broughton.

WARREN COUNTY.

River township: Samuel D King.
Haw River township: B P Davis.
Smith's Creek township: Robert F Rose.
Nut Bush township: Thomas P Paschal.
Sandy Creek township: John W Allen.
Shoco township: George R Clements.
Fishing Creek township: William T Perry.
Judkins township: Samuel W Dowtin.
Warrenton township: Joseph E Drake.
Six Pound township: Horace Palmer.

WASHINGTON COUNTY.

Plymouth township: Lewis C Marriner.
Lee's Mill township: Thomas G Blount.
Skinnersville township: Yorach M Woodley.
Scuppernong township: Charles L Pettigrew.

WATAUGA COUNTY.

Boon township: Nathan Horton.
Ball Mountain township: John J L Church.
Blue Ridge township: A W Penley.
Blowing Rock township: W W Sherrill.
Beaver Dam township: Marion Wilson.
Cove Creek township: John McGuire.
Elk Creek township: Isham T Calloway.
Laurel Creek township: Miles A Presnell.
Meet Camp township: Joel Norris.
Stoney Fork township: John N Idol.
Watauga township: J W McCleard.
Shoaneehan township: George W Brown.

WAYNE COUNTY.

Goldsboro township: Nathan Boyett.
Stony Creek township: N J Smith.
Nahunta township: W E Fountain.
Great Swamp township: J M Perkins.
Pikeville township: J T Dees.
Saulston township: W H Speight,
New Hope township: John W Isler.
Indian Spring's township: John A Kornegay.
Brogden township: D E Stevens.
Grantham township: George M Bridgers.
Fork township: Hillory Hastings.

WILKES COUNTY.

Edward's township: Joseph Edwards.
Trap Hill township: James McCan.
Walnut Grove township: W H Handy.
Rock Creek township: Smith Johnson.
Mulberry township: P R McGrady.
Union township: Thomas Whittington.
Reddy River township: J A Crysle.
Lewis' Fork township: J W Church.
Job's Cabin township: Harrison Church.
Elk township: H H Miller.
Beaver Creek township: Pickens Carlton.
Wilkesboro township: T J Gilreath.
Summer's township: Welmuth Jarvis.
Fishing Creek township: T B James.
Lovelace township: G J Thornburg.
Brushy Mountain township: E E Hendren.
New Castle township: R W Wooten.
Antioch township: B P Johnston.

WILSON COUNTY.

Wilson township: F W Barnes.
Gardener's township: Thadeus W Pender.
Stauntonburg township: J H Applewhite.
Taylor's township: B E Thompson.
Black Creek township: A G Person.
Cross Roads township: T A Thompson.
Spring Hill township: William Watson.
Saratoga township: S H Tyson.
Old Field's township: Joseph Farmer.
Toisnot township: J H Barclay.

YADKIN COUNTY.

Boonville township: James H Flemming.
Knob's township: Benjamin Sparks.
Buck Shoals township: J F Couch.
Deep Creek township: John B Holcomb.
Liberty township: Thomas Williams.
Forbush township: Alvis Cornelius.
Little Yadkin township: Joseph Williams.
East Bend township: T F Matthews.
Falls' Creek township: J L Shugard.

YANCEY COUNTY.

Burnsville township: Samuel M Bennett.
Cane River township: Melton P Hampton.
Egypt township: B S Hensley.
Ramseytown township: C R Byrd.
Jack's Creek township: Dobson Deyton.
Brush Creek township: Green B Woody.
Crab Tree township: David H Silver.
South Toe River township: John D Patton.
Pensacola township: Samuel F McPeters.

Green monntain township: For two years, A J Barnett; for four years, Jere Hughes; for six years, John Hughes.

Green Mountain township is a new township created since the last election of magistrates.

Whole number of votes cast 115, of which the foregoing list of nominations received 87.

We, therefore, declare that the above named persons having each received a majority of the votes cast in each House of the General Assembly, have been duly elected justices of the peace for their respective townships and counties as above set forth.

All of which is respectfully reported,

EDWARD BULL,
J. T. DILLARD,
Tellers on the part of the Senate.
GEO. N. LEWIS,
I. G. BLAISDELL,
Tellers on the part of the House.

On motion of Mr. Dortch the Senate adjourned.

NIGHT SESSION.

SENATE CHAMBER, Feb. 26th, 1879.

The Senate met pursuant to adjournment.

The hour for the consideration of the first special order having arrived,

S. B. 577, bill to establish a criminal judicial district and to provide courts therefor, was taken up on its second reading.

Mr. Everett moved to amend:

Strike out "shall be elected by the General Assembly" and insert "shall be appointed by the Governor," on which he demanded the ayes and noes, which were ordered and the amendment was lost, ayes 13, noes 32, as follows:

Those voting in the affirmative were:

Messrs. Alston, Brower, Eppes, Erwin, Everett, Holleman, Mebane, Mitchell, Ormand, Taylor, Ward, Williamson, and White—13.

Those voting in the negative were:

Messrs. Alexander, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Snow, Waddell, and Waldo—32.

Mr. Everett moved to amend by adding as a new section:

"That at the next general election to be held in the State, the judge and solicitor for this circuit shall be elected by the people—the judge for eight years and the solicitor for four years," upon which he demanded the ayes and noes, which were ordered and the amendment was lost, ayes 18, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Brower, Dancey, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, Hoyle, Matheson, Merritt, Mitchell, Ormand, Redwine, Taylor, and White—18.

Those voting in the negative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Dortch, Graham of Lincoln, Harris, Henderson, King, Leach, Lyon, Mebane, Moye, Nicholson, Respass, Scales, Shackleford, Snow, Stewart, Waddell, Ward, and Williamson—26.

Mr. Lyon moved to amend:

Strike out "Granville county" wherever it occurs in the bill.

Adopted.

Mr. Moye moved to amend the proviso:

After the word "determine" insert the words "and if so determined," in line 5.

Accepted.

Mr. Henderson moved to amend:

"*Provided, however*, That said criminal court shall have no jurisdiction of any offence whereof exclusive original jurisdiction is now, or may hereafter be, conferred by law upon courts of justices of the peace."

Accepted.

Mr. Holleman moved to amend by striking out "Northampton county" wherever it occurs in the bill; on which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 37, noes 4, as follows:

Those voting in the affimative were:

Messrs. Alexander, Alston, Black, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Taylor, Waddell, Waldo, Ward, Williamson, and White—37.

Those voting in the negative were:

Messrs. Davidson, Henderson, Shackleford and Snow—4.

Mr. Bull moved that the name of "Craven county" be stricken from the bill wherever it appears. Adopted.

Mr. Ormand moved to amend by inserting the following:

"This act shall apply to Greene and Lenoir, and the inferior courts of these last named counties are hereby abolished, and the justices of the peace shall have no power to create them in those counties any more."

Mr. Bynum moved to amend, strike out all after the word "abolished."

Mr. Respass moved to lay the bill and amendments on the table, which prevailed.

S. B. 512, bill to provide for the support of the North Carolina Institute for the Deaf, the Dumb and the Blind for the years 1879 and 1880, being the second special order for to-night, was taken up and passed its several readings.

On motion of Mr. Erwin, the bill was sent to the House of Representatives without engrossment.

S. B. 476, bill to abolish "The Insane Asylum of North Carolina" and incorporate "The North Carolina Insane Asylum," being the third special order for to-night, was taken up on its second reading.

Mr. Scales moved to amend:

Sec. 3. Strike out the last words and figures of section 3, to-wit: "seventy-nine (1879), and insert instead thereof the following: "eighty (1880)," and shall hold their office for the term of one year, and every succeeding board shall hold office for the term of two years."

Sec. 4. Amend section 4 by inserting after the word "committee" at the end of second line the following:

"Two of whom shall reside in the city of Raleigh," and by striking out lines six and seven.

Sec. 6. Amend section 6 by striking out of line two the

words "On the first Wednesday in December" and insert instead thereof the word "quarterly."

Sec. 9. Amend section 9 by inserting after the word "stewart" in the first line the words "who shall give such bond for the fathful discharge of his duties as shall be prescribed by the Directors."

Sec. 12. Amend section 12 by inserting after the word "and" in line 7, the words "in protracted cases only by," and at the end of said section add: "*Provided*, that this shall not be so construed as to prevent the Directors from utilizing the druggist as second assistant physician," and amend line 3 by inserting after the word "Superintendent" the words "and whenever so required by the Superintendent."

Sec. 13. Amend by inserting after the word "audited" in line 3, the words "by the Executive Committee;" add also at the end of said section, "The steward shall be the custodian of all provisions purchased."

Sec. 14. After the word "otherwise" in line 5, insert the words, "but the board of directors may determine in what way and to what extent he may entertain visitors to the institution."

Sec. 15. Add at the end of section 15 the words, "not exceeding in the aggregate the sum of five thousand dollars."

Sec. 46. After section 45 shall be inserted the following: "Sec. 46. This act shall not be so construed as to interfere with the term of office of the superintendent or of the first assistant physician, as agreed upon by the present board of directors, except so far as the same may be affected by section 14 of this act."

Sections 46 and 47 shall be numbered as 47 and 48.

Sec. 48. Amended by striking out "1879," line 4, and insert "one thousand, eight hundred and eighty, and the Governor shall be *ex-officio* a member and chairman of the present board of directors."

And insert after the word "institution," in line 3, section 47, the words "except the officer abolished by this act."

Mr. Bynum moved to amend the bill:

Amend by striking out the word "steward" in line 1 of section 9.

The amendments offered by Mr. Scales were adopted.

Mr. Leach demanded the previous question upon the passage of Mr. Bynum's amendment. Sustained.

Mr. Bynum's amendment was lost.

Mr. Bynum moved to amend:

"*Provided*, The salary of the steward shall not exceed four hundred dollars."

Lost.

Mr. Henderson demanded the previous question upon the passage of the bill, which was sustained.

On the passage of the bill its second reading

Mr. Bynum demanded the ayes and noes, which were ordered, and the bill passed—ayes 34, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dillard, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Scales, Snow, Stewart, Taylor, Ward, and Williamson—34.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bynum, Eaves, Everett, Holleman, King, Moye, Respass, Waddell, Waldo, and White—13.

On motion of Mr. Leach the rules were suspended and the bill was put upon its third reading.

Mr. Bynum moved to amend by inserting:

"As shall be certified by a majority of the directors to be necessary."

Adopted.

Mr. Davidson moved to amend:

"*Provided*, that the person who shall discharge the duties of druggist or second assistant physician shall not be allowed board in the institution for more than one person."

Lost.

Mr. Snow demanded the previous question upon the passage of the bill on its third reading, which was sustained.

Bill then passed its third reading.

Mr. Scales moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

Mr. Bynum asked to be excused from further service upon the committee on the Insane Asylum, which was granted.

Mr. Bryan of Pender, moved to take from the table

H. B. 216, S. B. 383, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds.

The motion prevailed.

On motion of Mr. Ormand the Senate adjourned.

FORTY-FOURTH DAY.

SENATE CHAMBER,
THURSDAY, Feb. 27th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Norman.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Shackleford,

Petition of citizens of Onslow county. Referred to the committee on Propositions and Grievances.

By Mr. King,

Petition from citizens of Wilson. Placed upon the Calendar.

By Mr. Dancey,

Petition of citizens of Edgecombe county. Referred to the committee on Agriculture, Mechanics and Mining.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Internal Improvements:

By Mr. Dortch,

H. B. 107, S. B. 689, bill to amend chapter 88, private acts of the General Assembly passed at the session 1874–'75, entitled an act to incorporate the Fayetteville and Goldsboro railroad company, recommending it do pass.

H. B. 511, bill for the internal improvement of Sampson county, reporting amendments, and, as amended, recommending it do pass.

By Mr. Taylor,

H. B. 354, S. B. 608, bill to canal Angola Bay in the counties of Duplin and Pender, reporting amendments, and, as amended, recommending it do pass.

By Mr. Leach,

H. B. 699, S. B. 667, bill supplemental to an act authorizing the working of convicts on the Ore Knob and Mount Airy Railroad, Chester and Lenoir and Caldwell and Watauga Railroad, &c., and recommending it do pass.

S. B. 641, bill supplemental to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad, recommending it do pass.

By Mr. Davidson,

S. B. 328, bill to prevent extortion and unjust discrimination in railroad freights, &c., recommending its reference to the Joint Committee on Railroad Charges, &c. The bill was so referred.

From the committee on Finance:

By Mr. Graham of Lincoln,

H. B. 784, S. B. 661, substitute for H. B. 255, bill for the relief of land owners whose land has been sold to the State for taxes, recommending its reference to the committee on the Judiciary. The bill was so referred.

By Mr. Henderson,

H. B. 350, S. B. 535, bill to relieve farmers and others from paying a special tax, reporting amendments, and as amended recommending it do pass.

S. B. 671, bill to provide for the payment of debts due by Wilmington township, in the county of New Hanover, recommending it do pass.

By Mr. Erwin,

H. B. 163, S. B. 668, bill to create a sinking fund, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 440, bill to amend chapter 32, sections 154 and 155, Battle's Revisal, reporting amendments, and as amended recommending it do pass.

S. R. 539, resolution for the relief of Noah H. Rice, recommending it do pass.

S. B. 41, bill to repeal that part of chapter 260, passed at the session of 1876-'77, prohibiting the sale of spirituous liquors within three miles of Lawrence's Church, in Edgecombe county, recommending it do pass.

H. B. 122, S. B. 318, bill to allow the citizens of Jackson county to pass through toll gates of Macon county free of charge, also to allow citizens of Macon county to pass through toll gates of Jackson county free, reporting amendments, and as amended, recommending it do pass.

S. B. 642, bill to re-enact chapter 227, laws of 1876–'77, recommending it do pass.

From the committee on Insane Asylum:

By Mr. Bynum,

S. R. 360, resolution of enquiry, asking to be discharged from its further consideration.

From the committee on Fish and Fisheries:

By Mr. Shackleford,

H. B. 643, S. B. 607, bill to prevent the use of drags in New River, in Onslow county, and for other purposes, reporting amendments, and as amended, recommending it do pass.

From the committee on Corporations:

By Mr. Waldo,

S. B. 611, bill in relation to the city of Raleigh, recommending it do pass.

The committee on Engrossed Bills reports as properly engrossed:

S. B. 430, bill relating to public roads and highways;

H. B. 111, S. B. 550, engrossed Senate amendment, bill to incorporate the Warm Springs Toll Bridge Company;

S. B. 522, bill to be entitled an act to incorporate the Burgaw Railroad Company;

S. B. 471, bill to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house, &c.;

S. B. 493, bill to incorporate the North Carolina Industrial Association;

S. B. 517, bill to levy a special tax in Perquimans county;

S. B. 223, an act to repeal section 43, chapter 32, Battle's Revisal, concerning fences;

H. B. 53, S. B. 210, engrossed Senate amendment, bill to be entitled an act for the benefit of jurors in Alleghany, Surry, Haywood, Jackson, and Ashe counties;

S. R. 192, resolution to make Lumber River navigable;

H. B. 456, S. B. 448, engrossed Senate amendment, Good Samaritans, &c.;

S. B. 477, bill to repeal chapter 59, an act to provide suitable house, &c.;

S. B. 248, bill to incorporate the Raleigh Tabernacle, &c.;

H. B. 296, S. B. 412, engrossed Senate amendment, bill to punish treasurers of religious and benevolent institutions, &c.;

H. B. 43, S. B. 386, engrossed Senate amendment to bill to incorporate the bank of Asheville;

S. B. 228, bill to incorporate Oak City Lodge, Knights of Honor, No. 419;

S. B. 147, bill to prevent gambling on railroad cars.

The committee on Enrolled Bills reported as correctly enrolled:

S. B. 170, H. B. 552, an act to regulate the degrees of kinship within which persons in this State may not lawfully marry;

H. B. 578, S. B. 496, an act to give certain colored persons the right of inheritance;

S. B. 348, H. B. 632, an act to organize and incorporate the Christian Union;

S. B. 484, H. B. 701, and act to incorporate the Chapel Hill Iron Mountain Company;

S. B. 296, H. B. 548, an act to provide for the better proof of deeds executed beyond the State;

H. B. 183, S. B. 446, an act to secure the better drainage of the low bottom lands of Silver creek in Burke county;

S. B. 157, H. B. 550, an act to amend section 8, chapter 255, laws of 1876–'77;

S. B. 590, H. B. 564, an act to allow the county commissioners of Mitchell county to levy a special tax;

S. B. 39, H. B. 221, an act in relation to judgment on appeal from justices of the peace;

H. B. 393, S. B. 574, an act to authorize the commissioners

of Brunswick county to submit to the people of the county the question of changing the county seat;

H. B. 540, S. B. 532, an act to repeal chapter 189 of laws of 1876–'77, and to lay off and construct public road, &c.;

H. B. 560, S. B. 554, an act to legalize Iron Duff township in the county of Haywood;

H. B. 723, S. B. 629, an act relating to the city of Wilmington;

H. R. 143, S. R. 662, a resolution to develop the agricultural and other material interests of North Carolina.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Graham of Lincoln,

S. B. 690, bill to amend chapter 202, laws of 1874–'75, to protect State's interest in railroads. Referred to the committee on Internal Improvements.

By Mr. Respass,

S. B. 691, bill to amend an act incorporating the town of Washington, North Carolina. Referred to the committee on Corporations.

By Mr. Dortch,

S. B. 692, bill to incorporate the town of Kill Quick, in the county of Edgecombe. Placed upon the Calendar.

By Mr. White,

S. B. 693, bill to levy a special tax in Pasquotank county. Placed upon the Calendar.

By Mr. Waddell,

S. R. 694, resolution in favor of the clerk to the committee on Justices of the Peace. Placed on the Calendar.

By Mr. Brower,

S. B. 702, bill to amend chapter 137, laws of 1873–'74, entitled an act to prohibit the sale of liquor in certain localities. Placed on the Calendar.

By Mr. Dortch,

S. B. 703, bill to create a railroad commissioner and to define his duties. Referred to the committee on Internal Improvements.

By Mr. Shackleford,

S. B. 708, bill to apportion the convicts among the various works of internal improvements of the State. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment,

H. B. 403, S. B. 695, bill to authorize E. Everett, former sheriff of Swain county, to collect arrears of taxes. Referred to the committee on Finance.

Engrossed H. B. 758, S. B. 696, bill to incorporate Columbia Lodge, No. 132, I. O. G. T. Referred to the committee on Corporations.

H. B. 681, S. B. 697, bill to incorporate Bald Creek Baptist Church, in the county of Yancey. Referred to the committee on Corporations.

H. B. 722, S. B. 698, bill to incorporate Stonewall Lodge, No. 99, Independent Order of Odd Fellows. Referred to the committee on Corporations.

H. B. 486, S. B. 699, bill to amend chapter 161, laws of 1876–'77. Referred to the committee on Judiciary.

H. B. 640, S. B. 700, bill to incorporate Yancey county High School. Referred to the committee on Corporations.

H. B. 753, S. B. 701, bill to repeal chapter 123, laws of 1876-'77. Referred to the committee on Public Roads and Highways.

H. B. 680, S. B. 705, bill to incorporate Bee Log Baptist Church, in the county of Yancey. Referred to the committee on Corporations.

H. B. 687, S. B. 706, bill supplementary to acts farming

out convicts in this State. Referred to the committee on Internal Improvements.

Without engrossment,

H. B. 811, S. B. 704, bill to appoint and settle a public ferry on the Great Pee Dee river. Referred, on motion of Mr. Graham of Montgomery, to the committee on Propositions and Grievances.

CALENDAR.

Bills and resolutions on the Calendar are taken up and disposed of as follows:

H. B. 390, S. B. 644, bill to amend the charter of the city of Newbern, passed its third reading, ayes 31, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Harris, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—31.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Caldwell, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Holleman, and Ormand—11.

H. B. 451, S. B. 379, bill to make the killing of live stock indictable, on its third reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its third reading.

On motion of Mr. Everett,

S. B. 451, (now in the hands of the committee on Internal Improvements), bill to appoint a railroad commissioner, &c., was made the special order for Saturday morning at ten o'clock.

H. B. 689, S. B. 683, bill to amend the charter of the Snow Hill, Greenville and Goldsboro railroad, passed its second reading, ayes, 43, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Brower, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Stewart, Taylor, Waddell, Waldo, Ward and White—43.

Mr. Alexander voted in the negative.

Mr. Bull, from the select committee to consider and report upon

Senate bills 229 and 250, submitted a report in the nature of a substitute, (S. B. 707) which was placed upon the Calendar and ordered printed.

On motion of Mr. Henderson, the Calendar was placed in the control of the President for the remainder of the session.

Mr. Nicholson moved that when the Senate adjourn today it do so to meet to-night at half-past seven o'clock, which prevailed.

On motion of Mr. Bynum,

S. B. 389, bill to provide for the completion of the Western Insane Asylum was taken up on its second reading; and, on his further motion, it was made the special order for to-night at half-past seven o'clock.

On motion of Mr. Shackleford,

S. B. 708, bill to apportion the convicts among the various works of internal improvement of the State, was taken up on its second reading, and, on his further motion, it was made the special order for Monday night next, at 8 o'clock.

S. B. 234, bill for levying, equalizing and collecting taxes, being the special order for this hour, was taken up on its second reading.

On motion, the bill was passed over informally.

On motion of Mr. Erwin,

S. B. 401, bill to repeal the law providing for the maintainance of lunatics outside the insane asylum, was taken up on its second reading, and, on his further motion, it was postponed until to-night, at 8 o'clock.

S. B. 453, bill to amend an act passed in 1869–'70, entitled an act to incorporate the trustees of Greensboro Female College, passed its several readings, and,

On motion of Mr. Caldwell, the bill was sent to the House of Representatives without engrossment.

H. R. 185, S. R. 613, resolution regarding the purchase of stationery, passed its several readings.

H. R. 186, S. R. 614, resolution in regard to the publication of the captions of the acts of this General Assembly, passed its several readings.

H. B. 696, S. B. 684, bill to authorize a history of North Carolina for the use of the common schools of this State, passed its several readings.

H. B. 211, S. B. 626, bill to incorporate the State University Railroad Company, passed its several readings.

S. B. 631, bill to authorize the commissioners of Harnett county to levy a special tax, on its second reading.

Amendments reported by the committee on Propositions and Grievances were adopted; bill then passed its second reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bryan of Pender, Bryan of Duplin, Bull, Caldwell, Dancey, Dillard, Graham of Lincoln, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, Mebane, Moye, Nicholson, Ormand, Respass, Ross, Scales, Shackleford, Snow, Stewart, Waddell, Waldo, and Ward —28.

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers, laws of 1876-'77, passed its several readings.

H. B. 699, S. B. 667, bill supplemental to an act author-

izing the working of convicts on the Ore Knob and Mount Airy Railroad, Chester and Lenoir and Caldwell and Watauga Railroad Company, on its second reading.

Mr. Nicholson moved to amend:

Add the name of the "Mooresville, Winston and Salem Railroad Company," and the name of the "Statesville Air-Line Railroad Company."

Adopted.

Bill then passed its second reading.

S. B. 373, bill to allow the commissioners of Pender county to levy a special tax, passed its third reading, ayes 38, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Dillard, Dortch, Eaves, Erwin, Harris, Henderson, Holleman, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Taylor, Waddell, Waldo, Ward, and White—38.

Those voting in the negative were:

Messrs. Dancey and Eppes—2.

S. B. 440, bill to amend chapter 32, sections 154 and 155, Battle's Revisal, on its second reading.

Amendment reported by the committee on Propositions and Grievances was adopted.

Bill then passed its several readings.

On motion of Mr. Ross, the Senate adjourned.

NIGHT SESSION.
SENATE CHAMBER, Feb. 27th, 1879.

The Senate met pursuant to adjournment.

Mr. Graham of Lincoln in the the chair.

By consent, Mr. Shackleford introduced

S. B. 709, bill to establish the dividing lines between the counties of Carteret, Pamlico and Craven. Referred to the committee on Propositions and Grievances.

On motion,

H. B. 330, S. B. 605, bill to allow the Rabun Gap Short Line Railway Company to use fifty convicts, was taken up and passed its several readings.

On motion,

H. B. 216, S. B. 383, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds, was taken up and passed its second reading.

On motion,

S. R. 164, resolution amending a resolution requiring and providing for the indexing the Journals of the Houses of the General Assembly, and preparation and indexing of Legislative Documents, was taken up and passed its several readings.

The hour for the consideration of the special order, being S. B. 389, bill to provide for the completion of the Western Asylum for the Insane having arrived, it was taken up on its second reading.

On motion of Mr. Erwin the consideration of the bill was postponed for thirty minutes.

S. B. 401, bill to repeal the law providing for the maintenance of lunatics outside the Insane Asylum, being the second special order for to-night, was taken up on its third reading.

Mr. King offered a substitute for the bill.

Mr. Caldwell demanded the previous question on the passage of the bill, which was sustained.

On the passage of Mr. King's substitute,

Mr. Everett called for the ayes and noes, which were ordered, and the substitute was lost, ayes 22, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Pender, Bull, Dancey, Eaves, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Leach, Mitchell, Redwine, Taylor, Waddell, Ward, and White—22.

Those voting in the negative were:

Messrs. Austin, Brower, Bryan of Duplin, Bynum, Davidson, Dillard, Dortch, Erwin, Henderson, Holleman, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Respass, Ross, Scales, Shackleford, Snow, Waldo, and Williamson—25.

Question recurring upon the passage of the bill on its third reading,

Mr. Ormand demanded the ayes and noes, and the bill passed, ayes 27, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Austin, Brower, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dillard, Dortch, Erwin, Graham of Lincoln, Henderson, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Show, Waddell, Williamson, and White —27.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bull, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Ormand, Ross, Stewart, Taylor, Waldo, and Ward—21.

Mr. Caldwell moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed.

On motion, the Senate adjourned.

FORTY-FIFTH DAY.

SENATE CHAMBER,
FRIDAY, February 28, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Dillard indefinitely; to Mr. Shackleford for to-day; and to the Senators investigating charges of corruption for to-day; to Mr. Alexander until Monday; Mr. Merritt until Monday; Mr. Holleman until Tuesday; and Mr. Respass until Monday.

INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, passed first reading and disposed of as follows:

By Mr. Taylor,

S. B. 715, bill to aid in the completion of the Asheville and Spartanburg Railroad. Placed upon the Calendar.

By Mr. Erwin,

S. R. 716, resolution requiring the Secretary of State to furnish to judges and solicitors copies of certain important acts of the present General Assembly. Placed upon the Calendar.

By Mr. Everett,

S. B. 717, bill to provide for the summary investigation of county and municipal expenditures. Referred to the committee on the Judiciary, and ordered printed.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Scales,

H. B. 558, S. B. 474, bill to amend sections 4 and 7, chapter 37, Battle's Revisal, it being the law on the subject of divorce, reporting a substitute and recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Dillard,

H. B. 811, S. B. 704, bill to appoint and settle a public ferry on the Great Pee Dee river, reporting it back without recommendation and without prejudice.

By Mr. Bryan of Duplin,

Engrossed House substitute for S. B. 203, H. B. 430, bill to prevent the driving of cattle from South Carolina and other places into counties west of the Blue Ridge, recommending it be adopted.

From the committee on Public Roads and Highways:

By Mr. Alexander,

H. B. 158, S. B. 596, bill to amend chapter 104, Battle's Revisal, in regard to the manner of laying off public roads, recommending it do pass;

H. B. 563, S. B. 594, bill to secure a better condition of the public roads in Granville county, reporting it back without prejudice;

H. B. 753, S. B. 701, bill to repeal chapter 123, laws of 1866–'67, recommending it do pass;

H. B. 692, S. B. 645, bill to provide for the keeping in repair the public roads of the State, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 476, bill to abolish the Insane Asylum of North Carolina, and to incorporate the North Carolina Insane Asylum;

S. B. 440, bill to amend chapter 32, sections 154 and 155, of Battle's Revisal.

The committee on Enrolled Bills repored as correctly enrolled:

H. B. 37, S. B. 495, an act to repeal an act entitled an act to establish a criminal court in the county of Wake.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 823, S. B. 710, bill for the relief of John H. Cox, Sheriff of Perquimans county. Referred to the committee on Finance.

H. B. 789, S. B. 711, bill to provide for the draining of swamp lands in the counties of Columbus and Robeson. Placed upon the Calendar.

H. B. 309, S. B. 713, bill to incorporate the town of Highlands, in Macon county. Referred to the committee on Corporations.

Without engrossment,

H. B. 649, S. B. 713, bill to amend chapter 202, laws of 1868-'69. Referred to the committee on the Judiciary.

Without engrossment,

H. B. 596, S. B. 714, bill to change the dividing line between the counties of Brunswick and Columbus. Referred to the committee on Corporations.

Mr. Redwine moved to reconsider the vote by which

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers, passed its third reading on yesterday, which prevailed.

Question then being on the third reading of the bill,

Mr. Redwine moved to amend:

"Strike out the Yadkin river."

The amendment prevailed.

The bill then passed its third reading, and was ordered sent to the House of Representatives without engrossment.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 254, S. B. 653, bill to amend chapter 107, laws of 1874-'75, relating to the town of LaGrange, Lenoir county, passed its several readings.

S. B. 439, bill to amend chapter 43, Battle's Revisal, on its second reading.

Upon the passage of the bill its second reading,

Mr. Lyon demanded the ayes and noes, which were ordered, and the bill passed, ayes 35, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dillard, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Lyon, McEachern, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Snow, Stewart, Taylor, Waddell, Waldo, and Ward—35.

The bill was put upon its third reading.

Mr. Davidson moved to postpone until to-night at half-past seven o'clock. Lost.

Mr. Respass offered a substitute for the bill, which was adopted.

Bill then passed its third reading.

Engrossed House substitute for

S. B. 203, H. B. 430, bill to prevent the driving of cattle from South Carolina and other places into counties west of the Blue Ridge was adopted, and ordered enrolled for ratification.

S. B. 707, bill to regulate the sale of liquor in this State, being the special order for this hour, was taken up on its second reading.

On motion of Mr. Nicholson the consideration of the special order was postponed for five minutes.

On motion of Mr. Nicholson, a message was sent to the House asking for a return of

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba counties, with Senate amendment thereto.

S. B. 707, (special order), was taken up on its second reading.

On motion of Mr. Ormand the bill was considered by sections.

Sections one, two and three were adopted.

Section four was read.

Mr. Ormand moved to amend:

Strike out "two hundred dollars" and insert "five dollars" in line four; in line seven strike out "one hundred dollars" and insert "five dollars."

Lost.

Mr. Respass moved to amend:

Strike out "two hundred dollars" and insert "twenty-five dollars." In line seven strike out "one hundred" and insert "ten;" in line twenty strike out "fifty" and insert five;" in line twenty-one strike out "one hundred" and insert "twenty-five."

Lost.

The section was adopted.

The remainder of the sections were read and adopted.

Question recurring upon the passage of the bill its second reading,

Mr. Ormand moved to amend:

In line 6, section 16, strike out "two hundred" and insert "five hundred."

Lost.

Mr. Lyon moved to amend:

In line 4, section 4, strike out "two hundred" and insert "one hundred." Amend said section further by striking out "one hundred," in line 7, and insert "fifty."

Lost.

Mr. Everett submitted a substitute for the bill, upon which he demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 6, noes 38, as follows:

Those voting in the affimative were:

Messrs. Everett, Leach, Ormand, Waldo, Ward, and White—6.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Snow, Stewart, Waddell, and Williamson—38.

On the passage of the bill its second reading,

Mr. Ormand demanded the previous question, which was sustained.

The bill then failed to pass its second reading, ayes 21, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Dortch, Erwin, Graham of Lincoln, Harris, Holleman, King, McEachern, Mebane, Merritt, Scales, Stewart, Ward, Williamson, and White—21.

Those voting in the negative were:

Messrs. Alston, Black, Brower, Dancey, Davidson, Eaves, Eppes, Everett, Graham of Montgomery, Henderson, Hoyle, Leach, Lyon, Matheson, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Snow, Taylor, Waddell, and Waldo—24.

Mr. Ormand moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay the motion to reconsider on the table, which was lost.

S. R. 716, resolution requiring the Secretary of State to furnish certain acts of this General Assembly to the judges and solicitors, was adopted.

On motion of Mr. Erwin, the resolution was sent forthwith to the House of Representatives without engrossment.

H. B. 811, S. B. 704, bill to appoint and settle a public ferry on the Great Pee Dee River, on its second reading.

On motion of Mr. Bryan of Pender, the bill was recommitted to the committee on Propositions and Grievances.

H. B. 458, S. B. 604, bill to allow the commissioners of Graham to levy a license tax on spirituous liquors, passed its several readings.

On motion of Mr. Graham of Lincoln,

H. B. 174, S. B. 274, a bill to prevent the desecration of the Sabbath day, was taken up on its second reading; and on his further motion, the bill was postponed until Saturday, first day of March, at half-past eleven o'clock A. M., and made the special order for that hour.

On motion of Mr. Davidson, the vote by which

S. B. 707, bill to regulate the sale of liquor in this State, failed to pass its second reading, was reconsidered; and

On motion of Mr. Erwin, it was made the special order for to-night at 8 o'clock.

H. B. 477, S. B. 615, substitute for H. B. 477, for construction of Winston, Salem and Mooresville Railroad, was taken up and passed its third reading, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dortch, Erwin, Everett, Graham of Lincoln, Hoyle, Leach, Lyon, Matheson, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Snow, Stewart, Taylor, Waddell, Ward, and White—29.

S. B. 41, bill to repeal that part of chapter 260 passed at

the session of 1876-'77, prohibiting the sale of spirituous liquors within three miles of Lawrence's church in Edgecombe county, passed its several readings and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Lyon,

H. B. 158, S. B. 596, bill to amend chapter 104, Battle's Revisal, in regard to the manner of laying off public roads, was taken up on its second reading, and, on his further motion, it was postponed until Saturday, first day of March, at 12 o'clock and ten minutes, and made the special order for that hour.

S. B. 492, bill to cure irregularities in certain judicial proceedings wherein some or all of the defendants named in the summons were infants, idiots, lunatics, or persons *non compos mentis*, passed its several readings.

S. B. 389, bill to provide for the completion of the Western Asylum for the Insane, was taken up on its second reading, and,

On motion of Mr. Bynum, it was postponed until Monday, third of March, at 12 o'clock M., and made the special order for that hour.

On motion, the Senate took a recess until half-past seven o'clock to-night.

NIGHT SESSION.

February 28, 1879.

The Senate met pursuant to adjournment.

Mr. Dortch in the chair.

By consent,

Mr. Lyon, from the committee on Corporations, reported S. B. 687, bill to amend the charter of the town of Pittsborough, N. C., recommending it do pass.

H. B. 640, S. B. 700, bill to incorporate Yancey County High School, recommending it do pass.

By Mr. McEachern,

H. B. 681, S. B. 697, bill to incorporate Bald Creek Baptist Church in the county of Yancey, recommending it do pass.

H. B. 680, S. B. 705, bill to incorporate Bee Log Baptist Church in the county of Yancey, recommending it do pass.

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 476, bill to abolish the Insane Asylum of North Carolina and to incorporate the North Carolina Insane Asylum.

S. B. 440, bill to amend chapter 32, section 154 and 155 of Battle's Revisal.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 445, S. B. 587, an act to incorporate River Side Camp Ground, in the county of Ashe;

S. B. 54, H. B. 303, an act to define the criminal jurisdiction of justices of the peace;

H. B. 425, S. B. 556, an act to make the Tuckasiege, in Jackson county, a lawful fence;

H. B. 494, S. B. 552, an act to prevent the felling of timber in Silver Creek, in Burke county;

S. B. 76, H. B. 181, an act providing for the exemption of certain personal property from sale under execution;

H. B. 423, S. B. 572, an act to incorporate the trustees of Brook's Chapel Camp Ground, in Cleaveland county;

S. B. 393, H. B. 577, an act to amend section 7, chapter 255, laws of 1876–'77, in regard to the holding the courts in the 7th judicial district;

H. R. 185, S. R. 613, resolution in regard to purchasing stationery;

S. B. 70, H. B. 223, an act to allow Milton township, in the county of Caswell, to subscribe fifteen thousand dollars in payment of stock in the Milton and Sutherlin Narrow Gauge Railroad Company and for other purposes;

H. B. 304, S. B. 570, an act for the drainage of lands on Muddy creek in the county of McDowell;

H. B. 352, S. B. 651, an act for the relief of certain citizens in the counties of New Hanover, Union, Hertford and Washington;

S. B. 52, H. B. 260, an act to make justices of the peace *ex-officio* rangers for the townships of the counties in which they reside;

S. B. 61, H. B. 144, an act to amend section 40, chapter 105 of Battle's Revisal, regulating the fees of jailors;

S. B. 483, H. B. 671, an act to incorporate the North Carolina Chemical Works;

S. B. 26, H. B. 167, an act to punish the abduction of children under the age of fourteen years.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 648, S. B. 616, bill to lay out and construct a public road from Union Church in Alleghany county, to Brush Hill in Wilkes county, passed its several readings.

H. B. 267, S. B. 531, bill to incorporate the town of Newton Grove, in the county of Sampson, passed its several readings.

S. B. 158, bill for the protection of birds, was taken up on its second reading.

Mr. Davidson moved to amend:

Strike out "fifteenth" in section one, and insert "first"

in lieu thereof; strike out all of said section one after the words "butcher birds."

Adopted.

The following counties were, upon motion, excepted from the operations of the bill:

Alexander, Iredell, Wilkes, Stanly, Granville, Halifax, Warren, Northampton, Bertie, Beaufort, Martin, Hyde, Tarrell, Dare, Washington, Pamlico, Onslow, Jones, Carteret, Greene, Lenoir, Hertford, Edgecombe, New Hanover, Pender, Brunswick, Columbus, Johnston, Cumberland, Harnett, Montgomery, Moore, Pitt, Brunswick and Bladen.

Bill then passed its several readings.

On motion of Mr. Bryan of Pender,

S. R. 676, resolutions instructing our Senators in Congress and requesting our Representatives to use their influence to adjust the United States tariff on a strictly revenue basis, was taken up and referred to the committee on Federal Relations.

S. B. 707, bill to regulate the sale of liquor in this State, being the special order for this hour, was taken up on its second reading.

On motion of Mr. Waddell it was postponed for fifteen minutes.

Mr. Nicholson moved to reconsider the vote by which

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers, passed its third reading this morning; and on his further motion the motion to reconsider was postponed until Saturday, first of March, at half-past eleven o'clock, and made the special order for that hour.

Mr. Robinson rose to a question of personal privilege upon certain charges against himself, contained in an article communicated from Raleigh, and appearing in the New York *Times* of the 27th instant.

Mr. Robinson then introduced

S. R. 718, resolution appointing a Committee of Investi-

gation, which was adopted; and the President *pro tem.* appointed as such Committee Messrs. Scales, Mebane, White, and Ward.

S. B. 491, bill to repeal the 99th chapter of Battle's Revisal, on its second reading. The bill failed to pass its second reading.

S. B. 707, bill to regulate the sale of liquor in this State, being the special order, was taken up on its second reading.

Amendments were submitted by Messrs. Nicholson and Lyon; when on motion of Mr. Bynum, the bill with pending amendments were recommitted to the Special Committee with instructions to confer with the Finance Committee and report by bill or otherwise.

H. B. 327, bill concerning the official bonds to be given by sheriffs, passed its second reading.

S. B. 702, bill to amend chapter 137, laws of 1873–'74, entitled an act to prohibit the sale of liquors in certain localities, passed its several readings.

S. B. 687, bill to amend the charter of the town of Pittsborough, North Carolina, passed its second reading, ayes 34, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—34.

H. B. 689, S. B. 683, bill to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad, passed its third reading, ayes 36, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Brower, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern,

Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Ward—36.

H. B. 421, S. B. 514, bill to aid in the construction of the Caldwell and Watauga Narrow Gauge Railroad, and for other purposes, passed its third reading, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Ormand, Shackleford, Snow, Taylor, Waddell, Ward, and White—32.

H. B. 264, S. B. 553, bill to incorporate the American Gold Company of North Carolina, passed its several readings.

H. B. 265, S. B. 551, bill to incorporate the Standard Gold Company of North Carolina, passed its several readings.

H. B. 107, S. B. 689, bill to amend chapter 88, private acts of the General Assembly, passed at the session of 1874–'75, entitled an act to incorporate the Fayetteville, Goldsboro and Harnett Railway Company, passed its several readings.

Mr. Waddell moved to reconsider the vote by which S. B. 491, bill to repeal chapter 99, Battle's Revisal, failed to pass its second reading, upon which he demanded the ayes and noes, which were ordered.

Mr. Moye moved to lay the motion to reconsider on the table. Lost.

The motion to reconsider prevailed, ayes 19, nays 14, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Bryan of Pender, Caldwell, Dortch, Eaves, Erwin, Harris, Henderson, Holleman, Hoyle, King, Matheson, Mebane, Merritt, Nicholson, Snow, Stewart, Taylor, and Waddell—19.

Those voting in the negative were:

Messrs. Alston, Brower, Dancey, Davidson, Everett, Graham of Lincon, Lyon, McEachern, Mitchell, Moye, Ormand, Waldo, Ward and White—14.

Question recurring upon the passage of the bill its second reading,

Mr. Everett moved to postpone until Monday, 3rd of March, at 11 o'clock, A. M.

Pending this motion, on motion of Mr. McEachern, the Senate adjourned.

FORTY-SIXTH DAY.

SENATE CHAMBER,
SATURDAY, March 1st, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Waddell until Monday.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Everett,

Petition of citizens of McDowell county against a no-fence law. Referred to the committee on Propositions and Grievances.

By Mr. Robinson,

Petition of citizens of Graham county. Referred to the committee on Propositions and Grievances.

By Mr. Leach,

Petition of the officers of the Albemarle Agricultural Fair. Referred to the committee on Propositions and Grievances.

By Mr. Graham of Lincoln,

Petition of Concord Presbytery and others against the running of railroad trains on Sunday. Placed upon the Calendar.

REPORTS FROM STANDING COMMITTEES.

Reports were submitted from Standing Committees as follows:

From the committee on Corporations:

By Mr. Nicholson,

H. B. 408, S. B. 683, bill to incorporate the town of Hickory, in the county of Catawba, recommending it do pass.

H. B. 583, S. B. 606, bill to incorporate the Six Runs Land Draining Company, recommending it do pass.

By Mr. Waldo,

H. B. 722, S. B. 698, bill to incorporate Stonewall Lodge, No. 99, Independent Order of Odd Fellows, recommending it do pass.

By Mr. Eppes,

H. B. 758, S. B. 696, bill to incorporate Columbia Lodge, No. 132, Independent Order of Good Templars, recommending it do pass.

H. B. 698, S. B. 687, bill to incorporate the town of Troy, in the county of Montgomery, recommending it do pass.

By Mr. Davidson,

H. B. 309, S. B. 712, bill to incorporate the town of Highlands, in Macon county, recommending it do pass.

From the committee on Finance:

By Mr. Erwin,

H. B. 524, S. B. 646, bill to authorize the county of Bladen to fund the floating debt, recommending it do pass.

By Mr. Graham of Lincoln,

H. B. 523, S. B. 573, bill to authorize the commissioners of Sampson county to levy a special tax, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 635, bill concerning the official bond of sheriffs, reporting an amendment and as amended recommending it do pass.

H. B. 811, S. B. 704, bill to appoint and settle a public ferry on the Great Pee Dee river, reporting it back without prejudice.

From the committee on Education:

By Mr. Merritt,

S. B. 674, bill to authorize the payment of outstanding school debts in Brunwick county, recommending it do pass.

From the committee on Judiciary:

By Mr. Davidson,

S. B. 53, bill to authorize costs to be taxed and collected in trials had before a board of county commissioners in the several counties of the State, reporting it back without recommendation and without prejudice.

By Mr. Everett,

S. B. 362, bill to amend an act to ascertain the indebtedness of the different counties, cities and towns of the State, and to provide a statute of limitations, recommending it do not pass.

S. B. 332, bill to amend chapter 287, laws of 1876–'77, recommending it do not pass.

S. B. 115, bill concerning partnerships, recommending it do not pass.

The committee on Engrossed Bills reported as properly engrossed:

H. B. 451, S. B. 379, engrossed Senate amendment, bill to make the killing of live stock indictable.

S. B. 702, bill to amend chapter 137, laws of 1873–'74, to prohibit the sale of liquor in certain localities.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 458, S. B. 604, an act to allow the commissioners of the town of Graham to levy a license tax on spirituous liquors;

H. B. 696, S. B. 684, an act to authorize a History of North Carolina for the use of the common schools in this State;

H. B. 254, S. B. 653, an act to amend chapter 107, of the laws of 1874–'75, relating to LaGrange, Lenoir county;

H. B. 308, S. B. 434, an act to amend chapter 45, laws of 1873–'74;

S. B. 203, H. B. 430, an act to prevent the driving of cattle from South Carolina and other places into counties west of the Blue Ridge.

By consent, the committee on Enrolled Bills was directed to insert an enacting clause to

H. B. 308, S. B. 434, bill to amend chapter 45, laws of 1873–'74.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Graham of Lincoln,

S. B. 719, bill to amend chapter 26, Battle's Revisal, entitled corporations, and for other purposes. Referred to the committee on Corporations.

By Mr. Leach,

S. B. 725, bill to incorporate the Cape Fear Bank. Placed on the Calendar.

By Mr. Dortch,

S. B. 727, bill to repeal chapter 159, acts of 1874–'75, en-

titled an act in relation to changing gauge of railroads. Placed on the Calendar.

By the same,

S. B. 728, bill to amend the charter of the Bingham School. Placed on the Calendar.

By Mr. Davidson,

S. B. 729, bill to secure to widows and minor children the personal property exemptions provided by the constitution. Placed on the Calendar.

By Mr. Snow,

S. B. 730, bill to amend and continue chapter 59, private laws of 1876–'77. Referred to the committee on Public Buildings and Grounds.

By Mr. Leach,

S. B. 731, bill to charter the Boxboro, Leasburg and Danville Turnpike Company. Referred to the committee on Internal Improvements.

By Mr. Everett,

S. B. 732, bill to abolish the inferior court of Forsythe and Stokes counties. Referred to the committee on the Judiciary.

Mr. Robinson (Mr. Scales in the chair) introduced

S. R. 733, resolution of investigation into certain inflences brought to bear on Senators and Representatives at the present session in the matter of the public printing.

On motion of Mr. Robinson, the rules were suspended and the resolution was adopted.

The President *pro tem.* appointed as the committee, under this resolution, Messrs. Dortch, Snow, and Eaves.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting without engrossment:

H. B. 710, S. B. 720, bill to amend chapter 152, laws of 1871–'72, relating to destruction of fish in Black River and

Six Runs in Sampson and other counties. Placed upon the Calendar.

H. B. 821, S. B. 721, bill to incorporate the Tusquittee Methodist Episcopal Church, South, of Clay county, North Carolina. Referred to the committee on Corporations.

H. B. 713, S. B. 722, bill to incorporate the Ætna Gold Company of North Carolina. Referred to the committee on Corporations.

H. B. 712, S. B. 723, bill for the relief of James F. Somers, former sheriff of Wilkes county. Placed upon the Calendar.

H. B. 819, S. B. 724, bill to incorporate the Piedmont Mining and Banking Company of North Carolina. Placed upon the Calendar.

Engrossed House amendments to

S. B. 487, H. B. 741, bill to prevent live stock from running at large in Rowan, Davie and other counties. Placed upon the Calendar.

Also, announcing the concurrence by that body in Senate amendments to

H. B. 53, S. B. 200, bill for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties;

In Senate amendments to

H. B. 298, S. B. 412, bill to punish Treasurers of Benevolent and Religious Institutions;

In Senate amendments to

H. B. 456, S. B. 448, bill to allow the Independent Order of Good Samaritans and Daughters of Samaria in America Lodge, No. 2, of North Carolina, to establish a beneficial department;

In Senate amendment to

H. B. 111, S. B. 550, bill to incorporate Warm Springs Toll Bridge Company, and had ordered the same enrolled for ratification.

Also, announcing the refusal of that body to concur in Senate amendments to

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville, and asking a committee of conference on the same.

The committee was ordered, and Messrs. Davidson, Eaves and Nicholson were appointed.

Also, transmitting without engrossment,

H. B. 736, S. B. 726, bill to incorporate the Trustees of Ball Creek Camp Ground, in the county of Catawba. Placed upon the Calendar.

H. B. 834, S. B. 734, bill to amend an act to incorporate the Oxford and Henderson Railroad Company. Placed upon the Calendar.

On motion of Mr. Leach,

Senate bills 451 and 703, providing for a railroad commissioner, &c., were made the special order for Tuesday, 4th instant, at 12 o'clock, and the committee on Internal Improvements were instructed to report by that time.

On motion of Mr. Lyon,

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State, was taken up on its second reading; and on his further motion, it was postponed until Tuesday, 4th instant, at one o'clock, P. M., and made the special order for that hour.

H. B. 811, S. B. 704, bill to appoint and settle a Public Ferry on the Great Pee Dee river, was taken up and made the special order for Monday night, 4th instant, at nine o'clock.

On motion of Mr. Bryan of Pender,

S. B. 633, bill to prohibit the sale of intoxicating liquors in certain localities, was taken up, and made the special order for Monday, 3rd instant, at eleven o'clock, A. M.

On motion,

S. B. 511, bill for the internal improvement of Sampson county, was taken up and made the special order for Wednesday, 5th instant, at eleven o'clock, A. M.

On motion of Mr. Mebane,

Engrossed House amendments to S. B. 487, H. B. 741,

bill to prevent live stock from running at large in Rowan, Davie and other counties, were taken up; and on his further motion the amendments were concurred in, except those striking out the counties of Caswell and Montgomery.

The unfinished business of last night, being the motion to postpone until Monday, 3rd instant, at 12 M.,

S. B. 491, bill to repeal chapter 99 Battle's Revisal, was taken up and prevailed.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 522, S. B. 591, bill to authorize the county commissioners of Chowan to levy a special tax, passed its second reading, ayes 36, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Pender, Bull, Dancey, Davidson, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—36.

H. B. 448, S. B. 571, bill respecting the collection of railroad taxes in Forsythe county, passed its several readings.

H. B. 523, S. B. 573, bill to authorize the county of Sampson to levy a special tax, passed its second reading, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Mer-

ritt, Moye, Nicholson, Ormand, Ross, Shackleford, Stewart, Taylor, Waddell, Ward, and White—32.

S. B. 693, bill to levy a special tax in Pasquotank county, passed its second reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Caldwell, Davidson, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Stewart, Taylor, Waddell, Ward, and White—33.

S. B. 631, bill to authorize the commissioners of Harnett county to levy a special tax and for other purposes, passed its third reading, ayes 35, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Pender, Caldwell, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White —35.

H. B. 174, S. B. 274, bill to prevent the desecration of the Sabbath day, being the special order for this hour, was taken up on its second reading.

Mr. Everett moved to amend:

Add the following proviso: "*Provided*, this act shall not apply to what is known as through freights."

Mr. Bryan of Duplin, submitted a substitute for the bill.

Mr. Bryan of Duplin demanded the previous question upon the passage of the bill, which was sustained.

Mr. Everett's amendment was lost.

Mr. Bryan's substitute was lost.

Bill passed its second reading, and, on motion, was put upon its third reading.

Mr. Everett demanded the ayes and noes on the passage of the bill its third reading, which were ordered, and the bill passed, ayes 37, noes 4, as follows:

Those voting in the affimative were:

Messrs. Alston, Austin Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—37.

Those voting in the negative were:

Messrs. Brower, Everett, Ross, and Williamson—4.

Mr. Davidson moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table; which latter motion prevailed.

H. B. 158, S. B. 596, bill to amend chapter 104, Battle's Revisal, in regard to the manner of laying off public roads, being the second special order for this morning, was taken up on its second reading.

On motion, the bill was informally passed over.

S. B. 544, bill to amend the charter of the Rutherford and Spartanburg Railroad and for other purposes, on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

The bill then passed its second reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Eaves, Eppes, Erwin, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, Merritt, Moye, Nicholson, Ormand, Redwine, Scales,

Shackleford, Snow, Taylor, Waddell, Waldo, and White —30.

The motion of Mr. Nicholson to reconsider the vote by which

H. B. 205, S. B. 630, bill to protect fish in Yadkin and Catawba rivers, laws of 1876–'77, passed its third reading, being the special order for this hour, was taken up and prevailed.

Mr. Nicholson moved to reconsider the vote by which the words "Yadkin river" were stricken out, which prevailed.

The question recurring upon the motion to strike out the words "Yadkin," the motion was lost.

Mr. Leach moved to amend:

Add this proviso: "*Provided*, that this bill shall not prevent persons fishing in said Yadkin river below Huntsville."

Adopted.

Bill then passed its third reading.

S. B. 442, bill to aid in the early completion of the Spartanburg and Asheville Railroad, on its second reading.

Pending consideration,

On motion, the Senate adjourned.

FORTY-SEVENTH DAY.

SENATE CHAMBER,
MONDAY, March 3d, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Leave of absence was granted Mr. Brower indefinitely.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Nicholson,

Petition from M. J. Turner and others, from Iredell county. Referred to the committee on Propositions and Grievances.

By Mr. McEachern,

Petition of citizens of Robeson against killing wild turkeys in blinds. Referred to the committee on Propositions and Grievances.

By Mr. Graham, of Lincoln,

Petition of citizens of Lincoln for a stock law. Placed on the Calendar.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Internal Improvements:

By Mr. Leach,

S. B. 518, bill to charter the Thomasville and Albemarle Railroad Company, recommending it do pass.

From the committee on Finance:

By Mr. Everett,

H. B. 403, S. B. 695, bill to authorize E. Everett, former sheriff of Swain county to collect arrears of taxes, recommending it do pass.

From the committee on Judiciary:

H. R. 173, S. R. 656, resolution requiring the Secretary of State to issue a grant to Joel T. Ferguson, in Wilkes county, recommending it do pass.

From the committee on Federal Relations:

By Mr. Leach,

S. R. 676, resolution of instruction to our Senators and request to our Members in Congress, to adjust the United States tariff to a revenue basis, recommending it do pass.

From the committee on the State debt:

By Mr. Mebane,

S. B. 612, bill to compromise and adjust a portion of the debt of the State, and to provide for the payment thereof, reporting a substitute, and recommending the substitute do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 672, bill to authorize the Board of Education to make title to certain lands in Dare, Hyde, Tyrrell and Beaufort, reporting an amendment, and as amended, recommending it do pass.

From the committee on Engrossed Bills:

The committee on Engrossed Bills reported as properly engrossed:

S. B. 466, bill concerning receiving freight and change of charges of carriage for transporting same by railroads and other transportation companies;

S. B. 562, bill to amend chapter 20, laws of 1876–'77.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. White,

S. R. 735, resolution to convene at nine A. M. and half-past seven P. M., each day of the session. Placed upon the Calendar.

By Mr. McEachern,

S. B. 736, bill to prevent the extermination of wild turkeys in Robeson county. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting, without engrossment,

H. B. 760, S. B. 737, bill for the better protection of counties against costs in criminal actions. Referred to the committee on the Judiciary.

H. B. 610, S. B. 738, bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers. Referred to the committee on Judiciary.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. B. 562, bill to amend chapter 20, laws of 1876-'77, on its second reading.

Mr. Erwin moved to amend:

Insert as section 3: "That if the owner of any land through which the road shall pass shall consider himself or themselves injured thereby, it shall be competent for such person or persons by petition, in writing to the county commissioners of the county in which the damage is done, praying for a jury to view the premises and assess the damages sustained, and it shall be the duty of the commissioners to order a jury to be summoned as in case of public roads, and it shall be the duty of the jury to take into consideration the advantages to the land as the injury to the same by the making of the road, and upon report made to the commissioners, the same shall be confirmed and damages paid out of the treasury of the county where the land lies, upon the order of said commissioners. Either party may appeal when dissatisfied."

Adopted.

Bill then passed its several readings.

H. B. 595, S. B. 657, bill to create a new township in the county of Haywood, passed its several readings.

H. B. 712, S. B. 723, bill for the relief of James F. Somers, former sheriff of Wilkes county, passed its several readings.

H. B. 819, S. B. 724, bill to incorporate the Piedmont Mining and Banking Company of North Carolina, on its second reading.

Mr. Hoyle moved to amend:

Strike out all of the enacting clause and insert: "The General Assembly of North Carolina do enact."

Adopted.

Bill then passed its several readings.

S. B. 466, bill concerning receiving freights and change of charges for transporting same by railroad and other transportation companies, on its second reading.

Amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its several readings.

H. B. 403, S. B. 695, bill to authorize E. Everett, former sheriff of Swain county, to collect arreas of taxes, passed its several readings.

S. B. 674, bill to authorize the payment of outstanding school debts in Brunswick and Bladen counties, on its second reading.

Mr. Ross moved to amend:

After the word "Brunswick," in section 1, insert "and Bladen." Strike out the word "county," in same section, and insert "counties."

Adopted.

Bill then passed its several readings.

H. B. 216, S. B. 383, bill to amend section 2, chapter 195, laws of 1874–'75, in relation to birds, passed its third reading.

H. B. 133, S. B. 622, bill to secure the better drainage of the low lands of Fourth Creek in the counties of Rowan and Iredell, passed its several readings.

S. B. 677, bill to aid in the construction of the Statesville Air Line Railroad, passed its several readings, and was sent to the House of Representatives without engrossment.

H. R. 173, S. R. 656, resolution requiring the Secretary of State to issue a grant to Joel T. Ferguson in Wilkes county, passed its several readings.

The hour for the consideration of the special order having arrived,

S. B. 633, bill to prohibit the sale of intoxicating liquors in certain localities, was taken up on its second reading.

Mr. Henderson moved to amend:

Insert "within two miles of St. James' Church, Iredell county."

Adopted.

Mr. Austin moved to amend:

Insert "within two miles of Union Springs church and Camp Ground, and Philadelphia Baptist church, in Union county."

Adopted.

Mr. Davidson moved to amend:

Insert "within two miles of Snow Hill Methodist church, Cowee Baptist church, Iola Methodist church, Nantihala school house, Smith's Bridge High School, and Highlands Academy, in Macon county; and within three miles of White Chapel and Creswell church in Washington county."

Adopted.

Mr. Snow moved to amend:

Insert "within two miles of Pontego Male and Female Academy, at Pontego, Beaufort county."

Adopted.

Mr. Robinson moved to amend:

Insert "within three miles of East La Porte Male and Female Academy in Jackson county."

Adopted.

Mr. Bryan of Pender moved to amend:

Insert "within two and a half miles of Thompson's chapel in Wayne county; within three miles of Bethel church in Wayne county; within three miles of Eden church in Greene county; within three miles of Chowan Female Institute in Hertford county; within two and a half miles of Pleasant Grove, Zion Grove and Dudley Grove churches in the county of Hertford."

Adopted.

Mr. Harris moved to amend:

Insert "within three miles of Youngsville or Flat Rock in Franklin county."

Adopted.

Mr. Ormand moved to amend:

Insert "within two miles of Ormand chapel and Saint's Delight in Greene county."

Adopted.

Mr. Bryan of Pender, moved to amend:

Strike out the word "ratification" in last section, and insert "first day of May A. D. one thousand eight hundred and seventy-nine."

Adopted.

Mr. Mitchell moved to amend:

Strike out "Pleasant Grove, Zion Grove and Dudley Grove churches, in Hertford county."

Lost.

Bill then passed its several readings.

Mr. Bryan of Pender, moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table; which latter motion prevailed.

H. B. 583, S. B. 606, bill to incorporate the Six Runs Land Draining Company, passed its several readings.

S. B. 538, bill to incorporate the town of Roxboro, Person county, passed its several readings.

S. B. 518, bill to charter the Thomasville and Albemarle Railroad Company, on its second reading.

On motion of Mr. Leach it was made special order for to-day at one o'clock P. M.

S. B. 231, bill for the protection of fish, passed its several readings.

H. B. 736, S. B. 726, bill to incorporate the trustees of Ball's Creek Camp Ground, in the county of Catawba, passed its several readings.

H. B. 325, S. B. 682, bill to make the carrying of concealed weapons a misdemeanor, passed its several readings.

H. B. 309, S. B. 712, bill to incorporate the town of Highland, in Macon county, passed its several readings.

S. B. 728, bill to amend the charter of Bingham's School, passed its several readings.

S. R. 455, resolution for the relief of W. W. Rollins, on its second reading.

Mr. Snow offered a substitute for the resolution.

Mr. Erwin moved to amend the substitute by inserting:

"*Provided further*, That the Attorney General be directed not to suspend proceedings against the said Rollins until he shall have made and submnitted to the Governor a satisfactory itemized statement of numbers of bonds, or other moneys, or property received by him on compromise, or otherwise, of any suits in Florida, or elsehwere, what amount collected by way of interest on said bonds, who has custody of said bonds, and whether any of them have been mortgaged or hypothecated."

Adopted.

Thus amended the substitute was adopted and the resolution passed its several readings.

H. B. 699, S. B. 677, bill supplemental to an act authorizing the working of convicts on the Ore Knob and Mount Airy Railroad, Chester and Lenoir and Caldwell and Watauga Railroad, &c., on its third reading.

The amendment heretofore offered by Mr. Brower was withdrawn. Bill then passed its third reading.

S. B. 443, bill to amend the charter of the Flat Swamp Lock's Creek and Evan's Creek Canal Company of Cumberland county, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 354, S. B. 608, bill to canal Angola Bay, in the counties of Duplin and Pender.

Amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its several readings.

H. B. 327, S. B. 586, bill concerning the official bonds to be given by sheriffs, passed its several readings.

Engrossed House amendments to

S. B. 30, H. B. 553, bill in relation to warrants on bas-

tardy, were councurred in, and the bill was ordered to be enrolled for ratification.

H. B. 114, S. B. 530, bill to prevent the enticing of seamen from vessels.

Mr. Ross moved to amend:

Strike out the enacting clause and insert, "The General Assembly of North Carolina do enact."

Adopted.

Bill then passed its several readings.

H. B. 789, S. B. 711, bill to provide for the draining of swamp lands in the counties of Columbus and Robeson, passed its several readings.

H. B. 225, S. B. 609, bill to provide for the repairing of the Quarantine Hospital at Smithville, passed its several readings.

H. B. 640, S. B. 700, bill to incorporate Yancey County High School, passed its several readings.

S. B. 540, bill to amend chapter 88, laws of 1876–'77, passed its several readings.

H. B. 710, S. B. 720, bill to amend chapter 152, laws of 1871–'72, relating to destruction of fish in Black river and Six Runs in Sampson and other counties, passed its several readings.

H. B. 681, S. B. 697, bill to incorporate Bald Creek Baptist Church in the county of Yancey, passed its several readings.

H. B. 680, S. B. 705, bill to incorporate Bee Log Baptist Church, in the county of Yancey, passed its several readings.

S. B. 636, bill to incorporate the town of Manly's Station, in the county of Moore, on its second reading.

Amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings.

H. B. 678, S. B. 648, bill to incorporate the East LaPorte

Masonic Lodge, No. 358, in Jackson county, passed its several readings.

H. B. 408, S. B. 685, bill to incorporate the town of Hickory, in the county of Catawba, passed its second reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Eaves, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Matheson, McEachern, Mebane, Mirritt, Nicholson, Redwine, Scales, Snow, Taylor, Ward, and White—28.

H. B. 464, S. B. 529, bill to incorporate the town of Mathews in the county of Mecklenburg, passed its second reading, ayes 27, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Dortch, Eaves, Erwin, Henderson, Hoyle, King, Leach, Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Redwine, Scales, Taylor, Ward, and White—27.

Mr. Williamson voted in the negative.

S. B. 249, bill to repeal the agricultural lien law, on its second reading, and lost, ayes 8, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Bynum, Caldwell, Graham of Lincoln, King, Lyon, and Stewart—8.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Pender, Bull, Dortch, Eppes, Erwin, Graham of Montgomery, Harris, Henderson, Hoyle, Leach, Matheson, McEachern, Merritt, Moye, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Ward, and White—25.

Mr. Snow moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table; which latter motion prevailed.

S. B. 389, bill to provide for the completion of the West-

ern Asylum for the insane, being the special order for this hour, was taken up on its second reading.

Mr. Bynum offered a substitute for the bill.

Pending consideration,

On motion of Mr. Scales, the bill was postponed until to-morrow, (Tuesday, 4th,) at eight o'clock, P. M., and made the special order for that hour.

On motion of Mr. Erwin, the vote by which

S. B. 562, bill to amend chapter 20, laws of 1876–77, passed its third reading was reconsidered.

Mr. Erwin moved to amend:

Insert in the blank space "ten thousand dollars."

Adopted.

Bill then passed its third reading.

On motion of Mr. Mebane,

S. B. 612, bill to compromise and adjust a portion of the debt of the State and to provide for the payment thereof, was taken up on its second reading; and on his further motion, it was made the special order for Tuesday, 4th inst., at eleven o'clock, A. M.

S. R. 676, resolution instructing our Senators in Congress and requesting our Representatives in Congress to use their influence to adjust the United States tariff on a strictly revenue basis, passed its several readings.

On motion of Mr. Leach, the Senate took a recess until to-night at half-past seven o'clock.

NIGHT SESSION.

March 3, 1879.

The Senate met pursuant to adjournment.

On motion of Mr. Lyon,

H. B. 834, S. B. 734, bill to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company, was taken up and passed its second reading, ayes 27, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bull, Caldwell, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Lyon, Matheson, McEachern, Merritt, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, Ward, and White—27.

Those voting in the negative were:

Messrs. Alexander, and Austin—2.

On motion,

S. B. 544, bill to amend the charter of the Rutherford and Spartanburg Railroad and for other purposes, passed its third reading, ayes 25, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bull, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Lyon, Matheson, Merritt, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, Ward, and White—25.

Mr. Caldwell voted in the negative were:

On motion,

S. B. 505, bill for the better protection of fish in the waters of Brown Sound in Onslow county, passed its several readings.

S. B. 708, bill to apportion the convicts among the various works of internal improvements of the State, being the special order for this hour, was taken up on its second reading.

Mr. Davidson moved to amend:

Add "that in making assignments of convicts under this act the number employed on the Western North Carolina

Railroad shall not be reduced below five hundred, and on the Cape Fear and Yadkin Valley Railroad not below two hundred and fifty."

Mr. Alexander moved to refer the bill to the committee on Internal Improvements, upon which

Mr. Shackleford demanded the ayes and noes, which were ordered, and the resolution to refer was lost, ayes 13, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bull, Caldwell, Davidson, Dortch, Eaves, Erwin, Henderson, Merritt, Snow, Stewart, and Taylor—13.

Those voting in the negative were:

Messrs. Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Dancey, Eppes, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Waldo, Ward, Williamson, and White —26.

Upon the amendment offered by Mr. Davidson,

Mr. Shackleford demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 16, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Eaves, Erwin, Henderson, Matheson, Mebane, Merritt, Nicholson, Scales, Stewart, and Taylor —16.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Dancey, Eppes, Graham of Lincoln, Graham of Montgomery, Harris, King, Lyon, McEachern, Moye, Ormand, Respass, Ross, Shackleford, Snow, Waldo, Ward, and White—22.

Mr. Nicholson moved to amend:

Insert: "*Provided*, that all the convicts of the State shall be kept at work on such internal improvements as the State has an interest in until such time as they may be called for by the president or corporations entitled to them."

Adopted.

Mr. Dortch moved to amend:

Add to first section: "*Provided, however*, that the convicts employed on the Western North Carolina Railroad shall not be reduced below five hundred."

Accepted.

Mr. Scales moved to amend:

"*And provided further*, that the convicts assigned to the Cape Fear and Yadkin Valley Railroad shall not be reduced below two hundred."

Mr. Shackleford demanded the previous question, which was sustained.

Upon the adoption of Mr. Scales' amendment,

Mr. Shackleford demanded the ayes and noes, which were ordered and the amendment was adopted, ayes 22, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dortch, Graham of Montgomery, Leach, Matheson, Mebane, Merritt, Mitchell, Nicholson, Scales, Snow, and Stewart—22.

Those voting in the negative were:

Messrs. Eaves, Eppes, Erwin, Graham of Lincoln, Harris, Hoyle, King, Lyon, Moye, Ormand, Redwine, Repass, Shackleford, Waldo, Ward, Williamson, and White—17.

Bill then passed its second reading.

H. B. 811, S. B. 704, bill to appoint and settle a public ferry on the Great Pee Dee River, being the second special order for this evening, was taken up on its second reading.

Mr. Dortch moved to indefinitely postpone.

Mr. Austin demanded the previous question upon the motion to indefinitely postpone, which was sustained.

Mr. Graham of Montgomery, demanded the ayes and noes on the motion to postpone, which were ordered, and the motion was lost, ayes 12, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Duplin, Bryan of Pender, Caldwell, Dortch, McEachern, Mebane, Merritt, Respass, Stewart, Waldo, and Williamson—12.

Those voting in the negative were:

Messrs. Alston, Bull, Davidson, Eaves, Eppes, Erwin, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, Mitchell, Nicholson, Ormand, Redwine, Ross, Shackleford, Snow, Taylor, Ward, and White—22.

When Mr. Alexander's name was called, he stated he was paired with Mr. Moye; were that gentleman present, he would vote in the affirmative, while he, Mr. A., would vote in the negative.

Mr. Bryan of Pender, offered a substitute for the bill, upon which

Mr. Graham of Montgomery, demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 14, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Duplin, Bryan of Pender, Caldwell, Dortch, Harris, Hoyle, McEachern, Mebane, Merritt, Respass, Stewart, Waldo, and Williamson—14.

Thos voting in the negative were:

Messrs. Black, Bull, Dancey, Davidson, Eaves, Eppes, Erwin, Graham of Montgomery, Henderson, King, Lyon, Matheson, Mitchell, Nicholson, Ormand, Redwine, Ross, Shackleford, Snow, Taylor, Ward, and White—22.

Bill then passed its second reading.

On motion of Mr. Graham of Montgomery, the rules were suspended, the bill put upon its third reading and passed.

Mr. Shackleford moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

On motion of Mr. Wood,

S. B. 472, bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences, was taken up on its second reading, and, on his further motion, it was postponed until Wednesday, 5th instant, at 1 o'clock P. M., and made the special order for that hour.

By consent,

Mr. Williamson introduced

S. R. 739, *Resolved*, That after to-night no bill of a private nature shall be considered until bills of general importance be disposed of. Placed upon the Calendar.

By consent,

Mr. McEachern, from the committee on Corporations, reported:

H. B. 184, S. B. 664, bill to amend the charter of the town of Fayetteville, and to appoint a finance committee, recommending it do pass;

S. B. 678, bill to charter the town of Tilden, formerly Shoe Heel, recommending it do pass.

By consent,

Mr. Davidson reported from the committee on Judiciary:

S. B. 6, bill to restore to judgment debtors the exemptions to which they were entitled prior to the adoption of the constitution of 1868, reporting a substitute and recommending the substitute do pass.

THE CALENDAR

was resumed.

S. B. 641, bill supplemental to an act to allow Leaksville

and other townships in Rockingham county to subscribe to the capital stock in a railroad, passed its second reading, ayes 26, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dortch, Eaves, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Scales, Snow, Stewart, Taylor, and Ward —28.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, and Eppes—4.

H. B. 350, S. B. 535, bill to relieve farmers and others from paying a special tax, on its second reading.

Amendments reported by the committee on Finance were adopted.

Bill then passed its second and third readings.

S. B. 617, bill to amend the charter of the town of Salisbury, passed its third reading, ayes 26, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dortch, Eaves, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Matheson, Mebane, Mitchell, Nicholson, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, and Ward—26.

S. B. 339, bill to repeal chapter 148, private laws of 1868–'69, with reference to the town of Ridgeway, passed its several readings.

H. B. 331, S. B. 575, bill in regard to public wharves and depots, passed its second reading.

On motion, the bill was put upon its third reading and passed, ayes 26, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris,

Henderson, King, Lyon, Merritt, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, and Ward—26.

Those voting in the negative were:

Messrs. McEachern, Mebane, and Scales—3.

S. B. 687, bill to amend the charter of the town of Pittsboro, N. C., passed its third reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Ward, and White—33.

On motion of Mr. Merritt it was ordered sent to the House of Representatives without engrossment.

S. B. 637, bill to prohibit net fishing in Black Creek, Wilson county, passed its several readings.

H. B. 523, S. B. 573, bill to authorize the commissioners of Sampson county to levy a special tax, passed its several readings, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bull, Bynum, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Lyon, Mebane, Merritt, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Ward, and White—29.

S. B. 693, bill to levy a special tax in Pasquotank county, passed its third reading, ayes 32, noes none, as follows:

Those voting in the affimative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Nicholson,

Ormand, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Waldo, Ward, and White—32.

On motion of Mr. Dortch, the Senate adjourned.

FORTY-EIGHTH DAY.

SENATE CHAMBER,
TUESDAY, March 4th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Black.

The Journal of yesterday was approved.

Messrs. Moye and Respass were announced as absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Eppes,

Petition of citizens of Halifax against the stock law. Referred to the committee on Propositions and Grievances.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Mitchell,

S. B. 757, bill for the relief of F. W. Bell and John G. Mitchell, late sheriff and treasurer of the county of Bertie. Referred to the committee on Propositions and Grievances.

By Mr. Ormand,

S. R. 760, resolution on adjournment. Placed on the Calendar.

By Mr. Mitchell,

S. R. 761, resolution in favor of F. W. Bell, late sheriff of the county Bertie. Referred to the committee on Propositions and Grievances.

By Mr. Graham, of Montgomery,

S. B. 762, bill to incorporate the Rockingham and Salisbury Railroad Company. Referred to the committee on Internal Improvements.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Corporations:

By Mr. Lyon,

H. B. 713, S. B. 722, bill to incorporate the Ætna Gold Company of North Carolina, recommending it do pass.

By Mr. Eppes,

H. B. 821, S. B. 721, bill to incorporate the Tusquittee Methodist Episcopal Church, South, of Clay county, North Carolina, recommending it do pass.

By Mr. Waldo,

S. B. 691, bill to amend an act incorporating the town of Washington, North Carolina, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Leach,

S. B. 451, bill providing for a railroad commissioner and to regulate passenger and freight rates for the railroads in North Carolina, recommending it do not pass.

By the same,

S. B. 703, bill to create a railroad commissioner and define his duties, recommending it do pass.

From the committee on the Judiciary:

By Mr. Snow,

H. B. 224, S. B. 655, bill to amend section 20, chapter 98, Battle's Revisal, recommending it do pass.

H. B. 486, S. B. 699, bill to amend chapter 161, laws of 1876–'77, recommending it do pass.

By Mr. Davidson,

S. B. 717, bill to provide for the summary investigation of county and municipal expenditures, recommending it do pass.

By Mr. Erwin,

H. B. 610, S. B. 738, bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers, recommending it do pass.

H. B. 623, S. B. 681, bill to amend chapter 154, laws of 1876–'77, reporting an amendment and as amended recommending it do pass.

From the committee on Education:

By Mr. Merritt,

S. B. 673, bill to authorize the several townships in Halifax county to levy taxes for the support of graded public schools, recommending it do not pass.

From the committee on Judiciary:

By Mr. Waldo,

S. B. 639, bill to change the county of Martin from the second to the first judicial district, and the times for holding the courts thereof, recommending it do pass.

By Mr. Scales,

H. B. 649, S. B. 713, bill to amend chapter 202, laws of 1868–'69, recommending it do pass;

H. B. 784, S. B. 661, substitute for H. B. 225, an act for the relief of land-owners whose lands have been sold to the State for taxes, recommending it do pass;

H. B. 148, S. B. 652, bill for the speedy trial of criminals, recommending it do pass.

By Mr. Erwin,

S. B. 675, bill for the protection of keepers of inns and taverns, recommending it do pass.

By Mr. Bynum,

S. B. 640, bill to amend chapter 242, acts of 1876–'77,

reporting a substitute and recommending the substitute do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 631, an act to authorize the commissioners of Harnett county to levy a special tax and for other purposes;

S. B. 401, bill to be entitled an act to repeal the law providing for the maintenance of lunatics outside the Insane Asylum;

S. B. 728, bill to amend the charter of the Bingham School;

S. B. 158, a bill for the protection of birds;

S. B. 75, bill to amend section 343 of chapter 17, Battle's Revisal;

H. B. 205, S. B. 630, engrossed Senate amendment, bill to protect fish in Yadkin and Catawba rivers;

S. B. 373, bill to allow the commissioners of Pender county to levy a special tax.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting for concurrence:

H. B. ..., S. B. ..., the machinery act, which was placed upon the Calendar.

H. B. 468, S. B. 740, bill to incorporate the North Carolina Border Railroad Company. Referred to the committee on Internal Improvements.

H. B. 489, S. B. 741, bill to incorporate the Rocky Mount Benevolent Aid Society. Referred to the committee on Corporations.

H. B. 566, S. B. 742, bill to incorporate the Yellow Mountain Church, in the county of Mitchell. Placed upon the Calendar.

H. B. 737, S. B. 743, bill to prevent the felling of trees and otherwise obstructing Angola and Shelter creek, in Pen-

der county. Referred to the committee on Propositions and Grievances.

H. B. 526, S. B. 744, bill to incorporate Smith's Bridge High School Joint Stock Company of Macon county. Referred to the committee on Corporations.

H. B. 787, S. B. 745, bill to provide for purchasing land sold under executions by the several boards of county commissioners of the State. Placed upon the Calendar.

H. B. 618, S. B. 746, bill to incorporate the town of Mount Holly, in Gaston county. Referred to the committee on Corporations.

H B. 715, S. B. 747, bill to provide for the removal of the county seat of Polk county. Referred to the committee on Propositions and Grievances.

H. B. 497, S. B. 748, bill to repeal section 20 of an act to establish an Agricultural Bureau, &c. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 612, S. B. 749, bill for the free passage of fish up Neuse, Swift and Middle creeks, in Johnston county. Referred to the committee on Propositions and Grievances.

H. B. 739, S. B. 750, bill to provide commutation for Edmund D. Gaddy and W. Allen, disabled Confederate soldiers. Referred to the committee on Claims.

H. B. 594, S. B. 751, bill to change the time of holding the courts in the sixth judicial district. Placed upon the Calendar.

H. B. 630, S. B. 752, bill declaratory of the meaning of, and to amend the charter of the town of Reidsville. Referred to the committee on Corporations.

H. B. 679, S. B. 753, bill to amend the charter of the town of Chapel Hill. Referred to the committee on Corporations.

H. B. 714, S. B. 754, bill to incorporate the Globe Gold Company of North Carolina. Referred to the committee on Agriculture, Mechanics and Mining.

Engrossed House amendments to

S. B. 343, H. B. 798, bill to incorporate the Smithfield

and Cape Fear Narrow Gauge Railroad Company were, on motion of Mr. Waddell, concurred in and the bill ordered enrolled for ratification.

Engrossed House amendments to

S. B. 128, H. B. 473, bill to incorporate the Bennettsville and Hamlet Railroad Company.

Mr. Bryan of Pender, moved the Senate do not concur.

Upon concurrence, Mr. Leach demanded the previous question, which was sustained.

The motion of Mr. Bryan of Pender was lost.

The Senate concurred in the House amendment and the bill was ordered enrolled for ratification.

Mr. Leach moved to reconsider the vote by which the Senate concurred in the amendment, and moved to lay that motion on the table, which latter motion prevailed.

Engrossed House amendments to

S. B. 489, H. B. 730, bill to authorize the county of Madison to pay the claims of certain school teachers, were concurred in and the bill was ordered enrolled for ratification; also trasmitting

H. B. 617, S. B. 755, bill to ascertain the indebtedness of Madison county. Placed upon the Calendar.

H. B. 843, S. B. 756, bill to authorize the commissioners of Currituck county to exchange the stock of said county in the Albemarle and Chesapeake Canal Company for bonds of the county. Placed upon the Calendar.

S. B. 451, bill to provide for a Railroad Commissioner, &c., being the special order for this hour, was taken up; and,

On motion of Mr. Everett, the bill was postponed until to-night at eight o'clock, and made the special order for that hour.

Also, on his motion,

S. B. 703, bill to create a Railroad Commissioner and to define his duties, was taken up and postponed until the same hour.

On motion of Mr. Everett,

S. R. 459, resolution providing for aid for the Orphan Asylum at Oxford, N. C., was taken up on its second reading; and on his further motion, it was made the special order for to-night at nine o'clock.

S. B. 612, bill to compromise and adjust a portion of the debt of the State and to provide for the payment thereof, being the second special order for this morning, was taken up on its second reading.

The substitute reported by the committee on the State Debt was adopted.

Bill then passed its second reading, ayes 28, noes 9, as follows:

Those voting in the affimative were:

Messrs. Alexander, Alston, Austin, Bull, Caldwell, Dortch, Eppes, Erwin, Everett, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Ross, Scales, Shackleford, Snow, Taylor, Waddell, and Waldo—28.

Those voting in the negative were:

Messrs. Black, Bryan of Pender, Bynum, Eaves, Graham of Lincoln, Graham of Montgomery, Stewart, Williamson, and White—9.

On motion of Mr. Mebane, the bill was taken up on its third reading; and on his further motion it was postponed until to-morrow at 12 M., and made the special order for that hour.

By consent,

Mr. Bull, from the select committee, reported

S. B. 707, bill to regulate the sale of liquor in this State, reporting amendments, and as amended recommending it do pass.

On motion of Mr. Bull, the rules were suspended and the bill taken up on its second reading; and on his further motion it was postponed and made the third special order for to-night.

By consent,

Mr. Dortch reported from the committee on the Judiciary engrossed House amendments to

S. B. 25, H. B. 170, bill to make slander of women indictable, recommending it be concurred in. The amendment was concurred in, and the bill ordered enrolled for ratification.

Mr. Dortch, from the special committee to investigate the charges of corruption in the passage of the bill to incorporate the Cape Fear and Yadkin Valley Railroad, submitted a report.

On motion of Mr. Erwin, the report of the committee, (exclusive of the testimony,) was ordered printed.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 623, S. B. 681, bill to amend chapter 154, laws of 1876'–77, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its second reading.

H. B. 558, S. B. 474, bill to amend sections 4 and 7, chapter 37, Battle's Revisal, it being the law on the subject of divorce, on its second reading.

The substitute reported by the committee on the Judiciary was adopted.

Bill then passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

H. B. 594, S. B. 751, bill to change the time of holding the courts in the sixth judicial district, passed its several readings.

S. B. 678, bill to charter the town of Tilden, formerly Shoe Heel, on its second reading.

Mr. Bryan of Pender, moved to amend:

Strike out "Shoe Heel" wherever it appears and insert "Quhele."

Adopted.

Bill then passed its third reading, ayes 32, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Dancey, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Nicholson, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—32.

Mr. Alston voted in the negative.

H. B. 408, S. B. 685, bill to incorporate the town of Hickory, in the county of Catawba, passed its third reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Eaves, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Nicholson, Redwine, Ross, Shackleford, Stewart, Taylor, Waddell, Waldo, and Ward—28.

S. B. 364, bill to abolish private seals and to prescribe a short form of a deed and for other purposes, on its second reading.

The substitute reported by the committee on the Judiciary was adopted.

The bill then passed its several readings and was ordered to be sent to the House of Representatives without engrossment.

H. B. 224, S. B. 655, bill to amend section 20, chapter 98, Battle's Revisal, passed its several readings.

H. B. 834, S. B. 734, bill to incorporate the Oxford and

Henderson Railroad Company, passed its third reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Nicholson, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—30.

H. B. 158, S. B. 596, bill to amend chapter 104, Battle's Revisal, in regard to the manner of laying off public roads, passed its several readings.

S. B. 518, bill to charter the Thomasville and Albemarle Railroad, passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

H. B. 486, S. B. 699, bill to amend chapter 161, laws of 1876-'77, passed its several readings.

S. B. 367, bill to enable the city of Wilmington to pay its present bonded indebtedness and to provide for its bonds maturing in the years 1879 and 1880, passed its second reading, ayes 34, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Ward—34.

H. B. 184, S. B. 664, bill to amend the charter of the town of Fayetteville, and to appoint a finance committee, passed its second reading, ayes 27, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bull, Caldwell, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEach-

ern, Mebane, Merritt, Nicholson, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Ward—27.

S. R. 694, resolution in favor of clerk to committee on nominations of justices of the peace, and clerk to the tellers on the election of the same and for other purposes, on its second reading.

The amendment offered by Mr. Graham of Lincoln, was read.

Mr. Ormand moved to amend the amendment:

Strike out "fifty" and insert "twenty-five."

Lost.

On the adoption of Mr. Graham's amendment,

Mr. Caldwell demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 30, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Dortch, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Waddell, Ward, and Williamson—30.

Those voting in the negative were:

Messrs. Dancey, King, Snow, and Taylor—4.

On the passage of the resolution on its second reading,

Mr. Ormand demanded the ayes and noes, which were ordered, and the resolution passed, ayes 30, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Pender, Bynum, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Ross,

Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—30.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Dancey, Eaves, Eppes, Graham of Montgomery, Ormand, Ward, and White—10.

The resolution was then put upon its third reading and passed.

On motion of Mr. Henderson,

H. B. ..., S. B. ..., the Machinery Act, was taken up, and postponed until Wednesday, 5th inst., at eleven o'clock A. M., and made the special order for that hour.

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State, on its second reading.

Mr. Hoyle moved to amend section 4, line 5, by striking out the words "nor more than ten;" amend the proviso in section 5 by striking out all after the word "work" in line 12, to and including the word "nor" at the beginning of line 13; amend line 13 by inserting after "a" the words "less time than seven hours nor a."

Adopted.

Mr. Ward moved to amend:

"*Provided*, this act shall not apply to the counties of Sampson, Stanley, Moore and Randolph."

Adopted.

Mr. Alexander moved to strike out the county of "Granville" in the proviso of section 11, and insert instead thereof "Mecklenburg." Adopted.

Mr. Lyon moved to amend:

Strike out in section 4 the words "forty-five" and insert "fifty."

Adopted.

Mr. Austin moved to amend:

"*Provided*, this act shall not apply to the county of Union."

Adopted.

The counties of Harnett, Cumberland, Edgecombe, Warren, Montgomery and Brunswick were excepted from the provisions of the bill.

Mr. Taylor demanded the previous question, which was sustained.

On the passage of the bill its second reading, as amended, Mr. Waddell demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 28, noes 11, as follows:

Those voting in the affimative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Pender, Bynum, Caldwell, Dancey, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Harris, Henderson, Hoyle, Leach, Lyon, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Snow, Taylor, and Ward—28.

Those voting in the negative were:

Messrs. Bull, Dortch, Graham of Lincoln, King, Matheson, Shackleford, Stewart, Waddell, Waldo, Williamson, and White—11.

Mr. Erwin moved that when the Senate adjourn to day it do so to meet to-night at half-past seven o'clock. Prevailed.

On motion of Mr. Snow,

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits, was taken up on its second reading; and on his further motion, it was postponed until half-past nine o'clock to-night and made the special order for that hour.

On motion, the Senate adjourned.

NIGHT SESSION.

March 4th, 1879.

The Senate met pursuant to adjournment.

By consent,

Mr. Everett introduced,

S. B. 763, bill to consolidate the towns of Winston and Salem. Placed upon the Calendar.

THE CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 511, bill for the internal improvement of Sampson county, on its second reading.

The amendments reported by the committee on Internal Improvements were adopted.

Bill then passed its several readings.

S. B. 618, bill to authorize the commissioners of Rutherford county to fund certain bonds issued in aid of the Wilmington, Charlotte and Rutherford Railroad, passed its second reading, ayes 36, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eaves, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Taylor, Waddell, Ward, and White—36.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 174, S. B. 274, an act to prevent the desecration of the Sabbath day;

H. B. 678, S. B. 648, an act to incorporate East LaPorte Masonic Lodge, No. 358, in Jackson county;

H. B. 681, S. B. 697, an act to incorporate Bald Creek Baptist Church in the county of Yancey;

S. B. 342, H. B. 728, an act to amend an act to incorporate the Yadkin Railroad Company, ratified April 5th, 1871;

H. B. 330, S. B. 605, an act to allow the Rabun Gap Short Line Railway Company to use fifty convicts;

S. R. 76, Resolution requiring the Secretary of State to furnish to Judges and Solicitors copies of certain important acts of the present General Assembly;

H. B. 296, S. B. 412, an act to punish treasurers of benevolent and religious institutions, &c.;

H. B. 595, S. B. 657, an act to create a new township in the county of Haywood;

H. B. 216, S. B. 383, an act to amend section 2, chapter 195, laws of 1874–'75, in relation to birds;

S. B. 450, H. B. 809, an act to compromise, commute and settle the State debt;

H. B. 421, S. B. 514, an act to aid in the construction of the Caldwell and Watauga Narrow Guage Railroad and for other purposes;

H. B. 265, S. B. 551, an act to incorporate the Standard Gold Company of North Carolina;

S. B. 463, H. B. 669, an act to allow the Bank of Greensboro further time to wind up its business;

H. B. 211, S. B. 626, an act to incorporate the State University Railroad Company;

S. B. 326, H. B. 599, an act concerning mortgages issued by incorporated companies;

H. B. 448, S. B. 571, an act respecting the collection of railroad taxes in Forsythe county;

H. B. 456, S. B. 448, an act to allow the Independent Order of Good Samaritans and Daughters of Samaria in

North America, Lodge No. 2 of North Carolina, to establish a beneficial department;

H. B. 264, S. B. 553, an act to incorporate the American Gold Company of North Carolina;

H. B. 390, S. B. 644, an act to amend the charter of the city of Newbern;

An act to require clerks and justices of the peace to keep an itemized statement of all fines received by them, and to properly account for the same, and also to amend chapter 116, laws of 1873–'74, bearing upon the same subject.

By consent,

Mr. Leach, from the committee on Internal Improvements, reported:

S. B. 762, bill to incorporate the Rockingham and Salisbury Railroad Company, recommending it do pass.

Mr. Davidson reported from the committee on Corporations:

S. B. 658, bill to incorporate the Roxboro and —— Narrow Gauge Railroad, recommending it do pass; also

S. B. 659, bill to authorize the county of Person to subscribe to the Roxboro and —— Railroad, recommending it do pass.

S. B. 389, bill to provide for the completion of the Western Asylum for the Insane, on its second reading, being the special order for this hour.

The question recurring upon the amendment offered by Mr. Dortch to the substitute offered by Mr. Bynum, the amendment was adopted.

Mr. Leach demanded the previous question, which was sustained.

The substitute offered by Mr. Bynum was adopted.

The question recurring upon the passage of the bill its second reading,

Mr. Everett demanded the ayes and noes, which were ordered and the bill passed its second reading, ayes 30, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bull, Bynum, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Montgomery, Harris, Henderson, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, Waldo, Ward, and White—30.

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Everett, Graham of Lincoln, Hoyle, Ross, Scales, Waddell, and Williamson—13.

On motion of Mr. Dortch, the rules were suspended and the bill put upon its third reading.

Mr. Graham of Lincoln, offered a substitute for the bill.

Mr. Bryan of Duplin, offered an amendment to the substitute offered by Mr. Graham of Lincoln, by adding to the substitute another section:

"Section —. The sum of fifty thousand dollars be and is hereby appropriated out of the Insane Asylum fund, or any other moneys in the treasury not otherwise appropriated, to build additional accommodations to the Insane Asylum at Raleigh."

Mr. Bynum demanded the previous question upon the passage of the bill, which was sustained.

Mr. Bryan's amendment was lost.

On Mr. Graham's substitute, the ayes and noes were ordered, and the substitute was lost, ayes 19, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, King, Ross, Scales, Sackleford, Waddell, Ward, and Williamson—19.

Those voting in the negative were:

Messrs. Alston, Bynum, Dancey, Davidson, Dortch, Eaves,

Eppes, Erwin, Harris, Henderson, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Snow, Taylor, Waldo, and White—24.

Bill then passed its third reading, ayes 28, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bull, Bynum, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Montgomery, Harris, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Snow, Stewart, Taylor, Waldo, and White—28.

Those voting in the negative were:

Messrs. Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Everett, Graham of Lincoln, Hoyle, Ross, Scales, Shackleford, Waddell, Ward, and Williamson—14.

Mr. Leach moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

Mr. Bryan of Pender, moved to adjourn. Lost.

Mr. Leach's motion to lay the motion to reconsider on the table prevailed.

On motion of Mr. Graham of Lincoln, the vote by which H. B. 834, S. B. 734, bill to amend an act to incorporate the Oxford and Henderson Railroad Company, passed its third reading this morning was reconsidered.

Question recurring upon the passage of the bill its third reading,

Mr. Scales moved to amend:

Insert before the ratifying clause: "Sec. ..... This act shall not apply to Henderson township."

The amendment was adopted, and the bill then passed its third reading, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pen-

der, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, Leach, Lyon, Matheson, McEachern, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Taylor, Waddell, Ward, and White—32.

On motion of Mr. Redwine, the Senate adjourned.

FORTY-NINTH DAY.

SENATE CHAMBER,
WEDNESDAY, March 5th, 1879.

The Senate met pursuant to adjournment.

Mr. Henderson in the Chair.

The Journal of yesterday was read and approved.

Mr. Respass was announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Graham of Lincoln,

Petition of citizens of Lincoln. Placed upon the table.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Agriculture, Mechanics and Mining:

By Mr. Alexander,

H. B. 459, S. B. 654, bill to prescribe the mode of selling tar, recommending it do pass.

H. B. 714, S. B. 754, bill to incorporate the Globe Gold Company of North Carolina, recommending its reference to the committee on Corporations. It was so referred.

Engrossed House amendments to

S. B. 307, H. B. 547, bill to make Upper and Lower Little River a lawful fence and for other purposes, recommending it do pass.

From the committee on Finance:

By Mr. Graham of Lincoln,

H. B. 695, S. B. 663, bill for the collection of taxes against the property of corporations, &c., recommending it do pass.

By Mr. White,

H. B. 823, S. B. 710, bill for the relief of John H. Cox, sheriff of Perquimans county, reporting an amendment, and, as amended, recommending it do pass.

From the committee on Corporations:

By Mr. Davidson,

H. B. 596, S. B. 714, bill to change the dividing line between the counties of Brunswick and Columbus, reporting a substitute, and recommending the substitute do pass.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 309, S. B. 712, an act to incorporate the town of Highlands, in Macon county;

H. B. 477, S. B. 615, an act to aid in the construction of the Winston, Salem and Mooresville Railroad;

H. B. 224, S. B. 655, and act to amend section 20 of chapter 98, of Battle's Revisal;

H. B. 107, S. B. 689, an act to amend chapter 88 of the private acts of the General Assembly, passed at the session of 1874–'75, entitled an act to incorporate the Fayetteville and Goldsboro and Harnett Railway Company;

S. B. 489, H. B. 730, an act to authorize the counties of Madison, Clay and Surry to pay the claims of certain school teachers;

H. B. 486, S. B. 699, an act to amend chapter 161, of the laws of 1876–'77;

S. B. 515, H. B. 824, an act to allow the county of Iredell to fund her outstanding railroad bonds;

H. B. 225, S. B. 609, an act to provide for the repairing of the Quarantine Hospital at Smithville;

H. B. 680, S. B. 705, an act to incorporate Bee Log Baptist Church, in the county of Yancey;

H. B. 53, S. B. 210, an act for the benefit of jurors in Alleghany, Surry, Haywood, Jackson and Ashe counties:

H. B 789, S. B. 711, an act to provide for the draining of swamp lands in the counties of Columbus and Robeson;

S. B. 128, H. B. 473, an act to incorporate the Bennettsville and Hamlet Railroad Company;

H. B. 327, S. B. 586, an act concerning the official bonds to be given by sheriffs;

H. B. 133, S. B. 622, an act to secure the better drainage of the lowlands of Fourth creek, in the countis of Rowan and Iredell;

H. B. 712, S. B. 723, an act for the relief of James F. Somers, former sheriff of Wilkes county;

H. B. 111, S. B. 550, an act to incorporate the Warm Springs Toll Bridge Company;

H. B. 640, S. B. 700, an act to incorporate Yancey county High School;

H. B. 331, S. B. 575, an act in regard to public wharves and depots;

H. R. 171, S. R. 656, resolution requiring the Secretary of State to issue a grant to Joel T. Ferguson, in Wilkes county;

H. B. 324, S. B. 682, an act to make the carrying of concealed weapons a misdemeanor;

H. B. 736, S. B. 726, an act to incorporate the trustees of Ball's Creek Camp Ground, in the county of Catawba;

H. B. 403, S. B. 695, an act to authorize E. Everett, former sheriff of Swain county, to collect arrears of taxes;

H. B. 594, S. B. 751, an act to change the time of holding the courts in the sixth judicial district;

H. B. 158, S. B. 596, an act to amend chapter 104 of Battle's Revisal in regard to the manner of laying off public roads;

H. B. 811, S. B. 704, an act to appoint and settle a public ferry on the Great Pee Dee river;

S. B. 30, H. B. 553, an act in relation to warrants on bastardy;

H. B. 523, S. B. 573, an act to authorize the commissioners of Sampson county to levy a special tax;

H. B. 710, S. B. 720, an act to amend chapter 152, laws of 1871–'72, relating to destruction of fish in Black River and Six Runs in Sampson and other counties;

S. B. 205, H. B. 725, an act to authorize the Board of Education for Johnston county to pay the orders made on the treasurer by township trustees to school teachers prior to the adoption of the school law of 1876–'77;

H. B. 648, S. B. 616, an act to lay out and construct a public road from Union Church in Alleghany county to Brush Hill in Wilkes county.

The committee on Engrossed Bills reports as properly engrossed:

S. B. 492, bill to cure irregularities in certain judicial proceedings;

S. B. 231, bill for the protection of fish;

S. B. 674, bill to authorize the payment of outstanding school debts in Brunswick county;

S. B. 538, bill to incorporate the town of Roxboro, in Person county;

S. B. 636, bill to incorporate the town of Manly Station, Moore county;

Senate amendments to

H. B. 354, S. B. 608, bill to canal Angola Bay, in the counties of Duplin and Pender;

Senate amendments to

H. B. 699, S. B. 667, bill concerning the working of convicts on the Ore Knob and Mount Airy Railroad;

Senate amendments to

H. B. 681, bill to amend chapter 154, laws of 1876–'77;

S. B. 369, bill to repeal chapter 148, private laws of 1868-'69 with reference to the town of Ridgeway;

S. B. 593, bill to levy a special tax in Pasquotank county;

S. B. 544, bill to amend the charter of the Rutherford and Spartanburg Railroad and for other purposes;

Senate amendments to

H. B. 819, S. B. 724, bill to incorporate the Piedmont Mining and Banking Company of North Carolina;

S. B. 389, bill to provide for the completion of the Western Asylum for the Insane;

S. B. 633, bill to prohibit the sale of intoxicating liquors in certain localities;

Senate amendments to

H. B. 834, S. B. 734, bill to charter the Oxford and Henderson Railway Company.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time, and disposed of as follows:

By Mr. Redwine,

S. R. 764, resolution limiting the length of speeches. Placed upon the Calendar.

By Mr. Moye,

S. B. 765, bill to regulate the fees of certain county officers in Pitt county. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that honorable body in Senate substitute for

H. B. 558, S. B. ..., bill to amend chapter 37, Battle's Revisal, it being the law on the subject of divorce;

In Senate substitute for

S. B. 364, bill to abolish seals and to prescribe a short form of a deed and for other purposes;

In engrossed Senate amendment to

H. B. 205, S. B. ..., bill to protect fish in Yadkin and Catawba rivers;

And had ordered the same enrolled for ratification.

Also, announcing that the House recedes from House amendment to

S. B. 487, bill to prevent live stock from running at large in Rowan, Davie and other counties, and had ordered the same enrolled for ratification.

Also, announcing the refusal of that body to concur in Senate amendments to

H. B. 451, S. B. ...., bill to make the killing of live stock indictable.

On motion of Mr. Austin, the Senate refused to recede from its amendment, and asked a committee of conference on the same.

Also, engrossed amendments to

S. B. 161, H. B. 647, bill to aid in the extension of the Atlantic, Tennessee and Ohio Railroad.

On motion of Mr. Nicholson, the amendments are concurred in, and the bill was ordered enrolled for ratification.

Engrossed

H. B. 687, S. B. 766, bill supplemental to an act farming out convicts in this State. Placed upon the Calendar.

Engrossed amendments to

S. B. 358, H. B. 747, bill to amend and revise the charter of the town of Winston.

On motion, the amendments were concurred in, and the bill was ordered enrolled for ratification.

THE CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

S. R. 764, resolution limiting speeches, &c., was read.

Mr. McEachern moved to amend:

Strike out "ten minutes" and insert "five minutes."

Adopted.

Resolution was then adopted.

S. B. 351, bill for the creation and regulation of the Industrial and Provident Societies, passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

S. R. 739, resolution relating to procedure of business by the Senate, was

On motion of Mr. Everett laid on the table.

On motion of Mr. Bull,

S. B. 707, bill to regulate the sale of liquor in this State, was taken up on its second reading; and on his further motion it was made the special order for to-night at half-past seven o'clock.

S. B. 762, bill to incorporate the Rockingham and Salisbury Railroad Company, passed its several readings and was ordered sent to the House of Representatives without engrossment.

S. B. 566, bill to amend an act to establish a Department of Agriculture, Immigration and Statistics, &c., on its second reading.

Mr. Alexander offered a substitute for the bill, which was adopted; and the bill then passed its several readings, and was ordered sent to the House without engrossment.

S. B. 658, bill to incorporate the Roxboro and .....

Narrow Gauge Railroad, passed its several readings and was sent to the House without engrossment.

H. B. 459, S. B. 654, bill to prescribe the mode of selling tar, passed its several readings.

S. B. 6, bill to restore to judgment debtors homesteads and personal property exemptions, on its second reading.

Mr. Davidson offered a substitute for the bill, which was adopted.

Bill then passed its several readings, and was ordered to be sent to the House without engrossment.

S. B. 725, bill to incorporate the Cape Fear Bank, on its second reading.

Mr. Davidson moved to amend, add a new section:

"Sec. ... The shareholders shall be held individually responsible, equally and rateably, and not one for another, for all contracts, debts and engagements of such Bank to the extent of their stock therein, at the par value thereof, in addition to the amount invested in such shares."

Which was adopted.

Bill then passed its several readings and was ordered sent to the House of Representatives without engrossment.

S. B. 717, bill to provide for the summary investigation of county and municipal expenditures, on its second reading, and passed.

It was put upon its third reading, when

On motion of Mr. Davidson, it was postponed until Thursday, 6th instant, at half-past ten o'clock A. M.

H. B. —, S. B. —, bill to be known as the Machinery Act, was taken up on its second reading, being the special order for this hour.

Sections one, two, three, four, five, six, seven and eight were adopted.

Section nine was read.

Mr. Alexander moved to amend sub section 5:

Strike out "promisory notes and accounts" and insert "solvent credits."

Lost.

Mr. Williamson moved to amend:

Strike out in sub-section 5, line 29, the word "tobacco."

Lost.

The section was adopted.

Sections ten, eleven, twelve and thirteen were adopted.

Section fourteen was read.

Mr. Bynum moved to amend:

Strike out all after the word "thereon," in line three down to and including the word "value" at the end of line five.

Lost.

Mr. Bull moved to amend line seven by striking out the words "natural or artificial" and inserting the words "or corporations." Lost.

The section was adopted.

The remainder of the sections were read and adopted.

Question recurring upon the passage of the bill its second reading,

Mr. Alexander offered a substitute for the bill, upon which

Mr. Henderson demanded the ayes and noes, which were ordered, and the substitute was lost, ayes 18, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bryan of Duplin, Bull, Dancey, Eppes, Everett, Graham of Lincoln, Harris, King, Lyon, McEachern, Mebane, Moye, Nicholson, Ormand, Ross, and Ward, and White—18

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Pender, Bynum, Caldwell,

Eaves, Erwin, Henderson, Hoyle, Matheson, Merritt, Mitchell, Nicholson, Shackleford, Snow, Stewart, Taylor, Waddell, and Williamson—19.

Bill then passed its second reading.

On motion of Mr. Henderson, the bill was put upon its third reading, and on his further motion, it was postponed until twelve o'clock noon to-morrow, and made the special order for that hour.

S. B. 727, bill to repeal chapter 159, acts of the session of 1874–'75, entitled "an act in relation to changing gauge of railroads," passed its several readings.

S. R. 480, resolution in regard to tax on State banks, on its second reading,

Mr. Caldwell moved to lay the resolution upon the table. Lost.

Mr. Bynum demanded the previous question, which was sustained.

The ayes and noes being ordered on the adoption of the resolution, it was adopted, ayes 23, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bynum, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Moye, Nicholson, Redwine, Snow, Taylor, Waddell, and Waldo—23.

Those voting in the negative were:

Messrs. Alston, Black, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Everett, Graham of Montgomery, Holleman, Mebane, Ormand, Ward, and White—14.

The resolution was ordered sent to the House without engrossment.

S. B. 561, bill to provide for the removal of registers of deeds in certain cases, on its second reading.

Mr. Dancey moved to lay the bill on the table. Lost.

Mr. Ormand moved to amend:

Strike out the words "or other" in section one.

Lost.

Mr. Davidson moved to amend:

Strike out the words "commissioners of the several counties" and insert "the judge of the superior court presiding in the district."

Adopted.

On the passage of the bill its second reading,

Mr. Everett demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading, ayes 8, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Bryan of Pender, Davidson, Graham of Lincoln, Henderson, King, McEachern, and Mebane—8.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Bull, Caldwell, Dancey, Eaves, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, Hoyle, Leach, Lyon, Merritt, Mitchell, Nicholson, Ormand, Redwine, Snow, Taylor, Waddell, Ward and White—25.

On motion, S. B. 472, bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences, was taken up and made the special order for to-night at eight o'clock.

S. B. 763, bill to consolidate the towns of Winston and Salem, passed its second reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Dancey, Davidson, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, King, Lyon, McEachern, Mebane, Merritt

Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Stewart, and Ward—30.

H. B. 596, S. B. 714, bill to change the dividing line between the counties of Brunswick and Columbus, on its second reading.

The substitute reported by the committee on Corporations was adopted.

Bill then passed its several readings, and was ordered sent to the House without engrossment.

H. B. 787, S. B. 745, bill to provide for purchasing land sold under executions by the several boards of county commissioners of the State, passed its several readings.

S. B. 603, bill to authorize the Treasurer of the State to pay the county of Pitt for the maintenance of certain lunatics, on its second reading.

Mr. Davidson moved to amend by inserting after the word "Pitt" in the caption the words "and the county of Madison;" insert after the word "cents" in line six of the preamble the words "and the county of Madison has paid for the support of Sarah Waldrope, Nancy Smith, Nancy Riddle and Stephen Hamlin, the sum of four hundred dollars;" insert in section 1, after the words "cents," the words "and pay to the county of Madison the sum of four hundred dollars."

Mr. Everett moved to amend:

Add as a new section: "That the provisions of this act shall apply to all the counties of the State."

Mr. Lyon moved to lay the bill on the table, upon which Mr. Ormand demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 21, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Erwin, Everet, Henderson, Holle-

man, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Nicholson, Redwine, Waddell, Ward, and Williamson—21.

Those voting in the negative were:

Messrs. Black, Bull, Dancey, Davidson, Eppes, Graham of Lincoln, Graham of Montgomery, Leach, Merritt, Moye, Ormand, Ross, Shackleford, Stewart, Waldo, and White—16.

H. B. 524, S. B. 646, bill to authorize the county of Bladen to fund the floating debt, passed its second reading, ayes 27, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bryan of Duplin, Bryan of Pender, Bull, Dancey, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, King, Leach, Lyon, Mebane, Merritt, Moye, Ormand, Redwine, Ross, Shackleford, Stewart, and Ward—27.

S. B. 678, bill to charter the town of Qhuhele, formerly Tilden, passed its third reading, ayes 30, noes none, as follows:

Those voting in the affimative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, King, Leach, Lyon, McEachern, Mebane, Merritt, Moye, Ormand, Redwine, Ross, Shackleford, Stewart, Ward, and White—30.

On motion it was ordered sent to the House without engrossment.

S. B. 729, bill to secure to widows and minor children the personal property exemptions provided by the constitution, passed its several readings and was sent to the House without engrossment.

S. B. 642, bill to re-enact chapter 227, laws of 1876–'77, authorizing the commissioners of New Hanover county to levy a special tax, on its second reading.

Mr. Bryan of Pender, moved to amend by adding at end of section first:

"*And provided further*, that only so much of the tax of thirty-one cents on the one hundred dollars' worth of property herein provided for shall be levied as may be necessary to supply the actual deficiency in the county revenue for the past and current fiscal year."

Adopted.

Bill then passed its second reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, King, Leach, Lyon, McEachern, Mebane, Mitchell, Nicholson, Redwine, Ross, Shackleford, Stewart, and Ward—28.

H. B. 623, S. B. 681, bill to amend chapter 154, laws of 1876-'77, on its third reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its third reading and was ordered to be sent to the House of Representatives without engrossment.

On motion, the Senate adjourned.

NIGHT SESSION.

March 5th, 1879.

The Senate met pursuant to adjournment.

Messrs. Respass and Scales announced absent on account of sickness.

By consent,

Mr. Henderson introduced S. B. 768, bill for the more speedy procurement of the right of way by the Winston,

Salem and Mooresville Railroad, and for the better protection of the landowners over whose lands the said railroad passes. Placed upon the Calendar.

S. B. 707, bill to regulate the sale of liquors in this State, was taken up on its reading, it being the special order for this hour.

On motion, the bill was read by sections.

The amendment reported by the committee for section one was adopted.

Mr. King moved to amend section one,

Strike out "two hundred dollars" and insert "three hundred dollars."

Lost.

Section two was read.

Mr. Snow moved to postpone the bill until to-morrow, at one o'clock P. M., and make it the special order for that hour; upon which motion he demanded the ayes and noes, which were ordered, and the motion to postpone was lost, ayes 12, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Davidson, Eaves, Graham of Montgomery, King, Leach, Mitchell, Nicholson, Ormand, Redwine, Snow, Taylor, and Waldo—12.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Ross, Shackleford, Waddell, Ward, Williamson and White—30.

The consideration of the bill was resumed.

Section four was read.

Mr. Harris moved to amend:

Strike out in line 20, "fifty dollars," and insert "twenty dollars."

Lost.

The section was adopted.

Sections five, six and seven were adopted.

Section eight was read:

Mr. Everett moved to amend:

Insert after the word "practicable," in line 10: "That the proprietors of the register adopted shall execute to the State of North Carolina a bond justified in the sum of five thousand dollars, to be void on condition that the said proprietors shall save the State harmless from all damage and costs by suits of parties who shall allege any infringement of patent or patents by the State in using said register."

Accepted.

Mr. Mebane moved to amend section twenty-one:

"Manufacturers of wine, malt liquors, and distillers of alcoholic liquors, shall be subject to a tax of ..... cents per quart on wine and malt liquors, and two cents per quart on all alcoholic liquors while selling their own products not less than one quart."

Adopted.

Mr. Bull moved to amend section twenty-one. In lines eight and nine strike out "one quart" and insert "five gallons."

Lost.

Mr. Bryan of Duplin, moved to amend section twenty-one:

Strike out the words "distillers of alcoholic liquors."

Lost.

Question recurring upon the passage of the bill on its second reading, the ayes and noes were ordered, and the bill passed its second reading, ayes 25, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Dortch, Erwin, Graham of Lincoln, Harris, Holleman, King, Lyon, McEachern, Mebane, Merritt, Ross, Stewart, Taylor, Waddell, Ward, Williamson, and White—24.

Those voting in the negative were:

Messrs. Bryan of Duplin, Dancey, Davidson, Eaves, Eppes, Graham of Montgomery, Henderson, Hoyle, Matheson, Mitchell, Moye, Nicholson, Ormand, Shackleford, Snow, and Waldo—16.

On motion of Mr. Graham of Lincoln, the bill was taken up on its third reading, and on his further motion it was made the special order for to-morrow night at eight o'clock.

S. B. 472, bill to amend section 1, chapter 48, Battle's Revisal, requiring planters to keep sufficient fences, on its second reading.

Mr. Hoyle moved to amend:

Strike out "and a-half."

Adopted.

Bill then passed its several readings.

S. B. 639, bill to change the county of Martin from the second to the first judicial district, and the times for holding the courts thereof, on its second reading.

Mr. Waldo moved to amend:

Strike out the ratifying clause and insert, "This act shall be in force from and after the fourth day of June, 1879."

Adopted.

Bill then passed its several readings and was ordered sent to the House of Representatives without engrossment.

S. B. 768, bill for the more speedy procurement of the right of way by the Winston, Salem and Mooresville Railroad, and for the better protection of landowners over whose lands the said railroad pass, passed its several readings and was ordered sent to the House without engrossment.

S. B. 398, bill to establish a board of commissioners for the improvement of Trent river, passed its second reading.

S. B. 367, bill to enable the city of Wilmington to pay its present bonded indebtedness and to provide for its bonds maturing in the years 1879 and 1880, passed its third reading, ayes 31, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Stewart, Taylor, Waddell, Ward, and Williamson—31.

H. B. 122, S. B. 318, bill to allow the citizens of Jackson county to pass through toll gates in Macon county free; also to allow citizens of Macon county to pass through toll gates in Jackson county free, on its second reading.

The amendment reported by the committee on Propositions and Grievances was adopted.

Bill then passed its several readings.

H. B. 610, S. B. 738, bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers, on its second reading.

Mr. Austin moved to amend:

"*Provided*, this act shall only apply to the county of Wilkes."

Adopted.

Bill then passed its several readings.

S. B. 611, bill in relation to the city of Raleigh, on its second reading.

The amendment reported by the committee on Corporations was adopted.

Mr. Snow moved to amend:

Add at the end of section one: "And that line 13 of said section 11, chapter 49, private acts of 1862-'63, be amended by striking out the words 'on the premises' and inserting in lieu thereof the words 'at the court-house door in the city of Raleigh.'"

Adopted.

Bill then passed its several readings and was ordered sent to the House without engrossment.

H. B. 455, S. B. 381, bill to establish a State line between the States of North Carolina and Georgia, on its second reading.

Amendment reported by the committee on the Judiciary was adopted, and the bill passed its several readings.

H. B. 581, S. B. 680, bill to authorize the commissioners of Macon county to levy a special tax, passed its second reading, ayes 35, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson Ormand, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White —35.

S. B. 618, bill to authorize the commissioners of Rutherford county to fund certain bonds issued in aid of the Wilmington, Charlotte and Rutherford Railroad, passed its third reading, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eaves, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Merritt, Moye, Nicholson, Ormand, Snow, Stewart, Taylor, Waddell, Ward, and White—32.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Ormand,

S. B. 767, bill for the relief of John Bran and Margaret Bran. Placed upon the Calendar.

By Mr. Dancey,

S. B. 768½, bill to authorize the commissioners of Edgecombe county to pay certain school claims. Placed upon the Calendar.

By Mr. Bledsoe,

S. B. 769, bill to change the boundary lines between the counties of Ashe and Wilkes. Placed upon the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence of that honorable body in Senate amendments to

H. B. 623, S. B. ..., bill to amend chapter 154, laws of 1876-'77.

H. B. 819, S. B. ..., bill to incorporate the Piedmont Mining and Banking Company of North Carolina.

H. B. 699, S. B. ..., bill supplemental to an act authorizing the working of convicts on the Ore Knob, Chester and Lenoir and Caldwell and Watauga Railroad.

H. B. 354, S. B. ..., bill to canal Angola Bay in the counties of Duplin and Pender,

And had ordered the same enrolled for ratification.

H. B. 641, S. B. 643, bill to procure the better drainage of the bottom lands on Silver Creek in Burke county, passed its several readings.

On motion of Mr. Mebane,

S. B. 612, bill to compromise and adjust a portion of the debt of the State and to provide for the payment thereof, was made the special order for Thursday morning at fifteen minutes past ten o'clock.

On motion of Mr. Leach,

Senate bills 451 and 703 were made the special order for Friday, 7th instant, at half past ten o'clock.

By consent,

Mr. Henderson introduced,

S. R. 770, resolution regulating times of session of the Senate.

On motion of Mr. Henderson, the resolution was taken up for consideration.

Mr. Everett moved to amend: Strike out "eleven o'clock" and insert "ten." Lost.

Mr. McEachern moved to amend: Strike out "ten" and insert "nine." Lost.

The resolution was then adopted.

On motion of Mr. Erwin the Senate adjourned.

FIFTIETH DAY.

SENATE CHAMBER,
THURSDAY, March 6th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Norman.

The Journal of yesterday was approved.

Messrs. Respass and Scales were announced absent on account of sickness.

PETITIONS.

Petitions were presented and disposed of as follows:

By Mr Matheson,

Petition of citizens of Alexander, Wilkes, and Watauga counties, asking for a road commissioner. Referred to the committee on Propositions and Grievances.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Dortch,

S. B. 772, bill to authorize the directors of the Western North Carolina Railroad to expend a portion of the appropriations to said company for operating expenses. Placed upon the Calendar.

By Mr. Leach,

S. B. 774, bill to prevent the sale of spirituous liquors within three-fourths of a mile of Trap Hill Academy, in Wilkes county. Referred to the committee on Propositions and Grievances.

By Mr. Scales,

S. B. 781, bill for the better protection of the pupils of the North Carolina Institute for the Deaf, the Dumb and the Blind, and for other purposes. Referred to the committee on the Deaf, the Dumb and the Blind.

By the same,

S. B. 782, bill to regulate the attendance of superior court clerks at their offices. Referred to the committe on Judiciary.

REPORTS FROM STANDING COMMITTEES.

From the committee on Internal Improvements:

By Mr. Leach,

S. B. 731, bill to charter the Roxboro, Leasburg and Danville Turnpike Company, recommending it do pass.

From the committee on Judiciary:

By Mr. Henderson,

S. B. 564, bill to incorporate the Southern Chapel in Rowan county, recommending it do pass;

S. B. 168, bill explanatory of chapter 57 of Battle's Revisal, reporting amendments and as amended recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 390, bill to repeal an act prohibiting the sale of liquor near Christian's Delight Church, in Beaufort county, reporting it back without prejudice.

From the committee on Judiciary:

By Mr. Scales,

S. B. 782, bill to regulate the attendance of superior court clerks at their offices, recommending it do pass.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 267, S. B. 531, an act to incorporate the town of Newton Grove, in the county of Sampson;

H. B. 583, S. B. 606, an act to incorporate the Six Runs Land Draining Company;

H. B. 241, S. B. 394, an act for the benefit of the Winston, Salem and Mooresville Railroad Company;

H. B. 798, S. B. 343, an act to incorporate the Smithfield and Cape Fear Narrow Gauge Railroad Company;

H. B. 689, S. B. 683, an act to amend the charter of the Snow Hill, Greenville and Goldsboro Railroad, which was ratified January 24th, 1873;

S. B. 568, H. B. 800, an act to authorize the board of commissioners of Onslow county to issue bonds and for other purposes;

H. B. 558, S. B. 474, an act to amend sections 4 and 7, chapter 37, Battle's Revisal, it being the law of divorce;

H. B. 205, S. B. 230, an act to amend chapter 49, laws of 1876-'77;

H. B. 408, S. B. 685, an act to incorporate the town of Hickory, in the county of Catawba.

The committee on Eugrossed Bills reported as properly engrossed:

S. R. 676, resolution instructing our Senators in Congress and requesting our Representatives to use their influence to adjust the United States tariff to a strictly revenue basis.

S. B. 637, bill to prohibit net fishing in Black creek in Wilson county.

S. B. 617, bill to amend the charter of the town of Salisbury.

S. R. 694, resolution in favor of clerk to the committee on nominating justices of the peace, &c.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 637, S. B. 773, bill to authorize Granville county to fund its debt. Placed upon the Calendar.

H. B. 764, S. B. 775, bill to incorporate the Lawrence Manufacturing Company in Gaston county, North Carolina. Referred to the committee on Agriculture, Mechanics and Mining.

Without engrossment,

H. B. 525, S. B. 780, bill to incorporate the town of Lowell, in the county of Gaston. Referred to the committee on Corporations.

H. B. 717, S. B. 783, bill to enlarge and extend the cor-

porate limits of the town of Monroe in the county of Union and for other purposes. Placed upon the Calendar.

Engrossed

H. B. ..., S. B. 776, bill to raise revenue.

On motion it was made the special order for Friday, 7th inst., at half-past eleven o'clock A. M.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 772, bill to authorize the directors of the Western North Carolina Railroad to expend a portion of the appropriations to said Company for operating expenses, was, on motion of Mr. Dortch, taken up and postponed until Thursday, 7th inst., at eleven o'clock A. M., and made the special order for that hour.

H. B. 637, S. B. 773, bill to authorize Granville county to fund its debt, was, on motion of Mr. Lyon, taken up, and postponed until Thursday, 7th inst., at one o'clock P. M., and made the special order for that hour.

S. B. 612, bill to compromise and adjust a portion of the State debt, and provide a fund therefor, was taken up on its third reading, it being the special order for this hour.

Mr. Williamson moved to amend:

Amend by striking out all after the word "same," in section one, line five, and insert the following:

Sec. 1. The Treasurer of the State is hereby authorized and directed to issue new, and exchange them for old, bonds. The new bonds to be payable forty years from the first day of April, eighteen hundred and eighty-nine, bearing interest from the first day of April, eighteen hundred and seventy-nine, at ..... per cent. per annum, payable semi-annually, on the first day of April and October of each and every year until the principal shall be due.

Sec. 2. The said bonds shall be coupon bonds of the denomination of fifty, one hundred, five hundred, and one thousand dollars each, and shall be signed by the Governor and Public Treasurer, and shall be sealed with the great seal of the State. The coupons thereon may be signed by the Treasurer alone or have a *fac simile* of his signature printed, engraved or lithographed thereon. And the said bonds and coupons shall in all other respects be in such form as the Treasurer may direct; and shall express on their face that they are issued in renewal of said bonds.

Sec. 3. The Public Treasurer, before delivering any of said bonds under the provisions of this act, shall record in a well-bound book an accurate account and descriptive list of the said bonds, which shall embrace the date, amount and number thereof, and the name of the person or persons to whom issued.

Sec. 4. It shall be the duty of the Treasurer of the State, after exchanging the bonds, the new for the old, to burn the old bonds in the presence of the Governor, Secretary and Auditor of the State, who shall make affidavit to the fact.

Sec. 5. The new bonds shall in all respects stand in the place of, and be entitled to, the same securities as are the old bonds and coupons aforesaid, and shall have the same lien on the stock of the State in the said railroad company which the said old bonds and coupons now have; and the Public Treasurer shall apply the dividends received by the State on its stock in said company to the payment of the coupons on said new bonds.

Sec. 6. This act shall be in force from and after its ratification.

Lost.

Mr. Snow moved to amend:

Strike out the words "the judges of the supreme court as," in the first section.

Adopted.

The ayes and noes being ordered on the passage of the bill its third reading, the bill passed its third reading, ayes 26, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bull, Caldwell, Davidson, Dortch, Eppes, Graham of Montgomery, Henderson, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Shackleford, Snow, Taylor, Waddell, and Ward—26.

Those voting in the negative were:

Messrs. Bynum, Eaves, Erwin, Everett, Graham of Lincoln, Harris, Holleman, Hoyle, Ormand, Redwine, Stewart, Williamson, and White—13.

S. B. 717, bill to provide for the summary investigations of county and municipal expenditures, was taken up on its second reading, being the second special order for this morning.

Mr. Austin moved to lay the bill on the table, upon which he demanded the ayes and noes, which were ordered, and the motion to table prevailed, ayes 21, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dortch, Eaves, Erwin, Graham of Lincoln, Harris, Hoyle, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Snow, and Waddell—21.

Those voting in the negative were:

Messrs. Alston, Black, Bynum, Davidson, Everett, Graham of Montgomery, Henderson, King, Lyon, McEachern, Mitchell, Ormand, Shackleford, Stewart, Taylor, Ward, Williamson, and White—18.

S. B. 767, bill for the relief of John Bran and Margaret Bran, passed its several readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 823, S. B. 710, bill for the relief of J. H. Cox, sheriff of Perquimans county, on its second reading.

Amendment reported by the committee on Finance was adopted.

Bill then passed its several readings, and was ordered sent to the House without engrossment.

S. B. 673, bill to authorize the several townships in Halifax county to levy taxes for the support of graded public schools, on its second reading.

Mr. Eppes offered a substitute for the bill.

Mr. Graham of Lincoln, moved that the bill and substitute be recommitted to the committee on Education. Lost.

Mr. Bryan of Pender, moved to postpone the bill until Friday 7th inst. at two o'clock P. M., and make it the special order for that hour, which prevailed.

H. B. 184, S. B. 664, bill to amend the charter of the town of Fayetteville and to appoint a finance committee, passed its third reading, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Shackleford, Stewart, and Taylor—32.

S. B. 491, bill to repeal chapter 99, Battle's Revisal, on its second reading.

Mr. Waddell moved to amend:

"*Provided*, this act shall not be held to interfere with or divest any rights or privileges now vested in or exercised by corporations now in operation under the provisions of said chapter 99, of Battle's Revisal."

Adopted.

Bill then passed its several readings, and was ordered to be sent to the House of Representatives without engrossment.

S. B. 763, bill consolidating the towns of Winston and Salem, North Carolina, passed its third reading, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Stewart, Taylor, and Waddell—29.

The bill was then ordered to be sent to the House without engrossment.

H. B. 104, S. B. 322, bill to amend chapter 240, laws of 1874–'75, being an act to prevent discrimination in freight tariffs by railroad companies, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its several readings.

S. B. 715, bill to aid in the completion of the Asheville and Spartanburg Railroad, on its second reading.

Mr. Caldwell moved to amend:

Insert after "North Carolina" in line eight, the words "or Cape Fear and Yadkin Valley."

Adopted.

Mr. Shackleford moved to amend:

"*Provided*, that this act shall not decrease the convict force allowed at this session of the General Assembly to White Oak Swamp and Angola Bay."

Accepted.

Thus amended the bill passed its several readings.

H. B. 524, S. B. 646, bill to authorize the county of Bla-

den to fund the floating debt, passed its third reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Dancey, Davidson, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Merritt, Nicholson, Ormand, Shackleford, Stewart, Taylor, Waddell, and White—28.

On motion of Mr. Dortch, the vote by which S. B. 717, bill to provide for the summary investigation of county and municipal expenditures was laid upon the table, was reconsidered. The bill then passed its third reading and was ordered to be sent to the House of Representatives without engrossment.

H. B. 610, S. B. 738, bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers, passed its third reading.

S. B. 768½, bill to authorize the commissioners of Edgecombe county to pay certain school claims, passed its several readings and was ordered to be sent to the House without engrossment.

H. B. 687, S. B. 766, bill supplemental to an act farming out convicts in this State, passed its several readings.

H. B. 612, S. B. 749, bill for the free passage of fish up Neuse and Swift and Middle creeks, in Johnston, passed its several readings.

H. B. 567, S. B. 650, bill to amend section 7, chapter 75, laws of 1825, being an act for the government of Wadesboro, in Anson county, passed its several readings.

H. B. 649, S. B. 713, bill to amend chapter 202, laws of 1868–'69, passed its several readings.

H. B. 698, S. B. 687, bill to incorporate the town of Troy, in the county of Montgomery, passed its second reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bull, Caldwell, Dancey, Davidson, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and White—34.

H. B. ....., S. B. ....., the machinery act, passed its third reading, ayes 29, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Lyon, Matheson, McEachern, Mebane, Merritt, Nicholson, Redwine, Scales, Snow, Waddell, and Waldo—29.

Those voting in the negative were:

Messrs. Alexander, Eppes, King, Moye, Ormand, Shackleford, and Stewart—7.

By consent,

Mr. Scales, from the select committee to investigate charges of corruption against Hon. James L. Robinson, submitted a report, which,

On motion of Mr. Bynum, was ordered to be printed.

THE CALENDAR

was resumed.

S. B. 692, bill to incorporate the town of Kill Quick in the county of Edgecombe, passed its several readings, and was ordered sent to the House without engrossment.

H. B. 627, S. B. 593, bill to amend chapter 285, laws of 1876–'77, concerning graded schools, passed its several readings.

S. B. 168, bill explanatory of chapter 57 of Rattle's Revisal, passed its third reading.

H. B. 492, S. B. 581, bill to empower the commissioners of Haywood county to build a court house, passed its third reading, ayes 36, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Shackleford, Snow, Stewart, Waddell, Ward, and White—36.

H. B. 581, S. B. 680, bill to authorize the commissioners of Macon county to levy a special tax, passed its third reading, ayes 32, noes none, as follows:

Those voting in the affimative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Dortch, Eaves, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, King, Leach, Lyon, Merritt, Moye, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—32.

H. B. 843, S. B. 756, bill to authorize the commissioners of Currituck county to exchange the stock of said county in the Albemarle and Chesapeake Canal Company for bonds of the county, passed its several readings.

S. B. 545, bill to amend section 1, chapter 260, laws of 1876–'77, prohibiting the sale of liquor in certain localities, passed its several readings, and was ordered sent to the House without engrossment.

S. B. 525, bill to expedite the trial of criminal actions upon their merits, on its second reading.

Mr. Bynum moved to amend:

Strike out "hereafter tried" and insert "tried on indictments hereafter found."

Adopted.

Upon the passage of the bill on its second reading,

Mr. Henderson demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 27, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Mitchell, Nicholson, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and Williamson—27.

Those voting in the negative were:

Messrs. Alexander, Black, Bull, Bynum, Dancey, Eaves, Eppes, Everett, Graham of Montgomery, Leach, Redwine, and Scales—12.

Bill was then put upon its third reading and passed.

S. R. 459, resolution providing for aid for the Orphan Asylum at Oxford, North Carolina, on its second reading.

Mr. Scales moved to amend:

Strike out "five thousand dollars" and insert "three thousand dollars," and add: "*Provided*, that the Superintendent of said institution shall through the Governor make a report to each General Assembly of the condition and management of the Institution."

Accepted.

On the passage of the resolution its second reading,

Mr. Erwin demanded the ayes and noes, which were ordered, and the resolution passed its second reading, ayes 41, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bryan of Pender, Bull, Bynum, Dancey, Davidson, Dortch, Eaves, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon,

Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson—41.

Those voting in the negative were:

Messrs. Bledsoe, Caldwell, and White—3.

The bill was then put upon its third reading and passed.

S. B. 506, bill to incorporate the Anglo-American Colonization and Improvement Company in North Carolina, on its second reading.

The amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings.

H. B. 464, S. B. 529, bill to incorporate the town of Mathews, in the county of Mecklenburg, passed its third reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Hoyle, King, Lyon, Matheson, McEachern Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Shackleford, Snow, Stewart, Waddell, and White—30.

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State, on its third reading.

Mr. Eppes moved to amend:

"This act shall not apply to Halifax county."

Mr. Waldo moved to amend:

"This act shall not apply to the county of Martin."

Mr. Redwine moved to amend:

"Strike out the repealing clause of the present law as to the counties stricken out."

Mr. Waldo submitted an amendment, to come in as a new section before the ratification clause:

"Sec. ..... The law now in force is not repealed as to those counties stricken out of this bill."

Pending consideration, the hour of three P. M. having arrived, the Senate was declared adjourned until to-night at half past seven o'clock.

NIGHT SESSION.

March 6th, 1879.

The Senate met pursuant to adjournment.

The unfinished business of this morning was taken up, being

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State, on its second reading.

On motion of Mr. Lyon, the bill was postponed until Monday, 10th instant, at 12 o'clock M., made the special order for that hour and ordered to be printed.

H. B. 717, S. B. 783, bill to enlarge and extend the corporate limits of the town of Monroe, in the county of Union, and for other purposes, passed its several readings.

On motion of Mr. Shackleford,

S. B. 708 bill to apportion the convicts among the various works of internal improvement of the State, was taken up on its third reading and, on his further motion, it was postponed until Friday, 7th instant, at eight o'clock P. M., and made the special order for that hour.

S. B. 707, bill to regulate the sale of liquor in this State,

being the special order for this hour, was taken up on its third reading.

Mr. Ormand moved to lay the bill on the table, upon which motion the ayes and noes were ordered, and the motion was lost, ayes 5, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Nicholson, Ormand, Shackleford, Taylor, and Waldo—5.

Those voting in the negative were:

Messrs. Alexander, Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Dortch, Erwin, Everett, Graham of Montgomery, Harris, Henderson, Hoyle, King, Lyon, Mebane, Merritt, Moye, Ross, Stewart, Waddell, Ward, Williamson and White—26.

Mr. Bull offered a substitute for section 21:

"Sec. 21. This act shall not authorize the sale of liquor in any place where it is now prohibited by law, or take away the right of prohibiting the sale in accordance with the laws of the State. Manufacturers of wine and malt liquors shall not be subject to any tax either for license or on sales when selling their own products in quantities not less than five gallons. Should they desire to sell in quantities less than five gallons they shall comply with the provisions of this act as other persons are required to do. This act shall apply to druggists who sell liquors, except as to the liquors used by them in compounding medicines."

Mr. King offerred to amend the substitute offered by Mr. Bull:

"*Provided further*, That this section shall not apply to liquors and wines distilled from fruits."

Accepted.

The ayes and noes being ordered on the adoption of the substitute, it was adopted, ayes 31, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Montgomery, Harris, King, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Ross, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson—31.

Those voting in the negative were:

Messrs. Alexander, Eaves, Leach, Lyon, McEachern, Shackleford, and White—7.

Mr. Leach offered a substitute for the bill.

Mr. McEachern demanded the previous question, which was not sustained.

Mr. Snow moved the bill be postponed until Friday, 7th inst., at five minutes past one o'clock P. M. Lost.

Mr. Snow moved to indefinitely postpone the bill, upon which motion he demanded the ayes and noes, which were ordered, and the motion was lost, ayes 13, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Davidson, Eaves, Graham of Montgomery, Lyon, Mitchell, Ormand, Redwine, Ross, Shackleford, Snow, Waddell, and Waldo—13.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, McEachern, Mebane, Merritt, Moye, Stewart, Taylor, Ward, Williamson, and White—28.

Mr. Everett demanded the previous question, upon which

Mr. Snow demanded the ayes and noes, which were ordered, and the demand for the previous question was not sustained, ayes 19, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bull, Caldwell, Dancey, Dortch, Erwin, Everett, Graham of Lincoln, Harris, Hoyle, McEachern, Mebane, Merritt, Redwine, Waddell, Williamson, and White—19.

Those voting in the negative were:

Messrs. Alexander, Black, Bryan of Duplin, Bryan of Pender, Bynum, Davidson, Eaves, Eppes, Graham of Montgomery, Harris, King, Leach, Lyon, Matheson, Moye, Nicholson, Ormand, Ross, Shackleford, Snow, Stewart, Taylor, Waldo, and Ward—24.

The question recurring upon the adoption of the substitute offered by Mr. Leach,

Mr. Leach demanded the ayes and noes which were ordered, and the substitute was lost, ayes 15, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Graham of Montgomery, Hoyle, Leach, Lyon, Matheson, Mitchell, Nicholson, Redwine, Ross, Snow, Stewart, Taylor, and Waldo—15.

Those voting in the negative were:

Messrs. Alston, Austin, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, King, McEachern, Mebane, Merritt, Moye, Ormand, Shackleford, Waddell, Ward, Williamson, and White—26.

Mr. Bynum moved to amend section three, as follows:

"License shall be granted for a time not less than two months," instead for "twelve months."

Lost.

Mr. Ormand moved to amend,

"*Provided*, That no person that drinks intoxicating liquor shall be competent as a witness in prosecuting a dealer in intoxicating liquors for violation of this act."

Lost.

Mr. Graham of Lincoln moved to amend,

"*Provided*, License for special occasions may be granted for a term not less than two months."

Adopted.

Mr. King moved to amend,

Strike out, in section one, "two hundred dollars" and insert "four hundred dollars."

Adopted.

Mr. Mitchell moved to amend,

"That no county, town or corporation tax shall be levied or collected exclusive of the State taxes from said bell punch act, and all other acts shall be repealed now imposed on liquor dealers."

Lost.

The previous question was demanded upon the passage of the bill and sustained.

The ayes and noes being ordered the bill failed to pass its third reading, ayes 17, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Pender, Bull, Caldwell, Dortch, Erwin, Graham of Lincoln, Harris, King, McEachern, Mebane, Merritt, Stewart, Ward, Williamson, and White—17.

Those voting in the negative were:

Messrs. Black, Bledsoe, Bryan of Duplin, Bynum, Dancey, Davidson, Eaves, Eppes, Graham of Montgomery, Hoyle, Leach, Lyon, Matheson, Mitchell, Moye, Nicholson, Ormand, Redwine, Shackleford, Snow, Taylor, Waddell, and Waldo—23.

Mr. Leach moved to reconsider the vote by which the bill failed to pass its third reading.

Mr. Snow moved to lay the motion to reconsider on the table.

Upon which Mr. Ormand demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 13, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Caldwell, Erwin, Graham of Lincoln, Matheson, McEachern, Mitchell, Nicholson, Redwine, Shackleford, Snow, and Waldo—13.

Those voting in the negative were:

Messrs. Alexander, Black, Bledsoe, Bryan, of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Davidson, Dortch, Eppes, Graham of Montgomery, Harris, Hoyle, King, Leach, Mebane, Merritt, Moye, Ormand, Ross, Stewart, Taylor, Waddell, Ward, Williamson, and White—27.

The question recurring upon the motion to reconsider,

On motion of Mr. Leach, the consideration of the motion to reconsider was postponed until Friday, 7th instant, at half seven o'clock, P. M.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment:

H. B. 750, S. B. 789, bill to authorize the commissioners of Anson county to levy a special tax. Placed upon the Calendar.

Engrossed

H. B. 629, S. B. 788, bill to authorize the Caldwell and Watauga Narrow Gauge Railroad to change its gauge. Placed upon the Calendar.

Engrossed

H. B. 891, S. B. 787, bill to compromise, commute and settle the State debt known as the Williamston and Tar-

boro Railroad bonds. Referred to the committee on Internal Improvements.

Without engrossment,

H. B. 666, S. B. 786, bill to prohibit the admission of testimony of the party of interest or his assignee in suits for debt contracted prior to April 23d, 1868. Referred to the committee on the Judiciary.

Without engrossment,

H. B. 734, S. B. 785, bill to define false pretense. Referred to the committee on Judiciary.

Also, announcing the concurrence by that honorable body in Senate amendments to

H. B. 834, S. B. ..., bill to amend an act to incorporate the Oxford and Henderson Railroad Company, and had ordered the same enrolled for ratification.

REPORTS FROM STANDING COMMITTEES.

Reports from Standing Committees were submitted as follows:

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 737, S. B. 743, bill to prevent the felling of trees and otherwise obstructing Angola and Shelter creek, Pender county, recommending it do pass.

S. B. 774, bill to prevent the sale of spirituous liquors within three-fourths of a mile of Trap Hill Academy in the county of Wilkes, recommending it do pass.

S. R. 353, resolution in favor of Jesse Hathcock of Cabarrus county, recommending it do pass.

From the committee on Corporations:

By Mr. Waldo,

H. B. 525, S. B. 780, bill to incorporate the town of Lowell in the county of Gaston, recommending it do pass.

By Mr. Lyon,

H. B. 679, S. B. 753, bill to amend the charter of the town of Chapel Hill, recommending it do pass.

H. B. 630, S. B. 752, bill declaratory of the meaning of, and to amend the charter of the town of Reidsville, recommending it do pass.

By consent, Mr. Ross introduced

S. B. 784, bill to authorize the county commissioners of Brunswick to levy special tax for the years 1879–'80. Placed upon the Calendar.

THE CALENDAR

was resumed.

On motion of Mr. Mebane,

H. B. 679, S. B. 753, bill to amend the charter of the town of Chapel Hill, was taken up; and on his further motion it was recommitted to the committee on Corporations.

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits, on its second reading.

Pending consideration,

On motion of Mr. Graham of Lincoln, the Senate adjourned.

FIFTY-FIRST DAY.

SEATE CHAMBER,
FRIDAY, March 7th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Atkinson.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Eaves indefinitely from to-day; to Mr. Black for to-day.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on Judiciary:

By Mr. Scales,

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, reporting amendments and as amended recommending it do pass.

H. B. 65, S. B. 627, bill to amend chapter 32, Battle's Revisal, entitled crimes and punishments, recommending it do pass.

H. B. 674, S. B. 589, bill to amend the laws of North Carolina in relation to crimes and punishments, recommending it do pass.

From the committee on Corporations:

Ay Mr. Nicholson,

H. B. 618, S. B. 746, bill to incorporate the town of Mount Holly, in Gaston county, recommending it do pass.

H. B. 714, S. B. 754, bill to incorporate the Globe Gold Company of North Carolina, recommending it do pass.

By Mr. Eppes,

H. B. 526, S. B. 744, bill to incorporate Smith's Bridge High School Joint Stock Company, in Macon county, recommending it do pass.

H. B. 489, S. B. 741, bill to incorporate the Rocky Mount Benevolent Aid Society, recommending it do pass.

From the committee on Agriculture, Mechanics and Mining:

By Mr. Alexander,

H. B. 764, S. B. 775, bill to incorporate the Lawrence Manufacturing Company, in Gaston county, North Carolina, recommending it do pass.

From the committee on Fish and Fisheries:

By Mr. Shackleford,

H. B. 580, S. B. 665, bill to regulate the size of fish packages, recommending it do pass.

By Mr. Moye,

S. B. 670, bill to protect live stock in time of drought and fish in small streams, reporting it back without prejudice.

H. B. 411, S. B. 666, bill to prevent the useless destruction of fish in the various water courses of the State, recommending it do pass.

From the committee on Claims:

By Mr. Waldo,

H. B. 739, S. B. 750, bill to provide commutation for Edmund D. Gaddy and W. Allen, disabled Confederate soldiers, recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

H. B. 715, S. B. 747, bill to provide for the removal of the county seat of Polk county, reporting an amendment, and as amended, recommending it do pass.

From the committee on Internal Improvements:

By Mr. Leach,

H. B. 891, S. B. 787, bill to commute, compromise and settle the State debt, known as the Williamston and Tarboro Railroad bonds, recommending it do pass.

From the committee on Corporations:

By Mr. Davidson,

S. B. 719, bill to amend chapter 26, Battle's Revisal, entitled Corporations and for other purposes, recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 511, bill for the internal improvement of Sampson county;

S. B. 505, bill for the better protection of fish in the waters of Brown Sound, Onslow county;

S. B. 158, bill for the protection of birds;

Senate amendments to

H. B. 350, S. B. 535, bill to relieve farmers and others from paying a special tax;

Senate amendments to

H. B. 114, S. B. 530, bill to prevent the enticing of seamen from vessels;

S. R. 459, resolution providing for aid for the Orphan Asylum at Oxford, North Carolina;

S. R. 338, resolution in favor of W. W. Rollins;

S. B. 715, bill to aid in the completion of the Asheville and Spartanburg Railroad.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House, transmitting

H. B. 930, S. B. 790, bill for the support of the Penitentiary for the years 1879 and 1880. Referred to the committee on Internal Improvements.

Engrossed House amendments to

S. B. 522, H. B. 864, bill to incorporate the Burgaw and Onslow Railroad Company.

On motion, the amendments are concurred in, and the bill was ordered enrolled for ratification.

On motion of Mr. Graham of Lincoln,

H. B. 930, S. B. 790, bill for the support of the Penitentiary for the years 1879–'80, was made the special order for eleven o'clock, A. M., on Saturday, 8th instant.

S. B. 773, H. B. 637, bill to authorize Granville county to fund its debt, being the first special order for to-day, was taken up and passed its second reading, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Pender, Caldwell, Dancey, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Lyon,

Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Ross, Shackleford, Snow, Stewart, Waddell, Ward, and White—29.

S. B. 703, bill to create a railroad commissioner and define his duties, being the second special order for this morning, was taken up on its second reading.

Mr. Alexander moved to amend section 11:

Strike out "nine hundred" and insert "fourteen hundred."

Adopted.

Mr. Everett offered a substitute for the bill, upon which he demanded the ayes and noes, which were ordered and the substitute was lost, ayes 7, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Alston, Dancey, Everett, Hoyle, Mitchell, Ormand, and White—7.

Those voting in the negative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Henderson, Holleman, King, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, and Waddell—26.

Mr. Everett moved to amend:

Insert as a new section: "Sec. ..... No railroad corporation shall consolidate the stock, franchise or property of such corporation with, or lease, or purchase the works or franchises of, or in any way control any other railroad corporation owning or having under its control a parallel or competing line; nor shall any officers of such railroad corporation act as the officers of any other railroad corporation owning or having control of the parallel or competing lines, and the question whether such railroads are parallel or competing lines, shall, when demanded by the complainant, be

decided by a jury, as in other civil issues: *Provided*, that the provisions of this section shall not apply to any contracts now existing where one corporation has become responsible for the liabilities of another, either by advances heretofore made or by the guarantee of bonds previous to the passage of this act; nor shall it apply to any railroad corporation, which prior to the passage of this act shall have been authorized to purchase or hold stock in any other railroad corporation."

Lost.

Question recurring upon the passage of the bill its second reading, the bill passed its second reading.

On motion of Mr. Dortch, the rules were suspended and the bill was put upon its third reading.

Mr. Erwin demanded the ayes and noes, which were ordered, and the bill passed its third reading, ayes 20, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bryan of Duplin, Davidson, Dortch, Graham of Lincoln, Henderson, King, Leach, Lyon, Matheson, McEachern, Merritt, Mitchell, Nicholson, Redwine, Respass, Snow, Taylor, and Waldo—20.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Pender, Caldwell, Dancey, Eppes, Erwin, Everett, Holleman, Hoyle, Mebane, Moye, Scales, Shackleford, Stewart, Waddell, Ward, and White —18.

Mr. Merritt moved to reconsider the vote by which the bill passed its third reading. Prevailed.

Question recurring upon the passage of the bill its third reading,

Mr. Dortch moved to amend section 11: Insert after the word "accounts," in line 3, the words "when received from railroad companies." Adopted.

Mr. Caldwell moved to amend section 11: Strike out "fourteen hundred" and insert "nine hundred." Lost.

Bill then passed its third reading, ayes 23, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Davidson, Dortch, Graham of Lincoln, Harris, Henderson, King, Leach, Lyon, McEachern, Merritt, Moye, Ormand, Respass, Shackleford, Snow, Taylor, Waddell, and Waldo—23.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Caldwell, Dancey, Erwin, Everett, Holleman, Hoyle, Matheson, Mebane, Mitchell, Nicholson, Redwine, Ross, Scales, Stewart, Ward, and White—19.

Mr. Leach moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which latter motion prevailed.

S. B. 772, bill to authorize the directors of the Western North Carolina Railroad to expend a portion of the appropriation to said company for operating expenses, on its second reading.

Mr. Graham of Lincoln moved to amend,

Strike out all after enacting clause and insert: "Section 1. That whenever the president of the Western North Carolina Railroad shall certify to the Governor that the private stockholders of said company have paid into the treasury of said company twenty-five hundred dollars, to be used in constructing said road, the Governor of the State is authorized to draw from the State treasury seven thousand, five hundred dollars and pay the same to said president, to be used for construction, and if the private stockholders shall pay into the treasury of the road, for construction, five thousand dollars, then the Governor may draw fifteen thousand, as above stated, provided said amounts shall be paid by the

Treasurer of the State out of the seventy thousand dollars mentioned in chapter 106, section 7, laws of 1876–'77.

"Section 2. Chapter 106, section 5, laws of 1876–'77, is hereby amended by striking out 'five hundred' and inserting 'four hundred' in lines 9 and 10."

After discussion, the amendment by Mr. Graham was withdrawn.

Bill then passed its second reading.

On motion of Mr. Dortch, the rules were suspended and the bill was put on its third reading.

The ayes and noes were ordered and the bill passed its third reading, ayes 35, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Harris, Henderson, Hoyle, King, Leach, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Ross, Scales, Snow, Taylor, Waddell, Waldo, and Ward—35.

Those voting in the negative were:

Messrs. Bryan of Duplin, Graham of Lincoln, Holleman, and Lyon—4.

Mr. Henderson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed. On his further motion the bill was ordered to be sent to the House of Representatives without engrossment.

S. B. 719, bill to amend chapter 26, Battle's Revisal, entitled corporations, and for other purposes, was taken up on its second reading; and on further motion it was postponed until Saturday, 8th inst., at 12 M., and made the special order for that hour.

H. B. ..., S. B. 776, the Revenue Act, being the special order for this hour, was taken up on its second reading.

On motion the bill was read by sections.

Section one was read and adopted.

Section two, class one, was read.

Mr. Alexander moved to amend:

Strike out of line 10 the words, "stockholder resides" and insert "bank is located," on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 8, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Duplin, Erwin, Graham of Lincoln, Moye, Snow, and Stewart—8.

Those voting in the negative were:

Messrs. Alston, Austin, Bull, Caldwell, Dancey, Davidson, Eppes, Everett Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Taylor, Waddell, Ward, and White —30.

Other sections were read and adopted.

Mr. Henderson moved to amend section 2, schedule B:

Insert as section 2:

The following specific taxes shall be imposed for the purpose of paying the interest on the bonded debt of the State, which may exist under "an act to compromise, commute and settle the State debt," passed at the present session of the General Assembly, to wit:

Ten dollars on each of the following officers: Governor of the State, Secretary of State, Auditor, Treasurer, Superindent of Public Instruction, Attorney General, the President and Chashier of each bank, the President, Superintendent and Master of Transportation of each railroad company, the Superintendent of each State charitable or penal institutions, each Judge of any court.

Five dollars on each of the following officers or persons, to-wit:

Every sheriff, clerk of a court and register of deeds: *Provided*, that if either of these county officers shall receive a compensation equal to two thousand dollars or more, he shall pay a tax of ten dollars; any clerk of each of the Executive departments of the State Government, whose salary amounts to one thousand dollars or more, every employee of a bank whose compensation amounts to one thousand dollars or more, and all other persons not employed by private individuals, whose compensation is equal to one thousand dollars, every agent or employee of an insurance company, manager or employee of express companies and telegraph companies, ten dollars on compensation amounting to two thousand dollars or more, and five dollars on compensation amounting to as much as one thousand dollars and less than two thousand dollars, the treasurer of every railroad company, and every practicing physician, dentist, attorney at law and solicitors and county attorneys shall also pay a tax of five dollars.

Every express company, telegraph company, and insurance company, shall pay an annual tax of five dollars upon each office established in this State.

Every saw mill operated by steam or water, shall pay a tax according to the quantity of lumber produced by it, as follows:

Five dollars on one hundred thousand feet to five hundred thousand feet of lumber, board measure; ten dollars on the number of feet of such lumber from five hundred thousand to one million; fifteen dollars on the number of feet from one million to one and one-half million; twenty dollars on the number of feet from one and one-half million to two million; and twenty-five dollars on all in excess of two million.

Every water or steam mill for grinding grain that grinds two thousand bushels of grain and not more than five thou-

sand bushels per annum, shall be taxed five dollars; and every such mill that grinds over five thousand bushels and not exceeding ten thousand bushels, shall be taxed ten dollars; and from ten thousand bushels not exceeding twenty thousand bushels, fifteen dollars; more than twenty thousand bushels not exceeding fifty thousand bushels, twenty dollars; and all in excess of fifty thousand bushels, twenty-five dollars.

Every cotton or woolen factory shall pay a tax according to the value of such factory, as follows:

Of the value of ten thousand dollars, ten dollars; of the value of fifteen thousand dollars, fifteen dollars; of the value of twenty thousand dollars, twenty dollars; of the value in excess of twenty thousand dollars, thirty dollars, to be paid by the President or agent.

The taxes imposed in this section shall be paid to the sheriff or tax collector of the county in which the tax payer resides, and no county, city or town shall be allowed to impose any tax on the subjects herein mentioned.

Mr. Ormand moved to amend the amendment:

Add Ministers of the Gospel, Temperance Lecturers, members of the General Assembly, and United States officers shall pay five dollars; all civilians two dollars; all members of railroad rings five hundred dollars."

Lost.

On Mr. Henderson's amendment

Mr. Ormand demanded the ayes and noes, which were ordered; and the amendment was adopted, ayes 22, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bryan of Pender, Bull, Caldwell, Davidson, Graham of Lincoln, Harris, Henderson, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Scales, Snow, Stewart, and Waddell—22.

Those voting in the negative were:

Messrs. Alexander, Alston, Bynum, Dancey, Erwin, Graham of Montgomery, Holleman, Hoyle, Mitchell, Ormand, Ross, Shackleford, Taylor, Ward, and White—15.

Mr. Hoyle moved to amend section eight, schedule B: Strike out "ten," in line one, and insert "twenty."

Pending consideration, the hour of three P. M., being the hour for adjournment, having arrived,

By consent,

Mr. Davidson reported, from the committee on Judiciary,

H. B. 734, S. B. 785, bill to define false pretense, recommending it do pass.

On motion of Mr. Leach,

H. B. 629, S. B. 788, bill to authorize the Caldwell and Watauga Narrow Guage Railroad to change its guage, was was taken up, and, on his further motion, it was referred to the committee on Internal Improvements.

The Senate was declared adjourned until half-past seven o'clock to-night.

NIGHT SESSION.

March 7th, 1879.

The Senate met pursuant to adjournment.

By consent,

Mr. Henderson introduced

S. B. 784, bill to amend chapter 87, Battle's Revisal, concerning the printing the of public laws. Placed upon the Calendar.

Mr. Mebane introduced

S. B. 785, bill supplemental to an act to compromise, com-

mute and settle the State debt, passed at the present session of the General Assembly. Placed upon the Calendar.

Mr. Davidson introduced

S. B. 786, bill to repeal all and any acts or parts of acts creating, recognizing, or continuing in existence the Western Division of the Western North Carolina Railroad and for other purposes. Placed upon the Calendar.

Mr. Taylor introduced

S. B. 787, bill to protect holders of policies in life insurance companies who have or may withdraw their agencies therefrom. Referred to the committee on Internal Improvements.

The unfinished business of this morning was taken up, being

H. B. ....., S. B. 776, the revenue act, on its second reading.

Mr. Hoyle's amendment to section eight was adopted.

Mr. Hoyle moved to amend section nine, schedule B:

"Strike out "five" in line 7, and insert "twenty."

Adopted.

Mr. Alexander moved to amend section ten, schedule B:

In line 3 strike out "five" and insert "two and a half."

Lost.

Mr. White moved to amend section eleven, schedule B:

In line 9 strike out "three" and insert "five" and in line 11 strike out "one and a half" and insert "three."

Adopted.

Mr. Henderson moved to amend section 11 schedule B:

Insert after the word "months" in line 13, the following:

"Any grocer, druggist, dealer or other person who shall sell spirituous or malt liquors, wines or cordials in any quantity, if the same or any portion thereof shall at any time be drank on the premises where such liquors, wines or cordials are sold, shall be considered to be retail dealers within the meaning of this section."

Adopted.

Mr. Henderson moved to amend section 12, schedule B:

Strike out the word "one-tenth" in line 6, and insert "one-fifth;" also insert after the word "merchant" in line ten, the following: "But no county, city or town shall be allowed to impose any tax on the subjects mentioned in this section,"

Upon which he demanded the ayes and noes which were ordered, and the amendment was lost, ayes 20, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Dancey, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Stewart, Taylor, Waldo, and Williamson—20.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Eppes, Erwin, Everett, Graham of Montgomery, Holleman, Leach, Mitchell, Ormand, Respass, Scales, Shackleford, Snow, Waddell, Ward, and White—23.

Mr. Alexander moved to strike out section 12, schedule B, on which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 7, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Everett, Leach, Lyon, Ormand, Respass, and Shackleford—7.

Those voting in the negative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Scales, Snow, Stewart, Taylor, Waddell, Ward, Williamson, and White—34.

Mr. Moye moved to amend section 12, schedule B, by adding the following:

"*Provided,* that this section shall not apply to purchasers of unmanufactured agricultural products of this State,"

On which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 24, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Dancey, Everett, Graham of Montgomery, Harris, Henderson, King, Matheson, Moye, Nicholson, Ormand, Redwine, Respess, Shackleford, Snow, Waldo, Ward, and White—24.

Those voting in the negative were:

Messrs. Alston, Caldwell, Davidson, Erwin, Graham of Lincoln, Holleman, Hoyle, McEachern, Mebane, Merritt, Scales, Stewart, Taylor, Waddell, and Williamson—15.

Mr. Everett moved to amend section 14, schedule B:

Strike out "five dollars" and "one-tenth of one per cent," and insert "one-fourth of one per cent,"

On which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Dancey, Davidson, Eppes, Erwin,

Everett, Graham of Montgomery, Holleman, Nicholson, Ormand, Taylor, and White—13.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Redwine, Scales, Shackleford, Snow, Stewart, Waddell, Waldo, Ward, and Williamson—26.

Mr. Everett moved to amend section 19:

Strike out in line 3, the word "two" and insert "one."

Lost.

Mr. Bryan of Pender moved to amend section 20:

Strike out in line 3, the words "the county in which he first proposes to conduct his business" and insert the following: "Each county in which he shall be engaged in the business;" and in line 5, strike out the words "entire State," and insert "said county;" in line 5, strike out the words "and said tax shall not be collected in any other county."

Lost.

Mr. Lyon moved to amend section 20:

Strike out "ten dollars" and insert "fifty dollars."

Lost.

Mr. Caldwell moved to amend by inserting after the word "taking" in line 4, the words "or enlarging."

Adopted.

Mr. Bynum moved to amend:

Strike out "one hundred dollars" in line 10, and insert "fifty dollars."

Lost.

Mr. Bull moved to amend:

Strike out the last sentence.

Lost.

Mr. White moved to amend section 22:

Insert after the word "otherwise," line 5, the words "except patent articles invented by native Carolinians."

Lost.

Mr. Ormand moved to amend section 22:

Strike out, in line 4, the words "either by land or water," and insert "at home or abroad, on the land or on the sea."

Lost.

Mr. Everett moved to amend section 22:

Strike out lines 21 and 22:

Lost.

Mr. Alexander moved to amend section 22: Strike out, in line 17, "on the machines of each manufacturer;" on which

Mr. Lyon demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 7, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bynum, Everett, Lyon, Merritt, and Ward—7.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Davidson, Eppes, Erwin, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Mitchell, Nicholson, Ormand, Redwine, Scales, Snow, Stewart, Taylor, Waddell, Williamson, and White—29.

Mr. Everett moved to amend section 22:

Strike out in line 17, "five hundred dollars" and insert "two hundred and fifty dollars."

Mr. Hoyle moved to amend the amendment:

Strike out "two hundred and fifty" and insert "one."

Lost.

Mr. Eppes demanded a division of the question upon Mr. Everett's motion; and the Senate refused to strike out.

Mr. Ormand moved to amend:

"That a tax of one hundred dollars shall be imposed upon all machines commonly used to make 'chin music;'" and add, "lightning-rod and pump peddlers shall pay each a tax of five dollars in each county in which they shall do business."

Lost.

Mr. Alexander moved to amend section 25, schedule B, by striking out in lines 8 and 9, the words, "but shall not be liable to be taxed by any county because of his sales," and insert "and shall also pay a tax of one-tenth of one per cent. on sales: *Provided*, that any merchant paying a purchase tax shall not pay a tax on sales. Any person refusing to render a statement upon oath shall be guilty of a misdemeanor." Lost.

Mr. Davidson moved to amend section 25:

Strike out in line 8, the words "fifty dollars," and insert the words "seventy-five dollars, twenty-five of which is hereby appropriated under the control of the Board of Agriculture, Immigration and Statistics, toward the establishment and maintenance of a Bureau of Immigration."

Lost.

The hour for adjournment having arrived, being eleven o'clock,

Mr. Henderson moved to postpone the hour for adjournment.

Mr. Everett moved to adjourn. Lost.

The motion to suspend the rules for the purpose of postponing the hour of adjournment, prevailed and the motion to postpone prevailed.

Question recurring upon the passage of the bill its second reading,

Mr. Henderson demanded the previous question, which was sustained.

The bill then passed its second reading, ayes 23, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Davidson, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Matheson, Mebane, Merritt, Nicholson, Redwine, Scales, Snow, Stewart, Taylor, Waddell, and Williamson—23.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bynum, Dancey, Erwin, Everett, Graham of Montgomery, Holleman, Lyon, McEachern, Mitchell, Ormand, Ward, and White—15.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 904, S. B. 364, an act to provide that all conveyances of real estate shall be construed to be in fee, unless the contrary shall appear from the language of the instrument;

S. B. 161, H. B. 647, an act to aid in the extension of the Atlantic, Tennessee and Ohio Railroad;

H. B. 717, S. B. 783, an act to enlarge and extend the corporate limits of the town of Monroe, in the county of Union and for other purposes;

H. B. 699, S. B. 667, an act supplemental to an act authorizing the working of convicts on the Ore Knob and Mt.

Airy Railroad, Chester and Lenoir, and Caldwell and Watauga Railroads, &c.;

H. B. 724, S. B. 133, an act to authorize the employment of convict labor on the Wilson and Tar River Railroad;

H. B. 165, S. B. 404, an act to regulate the practice of dentistry and to protect the people against quackery, &c.;

H. B. 819, S. B. 724, an act to incorporate the Piedmont, Mining and Banking Company of North Carolina;

H. B. 641, S. B. 643, an act to secure the better drainage of the bottom lands on Silver Creek, in Burke county;

H. B. 623, S. B. 681, an act to amend chapter 154, laws of 1876–'77;

H. B. 787, S. B. 745, an act to provide for purchasing land sold under execution by the several boards of county commissioners of the State;

H. B. 459, S. B. 654, an act to prescribe the mode of selling tar;

H. B. ....., S. B. 364, an act to abolish private seals and to prescribe a short form of a deed and for other purposes;

H. B. 354, S. B. 608, an act to canal Angola Bay, in the counties of Duplin and Pender;

H. B. 366, S. B. 576, an act to amend section 3, chapter 61, laws of 1871–'72;

S. B. 487, H. B. 741, an act to prevent live stock from running at large in Rowan, Davie and other counties.

On motion of Mr. Bull,

S. B. 707, bill to regulate the sale of liquors in this State, was taken up, and on his further motion, it was postponed until Monday, 10th instant, at half-past seven o'clock P. M., and made the special order for that hour.

At eleven o'clock and twenty minutes, the Senate was declared adjourned.

FIFTY-SECOND DAY.

SENATE CHAMBER,
SATURDAY, March 8th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Pritchard.

The Journal of yesterday was read and approved.

PETITIONS.

Petitions were introduced and disposed of as follows:

By Mr. Bryan of Pender,

Petition from citizens of Wilmington. Placed on the Calendar.

The following reports from standing committees were submitted:

From the committee on Engrossed Bills, as correctly engrossed:

S. B. 525, bill to expedite the trial of criminal actions upon their merits.

S. B. 168, bill explanatory of chapter 57, Battle's Revisal.

S. B. 540, bill to amend chapter 88, laws of 1876–'77.

S. B. 635, bill to be entittled an act concerning appeal bonds of the sheriff of Dare.

S. B. 506, bill to incorporate the Anglo-American Colonization Company.

S. B. 612, bill to adjust and renew a portion of the State debt.

Senate amendments to

H. B. 930, S. B. 790, bill to provide for the support of the Penitentiary for the years 1879-'80.

S. B. 703, bill to create a railroad commissioner for the State of North Carolina and to define his duties.

Senate amendment to

H. B. 610, S. B. 738, bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers.

S. B. 618, bill to authorize the commissioners of Rutherford county to fund certain bonds issued in aid of the Wilmington, Charlotte and Rutherford Railroad.

Senate amendment to

H. B. 122, S. B. 318, bill to allow citizens of Jackson county to pass through the toll gates of Macon county free, and the citizens of Macon county to pass through the toll gates of Jackson county.

Senate amendment to

H. B. 451, S. B. 381, bill to establish a State line between North Carolina and Georgia.

Senate amendment to

H. B. 104, S. B. 322, bill to amend chapter 240, laws of 1874–'75, being an act to prevent discrimination in freight tariffs by Railroad Companies.

From the committee on Internal Improvements:

By Mr. Leach,

S. B. 787, bill to protect holders of policies in Life Insurance Companies who have or may withdraw their agencies therefrom, recommending that it do pass.

By Mr. Leach,

H. B. 629, S. B. 788, bill to authorize the Caldwell and Watauga Narrow Gauge Railroad to change its gauge, recommending as amended it do pass.

The following messages were received from the House of Representatives announcing that the House had appointed the following as the House branch of the committee of conference on

H. B. 451, S. B. 379, bill to make the killing of live stock indictable, Messrs. Cobb, Orchard, Davis of Catawba, English and Oliver.

The President announced as the Senate branch Messrs. Austin, Hoyle and Bryan of Pender.

Without engrossment,

H. B. 592, S. B. 787½, bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company. Referred to the committee on Internal Improvements.

H. B. 928, S. B. 788, bill to amend Title IV, chapter 1, section 16, chapter 17, Battle's Revisal. Referred to the Judiciary Committee.

H. B. 932, S. B. 789, bill to provide for filling vacancies in the boards of county commissioners. Placed on Calendar.

H. B. 848, S. B. 790, bill to revise and consolidate the public school laws. Placed on Calendar.

H. B. 248, S. B. 791, bill to authorize the county commissioners of Richmond county to levy a special tax. Placed on Calendar.

H. B. 794, S. B. 792, bill to incorporate the North Carolina and Virginia Christian Conference. Placed on Calendar.

H. B. 584, S. B. 793, bill to amend chapter 87, sections 34, 35, 36 and 37 of Battle's Revisal. Referred to committee on Corporations.

H. B. 164, S. B. 794, bill to amend the constitution of North Carolina in relation to the support of the deaf mutes, the blind and the insane of the State. Placed on Calendar.

Without engrossment:

H. B. 413, S. B. 795, bill to amend chapter 260, laws of 1876–'77, Placed on the Calendar.

On motion, the special order was postponed.

S. B. 635, bill concerning the official bond of the sheriff of Dare, was taken up on its second reading.

Amendments of the committee on Propositions and Grievances were adopted.

Bill passed its several readings and was sent to the House without engrossment.

S. B. 369, bill to settle disputes and to lighten the expense of litigation, on second reading.

Mr. Everett moved to lay the bill on the table.

Upon which Mr. Williamson demanded the ayes and noes, which were ordered, and the motion was lost, ayes 14, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Alston, Caldwell, Dancey, Eppes, Erwin, Everett, Leach, Mebane, Merritt, Mitchell, Ross, Stewart, and Waddell—14.

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Davidson, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Taylor, Waldo, and Williamson—24.

The previous question was demanded and sustained.

Question recurring upon the passage of the bill on its second reading,

Mr. Everett called for the ayes and noes, which were ordered, and the bill passed its second reading, ayes 27, noes 9, as follows:

These voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Davidson, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, McEachern, Mitchell, Moye, Nicholson, Redwine, Respass, Shackleford, Stewart, Taylor, Waddell, Waldo, and Williamson—27.

Those voting in the negative were:

Messrs. Black, Bull, Caldwell, Dancey, Everett, Mebane, Merritt, Ross, and Scales—9.

Bill then passed its third reading and was ordered engrossed.

H. B. 637, S. B. 773, bill to authorize Granville county to fund its debt, on its third reading and passed, ayes 35, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dortch, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Tayler, Waddell, Waldo, and White—35.

Mr. Dortch, from the Select Committee of Investigation, under

S. R. 733, resolution appointing a Committee of the Senate to investigate charges concerning certain influences brought to bear to control the public printing, &c., made a report.

Upon motion of Mr. Everett, the report and evidence was ordered printed.

H. B. 930, S. B. 790, bill to provide for the support of the Penitentiary, on its second reading, it being the special order, was taken up.

Mr. Graham offered a substitute for the bill.

Mr. Alexander moved to amend the substitue:

"Strike out $30,000 and insert $68,997,"

Upon which Mr. Graham called for the ayes and noes, which were ordered, and the amendment was lost, ayes 10, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Dancey, Eppes, McEachern, Mebane, Merritt, Mitchell, Redwine, and Snow—10.

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Moye, Nicholson, Ormand, Respass, Ross, Scales, Shackleford, Taylor, Waddell, Waldo, Ward, and White—34.

Mr. Snow moved to amend:

Strike out "$30,000" and insert "$50,000," upon which he called for the ayes and noes.

Upon a division of the question the ayes and noes were ordered, and the Senate refused to strike out, ayes 9, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Caldwell, Dancey, McEachern, Merritt, Scales. Snow, and Stewart—9.

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bull, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Shackleford, Taylor, Waldo, Ward, Williamson, and White—29.

Mr. Merritt moved to amend:

"*Provided*, That the Treasurer, on the unanimous application of the board of directors, approved by the Governor, shall pay to the directors such additional sums as may be deemed absolutely necessary to carry on the work on a strictly economical basis."

Mr. Bryan of Duplin moved to amend:

"*Provided* the amount does not exceed five thousand dollars."

Mr. Graham moved a substitute for the two amendments:

"*Provided*, That if the amount is not sufficient the board of Directors shall transfer such number of convicts as may

be necessary to work on internal improvements which are claimed, without charge to the State;"

which was adopted.

Mr. Merritt moved to reconsider the vote by which the substitute was adopted.

Mr. Bledsoe demanded the previous question upon the motion to reconsider, which was sustained and the motion to reconsider was adopted.

The substitute of Mr. Graham was then read, upon which he called the ayes and noes, which were ordered.

Pending remarks by Mr. Everett, that gentleman was called to order; he appealed from the ruling of the chair and demanded the ayes and noes, which were ordered and the chair was sustained, ayes 35, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Pender, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Williamson, and White—35.

Those voting in the negative were:

Messrs. Bull, Dancey, Eppes, and Everett—4.

Mr. Graham demanded the previous question on the passage of the bill, which was ordered.

The question being upon the substitute, the ayes and noes were ordered and the substitute was adopted, ayes 29, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Mitchell, Moye,

Nicholson, Ormand, Redwine, Ross, Snow, Williamson, and White—29.

Those voting in the negative were:

Messrs. Caldwell, Dancey, Eppes, Everett, Leach, Merritt, Scales, Stewart, Taylor, and Waddell—10.

On motion of Mr. Graham, the rules were suspended and the bill read third time.

Mr. Everett called the ayes and noes which were ordered, and the bill passed third reading, ayes 33, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Davidson, Dortch, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Stewart, Taylor, Waldo, and Williamson —33.

Those voting in the negative were:

Messrs. Alexander, Caldwell, Dancey, Eppes, Erwin, Everett, Merritt, Moye, Snow, Waddell, Ward, and White—12.

S. B. 784, bill to amend chapter 97, Battle's Revisal, concerning the printing of the public laws, on second reading.

Bill passed its several readings and was ordered sent to the House without engrossment.

H. B. 759, S. B. 688, bill to establish cotton weighers for the towns of Goldsboro, Kinston and New Bern.

Hour for the special order having arrived, the bill was passed over.

H. B. 891, S. B. 787, bill to commute, compromise and settle the State debt, known as the Williamston and Tarboro Railroad Bonds, on its second reading.

Mr. Hoyle moved to postpone and make it the special order for Monday evening at 7½ o'clock.

Mr. Hoyle demanded the previous question, which was sustained.

Mr. Everett called for the ayes and noes, which were or-

dered, and the motion to postpone was lost, ayes 14, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Stewart, and Williamson—14.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Davidson, Eppes, Everett, Graham of Montgomery, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Taylor, Waddell, Waldo, Ward, and White—33.

Mr. Nicholson moved to refer the bill to Finance Committee and called for the ayes and noes which were ordered.

Mr. Ormand demanded the previous question upon the motion to refer, which was sustained.

Motion to refer was lost, ayes 16, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Dortch, Erwin, Graham of Montgomery, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Stewart, Waddell, and Williamson—16.

Those voting in the negative were:

Messrs. Alexander, Alston, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Dancey, Eppes, Everett, Graham of Lincoln, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Waldo, and White—25.

Mr. Everett moved to postpone the hour of adjournment until 4 o'clock.

Upon motion to suspend the rules the ayes and noes were ordered and the rules were suspended, ayes 25, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bryan of Pender, Bull,

Bynum, Dancey, Davidson, Eppes, Everett, Graham of Montgomery, Holleman, King, Leach, Lyon, McEachern, Merritt, Mitchell, Moye, Ormand, Respass, Ross, Snow, Waldo, and White—25.

Those voting in the negative were:

Messrs. Bledsoe, Caldwell, Erwin, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Shackleford, Stewart, and Williamson—13.

Upon the motion to postpone the hour of adjournment until 4 o'clock, Mr. Everett called for the ayes and noes, which were ordered, and the motion prevailed, ayes 21, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bull, Bynum, Dancy, Davidson, Eppes, Everett, Holleman, King, Leach, Lyon, Mitchell, Moye, Ormand, Respass, Ross, Snow, and Waldo—21.

Those voting in the negative were:

Messrs. Caldwell, Erwin, Henderson, Hoyle, Matheson, Nicholson, Scales, Stewart, and Williamson—9.

Mr. Ormand demanded the previous question.

Upon which Mr. Henderson called for the ayes and noes, which were ordered, and the previous question was sustained, ayes 23, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bryan of Pender, Bull, Dancey, Eppes, Erwin, Everett, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Snow, Waldo, and White—23.

Those voting in the negative were:

Messrs. Bledsoe, Bynum, Davidson, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Stewart, and Williamson—14.

Mr. Henderson moved to amend section 2 by inserting after the word "Williamston" in line 5:

"Conditioned that the said Company shall well and truly pay the interest and principal as it may fall due on the said bonds and conditioned to save the State harmless against both the principal and interest of said loan."

And add at the end of section 2 the following proviso:

"*Provided*, no bonds shall be delivered to the Company under this act until all and every lien now or which may then exist against said Company or said road shall have been completely discharged and released."

Upon which Mr. Caldwell demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Davidson, Erwin, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, and Stewart—13.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bryan of Pender, Bull, Dancey, Everett, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Snow, Waldo, and White —19.

Mr. Nicholson asked that the Senator from Caswell, Mr. Williamson, be called and required to vote.

Mr. Davidson moved that he be excused, upon which motion Mr. Nicholson called the ayes and noes, which were ordered, and the Senate excused Mr. Williamson, ayes 26, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bryan of Pender, Bynum, Dancey, Davidson, Eppes, Erwin, Everett, Holleman, King, Leach, Lyon, Matheson, McEachern, Mitchell, Nicholson, Ormand, Respass, Ross, Scales, Snow, Stewart, Waldo, and White—26.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Caldwell, and McEachern—4.

When Mr. Erwin's name was called he announced that he had paired with Mr. Harris. That if he were present he would vote in the affirmative, and he (Mr. Erwin) would vote in the negative.

Mr. Nicholson moved to adjourn, upon which he called the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 12, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Davidson, Erwin, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, and Stewart—12.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Eppes, Everett, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Waldo, Williamson, and White —25.

Mr. Snow moved to postpone the hour of adjournment until half-past seven to-night.

Mr. Henderson moved to lay the motion upon the table, upon which he called the ayes and noes, which were ordered.

The Senate proceeded to vote as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Davidson, Erwin, Henderson, Hoyle, Mebane, Redwine, and Stewart—10.

Those voting in the negative were:

Messrs. Alexander, Black, Bryan of Pender, Bull, Bynum, Eppes, Everett, Holleman, King, Leach, Lyon, Matheson, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Waldo, and White—22.

Pending the announcement of the result, 4 o'clock P. M. having arrived, being the hour of adjournment, the Senate was declared adjourned until half-past seven o'clock to-night.

NIGHT SESSION.

March 8th, 1879.

The Senate met pursuant to adjournment.

The unfinished business of this morning being

H. B. 891, S. B. 787, bill to commute, compromise and settle the State debt known as the Williamston and Tarboro Railroad bonds, was taken up.

The question recurring upon the announcement of the vote pending adjournment this morning, on the motion of Mr. Snow to postpone adjournment until half-past seven P. M. to-day, the vote was announced to have been ayes 10, noes 22, as recorded.

On the second reading, the ayes and noes being ordered, the bill passed its second reading, ayes 20, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bull, Dancey, Davidson, Eppes, Everett, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Snow, Waldo, and White—20.

Those voting in the negative were:

Messrs. Caldwell, Graham of Montgomery, Henderson, Hoyle, Matheson, Mebane, Nicholson, Scales, and Stewart—10.

When the name of Mr. Ross was called, he announced that he was paired with the Senator from Wayne, Mr. Dortch, who, if present, would vote in the negative, and that he, Mr. Ross, would vote in the affirmative.

When the name of Mr. Shackleford was called, he announced that he was paired with the Senator from Caswell, Mr. Williamson, who, had he been present, would have voted in the negative, and he would have voted in the affirmative.

Mr. Snow moved to suspend the rules and put the bill upon its third reading, which was lost.

S. B. 642, bill to re-enact chapter 227, acts of 1876–'77, on third reading and passed, ayes 27, noes none.

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Eppes, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, Lyon, Matheson, McEachern, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Scales, Shackleford, Stewart, Ward, and White—27.

S. B. 719, bill to amend chapter 26, Battle's Revisal, entitled corporations, and for other purposes, passed its second and third readings and was sent to the House of Representatives without engrossment.

S. B. 333, bill to provide a fund for the payment of jurors, on its second reading. Passed its several readings and was sent to the House of Representatives without engrossment.

S. B. 786, bill to repeal all and any acts or parts of acts creating, recognizing or continuing in existence the Western Division of the Western North Carolina Railroad, and for other purposes. Passed its several readings and was sent to the House of Representatives without engrossment.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 627, S. B. 593, an act to amend chapter 285, laws of 1876–'77, concerning graded schools;

H. B. 567, S. B. 650, an act to amend section 7, chapter 75, laws of 1825, being an act for the government of Wadesboro, in Anson county;

H. B. 687, S. B. 766, an act supplemental to an act farming out convicts in this State;

S. B. 476, H. B. 859, an act to abolish "The Insane Asylum of North Carolina," and to incorporate "The North Carolina Insane Asylum;"

S. B. 397, H. B. 601, An act to amend the election law;

H. B. 596, S. B. 714, an act to establish the eastern boundary line between the counties of Brunswick and Columbus;

H. B. 649, S. B. 713, an act to amend chapter 202, laws of 1868–'69;

H. B. 581, S. B. 713, an act to authorize the commissioners of Macon county to levy a special tax;

S. B. 12, H. B. ..., an act to make slander of women indictable;

S. B. 25, H. B. 873, an act to amend chapter 87, private laws of 1870–'71, Rock Spring Camp Ground;

H. B. 843, S. B. 756, an act to authorize the commissioners of Currituck county to exchange the stock of said county in the Albemarle and Chesapeake Canal Company for bonds of the county;

S. B. 248, H. B. 866, an act to incorporate the Raleigh Tabernacle of the General Grand Accepted Order of Brothers and Sisters of Love and Charity;

H. B. 612, S. B. 749, an act for the free passage of fish up Neuse, Swift and Middle creeks, in Johnston county;

H. B. 464, S. B. 529, an act to incorporate the town of Mathews, in the county of Mecklenburg;

S. B. 443, H. B. 897, an act to amend the charter of the "Flat Swamp, Lock's Creek and Evans Creek Canal Company," of Cumberland county;

S. B. 560, H. B. 801, an act to revise and correct the tax lists of Alamance county, and to authorize the collection of taxes due on said lists;

S. B. 728, H. B. 902, an act to amend the charter of the Bingham School;

By consent,

Mr. Leach reported from the committee on Internal Improvements:

H. B. 592, S. B. 787½, bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company, recommending it do pass.

Mr. Robinson arose to a question of personal privilege,

withdrawing certain remarks made by himself some days ago relating to a certain gentleman (Col. Walter Clark) having made the remarks from misapprehensions of the circumstances and facts in the case.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Snow,

S. B. 901, bill to incorporate the Cotton and Grocers' Exchange of Raleigh, North Carolina. Referred to the committee on Corporations.

By Mr. McEachern,

S. B. 902, bill to regulate appointments and expenditures in behalf of the charitable and penal institutions of this State. Placed upon the Calendar.

By Mr. Scales,

S. B. 824½, bill to allow the draining of Haw River and Reedy Creek. Placed upon the Calendar.

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits, on its second reading.

Mr. Redwine offered an amendment.

Insert a section to come in before the ratifying clause:

"Section .... The county commissioners of the county shall order an election to be held on the first Monday in May, one thousand eight hundred and seventy-nine, in the town of Concord, for the purpose of ascertaining the wishes of qualified voters residing within the proposed boundary, included within this charter. The said county commissioners shall at their first meeting after the passage of this act appoint one Registrar (who shall keep a book for the registration of the names of all the qualified voters living within the proposed corporate limits, said book to be

kept open for twenty consecutive days, Sundays excepted, before the day of election herein mentioned,); at the same time the county commissioners shall appoint four judges of election, who shall conduct the election and make returns of the same under the same rules and regulations as are now provided under the former charter; each qualified voter shall be entitled to vote a written or printed ticket with the word "Accepted" or "Rejected." Those voting in favor of the amended charter will vote the ticket "Accepted," and those opposed to the amended charter will vote the ticket "Rejected." If after the returns are made the majority of the votes cast are in favor of accepting the amended charter then this charter with all its conditions shall go into immediate effect; but if the majority of the votes cast are in favor of rejection then this charter shall be null and void and of no effect."

Mr. Scales moved the bill be refererd to the committee on Corporations. Lost.

Mr. Scales offered a substitute for Mr. Redwine's amendment. Lost.

Mr. Redwine's amendment was adopted.

Bill then passed its second reading, ayes 27, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Davidson, Graham of Lincoln, Graham of Montgomery, Henderson, King, Leach, McEachern, Mebane, Mitchell, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Snow, Stewart, Ward, and White—27.

Those voting in the negative were:

Messrs. Caldwell, Dancey, Everett, and Scales—4.

S. B. 430, H. B. 871, bill relating to public roads and highways.

The House amendments were concurred in and the bill ordered to be enrolled.

H. B. 580, S. B. 665, bill to regulate the size of fish packages, passed its several readings.

H. B. 698, S. B. 687, bill to incorporate the town of Troy, in the county of Montgomery, passed its third reading, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Caldwell, Dancey, Davidson, Eppes, Everett, Graham of Lincoln, Graham of Montgomery, Hoyle, King, Leach, Lyon, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Stewart, and Ward—29.

S. B. 900, bill to amend chapter 202, laws of 1874–'75.

The rules were suspended, the bill passed its several readings, and was sent to the House without engrossment.

H. B. 764, S. B. 775, bill to incorporate the Lawrence Manufacturing Company, of Gaston county, North Carolina, passed its several readings.

H. B. 525, S. B. 780, bill to incorporate the town of Lowell, in Gaston county, North Carolina, passed its several readings.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting without engrossment

H. B. 957, S. B. 797, bill to change the times of holding the superior courts of Warren county and to allow two weeks therefor. Placed upon the Calendar.

H. B. 363, S. B. 798, bill to incorporate Rising Hope Lodge 1,800, G. U. O. of Odd Fellows. Placed upon the Calendar.

H. R. 193, S. R. 799, resolution asking our Senators and Representatives in Congress to use their influence for the es-

tablishment of two Universities. Placed upon the Calendar.

H. B. 810, S. B. 800, bill to incorporate the Champion Compress Company of Wilmington. Placed upon the Calendar.

Also transmitting without engrossment House amendments to

S. B. 430, H. B. 871, bill relating to public roads and highways. Amendments were concurred in, and the bill was ordered enrolled for ratification.

Also, House amendment to

S. B. 167, bill to extend the charter of certain banks. On motion, the amendment was concurred in and the bill was ordered enrolled for ratification.

Also, announcing concurrence by that honorable body in Senate amendments to

H. B. 43, S. B. 386, bill to incorporate the Bank of Asheville, North Carolina, and ordered the same enrolled for ratification.

H. B. 527, S. B. 801, bill to amend the acts incorporating the town of Kenansville, in Duplin county. Placed upon the Calendar.

H. B. 836, S. B. 802, bill to incorporate Furniture Manufacturing Company. Placed upon the Calendar.

H. B. 907, S. B. 803, bill to amend an act to amend chapter 122, laws of 1876–'77. Placed upon the Calendar.

H. B. 837, S. B. 804, bill to incorporate the village of Big Lick, Stanley county. Placed upon the Calendar.

H. R. 215, S. R. 805, resolution to promote immigration and develop of the lands of the State. Placed upon the Calendar.

H. B. 422, S. B. 806, bill to establish the board of Newbern Harbor commissioners. Placed upon the Calender.

H. B. 792, S. B. 807, bill to amend section 156, chapter 32, Battle's Revisal. Placed upon the Calendar.

H. B. 889, S. B. 808, bill to empower the Western North

Carolina Railroad to make terms with the Chester and Lenoir Narrow Gauge Railroad. Referred to the committee on Internal Improvements.

H. B. 786, S. B. 809, an act for the relief of jurors in Buncombe county. Placed upon the Calendar.

H. R. 217, S. R. 810, resolution in favor of the clerks of the General Assembly. Placed upon the Calendar.

H. B. 849, S. B. 811, bill to establish normal schools, &c. Placed upon the Calendar.

H. B. 233, S. B. 706, bill for the relief of the blind. Placed upon the Calendar.

Also, announcing concurrence by that honorable body in Senate amendments to

H. B. 350, S. B. ..., bill to relieve farmers and others from paying a special tax;

In Senate amendments to

H. B. 114, S. B. ..., bill to prevent the enticing of seamen from vessels, and had ordered the same to be enrolled for ratification.

Also, concurred in Senate amendments to

H. B. 623, S. B. ..., bill to amend chapter 154, laws of 1876–'77;

H. B. 819, S. B. ..., bill to incorporate the Piedmont Mining and Banking Company of North Carolina;

H. B. 699, S. B. ..., bill supplemental to an act authorizing the working of convicts on the Ore Knob, Chester and Lenoir, and Caldwell and Watauga Railroad;

H. B. 354, S. B. ..., bill to canal Angola bay, in the counties of Duplin and Pender, and have ordered the same enrolled for ratification.

H. B. 734, S. B. 785, bill to define false pretense, passed its several readings.

S. B. 769, bill to change the boundary lines between the counties of Ashe and Wilkes, passed its several readings.

H. B. 760, S. B. 739, bill to reduce the costs in criminal prosecutions, on its second reading.

Amendments reported by the committee on the Judiciary were adopted.

Bill then passed its several readings.

S. B. 673, bill to authorize the several townships in Halifax county to levy taxes for the support of graded public schools, on its second reading.

The substitute offered for the bill by Mr. Eppes was read.

Mr. Eppes moved to amend:

Strike out "fifty" and insert "one hundred."

Adopted.

Mr. Austin moved to lay the bill on the table, upon which

Mr. Eppes asked the ayes and noes, which were ordered, and the motion to table was lost, ayes 9, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Black, Bryan of Duplin, Bryan of Pender, Graham of Lincoln, King, Shackleford, and Stewart—9.

Those voting in the negative were:

Messrs. Bledsoe, Bull, Bynum, Caldwell, Dancey, Erwin, Graham of Montgomery, Holleman, Hoyle, Leach, McEachern, Mitchell, Ormand, Snow, Ward, and White—16.

It appearing that a quorum did not vote, the motion was declared lost.

Mr. Alexander moved to amend line 9, section 1: Strike out the word "shall" and insert the word "may." Accepted.

Thus amended the substitute was adopted.

Bill then passed its second reading, ayes 30, nays none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Dancey, Davidson, Eppes, Graham of Montgomery, Holleman, Hoyle, Leach,

Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Snow, Stewart, Ward, and Williamson—30.

On motion of Mr. Henderson,

H. B. ..., S. B. 776, the Revenue Act, was taken up; and on his further motion it was made the special order for Monday, 10th inst., at 12 M.

H. B. 193, S. R. 799, resolution asking our Senators and Representatives in Congress to advocate the establishment of two Universities in the South, was adopted.

H. R. 217, S. R. 810, resolution in favor of the clerks of this General Assembly, passed its several readings.

H. B. 837, S. B. 804, bill to incorporate the village of Big Lick, Stanly county, passed its several readings.

H. B. 505, S. B. 625, bill to prevent over-charges in the sale of produce, passed its several readings.

H. B. 907, S. B. 803, bill to amend chapter 122, laws of 1876–'77, passed its several readings.

S. B. 640, bill to amend chapter 242, of the acts of 1876–'77, on its second reading.

Amendments reported by the committee on Judiciary were adopted.

Bill then passed its several readings.

S. B. 53, bill to authorize costs to be taxed and collected in trials had before a board of county commissioners in the several counties of the State, passed its second reading, and on motion was put upon its third reading

The hour for adjournment having arrived, on motion, it was postponed for ten minutes.

Mr. Davidson moved to amend:

"*Provided*, that this act shall not apply to the counties of Buncombe, Madison, McDowell, Mitchell, Yancey, Caldwell, Rowan, Granville, Burke, Wake, Greene, Lenoir, Davie, Wilson, Nash and Franklin."

Accepted.

Mr. Ormand moved to adjourn. Lost.

Pending consideration the hour for adjournment having arrived, being eleven o'clock and ten minutes, the Senate was declared adjourned until Monday morning.

FIFTY-THIRD DAY.

SENATE CHAMBER,
MONDAY, March 10, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall.

The Journal of Saturday was approved.

Mr. Bryan of Pender, from the Committee of Conference, to whom was referred

H. B. 451, S. B. 559, bill to make the killing of live stock indictable, submitted a report, recommending that the Senate do recede from all its amendments except the following:

"Amend by striking out all of the officers created, except conductors and engineers."

And that the House do concur in this amendment.

The report was adopted and ordered sent to the House for concurrence.

Mr. Erwin, of the committee on the Institution for the Deaf, Dumb and Blind, reported

S. B. 781, bill for the protection of the North Carolina Institute for the Deaf, Dumb and Blind and for other purposes,

reporting amendments, and as amended recommending it do pass.

The committee on Engrossed Bills reported as properly engrossed:

Senate amendment to

H. B. 760, S. B. 739, bill to reduce the cost in criminal proceedings;

Senate amendment to

H. B. 629, S. B. 788, bill authorizing the Caldwell and Watauga Narrow Guage Railroad to change its guage.

The committee on Enrolled Bills reported as correctly enrolled:

S. B. 772, H. B. 962, an act to authorize the Directors of the Western North Carolina Railroad to expend a portion of the appropriation to said company for operating expenses;

H. B. 184, S. B. 664, an act to amend the charter of the town of Fayetteville and to appoint a Finance Committee;

S. B. 228, H. B. 863, an act to incorporate Oak City Lodge, No. 419, of the Knights of Honor;

H. R. 19, S. R. 185, a resolution for a conference with the authorities of South Carolina and Tennessee for the purpose of securing the removal of obstacles to the free passage of fish up the Yadkin and other streams.

S. B. 567, H. B. 797, an act to amend an act entitled an act to prevent obstruction to navigation in the waters of Newport river, Carteret county, passed at the session of 1874–'75, and to amend chapter 108 of Battle's Revisal, entitled Statutes, &c.;

S. B. 566, H. B. 919, an act to amend an act to establish a Department of Agriculture, Imigration and Statistics and for the encouragement of sheep husbandry, ratified March 12th, 1877;

S. B. 389, H. B. 924, an act to provide for the completion of the Western Asylum for the Insane;

S. B. 562, H. B. 903, an act to amend chapter 20, laws of 1876-'77;

H. B. 899, S. B. 631, an act to authorize the commissioners of Harnett county to levy a special tax, and for other purposes;

S. B. 522, H. B. 864, an act to incorporate the Burgaw and Onslow Railroad Company;

H. B. 524, S. B. 646, an act to authorize the county of Bladen to fund its floating debt;

H. B. 442, S. B. 581, an act to empower the commissioners of Haywood county to build a court-house;

H. B. 822, S. B. 710, an act for the relief of John H. Cox, Sheriff of Perquimans county;

S. B. 635, H. B. 961, an act concerning the official bonds of the sheriff of Dare;

S. B. 308, H. B. 572, an act to enable the county commissioners of Pasquotank to ascertain the indebtedness thereof;

S. B. 426, H. B. 806, an act to incorporate the Farmers Bank of Milton, in Caswell county, North Carolina;

H. B. 764, S. B. 775, an act to incorporate the Lawrence Manufacturing Company, in Gaston county, North Carolina;

H. B. 525, S. B. 780, an act to incorporate the town of Lowell, in the county of Gaston;

S. R. 694, H. R. 217, resolution in favor of the clerk to the committee on Nominations of Justices of the Peace and clerk to the tellers on the election of the same, and for other purposes;

S. B. 517, H. B. 868, an act to levy a special tax in Perquimans county;

S. B. 441, H. B. 832, an act to authorize the town of Asheville, in Buncombe county, to levy taxes for the support of graded schools;

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Ross,

S. R. 825, resolution in favor of the pages of the two Houses of the General Assembly. Placed upon the Calendar.

By Mr. Davidson,

S. B. 826, bill to settle, commute and compromise certain claims against the State. Referred to committee on the State Debt.

By Mr. Scales,

S. B. 827, bill to collect arrears of taxes in the county of Halifax. Placed upon the Calendar.

Mr. Henderson presented a petition from the merchants of Wilmington. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 750, S. B. 789, bill to authorize the commissioners of Anson county to levy a special tax, on second reading and passed, ayes 31, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bryan of Pender, Bynum, Caldwell, Dancey, Eppes, Erwin, Everett, Graham of Lincoln, Graham of Montgomery, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Redwine, Respass, Scales, Shackleford, Stewart, Ward, and White—31.

S. R. 353, resolution in favor of Jesse Hathcock of Cabarrus county, passed its several readings and was ordered to be sent to the House without engrossment.

H. B. 248, S. B. 791, bill to authorize the commissioners of Richmond county to levy a special tax, on second reading and passed, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander Alston, Austin, Black, Bryan of Duplin, Bryan of Pender, Caldwell Davidson, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Holleman, Hoyle, King, Leach, Lyon, McEachern, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Waldo, Ward, and White—32.

S. B, 827, bill to collect arrears of taxes in the county of Halifax, passed its several readings and was sent to the House without engrossment.

S. B. 785, bill supplemental to an act to compromise, commute and settle the State debt, passed its several readings and was sent to the House without engrossment.

Mr. Snow moved to suspend the rules and take up

H. B. 891, S. B. 787, bill to compromise and settle the State debt, known as the Williamston and Tarboro Railroad bonds; upon which

Mr. Nicholson called for the ayes and noes, which were ordered, and the Senate refused to suspend the rules, (a two-thirds vote being required,) ayes 25, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bryan of Duplin, Bull, Bynum, Dancey, Davidson, Eppes, Everett, Holleman, King, Leach, Lyon, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Waddell, Waldo, Ward, and White—25.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Caldwell, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Merritt, Nicholson, Redwine, Stewart, and Williamson—13.

On motion of Mr. Bryan of Duplin, the vote by which

H. R. 217, S. R. 810, resolution in favor of the clerks of the General Assembly, passed its third reading on Saturday night, was reconsidered.

Question recurring upon the passage of resolution on its third reading,

Mr. White moved to amend:

Strike out "one hundred dollars" and insert "fifty dollars."

Mr. Moye moved to indefinitely postpone, upon which he demanded the ayes and noes, which were ordered, and the motion prevailed, ayes 24, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bryan of Duplin, Bryan of Pender, Bynum, Erwin, Everett, Graham of Montgomery, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Stewart, Waddell, Ward, Williamson, and White—24.

Those voting in the negative were:

Messrs. Black, Bledsoe, Caldwell, Dancey, Davidson, Eppes, Henderson, Leach, McEachern, Mitchell, Ormand, Respass, Ross, Scales, Shackleford, and Snow—16.

By consent,

Mr. Graham of Lincoln, introduced

S. B. 828, bill to legalize the purchase of land for the Penitentiary. Placed upon the Calendar.

S. B. 829, bill to complete the indexing of Records in the Secretary of State's office. Placed upon the Calendar.

Mr. Waddell introduced

S. R. 830, resolution in favor of R. P. Howell. Referred to the committee on Finance.

Mr. Leach introduced

S. R. 831, resolution in regard to the State debt known as Special Tax Bonds. Placed upon the Calendar.

On motion of Mr. Respass, the rules were suspended and

H. B. 891, S. B. 787, bill to commute, compromise and settle the State debt known as the Williamston and Tarboro Railroad bonds, was taken up on its third reading.

Pending consideration,

On motion of Mr. Bynum, the hour for adjournment was postponed until four o'clock P. M. to-day.

The consideration of H. B. 891, S. B. 787, was resumed

Mr. Henderson moved to amend:

"*Provided*, That nothing in this act shall be construed to recognize the validity of any of the bonds issued by authority of the convention of the year one thousand eight hundred and sixty-eight, nor to bind the people of the State to pay the same; nor to recognize as valid any of the so-called bonds of the State, special tax or otherwise, except the bonds included in the act passed at the present session of the General Assembly entitled an 'act to commute, compromise and settle the State debt,'"

Upon which he demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 16, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Merritt, Nicholson, Redwine, Scales. Shackleford, Stewart, and Williamson—16.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Bynum, Dancey, Eppes, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Snow, Taylor, Waddell, Waldo, and White—23.

Mr. Ross was announced as paired with Mr. Dortch; had Mr. D. been present he would have voted in the negative, Mr. Ross in the affirmative.

Mr. Mebane moved to amend:

"*Provided*, the Attorney General of the State shall submit to the supreme court the question whether the bonds herein

directed to be issued are not subject to the restrictions contained in section 5, article 5, of the State Constitution," and should the court so declare and adjudge, then the Governor of the State shall order an election to be held and the question "whether the State shall grant a new credit of fifty thousand dollars to the Seaboard and Raleigh Railroad Company shall be submitted to a direct vote of the people, as provided for in the Constitution ; "

Upon which

Mr. Nicholson called for the ayes and noes, which were ordered, and the amendment lost, ayes 16, noes 23, as follows :

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Merritt, Nicholson, Redwine, Scales, Stewart, Waddell, and Williamson —16.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Bynum, Dancey, Eppes, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Taylor, Waldo, and White—23.

Mr. Mebane moved to amend: Strike out section six.

Upon which Mr. Caldwell demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 13, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Waddell and Williamson—13.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Bynum, Dancey, Eppes, Harris, Holleman, King, Leach, Lyon, McEachern, Merritt, Moye, Ormand, Respass, Ross, Shackleford, Snow, Taylor, Waldo, and White—23.

Mr. Mebane moved to amend:

"*Provided*, the new bonds to be issued under the provisions of this act shall not be sold or disposed of by the Seaboard and Roanoke Railroad Company below their par value."

Upon which Mr. Nicholson demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 15, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Henderson, Hoyle, Matheson, Mebane, Nicholson, Redwine, Scales, Stewart, Waddell, and Williamson—15.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Bynum, Dancey, Eppes, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shackleford, Snow, Taylor, Waldo, and White—23.

The bill then passed its third reading, ayes 24, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bull, Bynum, Dancey, Eppes, Harris, Holleman, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Respass, Ross, Shachleford, Snow, Taylor, Waddell, Waldo, and White—24.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Caldwell, Erwin, Graham of Lincoln, Henderson, Hoyle, Matheson, Mebane, Merritt, Nicholson, Redwine, Scales, and Williamson—14.

Mr. Stewart was paired with Mr. Everett, who, if present, would vote in the affirmative, and Mr. Stewart in the negative.

Mr. Snow moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed.

On motion of Mr. Henderson,

H. B. ..., S. B. 776, the Revenue Act, was taken up on its third reading.

Pending consideration, at the hour of four o'clock and forty-five minutes,

On motion of Mr. Henderson, the Senate adjourned.

NIGHT SESSION.

March 10th, 1879.

The Senate met pursuant to adjournment.

H. B. ..., S. B. 776, the Revenue Act, being the unfinished business of this morning, was taken up on its third reading.

On motion of Mr. Graham of Lincoln, it was postponed for fifteen minutes.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 828, bill to legalize the purchase of land for the Penitentiary, passed its several readings and was ordered to be sent to the House without engrossment.

S. B. 829, bill to complete the indexing of records in the Secretary of State's office, passed its several readings and was ordered sent to the House without engrossment.

H. B. 713, S. B. 722, bill to incorporate the Ætna Gold Company of North Carolina, passed its several readings.

H. B. 714, S. B. 754, bill to incorporate the Globe Gold Company of North Carolina, passed its several readings.

H. B. 739, S. B. 750, bill to provide commutation for Edmund D. Gaddy and W. Allen, disabled Confederate soldiers, passed its several readings.

S. B. 601, bill to incorporate the Ocean Fire Company of Washington, North Carolina, passed its several readings.

S. B. 736, bill to prevent the extermination of wild turkeys in the county of Robeson, passed its several readings.

S. B. 691, bill to amend an act incorporating the town of Washington, North Carolina, passed its several readings.

H. B. 731, S. B. 686, bill to amend the charter of the town of Concord and to increase the corporate limits, on its third reading and passed, ayes 27, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Davidson, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Lyon, Matheson, Mebane, Mitchell, Nicholson, Ormand, Redwine, Respass, Ross, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—27.

H. B. 246, S. B. 647, bill to amend and consolidate the Great Falls Manufacturing Company of Rockingham, in Richmond county, passed its several readings.

H. B. 527, S. B. 801, bill to amend the acts incorporating the town of Kenansville, in Duplin county, passed its several readings.

H. B. 629, S. B. 788, bill to allow railroads to change their gauge, passed its several readings.

H. B. 245, S. B. 555, bill requiring town and city collectors of taxes and fines to make monthly reports, passed its several readings.

H. B. 175, S. B. 320, bill to prevent the obstruction of Rockfish and other streams, in Duplin county, passed its several readings.

H. B. 401, S. B. 370, bill to amend chapter 155, private laws of the years 1874–'75, concerning inspection of timber in the city of Wilmington, passed its several readings.

S. B. 901, bill to incorporate the Cotton and Grocers Exchange of Raleigh, N. C., passed its several readings, and was ordered sent to the House without engrossment.

H. B. 784, S. B. 661, substitute for H. B. 255, entitled an act for the relief of land owners whose land has been sold to the State for taxes, passed its several readings.

S. B. 673, bill to authorize townships in Halifax county to levy taxes for the support of graded public schools, passed its third reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, and White—33.

The bill was sent to the House without engrossment.

S. R. 832½, resolution in favor of Richard Clayton, tax collector of Chowan county, passed its several readings and was ordered sent to the House without engrossment.

H. B. 810, S. B. 800, bill to incorporate the Champion Compress Company, passed its several readings.

H. B. 722, S. B. 698, bill to incorporate Stonewall Lodge No. 99, Independent Order of Odd Fellows, passed its several readings.

H. B. 522, S. B. 591, bill to authorize the commissioners of Chowan county to levy a special tax, passed its third reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bryan of Duplin, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Graham of Montgomery, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Snow, Stewart, Waddell, Waldo, Ward, and White—33.

H. B. 592, S. B. 628, bill to amend sections 3 and 4, chapter 80, Battle's Revisal, passed its several readings.

S. B. 784, bill to authorize the commissioners of Bruns-

wick county to levy special tax for the years 1879 and 1880, passed its third reading, ayes 33, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Bull, Dancey, Davidson, Dortch, Erwin, Graham of Lincoln, Graham of Montgomery, Harris, Henderson, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Respass, Ross, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White—33.

By consent,

Mr. Bryan of Pender, introduced

S. R. 832, resolution in favor of the principal clerks of the Senate and House of Representatives.

On motion of Bryan of Pender, the rules were suspended, the resolution was adopted, and ordered sent to the House of Representatives without engrossment.

Mr. Respass introduced

S. R. 832½, resolution in favor of Richard Clayton, tax collector of Chowan county. Placed upon the Calendar.

Mr. Shackleford moved to take up

H. B. 529, S. B. ....., bill to amend chapter 8, section 137, Code Civil Procedure in relation to superior court clerks; and on his further motion, it was postponed until Tuesday 11th inst., and made the special order for twelve o'clock M., of that day.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 890, S. B. 833, bill to incorporate Piedmont Lodge Independent Order of Good Templars, Hickory, North Carolina. Placed upon the Calendar.

H. B. 892, S. B. 834, bill to incorporate the North Carolina Coast Canal Company. Placed upon the Calendar.

H. B. 639, S. B. 835, bill to incorporate the "Zion Hill

Cemetary Company," Concord, N. C. Placed upon the Calendar.

H. B. 955, S. B. 836, bill to pay off the indebtedness of the Insane Asylum. Placed upon the Calendar.

Engrossed House amendments to

S. B. 963, H. B. 715, bill to aid in the completion of the Asheville and Spartanburg Railroad. Placed upon the Calendar.

H. B. 955, S. B. 836, bill to pay off the indebtedness of the Insane Asylum, passed its several readings.

H. B. 889, S. B. 808, bill to empower the Western North Carolina Railroad Company to make terms with the Chester and Lenoir Narrow Gauge Railroad Company, passed its several readings.

H. B. 233, S. B. 796, bill for the relief of the blind, passed its several readings.

On motion of Mr. King,

S. B. 508, bill in regard to the removal of civil causes for trial from the State courts to the circuit courts of the United States, was taken up, and, on further motion, it was postponed until Tuesday, 11th instant, at eleven o'clock A. M., and made the special order for that hour.

H. B. ..., S. B. 776, the Revenue Act, being the special order for this hour, was taken up on its third reading.

Mr. Alexander moved to amend section 2, line 8, by striking out after the word "stockholders" all the words to the word "and" in line sixteen, and insert "and the shares of each stockholder shall be taxed where each bank is located;" also strike out, commencing with the first word in line 18 to and including the word "act" in line 21, upon which he demanded the ayes and noes which were ordered, and the amendment was lost, ayes 15, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Graham of Lincoln, King, Leach, Lyon, Mitchell, Moye, Scales, and Snow—15.

Those voting in the negative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Duplin, Dillard, Erwin, Harris, Henderson, Hoyle, Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Redwine, Respass, Shackleford, Taylor, Waddell, Ward, Williamson, and White—22.

Mr. Hoyle moved to amend section 2:

Strike out all that relates to saw mills and mills that grind grain.

Lost.

Mr. Graham of Lincoln, moved to amend section 2:

Strike out "two thousand bushels" and insert "four thousand bushels."

Lost.

Mr. Leach demanded the previous question upon pending amendments, which was sustained.

Mr. Robinson moved to amend section 2 by inserting after the word "physicians," the words "whose net income is not less than one thousand dollars per annum." Lost.

Mr. Graham of Lincoln, moved to amend section 2:

Insert "every gin, ginning for compensation over one hundred bales of cotton (not the property of the owner), tax five dollars; for over five hundred bales, ten dollars."

Adopted.

Mr. Ormand moved to amend section 2 by adding, "editors, coach makers, distillers of spirituous liquors, owners of fisheries, owners of steamboats, and members of the General Assembly, each five dollars." Lost.

Mr. Matheson moved to amend section 2 by striking out two thousand and insert three thousand. Adopted.

Mr. McEachern moved to amend section 2:

"Strike out five dollars and insert ten dollars tax on lawyers."

Lost.

Mr. Bynum moved to amend by inserting:

"Commissioner of Agriculture ten dollars, State Geologist ten dollars, directors on railroads five dollars, mayors of towns of one thousand inhabitants and upwards five dollars, city attorneys of towns of over one thousand inhabitants five dollars, every person in the employee of the State whose salary or pay as such equals one thousand dollars ten dollars, every harbor master five dollars, revenue officers whose salary or pay equals one thousand dollars ten dollars, post-masters whose income is six hundred dollars five dollars, over one thousand dollars ten dollars, members of Congrers ten dollars.

Upon which he called the ayes and noes. Not ordered. Amendment lost.

Mr. Bynum moved to amend by striking out the whole section, upon which he called the ayes and noes, which were ordered, and the amendment lost, ayes 7, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bynum, Graham of Montgomery, Hoyle, Ormand, Shackleford, and White—7.

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Leach, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Respass, Scales, Snow, Stewart, Taylor, Waddell, and Ward —29.

Mr. Lyon moved to amend section 12, schedule B, by striking out, in line 6, "one-tenth" and inserting "one-twentieth." Lost.

Mr. Graham of Lincoln, moved to strike out the proviso in section 12. Adopted.

Mr. Caldwell moved to amend section 11: Add "bitters." Adopted.

Mr. Ormand moved to amend section 8:

After billiard tables add "all tables upon which the game of devil among the tailors is played and the game of Keno.

Adopted.

Mr. Lyon moved to amend section 20:

Strike out, in line 2, after the word "ten" and insert twenty-five.

Adopted.

Mr. Nicholson moved to reconsider the vote by which the amendment of Mr. Lyon was adopted, which prevailed.

The question recurring upon the adoption of the amendment, it was lost.

Mr. Bull moved to amend:

Strike out "ten dollars" and insert "five dollars in every county in which he shall sell horses and mules."

Lost.

Mr. Lyon moved to amend:

Strike out "ten dollars" and insert "one-tenth of one per cent. on sales."

Lost.

Mr. Ormand moved to amend by adding "all bachelors over twenty-five years old."

Lost.

Mr. Lyon moved to amend:

Strike out "section 20, in schedule B."

Lost.

Mr. Bynum moved to amend by inserting after the word "mules" in line 2, the words "as a business."

Adopted.

The hour for adjournment having arrived,

Upon motion of Mr. Graham of Lincoln, the hour for adjournment was indefinitely postponed.

Mr. Waddell moved to amend section 21 by adding at the end of the section:

"*Provided further*, that any citizen of the State who from bodily infirmity is disabled from working on a farm and who shall now or hereafter engage in taking likenesses, giving exhibitions with magic lanterns, stereopticons or photographing shall be exempt from tax when he shall exhibit to the sheriff of any county a certificate signed by the Treasurer of State that the person offering the same is so exempt."

Adopted.

Mr. White moved to amend:

After "water" in line 3, section 22, insert "except articles for agricultural purposes."

Lost.

Mr. Nicholson moved to amend section 22 by striking out all after the word "namely" in line 16 down to the end of line 18 and inert in lieu thereof:

"That every sewing machine company that sell or offers for sale any sewing machine in this State shall first pay to

the Treasurer of the State a tax of two hundred dollars on the machines of each manufacturer and shall not be liable to pay any tax in any county of the State."

Adopted.

Mr. Lyon moved to amend by striking out "fifty dollars" and inserting "one hundred."

Mr. Caldwell called for a division of the question.

Mr. Snow demanded the ayes and noes on the motion to strike out, which were ordered, and the motion prevailed, ayes 25, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bledsoe, Bryan of Pender, Bull, Dancey, Davidson, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, King, Leach, Lyon, Matheson, McEachern, Merritt, Moye, Shackleford, Snow, Stewart, Taylor, Ward, Williamson, and White—25.

Those voting in the negative were:

Messrs. Alston, Austin, Caldwell, Hoyle, Mebane, Mitchell, Nicholson, Ormand, Redwine, and Waddell—10.

The amendment was then adopted, ayes 22, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bledsoe, Caldwell, Davidson, Eppes, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Redwine, Stewart, Taylor, Waddell, and White—22.

Those voting in the negative were:

Messrs. Alexander, Bryan of Pender, Bull, Erwin, Graham of Lincoln, Harris, Merritt, Moye, Shackleford, Snow, Ward, and Williamson—12.

Mr. Alexander moved to amend section 25 by striking out in line 8, after the word "dollars," to the word "but," in line 9, and insert "and each county shall have the right to levy a tax of ten dollars." Lost.

Mr. Bryan of Pender, moved to amend section 5 by strik-

ing out in line 3 the words "fifty cents," and insert "twenty-five cents." Lost.

Mr. Davidson moved to amend by striking out "twenty-five," in line 5, section 6, and insert "fifty." Adopted.

Mr. Lyon moved to amend schedule C:

Add another section, to be section 11:

"Every keeper of a stud horse, jack ass and old bachelors shall be taxed ten dollars."

Lost.

Mr. Ormand moved to amend section 25:

Strike out "county and municipal government."

Lost.

Mr. Bull moved to amend by substituting for section 20:

"Every person who buys and sells horses or mules as a business, shall pay an annual tax of five dollars for every county in which he shall conduct his business, and every hog drover shall pay an annual license of two dollars for every county in which he shall conduct his business. The license issued under this section shall be countersigned by the register of deeds, by whom a record of all such licenses shall be permanently kept. This section shall not apply to persons who shall sell stock raised by themselves."

Adopted.

Mr. Graham of Lincoln, moved to amend by inserting another section:

"Sec. ..... Commissioner of Agriculture ten dollars, State Geologist ten dollars, mayors of towns of over one thousand inhabitants five dollars, city attorneys of towns of over one thousand inhabitants five dollars, every employee of the

State whose salary or pay is one thousand dollars or more ten dollars, every harbor master five dollars, revenue officers where salary or pay is one thousand dollars or more ten dollars, post-masters whose salary is over one thousand dollars, ten dollars, every distillery where ardent spirits are manufactured ten dollars, members of Congress ten dollars, every fishery where the receipts are fifteen hundred dollars ten dollars."

Adopted.

Mr. Moy moved to amend section 23 by striking out "twenty" and inserting "fifty" in regard to lightning rods. Adopted.

Mr. Lyon moved to amend by inserting "every keeper of a stud horse or a jackass five dollars." Lost.

Mr. Black moved to amend by inserting "distillers of turpentine ten dollars." Adopted.

Mr. Alexander moved to amend section 8, schedule B, line 3:

Insert the words "for hire or where liquor is sold" after the word "kept."

Adopted.

Mr. Bryan of Pender, moved to amend:

"There shall be imposed and collected on every dog fifty cents: *Provided*, there shall be exempt to the head of each family one dog;"

Upon which he called the ayes and noes, which were ordered, and the amendment was lost, ayes 7, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Bryan of Pender, Bull, Davidson, King, and McEachern—7

Those voting in the negative were:

Messrs. Austin, Black, Bledsoe, Caldwell, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, Moye, Nicholson, Ormand, Redwine, Shackleford, Snow, Taylor, Waddell, and Ward—22.

Question recurring upon the passage of the bill upon its third reading,

Mr. Davidson demanded the previous question, which was sustained, and the bill passed its third reading, ayes 17, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Pender, Bull, Caldwell, Davidson, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, McEachern, Redwine, and Taylor—17.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bynum, Eppes, Matheson, Moye, Nicholson, Ormand, Shackleford, Snow, Waddell, Ward, and White—14.

At one and one-half o'clock A. M., on motion of Mr. Leach the Senate adjourned.

FIFTY-FOURTH DAY.

SENATE CHAMBER,
TUESDAY, March 11th, 1879.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Black.

The Journal of yesterday was read and approved.

By consent,

Mr. Dancy was allowed to be entered upon the Journal as

voting against H. B. ..., S. B. 776, the Revenue Act, which passed the Senate last night.

REPORTS FROM STANDING COMMITTEES.

Reports from standing committees were submitted as follows:

From the committee on the Judiciary:

By Mr. Leach,

H. B. 928, S. B. 788, bill to amend title 4, chapter 1, section 16, chapter 17, Battle's Revisal, in regard to limitations of sections, recommending it do not pass.

By Mr. Dortch,

H. B. 215, S. B. 845, bill in regard to additional disqualification of jurors, recommending it do not pass.

From the committee on Finance:

By Mr. Henderson,

H. B. 485, S. B. 598, bill to repeal the law for the sustenance of lunatics outside the insane asylum, recommending it do pass;

H. R. 221, S. R. 856, resolution concerning the penitentiary Sunday School, recommending it do pass;

S. R. 830, resolution in favor of R. P. Howell, recommending it do pass.

From the committee on Railroad Freights and Charges:

By Mr. King,

S. B. 638, bill concerning the charges for freight on railroads and transportation companies, reporting amendments and as amended recommending it do pass.

From the committee on Propositions and Grievances:

By Mr. Bryan of Pender,

S. B. 709, bill to establish the dividing lines between the counties of Carteret, Pamlico and Craven, reporting it back without prejudice.

Mr. Bryan of Pender, reported from the committee on Propositions and Grievances, House substitute for

S. B. 633, H. B. 933, bill to regulate the sale of liquors in certain localities, recommending the Senate refuse to concur in said substitute, and ask a committee of conference.

The report was adopted, a message to that effect was sent to the House, and Messrs. Bryan of Pender, Harris and Hoyle were appointed Senate branch of said committee.

The committee on Enrolled Bills reported as correctly enrolled:

S. B. 467, H. B. 697, an act to authorize the commissioners of McDowell county to levy a special tax;

S. B. 466, H. B. 895, an act concerning freight and changes of charges for transporting the same by railroads or other transportation companies;

S. B. 75, H. B. 905, an act to amend section three hundred and forty-three of chapter seventeen, Battle's Revisal.

S. B. 512, H. B. 872, an act to provide for the support of the N. C. Institution for the Deaf, Dumb and Blind for the years one thousand eight hundred and seventy-nine and one thousand eight hundred and eighty;

H. B. 505, S. B. 625, an act to prevent overcharges in the sale of produce;

H. B. 698, S. B. 687, an act to incorporate the town of Troy in the county of Montgomery;

H. B. 734, S. B. 785, an act to define false pretense;

H. B. 907, S. B. 803, an act to amend chapter 122, laws of 1876–'77;

S. B. 565, H. B. 718, an act to reconvey a house and lot heretofore sold for taxes;

H. B. 580, S. B. 665, an act to regulate the size of fish packages;

H. B. 834, S. B. 734, an act to amend an act entitled an act to incorporate the Oxford and Henderson Railroad Company;

S. B. 339, H. B. 922, an act to repeal chapter 148, private laws of 1868–'69, with reference to the town of Ridgeway;

H. B. 350, S. B. 538, an act to relieve farmers and others from the paying of special tax;

H. R. 193, S. R. 799, a resolution asking our Senators and Representatives in Congress to advocate the establishment of two Universities in the South;

S. B. 545, H. B. 952, an act to amend section 1st, chapter 260, laws of 1876–'77, prohibiting the sale of liquor in certain localities;

H. B. 889, S. B. 808, an act to empower the W. N. C. R. R. Company to make terms with the C. and L. N. G. Company;

S. B. 167, H. B. 799, an act to extend the charters of certain Banks;

H. B. 837, S. B. 804, an act to incorporate the village of Big Lick, Stanly county;

S. B. 797, H. B. 972, an act to correct an error in the act to compromise, commute and settle the State debt;

H. B. 871, S. B. 787, "an act to compromise, commute and settle that portion of the State debt known as the Williamston and Tarboro Railroad Bonds."

S. B. 356, H. B. 741, an act to consolidate and revise the charter of the town of Winston and the amendments thereto.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 640, bill to amend chapter 242, acts of 1876–'77;

S. B. 642, bill to re-enact chapter 227, laws of 1876–'77, authorizing the county commissioners of New Hanover county to levy a special tax;

S. B. 769, bill to change the boundary line between the counties of Ashe and Wilkes;

S. B. 781, bill for the better protection of the pupils of the North Carolina Institute for the deaf and dumb and the blind and for other purposes.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 273, S. B. 837, bill providing for the service of notices to justices of the peace, road overseers and school committeemen by mail, in lieu of service by the sheriffs of the several counties. Placed upon the Calendar.

Without engrossment, House amendment to

S. B. 363, H. B. 807, bill to amend the charter of the Charlotte and Taylorsville Railroad Company.

On motion, the amendment was concurred in and the bill was ordered enrolled for ratification.

H. B. 854, S. B. 838, bill for the relief of the sureties on the official bonds of the late tax collector of the town of Fayetteville. Placed upon the Calendar.

Also, announcing concurrence in Senate amendments to

H. B. 610, S. B. ..., bill to provide for the sale of insolvent judgments in favor of counties against defaulting officers;

H. B. 122, S. B. ..., bill to allow the citizens of Jackson county to pass through the toll gates of Macon county, &c.;

H. B. 455, S. B. ..., bill to establish a State line between North Carolina and Georgia;

H. B. 104, bill to amend chapter 240, laws of 1874–'75, an act to prevent discrimination in freight tariffs by railroad companies;

And had ordered the same enrolled for ratification.

Also, transmitting

H. B 261, S. B. 839, bill to remove obstructions to the passage of fish, and to provide fishways. Placed upon the Calendar.

H. B. 462, S. B. 840, bill to prohibit the sale or exchange of produce between sunset and sunrise in the counties of Iredell, Rowan and Cabarrus. Placed upon the Calendar.

H. B. 460, S. B. 841, bill for the benefit of jurors and witnesses in cases of homicide. Placed upon the Calendar.

H. B. 766, S. B. 842, bill to authorize the commissioners of Lincoln county to levy a special tax. Placed upon the Calendar.

H. B. 937, S. B. 843, bill to provide for trial by jury in certain cases. Placed upon the Calendar.

H. B. 353, S. B. 844, bill to aid in the completion of the Seaboard and Raleigh Railroad by convict labor. Placed upon the Calendar.

H. B. 215, S. B. 845, bill in regard to additional disqualification of jurors. Referred to the committee on Judiciary.

H. B. 236, S. B. 846, bill to amend sections 2, 4 and 5, chapter 49, laws of 1876–'77. Placed upon the Calendar.

H. B. 491, S. B. 847, bill to authorize the commissioners of Hertford county to levy a special tax. Placed upon the Calendar.

H. B. 754, S. B. 848, bill to facilitate the navigation of streams in the State. Placed upon the Calendar.

Engrossed House amendments to

S. B. 29, H. B. 220, bill to prevent the stealing of dead bodies. The amendment was concurred in and the bill ordered enrolled for ratification.

Engrossed House amendments to

S. B. 69, H. B. 743, bill to regulate salaries and fees in certain cases.

On motion of Mr. Davidson, the Senate refused to concur in the amendments, and asked a committee of conference.

A message to that effect was sent to the House, and Messrs. Davidson, Scales and Black were appointed as Senate branch of said committee.

Also transmitting

H. B. 359, S. B. 849, bill to authorize constables of towns and cities to serve civil warrants. Placed upon the Calendar.

H. B. 337, S. B. 850, bill to amend chapter 72, laws of 1874–75. Placed upon the Calendar.

H. B. 882, S. B. 851, bill amendatory and supplemental to an act passed the present session and entitled an act to prevent live stock from running at large in Rowan, Davie and other counties. Placed upon the Calendar.

H. B. 253, S. B. 852, bill to prevent the selling or giving away spirituous liquors at political speakings. Placed upon the Calendar.

H. B. 638, S. B. 853, bill to incorporate Zion Wesley Institute, Cabarrus county. Placed upon the Calendar.

H. B. 466, S. B. 854, bill to prescribe the rates of ferriage in Bladen county. Placed upon the Calendar.

H. B. 844, S. B. 855, bill to protect fish in certain streams in the county of Duplin. Placed upon the Calendar.

H. R. 221, S. R. 856, resolution concerning the penitentiary Sunday School. Referred to the committee on Penal Institutions.

H. R. 228, S. R. 857, resolution on adjournment. Placed upon the Calendar.

House amendment to

S. B. 464, H. B. 828, bill to amend the charter of the town of Farmville. Amendments were concurred in and the bill was ordered enrolled for ratification.

H. R. 215, S. R. 858, resolution to promote immigration and develop the lands of the State. Referred to the committee on Agriculture, Mechanics and Mining.

H. B. 512, S. B. 859, bill to amend chapter 63, laws of 1874–'75, it being an act to change the dividing line between the counties of Franklin and Granville. Placed upon the Calendar.

Engrossed House amendment to

S. B. 612, H. B. 964, bill to adjust and renew a portion of the State debt. The amendment was concurred in and the bill was ordered enrolled for ratification.

H. B. 617, S. B. 860½, bill to ascertain the indebtedness of Madison county. Placed upon the Calendar.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

H. B. 617, S. B. 860½, bill to ascertain the indebtedness of Madison county, passed its several readings.

S. B. 508, bill in regard to the removal of civil causes for trial from the State Courts to the Circuit Courts of the United States, being the special order for this hour, was taken up, passed its several readings and was ordered sent to the House without engrossment.

H. B. 794, S. B. 792, bill to incorporate the North Carolina and Virginia Christian Conference, passed its several readings.

H. B. 854, S. B. 838, bill for the relief of the sureties on the official bond of the late tax collector of the town of Fayetteville, passed its several readings.

H. B. 759, S. B. 688, bill to establish cotton weighers for the towns of Goldsboro, Kinston and Newbern.

Mr. Dortch moved an amendment, which was adopted.

Mr. Bull moved to amend:

"Strike out the city of Newbern."

Lost.

Bill then passed its several readings, and the bill with amendments was sent to the House for concurrence without engrossment.

S. B. 582, bill to incorporate Beach Swamp Agricultural Canal Company, passed its several readings and was sent to the House without engrossment.

H. B. 821, S. B. 721, bill to incorporate the Tusquittee Methodist Episcopal Church, South, of Clay county, North Carolina, passed its several readings.

S. B. 499, bill to regulate pilotage over the bar of Ocracoke Inlet and over the Swash, passed its several readings and was sent to the House without engrossment.

S. B. 546, bill to secure convict labor to build public roads in Beaufort and Pamlico counties, on its second reading.

Amendments reported by the committee on Propositions and Grievances were adopted.

Bill then passed its several readings.

S. B. 781, bill for the better protection of the pupils of the North Carolina Institute for the Deaf, the Dumb and Blind and for other purposes therein contained, on its second reading.

Amendments reported by the committee on the Asylum for the Deaf, the Dumb and the Blind were adopted.

Mr. Graham of Lincoln, moved to amend:

"Sec. .... The sum of six hundred dollars is appropriated for the purpose of establishing a printing department in said Institution; the same to be paid out of the appropriation for said Institution or any money not appropriated in the State Treasury."

Adopted.

Bill then passed its several readings.

S. R. 830, resolution in favor of R. P. Howell, passed its several readings, and was ordered sent to the House without engrossment.

By consent, Mr. Henderson introduced

S. B. 860, bill to alter the Constitution concerning a portion of the State debt. Placed upon the Calendar.

H. B. 512, S. B. 859, bill to amend chapter 63, laws of 1874–'75, being an act to change the dividing line between the counties of Franklin and Granville, passed its several readings and ordered enrolled.

H. B. 750, S. B. 789, bill to authorize the commissioners of Anson county to levy a special tax, passed its third reading, ayes 41, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln,

Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Waldo, Ward, and White —41.

S. B. 581, bill to prevent live stock from running at large in the county of Mecklenburg, and certain townships in Cabarrus county, on its second reading.

On motion of Mr. Scales, Guilford county was stricken out, and the bill passed its second and third readings and was ordered engrossed.

H. B. 491, S. B. 847, bill to authorize the commissioners of Hertford county to levy a special tax, passed its second reading, ayes 40, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and White—40.

Mr. Williamson voted in the negative.

S. B. 824½, bill to allow the draining and clearing out of Haw river and Reedy Fork Creek, passed its second reading, ayes 37, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Snow, Stewart, Waddell, Ward, and White—37.

H. B. 882, S. B. 851, bill amendatory and supplemental to an act passed at the present session of the General Assem-

bly and entitled an act to prevent live stock from running at large in Rowan, Davie and other counties, passed its second reading, ayes 30, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bull, Bynum, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Ross, Scales, Snow, Stewart, Waddell, and Ward—30.

Those voting in the negative were:

Messrs. Alston, Eppes, and White—3.

H. B. 844, S. B. 855, bill to protect fish in certain streams in the county of Duplin, passed its several readings and ordered enrolled.

H. B. 621, S. B. 558, bill to prevent tramps infesting or depredating on citizens of this State.

Mr. Alston moved to amend:

"*Provided*, that this act shall not apply to persons looking for work."

Lost.

Mr. Mitchell moved to amend:

"That no citizens of the State shall be arrested only by the vagrant act."

Lost.

Bill then passed its second reading.

On its third reading, Mr. Alston demanded the ayes and noes, which were ordered, and the bill passed, ayes 30, noes 6, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bynum, Caldwell, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, Me-

bane, Merritt, Moye, Redwine, Respass, Ross, Scales, Shackleford, Stewart, Taylor, Waddell, Waldo, Ward, and Williamson—30.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Dancey, Eppes, and Ormand —6.

H. B. 394, S. B. 139, bill to protect holders of policies in fire insurance companies in this State.

The amendments of the House were concurred in and the bill ordered enrolled.

H. B. 584, S. B. ....., bill to amend chapter 87, sections 34, 35, 36 and 37 of Battle's Revisal, passed its second and third readings and was ordered enrolled.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

transmitting

H. B. 446, S. B. 840, bill to incorporate the town of Forestville, in the county of Wake. Placed upon the Calendar.

H. B. 155, S. B. 841, bill to repeal chapter 61, section 1, laws of 1872–'73. Placed upon the Calendar.

H. B. 311, S. B. 842, bill to allow non-resident executors to take oath before commissioners of affidavits. Placed upon the Calendar.

H. B. 846, S. B. 843, bill to amend chapter 285, of the laws of 1876–'77. Placed upon the Calendar.

H. B. 322, S. B. 844, bill to repeal chapter 160, public laws 1873–'74. Placed upon the Calendar.

H. B. 930, S. B. 790, bill for the support of the penitentiary for the years 1879 and 1880. Amendments of the House were concurred in and the bill ordered enrolled.

H. B. 792, S. B. 845, bill to amend section 156, chapter 32, Battle's Revisal, passed its several readings and ordered enrolled.

H. B. 446, S. B. 840, bill to incorporate the town of Forest-

ville, in the county of Wake, passed its several readings and ordered enrolled.

H. B. 892, S. B. 834, bill to incorporate the North Carolina Coast Canal Company, passed its several readings and ordered enrolled.

H. B. 231, S. B. 410, bill to regulate insurance in this State, on its second reading.

Mr. Alexander moved to amend section 4:

"Any agent insuring any property for more than three-fourths of the actual value shall be deemed guilty of a misdemeanor, and any person representing his property at more than its actual value shall vitiate his policy."

Mr. Caldwell moved to indefinitely postpone. Lost.

Mr. Alexander moved to refer to the Judiciary Committee and called for the ayes and noes, which were ordered, and the motion to refer prevailed, ayes 27, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Holleman, Hoyle, Leach, Matheson, Mebane, Merritt, Mitchell, Redwine, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, and White—27.

Those voting in the negative were:

Messrs. Alston, Black, Bledsoe, Dancey, King, Lyon, Moye, Respass, Ward, and Williamson—10.

H. B. 708, S. B. 846, bill to provide for the laying off of a road from Tucker Bridge in Jones county to a point near Tar Landing in Onslow county, on second reading.

Mr. Shackelford moved to amend:

Strike out all of section 5 and 7 of the bill.

Adopted.

Bill then passed its several readings and was ordered engrossed.

H. B. 353, S. B. 844, bill to aid in the completion of the Seaboard and Raleigh Railroad by convict labor, passed its several readings and ordered enrolled.

H. B. 973, S. B. 847, bill supplemental to an act to amend section 8, chapter 255, laws of 1876–'77, ratified February 27th, 1879, passed its several readings and ordered enrolled.

H. B. 215, S. B. 845, bill in regard to additional disqualification of jurors.

On motion of Mr. Scales it was indefinitely postponed.

S. R. 848, resolution in favor of Alfred Williams, & Co, passed its several readings and was ordered to be sent to the House without engrossment.

H. B. 766, S. B. 842, bill to authorize the commissioners of Lincoln county to levy a special tax, on its second reading.

Mr. Graham moved to amend:

Strike out "twenty-two" and insert "fifteen" in line 7, section 2.

Adopted.

Bill passed its second reading, ayes 27, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bledsoe, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Moye, Nicholson, Redwine, Ross, Snow, Stewart, Taylor, Waddell, and Ward—27.

H. B. 849, S. B. 811, bill to establish Normal Schools, passed its second and third readings and ordered enrolled.

On motion of Mr. Snow, the vote by which

H. B. 215, S. B. 845, bill in regard to additional disqualification of jurors was indefinitely postponed, was reconsid-

ered and the bill passed its several readings and was ordered enrolled.

H. B. 890, S. B. 833, bill to incorporate Piedmont Lodge Independent Order of Good Templars, Hickory, N. C., passed its several readings and was ordered enrolled.

H. B. 336, S. B. 798, bill to incorporate Rising Hope Lodge of Odd Fellows, passed its several readings and ordered enrolled.

S. B. 765, bill to regulate the fees of certain county officers in Pitt county, passed its several readings and ordered to be sent to the House without engrossment.

H. B. 639, S. B. 835, bill to incorporate the Zion Hill Cemetary Company, Concord, N. C., passed its several readings and ordered enrolled.

S. B. 671, bill to provide for the payment of debts due by Wilmington township in the county of New Hanover, passed its second reading, ayes 30, noes none, as follows :

Those voting in the affirmative were :

Messrs. Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bynum, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, Leach, Lyon, Matheson, Mebane, Mitchell, Moye, Nicholson, Ormand, Respass, Ross, Scales, Snow, Stewart, Waddell, Waldo, Ward, and Williamson—30.

On motion of Mr. Henderson, the Senate went into an Executive Session.

The Senate was again called to order, when,

On motion of Mr. Scales, at four o'clock and forty-nine minutes, the Senate adjourned.

NIGHT SESSION.

March 11th, 1879.

The Senate met pursuant to adjournment.

A MESSAGE WAS RECEIVED FROM THE HOUSE

announcing the concurrence by that body in Senate amendments to

H. B. 629, S. B. ..., bill to authorize the Caldwell and Watauga Narrow Gauge Railroad to change its gauge, and had ordered the same enrolled for ratification.

H. B. 848, S. B. 790, bill to revise and consolidate the public school law, being the special order for this hour, was taken up on its second reading and passed, ayes 32, noes none, as follows:

Those voting in the affirmative were:

Messrs. Austin, Black, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Holleman, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Ormand, Redwine, Respass, Ross, Scales, Snow, Stewart, Waddell, Waldo, Ward, Williamson, and White—32.

On motion of Mr. Merritt, the bill was taken up on its third reading; and on his further motion, it was postponed and made the special order immediately after the expiration of the morning hour for Wednesday, 12th instant.

H. B. 692, S. B. 645, bill to provide for keeping in repair the public roads of the State, on its third reading.

Amendments heretofore adopted, striking out certain counties, were reconsidered and withdrawn.

Mr. Lyon moved to amend section 11: strike out "Granville" and insert "Mecklenburg." Adopted.

Bill then passed its third reading, ayes 27, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Scales, Shackleford, Stewart, Taylor, Williamson, and White—27.

Those voting in the negative were:

Messrs. Austin, Bull, Eppes, Respass, Ross, Waldo, and Ward—7.

H. B. 592, S. B. 787½, bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company, being the special order for this hour, was taken up on its second reading and passed.

On motion, the bill was put upon its third reading.

Mr. Davidson moved to amend:

"*Provided*, nothing in this act shall be construed to reduce the number of convicts employed on the Western North Carolina Railroad below five hundred."

Adopted.

Bill then passed its third reading.

Mr. Bryan of Pender, from the committee of Conference on

S. B. 633, H. B. 933, bill to prohibit the sale of intoxicating liquors in certain localities, submitted a report, which was adopted and sent to the House for concurrence.

H. B. 236, S. B. 846, bill to amend sections 2, 4 and 5, chapter 49, laws of 1876–'77, passed its several readings.

H. B. 328, S. B. 576, bill for the more effectual punishment of horse stealing, passed its several readings.

H. B. 630, S. B. 752, bill declaratory of the meaning of and to amend the charter of the town of Reidsville, passed its several readings.

S. B. 641, bill supplemental to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock of a railroad, passed its third reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Bynum, Caldwell, Dancey, Davidson, Eppes, Erwin, Graham of Lincoln, Harris, Holleman, Hoyle, King, Matheson, McEachern, Merritt, Mitchell, Moye, Redwine, Scales, Shackleford, Stewart, Taylor, Waddell, Ward, and White—30.

By consent,

Mr. Henderson introduced

S. R. 849, resolution of instruction to the Secretary of State.

On motion of Mr. Henderson, the rules were suspended and the resolution adopted and sent to the House of Representatives without engrossment.

Mr. Davidson, from committee of conference on S. B. 69, H. B. 743, bill to regulate salaries and fees in certain cases, submitted a report, which was adopted, and the report was sent to the House for concurrence.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 983, S. B. 850, bill to amend an act passed at this session of the General Assembly entitled an act to prevent the desecration of the Sabbath day. Placed upon the Calendar.

H. B. 835, S. B. 851, bill to incorporate Centennial Lodge, No. 96, Independent Order of Odd Fellows of Toisnot, Wilson county. Placed upon the Calendar.

H. B. 986, S. B. 852, bill to pay jurors of Edgecombe and Craven counties. Placed upon the Calendar.

H. B. 362, S. B. 853, bill to allow suits by or in behalf of

infants to be prosecuted without payment of fees in advance and without giving security for the costs. Placed upon the Calendar.

H. B. 839, S. B. 854, bill to repeal an act entitled an act to amend an act to incorporate the town of Lillington in the county of Brunswick.

H. B. 424, S. B. 855, bill to amend chapter 163, laws of 1871–'72. Placed upon the Calendar.

H. B. 376, S. B. 856, bill for the restoration of persons convicted of felony to the rights of citizenship. Placed upon the Calendar.

H. B. 372, S. B. 857, bill to amend section 4, chapter 285, laws of 1876–'77. Placed upon the Calendar.

H. B. 974, S. B. 858, bill to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad Campany. Placed upon the Calendar.

Without engrossment,

H. B. 985, S. B. 859, bill to authorize the Western North Carolina Railroad Company to contract for the building of certain bridges. Placed upon the Calendar.

H. B. 934, S. B. 860½, bill to submit the question of the sale of spirituous liquors to the voters in the town of Reidsville, Rockingham county. Placed upon the Calendar.

Announcing concurrence of that honorable body in Senate amendments to

H. B. 629, S. B. ..., bill to authorize the Caldwell and Watauga Narrow Gauge Railroad to change its gauge, and had ordered the same enrolled for ratification.

Mr. Dortch reported from the committee on the Judiciary,

H. B. 231, S. B. 410, bill to regulate insurance in this State, recommending it do not pass.

H. B. 983, S. B. 850, bill to amend an act passed at this session of the General Assembly, entitled an act to prevent the desecration of the Sabbath day, passed its several readings.

Mr. Leach moved to reconsider the vote by which the

bill passed its third reading, and moved to lay that motion on the table; which latter motion prevailed.

Mr. Snow introduced

S. B. 861, bill supplemental to an act passed at the present session of the General Assembly, to provide for the support of the Penitentiary for the years 1879–'80.

On motion of Mr. Snow, the rules were suspended and the bill passed its several readings and was ordered sent to the House without engrossment.

H. B. 934, S. B. 860½, bill to submit the question of the sale of spirituous liquors to the voters in the town of Reidsville, Rockingham county, passed its several readings.

Engrossed House amendments to

S. B. 715, H. B. 963, bill to aid in the completion of the Asheville and Spartanburg Railroad, were concurred in and the bill ordered enrolled for ratification.

H. B. 932, S. B. 789, bill to provide for filling vacancies in the boards of county commissioners, passed its several readings.

H. B. 248, S. B. 791, bill to authorize the commissioners of Richmond county to levy a special tax, passed its third reading, ayes 34, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Holleman, Hoyle, King, Leach, Lyon, Matheson, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Stewart, Taylor, Waldo, Ward, and Williamson—34.

S. R. 327, resolution in favor of McDowell county, on its third reading.

Mr. Dortch demanded the ayes and noes on the passage of the resolution its third reading, which were ordered, and the resolution failed to pass its third reading, ayes 10, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Duplin, Bryan of Pender, Bull, Bynum, Davidson, Erwin, Henderson, Mitchell, Shackleford, and Taylor—10.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Caldwell, Dortch, Eppes, Graham of Lincoln, Harris, Holleman, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales. Snow, Stewart, Waddell, Waldo, Ward, and Williamson—28.

Mr. Snow moved to reconsider the vote by which the resolution failed to pass its third reading, and moved to lay that motion on the table; which latter motion prevailed.

H. B. 526, S. B. 744, bill to incorporate Smith's Bridge High School Joint Stock Company of Macon county, passed its several readings.

H. B. 253, S. B. 852, bill to prevent the selling or giving away of spirituous liquors at public political meetings, passed its several readings.

S. B. 860, bill to amend the Constitution, on its second reading and passed, (three fifths of the Senate voting therefor,) as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and Williamson—32.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Dancey, Eppes, and Mitchell —6.

The rules were suspended and the bill passed its third reading, three-fifths voting therefor, as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Alexander, Austin, Bledsoe, Bryan,

of Duplin, Bryan of Pender, Bynum, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Taylor, Waddell, Ward, and Williamson —34.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Dancey, Holleman, and Mitchell—6.

Bill was ordered sent to the House of Representatives without engrossment.

H. B. 424, S. B. 855, bill to amend chapter 163, laws of 1871–'72, passed its several readings.

H. B. 173, S. B. 184, bill to extend the time to redeem land sold for taxes and bought by the State, passed its several readings.

H. B. 164, S. B. 794, bill to amend the constitution of North Carolina in relation to the support of the deaf mutes and insane of the State, on its second reading.

Mr. Bynum offered a substitute for the bill. Lost.

Mr. Ormand demanded the previous question, which was sustained.

Bill then passed its second reading (three-fifths voting therefor) as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Nicholson, Scales, Shackleford, Snow, Stewart, Waddell, and Williamson—25.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Dancey, Eppes, Erwin, Holleman, Leach, Mitchell, Ormand, Redwine, Respass, Taylor, Ward, and White—16.

Bill was then put upon its third reading and passed, (three-fifths voting therefor), as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Graham of Lincoln, Harris, Henderson, Hoyle, King, Matheson, McEachern, Mebane, Merritt, Nicholson, Scales, Shackleford, Snow, Stewart, Waddell, and Williamson—25.

Those voting in the negative were:

Messrs. Alexander, Alston, Black, Bull, Dancey, Eppes, Erwin, Holleman, Leach, Mitchell, Ormand, Redwine, Respass, Taylor, and White—15.

Mr. Davidson moved to reconsider the vote by which

H. B. 930, S. B. 790, bill to provide for the support of the Penitentiary for the years 1879–'80 passed its third reaading.

Pending consideration of this motion, the Senate at eleven o'clock and thirty-five minutes adjourned.

FIFTY-FIFTH DAY.

SENATE CHAMBER,
WEDNESDAY, March 12, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

The committee on Engrossed Bills reported as properly engrossed:

S. B. 581, bill to amend an act to prevent live stock from running at large in Mecklenburg county, and certain townships in Cabarrus county;

Senate amendment to

H. B. 731, S. B. 686, bill to amend the charter of Concord and to increase the corporate limits;

S. R. 863, resolution in favor of D. L. Sides, of Rowan county;

S. B. 784, bill to authorize the commissioners of Brunswick county to levy a special tax for the years 1879 and 1880;

S. B. 601, bill to incorporate the Ocean Fire Company, of Washington, N. C.;

S. B. 708, bill to apportion the convicts among the various works of internal improvements of the State;

S. B. 691, bill to amend an act to incorporate the town of Washington, N. C.;

S. B. 736, bill to prevent the extermination of wild turkeys in Robeson county;

S. B. 369, bill to settle disputes and lighten the expense of litigation;

S. B. 546, bill to secure convict labor to build public roads in Beaufort and Pamlico counties;

Senate amendment to

H. B. 882, S. B. 851, bill amendatory of an act passed at the present session of the General Assembly, concerning live stock running at large in Rowan, Davie and other counties;

Senate amendment to

H. B. 766, S. B. 842, bill to authorize the commissioners of Lincoln county to levy a special tax;

Senate amendment to

H. B. 592, S. B. 787½, bill to incorporate the Wilmington, Wrightsville and Onslow Railroad Company;

S. B. 375, bill to incorporate the town of Keyser in Moore county.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 401, S. B. 370, an act to amend chapter 155, private laws of the years 1874 and 1875, concerning inspection of timber in the city of Wilmington;

S. B. 677, H. B. 901, an act to aid in the construction of the Statesville Air-Line Railroad;

H. B. 233, S. B. 796, an act for the relief of the blind;

H. B. 245, S. B. 555, an act requiring town and city collectors of taxes and fines to make monthly reports;

H. B. 955, S. B. 836, an act to pay off the indebtedness of the Insane Asylum;

An act to provide for the levying and collection of taxes;

H. B. 527, S. B. 801, an act to amend the acts incorporating the town of Kenansville, in Duplin county;

S. B. 693, H. B. 923, an act to levy a special tax in Pasquotank county;

H. B. 629, S. B. 788, an act to authorize the Caldwell and Watauga Narrow Guage Railroad to change its guage;

H. B. 810, S. B. 800, an act to incorporate the Champion Compress Company;

S. B. 423, H. B. 803, an act to incorporate the Grand Lodge of Good Templars of North Carolina;

H. B. 890, S. B. 833, an act to incorporate Piedmont Lodge Independent Order of Good Templars, Hickory, N. C.;

H. B. 215, S. B. 845, an act in regard to additional disqualifications of jurors;

H. B. 246, S. B. 647, an act to amend and consolidate the Great Falls Manufacturing Company at Rockingham, in Richmond county;

S. B. 687, H. B. 898, an act to amend the charter of the town of Pittsborough, North Carolina;

S. B. 543, H. B. 802, an act to define the duties of sheriff performing the duty of county treasurer;

S. R. 293, H. R. 145, resolution in relation to the burial expenses of the late Chief Justice Pearson;

H. B. 621, S. B. 558, an act to prevent tramps infesting or depredating on citizens of this State;

H. B. 617, S. B. 860, an act to ascertain the indebtedness of Madison county.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. R. 227, S. R. 785, resolution to pay the actual expenses of the committee appointed to investigate the Western North Carolina Railroad. Placed upon the Calendar.

Also,

Announcing concurrence in report of committee of conference on H. B. 692, S. B. 645, bill to keep in repairs the public roads of the State.

Also,

H. B. 933, S. B. 633, bill to prohibit the sale of spirituous liquors in certain localities and ordered enrolled for ratification.

Also,

Concurred in Senate amendments to H. B. 708, bill to provide for laying off a road from Tucker Bridge, in Jones county, and ordered the same enrolled for ratification.

H. B. 757, bill to incorporate the North Carolina Baptist Sunday School Convention. Placed on the Calendar.

Also,

Concurred in the report of the committee of conference on S. B. 69, bill to regulate salaries and fees, and ordered the same enrolled.

BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Henderson,

S. R. 862, resolution in favor of D. W. Furman and Jno. C. Syme. Placed upon the Calendar.

By the same,

S. R. 863, resolution in favor of D. S. Sides of Rowan.

On motion the rules were suspended, the resolution pass-

ed its several readings and was sent to the House without engrossment.

Also,

S. B. 864, bill to amend an act to define false pretense. Placed upon the Calendar.

By the same,

S. R. 865, resolution concerning the out-house of the Capitol.

The rules were suspended, the resolution passed its several readings, and was sent to the House without engrossment.

By. Mr. Graham of Lincoln,

S. B. 866, bill to drain certain lands in Lincoln county. Placed on the Calendar.

By Mr. Graham of Lincoln,

S. R. 870, resolution to provide for the prniting of the acts and resolutions of this General Assembly. Placed on the Calendar.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

announcing that the House had refused to concur in the Senate amendments to

H. B. ....., S. B. 776, bill to raise revenue, and asked that a committee of conference be appointed.

The proposition of the House was concurred in and the following Senators appointed as Senate branch of said committee: Messrs. Henderson, Williamson and Everett.

CALENDAR.

Bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. B. 867, bill creating the State Board of Health, on its second reading.

Mr. Leach moved to amend:

In line 16, section 2, after the word "judgment" strike out "effects" and add "affects."

In line 10, section 4, after the word "receive" strike out "four dollars" and insert "two dollars."

Adopted.

Bill then passed its several readings and ordered sent to the House of Representatives without engrossment.

S. B. 866, bill to drain certain lands in Lincoln county, passed its several readings and was sent to the House without engrossment.

H. B. 846, S. B. 843, bill to amend chapter 285, of the laws 1876–'77, ratified March 12th, 1877, passed its several readings and was ordered enrolled.

H. B. 985, S. B. 859, bill to authorize the Western North Carolina Railroad to contract for the building of certain bridges, passed its several readings and was ordered enrolled.

H. B. 468, S. B. 740, bill to incorporate the North Carolina Border Railroad Company, on second reading.

Mr. Williamson moved to amend:

Provided, That the counties of Caswell and Person be exempted from the provisions of this bill so far as permission is given the counties by a majority vote to subscribe five thousand dollars per mile to the said proposed road.

Adopted.

Mr. Lyon moved to amend by adding at the end of section 9:

Provided, this act shall not apply to Henderson township.

Adopted.

Mr. Dortch moved to amend:

Provided, nothing in this act shall be construed to reduce

the number of convicts assigned to or allowed to be employed upon any public work in which the State has interest.

Adopted.

Bill passed its second reading, ayes 30, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Hoyle, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and White—30.

Those voting in the negative were:

Messrs. Austin, Dancey, Eppes, and Williamson—4.

H. B. 766, S. B. 842, bill authorizing the commissioners of Lincoln county to levy a special tax, passed its third reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Stewart, Taylor, Waddell, and White—30.

S. R. 868, resolution in favor of W. G. Galley, of Johnston county.

On motion of Mr. Everett, the resolution was laid on the table.

S. B. 671, bill to provide for the payment of debts due by Wilmington township, in New Hanover county, passed its third reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bryan of Duplin, Bryan of Pender, Caldwell, Dancey, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, King, Leach, Mathe-

son, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Ross, Scales, Shackleford, Stewart, Taylor and Waldo—28.

S. R. 870, resolution to provide for printing the captions of the acts and resolutions of this General Assembly, passed its several readings and was sent to the House without engrossment.

The President appointed Messrs. Bryan of Pender, Bull and Graham of Lincoln, on the Enrolling Committee.

S. B. 864, bill to amend an act to define false pretense, passed its several readings and was sent to the House without engrossment.

MESSAGE RECEIVED FROM THE HOUSE OF REPRESENTATIVES

asking the return of

H. B. 848, S. B. 790, bill to revise and consolidate the public school law, in order to correct the engrossed copy. The bill was returned accordingly.

H. R. 228, S. R. 857, resolution on adjournment, passed its several readings.

H. B. 42, S. B. 520, bill to extend the Raleigh and Augusta Air-Line Railroad, on second reading.

On motion of Mr. Leach, the bill was laid on the table.

H. B. 511, S. B. 966, bill for the internal improvement of Sampson county, passed its several readings.

H. B. 986, S. B. 852, bill to pay jurors of Edgecombe and Craven counties, passed its several readings.

H. B. 372, S. B. 857, bill to amend section 4, chapter 285, laws of 1876–'77, passed its several readings.

By consent, Mr. Caldwell introduced

S. B. 872, bill to amend an "act to prevent live stock from running at large in Rowan, Davie, Cabarrus and other counties," so as to embrace the county of Guilford. Placed upon the Calendar.

H. B. 491, S. B. 847, bill to authorize the commissioners

of Hertford county to levy a special tax, passed its third reading, ayes 28, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Caldwell, Dancey, Davidson, Eppes, Erwin, Everett, Graham of Lincoln, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Mitchell, Nicholson, Ormand, Redwine Respass, Scales, Shackleford, Snow, Stewart and White—28.

S. B. 659, bill to authorize the county of Person to subscribe to the Roxborough and ..... Railroad, passed its second reading, ayes 30, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Erwin, Henderson, Holleman, Hoyle, Leach, Matheson, McEachern, Mebane, Mitchell, Moye, Nicholson, Ormand, Respass, Scales, Shackleford, Snow, Stewart, Waddell, Ward, Williamson, and White—30.

H. B. 475, S. B. 447, bill to change a portion of the dividing line between Hertford and Bertie counties, on its second reading.

On motion of Mr. Mitchell, the bill was laid on the table.

The unfinished business of last night was taken up, being the motion of Mr. Davidson to reconsider the vote by which the Senate agreed to concur in House amendments to Senate substitute for

H. B. 930, S. B. 790, bill to provide for the support of the Penitentiary for the years 1879 and 1880. The motion prevailed, and the question recurring upon concurrence,

Mr. Davidson moved the Senate do not concur, and that a Committee of Conference be asked, which prevailed, and a message was sent to the House to that effect. Messrs. Dortch, Graham of Lincoln, and Caldwell were appointed a Senate branch of said Committee.

H. R. 221, S. R. 856, resolution concerning the Penitentiary Sunday School, passed its several readings.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. B. 848, S. B. 790, bill to revise and consolidate the common school law, which had been recalled by that honorable body for correction.

The consideration of the bill on its third reading was resumed.

Mr. Ward moved to amend:

Strike out in line 5, section 26, the word "may" and insert the word "shall;"

Upon which

Mr. Dancey demanded the ayes and noes, which were ordered, and the amendment was lost, ayes 11, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bull, Dancey, Eppes, Everett, Holleman, McEachern, Ormand, Ward, and White—11.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Dortch, Erwin, Graham of Lincoln, Harris, Hoyle, Leach, Lyon, Matheson, Mebane, Merritt, Mitchell, Moye, Nicholson, Redwine, Respass, Scales, Shackleford, Taylor, Waddell, Waldo, and Williamson—27.

Mr. Bull moved to amend:

Insert the following, to come after section 35:

"Sec. 36. The State Board of Education shall draw on the State Treasurer for a sum not exceeding ten thousand dollars, to be used in purchasing text books for the primary classes of the common schools. Such primary text books to be distributed to the poorer classes, at the discretion of the county boards of education.

Sec. 37. All books furnished by the State shall, when not in use, be placed in charge of the school committee of each district, who shall be held responsible for their safe return, when needed.

Lost.

Bill then passed its third reading, ayes 34, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Holleman, Hoyle, King, Leach, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Respass, Scales, Shackleford, Snow, Stewart, Waddell, Waldo, Williamson, and White—34.

Mr. Merritt moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table; the latter motion prevailed.

H. B. 618, S. B. 746, bill to incorporate the town of Mount Holly, in Gaston county, passed its several readings.

H. B. 462, S. B. 840, bill to prohibit the sale or exchange of produce between sunset and sunrise in the counties of Iredell, Rowan and Cabarrus, passed its several readings.

S. B. 579, bill to prevent the hauling of dragnets in the waters of Bay River and its tributaries, in the county of Pamlico, passed its several readings.

H. B. 638, S. B. 853, bill to incorporate Zion Wesley Institute, Cabarrus county, passed its several readings.

H. B. 835, S. B. 851, bill to incorporate Centennial Lodge, No. 96, Independent Order of Odd Fellows, of Toisnot, Wilson county, passed its several readings.

H. B. 928, S. B. 788, bill to amend title IV, chapter 1, section 16, of chapter 17, Battle's Revisal, in regard to limitations of actions, on its second reading.

Mr. Williamson moved to table.

Upon which Mr. Lyon demanded the ayes and noes, which were ordered, and the motion to table was lost, ayes 17, noes 19, as follows:

Those voting in the affirmative were :

Messrs. Alexander, Austin, Bledsoe, Caldwell, Dortch, Everett, Graham of Lincoln, Hoyle, Matheson, Mebane, Merritt, Nicholson, Scales, Stewart, Waddell, Williamson, and White—17.

Those voting in the negative were:

Messrs. Alston, Black, Bryan of Pender, Bull, Dancey, Davidson, Eppes, Erwin, Harris, King, Leach, Lyon, McEachern, Mitchell, Moye, Ormand, Redwine, Respass, and Taylor—19.

Mr. Dortch moved to amend:

"That this act shall not apply to any demand upon which suit shall be brought before the first day of January, 1880."

Mr. Leach moved to amend the amendment:

Strike out "first of January, 1880" and insert "first of July next."

Mr. Bryan of Pender demanded the previous question, which was sustained.

Mr. Leach's amendment was lost.

Mr. Dortch's amendment was adopted.

On division the bill failed to pass its second reading.

Mr. Henderson moved to reconsider the vote by which the bill failed to pass its second reading, and moved to lay that motion on the table.

Upon the motion to table the ayes and noes were ordered and the motion prevailed, ayes 22, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Eppes, Erwin, Gra-

ham of Lincoln, Henderson, Hoyle, Matheson, McEachern, Mebane, Nicholson, Redwine, Scales, Taylor, Waddell, and Williamson—22.

Those voting in the negative were:

Messrs. Alston, Austin, Black, Dancey, King, Lyon, Mitchell, Moye, Respass, Shackleford, and Ward—11.

S. B. 478, bill to amend chapter 83, private laws of 1874–'75, passed its several readings, and was ordered to be sent to the House without engrossment.

H. B. 957, S. B. 797, bill to change the times of holding the Superior Courts of Warren county and to allow two weeks therefor, passed its several readings.

H. B. 854, S. B. 838, bill for the relief of the sureties on the official bond of the late tax collector of the town of Fayetteville, passed its several readings.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. B. 906, S. B. 872, bill to define the line between the counties of Bladen and Columbus.

On motion, the rules were suspended and the bill taken up and passed its several readings.

S. B. 53, bill to authorize costs to be taxed and collected in trials had before a board of county commissioners in the several counties of the State, on its second reading, was, on motion of Mr. Austin, laid on the table.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. B. 1,009, S. B. 873, bill to amend section 1, chapter 1, acts of 1872–'73, and section 1, chapter 255, acts of 1876–'77.

On motion, the rules were suspended and the bill taken up on its second reading.

Mr. Snow offered an amendment, which was adopted. As amended the bill passed its several readings.

H. B. 757, S. B. 874, bill to incorporate the North Carolina Baptist Sunday School Convention, passed its several readings.

H. B. 839, S. B. 851, bill to repeal an act entitled an act to incorporate the town of Lillington, in the county of New Hanover, passed its several readings.

H. B. 836, S. B. 802, bill to incorporate Furniture Manufacturing Company, passed its several readings.

S. R. 539, resolution for the relief of Noah H. Rice, passed its several readings, and was ordered to be sent to the House without engrossment.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. B. 700, S. B. 873½, bill to relieve sheriffs in certain cases, and to prevent the sacrifice of property at execution sale. Placed upon the Calendar.

On motion of Mr. Dortch, the Senate went into an Executive session.

The Senate was called to order.

H. B. 273, S. B. 837, bill to serve notices to justices of the peace, road overseers and school committeemen by mail in lien of service by the sheriffs of the several counties, passed its several readings.

H. B. 700, S. B. 873½, bill to relieve sheriffs in certain cases and to prevent sacrifice of property at execution sale, taken up on its second reading.

Mr. Davidson offered an amendment, which was adopted.

Bill then passed its several readings.

S. R. 869, resolution in favor of the Engrossing Clerks and Enrolling Clerk of this General Assembly, on its second reading.

Mr. Erwin demanded the ayes and noes, which were ordered, and the resolution passed, ayes 19, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bull, Caldwell, Dancey, Davidson, Eppes, Henderson, Holleman, Leach, McEachern, Mebane, Mitchell, Nicholson, Redwine, Scales, Snow, Taylor, and Waldo—19.

Those voting in the negative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Erwin, Graham of Lincoln, Hoyle, Matheson, and Moye—9.

And was ordered sent to the House without engrossment.

S. R 871, resolution in favor of the Reading Clerks of this General Assembly, passed its several readings, and was sent to the House without engrossment.

H. B. 362, S. B. 853, bill to allow suits by or in behalf of infants to be prosecuted without payment of fees in advance and without giving security for the costs, was,

On motion of Mr. Henderson, laid on the table.

S. R. 874, resolution in favor of the Pages of the General Assembly was taken up.

Mr. Hoyle moved to amend:

"*Provided*, this sum be paid out of the *per diem* of the members of the General Assembly."

Lost.

On the adoption of the resolution,

Mr. Williamson demanded the ayes and noes, which were ordered, and the resolution was adopted, ayes 17, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Alston, Austin, Black, Bull, Caldwell, Dancey, Davidson, Eppes, Erwin, Henderson, Leach, Lyon, McEachern, Redwine, Snow, Taylor, and Ward—17.

Those voting in the negative were:

Messrs. Bryan of Duplin, Bryan of Pender, Graham of

Lincoln, Hoyle, Matheson, Mebane, Merritt, Moye, Nicholson, Scales, Stewart, Waddell, Williamson, and White—14.

H. R. 227, S. R. 875, resolution to pay the actual expenses of the Committee appointed to investigate the Western North Carolina Railroad, passed its several readings.

At three o'clock and ten minutes the Senate adjourned.

NIGHT SESSION.

March 12th, 1879.

The Senate met pursuant to adjournment.

Bills and resolutions upon the Calendar are taken up and disposed of as follows:

H. B. 131, S. B. 313, bill to repeal chapter 65, laws of 1876-'77, entitled an act for the removal of road exemptions in Clay county, passed its several readings.

H. B. 276, S. B. 534, bill to create two new townships in the county of Bladen, passed its several readings.

S. B. 375, bill to incorporate the town of Keyser, in the the county of Moore, on its second reading.

Amendments reported by the committee on Corporations were adopted.

Bill then passed its several readings.

H. B. 566, S. B. 742, bill to incorporate Yellow Mountain church in the county of Mitchell, passed its several readings.

S. B. 872, bill to amend an act to prevent live stock from running at large in Rowan, Davie, Cabarrus and other counties, so as to embrace the county of Guilford, was, on motion, laid on the table.

H. B. 937, S. B. 843, bill to provide for trial by jury in certain cases, passed its several readings.

H. B. 786, S. B. 809, bill for the relief of jurors in Buncombe county, was, on motion, laid on the table.

S. R. 862, resolution in favor of D. W. Furman and John C. Syme, Calendar Clerks of this General Assembly, passed its several readings and was ordered sent to the House without engrossment.

H. B. 117, S. B. 237, resolution to incorporate the Trustees of Macedonia Baptist church in the county of Transylvania, passed its several readings.

H. B. 376, S. B. 586, bill for the restoration of persons convicted of felony to the rights of citizenship, on its second reading.

Mr. Mebane moved to amend:

Strike out "two years" and insert "five years."

Aopted.

Mr. Lyon moved to amend:

Strike out "five years" and insert "ten years."

Lost.

On motion of Mr. Henderson, the bill was laid on the table.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that honorable body in corrected engrossed amendment to

H. B. ....., S. B. ....., bill to provide a suitable mansion for the Governor, &c., and had ordered the bill enrolled for ratification.

Also had concurred in Senate amendments to

H. B. 700, S. B. 873½, bill to relieve sheriffs in certain cases;

In Senate amendments to

H. B. 766, S. B. ....., bill to authorize the commissioners of Lincoln to levy a special tax, and had ordered the same enrolled for ratification;

And had appointed the following as the House branch of the Committee of Conference on

H. B. 731, S. B. ....., bill to amend the charter of the town of Concord, &c.: Messrs. Foard, Orchard, Ardrey, Brown of Mecklenburg, and Huffstetler;

Also announcing the concurrence by that body in Senate amendments to

H. B. 882, S. B. ....., bill supplemental to an act of the present session to prevent live stock running at large in Rowan, Davie and other counties, and had ordered the same enrolled for ratification;

Also had passed

H. B. 889, S. B. ....., bill to fix the number and regulate the manner of appointing the Board of Directors of the Cape Fear and Yadkin Valley Railroad Company, and transmitted the same to the Senate without engrossment;

Also had adopted the report of the Committee of Conference on the revenue bill, and transmitted the same to the Senate for concurrence. The report was concurred in, and the bill ordered enrolled for ratification.

S. B. 442, bill to aid in the completion of the Asheville and Spartanburg Railroad Company, on its second reading.

Mr. Davidson moved to amend:

Strike out in section 6 the words "the first day of July" and insert "the twenty-fifth day of December;" and insert after the word "eighty" the word "one;" amend by striking out section 7.

Adopted.

Bill passed its second reading and was put upon its third reading.

Mr. Alexander moved to amend:

"Strike out section 6,"

On which he demanded the ayes and noes, which were ordered, and the amendment was adopted, ayes 20, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Bryan of Duplin, Caldwell, Dancey, Erwin, Graham of Lincoln, Henderson, King, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Taylor, Waddell, Ward, and White—20.

Those voting in the negative were:

Messrs. Alston, Black, Bull, Davidson, Dortch, Eppes, Everett, Holleman, Redwine, and Stewart—10.

Mr. Alexander moved to table the bill, which prevailed.

CALENDAR.

S. B. 877, bill to repeal chapter 240, laws of 1874–'75, was, on motion, laid on the table.

H. B. 411, S. B. 666, bill to prevent the reckless destruction of fish in the various water courses of this State, passed its several readings.

S. B. 824½, bill to allow the drainage and clearing out of Reedy Fork creek and Haw river, on its third reading.

Mr. Scales offered a substitute, which was adopted.

Bill then passed its third reading, ayes 29, noes none, as follows:

Those voting in the affirmative were:

Messrs. Black, Bledsoe, Bryan of Duplin, Bull, Caldwell, Dancey, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Holleman, Hoyle, Leach, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Nicholson, Redwine, Scales, Snow, Stewart, Taylor, Waddell, Ward, and White—29.

The bill was sent to the House without engrossment.

By consent,

Mr. Harris introduced,

S. B. 888, bill to provide for recording the deed made by Elias Stallings to James Denby and Jacob Jones, commissioners for the Baptist society in Franklin county.

The rules were suspended, the bill passed its several readings and was sent to the House without engrossment.

H. B. 887, S. B. 876, bill to fix the number and regulate the manner of appointing the board of directors of the Cape Fear and Yadkin Valley Railroad, and for other purposes, on its second reading.

Mr. Caldwell moved to amend:

Insert at end of third line, "shall locate and construct the said road on the cheapest and most direct line between Fayetteville and Greensboro."

Lost.

Mr. Leach moved to lay the bill on the table.

Withdrawn.

Mr. Lyon demanded the previous question, which was sustained.

Mr. Alston demanded the ayes and noes, which were ordered, and the bill passed its second reading, ayes 24, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Davidson, Dortch, Erwin, Harris, Henderson, Holleman, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Nicholson, Scales, Taylor, Waddell, and Williamson—24.

Those voting in the negative were:

Messrs. Leach, McEachern, Stewart, and White—4.

Bill was put upon its third reading and passed, and was ordered enrolled.

Mr. Graham of Lincoln, from the committee of conference upon

H. B. 930, S. B. 790, bill to provide for the support of the

penitentiary for the years 1879 and 1880, submitted a report, which was adopted, and ordered sent to the House for concurrence.

S. B. 782, bill to regulate the attendance of superior court clerks at their offices, passed its several readings and was sent to the House without engrossment.

On motion of Mr. Scales a message was sent to the House requesting the return of S. B. 581, bill to prevent live stock from running at large in Mecklenburg county, and certain townships in Cabarrus county.

H. B. 695, S. B. 663, bill for the collection of taxes against the property of corporations, &c., &c., passed its several readings.

H. B. 447, S. B. 588, bill to punish the entering of dwellings in the night time otherwise than by breaking, passed its several readings.

H. B. 665, S. B. 627, bill to amend chapter 32, Battle's Revisal, entitled crimes and punishments, passed its several readings.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting engrossed House amendments to

S. B. 781, H. B. 1,016, bill for the better protection of pupils of the North Carolina Institute for the Deaf, the Dumb and the Blind, and for other purposes.

The amendments were concurred in, and the bill ordered enrolled for ratification.

Engrossed House amendments to

S. B. 367, H. B. 948, bill to enable the city of Wilmington to pay its present indebtedness.

The amendments were concurred in and the bill ordered enrolled for ratification.

A MESSAGE WAS RECEIVED FROM THE HOUSE

returning, according to the request of the Senate,

S. B. 581, H. B. 1,013, bill to prevent live stock from running at large in Mecklenburg county, &c. It was placed upon the Calendar.

H. B. 337, S. B. 850, bill to amend chapter 72, laws of 1874–'75, passed its several readings, and was ordered enrolled.

H. B. 758, S. B. 696, bill to incorporate Columbia Lodge, No. 132, I. O. G. T., passed its several readings.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. R. 247, S. R. 889, resolution in favor of certain witnesses in case of the State against George W. Swepson.

The rules were suspended and the resolution put upon its second reading.

Mr. Everett moved to lay the resolution on the table, upon which he demanded the ayes and noes, which were ordered and the motion to table was lost, ayes 15, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Alston, Bledsoe, Bull, Caldwell, Erwin, Everett, Holleman, King, McEachern, Mebane, Merritt, Mitchell, Scales, Taylor, and White—15.

Those voting in the negative were:

Messrs. Alexander, Austin, Bryan of Duplin, Bryan of Pender, Davidson, Dortch, Graham of Lincoln, Harris, Henderson, Hoyle, Lyon, Matheson, Moye, Nicholson, Stewart, Waddell, and Williamson—17.

Mr. Erwin offered an amendment, which was lost.

Mr. Austin demanded the previous question, which was sustained.

The ayes and noes being ordered on the passage of the resolution its second reading, the resolution failed to pass, ayes 11, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Bryan of Pender, Davidson, Dortch, Graham of

Lincoln, Harris, Hoyle, Lyon, Moye, Stewart, Waddell, and Williamson—11.

Those voting in the negative were:

Messrs. Alexander, Alston, Austin, Bryan of Duplin, Bull, Caldwell, Erwin, Everett, Holleman, King, Matheson, McEachern, Mebane, Mitchell, Nicholson, Scales, Taylor, and White—18.

On motion, at eleven o'clock and twenty minutes the Senate adjourned.

FIFTY-SIXTH DAY.

SENATE CHAMBER,
THURSDAY, March 13th, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House transmitting

H. B. 1,031, S. B. ....., bill to prevent the destruction of black fish in White Marsh in Columbus county. Placed on the Calendar.

H. B. 1,035, S. B. 892½, bill to farm out convicts to the Roxboro Narrow Gauge Railroad. Placed upon the Calendar.

Also announcing the concurrence by that body in Senate amendments to

H. H. 249, S. R. ....., resolution to pay certain witnesses.

Also, transmitting

H. B. 1,036, S. B. ....., bill to amend an act in regard to the charter of the town of Patterson. Placed on the Calendar.

H. B. 959, S. B. ....., bill to protect the fish interest of North Carolina. Placed on the Calendar.

The committee on Enrolled Bills reported as correctly enrolled:

H. B. 849, S. B. 811, an act to establish Normal Schools;

H. B. 424, S. B. 855, an act to amend chapter 163, laws of 1871–'72;

H. B. 173, S. B. 184, an act to extend the time to redeem land sold for taxes and bought by the State;

S. B. 431, H. B. 746, an act to incorporate Aurora Lodge, No. 108, I. O. G. T., of Warrenton, N. C.;

H. B. 722, S. B. 698, an act to incorporate Stonewall Lodge, No. 99, Independent Order of Odd Fellows;

H. B. 122, S. B. 318, an act to allow the citizens of Jackson county to pass through toll gates of Macon county free; also to allow the citizens of Macon county to pass through toll gates of Jackson county free;

H. B. 394, S. B. 139, an act to protect holders of policies in fire insurance companies in the State;

H. B. 792, S. B. 845, an act to amend section 156, chapter 32, Battle's Revisal;

S. B. 194, H. B. 514, an act to provide for the registration of certain deeds and other instruments of writing;

H. B. 43, S. B. 386, an act to incorporate the Bank of Asheville;

H. B. 713, S. B. 722, an act to incorporate the Ætna Gold Company of North Carolina;

H. B. 114, S. B. 530, an act to prevent the enticing of seamen from vessels;

S. B. 7, H. B. 218, an act to amend section 1, chapter 196, laws of 1876–'77;

S. B. 240, H. B. 453, an act concerning civil action for the recovery of debt contracted for the purchase of land;

S. B. 584, S. B. ..., an act to amend chapter 87, sections 34, 35, 36 and 37 of Battle's Revisal;

S. B. 786, H. B. 978, an act to repeal all and any acts or

parts of acts creating, recognizing or continuing in existence the Western Division of the Western North Carolina Railroad, and for other purposes;

H. B. 253, S. B. 852, an act to prevent the selling or giving away of spirituous liquors at public political speakings;

H. B. 912, S. B. 636, an act to incorporate the town of Manly Station, in the county of Moore;

H. B. 236, S. B. 846, an act to amend sections 2, 4 and 5, chapter 49, laws of 1876–'77;

H. B. 512, S. B. 859, an act to amend chapter 63 of laws of 1874–'75, it being the act to change the dividing line between the counties of Franklin and Granville;

H. B. 974, S. B. 858, an act to provide for convict labor on the Louisburg branch of the Wilmington and Weldon Railroad Company;

S. B. 524, H. B. 830, an act to prohibit fishing in Coneta creek, Pitt county;

H. B. 715, S. B. 963, an act to aid in the completion of the Asheville and Spartanburg Railroad;

S. B. 580, H. B. 805, an act to fund the floating debt of Edgecombe county;

S. B. 518, H. B. 896, an act to charter Thomasville and Albemarle Railroad Company;

S. B. 763, H. B. 909, and act to consolidate the towns of Winston and Salem, N. C.;

S. R. 192, H. R. 202, resolution to our Senators and Members in Congress, requesting them to procure an appropriation to make Lumber river navigable;

H. B. 784, S. B. 661, an act for the relief of land owners, whose land has been sold to the State for taxes;

H. B. 522, S. B. 591, an act to authorize the commissioners of Chowan county to levy a special tax;

S. R. 832, H. R. 233, resolution in favor of Principal Clerks of the Senate and House of Representatives;

H. B. 328, S. B. 576, an act for the more effectual punishment of horse stealing;

S. B. 148, H. B. 80, an act to incorporate the Pungo and Alligator Rivers Canal Company;

S. B. 396, H. B. 668, an act to ascertain and audit the debt of Cleaveland county;

S. B. 864, H. B. 1,010, an act to amend "an act to define false pretense;"

H. B. 932, S. B. 789, an act to provide for filling vacancies in boards of county commissioners;

H. B. 637, S. B. 773, an act to authorize Granville county to fund its debt;

H. B. 934, S. B. 860½, an act to submit the question of the sale of spirituous liquors to the voters in the town of Reidsville, Rockingham county;

H. B. 248, S. B. 791, an act to authorize the commissioners of Richmond county to levy a special tax;

H. B. 759, S. B. 688, an act to establish cotton weighers for the towns of Goldsboro, Kinston and Newbern;

H. B. 526, S. B. 744, an act to incorporate Smith Bridge High School Joint Stock Company of Macon county;

An act relating to roads and highways;

H. B. 714, S. B. 754, an act to incorporate the Globe Gold Company of North Carolina;

H. B. 983, S. B. 850, an act to amend an act passed at this session of the General Assembly entitled an act to prevent the desecration of the Sabbath day;

H. B. 985, S. B. 859, an act to authorize the Western North Carolina Railroad Company to contract for the building of certain bridges;

H. B. 844, S. B. 855, an act to protect fish in certain streams in the county of Duplin;

S. B. 658, H. B. 918, and act to incorporate the Roxboro and ..... Narrow Guage Railroad;

H. B. 739, S. B. 750, an act to provide commutation for Edmund D. Gaddy and W. Allen, disabled Confederate soldiers;

H. B. 292, S. B. 628, an act to amend section 3 and 4, chapter 80, Battle's Revisal;

Resolution in favor of D. W. Furman and John C. Syme, assistants to the Principal Clerks of the Senate and House of Representatives;

An act to amend the Constitution of North Carolina relative to the support of the Deaf Mutes, the Blind and the Insane of the State;

Resolution in favor of the Reading Clerks of the Senate and House of Representatives;

A resolution to print the captions of Acts and Resolutions of this General Assembly;

Resolution in favor of the Engrossing Clerks and Enrolling Clerk of this General Assembly;

An act to prohibit the sale of intoxicating liquors in certain localities.

The committee on Engrossed Bills reported as correctly engrossed:

Senate amendment to

H. B. 697, S. B. 753, bill to amend the charter of the town of Chapel Hill;

S. B. 579, bill to prevent the hauling of drag nets in the waters of Bay river and its tributaries in the county of Pamlico.

CALENDAR.

Bills and resolutions on the Calendar were taken up and disposed of as follows:

H. B. 697, S. B. 753, bill to amend the charter of the town of Chapel Hill, on its second reading.

Mr. Williamson offered an amendment, which was adopted.

Bill passed its second and third readings.

H. B. 754, S. B. 848, bill to facilitate the navigation of the streams of the State, passed its several readings.

H. B. 643, S. B. 607, bill to prevent the use of drags in New river, in Onslow county, and for other purposes.

Amendments reported by the committee on Fish an Fisheries were adopted.

Bill passed its several readings and was ordered sent to the House for concurrence in amendments, without engrossment.

S. B. 620, bill to establish the line between the counties of Beaufort and Martin, passed its several readings and was ordered sent to the House without engrossment.

H. B. 737, S. B. 743, bill to prevent the felling of trees and otherwise obstructing Angola river and Shelter creek, in Pender county, passed its several readings.

H. B. 359, S. B. 849, bill to authorize constables of towns and cities to serve civil warrants, passed its several readings.

H. B. 466, S. B. 854, bill to prescribe the rates of ferriage in Bladen county.

On motion of Mr. Graham, it was laid on the table.

H. B. 322, S. B. 844, bill to repeal chapter 160, public laws 1873 and 1874.

On motion of Mr. Graham, it was laid on the table.

H. R. 215, S. R. 858, bill to promote immigration and develop the lands of the State.

On motion of Mr. Graham of Lincoln, it was laid on the table.

A MESSAGE WAS RECEIVED FROM THE HOUSE

announcing the adoption by that body of the report of the conference committee on

H. B. 930, S. B. 790, bill for the support of the Penitentiary for the years 1879 and 1880, and had ordered the same enrolled.

S. B. 709, bill to establish the dividing line between the counties of Carteret, Pamlico and Craven.

On motion of Mr. Dortch, it was laid on the table.

S. B. 659, bill to authorize Person county to subscribe to the Roxboro and ——— Railroad, passed its third reading, ayes 26, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Alston, Black, Bledsoe, Bryan of Pender, Caldwell, Dancey, Dortch, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Moye, Nicholson, Repass, Snow, Taylor, Waddell, Ward, and Williamson—26.

Mr. Eppes voted in the negative.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

transmitting

H. B. 732, S. B. 890, bill for the benefit of Wm. H. Polson, Elisha Piland and Jas. T. Powell.

The rules were suspended, the bill taken up, and on motion, was laid on the table.

H. B. 1,031, S. B. 891½, bill to prevent the destruction of black fish in White Marsh, in Columbus county, passed its several readings.

H. B. 460, S. B. 841, bill for the benefit of jurors and witnesses in case of homicide, was

On motion of Mr. Graham of Lincoln, laid on the table.

S. R. 621, resolution of instruction to the Keeper of the Capitol, was on motion, laid on the table.

H. B. 489, S. B. 741, bill to incorporate the Rocky Mount Benevolent Aid Society, passed its several readings.

S. B. 564, bill to incorporate the Lutheran Chapel in Rowan county, passed its several readings.

S. B. 398, bill to establish a board of commissioners for the improvement of Trent river, was

On motion of Mr. Graham of Lincoln, laid on the table.

H. B. 95, S. B. 597, bill to allow the commissioners of

Craven county to work prisoners sentenced to the penitentiary for one year, passed its several readings.

S. B. 559, bill to restore the lost records in Burke county, was, on motion, laid on the table.

H. B. 155, S. B. 841, bill to repeal chapter 61, section 1, laws of 1872–'73, was laid on the table.

S. R. 825, resolution in favor of the pages of the General Assembly was laid on the table.

S. B. 490, bill to regulate fishing in Hannah's creek and Black Mingo in Johnston and Harnett counties, passed its several readings and sent to the House without engrossment.

H. B. 563, S. B. 594, bill to secure a better condition of the public roads in Granville county, was laid on the table.

H. B. 311, S. B. 842, bill to allow non-resident executors to take oath before commissioners of affidavits, was laid on the table.

S. B. 427, bill to incorporate the Historical and Scientific Society of Wilmington, passed its several readings and sent to the House without engrossment.

H. B. 740, S. B. 623, bill to amend chapter 152, of the acts of Assembly 1871 and 1872, passed its several readings.

H. B. 148, S. B. 652, bill for the speedy trial of criminals, was laid on the table.

S. B. 826, bill to commute and compromise certain claims against the State, was for want of time for consideration, laid on the table.

H. B. 163, S. B. 668, bill to create a sinking fund, was laid on the table.

On motion, the vote by which

H. R. 247, S. R. 889, resolution to pay certain witnesses failed to pass last night, was reconsidered.

Question recurring upon the passage of the resolution,

Mr. Dortch moved to amend, which was adopted, and the resolution then passed its several readings and was sent to the House for concurrence in amendment without engrossment.

S. B. 670, bill to be entitled an act to protect live stock in time of drought and fish in small streams, was on motion, laid on the table.

S. B. 584, bill to amend Battle's Revisal, chapter 48, was laid on the table.

H. B. 1,035, S. B. 892, bill to farm out convicts to the Roxboro Narrow Gauge Railroad, on its second reading.

Mr. Davidson offered an amendment which was adopted.

Mr. Nicholson offered an amendment which was adopted.

Bill then passed its several readings and was sent to the House, for concurrence in amendments, without engrossment.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. R. 242, S. R. 893, resolution of instructions to our Senators and Representatives in Congress.

The rules were suspended and the resolution passed its several readings.

Also,

H. B. 385, S. B. 894, bill to establish a Chamber of Commerce for Newbern, passed its several readings.

H. B. 857, S. B. 895, bill to amend chapter 129, private laws 1874 and 1875, passed its several readings.

S. B. 638, bill concerning the charges for freight by railroad and transportation companies, was laid on the table.

H. B. 261, S. B. 839, bill to remove the obstructions to the passage of fish and provide fishways, passed its several readings and was ordered enrolled.

S. B. 890, bill to prevent the felling of timber in Big fishing creek, in Warren county, passed its several readings and sent to the House without engrossment.

H. B. 1,034, S. B. 896, bill to provide for the constitutional amendment on the subject of the deaf mutes, passed its several readings and ordered enrolled.

H. B. 481, S. B. 624, bill to make Purvin's creek a lawful fence, was laid on the table.

H. B. 468, S. B. 740, bill to amend and act incorporating the North Carolina Border Railroad Company, passed its third reading, ayes 31, noes none, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Black, Bryan of Duplin, Bryan of Pender, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Everett, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Respass, Scales, Snow, Taylor, Waddell, and Ward—31.

And was sent to the House without engrossment for concurrence in the Senate amendment.

Leave of absence for the balance of the session was granted Mr. Holleman.

S. R. 892, resolution in favor of W. V. Clifton, passed its second reading. Upon the third reading of the resolution the ayes and noes were ordered and the resolution was adopted, ayes 23, noes 7, as follows:

Those voting in the affirmative:

Messrs. Alexander, Alston, Black, Bull, Dancey, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Lyon, McEachern, Mebane, Merritt, Moye, Redwine, Respass, Scales, Snow, Taylor, Waddell, and Ward—23.

Those voting in the negative were:

Messrs. Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Davidson, Hoyle, and Nicholson—7.

And was sent to the House without engrossment.

S. B. 897, bill to provide for engraving bonds and other expenses authorized under an act to adjust and renew a portion of the State debt, passed its several readings and was sent to the House without engrossment.

S. B. 90, bill to allow Solicitors to appear before grand juries, passed its second reading.

Upon third reading of the bill the ayes and noes were ordered and the bill passed, ayes 23, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Austin, Bledsoe, Bryan of Duplin, Bryan of Pender, Caldwell, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, Hoyle, King, Lyon, Matheson, Mebane, Merritt, Nicholson, Scales, Taylor, Waddell, Ward and Williamson—23.

Those voting in the negative were:

Messrs. Alexander, Black, Bull, Dancey, Mitchell, Redwine, and Snow—7.

And was sent to the House without engrossment.

S. B. 186, bill to amend section 31, Code of Civil Procedure, on second reading and lost.

S. B. 675, bill for the protection of inns and taverns, passed its several readings and sent to the House without engrossment.

S. B. 904, bill concerning servant hire in the capitol building, passed second reading; on third reading of the bill the ayes and noes were ordered and the bill passed, ayes 23, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Black, Bryan of Pender, Dancey, Davidson, Dortch, Eppes, Graham of Lincoln, Harris, Henderson, King, Matheson, McEachern, Mebane, Merritt, Nicholson, Respass, Scales, Snow, Taylor, Waddell, and Williamson—23.

Those voting in the negative were:

Messrs. Bledsoe, Bryan of Duplin, Bull, Erwin, Hoyle, Lyon, Redwine, and Ward—8.

By consent,

Mr. Davidson introduced

S. R. 905, resolution in regard to the General Assembly.

The rules were suspended, the resolution was taken up and on motion of Mr. Mebane, it was laid on the table.

H. B. 959, S. B. 898, bill to protect the fish interest of North Carolina.

Mr. King offered an amendment, which was adopted.

Mr. Davidson offered an amendment, which was adopted.

Bill passed its second reading.

On the third reading of the bill,

Mr. Respass called the ayes and noes, which were ordered, and the bill passed, ayes 26, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Alexander, Alston, Austin, Bledsoe, Bull, Caldwell, Dancey, Davidson, Dortch, Eppes, Erwin, Graham of Lincoln, Harris, Henderson, King, Lyon, Matheson, Mebane, Merritt, Moye, Nicholson, Scales, Snow, Waddell, Ward, and Williamson—26.

Those voting in the negative were:

Messrs. Black, Hoyle, and Redwine—3.

The bill was ordered sent to the House without engrossment.

H. B. 1,036, S. B. 906, bill to amend an act to amend the charter of the town of Pittsboro, passed its several readings and ordered enrolled.

On motion of Mr. Lyon, the Senate adjourned.

NIGHT SESSION.

March 13th, 1879.

The Senate met pursuant to adjournment.

By consent,

Mr. Henderson introduced

S. B. 907, bill to amend an act to prohibit the sale of spirituous liquors in certain localities, concerning Prospect church, Rowan county.

The rules were suspended, the bill passed its several read-

ings, and was ordered sent to the House without engrossment.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House announcing the concurrence by that body in Senate amendments to

H. B. 468, S. B. 740, bill to incorporate the North Carolina Border Railroad Company;

In Senate amendments to

H. B. 679, S. B. 753, bill to amend the charter of the town of Chapel Hill, and had ordered the same enrolled for ratification.

Also,

Concurred in Senate amendments to

H. B. 422, S. B. 806, bill to establish a Board of Newbern Harbor Commissioners, and had ordered it enrolled for ratification.

Also,

Concurred in Senate amendments to

H. R. 247, S. R. 889, resolution in favor of certain witnesses in the case of the State against George W. Swepson, and had ordered the same enrolled for ratification.

Had passed

H. B. 1,037, S. B. 908, bill to change the time for holding the courts in Buncombe and Madison counties, and ordered the same transmitted to the Senate without engrossment. Placed upon the Calendar.

Also, transmitting

H. B. 1,001, S. B. 909, bill concerning the internal improvement of Beaufort and Craven counties. Placed upon the Calendar.

By consent,

Mr. Davidson introduced

S. B. 910, bill prescribing the mode by which the People's

Building and Loan Association of Asheville may execute deeds, &c.

The rules were suspended and the bill passed its several readings and was ordered sent to the House without engrossment.

Mr. Scales introduced

S. B. 911, bill to remove the incurable from the Insane Asylum and provide for the curable.

The rules were suspended and the bill taken up on its second reading.

Mr. Snow moved to amend:

"*Provided*, nothing in this act shall be construed to allow a decrease of the number of patients in the Asylum; but it shall be the duty of the superintendent to receive from the several counties such patients from time to time as there may be room for, regard being had as near as may be to a *pro rata* distribution in proportion to the number of patients of the same character of disease in said counties respectively."

Adopted.

Bill then passed its several readings, and was ordered to be sent to the House without engrossment.

On motion of Mr. Scales the Senate adjourned.

FIFTY-SEVENTH DAY.

SENATE CHAMBER,
FRIDAY, March 14, 1879.

The Senate met pursuant to adjournment.

The Journal of yesterday was approved.

By consent,

Mr. Dortch introduced

S. B. 908, bill to incorporate the Cornelius Harnett Council Royal Arcana, located in the city of Wilmington.

On motion the rules were suspended, the bill passed its several readings, and was sent to the House without engrossment.

On motion of Mr. Scales, the Senate took recess until eleven o'clock.

The Senate was called to order at eleven o'clock.

MESSAGE FROM THE HOUSE

announcing the concurrence of that honorable body in Senate amendments to

H. B. 1,033, S. B. ....., bill to farm out convicts on the Roxboro Narrow Guage Railroad, and had ordered the same enrolled for ratification.

Also,

Announcing the appointment, by the Speaker of the House as the House branch of commissioners to examine accounts of Treasurer, under chapter 780, sections 69 and 70, Battle's Revisal, of Messrs. English, Lewis and Clarke.

The President announced as Senate branch of said commission Messrs. Waddell and Scales.

Also transmitting

H. R. ..., S. R. 909, resolution in favor of assistant clerk for extra services in copying Journals.

The rules were suspended and the resolution passed its several readings.

Also transmitting House amendment to

S. B. 262, H. B. 603, bill to change the time for holding the superior courts in the ninth judicial district.

The amendment was concurred in and the bill was ordered enrolled for ratification.

H. B. 1,001, S. B. 909, bill concerning the internal improvement of Beaufort and Craven counties, on its second reading.

Mr. Nicholson offered an amendment, which was adopted.

Bill then passed its reveral readings and was ordered to be sent to the House without engrossment.

H. B. 148, S. B. 652, bill for the more speedy prosecution of criminals, was, on motion, taken from the table, passed its several readings and was ordered enrolled.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. R. 243, S. R. ..., resolution to amend a resolution passed by the legislature of 1876–'77, in relation to certain repairs on the capitol grounds.

The rules were suspended and the resolution passed its several readings.

Also,

H. R. ..., S. R. ..., resolution in favor of the pages and employees of this General Assembly.

The rules were suspended and the resolution passed its several readings.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting a

Resolution postponing the hour of adjournment until two o'clock P. M., to-day.

The rules were suspended and the resolution was adopted.

Also announcing the concurrence by that honorable body in Senate amendments to

H. B. 1,001, S. B. 909, bill in regard to the internal improvement of Beaufort and Craven counties, and had ordered the same enrolled for ratification.

On motion the Senate took a recess for one hour.

The Senate was called to order.

Mr. Scales in the Chair.

The committee on Enrolled Bills reported as correctly enrolled the following acts and resolutions which were duly ratified and transmitted to the office of the Secretary of State:

An act to complete the indexing of records in the Secretary of State's office;

An act in relation to the city of Raleigh;

An act supplemental to an act entitled an act for the support of the penitentiary of North Carolina for the years 1879–'80;

An act to provide for the sale of insolvent judgments in favor of companies against defaulting officers;

Resolution in favor of W. W. Rollins;

Resolution to pay the actual expenses of the committee appointed to investigate the Western North Carolina Railroad;

Resolution in favor of Jesse Hathcock of Cabarrus county;

An act to amend the charter of the Charlotte and Fayetteville Railroad Company, chapter 40, laws of 1871-'72;

An act to incorporate Zion Wesley Institute, Cabarrus county;

An act to incorporate the town of Forestville, in the county of Wake;

An act to authorize the board of commissioners of Anson county to levy a special tax;

An act to provide a fund for the payment of jurors;

An act to prevent the felling of timber or otherwise obstructing the waters of Rockfish and Doctor's creek and other steams, in the county of Duplin;

An act to raise revenue;

An act to revise and consolidate the public school law of North Carolina;

An act to aid the completion of the Seaboard and Raleigh

Railroad, running from Williamston, in the county of Martin, through the counties of Martin, Pitt, Edgecombe, Nash, Franklin and Wake;

An act to incorporate the North Carolina Baptist Sunday School Convention;

Resolution in favor of Richard Clayton, tax collector of Chowan county;

Resolution providing for aid for the Orphan Asylum, at Oxford, North Carolina;

A joint resolution to amend a resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly and preparation and indexing of legislative documents, passed at the session of 1876-'77, and ratified the 12th day of March, A. D. 1877;

An act to incorporate Rising Hope Lodge, No. 1,800, G. U. of Odd Fellows, of Flemington, North Carolina;

An act to incorporate the Rockingham and Salisbury Railroad Company;

An act to amend the charter of the town of Farmville, Pitt county;

An act declaratory of the meaning of, and to amend the charter of the town of Reidsville;

An act to incorporate the North Carolina Coast Canal Company;

An act to incorporate the North Carolina and Virginia Christian Conference;

An act to pay jurors of Edgecombe and Craven counties;

An act for the relief of the sureties of John W. Mallett, late tax collector of Fayetteville;

An act to change the time of holding the Superior Courts in Warren county and to allow two weeks therefor;

An act to legalize the purchase of land for the Penitentiary;

An act to incorporate the Zion Hill Cemetery Company, Concord, North Carolina;

An act entitled an act to send by mail notices issued by

boards of county commissioners to justices of the peace, road overseers and school committeemen;

An act to repeal an act entitled an act to incorporate the town of Lillington in the county of New Hanover;

An act to reduce the costs of criminal prosecutions;

An act supplemental to an act to compromise, commute and settle the State debt, passed at the present session of the General Assembly;

An act to adjust and renew a portion of the State debt;

An act to incorporate the Tusquitte Methodist Church, South, in Clay county, N. C.;

An act to change the county of Martin from the second to the first judicial district, and the times of holding the courts thereof;

An act to authorize the board of education of Brunswick, Surry and Edgecombe counties to pay certain school claims;

An act to amend chapter 240 of the laws of 1874 and 1875, an act entitled an act to prevent discrimination in freight tariffs by railroad companies operating in this State;

An act supplemental to an act to amend section 8, chapter 255, laws 1876–'77, ratified February 27th, 1879;

An act to establish the State line between the State of North Carolina and the State of Georgia, between the counties of Macon, North Carolina, and Rabun, Georgia.

A MESSAGE WAS RECEIVED FROM THE HOUSE

transmitting

H. B. 953, S. B. ..., bill to prohibit the fishing with nets in —— creek, Pitt county.

The rules were suspended and the bill passed its several readings.

Also,

H. B. 954, S. B. ..., bill in relation to taking fish in Tranter's creek and Flat swamp, in Pitt and Martin counties.

The rules were suspended and the bill passed its several readings.

Also transmitting

H. B. 1,000, S. B. ..., bill to appoint additional trustees for Newton Academy, Buncombe county.

The rules were suspended and the bill passed its several readings.

The committee on Enrolled Bills reported as correctly enrolled the following acts and resolutions, which were duly ratified and transmitted to the office of Secretary of State:

An act to extend the corporate limits of the town of Concord, and to amend the charter of said town;

An act to authorize the commissioners of Lincoln county to levy a special tax;

An act to authorize the commissioners of Greene county to levy a special tax;

An act to apportion the convicts among the various works of internal improvement of the State;

An act to incorporate the trustees of Macedonia church, in the county of Transylvania;

An act to alter the constitution of North Carolina concerning the debt of the State;

An act to facilitate the navigation of the streams of the State;

Resolution in favor of D. S. Sides of Rowan county;

An act to repeal the law providing for the maintenance of lunatics outside the insane asylum;

An act to incorporate Centennial Lodge, Number 96, I. O. O. Fellows, of Toisnot, Wilson county;

Resolution concerning the penitentiary Sunday School;

An act to amend chapter 97 of Battle's Revisal, concerning the printing of the public laws;

An act to allow the commissioners of the county of Craven to work persons sentenced to the Penitentiary for one year upon the public roads and other works of said county;

An act to incorporate Yellow Mountain Church, in the county of Mitchell ;

An act to incorporate the Rocky Mount Benevolent Aid Society;

An act to provide for recording the deed made by Elias Stallings to James Denby and Jacob Jones, commissioners for the Baptist Society in Franklin county ;

An act to incorporate the Furniture Manufacturing Company ;

An act to amend chapter 152, of the acts of Assembly 1871-'72;

An act to prohibit the sale or exchange of produce between sunset and sunrise in the counties of Iredell, Rowan and Cabarrus;

An act to amend chapter 20, of the laws of 1874-'75, to protect the States' interest in railroads ;

An act concerning the out house of the Capitol ;

An act to relieve sheriffs in certain cases and to prevent the sacrifice of property at execution sales ;

An act to collect arrears of taxes in the county of Halifax ;

An act to define the line between Bladen and Columbus counties ;

An act to prevent the felling of trees in Angola and Shelter creeks in Pender county ;

An act amendatory of and supplemental to an act passed at the present session of the General Assembly and entitled an act to prevent live stock running at large in Rowan, Davie and other counties ;

An act to amend section 1, chapter 1, acts of 1872–'73, and section 1, chapter 255, acts of 1876–'77 ;

Resolution on adjournment ;

An act to regulate salaries and fees in certain cases ;

An act to empower constables to serve civil processes ;

An act to repeal chapter 65, public laws of 1876–'77, en-

titled an act for the removal of road exemptions in Clay county;

An act to amend chapter 285, section 4, laws of 1876–'77;

An act to authorize the commissioners of the town of Goldsboro to issue bonds to raise money for the erection of a market house and town hall, and to purchase a site therefor;

An act to prevent the destruction of the sea turtle, terrapin and marsh fowl on the sea-coast of Brunswick county;

An act to incorporate the town of Mount Holly in the county of Gaston;

An act to authorize the commissioners of Hertford county to levy a special tax;

An act to provide for and keep in repair the public roads of the State;

An act for the support of the Penitentiary and convicts for the years 1879 and 1880;

An act to prevent the destruction of black fish in White Marsh, in Columbus county, North Carolina;

An act to amend chapter 285, laws of 1876–'77, ratified March 12th, 1877;

An act for the internal improvement of Sampson county;

An act to incorporate the town of Roxboro in Person county;

An act providing for the engraving of bonds and other expenses authorized by an act passed at the present session of the General Assembly, entitled an act to adjust and renew a portion of the State debt;

An act to make Purvin's Creek, from the mouth of the same to the head thereof, a lawful fence;

An act to provide for the internal improvement of Craven and Beaufort counties;

An act to amend an act to prohibit the sale of liquors in certain localities, ratified the 12th day of March, 1877, concerning Prospect Church, in Rowan county;

Resolution in favor of Alfred Williams & Co.;

An act to change the boundary line between the counties of Wilkes and Ashe;

An act to establish the Board of Newbern Harbor Commissioners;

An act to cure irregularities in certain judicial proceedings wherein some or all of the defendants named in the summons were infants, idiots, lunatics or persons *non compos mentis;*

An act to amend chapter 72, private laws of 1874–'75;

An act to enable the city of Wilmington to pay its present bonded indebtedness, and to provide for its bonds maturing in the years 1879 and 1880;

Resolution in favor of W. V. Clifton;

An act to amend an act ratified the 12th day of March, 1879, to amend the charter of the town of Pittsboro, N. C.;

An act to incorporate the town of Saul's Cross Roads, in the county of Wayne;

An act to authorize the Treasurer of the State to exchange the stock of the State in the Albemarle and Chesapeake Canal Company for the bonds of the State (not special tax);

An act to amend sections 2, 3, and 89, of chapter 32, Battle's Revisal;

Resolution in favor of the Pages and colored keeper at the door of the Senate;

An act to amend the charter of the town of Chapel Hill;

An act to amend chapter 129, private laws 1874–'75;

An act to provide for the laying off of a road from Quaker Bridge in Jones county to a point near Tar Landing in Onslow county;

An act to incorporate the Wilmington, Wrightsville and Onslow Railroad Company and for other puposes;

An act to provide for submitting the proposition to amend the constitution of the State in relation to the support of the deaf mutes, the blind and the insane of the State to a vote of the people;

An act supplemental to an act creating the State Board of Health;

An act to drain certain lands in Lincoln county;

Resolution in favor of R. P. Howell;

Resolution in favor of assistant to Clerk of the House of Represenatives for extra services;

An act to appoint additional Trustees of Newton Academy, Buncombe county;

An act to create two townships in the county of Bladen;

An act for the protection of fish;

An act to farm out convicts to the Roxboro Narrow Guage Railroad;

An act to authorize the commissioners of Brunswick county to levy a special tax for the years 1879 and 1880;

An act to repeal chapter 59, private acts of the laws of 1876–'77, entitled an act to provide a suitable house for the Governor;

An act to regulate the fees of certain county officers in Pitt county;

Resolution in favor of certain witnesses in case of State *vs.* Swepson;

An act to incorporate the Cotton and Grocers Exchange of Raleigh, N. C.;

An act entitled an act to charter the town of Quhele, formerly Tilden;

Resolution of instruction to our Senators and Representatives in Congress to aid in an appropriation to deepen and widen the rivers and sounds of Eastern North Carolina;

An act to fix the number and regulate the manner of appointing the Board of Directors of the Cape Fear and Yadkin Valley Railroad and for other purposes;

An act to remove the obstruction to the passage of fish and provide for fishways;

An act to amend sub-section nine (9) section thirty-three (33), Code of Civil Procedure;

An act to secure convict labor for the purpose of making public roads in the counties of Beaufort and Pamlico;

An act for the collection of taxes against the property of corporations;

An act to allow the drainage and cleaning out of Haw river and Reedy Fork creek, in the counties of Guilford and Rockingham;

An act for the more speedy procurement of the right of way by the Winston, Salem and Mooresville Railroad Company, and for the better protection of land owners over whose land said road passes.

An act to amend chapter 140, laws of 1874–'75, and chapter 106, laws of 1876–'77;

An act to amend the charter of the town of Edenton;

An act to amend chapter 87, laws of 1866–'67, establishing a chamber of commerce for Newbern;

An act to incorporate the Beech Swamp Agricultural Canal Company;

An act to amend an act incorporating the town of Washington, North Carolina;

An act for the speedy trial of criminals;

Resolution in relation to certain repairs on the capitol grounds;

An act to charter the Ocean Fire Company of Washington, North Carolina;

An act to regulate pilotage over the bar of Ocracoke Inlet and over the Swash;

An act to punish the entering of a dwelling house in the night time other than by breaking;

An act to prevent the felling of timber in Big Fishing creek, in Warren county;

An act to restore to judgment debtors the homestead and personal property exemptions to which they were entitled prior to the 24th day of April, 1868;

An act to amend chapter 242 of the acts of 1876–'77;

An act to provide for trial by jury in certain cases;

An act to incorporate Columbia Lodge, No. 132, Independent Order of Good Templars;

An act concerning servant hire in the capitol building;

An act to change the time of holding the courts in the ninth judicial district;

An act supplemental to an act to allow Leaksville and other townships in Rockingham county to subscribe to the capital stock in a railroad;

An act for the better protection of the pupils of the North Carolina Institution for the Deaf and Dumb and the Blind from contagious diseases and for other purposes therein contained;

Resolution concerning the pages and other employees of the House;

An act explanatory of chapter 57, of Battle's Revisal;

An act concerning the taking of fish in the waters of Tranter's creek and Flat swamp in the counties of Martin and Pitt;

An act concerning the taking of fish in Grendell creek in Pitt county;

An act to incorporate Cornelius Harnett Council of the Royal Arcanas located in the city of Wilmington;

An act to incorporate the North Carolina Industrial Association;

An act to make the killing of live stock by the cars and engines running on railroads in the State indictable;

By consent, Mr. Respass introduced the following:

"*Resolved*, That the thanks of the Senate are hereby tendered to Hon. James L. Robinson, President of the Senate, for the impartiality and distinguished ability with which he has presided over the deliberations of this body, and that he will carry to his home the sincere wishes of the Senate for his success and happiness through life."

The resolution was unanimously adopted.

A message was sent to the House of Representatives informing that honorable body that the Senate was ready to adjourn without day.

A MESSAGE WAS RECEIVED FROM THE HOUSE

announcing the readiness of that body to adjourn without day.

The President, Mr. Robinson, (having resumed the chair,) then addressed the Senate as follows:

"FELLOW SENATORS:—Before closing the labors of the session of 1879, I desire to acknowledge the obligations I am under to Senators for their kind aid and support in dispatching public business, and to express my appreciation of the kind manner which you have seen proper to speak of my services and of me personally.

I trust each one of you may safely reach your families, and be spared for years of usefulness to your State.

I now declare the Senate adjourned *sine die.*"

J. L. ROBINSON,
President of the Senate.

ROB'T M. FURMAN,
Secretary of the Senate.

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