



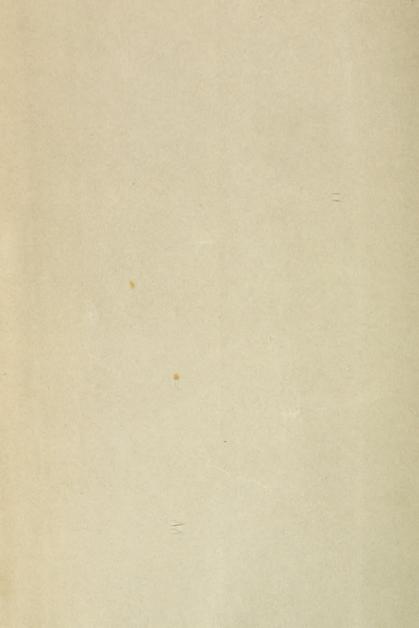
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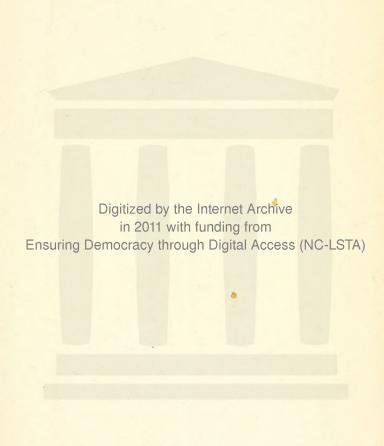
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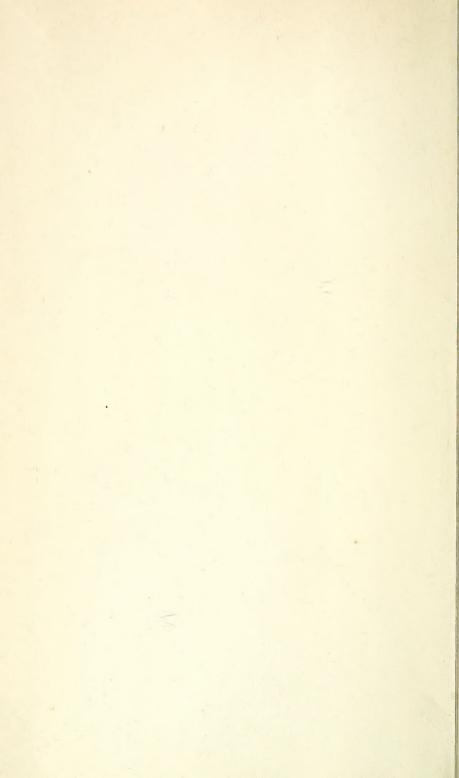
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# JOURNAL

OF THE

# SENATE

OF THE

# GENERAL ASSEMBLY

OF THE

# STATE OF NORTH CAROLINA,

AT ITS

SESSION OF 1889.

RALEIGH:

JOSEPHUS DANIELS, STATE PRINTER AND BINDER.
PRESSES OF EDWARDS & BROUGHTON.
1889.

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# SENATE JOURNAL, SESSION 1889.

# FIRST DAY.

SENATE CHAMBER, RALEIGH, January 9th, 1889.

In accordance with law, the General Assembly met this day at the Capitol, in the City of Raleigh, Hon. Charles Manly Stedman, Lieutenant Governor, presiding, and Robert M. Furman, Principal Clerk of the last Senate, acting as Clerk.

In calling the Senate to order, the President said:

"Senators:—It becomes my duty to direct the proper organization of this body, and to preside over its deliberations until the inauguration of the State officers elect.

During the short while I shall have the honor and pleasure to be with you, as far as in me lies I shall discharge the duties incumbent upon my position with equal justice to all.

You, I know full well, will act your part conscientiously and fearlessly, as representatives and citizens of our great commonwealth. The Senate will please come to order."

The following Senators presented themselves, with proper certificates of election, and were duly qualified, by taking and subscribing to the oath of office:

First District—W. P. Shaw and J. K. Abbott.

Second District—H. W. Stubbs and W. H. Lucas.

Third District—Benj. T. Copeland.

Fourth District—Thomas L. Emery.

Fifth District—Dred Wimberly.

Sixth District—Willis R. Williams.

Seventh District-R. W. King and James G. Sills.

Eighth District-George Green, Jr.

Ninth District—Benj. Brock.

Tenth District-Abner Robinson and B. F. Aycock.

Eleventh District-John Warters.

Twelfth District-Frederick B. Rice.

Thirteenth District-John N. Bennett.

Fourteenth District-Edwin W. Kerr.

Fifteenth District-J. F. Payne and Milton Campbell.

Sixteenth District-William L. Williams.

Seventeenth District-James H. Pou.

Eighteenth District—Thomas L. Banks.

Nineteenth District-Henry H. Falkener.

Twentieth District-Thomas H. Hughes and J. A. Long.

Twenty-first District-John W. Brown.

Twenty-second District—John W. Crawford.

Twenty-third District—A. L. Moore.

Twenty-fourth District—A. S. Holton.

Twenty-fifth District-James J. White.

Twenty sixth District-James T. LeGrand.

Twenty-seventh District—Robert E. Little.

Twenty-eighth District-Paul B. Means.

Iwenty-ninth District—J. S. Reid.

Thirtieth District—Thos. B. Bailey.

Thirty-first District—P. C. Thomas.

Thirty-second District-Edgar Leinbach.

Thirty-third District-William W. Hampton.

Thirty-fourth District-W. D. Turner and W. W. Barber.

Thirty fifth District—W. S. Farthing.

Thirty sixth District—S. B. Briggs and H. S. Blair.

Thirty-eighth District-John F. Leeper.

Thirty ninth District-T. B. Twitty.

Fortieth District-V. S. Lusk.

Forty-first District—M. C. Toms.

Forty-second District—L. J. Smith.

It appearing that a quorum of all the Senators elect was present, the Senate was declared ready to proceed with its organization.

Nominations for Principal Clerk being in order,

Mr. Williams of Pitt nominated Robert M. Furman, of Buncombe.

The Senate proceeded to vote as follows:

FOR MR. FURMAN:—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emery, Farthing, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—41.

Mr. Furman was declared duly elected.

Nominations for Reading Clerk being in order,

Mr. Kerr placed in nomination Mr. D. B. Nicholson, of Sampson County.

The Senate proceeded to vote as follows:

FOR MR. NICHOLSON—Messrs. Abbott, Aycock, Bailey Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emery, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—46.

Mr. Nicholson was declared duly elected.

Nominations for Door-keeper being in order,

Mr. King nominated Mr. W. V. Clifton, of Wake.

Mr. Lusk nominated Mr. Jacob Perkins, of Richmond.

The Senate voted as follows:

FOR MR. CLIFTON—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emery, Farthing, Hughes, Kerr, King, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pugh, Reid, Robinson, Shaw,

Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—35.

FOR MR. PERKINS—Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, LeGrand, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—14.

Mr. Clifton was declared elected.

Nominations for Assistant Door-keeper being in order, Mr. Thomas nominated Mr. James E. Oakes, of Alamance.

Mr. Pou nominated Mr. A. M. Noble, of Johnston.

Mr. Kerr seconded the nomination of Mr. Noble.

The Senate voted as follows:

FOR MR. OAKES—Messrs. Banks, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—12.

FOR MR. NOBLE—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emery, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—37.

Mr. Noble was declared elected.

Nominations for Engrossing Clerk being in order,

Mr. LeGrand nominated Mr. M. Bradshaw, of Randolph. The Senate voted as follows:

FOR MR. BRADSHAW—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emery, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland, Williams of Pitt—38.

Mr. Bradshaw was declared elected.

The oath of office was administered to the several officers elect, and they entered upon the discharge of their respective duties.

Mr. Leinbach moved a message be sent to the House of Representatives, informing that honorable body the Senate was duly organized and ready to proceed with business.

It was so ordered.

Mr. Williams of Pitt moved that a committee of two on the part of the Senate be appointed to unite with a committee to be appointed by the House of Representatives, to wait upon his Excellency the Governor, and inform him of the organization of the General Assembly, and of its readiness to receive any communication it may be his pleasure to transmit.

The motion was adopted, and the President appointed as the Senate branch of the committee,

Messrs. Williams of Pitt and Lusk.

Mr. Turner of Iredell offered the following resolution:

"Resolved, That the President of the Senate appoint a committee of three to draft and report Rules for the government of the Senate."

On motion of Mr. Turner of Iredell, the resolution was taken up and adopted.

The President appointed on said committee, Messrs. Turner of Iredell, Little and Thomas.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Payne, S. R. 1, resolution in relation to contested election cases. Placed on the Calendar.

S. R. 2, resolution for the appointment of a Joint Select Committee on Railroad Commission. Placed on the Calendar.

On motion of Mr. LeGrand, the Senate adjourned until to-morrow morning at 11 o'clock.

### SECOND DAY.

SENATE CHAMBER, January 10, 1889.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. King introduced

Resolution in regard to the inauguration of Governor Fowle, which was read the first time and placed on the Calendar.

Mr. Turner of Iredell introduced the following, which was adopted:

"Resolved, That the Rules of the last Senate be adopted for the government of this Senate until new Rules be adopted."

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Turner of Iredell, S. R. 3, resolution to raise a Joint Committee on Rules. Placed on the Calendar.

By Mr. Thomas, S. R. 4, resolution concerning the Blair Educational Bill. Placed on the Calendar.

By Mr. Turner of Iredell, S. B. 5, bill to allow the county of Iredell to fund her outstanding railroad bonds. Referred to the Committee on Finance.

By Mr. Williams of Pitt, S. B. 6, bill to reduce the legal rate of interest to six per cent. Referred to the Committee on Finance.

By Mr. Reid, S. B. 7, bill to amend section 1, chapter 17, Laws of 1887, incorporating the Biddle University, ratified February 8th, 1887. Referred to the Committee on Corporations. Mr. Means moved that ex-Representative McAllister and Mr. J. V. Pethel, of Cabarrus, be invited to seats on the floor of the Senate.

The motion prevailed, and Messrs. Means and Smith were appointed by the President to conduct the gentlemen to seats.

Mr. Leinbach moved that Mr. J. W. Goslin, of Forsyth, be invited to a seat on the floor of the Senate, which motion was adopted, and Messrs. Leinbach and Bennett were appointed to conduct the gentleman to a seat.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, informing the Senate of the organization of that honorable body, by the election of the following officers:

To be Speaker, Hon. Augustus Leazar, of the county of Iredell;

To be Principal Clerk, Thomas B. Womack, of the county of Chatham:

To be Reading Clerk, H. A. Latham, of the county of Beaufort:

To be Door-keeper, D. R. Julian, of the county of Rowan; To be Assistant Door-keeper, G. L. Kilpatrick, of the county of Lenoir;

To be Engrossing Clerk, W. T. Crawford, of the county of Haywood.

A message was also received from the House of Representatives, informing the Senate that Messrs. Sutton, Doughton and Temple were appointed a committee on the part of the House, to unite with the committee of the Senate to wait on his Excellency the Governor and inform him of the organization of the General Assembly.

On motion of Mr. King,

Resolution in regard to the inauguration of Governor Fowle was taken up, was adopted and ordered sent to the House of Representatives without engrossment.

Mr. Williams of Pitt, of Committee to wait upon his Excellency the Governor, reported the committee had performed the duty, and the Governor would send a message to the General Assembly at once.

### THE CALENDAR.

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

S. R. 1, resolution in regard to contested election cases, on its second reading.

Mr. Leinbach moved the resolution be referred to the Committee on Privileges and Elections; on which motion,

Mr Payne demanded the ayes and noes, which were ordered, and the motion to refer was lost—ayes 14, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Copeland, Falkener, Green, Hampton, Holton, King, Leinbach, Lusk, Rice, Thomas, Warters and Wimberley—14.

Those voting in the negative were:

Messrs. Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emery, Farthing, Hughes, Kerr, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland, and Williams of Pitt—33.

Mr. Thomas moved to amend by striking out that clause of the resolution that allows the non-seated member per diem and mileage; on which amendment,

Mr. Payne demanded the ayes and noes, which were ordered, and the amendment was lost—ayes 13, noes 35, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emery, Farthing, Hughes, Kerr, King, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—35.

The resolution then passed its second reading.

On motion of Mr. Payne, the rules were suspended and the resolution was taken up on its third reading.

On the passage of the resolution on its third reading,

Mr. Payne demanded the ayes and noes, which were ordered, and the resolution passed its third reading—ayes 34, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emery, Farthing, Kerr, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—34.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Green, Hampton, Holton, King, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

The resolution was ordered engrossed and sent to the House of Representatives.

S. R. 2, resolution for the appointment of a Joint Select Committee on Railroad Commission, on its second reading. Mr. Reid moved to amend:

"Strike out the words 'three' and 'five' where they occur, and insert in lieu thereof 'five' and 'eight.'"

Adopted.

As amended, the resolution was adopted and ordered sent to the House of Representatives without engrossment.

S. R. 3, resolution to raise a Joint Committee on Rules, on its second reading.

The resolution was adopted, and ordered sent to the House without engrossment.

The President appointed on the Senate branch of the Joint Committee on Rules,

Messrs. Turner of Iredell, Little and Thomas.

On motion of Mr. Kerr, the Senate adjourned until to-morrow morning at 11 o'clock.

# THIRD DAY.

SENATE CHAMBER, January 11th, 1889.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Marshall, of the city.

The Journal of yesterday was read and approved.

### PETITIONS.

Petitions and memorials were presented and disposed of as follows:

By Mr. Turner of Iredell, petition from citizens of Iredell County asking for the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

Mr. Toms offered the following resolution, which was adopted:

"Resolved by the Senate, that the Secretary of State be requested to furnish Senators with the two volumes of *The Code* and the Laws of 1885 and 1887, during the present session of the General Assembly."

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Emery, S. R. 8, resolution to pay clerks to the Board of State Canvassers. Placed on the Calendar.

By Mr. Leinbach, S. R. 9, resolution of instruction to our Senators and members of Congress, with regard to the internal revenue laws. Placed on the Calendar.

By Mr. Blair, S. B. 10, bill to regulate fees of solicitors in capital felonies. Referred to the Committee on Judiciary.

By Mr. Holton, S. B. 11, bill to amend chapter 29, Private Laws of 1887, entitled "An Act to Charter the Savings and Deposit Bank of North Carolina." Placed on the Calendar.

By Mr. Moore, S. R. 12, resolution in regard to the repeal of the internal revenue laws. Placed on the Calendar.

S. B. 13, bill to amend sections 2019 and 2021 of *The Code*, in relation to overseers of roads. Referred to the Committee on Judiciary.

By Mr. Thomas, S. B. 14, bill to repeal so much of the Laws of 1885 as provides for two terms of the Superior Court for Davidson County. Referred to the Committee on Judiciary.

By Mr. Lucas, S. B. 15, bill to prevent fraud in the sale of lands and chattel property under mortgage. Referred to the Committee on Judiciary.

By Mr. Green, S. B. 16, bill to provide a uniform system of text books for the Common-Schools of the State of North Carolina. Referred to the Committee on Education.

By Mr. Lucas, S. B. 17, bill to amend the election laws of North Carolina. Referred to the Committee on Judiciary.

By Mr. Leinbach, S. B. 18, bill for the relief of the Clerk of the Superior Court of Forsyth County. Referred to the Committee on Propositions and Grievances.

### THE CALENDAR.

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

S. R. 4, resolution concerning the Blair Educational Bill, on its second reading.

On motion of Mr. LeGrand, the resolution was referred to the Committee on Federal Relations.

By consent,

Mr. Lusk presented various papers and documents pertaining to the claim of Mr. Alexander M. Long to the seat now occupied in the Senate by Mr. S. T. LeGrand. Referred to the Committee on Privileges and Elections.

On motion of Mr. Holton, the rules were suspended, and S. B. 11, bill to amend chapter 29, Private Laws of 1887, entitled "An act to charter the Savings and Deposit Bank of North Carolina," was taken up on its second reading.

The bill passed its second and third readings, was ordered engrossed, and sent to the House of Representatives.

On motion of Mr. Moore, the rules were suspended, and S. R. 12, resolution instructing our Senators, and requesting our Representatives in Congress, to use their best efforts to secure the immediate and total repeal of the internal revenue taxes, was taken up on its second reading.

Mr. LeGrand moved the resolution be referred to the Committee on Federal Relations; on which motion

Mr. Thomas demanded the ayes and noes, which were ordered, and the motion to refer was lost—ayes 19, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Blair, Block, Crawford, Emery, Hughes, King, Keeper, LeGrand, Little, Long, Lucas, Payne, Reed, Sills, Stubbs, Williams of Cumberland and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Bennett, Brown, Campbell, Falkener, Farthing, Green, Hampton, Holton, Leinbach, Lusk, Means, Moore, Pou, Rice, Shaw, Smith, Thomas, Toms, Turner of Iredell, Twitty, Waters, White and Wimberly—26.

Mr. LeGrand moved to amend:

"Insert the words, 'repeal the entire system of internal revenue laws.'"

On motion of Mr. Payne, the resolution and pending amendment were postponed until to-morrow, and made the special order, immediately to follow the morning hour.

By consent,

Mr. Pou introduced the following, which was adopted:

Resolved, That the use of the office in the northwest corner of the Senate Chamber be granted to the Enrolling Clerk.

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

S. R. 9, resolution of instruction to our Senators and members in Congress with regard to the internal revenue laws was taken up on its second reading.

On motion of Mr. Payne, the resolution was postponed until to-morrow morning, and made special order, to be considered in connection with S. R. 12.

On motion of Mr. Emery, the rules were suspended, and S. R. 8, resolution to pay clerks to the Board of State Canvassers was taken up on its second reading.

The resolution passed its second and third readings, and was ordered to be sent to the House of Representatives without engrossment.

### ELECTION OF ENROLLING CLERK.

On motion of Mr. Means, a message was sent to the House of Representatives informing that honorable body that upon return of the message the Senate would proceed to ballot for Enrolling Clerk of the General Assembly, and asks concurrence therein.

A message was received from the House of Representatives announcing the readiness of that honorable body to proceed to the election of an Enrolling Clerk.

The President appointed Messrs. Means and Abbott tellers on the part of the Senate to superintend the election.

Nominations being in order, Mr. Means presented the name of Mr. J. M. Brown, of Stanly County.

Mr. Lusk presented the name of Mr. M. E. Robinson, of Madison county.

The Senate voted as follows:

For Mr. Brown—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emery, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—36.

FOR MR. ROBINSON—Messrs. Banks, Brown, Falkener, Green, Hampton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—11.

By consent,

Mr. Pou offered the following, which was adopted:

"Resolved, That the Senate shall meet at 10 o'clock A. M. on Saturdays, and 3 o'clock P. M. on Mondays."

#### REPORT OF TELLERS.

Mr. Means, of tellers to superintend the election of an Enrolling Clerk, reported:

# Mr. Brown received:

36 84	
120	"

# Mr. Benbow received:

In the House	34	votes.
In the Senate		"
Total	34	"

# Mr. Robinson received:

In the SenateIn the House		votes.
Total	_	"

Mr. Brown having received a majority of the votes cast, was declared duly elected.

The oath of office was administered to him by the President, and he entered upon the discharge of his duties.

### STANDING COMMITTEES.

The President announced the following committees of the Senate:

On Finance—Mr. Payne, Chairman; Messrs. Reid, Toms, Long, Leeper, Smith, Means, Abbott, Campbell, Moore, Turner of Catawba, Leinbach, Thomas and Rice.

On Military Affairs—Mr. Stubbs, Chairman; Messrs. Aycock, Emery, Reid, Leeper, Falkeuer and Green.

On Banks and Currency—Mr. Toms, Chairman; Messrs. Aycock, Abbott, Farthing, Briggs, Moore and Green.

On Engrossed Bills—Mr. Abbott, Chairman; Messrs. Stubbs, Campbell, Turner of Catawba, Smith, Leinbach and Hampton.

On Judiciary—Mr. Kerr, Chairman; Messrs, Pou, Means, Bailey, Turner of Iredell, Little, LeGrand, Barber, Stubbs, Payne, Leeper, Lucas, Green and Lusk.

On Corporations—Mr. Barber, Chairman; Messrs. Bailey, Pou, Means, Aycock, Lucas and Thomas.

Penal Institutions—Mr. Pou, Chairman; Messrs. Bailey, Twitty, Smith, Hughes, Green and Wimberly.

On Internal Improvements—Mr. Means, Chairman: Messrs. Long, Barber, Kerr, King, Campbell, Twitty, Stubbs, Lucas, Smith, Rice, Thomas and Green.

On Insane Asylums—Mr. Bailey, Chairman; Messrs. Kerr, King, Aycock, Turner of Catawba, Turner of Iredell, Means, Shaw, Stubbs, Williams of Cumberland, Blair, Holton and Banks.

On Agriculture, Mechanics and Mining—Mr. Williams of Pitt, Chairman; Messrs. Reid, Robinson, Emery, Aycock, Shaw, White, Hughes, LeGrand, Payne, Brown, Leinbach and Hampton.

On Claims—Mr. Campbell, Chairman; Messrs. Shaw, Brock, Smith, Briggs, Hampton and Warters.

On Salaries and Fees-Mr. Leeper, Chairman; Messrs. Briggs, LeGrand, Brock, Bennett, Lusk and Wimberly.

On Federal Relations—Mr. LeGrand, Chairman; Messrs. Williams of Pitt, Little, Moore, Smith, Farthing and Lusk. On Education—Mr. Shaw, Chairman; Messrs. LeGrand, Sills, Bennett, Reid, Campbell, Bailey, Toms, Lucas, Blair, Moore, Falkener and Leinbach.

On Insurance—Mr. Long, Chairman; Messrs. Toms, Sills, Le Grand, Thomas, Copeland and Brown.

On Deaf, Dumb and Blind Institutions—Mr. Reid, Chairman; Messrs. Bailey, Twitty, Hughes, Crawford, Copeland and Banks.

On Fish and Fisheries—Mr. Lucas, Chairman; Messrs. Abbott, Stubbs, Brock, Robinson, Copeland and Rice.

On Propositions and Grievances—Mr. Turner of Iredell, Chairman; Messrs. Long, Kerr, Robinson, Turner of Catawba, Warters, Thomas, Crawford, Pou and Hampton.

On Privileges and Elections—Mr. Little, Chairman; Messrs. Pou, Campbell, Briggs, Payne, Williams of Cumberland, Rice, Leinbach and Brown.

On Enrolled Bills-Mr. Little, Chairman; Messrs. Long, Sills, Blair, Thomas and Warters.

The President also announced the Senate branch of the Joint Committee on Public Buildings and Grounds—Mr. Smith, Chairman; Messrs White and Hampton.

Joint Committee on Election of Justices of the Peace—Mr. Emery, Chairman; Messrs. Barber and Brown.

Joint Committee on Library—Mr. Moore, Chairman; Messrs. Blair and Warters.

On motion of Mr. Kerr, the Senate adjourned until to morrow morning at 10 o'clock.

# FOURTH DAY.

SENATE CHAMBER, January 12, 1889.

Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Payne, petition of Croatan citizens of Robeson County. Referred to the Committee on Education.

The Committee on Engrossed Bills reported as properly engrossed:

S. R. 1, resolution in relation to contested election cases.

S. B. 11, bill to be entitled an act to amend chapter 29 of the Private Laws of 1887, entitled an act to charter the "Savings and Deposit Bank of North Carolina,"

Which was duly transmitted to the House of Representatives for concurrence.

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Payne, S. B. 5, bill to allow the county of Iredell to fund her outstanding railroad bonds, recommending it do pass.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting without engrossment

H. R. 61, S. R. 19, resolution assigning a room in the capitol building to the Engrossing Clerks of the House and Senate, which passed its first reading and was placed on the Calendar.

### MESSAGE FROM THE GOVERNOR.

A message was also received from the House of Representatives transmitting a message, with accompanying documents, from his Excellency, the Governor.

The message from the Governor were in words following, to-wit:

# Gentlemen of the Senate and House of Representatives:

You have assembled in obedience to the Constitution and laws, to take into consideration the wants and the welfare of the whole people. I welcome you to the Capitol of the State, and in discharge of the duty imposed upon the Governor by the same authority, I have the honor to submit my message:

# FINANCES.

### EDUCATIONAL FUND.

The receipts of this fund for the two fiscal years 1887 and 1888 are as follows: Fiscal year 1887, \$6,920.48; fiscal year 1888, \$11,403 01. The disbursements are as follows: Fiscal year 1887, \$5,524.21; fiscal year 1888, \$5,582.86. The available assets of the educational fund are \$99,250 of four per cent. State coupon bonds—proceeds of the funding of bonds and certificates under the act of March 4th, 1879, to compromise, commute and settle the State debt.

# PUBLIC FUND RECEIPTS.

The receipts of this fund for the fiscal years ending November 30th, 1887, and November 30th, 1888, are as follows: For 1887, \$850,177.70; for 1888, \$724,506.45. Deducting the special funds not constituting a part of the revenues, amounting, for the fiscal year 1887, to \$194,462, and for the fiscal year 1888, to \$208,816.67, and we have for the fiscal year 1887, \$655,735.70, and for 1888, \$515,673.78.

### PUBLIC FUND DISBURSEMENTS.

Deducting special amounts not provided for from the ordinary resources of the Treasury, and we have for 1887, \$607,734.83; for 1888, \$632,474.55.

### ESTIMATED FUTURE EXPENSES.

Given as a whole, \$713,550.

### ESTIMATED RESOURCES.

The whole value of personal and real property is \$217,700,000. A tax of thirty cents on every one hundred dollars' worth of property is \$604,395; add taxes collectible by sheriff under schedules B and C, \$30,000; taxes collected by sheriffs on incomes and under schedules B and C, \$28,000; revenue from all other sources, \$40,000—and we have \$702,395; add balance at close of fiscal year \$7,900—making \$709,395.

### BONDED DEBT.

Principal of the bonded debt recognized in the act of 1879, bonds issued before May 1861, at forty per cent, \$5,477,400; bonds issued during and since the late war, by authority of acts passed prior thereto, at twenty five per cent. \$3,261,045; bonds issued in pursuance of the funding acts of March 10th, 1866, and August 20th, 1868, at fifteen per cent \$3,888,600; total recognized debt, \$12,627,045.

Bonds have been exchanged as follows:

Class first, at forty per cent, \$1,925.900.

Class two, at twenty five per cent., \$2,591,045.

Class three, at fifteen per cent., \$3,197,000.

Total exchanged, \$10,753,945.

New four per cent. bonds have been issued as follow:

Bonds at forty per cent., \$1,970,360.

Bonds at twenty-five per cent, \$647,761.25.

Bonds at fifteen per cent., \$479,550.

Total new bonds issued, \$3,097,671 25.

Old fundable bonds not surrendered, are as follows:

Redeemable at forty per cent., \$551,500.

Redeemable at twenty five per cent., \$670,000.

Redeemable at 15 per cent., \$691,600.

Total amount of old bonds outstanding, \$1,913,100.

Amount of four per cent. consolidated bonds when all are exchanged, \$3,613,511.25.

Amount of six per cent. renewal bonds when all are exchanged, \$2,795,000.

Whole amount of bonded debt, \$6,408,511 25.

Of the old bonds issued in aid of the North Carolina Railroad, \$189,000 have not been surrendered for exchange. Of these the United StatesGovernment holds, \$147,000.

Unknown creditors, \$42,000.

Total, \$189,000.

At the last session of the Legislature, the Treasurer was authorized, with the sanction of the Governor and Auditor, to sell four per cent. bonds-as many as may be necessary-at not less than par value, and that he apply the proceeds to the payment of these outstanding six per cent. construction bonds, wherever found. At the passage of the act these four per cent. bonds were at par, but soon thereafter they commenced to fall, and now command in the market about ninety-one cents in the dollar. Being unable to sell at par, of course the proposition failed. I would recommend that so much of the law as requires that these bonds be sold at par be repealed, and that the Treasurer be authorized to sell them for such sum as by him, under the sanction of the Governor and Auditor, may be deemed best, and that the proceeds be applied, as heretofore, in payment of the North Carolina Construction Bonds, and they, in their turn, be exchanged for new construction bonds, and held as a fund to be applied to interest and principal of the consolidated debt.

The Auditor and Treasurer both concur in the opinion that, in order to meet the expenditures of the next two years, it will be necessary to levy a tax of thirty cents on one hundred dollars' worth of property. This has been rendered necessary by the loss of the drummers' tax, under a decision of the Supreme Court, believed to be applicable to our State, that the law was unconstitutional, and the reduction of tax in 1887 to twenty cents on the one hundred dollars' value of property; from these two causes the

public revenue has been reduced \$160 000. This decision only applied to drummers from other States, but it was evidently unjust to collect this tax from our merchants when all others were free of tax, so the whole tax has been suspended, by reason of the failure of the sheriffs to collect it. The case from this State is now pending in the Supreme Court of the United States, but it was underadvice of counsel, and by the suggestion of the judge, that all collection be suspended until the final decision. In the meantime I would ask the Legislature to suspend the collection of that tax as to our own people, and give to the sheriffs a legal sanction for failing to do what equity and justice seem to demand.

### PENITENTIARY.

It is suggested by the Treasurer that it is open to the Legislature, if in their wisdom they deem it proper to adopt it, to make the Penitentiary self-sustaining, and thereby reduce the estimates of taxation from thirty cents on the one hundred dollars' value of property to twenty five, or thereabouts. The Penitentiary, outside of its regular work, for which they receive compensation, is required to do a great deal without receiving a dollar therefor. There are over four hundred convicts on the railroads and in the swamps in the east, from whom no revenue is derived. They have done much work upon the Supreme Court room: upon the Capitol grounds; built a new stockade around the Penitentiary building, and added to the building itself; purchased a large number of carts and mules to work on the railroads; furnished three-fourths of a million of merchantable brick for the Agricultural and Mechanical College; furnished a granite base for a monument to be erected on the Guilford battle-ground. All this has been done at a cost of probably \$75,000. The work here done in value lacks only \$25,000 of the amount appropriated out of the Treasury for the Penitentiary per annum by the last Legislature. It would seem, therefore, that the appropriation out of the Treasury for the support of this institution has been returned in work to the extent of \$75,000, and that they should be credited with that amount.

I would renew the recommendation in my last message that the Legislature should appropriate a sum sufficient to cover all expenses of the institution, and that all the earnings be covered into the Treasury. Do this, and, with energy and good management, the institution can be made self-sustaining; and to this end, I would ask that the prison building be completed, and the needed shops and storerooms be erected; the necessary machinery, stock and tools be provided for, and the immediate establishment of such industries as may be thought necessary. The Architect and Warden earnestly advises this, and I concur with him, so that they may have constant employment for so large a force. Should not this be done, he adds that we may reasonably expect in a short time a large number of convicts will be returned to the Penitentiary without employment or shelter. There are now in the Penitentiary thirty-five between the ages of eight and fifteen years, and three hundred and sixty-five between the ages of fifteen and twenty. I have heretofore earnestly asked, and renew the request, that these young people be separated in their confinement from the hardened criminals, and thus afford some chance of reform.

I am glad to say that the death-rate has greatly diminished in the last two yerrs, and the health and condition of the prisoners show that this institution is in good hands, and is admirably managed.

### COLLEGE OF AGRICULTURE AND MECHANICAL ARTS.

In the spring of 1888 work was commenced on the main or Agricultural building. This is of brick, and the Penitentiary has furnished for this purpose, so far, 800,000, all

of which, except a few thousand retained to build an annex, are already in the main building. It is thought that this building can be completed by the coming summer, so as to open its doors for the reception of students. As this institution is intended for the benefit of all classes, I have been anxious to make the tuition free, or if not free, cheap enough to be within the reach of the poorer class of farmers and laborers. But the law, as it stands now, gives to each county as many free scholars as such county has representatives in the lower house of the Legislature. This will, of itself, give free tuition to as many as will attend for several years to come. It gives me pleasure to say that those in immediate control of the work are much to be commended for the attention given, and for the judgment displayed in the arrangement and style of buildings. It is a beautiful site, and I hope and believe it will prove an ornament to Raleigh and a blessing to the whole State.

### ASYLUMS.

It gives me great pleasure to state that the insane asylums are in fine condition, ably and well managed, and doing a grand work for humanity. I had the honor, in my last message, to recommend the necessity for more room and greater capabilities in behalf of the Eastern Insane Asylum at Raleigh. The number of insane now provided for in that institution is two hundred and ninety-two, and these are largely in excess of the capacity for which the asylum was originally designed. There are new in private families, poor-houses and jails, in said district, over eight hundred insane persons, who should have medical treatment, and that care and nursing which alone can be found in asylums properly equipped to that end. Many of these persons are in poverty, and are in frequent want of food and clothing. A few days ago, on his return from his cir-

cuit, I received from a distinguished and humane judge of the State, Hon. James C MacRae, the following letter, calling my attention to this subject:

RALEIGH, N. C., December 19th, 1888.

To His Excellency, Governor A. M. SCALES:

My Dear Sir:—Will you permit me to call your attention, in the interest of humanity, to that class of insane persons, whom I have found confined in the common jails and the county poor-houses throughout the State, on account of insufficient accommodation for them in the asylums for the insane provided by the State. I mean no reflection upon the management of those institutions, for I am persuaded that those in charge of them are doing all they can for the reception of patients; but I fear that the State has not made that provision for these most unfortunate persons which their number and necessities demand. I found a colored man confined in jail in Hyde County on a charge of assault and battery, who was declared a lunatic by the jury, and who I think might be cured by prompt treatment. I also found two persons confined in Beaufort jail, and was informed that two others were in the poor-house of that county, simply because they were insane.

Some of these may have been incurable—but surely, in this day and generation, other provision should be made for them than incarceration as common felons in the jails, or, what is almost as bad, in the poor-

houses of the counties.

I most sincerely trust that the enlightened representatives of the people, upon a presentation to them of the sad cases of these persons, will take such order that they may be cared for in the spirit manifested in our fundamental law.

I beg to call your attention also to the youthful criminals who are too young to send to the Penitentiary, and for whom it is difficult to make provision otherwise. A house of correction in connection with the Penitentiary, where they might be kept separate from the evil influence of older and more hardened offenders, might result in the reclamation from vice of many who would otherwise be lost to a life of virtue.

I am, Governor, most respectfully, yours, &c.,

JAS. C. MACRAE.

I thank him for the interest he has manifested, and commend his letter to your favorable consideration. The speediest and most economical mode of relief is to be found in the adoption of suitable plans for the enlargement of this asylum. I call your attention to the report of the Board of Directors for the term ending November, 30 h, 1886, which contains the plans proposed for such an emargement. The appropriation of \$38,500 annually for two years, according to this report, will provide for an additional wing which would accommodate two hundred and fifty additional patients, making the total capacity five hundred and fifty patients. This is based on the idea that brick and common labor will be furnished by the Penitentiary authorities free of charge. This enlargement has been earnestly asked by the distinguished Superintendent, by the able Board of Directors, by myself and my predecessor. In the interest of humanity, I renew most heartily and press upon you the importance of this recommendation.

The Morganton Asylum can accommodate from fur hundred and fifty to five hundred patients. The Directors ask for an appropriation of \$5,000 for 1889 and \$94,000 for 1890. They estimate the number of patients the first year at four hundred and fifty, and the second at five hundred. This is a per capita of only \$187,50. This is economical, and shows a determination on the part of the worthy Directors to do the work well for as little money as possible. The farm connected with this institution shows a net profit of \$1,496.60, and the shoe-shop a net profit of \$728.87. This work is not only serviceable to the convicts engaged, but is a high compliment to the management. The reports of all these institutions, with their recommendations, are herewith sent for your consideration.

# INSTITUTION FOR THE DEAF, DUMB AND THE BLIND.

I congratulate the State upon the steady growth and improvement of this well-managed institution. Its pupils have largely increased, numbering now about two hundred and eighty-seven—forty-seven more than at the last report. With this additional number of pupils, and the necessary

additional expense incurred, they have exceeded their appropriation only in the small sum of \$17.57. They ask for repairs and other articles they deem necessary, and especially do they ask for a hospital. The health of the institution, they report, has been good. Yet, in the event of an epidemic, for want of room, they allege that they would have to close the institution. I would respectfully refer you to their report for the facts upon which this request is based, that you may see that their recommendations are well founded and deserve your earnest consideration.

### PENSIONS.

By the law of *The Code*, chapter 45, and the Laws of 1885 and 1887, the State has acknowledged and attempted to meet the sacred obligations she owes to her disabled and destitute soldiers. The laws mentioned, though well intentioned, are wholly inadequate. By the acts and amendments of 1885 and 1887, the sum of \$30,000 was appropriated to a certain defined class of soldiers and widows of deceased soldiers, in the expectation that each entitled would receive the sum of thirty dollars.

The number of soldiers drawing pensions are 1,083; the number of widows drawing pensions are 2,625; total, 3,708; allowance for each soldier and widow, \$8.25. Number of soldiers held and not yet allowed, 181; number of widows held and not yet allowed, 443; total, 664. Total number receiving and not receiving pensions, 4,372. If all claims should be aboved, we have about \$7 each. This is wholly inadequate. The allowance under The Code, chapter 45, seems to have given satisfaction. I recommend that ample provisions be made at least to feed and clothe the soldiers who are both destitute and disabled, and the sum paid should be in proportion to the disability and destitution. North Carolina has commenced the work, and she can take no step backwards. Cost what it may, she must take care of

those soldiers who have been so disabled in her service that they cannot take care of themselves, and those who are the widows of soldiers who were killed in battle, and who are so destitute as to make State aid a necessity.

### STATE GUARD.

The State Guard is composed of four regiments, one battalion of colored troops, one company of cavalry, and the general staff, numbering as follows: First Regiment, 374; Second Regiment, 290; Third Regiment, 336; Fourth Regiment, 298; one battalion of colored troops, 100; one cavalry company, 41; general staff, 20; total, 1,459; average number of men in companies, 43.89 (this is an increase of over 2070); average attendance in the several companies at monthly parades, 34 men; increase during the year, 237 men.

Since my last message, the annual appropriation has been increased by an act of Congress from \$5,000, under the old law, to \$10,000. The old appropriation was paid to us in arms, accourrements and ammunition, so far as desired, and the remainder the States were allowed to draw, sell and convert into money, to be used by the Commander-in-Chief, under State law, in a way, in his opinion, that tended best to subserve the interest of the Guard. In this State the fullest power was conferred upon the Governor, with no other condition or qualification except that it was to be used for the Guard. To this fund we have been indebted for the money used in the State encampments held during the administration of my predecessor and myself.

Under the new law, while the amount has been increased, conditions have been annexed which are burdensome and inconvenient. The arms, the ammunition and all the equipments belong to the general government. The uniforms they wear not only belong to the general government, but they must be the same in all respects as that worn by

the soldiers of the United States. The States can dispose of nothing, commute nothing, and receive nothing in the way of money. The officers, before receiving anything for their companies, are required to give good bonds for the care and preservation and return of the property, or to account satisfactorily for their failure. There is, then, no hope of help from the United States, as far as the encampment is concerned. During this administration we have had two encampments, one at Asheville in 1886, and heretofore reported to the Legislature, and the other on Wrightsville Sound, near Wilmington, in July last. No one could have visited these encampments without reaching the conclusion that they are absolutely necessary to the efficiency, if not the existence, of the Guard. All the States have felt this, and hence all the States, without an exception, so far as I know, have provided for annual encampments, and made most liberal appropriations to that end. Without appropriations on the part of the State, the last encampment has been held. I therefore beg to renew my recommendation made to the last Legislature, that the sum of \$5 000 be appropriated annually to bring these men together for drill, discipline and recreation, and to learn the duties of camp life. The State already owes them much, and in these days of strikes, lawlessness and race troubles, the value of such a guard cannot be overestimated. Let us, then, give them this evidence of our appreciation, and they will repay the expense, in time to come, an hundred fold. We are greatly indebted to the railroads for the very generous abatements in rates of fare, which alone made it possible to hold the encampment, and to the good people of Wilmington and on the Sound for their great kindness and attention to officers and men. Your attention is most respectfully invited to the full reports of the officers of the State Guard, which are herewith submitted.

The United States proposes to give \$5,000 to any State that will provide for a permanent encampment, at some

suitable point on the coast, where the troops can have the benefit of artillery practice. It is believed, if the Legislature will authorize the Governor and his council to accept and take title deeds to any suitable tract of land that may be presented along the shore, to be held so long as it continues to be a permanent encampment, that there will be no difficulty in securing such a place, without one dollar's cost to the State; and I would especially recommend in such an event, that you provide that no intoxicating drinks should be sold within three miles of the encampment during the time the soldiers may occupy it. I desire further to renew my recommendation made two years ago, that the Adjutant General's salary be raised to \$1.500; that this is to be in full for all services, and that he be required to live in the city of Raleigh. I concur in the recommendation of the Inspector General that the four regiments of white troops be consolidated into one brigade, and that an officer bearing the rank of Brigadier General be selected and commissioned to command the same.

#### EDUCATION.

In my last message I had the honor of calling attention to the report of the Superintendent of Public Instruction, in which, among other things, he attached special importance to a longer term. In his present able report he uses the following language: "The great difficulty in making the schools satisfactory is found in the fact that the necessarily short term, with the amount of money now supplied, cannot command experienced teachers." I concurred with him then, and earnestly expressed the hope that means would be found and put in motion to accomplish this important result. I cannot add anything to what has so well been said by the Superintendent, but I desire to repeat with emphasis that part of my last message that has relation to this subject. The whole of the report, with its many

valuable suggestions, is eminently worthy of, and I trust will receive, your earnest consideration. The average length of the schools in the State is sixty-three days per annum, about three days more than in 1887; amount of money spent in 1888, including special graded school taxes, about \$700,000—a very small increase, but this could not be expected under the present laws; number of children is 580,810; whites, 363,982, and colored, 216,837; average attendance about 35 per cent.; enrollment 58 per cent.

## THE UNIVERSITY.

Your attention is invited to the very intelligent report of the treasurer of the University. Owing to the reductions made in its income by the last Legislature, the trustees found it necessary to cut down the number of teachers, as follows: One professor, at a salary of \$2,000; one with a salary of \$1,600, and one with a salary of \$1,200, and they were notified that their services would be dispensed with at the end of the collegiate year, ending August 15th, 1888, so that the pay-roll now stands as follows: \$22,700, which, with other expenses, must be met by the fixed income of \$20,248, receipts from tuition and escheats. Devoted as I am, and as I believe the great majority of the people are, to the University, I am glad to be able to say, in the language of the faithful officer of the treasury, Col. W. L. Saunders, "that in spite of its difficulties, the condition of this institution is full of hope and encouragement."

## THE PUBLIC HIGHWAYS.

In my inaugural address, four years ago, I called attention to the public roads of the country. I desire to repeat now, what I said then, for I regret to say there has been no improvement. Progress marks everything in North Carolina except our highways. They are little or no better,

upon the whole, than they were one hundred years ago. The system is a failure, yet there has been no amendment. For several months in the winter season all trade and traffic is suspended on account of the deep and miry condition of the roads, and even in the best of weather transportation is attended with much difficulty and expense. These roads, as they exist to day, are in the way of progress, check immigration, detract from the value of the lands, and diminish, to a great degree, the value and quantity of the products of the soil. There must be a change, and a radical change. Your honorable bodies are composed of a majority of those who till the soil, and know by actual experience the value of good roads to the farmer. I appeal to you to take the initiative in this great work. There is nothing upon which the country is so dependent; there is nothing which is more emphatically demanded by the people. If nothing else is done, this will fully pay, in the eyes of the people, all the expenses of the Legislature. Resort to taxation as far as may be necessary; make those who can't pay taxes work them out on the roads; press into service the convicts; adopt one, two, or all these plans. If not prepared to use convicts, use taxation and labor, and to such an extent as to force the accomplishment of the work.

## THE RAILROADS.

The State owns in great part two railroads, the North Carolina and the Atlantic and North Carolina. The North Carolina Road was chartered the 27th January, 1849, and runs from Charlotte, via Salisbury, Greensboro and Hillsboro, to Goldsboro, a distance of 222½ miles. It was leased to the Richmond & Danville Railroad for the term of thirty years from the 12th day of September, 1871, at the sum of two hundred and sixty thousand dollars per annum. It cost the State the full sum of \$3,000,000, and is now one of the best paying railroads in the State. It pays to the stock-

holders six per cent. on its stock, and the State is enabled thus to discharge, and has done so for twelve or fifteen years, her interest at six per cent., as it become due, on all her bonds issued to aid in the construction of the road without resorting to taxation. The amount paid is about \$180,000. The lease expires in the year 1901, having about twelve years now to run. If not crippled by bad legislation, and the occupation of her legitimate territory by other roads, which will be sure to drain the life-blood from her trunk-line and divert it to other channels, she will, for years to come, under good management, continue to prosper, and eventually, out of her earnings, pay a large part of the State's annual expenditures.

The Atlantic and North Carolina Railroad was chartered under similar provisions, with the exception that the State owns two-thirds of the entire stock instead of three-fourths, as in the other case. This road runs from Goldsboro, via New Berne, to Morehead City, a distance of ninety-six miles. It was built, and so declared, as an extension of the North Carolina Railroad, and was a part of the great system of improvements which is to bring the mountains in close connection with the Atlantic, and is the final consummation of what has been prophesied and devoutly wished for by our fathers years before. It passes through a rich and fertile country, and ministers to the wants and necessities of an intelligent, patriotic and cultivated people. There was nothing to hinder its success save the water-ways along its line, which themselves would have soon given way as competitors to the superior dispatch of the railroad. And yet it was not a success. From its completion to this day it has never paid one dollar of dividend, so far as I am advised. Its stock in 1885 was worth on the market from eight to ten dollars a share, and it had eked out a sickly existence—for all the years of its life up to that time without any permanent improvement or the means to effect it. During the last four years the road has greatly improved, and its condition is such as to attract attention and to command business. The stock, from eight to ten dollars, has gone up in the market to about twenty-two dollars, and not much to be had at this price. There has been, and will be, by the last of January, new steel rails on the road, its entire length from Goldsboro to Morehead City. Other improvements in bridges, road-bed and rolling-stock have been made, and equally marked and decided in their character. To effect all this the debt of the road has been increased, but the amount of interest paid is about the same. The bonded debt is now about \$325,000, and the floating debt will perhaps not exceed \$30,000, making the aggregate debt about \$355,000. The old debt, which was funded at eight per cent., has been recently refunded, as the old bonds become due, at six per cent.

The president and directors have been diligent, faithful and successful, and I tender to them and the other officers of the road my thanks for the great work accomplished.

If it should be desired, a more minute and detailed account of the work performed, and the condition of the road, will be gladly presented to your honorable body by the president.

All these facts indicate that in the near future a dividend will be paid, and if your honorable body should establish a Railroad Commission, by which traffic relations can be made fair and just between this road and the other roads of the State, Hyde County will furnish all the corn needed in North Carolina at reasonable rates. This corn, and other products along the line of this road, will be exchanged for the products of the Piedmont and mountain sections, and the State will thus furnish a market within her own borders for her own people.

In twelve years the lease of the North Carolina Railroad will expire, and the two roads, so necessary to each other, may be run under the same management as one grand trunkline of 322% miles. In any event, with traffic relations

with other roads, they become a splendid property in the hands of the State, and as such will contribute largely to the relief of the people in the payment of taxes. These two roads should never be severed. They were meant to be one, and it were as well to cut off the North Carolina Railroad at Durham or Hillsboro as to cut it off at Goldsboro. If sold or leased at all, let it apply to the whole road or none.

At the last session of the Legislature, upon my recommendation, a law was passed authorizing the building of branches as feeders to the main line, at such points as may be deemed advisable by the respective directors of the Atlantic and North Carolina Railroad and the North Carolina Railroad. I regard it as necessary, to protect their respective territories from the encroachments of other roads. I ask that convicts be furnished, to be fed and clothed by the people along the line, to assist in this work. I would earnestly renew this recommendation.

#### RAILROAD COMMISSION.

Four years ago, in my inaugural address, I said: "It is a source of regret that serious antagonisms exist between the railroad corporations and the citizens in their individual capacity. The corporations complain that in all matters of controversy between them and the individual citizen it is often difficult for them to get exact justice from the courts and juries of the country. On the other hand, the citizens complain that these corporations, chartered and often aided by the State as common carriers, for the common good, are allowed, without competition or the restraining influence of law, to levy taxes in the way of freight and fares at their pleasure, to the oppression of the citizens. They further complain that unequal and unjust discriminations are made by the railroads, as between individuals, companies, stations, towns and cities, and that the result of this discrimination

is to build up one city or locality at the expense of another, and to break down one set of men for the benefit of another. These are grave complaints on both sides, and there is doubtless much truth in them. When a railroad company is chartered it is made a person in law, and as such is entitled to all its privileges, rights and immunities given under the law, as much as the highest and most favored individual in the land. Say, if you will, that it has no soul, no sympathies, no affections, no ambition or aspiration beyond gain, still it is a child of the law, and in a land where law is supreme is entitled to all the power of the State to secure a fair trial and protection of every legal right. But while this is so, the citizens also have rights under the Constitution that must be equally recognized and protected. other common carriers, whether by land or sea, to a greater or less extent, are regulated and held within proper limits in all their exactions from the public by competition, but with railroads there is no competition, and if one is built now and then with any such view, it is soon destroyed by combinations for mutual profit. That this is a crying evil and calls loudly for a remedy is shown in the agitations on this subject for the last ten years, not only in the halls of Congress, but in all the State legislatures. That the Legislature has the power to control and regulate these corporations, and that it is their duty, if not done by the corporate authorities themselves, to remedy the wrongs, will hardly admit of a doubt. The great question, and the one that presents the only difficulty to my mind, is how shall a law be framed so as to meet the difficulty fully, and at the same time save to the railroads whatever of right and privilege is necessary to their preservation and legitimate profit? These corporations best understand their business, and are certainly best qualified to know what should be done and how to do it. They cannot fail to see that something must be done. The people are aroused and determined. Congress and the legislatures but reflect the will of the people and the profound interest they feel in the subject. Will they do it? The wisdom which looks to the best interests of the roads, the good of the people and to the harmony and good feeling between these clashing interests, demand it. But if they fail, and nothing is done, the agitation will go on increasing day by day until the people will force from unwilling hands that justice which, if voluntarily granted, would have been gladly accepted in a spirit of compromise, leaving no sting behind.

The time has come when some step should be taken. The people demand it; and their Senators and Representatives have been selected to this end. Every State in the Union, except ten, to-wit: Delaware, Florida, Louisiana, Maryland, Nevada, Oregon, Tennessee, Texas, West Virginia and North Carolina, have appointed Commissioners and enacted laws to regulate the carrying trade of the railroads in the borders of the different States; and the United States, by an Act of Congress, has undertaken to regulate commerce—as they have a right to do—between the States. The force of these examples is seen and felt, and the time is not remote when all the remainder of the States will wheel into line and demand such action as will be just and fair to the railroads and to the people.

I would recommend:

First. That you seek to prevent discriminations between individuals.

Second. To secure reasonable rates.

Third. To prevent discriminations between localities, so that the charge for a short haul will not be greater than for a longer one which includes the shorter.

Fourth. To prevent rebates and drawbacks, which are but covers for improper discrimination.

Fifth. To prevent pooling or combination with other roads.

Sixth. To give publicity to all rates.

These should form the main purposes of legislation—and form the great objects of the bill as amended and adopted by Congress. This being the law, then, to regulate all interstate commerce, it is desirable, as far as practicable, that it should obtain in the States, so that there may be uniformity and harmony between the United states and the several States.

I would also recommend a commission of three wise, patriotic and unprejudiced men, with salaries sufficient to render them independent, and enable them to give their whole time to the work.

It is exceeding difficult to so frame a bill as to meet every case, without unduly interfering with, if not crippling, the railroads. I would, therefore, recommend that power be given to the Commission to consider and adjust all questions of freights and fares, as well as other controverted questions which may arise between the different railroads themselves, or between the railroads and the citizens.

This whole question is yet within the domain of experiment—the law is very unsettled and imperfect, and such power given to the Commission, with proper restrictions, would, I apprehend, by actual experience, gradually work out a just, impartial and beneficent law. This Commission should be selected with great care; they should be men of first-rate intelligence, practical knowledge, incorruptible integrity and judicial fairness.

I would also suggest that the law, chapter 108, Laws of 1885, be repealed, and that hereafter no more railroads should be built, except permission be granted by the Commission, or by the Legislature. The State having granted a charter, owes it to herself, the railroads and the citizens, that no other charter be granted in the same territory, the tendency of which, through feelings of rivalry and resentment, would be not simply to encourage competition, but to destroy both railroads. Much property has been wasted and destroyed by the law as it now stands, and I trust that

this protection will be granted. In this connection, I would also ask that all further consolidations of railroads within the State with other railroads be prohibited, except by consent of the Legislature. This whole question in relation to railroads is one of high importance. The railroads are persons under the law; they are the foundation of all progress and wealth of the State; cripple them and you cripple the State; take care of them and you build up the State. Let your whole action be calmly, slowly, but wisely considered, and I doubt not that action will result in fair, wholesome and just law for the citizen and the railroad.

### NORTH CAROLINA AGRICULTURAL STATION.

Owing to recent legislation, the resources of this institution, together with those of the remainder of the Department of Agriculture, were seriously curtailed. In consequence of this, several branches of the Experiment Station were at that time reduced, and the consequent capacity for usefulness. Experimental work in the field, which is such a necessary attendant to similar research in the laboratory, had to be entirely discontinued. However, after several months had elapsed since the reduction took place, an Act of Congress, known as the Hatch Act, for the purpose of inaugurating and aiding in the establishment of Agricultural Experiment Stations in the various States and Territories, was passed by the general government. Anterior to the passage of this act, the Legislature of 1887 accepted such funds on the part of this State, and gave the whole amount for the maintenance of the North Carolina Agricultural Experiment Station. Our Station commenced to receive this fund in March of 1888-too late, however, to begin active operations in the field for that year.

These funds from the United States (\$15,000) caused the Experiment Station to be able to enlarge its operations, and to begin work not heretofore attempted. A short time was

lost on account of the delay in securing the proper workers for the various branches of the Station, but with the preparations already commenced, and with the equipments already on hand the Station expects to commence investigations, and do work of such a nature as will prove of lasting benefit to our people, and, too, since the funds for this work are supplied by the United States without cost to the State.

The work of the Experiment Station in the past, in the analysis and publication of fertilizer analyses, has proven of incalculable value in the prevention of fraud in the sale of commercial fertilizers, and of the adulteration of other fertilizing ingredients. Facilities have been arranged by which these fertilizer analyses can be completed and published much earlier than heretofore, so that the farmers can use these analyses in the purchase of their spring goods.

In furtherance of the object of the act donating the funds from the United States, this State has expended, and will expend, this money, for the sole purpose of conducting true experimental investigations and other work, for the benefit of practical agriculture, referred to in Hatch Act.

#### THE OYSTER SURVEY.

The survey of the oyster beds, and the investigation of the waters of the State with reference to oyster culture, authorized by the General Assembly, has been prosecuted by the Board of Agriculture, in conjunction with the United States Coast and Geodetic Survey, and the work is now nearly completed. The results obtained are both important and gratifying. An area of over 1,000,000 acres has been examined, and of this territory of 583,000 acres are reported as being suitable for either growing or cultivating oysters. The natural oyster beds of Pamlico, Core and Bogue Sounds and their tributaries, and of New and White Oak Rivers, have been located and defined. The aggregate area of these beds is 8,591 acres. Several hundred thousand determina-

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tions of the character of the bottom and water have been made, and a large amount of other valuable information in relation to the physical characteristics of the waters of the State has been secured. Maps of large scale, covering the area comprised in Pamlico Sound and its tributaries, Core Sound, Bogue Sound, and the White Oak and New rivers and tributaries, have been constructed.

Large maps, showing the various public grounds, have also been furnished the several boards of county commissioners. On all the maps are shown the limit of entry by non-residents, the county lines, the natural oyster beds, the public grounds, the private grounds, the depth of water, the character of bottom, the position and names of signals used, and the contour of the shores and general topography of the land immediately adjacent to the coast. Descriptions of the "Public Grounds," or the areas so designated by the Board of Commissioners of Shell-Fisheries, in accordance with the provisions of chapter 119, Laws of 1887, have been furnished the Shell-Fish Commissioners. Of the 472 entries of oyster ground made under the authority of the new law, 313 have already been located without cost to the applicants, beyond the actual expense incurred. The preliminary report on the work, submitted by Lieutenant Winslow, in January, 1887, has been revised, and to a great extent re-written, and will shortly be published.

The expenditures for the fiscal year ending November 30th, 1888, have been \$710.46. The entire cost of the survey, from October, 1885, to November 30th, 1888, a period of over three years, has been but \$4,037.55. In accomplishing results of less importance, though of similar character, the State of New York has expended nearly \$30,000, and the State of Connecticut nearly \$70,000. The economy of the operation in the case of North Carolina has been due to the cordial co-operation of the United States Coast Survey in the work, and the State is under great obligations to Mr. Thorn, the Superintendent, for the assistance thus afforded.

THE REPORT OF THE BOARD OF COMMISSIONERS OF SHELL-FISHERIES, AND THE OPERATION OF THE NEW OYSTER LAW.

The "Act to promote the cultivation of shell-fish in the State," ratified February 28th, 1887, has been put in operation with gratifying success. In accordance with its provisions the Board of Agriculture elected Messrs. W. J. Griffin, of Pasquotank County; I. B. Watson, of Hyde County, and W. T. Caho, of Pamlico County, as members of the Board of Commissioners of Shell-Fisheries. This Board proceeded to determine the locations and areas of the public grounds, or grounds excepted from entry, and completed their labors in June last. Two hundred and eight public grounds, comprising an area of 20,553 acres, were defined, and the decision of the Commissioners published, as required by law. The decisions have been generally acceptable to the people, but two protests having been made to the Board, and no appeals from their findings having been made to the courts. Since May 1st, 1888, 472 entries of oyster ground have been made, divided as follows: In Dare County, 43; in Hyde County, 339; in Carteret County, 90. The total area entered is approximately 53,000 acres. Of the 427 applicants 68 are residents of other States, and 404 of North Carolina. Additional entries are being made, and there is no prospect of a diminution of the demand in the immediate future. These lands, when they become productive, will yield in taxes, about \$10,000 per annum, and will afford employment to large numbers of people. The direct return to the State as proceeds of sales will probably exceed \$12,-000. For details regarding the work of the Commission, attention is called to their Report.

Considering the success which has attended the operations of the act, it would seem advisable to extend its provisions to the remaining waters of the state suitable for oyster-growing. At present Roanoke Sound, the greater

part of Cedar Island Bay, Core and Bogue Sounds and the waters to the southward and westward of Bogue Inlet, are subject either to special acts or to the old general law (section 3390 of The Code), operating on this question. In neither case has any advance in the oyster industry occurred or any advantage resulted to the State, the public or the locality. On the other hand, the adoption of the new principle and more liberal policy has led to a great extension of the productive area and the promise of returns, of considerable direct and indirect value. It is, therefore, recommended that the principle be extended by suitable legislation to remaining waters of the State. The Shell-Fish Commissioners suggest the extension of the area open to nonresidents. Citizens of other States cannot, at present, enter territory within two-miles of the shore. It is necessary for oyster-growers to have some bottom along the coast and adjacent to the packing-houses and canning establishments, and it is therefore suggested that any person entering tracts beyond the two-miles limit should have the privilege of entering, in addition, ten acres within that limit and adjacent to his place of business. This suggestion is reasonable, and is recommended for adoption. Experience has shown that the belt of territory lying between the two-mile line and a line drawn about a half mile from shore is practically removed from entry. The difficulty can be obviated by permitting larger entries than ten acres of this territory, it being impossible to accomplish anything on so small tract as ten acres when it lies so far from land.

The Commissioners of Shell-Fisheries have completed all the more important labor assigned to them. The remaining functions of the Board are merely the appointment of engineers and clerks and the keeping of records. It does not appear that these are duties of sufficient importance to occupy a separate body, and the Commissioners suggest the abolition of the Board, and the transference of its remaining duties to one of the existing offices of the State. This suggestion is concurred in. As the office of the Secretary of State contains all the original land records, and also will contain the records of the grants of shell-fish franchises it will save duplication of records to make the proposed transfer to that office and confer upon the Secretary of State the remaining duties of the Shell fish Commissioners.

Considering the insignificant condition of the oyster industry prior to the oyster investigation and the passage of the new oyster law, there can be no doubt that both measures have produced results of great benefit. The cost of the survey has been insignificant and the act has been put in operation with but little expense to the State, the Shell-Fish Commissioners having served without pay. In consideration of the time and attention they have given to their duties, and the important results obtained, a resonable compensation should be allowed the members of the Commission, and an appropriation for that purpose is recommended.

With an extension of the principle of the present law to additional areas, and with a general policy of encouragement, the oyster industry of North Carolina will reach great prosperity. To reach that point as soon as possible should be the aim, as it will require the effort, of every good citizen.

# STATE BOUNDARY LINES.

On February 10th, 1887, I had the honor to send in a special message to the General Assembly of that year, in reference to the settlement of the boundary lines between the States of North Carolina and Virginia, in the counties of Gates, Camden and Currituck; between this State and the State of Tennessee, from Indian Gap Grove to the point where the Jonesboro & Asheville road crosses Bald Mountain; also the line between the county of Mecklenburg, in this State, and the State of South Carolina. These last two

have changed in no respect since that message. I wrote to His Excellency, the Governor of South Carolina, several times, asking his co-operation in settling the line between South Carolina and North Carolina, but nothing has been done. There are two surveys of the line at present, one by North Carolina and one by South Carolina, and so it must remain until South Carolina will arbitrate the matter, or join us in a new survey.

No further proposition has been heard from Tennessee, and our Commissioner, the Hon. James Gudger, is confident that the line is as claimed by him. The survey between North Carolina and Virginia, in the counties of Currituck, Camden and Gates, has been completed, and I herewith submit the report of the Commissioner, the Hon. W. D. Pruden, to which your attention is invited. The cost, for which each State was equally bound, was \$5,191.50, one-half of which was borne by the State of North Carolina—\$2,595.75; add pay of Engineer H. T. Greenleaf, \$5 per day, \$485, and pay of Commissioner Pruden, \$520. Total cost to North Carolina, \$3,600.75.

The State of Virginia failed to provide fully for her share of the expense as it arose, and it became necessary to stop the work until she should do so, which would have entailed large additional cost, or, for North Carolina to advance what was necessary for that State. Upon the recommendation of the commissioner of North Carolina, the Hon. W. D. Pruden, I advanced for the State of Virginia the sum of \$758.88. It was understood that North Carolina would be re-imbursed this money in a few days. Our Commissioner applied for it, according to the understanding between the Virginia Commissioner and himself, but failed to get it. I wrote to Governor Lee twice in regard to it, and his reply was that the Legislature of Virginia had made a mistake, and failed to provide a sufficient appropriation for the whole amount of costs, and that he would refund the money as soon as the next Legislature of that State met. The itemized statement of Mr. Pruden's account, with all vouchers, are on file in the Executive office, and the letters of Gov. ernor Lee in relation to the indebtedness are copied in the Executive Letter-Book. This work has been admirably well done, and the line permanently marked by stones gotten out by the North Carolina Penitentiary. Accompanying the report is a beautiful map, well gotten up, and the whole work seems to be done for all time. The Commissioner, W. D. Pruden, and Engineer H. T. Greenleaf, Esq., both deserve great credit for their energy, skill and intelligence in the accomplishment of this work.

## STATE BOARD OF HEALTH.

I would call special attention to the State Board of Health. They have in charge the health interests of the citizens of the State; they make sanitary investigations and inquiries in respect to the people; investigate the causes of disease dangerous to public health, especially of epidemics, the sources of mortality, and the effects of localities, employments and the conditions upon the public health. are also the medical advisers of the State, and shall advise the government in regard to the location, the sanitary construction and management of all public institutions, whenever required to do so, in accordance with law. duties, taken from the law, with which the board is charged. show the importance and responsibility of this board. Their report, which is herewith sent, will advise you fully as to the conduct and action of the board, and as to their recommendations. These, from the character of the board, and their well-known intelligence and patriotism, I commend to your earnest consideration. I also invite your special attention to the report of the Quarantine Physician, which you will find affords much interest and information. He asks that an appropriation be made to build a quarantine hospital, in place of the one burned down a few years

ago. His reasons are conclusive, and section 2915, chapter 4, of *The Code*, provides that a hospital shall be established. I commend this to your favorable consideration.

## SALARIES.

I desire to call your attention again to the salaries of the Judges, the Governor, the Attorney-General, the Secretary of State. Auditor, and the Superintendent of Public Instruction. A few days ago one of the ablest of the Superior Court Judges was forced to resign his office and return to his practice, for the reason that his salary was not sufficient (with the expenses) to support and educate his large and growing family. Salaries should never be exorbitant, but always sufficient, with economy, to enable an officer to live in comfort and independence. If anything is done in regard to the State officers, some of whom are not only inadequately but very unequally paid, it must be done between the 9th and 17th of January, when the term of the present administration expires. The inequalities and insufficiency of the salaries are so apparent that this has been three times recommended—once by my predecessor and twice by myself.

## TARIFF TAXATION.

The government must be sustained by tariff taxation. This has been the practice from its foundation. The only question or inquiry that is now pertinent, is as to the amount. This should be measured by the necessities of the government, economically and adequately administered; whatever is more than this is altogether evil. The highest judicial tribunal calls it robbery. The people understand that taxation is necessary, and they cheerfully contribute of their substance to the support of the government. They also understand that every dollar of surplus collected out of them is in violation of law, and is a gross outrage upon

their rights. The present tariff became law in 1861, and was demanded, as its friends alleged, by the necessities of the war. It was highly protective, and was doubtless framed with a view to protection rather than revenue. The amount of revenue raised by this tariff, and actually paid into the Treasury, is about \$212,000,000, and is equivalent, on an average, to about 47 per cent, on the value of the foreign goods brought to this country; in other words, the \$212,-000,000 is the amount which the foreign merchants annually pay for the privilege of bringing their goods to this market. These goods are then sold to our people at their actual value, with a tax of \$212,000,000, and a fair profit added. All this comes from the pocket of the consumer. The foreigner who pays the taxes adds it to the cost of his goods, and only realizes, in the way of gains, the profits which he receives on the cost thus increased. The manufacturer in this country has no duty or tax to pay, but he adds to the price of his goods the duty, to-wit: \$212,000,-000, and then superadds a fair profit. They both sell at the same price, but the foreign merchant, having paid the duty, only receives it back with a small profit, while the manufacturer not only makes the profit that the foreigner makes, but in addition thereto makes the whole of the duty paid by the foreigner as a part of his profits. This is what is called incidental protection. But the \$212,000,000 is not needed by the government; \$132,000,000, annually added to the other revenues, is entirely sufficient for all purposes of the government, and this gives, as a surplus, \$80,000,000 annually taken from the hard earnings of the people, and stored in the vaults of the Treasury, where there is no need for it. The people are thus deprived of their property. That amount of money is taken out of circulation; the currency is contracted, and many are brought to bankruptcy and ruin. But let us see how much is paid out by the people: First, then, \$212,000,000 is collected annually; of this, \$132,000,000 annually is needed, and \$80,000,000 surplus

not needed. There is now supposed to be in the Treasury about \$150,000,000 surplus; add to this, \$80,000,000, which will be on hand at the end of the year, and we have a surplus now of about \$230,000,000 taken from the people without autority of law; and this is what is called robbery, and will be equal to \$3.83 for every man, woman and child in the country. But this is not the principal part of the burden the people have to sustain by reason of this high tariff. In many cases it amounts to prohibition, and drives a very large amount of foreign goods from the country. This strikes down all competition, and enables the manufacturer to charge what he pleases for his goods. The amount of duty thus drawn from the people, and that finds its way not into the Treasury, but into the pockets of the manufacturers, is estimated to be about five times the amount that is paid into the Treasury. If this is true, the people have actually to pay, in addition to what I have stated, about \$1,000,000,000 more for their goods than they would if there was no tariff. 'this is equal to about \$16 per capita, annually. The government does not get a dollar; the other classes will not get a dollar-it all goes into the pockets of the manufacturer, but it is paid principally by the farmers of the country. This is prohibitory protection; the manufacturers are made rich by it-the farmers will grow poorer by it. The manufacturers, as should be expected, are the richest class of men in the country; they form the syndicates and trust companies; they buy up railroads; they strike down competition, and by combinations and a lavish expenditure of money, they control elections, influence legislatures, force high tariffs upon the people, and will eventually bring the farmers to bankruptcy and ruin. This is protecting one class at the expense of another-the manufacturer against the farmer, the rich against the poor. The farmers feel this most deeply; they have worked harder, lived closer and more economically than ever before, and yet, though they make good crops and command a fair price for them, both ends will not meet at the end of the year, and the cry comes up from all over the country, we are getting poorer every day. What is the remedy? They have formed associations in the United States, in the State, county and township, but no remedy is found. Here is the solution—here is the remedy: These taxes are draining, and have been draining for twenty-eight years continuously, the very life-blood of the people. The remedy is to reduce the tariff to a revenue standard, and save to the people a large amount of surplus taxation, which the government has no use for, and save also to the people the very large amount received by manufacturers, by driving foreign goods from our shores, destroying all competition, and enabling them, without restraint, to demand and secure whatever price they choose to ask.

It is true it is beyond the control of the Legislature. No law can be created by it, but you can request your Representatives, and instruct your Senators, to call this great question to the attention of Congress, and urge upon them, as they value the happiness, prosperity and equality of all classes, to afford them relief. Other States will join in the demand. They may be slow, but they will be sure. It will come. It has been a question in this country for one hundred years, with varying fortunes. It received in the last election, on the popular vote, 90,000, majority. The fight will go on until tariff for revenue only will be triumphant and impartial, when justice will be shown to all classes and occupations of men.

It is this oppressive tax which strikes down the wages of the laborer. It is this which covers with mortgages the houses and homes of the tillers of the soil in New England and Texas; in North Carolina and Iowa; in Florida and Oregon, and throughout the entire length and breadth of the country. The tax is not seen, but felt—felt in the wasting of our substance, the impoverishment of our soil, and in the desolation of our homes. I would urge you to agi-

tate this question by every means in your power, until the people understand and will rise in their might and put an end, through the ballot, to this unjust and unequal law.

# PARDONS, COMMUTATIONS AND REPRIEVES.

Number of pardons in the last two years, 61; reprieves, 7; commutations, 7: total, 86.

# APPROPRIATIONS.

I desire to renew my recommendations of two years ago in relation to appropriation bills. The Constitution declares that no money shall be drawn from the Treasury but in consequence of appropriations made by law. By the action of the Legislature this clause, in my view, has been misinterpreted. I invite your careful attention to my last message, and the report of your most efficient Auditor at the same time, in relation to this matter. The Legislature should provide for a Committee of Appropriations, whose duty it should be to invite estimates from all the different departments of government, and to frame a bill including all such items of expenditure, and only such as have been authorized by law, and appropriating so much money as may be necessary to meet them. Such a law is in harmony with the Constitution, and in the interest of economy.

My term is about to expire. I have endeavored to perform my duty as I understood it. I cannot suffer the occasion to pass without giving expression to my high appreciation of the services of the officers associated with me in the work of the last four years. I have ever found them capable, faithful and efficient. The association has been harmonious, pleasant and profitable; and while it is a source of regret to sunder ties of such long standing, it is a matter of congratulation that so many of them are still in the service of the State.

Within a few days past the State has sustained a great loss in the death of a distinguished citizen and his two sons, under circumstances of peculiar horror. Col. John Ashford, at the call of his State, entered her service, and fought through the late war to Appomatox, with a gallantry and daring second to none in that struggle. As a citizen he was no less distinguished than as a soldier, devoting all the energies of his life in repairing the waste places of the land, and restoring the State to prosperity and happiness. His death is a calamity to the whole State.

A. M. SCALES.

On motion of Mr. Smith, one thousand copies of the Message of the Governor, with the usual number of the accompanying documents, were ordered printed for the use of the General Assembly.

Such portions of the Governor's Message as related to public departments, officers and institutions were referred by the President to appropriate committees.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Robinson, S. B. 20, bill to repeat chapter 415, Laws of 1883, being an act to establish a graded school in Magnolia, Duplin County. Placed on the Calendar.

By Mr. LeGrand, S. B. 21, bill to authorize the County Commissioners of Richmond County to issue bonds to build a court-house. Referred to the Committee on Finance.

By Mr. Payne, S. B. 22, bill to create a railroad commission. Referred to the Joint Select Committee on Railroad Commission.

By Mr. Lucas, S. R. 23, resolution of instruction to our members of Congress to prevent trusts, combinations, &c. Placed on the Calendar..

By Mr. Lusk, S. B. 24, bill to incorporate West Asheville, in the county of Buncombe. Referred to the Committee on Corporations.

By Mr. Brown, S. B. 25, bill to make an appropriation for the Colored Orphan Asylum of North Carolina. Referred to the Committee on Finance.

By Mr. Means, S. R. 26, resolution requesting our Senators and Representatives in Congress to procure a geological survey of the mineral deposits of Central and Western North Carolina. Placed on the Calendar.

By Mr. Williams of Pitt, S. R. 27, resolution authorizing the Commissioners of Agriculture to offer premiums to farmers for the largest yield of grain, &c., per acre. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Green, S. B. 28, bill to amend section 2834 of Vol. II of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Falkener, S. B. 29, bill to establish the Littleton Graded School District. Referred to the Committee on Education.

By Mr. Moore, S. B. 30, bill concerning the collection of taxes in Rockingham County. Referred to the Committee on Finance.

By. Mr. Lucas, bill to regulate the sale of corn in the State of North Carolina. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Payne, S. B. 32, bill to simplify indictments for perjury. Referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting without engrossment,

H. B. 69, S. B. 33, bill to change the time of holding a court in Beaufort County,

Which was read the first time and placed on the Calendar. Also a message transmitting, engrossed,

H. R. 2, S. R. 34, resolution of instruction to the Secretary of State.

H. R. 4, S. R. 35, resolution of instruction to the State Librarian—

Which were read the first time and placed on the Calendar.

#### SPECIAL ORDER.

S. R. 12, resolution instructing our Senators in Congress and requesting our Representatives to use their best efforts to secure the immediate and total repeal of all internal revenue taxes, was taken up on its second reading, it being the special order for this hour.

The question recurred upon the pending amendment offered by Mr. LeGrand.

Mr. Shaw offered the following amendment:

"Add 'and a judicious reduction of the tariff duties upon articles of necessity in general use, so as to prevent the formation of trusts, monopolies and combinations oppressive to the people and pregnant with danger to our institutions.'"

By consent,

Mr. LeGrand withdrew the amendment offered by himself.

Mr. Payne submitted a substitute for the resolution.

Mr. Stubbs moved the further consideration of the resolution be postponed until Wednesday next, and it be made the special order for that day. Lost.

On the adoption of the amendment offered by Mr. Shaw, Mr. Thomas demanded the ayes and noes, which were

ordered, and the amendment was adopted—ayes 35, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—35.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

The substitute offered by Mr. Payne was read.

Mr. Turner of Iredell moved to amend:

"Strike out, in section 2, the words 'as far as the same may be in accord with said tariff reduction."

Mr. Payne demanded the previous question, and was sustained.

On the adoption of the amendment offered by Mr. Turner of Iredell,

Mr. Barber demanded the ayes and noes, which were ordered, and the amendment was adopted—ayes 30, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Farthing, Hughes, King, Leeper, LeGrand, Little, Lucas, Means, Moore, Pou, Reid, Robinson, Shaw, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—30.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Copeland, Falkener,
Green, Hampton, Kerr, Leinbach, Long, Lusk, Payne, Rice,
Sills, Thomas, Warters and Wimberly—17.

On the adoption of the substitute as amended,

Mr. Thomas demanded the ayes and noes, which were ordered, and the substitute was adopted—ayes 33, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Hughes, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—33.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

The resolution, as amended, passed its second reading.

On motion of Mr. Payne, the rules were suspended, and the resolution was put upon its third reading.

On the passage of the resolution, its third reading,

Mr. Means demanded the ayes and noes, which were ordered, and the resolution passed its third reading—ayes 34, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—34.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—12.

The resolution was ordered engrossed and sent to the House of Representatives.

#### SPECIAL ORDER.

S. R. 9, resolution of instruction to our Senators and Members of Congress with regard to the internal revenue laws was taken up on its second reading, it being the second special order for this day.

Mr. Little moved the resolution be laid on the table, on which motion

Mr. Thomas demanded the ayes and noes, which were ordered, and the motion prevailed—ayes 28, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bennett, Brock, Campbell, Crawford, Farthing, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Toms, Twitty, White, Williams of Cumberland and Williams of Pitt—28.

Those voting in the negative were:

Messrs. Bailey, Banks, Barber, Blair, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Turner of Iredell, Warters and Wimberly—17.

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

H. B. 69, S. B. 33, bill to change the time of holding a court in Beaufort County, was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Pou moved to take from the table and place upon the Calendar,

S. R. 9, resolution of instruction to our Senators and Members of Congress with regard to the internal revenue laws. The motion prevailed.

On motion of Mr. Pou, the rules were suspended and the resolution was taken up on its second reading.

Mr. LeGrand moved to amend:

"Add, 'and a judicious reduction of the tariff duties upon articles of necessity in general use, so as to prevent the formation of trusts, monopolies and combinations oppressive to the people and pregnant with danger to our institutions.'"

Mr. Leinbach offered a substitute for the resolution.

On motion of Mr. Turner of Iredell, the resolution, with pending amendments, were referred to the Committee on Federal Relations.

### THE CALENDAR.

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

S. B. 5, bill to allow the county of Iredell to fund her outstanding railroad bonds, on its second reading.

The bill passed its second and third readings, and was ordered engrossed.

H. R. 2, S. R. 34, resolution of instruction to the Secretary of State, on its second reading.

The resolution was adopted, and ordered transmitted to the Secretary of State.

H. R. 4, S. R. 35, resolution of instruction to the State Librarian, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

On motion of Mr. Twitty, the Senate adjourned until Monday evening at 3 oclock.

# FIFTH DAY.

SENATE CHAMBER, January 14th, 1889.

The Senate met pursuant to adjournment.

Prayer by Rev. Dr. Watkins, of the city.

The Journal of Saturday was read and approved.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Long, petitions of citizens of Caswell County praying the enactment of more stringent laws against persons living in adultery. Referred to the Committee on Judiciary.

The Committee on Engrossed Bills reported, as properly engrossed:

S. R. 12, joint resolution of instruction to our Senators and Representatives in Congress, requesting them to use their best efforts to secure the immediate and total repeal of all internal revenue taxes.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Payne, S. B. 36, bill to amend the election law of North Carolina. Placed on the Calendar.

By Mr. Williams of Pitt, S. B. 37, bill to prevent the buying and selling of futures. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Lusk, S. B. 38, bill to amend section 887, chapter 22, of *The Code*, extending the jurisdiction of justices of the peace in actions for the recovery of personal property. Referred to the Committee on Judiciary.

By Mr. Bailey (by request), S. B. 39, bill to amend chapter 16 of *The Code* Placed on the Calendar.

By Mr. Banks, S. B. 40, bill to amend section 3451 of *The Code* in relation to working convicts on public roads. Referred to the Committee on Propositions and Grievances.

By Mr. Toms, S. B. 41, bill to change the term of the court in Henderson County from three to two weeks. Placed on the Calendar.

By Mr. Reid, S. B. 42, bill to repeal chapter 144, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. King, S. B. 43, bill to amend section 1144 of *The Code*, and empower magistrates to admit to bail in certain cases. Referred to Committee on Judiciary.

By Mr. Lusk, S. B. 44, bill to authorize justices of the peace to take bond upon continuance of certain criminal cases. Referred to Committee on Judiciary.

By Mr. Long, S. B. 45, bill to incorporate the Merchants' and Planters' Bank of Milton, North Carolina. Referred to the Committee on Banks and Currency.

S. B. 46, bill to renew and continue in force the powers of the Lynchburg and Durham Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. LeGrand, S. B. 47, bill to increase the salary of the Superintendent of Public Instruction. Referred to the Committee on Education.

By Mr. Green, S. B. 48, bill to regulate the pay of jurors for Craven County. Referred to the Committee on Judiciary.

S. B. 49, bill to amend chapter 82, Private Laws of 1881. Referred to the Committee on Banks and Currency.

#### THE CALENDAR.

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

H. R. 61, S. R. 19, resolution assigning a room in the capitol building to the engrossing clerks of the House of Representatives and the Senate, on its second reading.

The resolution was adopted and ordered enrolled.

S. B. 20, bill to repeal chapter 415, Laws of 1883, being an act to establish a graded school in Magnolia, Duplin County, on its second reading.

The bill passed its second and third readings, was ordered engrossed, and sent to the House of Representatives.

S. R. 23, resolution of instruction to our members of Congress to prevent trusts, combinations, &c., on its second reading.

The resolution was adopted, ordered engrossed, and sent to the House of Representatives.

S. R. 26, resolution requesting our Senators and Representatives in Congress to procure a geological survey of the mineral deposits of Central and Western North Carolin, on its second reading.

The resolution was adopted, ordered engrossed and sent to the House of Representatives.

On motion of Mr. Blair, the Senate adjourned until tomorrow morning at 11 o'clock.

# SIXTH DAY.

SENATE CHAMBER, January 15, 1889.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Cordon, of the city.

The Journal of yesterday was read and approved.

Mr. Josephus Turner, the Senator elect for the 37th District, presented himself with proper certificate of election, took and subscribed the oath of office, and entered upon his duties.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 5, bill to be entitled an act to allow the county of Iredell to fund her outstanding railroad bonds;

S. R. 23, resolution of instruction to our members of Congress to prevent trusts, combinations, &c.;

S. R. 26, joint resolution of instruction to our members of Congress in regard to a geological survey;

S. B. 20, an act to repeal chapter 415, Laws of 1883, being an act to establish a graded school in Magnolia, Duplin County.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of the Secretary of State:

H. B. 69, S. B. 33, an act to change the time of holding court in Beaufort County;

H. R. 4, S. R. 35, resolution of instruction to the State Librarian.

# REPORTS FROM COMMITTEES

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Toms, S. B. 30, bill concerning the collection of taxes in Rockingham County, recommending it do pass.

By Mr. Campbell, S. B. 21, bill to authorize the Commissioners of Richmond County to issue bonds to build a courthouse, recommending it do pass.

From Committee on Judiciary:

By Mr. Kerr, S. B. 14, bill to repeal so much of the Laws of 1885 as provide two terms of the Superior Court in Davidson County, &c., recommending it do not pass.

S. B. 10, bill to regulate the fees of solicitors in capital felonies, recommending it do not pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 7, bill to amend section 1, chapter 17, Private Acts of 1887, incorporating The Biddle University, ratified February 8th, 1887, recommending it do pass.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives informing the Senate that the House would, at noon to-day, be prepared to proceed with the canvass of the returns for State officers and declare the result thereof, and inviting the Senate to attend and witness the canvass.

A message was returned to the House of Representatives informing that honorable body that the Senate would, at noon to-day, in accordance with law, proceed in a body to the hall of the House of Representatives to witness the canvass of the returns of an election held for State officers on the 6th day of November, 1888, to ascertain and declare the result thereof.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Holton, S. B. 50, bill to amend chapter 45, Laws of 1833-'34, changing the name of New Garden Boarding School to Guilford College. Placed on the Calendar.

By Mr. Bailey, S. B. 51, bill to extend the jurisdiction of justices of the peace and other officers, in granting bail in criminal actions. Referred to the Committee on Judiciary.

By Mr. Twitty, S. B. 52, bill to amend section 2824 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Barber, S. B. 53, bill to amend section 1, chapter 288, Laws of 1885, relative to the appointment of justices of the peace by the Governor. Referred to the Committee on Judiciary.

By Mr. Lusk, S. R. 54, resolution directing the Keeper of the Capitol to place the national flag on the domes of the Senate Chamber and House of Representatives during the sessions of the respective bodies. Placed on the Calendar.

By Mr. King, S. B. 55, bill to empower gas companies to supply electricity for lighting and power. Referred to the Committee or Corporations.

By Mr. Wimberly, S. B. 56, bill to work the public roads by taxation and contract. Referred to the Committee on Propositions and Grievances.

By Mr. Banks, S. B. 57, bill to abolish the office of County Superintendent of Education. Referred to the Committee on Education.

By Mr. Pou, S. R. 58, resolution in favor of John R. Smallwood. Referred to the Committee on Finance.

By Mr. Barber, S. B. 59, bill for the relief of Milton McNeill, ex-Sheriff of Wilkes county. Referred to the Committee on Propositions and Grievances.

S. B. 60, bill to prohibit the sale of pistols. Referred to the Committee on Judiciary.

By Mr. Farthing, S. B. 61, bill to authorize the Commissioners of Watauga County to levy a special tax. Referred to the Committee on Finance.

S. B. 62, bill to amend the road law of the State. Referred to the Committee on Propositions and Grievances.

By Mr. Hampton, S. B. 63, bill to amend section 31, chapter 135, Laws of 1887. Referred to the Committee on Finance.

By Mr. Kerr, S. R. 64, resolution to purchase a new chair for the President of the Senate. Placed on the Calendar.

On motion of Mr. Holton, the rules were suspended, and S. B. 50, bill to amend chapter 45, Laws of 1833-34, changing the name of New Garden Boarding School to

Guilford College, was taken up on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

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

S. B. 21, bill to authorize the County Commissioners of Richmond County to issue bonds to build a court-house, was taken up on its second reading.

The bill passed its second reading—ayes 47, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emery, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—47.

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

S. R. 64, resolution to purchase a chair for the President of the Senate, was taken up, adopted, ordered engrossed and sent to the House of Representatives.

#### THE CALENDAR.

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

S. B. 36, bill to amend the election law of North Carolina, on its second reading.

On motion of Mr. Lusk, the bill was referred to the Committee on Judiciary.

S. B. 39, bill to amend chapter 16 of *The Code*, on its second reading.

On motion of Mr. LeGrand, the bill was referred to the Committee on Judiciary.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, engrossed,

H. R. 3, S. R. 65, resolution in reference to State banks.

H. B. 46, S. B. 66, bill to amend Laws of 1885 and 1887, in relation to "The Henderson Savings Bank,"

Which were read the first time and placed on the Calendar. .

### SENATE BRANCH JOINT COMMITTEE ON RAILROAD COMMISSION.

The President announced as the Senate branch of the Joint Select Committee on Railroad Commission:

Mr. Payne, Chairman; Messrs. Pou, Means, Reid and Thomas.

#### THE CALENDAR

was resumed.

S. B. 7, bill to amend section 11, chapter 17, Private Acts of 1887, incorporating The Biddle University, ratified February 8th, 1887, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 41, bill to change the term of the court in Henderson County from three to two weeks, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Emery, the rules were suspended, and H. B. 46, S. B. 66, bill to amend the Laws of 1885 and 1887, in relation to "The Henderson Savings Bank," was taken up on its second reading.

The bill passed its second and third readings, and was was ordered enrolled.

By consent,

Mr. Green introduced

S. B. 67, bill to protect fish in Union Mill Pond, in Bertie County, which was read the first time and referred to the Committee on Fish and Fisheries.

Mr. LeGrand introduced

S. B. 68, bill to incorporate the Aberdeen and West End Railroad Company, which was read the first time and referred to the Committee on Corporations.

Mr. Emery introduced

S. B. 69, bill for the relief of Northampton County, N. C., and other purposes, which was read the first time and placed on the Calendar.

CANVASS OF RETURNS OF ELECTION OF STATE EXECUTIVE OFFICERS.

The hour of 12, noon, having arrived,

The Senate, preceded by President Stedman and its officers, repaired to the hall of the House of Representatives, and united with the House of Representatives in counting, ascertaining and declaring the result of the election held in this State on the 6th day of November, 1888, for executive officers of this State.

The joint session of the General Assembly having completed its work, the session adjourned, and the Senate returned to its chamber.

(For proceedings of the session of the Joint Assembly, see House Journal.)

The Senate having come to order,

On motion, the Senate adjourned until to-morrow morning at 11 o'clock.

# SEVENTH DAY.

SENATE CHAMBER, January 16, 1889.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Williams, of the city.

The Journal of yesterday was read and approved.

SENATE BRANCH JOINT COMMITTEE ON PRINTING.

The President announced as the Senate branch of the Joint Committee on Printing:

Mr. Aycock, Chairman; Messrs. Williams of Cumberland and Farthing.

### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Bailey, petition and resolutions of Rowan County Confederate Veterans Association. Placed on the Calendar.

By Mr. White, petition of citizens of the town of Liberty, in Randolph County. Referred to the Committee on Corporations.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Turner of Iredell, S. B. 52, bill to amend section 2824 of *The Code*, reporting an amendment, and as amended recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 7, bill to be entitled an act to amend section 1 of chapter 17 of the Private Acts of 1887, incorporating the Biddle University, ratified February 8th, 1887;
- S. R. 64, joint resolution to purchase a new chair for the President of the Senate;
- S. B. 50, bill to amend chapter 45, of the Laws of 1833-'34, changing the name of New Garden Boarding School—

Which were sent to the House of Representatives for concurrence.

#### INTRODUCTIONS OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. White, S. B. 70, bill to incorporate the town of Liberty. Referred to the Committee on Corporations.

By Mr. Banks, S. R. 71, resolution to inquire into the right of John J. Goodwyn to a seat in this Senate. Placed on the Calendar.

By Mr. Rice, S. B. 72, bill to establish free ferries across the Cape Fear and Brunswick rivers, at Wilmington, N. C. Referred to the Committee on Corporations.

By Mr. Emery, S. B. 73, bill to authorize The Chowan and Southern Railroad Company to change its name to The Norfolk and Carolina Railroad Company. Placed on the Calendar.

By Mr. Rice, S. B. 74, bill to amend the charter of the town of Burgaw. Referred to the Committee on Corporations.

## THE CALENDAR.

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

S. B. 10, bill to regulate the fees of solicitors in capital felonies, on its second reading.

On motion of Mr. Blair, the bill was re-committed to the Committee on Judiciary.

S. B. 14, bill to repeal so much of the Laws of 1885 as provides for two terms of the Superior Court in Davidson County, &c., on its second reading.

On motion of Mr. LeGrand, the bill was re-committed to the Committee on Judiciary.

S. R. 54. resolution directing the Keeper of the Capitol to place the national flag on the domes of the capitol, &c., on its second reading.

Mr. Aycock moved to amend:

"Strike out 'national flag,' and insert in lieu thereof 'State flags.'"

Mr. Lusk offered as a substitute for the amendment offered by Mr. Aycock, that the Keeper of the Capitol place on one staff the national flag, and on the other the flag of the State of North Carolina. Adopted.

The amendment as substituted was adopted.

On motion of Mr. Turner of Iredell, the resolution was referred to the Committe on Federal Relations.

H. R. 3, S. R. 65, resolution in relation to State banks, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

S. B. 69, bill for the relief of Northampton County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 21, bill to authorize the Commissioners of Richmond County to issue bonds to build a court-house, on its third reading.

The bill passed its third reading—ayes 50, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emery, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—50.

The bill was ordered engrossed and sent to the House of Representatives.

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

S. R. 71, resolution to inquire into the right of John, J. Goodwyn to a seat in this Senate, was taken up on its second reading.

Mr. Means moved to amend:

"Strike out all in last line after the word 'thereon,' and insert in lieu thereof, 'at the very earliest moment possible."

As amended, the resolution was adopted.

#### THE CALENDAR

was resumed.

S. B. 52, bill to amend section 2824 of The Code, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

Mr. Lusk moved to amend:

"Insert 'that the levy provided for herein shall not apply to territory outside of stock-law limits.'"

Mr. Twitty demanded the previous question, and was sustained.

On the adoption of the amendment offered by Mr. Lusk, Mr. Lusk demanded the ayes and noes. Not ordered.

The amendment was not adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

On motion of Mr. Emery, the rules were suspended, and S. B. 73, bill to authorize The Chowan & Southern Railroad Company to change it name to The Norfolk & Carolina Railroad Company, was taken up on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting a communication from his Excellency the Governor, with the annual report of the State Board of Health, with a proposition that five hundred extra copies of the said report be printed for the use of the Board of Health.

On motion of Mr. Means, the proposition of the House

of Representatives to print was concurred in.

#### RESOLUTION OF THANKS TO PRESIDENT STEDMAN.

Mr. Rice offered the following (Mr. Emery in the Chair):

"Resolved, That the thanks of the Senate are hereby most sincerely tendered Hon. Charles Manly Stedman, Lieutenant Governor and President of the Senate, for the able and impartial manner in which he has presided over the Senate, and for his uniform courtesy and kindness to all."

On motion of Mr. Twitty, the resolution was adopted by a rising vote, the entire Senate—every member being present—voting:

On motion, the Senate adjourned until to morrow morning at 10 o'clock.

# EIGHTH DAY.

SENATE CHAMBER, January 17, 1889.

Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

#### INSTALLATION OF EXECUTIVE OFFICERS

A message was ordered sent to the House of Representatives, informing that honorable body that upon the return of the messenger the Senate would proceed to the hall of of the House of Representatives to participate in the installation of Executive officers of the State.

The Senate having returned to its Chamber, was called to order.

By consent,

Mr. Pou introduced the following (Mr. Bailey in the Chair):

Resolved by the Senate of North Carolina, That the thanks of the Senate be voted to Hon. Charles M. Stedman, late President of the Senate, as a manifestation of the high respect and affection in which he is held by this body, and as an acknowledgement of the courteous, impartial and expeditious manner in which he has presided over the deliberations of this body.

Resolved, That these resolutions be spread upon the Journal.

On motion of Mr. Pou, the rules were suspended and the resolutions were taken up on second reading.

In addressing the Senate in support of the resolutions, Mr. Pou said:

MR. PRESIDENT:—In presenting these resolutions I have but conformed to a time-honored custom, and one which is peculiarly appropriate at this time. The term of office of our President closes with this session of the Senate, and these resolutions express the regard and affection in which he is held by every member of the Senate over which he has presided. He has presided over three Senates of North Carolina. Of these I served in two, and was in the otherend of the Capitol during the sitting of the first, and I believe that I express the sentiment of every Senator when I say that for every qualification requisite, and grace of a presiding officer, Lieutenant-Governor Stedman has been a model. While he has occupied the chair, every Senator has felt that he was assured every right, every favor, and

every courtesy which he could ask, and every member of the minority has felt that he was accorded on the floor of the Senate every privilege and right to which he would have been entitled had he been of the majority. While never refusing a request, or denying a courtesy to any member of the Senate, he has been careful that the public interest should not suffer, and has invariably required at least one reading of every bill before it passed the Senate.

For the rapidity and expedition with which the public business has been transacted during his administration, there is perhaps no parallel in our legislation. I remember that in the Session of 1887, in one legislative day, more than two hundred and fifty bills were acted upon.

He had every qualification which is required to make a good presiding officer—ability, patience, justice and integrity, and his official conduct has served to bind to him every member of the Senate in bonds of affection which can never be broken.

I predict, Mr. President, that henceforth the highest meed of praise which shall be measured to any presiding officer in North Carolina, will be to say of him that "he makes as good a presiding officer as Charles M. Stedman." In his office as presiding officer he has reached the pinnacle of perfection, above which no man can go.

# Mr. Williams of Pitt said:

MR. PRESIDENT:—I second the resolution of my friend from Johnston, and amend by adding that the remarks of Senators supporting the resolution shall also be a part of the minutes. I am the only Senator who has continuously held his seat from the first to the last day of Mr. Stedman's presidency—two entire sessions, and deep into this, the third. During all of these never-to-be forgotten days he has ever extended to me unvaried courtesy, kindness and friendship. That now his term of office has expired, leav-

ing us still here, renders the attachment hard—very hard—to sever.

Never in one single instance was there an appeal to the floor from his decisions. His rulings and dispatch of business would have done honor to Speaker Onslow or Nathaniel Macon. I am sure that in all of these sessions, past and present, there is not one single ex-Senator or Senator, whatever may be his politics, who does not extend to Charles Manly Stedman the kindest wishes and the most sincere regards.

## Mr. Lusk said:

In taking leave of the presiding officer of the Senate, we realize with profound regret that we are losing one of North Carolina's brightest intellects from our legislative councils, at a time when the State stands much in need of his wise and patriotic advice. No one, perhaps, realizes this loss more keenly than the new members of this body, which has been made more pointed because we have taught ourselves to rely upon him for kindness and forbearance in all things relating to the conduct of the business of the Senate, but which we have never failed to find in the honorable President of this Senate, now about to take leave of those endeared to him by his universal kindness and forbearance. Realizing that this body will soon pass to the control of another, it is nevertheless a source of great pleasure and gratification that we are able to say in his retirement to private life, our presiding officer carries with him the esteem and kindest remembrances of each individual Senator, endeared to him by some token or expression of kindness and personal consideration.

All who are at all familiar with the intricate duties of the presiding officer over legislative bodies, must know that it requires no mean statesmanship and ability to enable such an officer to at all times successfully overcome the difficul-

ties by which the position is often surrounded, and so discharge those duties in a spirit of fairness and justice as to give offense to none, but satisfaction to all. And he who has succeeded in this particular has displayed rare ability, tact and statesmanship. It is no flattery to say of our presiding officer, now about to retire from the chair of this Senate, that so just and wise have been his rulings, and so noble his bearing towards those over whom he has presided for the last four years, that not one single holding is found in all the record not in accordance with the most approved parliamentary usages; while not a single Senator has aught of unkindness to remember. He retires from the Senate as its presiding officer, carrying with him the love and esteem of each individual Senator, and the admiration of all North Carolina. North Carolina has just cause to be proud of the noble deeds of her heroes in war, and no less cause to be proud of the grand achievements of her patriotic statesmen in peace, and of her soldiers and her statesmen who have justly distinguished themselves.

The subject of the resolution now pending before the Senate is not the least in deeds of chivalry as a gallant soldier in war, or achievements as a statesman in times of peace, and when the historian sketches the lives of her noblest soldiers, and records the achievements of her wisest statesmen, one bright page will be devoted to the memory of the gallant soldier and unselfish and patriotic statesman, Charles M. Stedman.

I trust this resolution will pass without a dissenting voice.

Mr. Falkener said:

MR. PRESIDENT:—In supporting these resolutions, I do it not only from the emotions of my own heart, but I voice, I believe, the sentiments of every colored person in this State, when I say that the retiring presiding officer of this body has, in deed and in truth, shown us every courtesy that we

could possibly desire. Men are respected when they perform their duties, but when men perform their duties in such a way as to remove all possible obstacles, and to assist their co-laborers in the discharge of their duties when not binding upon them, then those men, or that man comes very near, or quite to, the divine injunction: "Whatsoever ye would that men should do to them, do ye even so to them." Such we can truthfully say of our retiring officer, Hon. Carles M. Stedman. From the first moment of my meeting Mr. Stedman, I was impressed with the fact that he was one of those men who earnestly seek to know the exact condition of affairs, and then, after becoming convinced of what duty commands, follows with fearless courage the convictions forced upon him. After all, it is, perhaps the highest praise which we can bestow upon a man, to say he is a gentleman-not in the modern and corrupt meaning of that word, which, by usage, has seemed to apply only to wealth, position, appearance, manners or other external qualities, but in the original and higher meaning that one is a gentleman: one who, however strong and firm and unyielding and brave in the cause of right and principle, yet has that gentleness of manner and kindness of heart which always has regard to the opinions and feelings of others. Such a gentleman, in the highest, best and truest sense of the word, is the retiring presiding officer of this body. What has impressed me most in my intercourse with him is his unfailing good nature, his geniality of disposition, his kindess in word and act; and while we regret his departure from public life, we will forever carry with us a high and profound appreciation of his many virtues, and we sincerely trust that peace, happiness and prosperity may forever crown his every effort.

Mr. Shaw said:

MR. PRESIDENT:-Having had the honor to occupy a seat in this chamber as a member of the State Senate of 1887, and of the present Senate as well, I desire to add my endorsement to the resolution introduced by the Senator from Johnston, and, in addition to what has already been so well and truly said by Senators preceding me, to express my appreciation and sincere commendation of Lieutenant-Governor Stedman, the retiring presiding officer of the Senate, whose eminent ability, courteous forbearance, uniform impartiality and kindness have not failed to make a grateful and lasting impression upon every member and officer of the Senate, filling our hearts with sad regrets at his leave of us in the midst of our session. As he now retires to the shades of his own home, bidding him farewell, we desire to extend our lasting respect, esteem and admiration, and with Heaven's blessings on his head, may he live long to adorn, honor and help advance the interests of our grand old commonwealth. Senators. I ask the unanimous adoption of the resolution.

# Mr. Lucas said:

Mr. President:—Though I have been a member of the Senate over which Lieutenant-Governor Stedman has presided with so much ability but a short time, still, I feel I would not discharge my duty as a Senator, representing in part the Second Senatorial District, were I to remain silent. Lieutenant Governor Stedman is admired, yea, loved, by the entire Democracy of my district, and I wish, in their name, to tender him their best wishes through life, and to assure him it will ever be their greatest pleasure to honor him with any position within their gift. May peace, prosperity and happiness ever attend him.

MR. Leinbach said:

MR. PRESIDENT:—Though my acquaintance with the retiring presiding officer of the Senate commenced only when this body met, on the 9th inst., yet I can but endorse, and heartily so, the resolutions now before the Senate, and trust they will be adopted unanimously.

Mr. Toms said:

MR. PRESIDENT:—I heartily endorse every word that has been said by the honorable Senators who have spoken before me, and I approve with pleasure every word in the resolutions offered in praise of the noble services of Major Charles M. Stedman, and I trust the resolutions will receive the unanimous endorsement of the Senate.

Mr. Turner of Iredell said:

Mr. President:—I desire to add my hearty approval of the sentiments expressed in the resolutions. As a member of the last and present Senate, I have observed the eminent fitness and qualification of Lieutenant-Governor Stedman as a presiding officer. Governor Stedman possesses peculiar merit for the office he has held for the last four years, with credit to himself and honor to the State, and during this time he has administered the duties of his office faithfully and impartially. He has always been ready and accurate in decisions, and uniformly courteous to Senators. He has presided over the Senate with ability and distinction, and I trust in the near future the people of North Carolina will honor him with higher duties.

Mr. Campbell said:

Mr. President:—I am feeling too unwell to attempt to make any extended remarks on this occasion, but coming as I do, from a county in which Governor Stedman is so universally admired and beloved, and having known him so long and well as I have, I feel that I should probably be recreant to my duty to my constituents and myself, if I should fail to express my hearty endorsement of the resolutions under consideration, and everything which has been said by Senators in favor of its adoption.

After further remarks by Mr. Farthing and others in support of the resolution,

Mr. Twitty moved the resolutions be adopted by a rising vote of the Senate, and the resolutions were unanimously adopted, every Senator being present and voting.

#### PETITIONS.

Petitions were presented and disposed of as follows:
By Mr. Campbell, petition of citizens of Columbus County,
concerning merchants' purchase tax. Referred to the Committee on Finance.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. LeGrand, S. B. 75, bill to punish resistance to a public officer. Referred to the Committee on Judiciary.

By Mr. Thomas, S. B. 76, bill to amend sections 1 of chapters 59 and 94 respectively, of Laws of 1887, pertaining to Lexington Female Seminary, in Davidson County. Referred to the Committee on Corporations.

By Mr. Bennett, S. B. 77, bill to authorize the Mayor and

Commissioners of the town of Southport to convey certain lots in said town. Referred to the Committee on Corporations.

By Mr. Emry, S. B. 78, bill to amend chapter 81, Laws of 1887, regulating sale of seed cotton. Referred to the Committee on Propositions and Grievances.

By Mr. Rice, S. B. 79, bill to amend section 2840 of *The Code*, in reference to killing wild fowl in certain counties. Referred to the Committee on Propositions and Grievances.

By Mr. Aycock, S. B. 80, bill to amend section 737 of *The Code*, to provide for the discharge of defendants in criminal actions in certain cases. Referred to the Committee on Judiciary.

S. B. 81, bill to amend section 1139 of *The Code* so as to provide for the taking of recognizances by Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Barber (by request), S. B. 82, bill to aid the Guilford Battle-Ground Company. Referred to the Committee on Corporations.

By Mr. Rice, S. B. 83, bill to repeal chapter 21, Laws of 1885, in reference to killing of deer in counties east of the Wilmington & Weldon Railroad. Referred to the Committee on Propositions and Grievances.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 28, bill to amend section 2834, Vol. II of *The Code*, recommending it do pass.

S. B. 59, bill for the relief of Milton McNeill, ex-Sheriff of Wilkes County, recommeding it do pass.

By Mr. Robinson, S. B. 42, bill to repeal chapter 144, Laws of 1887, recommending it do pass.

By Mr. Crawford, S. B. 56, bill to work the public roads by taxation and contract, recommending it do not pass.

From the Committee on Banks and Currency:

By Mr. Aycock, S. B. 45, bill to incorporate the Merchants' and Planters' Bank of Milton, N. C., reporting an amendment, and, as amended, recommending the bill do pass.

#### THE CALENDAR.

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

S. B. 28, bill to amend section 2834, Vol. II of *The Code*, on its second reading.

Mr. Robinson moved to amend:

"Add the county of Duplin."

Adopted.

The bill, as amended, passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

#### INAUGURATION OF GOVERNOR DANIEL GOULD FOWLE.

The hour having arrived for the inauguaration of Hon. Daniel Gould Fowle, Governor of North Carolina, the Senate, preceded by its officers, repaired to the place of inauguration.

The House of Representatives having entered the hall, Lieutenant-Governor Stedman called the Joint Assembly to order.

The Honorables Chief Justice W. N. H. Smith, and Associate Justice A. S. Merrimon, entered the hall and were seated.

His Excellency, Governor A. M. Scales, with the Governor-elect, entered the hall and were seated.

Prayer by Rev. Dr. Watkins, of the city.

Senator R. W. King, Chairman of the Joint Committee on Inauguration, presented Governor-elect Fowle to Governor Scales, who, in turn, presented him to the Honorable Chief Justice, who administered the several oaths of office. Having subscribed to the same,

Governor Fowle was presented to the Assembly and audience by the retiring Governor, after which the inaugural address was delivered.

Upon the conclusion of the address, the Joint Assembly adjourned, and the Senate returned to its Chamber, and was called to order by the President, Lieutenant-Governor Stedman.

The Committee on Inauguration was announced, accompanied by Lieutenant-Governor Holt, who was presented to the Senate by Mr. Means, of the Committee:

Lieutenant-Governor Stedman, addressing the Senate, said:

Senators:—The time has arrived when the pleasant relations existing between myself and every member of this body, regardless of party affiliations, must come to an end. In parting from you, I should be recreant to the sentiments of my heart if I failed to express my profound appreciation of all your kindness and courtesy. I shall always bear you in grateful remembrance, and my prayers will ever go out for your prosperity and happiness. The best wish I can make for my successor in connection with his official life, is that you will accord to him the same forbearance, consideration and patience you have extended to me. He is worthy all the regard you can bestow upon him.

Senators, I bid you farewell. Lieutenant-Governor Holt will please assume the chair.

Lieutenant-Governor Holt, having taken the chair, addressed the Senators as follows:

Senators:—In assuming the duties devolving upon the presiding officer of this honorable body, I feel a deep sense of the grave responsibilities attached to this position.

To you are committed the interests of the people, at a period when they are anxiously looking to their wisest and best for counsel and assistance, and for such legislation as may aid in developing the resources with which Providence has blessed us.

The great agricultural interests, which include such a large proportion of the labor and capitol combined of our whole people, and which have suffered so much from a succession of short crops and unfavorable conditions will claim, and I doubt not will receive, your most careful consideration. Whatever can be done, within the province of legislation, for the encouragement of this, the most important of our industrial pursuits, upon the prosperity of which all permanent progress must depend, you will gladly embrace the opportunity to perform.

In like manner, among the great trusts committed to your hands, may be named the education of the young; the wise and liberal administration of the public charities, including our disabled veterans of the Lost Cause; the just and humane, but economical, charge of the criminal classes; the regulation of the mutual relations of the railroad and other corporations and the people; the perfecting of our system of executing justice with equity and celerity; the advancement of manufactures and the mechanic arts—second only to the tillage of the soil; the fostering of desirable immigration, and the adjustment of the financial burdens so that whatever taxation is essential for public expenditure may fall as lightly upon all classes as the general welfare will permit.

To the statesmanship and patriotism of this body these questions have been entrusted, and as a result of your labors the people confidently hope for increased prosperity and progress within our fair borders.

In the discharge of the delicate and difficult duties which pertain to this position, suffering as yet, to some extent, from an indisposition of months past, let me ask the indulgence of the Senate, and a portion of the kindly consideration which has been extended to my distinguished predecessor in this office.

And now, with profound gratitude to my fellow-citizens for the mark of their confidence in calling me to this post of duty, I declare the Senate ready to proceed with its business.

Upon the conclusion of the address,

On motion of Mr. LeGrand, the Senate adjourned until to-morrow at 11 o'clock.

## NINTH DAY.

SENATE CHAMBER, January 18th, 1889.

The Senate met pursuant to adjournment.

Prayer by Rev. Mr. Clark, of the city.

The Journal of yesterday was read and approved.

Mr. Shaw announced that the reading Clerk was detained from his duties yesterday on account of sickness.

#### PETITIONS AND MEMORIALS.

Petitions and memorials were presented and disposed of as follows:

By Mr. Aycock, memorial from the Thomas Ruffin Camp Ex-Confederate Veterans of Wayne County. Referred to the Committee on Military Affairs.

By Mr. Robinson, petition, with resolutions, of Duplin County Farmers' Alliance, concerning public schools. Referred to the Committee on Education.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Thomas, S. B. 40, bill to amend section 3451 of *The Code*, in relation to working convicts on public roads, recommending it do not pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, S. R. 27, resolution authorizing the Commissioner of Agriculture to offer premiums to farmers for the largest yield of grain, &c., per acre, recommending it do pass.

S. B. 31, bill to regulate the sale of corn in the State of North Carolina, recommending it do pass.

From the Committee on Finance:

By Mr. Payne, S. R. 58, resolution in favor of John R Smallwood, recommending it do pass.

From Committee on Judiciary:

By Mr. Little, S. B. 15, bill to prevent fraud in the sale of lands and chattel property under mortgage, reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Bailey, S. B. 13, bill to amend sections 2019 and 2021 of *The Code*, in relation to overseers of roads in Rockingham County, reporting a substitute therefor, and recommending the substitute do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 30, bill to be entitled an act concerning the collection of taxes in Rockingham county;

S. B. 52, bill to be entitled an act to amend section 2824 of *The Code*:

S. B. 21, bill to be entitled an act to authorize the Commissioners of Richmond County to issue bonds to build a court-house;

S. B. 28, bill to be entitled an act to amend section 2834, Vol. II of *The Code*.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 46, S. B. 66, an act to amend chapter 72, Laws of 1885, and chapter 84 of the Laws of 1887, in relation to the charter of the "Henderson Savings Bank."

H. R. 61, S. R. 19, resolution assigning a room in Capitol building to the engrossing clerks.

S. R. 2, H. R. 59, resolution for the appointment of a Joint Select Committee on Railroad Commission.

S. B. 11, H. B. 86, an act to amend chapter 29, Private Laws of 1887, entitled an act to charter the Savings and Deposit Bank of North Carolina.

S. R. 3, H. R. 60, resolution to raise a Joint Committee on Joint Rules.

S. R. —, H. R. 21, resolution in regard to the inauguration of Governor Fowle.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Payne, S. B. 84, bill to amend section 1736 of *The Code*, in relation to jurors. Referred to the Committee on Judiciary.

By Mr. King, S. B. 85, bill to increase the jurisdiction and compensation of Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Smith, S. B. 86, bill to enable the Commissioners of Cherokee County to build a jail, and for other purposes. Referred to the Committee on Finance.

By Mr. Abbott, S. B. 87, bill for the relief of E. R. Outlaw, late Sheriff and ex-officio Treasurer of Bertie County. Referred to the Committee on Finance.

By Mr. Reid, S. B. 88, bill in relation to deadly weapons. Referred to the Committee on Finance.

By Mr. Green, S. B. 89, bill to amend chapter 198, Laws of 1887. Referred to the Committee on Internal Improvements.

By Mr. Blair, S. B. 90, bill to amend section 2799, chapter 20 of *The Code*, making four feet the lawful height for fences. Referred to the Committee on Propositions and Grievances.

By Mr. Bailey (by request), S. B. 91, bill to amend section 1, chapter 180, Laws of 1885, in reference to the holding of courts in Davidson County. Referred to the Committee on Judiciary;

(By request), S. B. 92, bill to amend section 1908 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Brown, S. B. 93, bill to change the time of holding courts in Granville County. Referred to the Committee on Judiciary.

By Mr. Turner of Iredell (by request), S. B. 94, bill amending section 1189 of *The Code*, curing certain defects in indictments. Referred to the Committee on Judiciary.

By Mr. Farthing, S. B. 95, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of Brushy Fork Baptist Church, in Boone Township, in Watauga County. Referred, with accompanying petition, to the Committee on Propositions and Grievances.

By Mr. LeGrand, S. B. 96, bill to open the State Library at night. Referred to the Committee on Library.

By Mr. Means (by request), S. B. 97, bill to amend chapter 51, section 1, of *The Code*, entitled "Public Libraries." Referred to the Committee on Libraries.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives informing the Senate of the concurrence of that honorable body in S. R. 2, resolution to raise a Joint Select Committee on Railroad Commission;

S. R. 3, resolution to raise a Joint Committee on Rules; Also a message announcing as the House branch of the Joint Committee:

On Library—Messrs. Kellogg, DeFord, Bell, Hamrick and Lawson.

On Public Buildings and Grounds—Messrs. Clifton, Baucom, Murphy, Dunlap and Grant.

On Election of Justices of the Peace—Messrs. Newland, King, Taylor, Johnson of Pender and Bass.

Also a message transmitting engrossed bills and resolutions, which were read the first time and disposed of as follows:

H. R. 23, S. R. 98, resolution of instruction to our Senators and Members of Congress. Referred to the Committee on Federal Relations.

H. B. 58, S. B. 99, bill to repeal chapter 75, Laws of 1887, relating to deer in McDowell, Burke and Mitchell counties. Placed on the Calendar.

H. B. 35, S. B. 100, bill to amend section 1876 of *The Code*, in relation to the justification of official bonds. Referred to the Committee on Judiciary.

H. B. 56, S. B. 101, bill to amend section 1, chapter 316, Laws of 1887. Referred to Committee on Judiciary.

H. B. 75, S. B. 102, bill for the relief of J. H. Ballentine, of the county of Bladen. Referred to the Committee on Judiciary.

H. B. 51, S. B. 103, bill to relieve the grand juries of the State from coming into court in a body, except in certain cases. Referred to the Committee on Judiciary.

H. B. 161, S. B. 104, bill to change the name of Charleston, in the county of Swain, to Bryson City. Placed on the Calendar.

#### THE CALENDAR.

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

S. B. 144, bill to repeal chapter 144, Laws of 1887, on its second reading.

Mr. Lusk moved to amend:

"Add 'Provided, that said stock-law territory be surrounded and enclosed by a lawful fence."

Mr. Reid demanded the previous question, and was sustained.

On the adoption of the amendment offered by Mr. Lusk, Mr. Lusk 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. Banks, Barber, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Williams of Pitt and Wimberly—13.

Those voting in the negative were:

Messrs. Abbott, Bailey, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emry, Hughes, King, Leeper, Le-Grand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—31.

The bill passed its second and third readings, was ordered engrossed, and sent to the House of Representatives.

Mr. Falkener asked and obtained consent to withdraw for correction,

S. B. 29, bill to establish the Littleton School District.

#### THE CALENDAR

was resumed.

S. B. 45, bill to incorporate the Merchants' and Planters' Bank of Milton, N. C., on its second reading.

The amendment reported by the Committee on Banks and Currency was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 56, bill to work the public roads by taxation and contract, on its second reading.

On the passage of the bill its second reading,

Mr. Rice asked for the ayes and noes, which were ordered, and the bill failed to pass its second reading—ayes 12, noes 32, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Rice, Thomas, Warters and Wimberly—12.

Those voting in the negative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Emry, Farthing, Hughes, Leeper, Le-Grand, Little, Long, Lusk, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland, and Williams of Pitt—32.

S. B. 59, bill for the relief of Milton McNeill, ex-Sheriff of Wilkes county, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 58, resolution in favor of John R. Smallwood, on its second reading.

The resolution passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

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

H. B. 58, S. B. 90, bill to repeal chapters 75, Laws of 1887, in relation to deer in McDowell and Burke Counties, was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Smith, the rules were suspended, and H. B. 161, S. B. 104, bill to change the name of Charleston, in the county of Swain, to Bryson City, was taken up on its second readings.

The bill passed its second and third readings, and was ordered enrolled.

#### THE CALENDAR

was resumed.

S. B. 13, bill to amend sections 2019 and 2021 of *The Code*, in relation to overseers of roads in Rockingham County, on its second reading.

The substitute reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 27, resolution to authorize the Commissioner of Agriculture to offer premiums to farmers for the largest yield of grain, &c., per acre, on its second reading.

Mr. Pou moved to amend:

"Strike out the preamble."

Adopted.

Mr. Lusk moved to amend:

"Add, 'for the largest yield of hay per acre, one hundred dollars.'"

Adopted.

Mr. Williams of Cumberland moved to amend:

"Add, 'for the largest yield of cotton per acre, one hundred dollars.'"

Adopted.

Mr. Blair moved to amend:

"Add, 'for the largest yield in value of tobacco per acre, one hundred dollars."

Mr. Toms moved to amend:

"Add, 'for the largest yield of cabbage per acre, one hundred dollars.'"

Mr. Green moved to amend:

"Add, 'for the largest yield of ground-peas per acre, fifty dollars.'"

Mr. Rice moved to amend:

"Add, 'for the largest yield of rice per acre, one hundred dollars.'"

Mr. Pou moved to amend:

"Add, 'for the largest yield of sorghumland sweet potatoes each per acre, fifty dollars."

Mr. Little moved to amend:

"Add, 'for the largest yield of ground-peas per acre, one hundred dollars."

Mr. King moved to amend:

"Add, 'for the largest yield of field-peas per acre, one hundred dollars.'"

Mr. Barber moved to amend:

"Add, 'for the largest yield of blackberries per acre, one hundred dollars.'"

Mr. Barber moved to amend the amendment offered by Mr. Blair:

"Strike out price of tobacco and insert pounds."

Mr. Robinson moved to amend:

"Add, 'for the largest yield of tuberoses per acre, one hundred dollars.'"

On motion of Mr. Reid, the resolution, with pending amendments, was re-committed to the Committee on Agriculture, Mechanics and Mining.

S. B. 31, bill to regulate the sale of corn in certain counties in North Carolina, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 15, bill to prevent fraud in the sale of lands and chattel property under mortgage, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

Mr. Banks asked and obtained consent to withdraw for correction,

S. B. 40, bill to amend section 3451 of *The Code*, in relation to working convicts on public roads.

By consent,

Mr. Means introduced

S. R. 105, resolution in regard to printing the Inaugural Address of Hon. Daniel G. Fowle, Governor of North Carolina, which was read the first time and placed on the Calendar.

On motion of Mr. Means, the rules were suspended, and and the resolution was taken up.

Mr. White moved to amend:

"Strike out 'twenty-five hundred,' and insert in lieu thereof 'twelve hundred.'"

Adopted.

As amended, the resolution was adopted, ordered engrossed and sent to the House of Representatives.

Leave of absence was granted Messrs. Aycock and Brown until Monday; to Mr. Campbell until Tuesday.

On motion of Mr. Leinbach, the Senate adjourned until to-morrow morning at 10 o'clock.

# TENTH DAY.

SENATE CHAMBER, January 19, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Foster, of this city.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Williams of Cumberland until Tuesday next; to Mr. King indefinitely.

The leave of absence heretofore granted Mr. Campbell until Tuesday next was extended until Wednesday.

#### PETITIONS.

Petitions were presented and disposed of as follows:

Ry Mr. Robinson, petition from the Duplin County Farmers' Alliance, asking for an amendment of the trespass laws. Referred to the Committee on Propositions and Grievances.

Petition from Duplin County Farmers' Alliance, concerning Railroad Commission. Referred to the Committee on Railroad Commission.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Thomas, S. B. 76, bill to amend sections 1 of chapters 59 and 94, respectively, of the Laws of 1887, pertaining to Lexington Female Seminary, in Davidson County, recommending it do pass.

By Mr. Barber, S. B. 70, bill to incorporate the town of Liberty, recommending it do pass.

By Mr. Pou, S. B. 68, bill to incorporate the Aberdeen and West End Railroad Company, recommending it do pass

From the Committee on Internal Improvements:

By Mr. Lucas, S. B. 46, bill to renew and continue in force the powers of the Lynchburg and Durham Railroad Company, recommending it do pass.

The Committee on Engrossed Bills reported, as properly engrossed:

S. R. 105, resolution in regard to printing the inaugural address of Hon. Daniel G. Fowle;

S. B. 31, bill to be entitled an act to regulate the sale of corn in certain counties of North Carolina;

S. B. 42, bill to be entitled an act to repeal chapter 144 Laws of 1887;

S. B. 59, bill to be entitled an act for the relief of Milton McNeill, ex-Sheriff of Wilkes County;

S. B. 13, bill to be entitled an act to amend sections 2019 and 2021, in relation to overseers of roads, so far as same relates to Rockingham County;

S. B. 15, bill to be entitled an act to prevent fraud in the sale of lands and personal property under mortgage or other contract—

Which were sent to the House of Representatives.

#### INTRODUCTION OF BILLS AND RESOLUTIONS

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Means, S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments. Referred to the Committee on Judiciary.

By Mr. Blair, S. R. 107, resolution requesting our Representatives in Congress to secure the passage of the Cowles Internal Revenue measure. Placed on the Calendar.

By Mr. White, S. B. 108, bill to amend chapter, 78, Private Laws of 1873, and amending the charter of the town of Ashboro, in Randolph County. Referred to the Committee on Corporations.

By Mr. Moore, S. B. 109, bill to prevent county orders from bearing interest until after presentation. Referred to the Committee on Finance;

S. B. 110, bill to amend section 717 of *The Code*, for the benefit of Justices of the Peace. Referred to the Committee on Finance.

By Mr. Bailey (by request), S. B. 111, bill to amend the charter of the town of Winston, North Carolina. Referred to the Committee on Corporations.

By Mr. Turner of Iredell (by request), S. B. 112, bill to make real estate assets in the hands of executors and administrators, and to provide further remedies for enforcing a judgment lien against such real estate. Referred to the Committee on Judiciary.

S. B. 113, bill to change the Normal School from Newton to Statesville, N. C. Placed on the Calendar.

By Mr. Little, S. B. 114, bill to amend section 533 of *The Code*, in regard to fees of referees. Referred to the Committee on Judiciary.

By Mr. Copeland, S. B. 115, bill for the relief of W. T. Buxton, late Sheriff of Northampton County. Referred to the Committee on Finance.

By Mr. Green, S. B. 116, bill to incorporate the town of James City, in the county of Craven. Referred to the Committee on Corporations.

By Mr. Payne, S. B. 117, bill to authorize Justices of the Peace, in certain cases, to issue process to any county other than their own. Referred to the Committee on Judiciary.

By Mr. Twitty, S. B. 118, bill to alter the Constitution of the State giving the Legislature power to alter, modify or abrogate section 3, Article XI, and to alter or modify section 1 of Article XI, so as to establish corporal punishment for infamous offences and felonies not capital. Referred to the Committee on Judiciary.

By Mr. Barber, S. B. 119, bill to protect telegrams and letters. Referred to the Committee on Judiciary.

By Mr. Lusk, S. B. 120, bill to prevent the keeping of screens in the doors of bar-rooms. Referred to the Committee on Propositions and Grievances.

By Mr. Farthing, S. B. 121, bill to abolish the June Term of the Superior Court of Watauga County. Referred to the Committee on Propositions and Grievances.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representalives transmitting, without engrossment, H. B. 64, S. B. 122, bill to amend chapter 162, Private Laws of 1887, entitled an act to incorporate the Guilford Battle Ground Company,

Which was read the first time and referred to the Committee on Corporations.

#### THE CALENDAR.

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

S. B. 46, bill to renew and continue in force the powers of the Lynchburg and Durham Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 70, bill to incorporate the town of Liberty, on its second reading.

The bill passed its second reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—41.

S. B. 76, bill to amend sections 1, of chapters 59 and 94 respectively, of the Laws of 1887, pertaining to Lexington Female Seminary, in Davidson County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 68, bill to incorporate the Aberdeen and West End Railroad Company, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, Le-Grand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—42.

S. R. 107, resolution requesting our Representatives in Congress to secure the passage of the Cowles Internal Revenue measure, on its second reading.

Mr. Rice moved to amend:

"Strike out the words "Mills Bill' where they occur."

On the adoption of this amendment,

Mr. Holton 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. Banks, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—12.

Those voting in the negative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Farthing, Hughes, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner, of Catawba, Turner of Iredell, Twitty, White and Williams of Pitt—31.

On the adoption of the resolution,

Mr. Toms asked for the ayes and noes, which were ordered, and the resolution was adopted—ayes 33, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Farthing, Hampton, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—33.

Those voting in the negative were:

Messrs. Banks, Falkener; Green, Holton, Rice, Thomas and Wimberly—7.

The resolution was ordered sent to the House of Representatives without engrossment.

S. B. 113, bill to change the Normal School from Newton to Statesville, N. C., on its second reading.

Mr. Blair moved to amend:

"Strike out 'Statesville,' and insert 'Lenoir.'"

On motion of Mr. Williams of Pitt, the bill, with pending amendment, was referred to the Committee on Education.

Mr. Reid asked and obtained consent to withdraw, for correction,

S. B. 88, bill in relation to deadly weapons.

On motion of Mr. Leinbach, the Senate adjourned until Monday evening at 3 o'clock.

# ELEVENTH DAY.

SENATE CHAMBER, January 21, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Dr. Atkinson, of the city.

The Journal of Saturday was approved. Leave of absence was granted to Mr. LeGrand for to-day.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Bailey, S. B. 111, bill to amend the charter of the town of Winston, N. C., recommending it do pass.

By Mr. Barber, S. B. 77, bill to authorize the Mayor and Commissioners of the town of Southport to convey certain lots in said town, recommending it do pass.

From the Committee on Judiciary:

By Mr. Little, S. B. 114, bill to amend section 533 of *The Code*, in regard to fees of referees, recommending it do pass.

By Mr. Payne, S. B. 84, bill to amend section 1736 of *The Code*, in relation to jurors, recommending it do pass.

By Mr. Leeper, H. B. 75, S. B. 102, bill for the relief of J. H. Ballentine, of the county of Bladen, recommending it do pass.

By Mr. Pou, H. B. 56, S. B. 101, bill to amend section 1, chapter 316, Laws of 1887, recommending it do pass.

H. B. 35, S. B. 100, bill to amend section 1876 of *The Code*, in relation to justification of official bonds, recommending it do pass.

By Mr. Lucas, S. B. 80, bill to amend section 737 of *The Code*, to provide for the discharge of defendants in criminal actions in certain cases, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Pou, S. B. 18, bill for the relief of the Clerk of the Superior Court of the county of Forsyth, reporting an amendment, and, as amended, recommending it do pass.

#### GOODWYN vs. EMRY.

Mr. Little, for Committee on Privileges and Elections, reported, (S. R. 71):

The Committee on Privileges and Elections have caresully considered and inquired into the right of John J. Goodwyn to a seat on this floor as Senator for Halifax County (Fourth District), and find that he is not entitled to said seat, but that Thomas L. Emry, the sitting member, is entitled to hold the seat as the duly elected Senator for said district.

(Signed), R. E. LITTLE, Chm'n Com. on Privileges and Elections.

The Report was placed on the Calendar.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 45, bill to be entitled an act to incorporate the Merchants' and Planters' Bank of Milton, N. C.;

S. B. 46, bill to be entitled an act to renew and continue in force the powers of the Lynchburg and Durham Railroad Company;

S. B. 76, a bill to be entitled an act to amend sections 1, of chapters 59 and 94, respectively, of the Laws of 1887, pertaining to Lexington Female Seminary, in Davidson County—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 173, S. B. 73, an act to authorize the Chowan and Southern Railroad Company to change its name to the Norfolk and Carolina Railroad Company.

S. B. 69, H. B. 172, an act for the relief of the county of Northampton, and to enable the Commissioners thereof to have the taxes levied for the year 1888, and to be levied for the years 1889 and 1890, collected, and to allow said Board of Commissioners to appoint special tax-collectors.

H. R. 3, S. R. 65, resolution requesting our Representa-

tives, and instructing our Senators in the Congress of the United States, to use all honorable means to secure the passage of an act, so amending the National Banking Act as to enable the people to establish State banks, with power to issue bills.

H. B. 161, S. B. 104, an act to change the name of Charleston, in the county of Swain, to Bryson City.

H. B. 58, S. B. 99, an act to repeal chapter 75, Laws of 1887, relating to deer in Burke, McDowelll and Mitchell counties.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Reid, S. B. 123, bill to compensate Miss V. M. Waring, public school teacher of Mecklenburg County. Referred to the Committee on Finance;

S. B. 124, bill to incorporate Antioch Methodist Protest-Church and Camp Ground, in Union County. Referred to the Committee on Propositions and Grievances;

S. B. 125, bill to amend Section 741 of *The Code*, relating to costs. Referred to the Committee on Judiciary;

S. B. 126, bill to amend chapter 63, Laws of 1885. Referred to the Committee on Judiciary.

S. B. 127, bill to amend section 709 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Bennett, S. B. 128, bill for the relief of Edward W. Taylor, late Sheriff of Brunswick County. Referred to the Committee on Finance.

By Mr. Toms, S. B. 129, bill to allow the Commissioners of Henderson County to levy a special tax to build a jail. Referred to the Committee on Finance.

By Mr. Payne, S. B. 130, bill to secure to creditors a just division of the estate of debtors who convey to assignees for the benefit of creditors. Referred to the Committee on Judiciary.

By Mr. Pou, S. B. 131, bill to punish the keeping of disorderly houses, &c. Referred to the Commiltee on Judiciary.

S. B. 132, bill to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads. Referred to the Committee on Judiciary.

S. B. 133, bill to amend the charter of the town of Smithfield, N. C. Referred to the Committee on Corporations.

By Mr. Rice, S. B. 134, bill to incorporate the Ocean View Railroad Company. Referred to the Committee on Internal Improvements.

### THE CALENDAR.

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

S. B. 68, bill to incorporate the Aberdeen and West End Railroad Company, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Farthing, Green, Hampton, Hughes, Leeper, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Twitty, Warters, Williams of Pitt and Wimberly—34.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 70, bill to incorporate the town of Liberty, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Farthing, Green, Hampton, Hughes, Leeper, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Toms, Twitty, Warters and Wimberly—33.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 18, bill for the relief of the Clerk of the Superior Court of the county of Forsyth, on its second reading.

The amendment reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second reading, and, on motion, the rules were suspended and the bill put upon its third reading.

Mr. Green moved to amend:

"Add" the county of Craven."

Adopted.

As amended, the bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

### GOODWYN vs. EMRY.

S. R. 71, resolution to inquire into the right of John J. Goodwyn to a seat in this Senate, was taken up.

The report of the Committee on Privileges and Elections, declaring Mr. Goodwyn not entitled to a seat, but that Mr. T. L. Emry, the sitting member, was entitled to the seat, was adopted.

## THE CALENDAR

was resumed.

S. B. 77, bill to authorize the Mayor and Commissioners of the town of Southport to convey certain lots in said town, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 84, bill to amend section 1736 of *The Code*, in relation to jurors, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 35, S. B. 100, bill to amend section 1876 of *The Code*, in relation to justification of official bonds, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 56, S. B. 101, bill to amend section 1, chapter 316, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 75, S. B. 102, bill for the relief of J. H. Ballentine, of the county of Bladen, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 80, bill to amend section 737 of *The Code*, to provide for the discharge of defendants in criminal actions in certain cases, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 111, bill to amend the charter of the town of Winston, on its second reading.

The bill passed its second and third readings.

Mr. Means moved to reconsider the vote by which the bill passed its third reading; and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 114, bill to amend section 533 of *The Code*, in regard to fees of referees, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

Mr. Hampton asked and obtained consent to withdraw, for correction,

S. B. 63, bill to amend section 31, chapter 135, Laws of 1887.

On motion of Mr. Shaw, the Senate adjourned until tomorrow morning, at 11 o'clock.

# TWELFTH DAY.

SENATE CHAMBER, January 22d, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

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

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Twitty, petition from citizens of Rutherford County, in regard to the purchase tax. Referred to the Committee on Finance.

## SENATE RULES OF ORDER.

Mr. Turner, of Iredell, for the Committee on Rules, reported the following Rules of Order for the government of the Senate:

### 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 committees 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 Door keepers their respective duties and stations.

### POWERS AND DUTIES 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 Calendar 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.

#### RIGHTS AND DUTIES OF SENATORS.

- 8. Every Senator presenting a paper shall endorse 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 report, with the name of the committee and member making the same; if a bill, a statement of its title, which shall contain a brief statement of the subject or contents of the bill, 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 subdivision, if left to itself, shall form a substantive 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 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 the entire Senate Chamber.
- 14. When a motion to adjourn, or for recess, shall be affirmatively determined, no member or officer shall leave his place till adjournment or recess shall be declared by the President.

### STANDING COMMITTEES.

- 15. Standing committees, consisting—unless otherwise ordered—of seven members, except the Committee on Judiciary, which shall be composed of fourteen Senators, and the Committee on Finance, which shall be composed of nine Senators, 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 Salaries and Fees.
  - (15.) On Engrossed Bills.
  - (16.) On Deaf, Dumb and Blind Asylum.
  - (17.) On Insane Asylum.

- (18.) On Federal Relations. (But the President may, in his discretion, add one or more Senators to each committee.)
- 16. 'I he 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 the committe 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.

### 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 or a subsequent order for the day, but such subsequent order may be taken up immediately after the previous special order has been disposed of.
- 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 IS NOT A QUORUM VOTING.

20. If, on taking a 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 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.) To lay on the table.
  - (4.) To postpone indefinitely.
  - (5.) To postpone to a day certain.
  - (6.) To commit to a standing committee.
  - (7.) To commit to a select committee.
  - (8.) To amend.

# THE PREVIOUS QUESTION.

22. The previous question shall always be as follows: "Shall the debate be now closed?" and, until it be decided, shall preclude all debate. If this question be decided in the affirmative the vote shall be taken on the passage of the bill, resolution or other matter under consideration, according to its precedence, as set forth. However, any Senator moving the previous question may restrict the same to an amendment, or other matter then under discussion. If such question, whether it apply to the main question, or to particular matter, be decided in the negative, then the debate shall proceed, as if the previous question had not been moved.

# 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.
- 29. No bill or resoultion shall be sent from the Senate on the day of its passage, except on the last day of the session, unless otherwise ordered by a vote of two-thirds of the Senators present.
- 30. No bill or resolution, after being laid upon the table, upon motion, shall be taken therefrom except by a vote of two-thirds of the Senators present.

## DECORUM IN DEBATE.

- 31. No remark reflecting personally upon the action of any Senator shall be in order in debate, unless preceded by a motion or resolution of censure.
- 32. 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 words excepted to shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

### MISCELLANEOUS RULES.

- 33. 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.
- 34. 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, unless the same shall be made by the Committee on Enrolled Bills, for verbal or grammatical errors in said bill, when the same may be made at any time. Nor shall any question be considered more than once.

- 35. 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.
- 36. No smoking shall be allowed within the Senate Chamber during the sessions.
- 37. 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.
- 38. 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.
- 39. No person other than the Executive and Judicial officers of the State, members and officers of the 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.
- 40. 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.
- 41. In case a less number than a quorum of the Senate shall convene, they are authorized to send the Door-keeper, or any other person, for any or all absent Senators, as the majority of the Senators present shall determine.
- 42. The yeas and nays upon any question shall be taken and entered upon the Journal upon demand of one-fifth of the Senators present.

On motion of Mr. Blair, the report was adopted, and the Rules were ordered printed for the use of the Senate.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 80, bill to be entitled an act to amend section 737 of *The Code*, to provide for the discharge of defendants in criminal actions in certain cases;

S. B. 114, bill to be entitled an act to amend section 533 of *The Code*, in regard to fees of referees—

Which were sent to the House of Representatives.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing

House branch of Joint Select Committee on Railroad Commission:

Messrs. Cooke, Holman, Hoke, Beddingfield, Chadwick, McDonald, Anderson, Walser.

Also a message transmitting engrossed House bills and resolutions, which were read the first time, and disposed of as follows:

H. B. 65, S. B. 135, bill to incorporate the town of Ramoth, in the county of Buncombe. Referred to the Committee on Corporations.

H. B. 73, S. B. 136, bill to authorize the Board of Commissioners of Caldwell County to levy a special tax. Referred to the Committee on Finance.

H. B. 94, S. B. 137, bill to amend chapter 209, Laws of 1887, in relation to the sale of liquors. Referred to the Committee of Propositions and Grievances.

H. B. 92, S. R. 138, resolution for the relief of M. P. Dellinger, of Shelby, N. C. Referred to the Committee on Finance.

H. B. 125, S. B. 139, bill to establish a Board of Health for the city of Charlotte. Referred to the Committee on Judiciary.

H. B. 149, S. B. 140, bill to amend section 2281 of *The Code*, relating to auctioneers. Referred to the Committee on Judiciary.

H. B. 105, S. B. 141, bill to incorporate Bethany College, in Robeson County. Referred to the Committee on Propositions and Grievances.

H. B. 96, S. B. 142, bill to amend chapter 98, Laws of 1879, entitled, "An act to compromise, commute and settle the State debt." Referred to the Committee on Finance.

H. B. 120, S. B. 143, bill to amend the charter of the Fidelity Savings and Trust Company, of Durham. Referred to the Committee on Corporations.

H. B. 44, S. B. 144, bill to authorize the Commissioners of the town of Shelby to issue bonds for purchasing a fire engine, &c. Referred to the Committee on Finance.

H. B. 77, S. B. 145, bill to elect cotton-weighers for the towns of Salisbury and Charlotte. Referred to the Committee on Propositions and Grievances.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Williams of Pitt, S. B. 146, bill to amend chapter 3 of *The Code*, relative to apprentices. Referred to the Committee on Agriculture, Mechanics and Mining, and ordered printed.

By Mr. King, S. B. 147, bill to incorporate the Phœnix Fire Engine Company, of Wilson, N. C. Placed on the Calendar.

By Mr. Leinbach, S. B. 148, bill to amend the charter of the Roanoke and Southern Railroad Company, and to enable said company to complete its road. Referred to the Committee on Internal Improvements.

By Mr. Emry, S. B. 149, bill to repeal chapters 126, Laws of 1885. Referred to the Committee on Corporations.

By Mr. Payne, S. B. 150, bill to amend the Laws of 1885 and 1887, so as to provide for additional educational facilities for the Croatan Indians, citizens of Robeson County, N. C. Referred, with petition, to the Committee on Finance.

By Mr. Abbott, S. B. 151, bill to pay citizens for stock killed by the Norfolk and Southern Railroad. Referred to the Committee on Internal Improvements.

By Mr. Emry, S. B. 152, bill repealing chapter 57, Private Laws of 1885. Referred to the Committee on Judiciary.

By Mr. Barber, S. B. 153, bill to repeal the law of processioning. Referred to the Committee on Judiciary.

By Mr. Emry, S. B. 154, bill amending section 72 of *The Code*. Referred to the Committee on Judiciary;

S. B. 155, bill to abolish the January Term of Halifax Superior Court. Referred to the Committee on Judiciary.

By Mr. Turner of Iredell, S. B. 156, bill to amend chapter 149, Laws of 1885. Referred to the Committee on Propositions and Grievances.

By Mr. Lucas, S. B. 157, bill for the protection of oysters in the waters of Pamlico and Roanoke Sounds. Referred to the Committee on Fish and Fisheries;

S. B. 158, bill to amend section 10, chapter 119, Laws of 1887. Referred to the Committee on Fish and Fisheries.

By Mr. Smith, S. B. 159, bill to pay a balance due the holders of road certificates for building the Tuckaseegee and Turnpike Road, in Jackson County. Referred to the Committee on Finance.

On motion of Mr. Reid,

S. B. 126, bill to amend chapter 63, Laws of 1885,

Was withdrawn from the Committee on Judiciary, and referred to the Committee on Finance.

On motion of Mr. Smith, a message was ordered sent to the House of Representatives informing that honorable body that the Senate would, at the hour of 12 m. to-day, as by law required, proceed to ballot for a United States Senator to represent the State of North Carolina in the Senate of the Congress of the United States for the term of six years, beginning on the 4th of March, 1889.

A message was received from the House of Representatives informing the Senate that the House of Representatives would, at 12 m. to-day, proceed to ballot for a United States Senator.

#### THE CALENDAR.

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

S. B. 147, bill to incorporate the Phoenix Fire Engine Company, of Wilson, N. C., on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. King, the Senate adjourned for recess untill 11:55 o'clock.

At 11:55 the Senate was called to order.

### ELECTION OF UNITED STATES SENATOR.

The President announced that the Senate would now, in accordance with law, proceed to ballot for United States Senator for the term beginning 4th of March ensuing.

Messrs. Emry and Lusk were appointed tellers, to superintend the ballot.

Nominations being in order,

Mr. Pou nominated Hon. Matt. W. Ransom, of Northampton County.

Mr. Lusk nominated Hon. Oliver H. Dockery, of Richmond County.

Messrs. Blair, Lucas and Moore seconded the nomination of Mr. Ransom.

Mr. Rice seconded the nomination of Mr. Dockery.

The ballot was as follows:

Voting for Mr. Ransom—Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Emry, Farthing, Hughes, King, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Pitt—33.

VOTING FOR MR. DOCKERY—Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

Mr. Lusk, of tellers, reported that Hon. Matt. W. Ransom received 33 votes;

Hon. Oliver H. Dockery received 13 votes.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting a communication from his Excellency, the Governor, concerning the centennial celebration of the inauguration of George Washington as the first President of the United States. Referred, with accompanying document, to the Committee on Federal Relations.

A message was also received from the House of Representatives transmitting, engrossed, House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 138, S. B. 160, bill for the relief of the sureties of Neill McQueen, Sheriff of Cumberland, and W. A. McArthur, tax-collector of Cumberland. Referred to the Committee on Finance.

H. B. 145, S. B. 161, bill in reference to Deep River Township, in Moore County. Referred to the Committee on Propositions and Grievances.

H. B. 141, S. B. 162, bill in reference to the ginning and weighing cotton in Harnett County. Referred to the Committee on Propositions and Grievances.

H. R. 185, S. R. 163, resolution relating to life-saving service. Referred to the Committee on Judiciary.

H. B. 43, S. B. 164, bill to authorize the Commissioners of Jackson County to levy a special tax. Referred to the Committee on Finance.

H. B. 143, S. B. 165, bill to prohibit the sale of spirituous,

vinous and malt liquors at Beaver-Dam Church, in Union County. Referred to the Committee on Propositions and Grievances.

H. B. 182, S. B. 166, bill to authorize an election upon local option in the town of Washington, in Beaufort County. Referred to the Committee on Propositions and Grievances.

H. R. 184, S. R. 167, resolution in relation to the boundary line of the State. Referred to the Committee on Judiciary.

H. B. 174, S. B. 168, bill to amend chapter 27, Laws of Special Session of 1880, entitled an act for the establishment of graded schools in the town of Salisbury. Referred to the Committee on Education.

H. B. 67, S. B. 169, bill to incorporate the town of Hot Springs, in Madison County. Referred to the Committee on Internal Improvements.

H. B. 74, S. B. 170, bill to authorize the Commissioners of Henderson County to sell the county jail and erect a new one on the court-house lot. Referred to the Committee on Finance.

H. B. 146, S. B. 171, bill to provide for the drainage of certain portions of Beaverdam Creek, in Gaston County. Referred to the Committee on Propositions and Grievances.

By consent,

Mr. Payne introduced

S. R. 172, resolution in relation to the use of electric lights in the Capitol, which was read the first time and placed on the Calendar.

On motion of Mr. Payne, the rules were suspended and the resolution was taken up, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. White, the Senate adjourned until tomorrow morning, at 11 o'clock.

# THIRTEENTH DAY.

SENATE CHAMBER, January 23, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Williams, of the city.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Long for one day.

#### PETITIONS.

Petitions were presented and disposed of as follows:
By Mr. Robinson, petition of Trustees of Magnolia Graded
School, colored. Referred to the Committee on Education.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 90, bill to amend section 2799, chapter 20 of *The Code*, making four feet the lawful height for fences, reporting it without recommendation.

- S. B. 120, bill to prevent the keeping of screens in the doors of bar-rooms, reporting it without recommendation.
- S. B. 156, bill to amend chapter 149, Laws of 1885, reporting a substitute therefor, and recommending the substitute do pass.
- S. B. 62, bill to amend the road law of the State, reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Robinson, H. B. 105, S. B. 141, bill to incorporate Bethany College, in Robeson County, recommending it do pass.

By Mr. Thomas, S. B. 95, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of Brushy Fork Baptist Church, in Boone Township, Watauga County, recommending it do pass.

By Mr. Crawford, S. B. 121, bill to abolish the June Term of Superior Court of Watauga County, recommending it do it do pass.

By Mr. Turner of Catawba, S. B. 78, bill to amend chapter 81, Laws of 1887, regulating sale of seed-cotton, reporting an amendment, and, as amended, recommending it do pass;

H. B. 145, S. B. 77, bill to elect cotton-weighers for the towns of Salisbury and Charlotte, recommending it do pass.

By Mr. Long, S. B. 79, bill to amend section 2840 of *The Code*, in reference to killing wild fowl in certain counties, recommending it do pass;

S. B. 124, bill to incorporate Antioch Methodist Protestant Church and Camp Ground, in Union county, recommending it do pass;

H. B. 94, S. B. 137, bill to amend chapter 209, Laws of 1887, in relation to sale of liquor, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Finance:

By Mr. Thomas, H. R. 92, S. R. 138, resolution for the relief of M. P. Dellinger, of Shelby, N. C., recommending it do pass.

By Mr. Smith, S. B. 86, bill to enable the Commissioners of Cherokee County to build a jail, and for other purposes, recommending it do pass.

By Mr. Reid, S. B. 123, bill to compensate Miss V. M. Waring, public-school teacher, Mecklenburg County, recommending it do pass.

By Mr. Leeper, H. B. 44, S. B. 144, bill to authorize the Commissioners of the town of Shelby to issue bonds, &c., recommending it do pass;

S. B. 159, bill to pay a balance due the holders of road certificates for building the Tuckasegee and Turnpike Road, in Jackson County, recommending it do pass.

By Mr. Leinbach, S. B. 150, bill to amend the laws of 1885 and 1887, so as to provide additional educational facilities for the Croatan Indians, citizens of Robeson County, recommending it do pass.

By Mr. Moore, S. B. 128, bill for the relief Edward M. Taylor, late Sheriff of Brunswick County, recommending

it do pass.

By Mr. Long, S. B. 129, bill to allow the Commissioners of Henderson County to levy a special tax to build a jail, recommending it do pass.

From the Committee on Agriculture, Mechanics and

Mining:

By Mr. Reid, S. R. 27, resolution authorizing the Commissioner of Agriculture to offer premiums for the largest yield of grains, &c., per acre, reporting a substitute, and recommending the substitute do pass.

From the Committee on Judiciary:

By Mr. Payne, S. B. 53, bill to amend section 1, chapter 288, Laws of 1885, relative to the appointment of Justices of the Peace by the Governor, recommending it do not pass.

By Mr. Lusk, S. B. 48, bill to regulate the pay of jurors for Craven County, recommending it do pass.

By Mr. Leeper, S. B. 154, bill amending section 72 of *The Code*, recommending it do pass;

S. B. 155, bill to abolish the January Term of Halifax Superior Court, recommending it do pass.

By Mr. Lusk, S. B. 38, bill to amend section 887, chapter 22 of *The Code*, extending the jurisdiction of Justices of the Peace in actions for the recovery of personal property, reporting it without recommendation.

By Mr. LeGrand, S. B. 75, bill to punish resistance to a public officer, recommending it do pass.

By Mr. Green, S. B. 93, bill to change time of holding Superior Courts in Granville County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Pou, S. B. 131, bill to prevent the keeping of disorderly houses, &c., recommending it do pass.

By Mr. Lucas, S. B. 60, bill to prohibit the sale of pistols, recommending it do not pass.

By Mr. Barber, S. B. 119, bill to protect telegrams and letters, recommending it do pass.

S. B. 153, bill to repeal the law of processioning, recommending it do pass.

By Mr. Means, S. B. 10, bill to regulate the fees of Solicitors in capital felonies, recommending it do pass.

H. B. 51, S. B. 103, bill to relieve grand juries of the State from coming into open court in a body, reporting amendments, and as amended, recommending the bill do pass.

By Mr. Payne, S. B. 117, bill to authorize Justices of the Peace, in certain cases, to issue process to any county other than their own, recommending it do pass.

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Lucas, S. B. 157, bill for the protection of oysters in the waters of Pamlico and Roanoke Sounds, recommending it do pass;

S. B. 158, bill to amend section 10, chapter 119, Laws of 1887, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 18, bill to be entitled an act for the relief of the clerks of the Superior Court of the counties of Forsyth and Craven;

S. B. 84, bill to be entitled an act to amend section 1736 of *The Code*, in relation to jurors;

- S. B. 77, bill to be entitled an act to authorize the Mayor and Commissioners of the town of Southport to convey certain lots in said town;
- S. B. 70, bill to be entitled an act to incorporate the town of Liberty;
- S. B. 68, bill to be entitled an act to incorporate the Aberdeen and West End Railroad Company—

Sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

- S. R. 23, H. R. 166, resolution of instruction to Members of Congress;
- S. R. 64, H. R. 170, joint resolution to purchase a new chair for the President of the Senate;
- S. R. 8, H. R. 87, resolution to pay clerks to the Board of State Canvassers;
- S. R. 12, H. R. 164, joint resolution of instruction to our Senators and Representatives in Congress to use their best efforts to secure the immediate and total repeal of all internal revenue taxes;
- S. R. 58, H. R. 222, resolution in favor of John R. Smallwood;
- S. B. 5, H. B. 163, an act to allow the county of Iredell to fund her outstanding railroad bonds;
- H. B. 75, S. B. 102, an act for the relief of J. H. Ballentine;
- H. B. 56, S. B. 101, an act to amend section 1, chapter 316 of the Laws of 1887.
- H. B. 35, S. B. 100, an act to amend section 1876 of *The Code*, so as to allow magistrates to take the justification of sureties upon official bonds;
- S. B. 20, H. B. 165, an act to repeal chapter 415, of the Laws of 1883, entitled an act to establish a graded school in Magnolia, Duplin County.

S. B. 21, H. B. 219, an act to authorize the County Commissioners of Richmond County to issue bonds to build a court-house.

Mr. Rice asked and obtained consent to withdraw, for correction,

S. B. 83, bill to repeal chapter 21, Laws of 1885, in reference to killing of deer in counties east of the Wilmington and Weldon Railroad.

On motion of Mr. Twitty,

A message was sent to the House of Representatives informing that honorable body that the Senate would, at the hour of 12 M., to-day, proceed in a body to the hall of the House of Representatives, for the purpose of uniting with that body in ascertaining and declaring the result of an election for United States Senator, held by the Senate and House of Representatives on Tuesday, 22d instant.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Abbott, S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company. Referred to the Committee on Corporations.

By Mr. Barber, S. B. 174, bill to incorporate "Granite Cotton Mills." Referred to the Committee on Corporations.

By Mr. Means, S. B. 186, bill to allow trustees and mortgagees in real estate conveyances to purchase at their own sale. Referred to the Committee on Judiciary.

By Mr. Shaw, S. B. 187, bill to amend the public school law. Referred to the Committee on Education and ordered printed.

By Mr. Means, S. B. 188, bill to amend section 2845, Vol. II, of *The Code*. Referred to the Committee on Judiciary.

On motion of Mr. Barber, the rules were suspended, and S. B. 153, bill to repeal the law of processioning, was taken up on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

### THE CALENDAR.

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

S. R. 27, resolution authorizing the Commissioner of Agriculture to offer premiums to farmers for the largest yield of grain, &c., per acre, on its second reading.

The substitute reported by the Committee on Agricul-

ture, Mechanics and Mining, was read.

Mr. Lusk moved to amend:

"Add, 'for the largest yield of hay, per acre, one hundred dollars.'"

Mr. Farthing moved to amend:

"Add, 'for the largest yield of cabbages, per acre, one hundred dollars.'"

Pending consideration,

The hour of 12 o'clock, noon, having arrived, the Senate, preceded by its officers, repaired to the hall of the House of Representatives to unite with that honorable body in ascertaining and declaring the result of an election for a Senator to represent the State of North Carolina in the Senate of the Congress of the United States, for the term beginning on the 4th day of March, 1889, held by the two houses of the General Assembly on Tuesday, 22d inst.

The Joint Assembly was called to order by Lieutenant-Governor Holt, President of the Senate.

The President of the Senate directed the Clerk of that body to read so much of the Journal of the Senate of the preceding day as related to the election of a United States Senator, which was done.

The Speaker of the House of Representatives, Hon. Augustus Leazar, directed the Clerk of that body to read so much of the Journal of the House of Representatives of the preceding day as related to the election of a United Senator, which was done.

Mr. Speaker Leazar then said:

Senators and Members of the House of Representatives:

It appearing from the Journals of the Senate and House of Representatives of the General Assembly of the State of North Carolina, compared in joint session, that the two houses composing the said General Assembly did, on Tuesday, the 22d day of January, A. D. 1889, in conformity with law, proceed to elect a Senator to represent the State in the Senate of the Congress of the United States, for the term commencing on the 4th of March, A. D. 1889, and ending on the 4th of March, A. D. 1895; and it also appearing from the said Journals that the Hon. Matt. W. Ransom did, in said election, receive a majority of all the votes in each house of the said General Assembly,

We, Thomas M. Holt, Lieutenant-Governor and President of the Senate, and Augustus Leazar, Speaker of the House of Representatives, do, therefore, hereby declare that the said Matt. W. Ransom is duly elected Senator as aforesaid, to represent the State of North Carolina in the Congress of the United States.

(Signed) THOMAS M. HOLT, Lieutenant-Governor and President of the Senate. A. LEAZAR,

Speaker of the House of Representatives.

The Joint Session was thereupon declared adjourned, and the Senate returned to its chamber.

The consideration of

S. R, 27, resolution authorizing the Commissioner of Agriculture to offer premiums for the largest yield of grain, &c., per acre, was resumed.

Mr. Turner of Iredell offered a substitute, which was read for information.

On motion of Mr. Williams of Pitt, the resolution was indefinitely postponed.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, without engrossment,

H. B. 196, S. B. 175, bill to give the Sheriff of Tyrrell and Dare counties further time to settle their State taxes, which was read the first time and placed on the Calendar.

Also a message transmitting, engrossed, House bills and resolutions, which were read the first time, and disposed of as follows:

H. B. 41, S. B. 176, bill to incorporate the State Bank of Commerce, at Hendersonville, N. C. Placed on the Calendar.

H. B. 37, S. B. 177, bill to levy a special tax for Jones County. Referred to the Committee on Finance.

H. B. 155, S. B. 178, bill to amend the Mecklenburg road law. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 72, S. B. 179, bill to amend chapter 265, Laws of 1887, in relation to the road law for Tyrrell County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 156, S. B. 180, bill to authorize the Commissioners of Beaufort County to levy a special tax. Placed on the Calendar.

H. B. 97, S. B. 181, bill to enable Justices of the Peace to take bail on continuance of certain criminal causes. Referred to the Committee on Judiciary.

H. B. 150, S. B. 182, bill to authorize the Tunis and Serpell Lumber Company to hold and convey lands in this State. Referred to the Committee on Judiciary.

H. B. 176, S. B. 183, bill for the relief of Handsel McCall, of Transylvania County. Referred to the Committee on Finance.

H. B. 152, S. B. 184, bill to create a new township in the county of Pender. Referred to the Committee on Propositions and Grievances.

H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, in relation to dentistry. Referred to the Committee on Propositions and Grievances.

Also a message transmitting, without engrossment,

H. B. 330, S. B. 189, bill to amend the charter of the Western Carolina Savings Bank,

Which was read the first time and placed on the Calendar.

Also a message transmitting, with a proposition to have printed, a communication of his Excellency the Governor, with the report of the State Board of Education for the years 1887 and 1888.

On motion of Mr. Twitty, the proposition of the House of Representatives, to have the report printed, was concurred in.

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

H. B 41, S. B. 176, bill to incorporate the State Bank of Commerce, at Hendersonville, N. C., was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Payne,

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, was ordered printed.

On motion of Mr. Lucas, the rules were suspended, and S. B. 157, bill to protect oysters in the waters of Pamlico and Roanoke sounds, was taken up on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 158, bill to amend section 10, chapter 119, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

### THE CALENDAR

was resumed.

H. B. 77, S. B. 145, bill to elect cotton-weighers for the towns of Salisbury and Charlotte, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 44, S. B. 144, bill to authorize the Commissioners of the town of Shelby to issue bonds, &c., on its second reading.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—41.

On motion of Mr. Stubbs,

H. B. 182, S. B. 166, bill to authorize election on local option in the town of Washington, N. C., was withdrawn from the Committee on Propositions and Grievances, and placed on the Calendar.

On motion of Mr. Stubbs, the rules were suspended, and the bill was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

### THE CALENDAR

was resumed.

H. B. 105, S. B. 141, bill to incorporate Bethany College, in Robeson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 94, S. B. 137, bill to amend chapter 209, Laws of 1887, in relation to the sale of liquor, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 196, S. B. 175, bill to give the sheriffs of Tyrrell and Dare counties further time to settle their State taxes, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B 150, bill to amend the Laws of 1885 and 1887, so as to provide additional educational facilities for the Croatan Indians, citizens of Robeson County, N. C., on its second reading.

The bill passed its second and third readings, was ordered engressed and sent to the House of Representatives.

H. R. 92, S. R. 138, resolution for the relief of M. P. Dellinger, of Shelby, N. C., on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

S. B. 129, bill to allow the Commissioners of Henderson County to levy a special tax to build a jail, on its second reading.

The bill passed its second reading—ayes 45, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas,

Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—45.

S. B. 128, bill for the relief of Edward W. Taylor, late Sheriff of Brunswick County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 124, bill to incorporate Antioch Methodist Protestant Church and Camp Ground, in Union County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 123, bill to compensate Miss V. M. Waring, public-school teacher, Mecklenburg County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 121, bill to abolish the June Term of the Superior Court of Watauga County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 120, bill to prevent the keeping of screens in the doors of bar-rooms, on its second reading.

On the passage of the bill on its second reading,

Mr. Lusk demanded the ayes and noes, which were ordered, and the bill failed to pass its second reading—ayes 13, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Campbell, Falkener, Farthing, Hampton, Holton, Hughes, LeGrand, Lusk, Payne, Reid, Smith, Turner of Iredell and White—13.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Copeland, Emry, Green, King, Leeper, Leinbach, Little, Lucas, Means, Moore, Pou, Rice, Robinson, Sills, Stubbs, Thomas, Toms, Turner of Catawba, Twitty, Warters, Williams of Pitt and Wimberly—31.

H. B. 330, S. B. 189, bill to amend the charter of the Western Carolina Savings Bank, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. LeGrand, the Senate adjourned until to-morrow morning at 11 o'clock.

# FOURTEENTH DAY.

SENATE CHAMBER, January 24, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Clark, of the city.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Stubbs for two days.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Leinback, petition from citizens of Forsyth, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Falkener (by request), petition from citizens of Warren and Halifax counties, asking repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Aycock, petition from citizens and merchants of Wayne County, asking the repeal of Schedule B. taxes. Referred to the Committee on Finance.

By Mr. Hampton, petition from the citizens of Westfield Township, Surry County, relative to stock-law boundary in said township. Referred to the Committee on Propositions and Grievances.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Bailey, S. B. 72, bill to establish ferries across the Cape Fear and Brunswick rivers, at Wilmington, N. C., recommending it do pass.

By Mr. Barber, S. B. 108, bill to amend chapter 79, Private Laws of 1873, and amending the charter of the town of Ashboro, in Randolph County, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 134, bill to incorporate the Ocean View Railroad Company, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, S. B. 37, bill to prevent the buying and selling of futures, recommending it do pass.

From the Committee on Library:

By Mr. Blair, S. B. 96, bill to open the State Library at night, recommending it do not pass.

By Mr. Warters, S. B. 97, bill to amend chapter 51, section 1, of *The Code*, entitled Public Libraries, recommending it do not pass.

From the Committee on Judiciary:

By Mr. Lucas, S. B. 151, bill to pay citizens for stock killed by the Norfolk Southern Railroad, reporting it without recommendation.

The Committee on Engrossed Bills reported, as properly engrossed:

S. B. 121, bill to be entitled an act to abolish the June Term of the Superior Court of Watauga County;

S. B. 123, bill to be entitled an act to compensate Miss V. M. Waring, public school teacher, Mecklenburg County;

S. B. 124, bill to be entitled an act to incorporate Antioch Methodist Protestant Church and camp grounds, in Union County;

- S. B. 128, bill to be entitled an act for the relief of Edward W. Taylor, late Sheriff of Brunswick County;
- S. B. 150, bill to be entitled an act to amend the laws of 1885 and 1887, so as to provide additional educational facilities for the Croatan Indians, citizens of Robeson County, N. C.;
- S. B. 153, bill to be entitled an act to repeal the law of processioning,

Which were sent to the House of Representatives.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Lusk, S. B. 190, bill to repeal section 3620 of *The Code*, in relation to the public printing, and to authorize the committee to contract for the State printing with the lowest responsible printer. Referred to the Committee on Finance.

By Mr. Little, S. B. 191, bill for the relief of Joseph H. Wheeler, of Anson County. Referred to the Committee on Judiciary.

By Mr. Robinson, S. B. 192, bill to give magistrates jurisdiction over the offences of disposing of mortgaged property where the value of the property does not exceed five dollars. Referred to the Committee on Judiciary;

S. B. 193, bill in relation to continuances in courts of Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Smith, S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee county. Referred to the Committee on Corporations.

By Mr. Long, S. B. 195, bill to incorporate the Milton and Yanceyville Railroad Company. Referred to the Committee on Internal Improvements;

S. B. 196, bill to authorize the sheriff of Orange County to collect arrears of taxes. Referred to the Committee on Finance;

S. B. 197, bill in relation to the Lynchburg and Durham Railroad Company. Placed on the Calendar.

By Mr. Campbell, S. B. 198, bill to amend section 2799 of *The Code*. Referred to the Committee on Judiciary;

S. B. 199, bill to amend chapter 39 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Emry, S. R. 200, resolution to raise a joint select committee to consider the question of pension legislation. Placed on the Calendar.

By Mr. Toms, S. C. 201, bill to drain the swamp lands in Henderson county. Referred to the Committee on Finance.

By Mr. Leinbach, S. B. 202, bill to suppress riots during political campaigns. Referred to the Committee on Finance;

S. B. 203, bill to increase the jurisdiction of Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Shaw, S. B. 204, bill to prevent the sale of intoxicating liquors within two miles of Bethlehem Baptist Church, in Hertford County. Referred, with accompanying petition, to the Committee on Propositions and Grievances.

By Mr. Blair, S. R. 205, resolution to raise a joint select committee on roads. Placed on the Calendar.

On motion of Mr. Williams of Pitt, the rules were suspended, and

S. B. 37, bill to prevent the buying and selling of futures, was taken up on its second reading.

On motion of Mr. Williams of Pitt, the bill was postponed until Tuesday, 29th instant, made special order for
that day, and ordered printed.

On motion of Mr. Little,

H. B. 143, S. B 165, bill to prohibit the sale of spirituous, vinous and malt liquors at Beaver Dam Church, was withdrawn from the Committee on Propositions and Grievances and placed upon the Calendar.

On motion of Mr. Emry, the rules were suspended, and S. R. 200, resolution to raise a joint select committee to

consider the question of pension legislation, was taken up on its second reading.

The resolution was adopted, and ordered sent to the House of Representatives without engrossment.

## THE CALENDAR.

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

S. B. 129, bill to allow the Commissioners of Henderson County to levy a special tax to build a jail, on its third reading.

The bill passed its third reading—ayes 45, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—45.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 44, S. B. 144, bill to authorize the Commissioners of the town of Shelby to issue bonds, &c., on its third reading.

The bill passed its third reading—ayes 46, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robin-

son, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—46.

The bill was ordered enrolled.

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

S. B. 197, bill in relation to the Lynchburg and Durham Railroad Company, was taken up on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Brown, the rules were suspended, and S. B. 93, bill to change the time of holding Superior Courts in Granville County, was taken up on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

#### THE CALENDAR

was resumed.

S. B. 10, bill to regulate the fees of Solicitors in capital felonies, on its second reading.

Mr. Blair moved to amend:

"Strike out 'twenty-five,' and insert in lieu thereof 'twenty.'"

Adopted.

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

Mr. LeGrand moved the bill be laid upon the table, on which he demanded the ayes and noes, which were ordered, and the motion prevailed—ayes 44, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—44

Those voting in the negative were:

Messrs. Means, Toms and Wimberly-3.

S. B. 38, bill to amend section 887, chapter 22, of *The Code*, extending the jurisdiction of Justices of the Peace in actions for the recovery of personal property, on its second reading.

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

S. B. 48, bill to regulate the pay of jurors for Craven County, on its second reading.

The bill passed its second reading.

S. B. 53, bill to amend section 1, chapter 288, Laws of 1885, relative to the appointment of Justices of the Peace by the Governor, on its second reading.

On motion of Mr. Aycock, the bill was laid on the table. S. B. 60, bill to prohibit the sale of pistols, on its second

reading.

On motion of Mr. LeGrand, the bill was re-committed to the Committee on Judiciary.

S. B. 62, bill to amend the road law of the State, on its second reading.

The substitute reported by the Committee on Propositions and Grievances was read.

Mr. Thomas moved to amend:

"Add, 'this act shall not apply to the county of Davidson.'"

On motion of Mr. Campbell, the bill, with pending amendments, was referred to the Committee on Judiciary.

S. B. 75, bill to punish resistance to a public officer, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 78, bill to amend chapter 81, Laws of 1887, regulating the sale of seed cotton, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

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

S. R. 205, resolution to raise a Joint Select Committee on Roads, was taken up, adopted, ordered engrossed and sent to the House of Representatives.

### THE CALENDAR

was resumed.

S. B. 79, bill to amend section 2840 of *The Code*, in reference to killing wild fowl in certain counties, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 86, bill to enable the Commissioners of Cherokee County to build a jail, and for other purposes, on its second reading.

The bill passed its second reading—ayes 48, noes —, as follows:

Those voting in the affirmative were:

Messrs Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—48.

H. B. 156, S. B. 180, bill to authorize the Commissioners of Beaufort County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 46, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—46.

H. B. 51, S. B. 103, bill to relieve the grand juries of the State from coming into open court in a body, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 143, S. B. 165, bill to prohibit the sale of spirituous, vinous and malt liquors at Beaver-Dam Church, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 90, bill to amend section 2799, chapter 20 *The Code*, making four feet the lawful height for fences, on its second reading.

Mr. Robinson moved to amend:

"Insert the words, 'and one-half' between the words 'four' and 'feet."

Mr. Moore moved to amend:

"Add, 'This act shall not apply to Rockingham County."

Mr. Williams of Pitt moved to amend:

"Add, 'This act shall not apply to Pitt County.'"

Mr. Holton moved to amend:

"Add, 'This act shall not apply to Guilford County.'"

Mr. Toms moved to amend:

"Add, 'This act shall not apply to the counties of Haywood, Henderson and Transylvania.'"

Mr. LeGrand moved to amend:

"Insert, 'This act shall only apply to the counties of Caldwell, McDowell, Mitchell, Yancey, Rutherford and Polk.'"

On motion of Mr. LeGrand, the bill, with pending amendments, was recommitted to the Committee on Propositions and Grievances.

S. B. 95, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of Brushy Fork Baptist Church, in Boone Township, in Watauga County, on its second reading.

On motion of Mr. LeGrand, the bill was recommitted to the Committee on Propositions and Grievances.

S. B. 119, bill to protect telegrams and letters, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 154, bill amending section 72 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 155, bill to abolish the January term of Halifax Superior Court, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 156, bill to amend chapter 149, Laws of 1885, on its second reading.

The substitute reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 159, bill to pay a balance due the holders of road certificates for building the Tuckasegee and Turnpike Road, in Jackson County, on its second reading.

The bill passed its second and third readings, was ordered sent to the House of Representatives without engrossment.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the concurrence of that honorable body in

S. R. 200, H. R. 373, resolution to appoint a Joint Select Committee to consider the question of pension legislation, and that

Messrs. Sutton, McCubbins, Cherry, Holman, Philips, Hood, Marsh of Union and Cooper were appointed House branch of said committee.

The President announced as Senate branch of said committee,

Messrs. Lucas, Little and Lusk.

Also transmitting without engrossment,

H. B. 240, S. B. 206, bill to authorize the Commissioners of Taylorsville, in Alexander County, to sell certain real estate,

which was read the first time and referred to the Committee on Propositions and Grievances.

H. B. 158, S. B. 207, bill to incorporate the Scranton and North Carolina Land and Lumber Company, which was read the first time and referred to the Committee on Corporations.

Also a message transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 119, S. B. 208, bill for the relief of the Superior Court Clerk of Mitchell County. Referred to the Committee on Judiciary.

H. B. 124, S. B. 209, bill for the protection of insane persons. Referred to the Committee on Judiciary.

H. B. 142, S. B. 210, bill to amend chapter 171, Laws of 1885, in relation to Sunday fishing. Referred to the Committee on Propositions and Grievances.

H. B. 221, S. B. 211, bill explaining and amending chapter 119, Laws of 1887. Referred to the Committee on Judiciary.

H. B. 81, S. B. 212, bill to repeal chapter 89, Laws of 1885, in relation to oysters. Referred to the Committee on Fish and Fisheries.

H. B. 159, S. B. 213, bill to amend section 3396 of *The Code*, relating to fishing interests. Referred to the Committee on Fish and Fisheries.

H. B. 139, S. B. 214, bill for the relief of sheriffs, tax collectors, and their legal representatives. Referred to the Committee on Judiciary.

H. B. 202, S. B. 215, bill to amend chapters 395 and 399, Laws of 1885. Referred to the Committee on Judiciary.

H. R. 5, S. R. 216, resolution concerning the Blair Educational Bill. Referred to the Committee on Federal Relations.

H. B. 19, S. B. 217, bill to repeal chapter 159, Laws of 1887. Referred to the Committee on Judiciary.

H. B. 79, S. B. 218, bill to authorize the Commissioners of Clay County to issue bonds, &c. Referred to the Committee on Finance.

H. B. 101, S. B. 219, bill to prohibit the shooting of rifles across Currituck Sound. Referred to the Committee on Propositions and Grievances.

H. B. 99, S. B. 220, bill to amend Laws of 1887, relative to fishing in Currituck Sound. Referred to the Committee on Fish and Fisheries.

H. R. 122, S. R. 221, resolution to raise a joint committee in regard to the Governor's Mansion. Placed on the Calendar.

On motion of Mr. Turner of Iredell, the Senate adjourned until to-morrow morning at 11 o'clock.

# FIFTEENTH DAY.

SENATE CHAMBER, January 25, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Clark, of the city.

The Journal of yesterday was read and approved.

Leave of absence was granted to Mr. Bennett until Monday; Mr. Green for two days; Mr. Little for one day.

### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Smith, petition of the citizens of the town of Murphy, asking no change in the local option law. Referred to the Committee on Corporations.

• By Mr. Barber, petition of Guilford Battle-Ground Company, asking for an appropriation from the Legislature to

carry out the patriotic purposes of said company. Referred to the Committee on Finance, and ordered to be printed.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Internal Improvements:

By Mr. Means, H. B. 67, S. B. 169, bill to incorporate the town of Hot Springs, in Madison County, reporting an amendment, and as amended, recommending it do pass.

By Mr. King, S. B. 89, bill to amend chapter 198, Laws of 1887, reporting an amendment, and as amended, recommending it do pass.

From the Committee on Judiciary:

By Mr. Means, H. R. 185, S. R. 163, resolution relating to the life-saving service, recommending it do pass.

By Mr. Little, S. B. 152, bill to repeal chapter 57, Private Laws of 1885, recommending it do pass.

By Mr. LeGrand, H. B. 125, S. B. 139, bill to establish a Board of Health for the city of Charlotte, recommending it do pass.

By Mr. Turner of Iredell, S. B. 44, bill to authorize Justices of the Peace to take bond upon continuance of certain criminal cases, reporting amendments, and as amended, recommending it do pass.

S. B. 32, bill to simplify indictments for perjury, reporting an amendment, and as amended, recommending the bill do pass.

S. B. 51, bill to extend the jurisdiction of Justices of the Peace, and other officers, in granting bail in criminal actions, recommending it do not pass.

H. B. 197, S. B. 181, bill to enable Justices of the Peace to take bail on the continuance of certain criminal causes, recommending it do not pass.

From the Committee on Corporations:

By Mr. Thomas, S. B. 24, bill to incorporate West Asheville, in the county of Buncombe, recommending it do pass.

By Mr. Bailey, H. B. 120, S. B. 143, bill to amend the charter of the Fidelity Savings and Trust Company of Durham, recommending it do pass.

By Mr. Barber, H. B. 64, S. B. 122, bill to amend chapter 162, Private Laws of 1887, entitled an act to incorporate the Guilford Battle-Ground Company, recommending it do pass.

By Mr. Pou, S. B. 133, bill to amend the charter of the town of Smithfield, chapter 142, Private Laws of 1883, recommending it do pass.

From the Committee on Education:

By Mr. Bailey, S. B. 57, bill to abolish the office of County Superintendent of Education, recommending it do not pass.

S. B. 16, bill to provide a uniform system of text-books for the common schools of the State of North Carolina, recommending it do not pass.

By Mr. Toms, S. B. 47, bill to increase the salary of the Superintendent of Public Instruction, reporting it without recommendation.

By Mr. Campbell, H. B. 174, S. B. 168, bill to amend chapter 27, Laws of Special Session of 1880, being an act for the establishment of graded schools in the town of Salisbury, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Crawford, H. B. 101, S. B. 219, bill to prohibit the shooting of rifles across Currituck Sound, recommending it do pass.

By Mr. Hampton, H. B. 141, S. B. 162, bill in reference to ginning and weighing cotton in Harnett County, recommending it do pass.

By Mr. Turner of Catawba, H. B. 142, S. B. 210, bill to amend chapter 171, Laws of 1885, in relation to Sunday fishing, recommending it do pass.

By Mr. Long, H. B. 146, S. B. 171, bill to provide for the drainage of certain portions of Beaver Dam Creek, in Gastrn County, recommending it do pass.

By Mr. Kerr, H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, recommending it do not pass.

By Mr. Turner of Iredell, H. B. 240, S. B. 206, bill to authorize the Commissioners of Taylorsville, Alexander County, to sell certain real estate, recommending it do pass.

From the Committee on Finance:

By Mr. Smith, H. B. 43, S. B. 164, bill to authorize the County Commissioners of Jackson County to levy a special tax, reporting an amendmend, and, as amended, recommending it do pass.

By Mr. Toms, H. B. 138, S. B. 160, bill for the relief of the sureties of Neill McQueen, late Sheriff, and of W. A. McArthur, tax-collector, of Cumberland County, recommending it do pass.

By Mr. Reid, H. B. 37, S. B. 177, bill to levy a special tax for Jones County, recommending it do pass.

By Mr. Payne, H. B. 96, S. B. 142, bill to amend chapter 98, Laws of 1879, entitled an act to compromise, commute and settle the State debt, recommending it do pass;

S. B. 110, bill to amend section 717 of *The Code*, for the benefit of Justices of the Peace, recommending it do pass;

S. B. 109, bill to prevent county orders from bearing interest until after presentation, recommending it do not pass.

By Mr. Campbell, H. B. 74, S. B. 170, bill to authorize the Commissioners of Henderson County to sell the county jail and erect a new one on the court-house lot, recommending it do not pass.

By Mr. Leinbach, H. B. 176, S. B. 183, bill for the relief of Handsell McCall, of Transylvania County, recommending it do pass.

From the Committee on Federal Relations:

By Mr. LeGrand, S. R. 4, resolution concerning the Blair Educational bill, recommending it do not pass;

H. R. 5, S. R. 216, resolution concerning the Blair Educational Bill, recommending it do pass;

S. R. 9, resolution of instruction to our Senators and Members of Congress, with regard to the internal revenue laws, recommending it do not pass;

H. R. 23, S. R. 98, resolution of instruction to our Senators and Members of Congress, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 75, bill to be entitled an act to punish resistance to a public officer;

S. B. 78, bill to be entitled an act to amend chapter 81, Laws of 1887, regulating sale of seed-cotton;

S. B. 119, bill to be entitled an act to protect telegrams and letters;

S. B. 79, an act to amend section 2840 of *The Code*, in reference to killing wild fowl in certain counties;

S. B. 93, bill to be entitled an act to change the time of holding Superior Courts in Granville County;

S. B. 129, bill to be entitled an act to allow the Commissioners of Henderson County to levy a special tax to build a jail;

S. B. 154, an act amending section 72 of The Code.

S. B. 155, an act to abolish the January Term of Halifax Superior Court;

S. B. 156, bill to be entitled an act to amend chapter 149 of the Acts of 1885.

S. R. 205, resolution to raise a committee on roads—

Which were sent to the House of Representatives for concurrence.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 196, S. B. 175, an act to give the sheriffs of Tyrrell and Dare counties further time to settle their State taxes;

H. B. 41, S. B. 176, an act to incorporate the State Bank of Commerce, to be located in Hendersonville, N. C.;

H. B. 330, S. B. 189, an act to amend the charter of the Western Carolina Savings Bank;

H. B. 192, S. B. 166, an act to authorize the Commissioners of Beaufort County to order an election;

S. B. 145, H. B. 77, an act to elect cotton weighers for the towns of Salisbury and Charlotte, in the counties of Rowan and Mecklenburg;

H. B. 94, S. B. 137, an act to amend chapter 209, Laws of 1887;

S. B. 141, H. B. 105, an act to incorporate Bethany College;

H. R. 92, S. R. 138, resolution for the relief of M. P. Dellinger, of Shelby, N. C.;

S. B. 7, H. B. 169, an act to amend section 1 of chapter 17 of the Private Acts of 1887, incorporating the Biddle University, ratified February 8th, 1887;

S. B. 50, H. B. 171, an act to amend chapter 45 of the Laws of 1833-'34, changing the name of New Garden Boarding School;

S. B. 52, H. B. 218, an act to amend section 2824 of The Code;

S. B. 111, H. B. 309, an act to amend the charter of the town of Winston, N. C.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Campbell (by request), S. B. 222, bill to repeal such provisions of existing law as require a stated annual renewal of official bonds. Referred to Committee on Judiciary;

S. B. 223, bill amendatory of section 1876 of *The Code*. Referred to the Committee on Judiciary;

S. B. 224, bill to provide for the better regulation of the liquor traffic, and to facilitate the collection of statistics in

regard to the same. Referred to the Committee on Propositions and Grievances;

S. B. 225, bill to repeal chapter 73, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. Moore, S. B. 226, bill to change the Normal School from Winston to Reidsville. Referred to the Committee on Education.

By Mr. Twitty, S. B. 227, bill to amend chapter 134, Laws of 1887, being an act to incorporate The Polk County Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. Emry, S. B. 228, bill to amend section 2724 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Reid, S. B. 229, bill to prevent trusts, combinations, &c. Referred to the Committee on Judiciary.

By Mr. Barber, S. B. 230, bill to amend chapter 245, Laws of 1885. Referred to the Committee on Propositions and Grievances.

By Mr. Toms, S. B. 231, bill to prevent the careless rafting of logs and timbers down the French Broad and Mills rivers and their tributaries. Referred to the Committee on Propositions and Grievances.

By Mr. Bennett, S. B. 232, bill to prevent the catching of diamond-back terrapins in the waters of Brunswick County. Referred to the Committee on Fish and Fisheries.

By Mr. Abbott, S. B. 233, bill to amend section 3726 of *The Code.* Referred to the Committee on Salaries and Fees.

By Mr. Emry, S. B. 241, bill to promote the efficiency of the State Guard. Referred to the Committee on Military Affairs.

On motion of Mr. Turner of Iredell, the rules were suspended, and

H. B. 240, S. B. 206, bill to authorize the Commissioners of Taylorsville, Alexander County, to sell certain real estate, was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Williams of Cumberland, the rules were suspended, and

H. B. 138, S. B. 160, bill for the relief of the sureties of Neill McQueen, late Sheriff, and of W. A. McArthur, tax-collector of Cumberland County, was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

#### THE CALENDAR.

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

H. B. 156, S. B. 180, bill to authorize the Commissioners of Beaufort County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 46, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—46.

The bill was ordered enrolled.

S. B. 86, bill to enable the Commissioners of Cherokee County to build a jail, and for other purposes, on its third reading.

The bill passed its third reading—ayes 46, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford,

Emry, Falkener, Farthing, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—46.

The bill was ordered engrossed and sent to the House of Representatives.

H. R 122, S. R. 221, resolution to raise a joint committee in regard to the Governor's Mansion, on its second reading.

The resolution was adopted.

S. B. 72, bill to establish ferries across the Cape Fear and Brunswick rivers at Wilmington, N. C., on its second reading.

The bill passed its second reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—43.

S. B. 96, bill to open the State Library at night, on its second reading.

On motion of Mr. LeGrand, the bill was recommitted to the Committee on Library.

S. B. 97, bill to amend chapter 51, section 1, of *The Code*, entitled Public Libraries, on its second reading.

The bill failed to pass its second reading.

S. B. 108, bill to amend chapter 79, Private Acts of 1873, and amending the charter of the town of Ashboro, in Randolph County, on its second reading.

The bill passed its second reading—ayes 43, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Kerr, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Pou, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—42.

S. B. 117, bill to authorize Justices of the Peace in certain cases to issue process to any county other than their own, on its second reading.

Mr. Payne moved to amend:

"Insert, 'Section 5. That before any summons shall issue in such action, the plaintiff therein shall file a written complaint before the Justice of the Peace issuing said summons, setting forth the cause of action as by this act contemplated, stating that the alleged indebtedness by defendant to plaintiff under the contract is actually due and unpaid, which complaint or affidavit shall be sworn to according to law. And before any summons shall issue in such action, it shall be the duty of such plaintiff to file with said justice a bond with sufficient surety, payable to the defendant in such action, in the sum of two hundred dollars, conditioned that the plaintiff will pay to defendant all such costs and damages as the defendant may recover of the plaintiff by reason of his failure to recover in such action.

'Section 6. That no Justice of the Peace shall enter a judgment under the provisions of this act against a defendant unless it shall appear that the summons was duly served upon said defendant at least ten days before the return-day thereof.'"

Adopted.

The bill passed its second reading.

Mr. Payne moved the rules be suspended, and the bill be taken up on its third reading.

On the motion to suspend the rules,

Mr. Williams of Pitt demanded the ayes and noes, which were ordered, and the motion was lost (not two-thirds voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Campbell, Emry, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Rice, Robinson, Shaw, Smith, Toms, Turner of Catawba, White and Williams of Cumberland—22.

Those voting in the negative were:

Messrs. Aycock, Banks, Barber, Blair, Brock, Brown, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, King, Leinbach, Lusk, Reid, Sills, Thomas, Turner of Iredell, Twitty, Warters, Williams of Pitt and Wimberly—23.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, without engrossment,

H. R. —, S. R. 234, resolution of N. H. R. Dawson, which passed its first reading, and, with accompanying communication from his Excellency the Governor, relating thereto, was placed on the Calendar.

On motion of Mr. Means, the rules were suspended, and the resolution was taken up on its second reading.

Mr. Means moved to amend:

"Strike out all after the words 'D. C.'"

Adopted.

And thus amended, the resolution was adopted.

#### THE CALENDAR

was resumed.

S. B. 134, bill to incorporate the Ocean View Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 151, bill to pay citizens for stock killed by the Norfolk Southern Railroad, on its second reading.

On motion of Mr. Abbott, the bill was referred to the Committee on Propositions and Grievances.

H. B. 170, S. B. 74, bill to authorize the Commissioners of Henderson County to sell the county jail and erect a new one on the court-house lot, on its second reading.

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

S. R. 4, resolution concerning the Blair Educational Bill, on its second reading.

Mr. Turner of Iredell moved the resolution be laid on the table; on which,

Mr. Thomas demanded the ayes and noes, which were ordered, and the motion that the resolution be laid on the table was adopted—ayes 27, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Blair, Brock, Campbell, Emry, Farthing, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—27.

Those voting in the negative were:

Messrs. Bailey, Banks, Barber, Brown, Copeland, Crawford, Falkener, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Williams of Pitt and Wimberly—15.

H. R. 5, S. R. 216, resolution concerning the Blair Educational Bill, on its second reading.

On the adoption of the resolution,

Mr. Payne demanded the ayes and noes, which were ordered.

Mr. LeGrand demanded the previous question, and was sustained.

The resolution was adopted—ayes 39, noes 6, as follows: Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Farthing, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—39.

Those voting in the negative were:

Messrs. Falkener, Kerr, Little, Sills, Thomas and Wimberly—6.

The resolution was ordered enrolled.

H. B. 64, S. B. 122, bill to amend chapter 162, Private Acts of 1887, an act to incorporate the Guilford Battle Ground Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 125, S. B. 139, bill to establish a Board of Health for the city of Charlotte, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 141, S. B. 162, bill in relation to ginning and weighing cotton in Harnett county, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 96, S. 142, bill to amend chapter 98, Laws of 1879, entitled an act to compromise, commute and settle the State debt &c., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 120, S. B. 143, bill to amend the charter of the Fidelity Savings and Trust Company of Durham, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. R. 185, S. R. 163, resolution relating to the life-saving service, on its second reading.

The resolution was adopted, and ordered enrolled.

H. B. 146, S. B. 171, bill to provide for the drainage of certain portions of Beaver Dam Creek, in Gaston county, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 43, S. B. 164, bill to authorize the Commissioners of Jackson County to levy a special tax, on its second reading.

The amendments reported by the Committee on Finance were adopted.

The bill passed its second reading—ayes 45, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—45.

H. B. 67, S. B. 169, bill to incorporate the town of Hot Springs, in Madison County, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second reading—ayes 46, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, L Means, Moore, Payne, Pou, Reid, Rice, Sills, Smith, Tho

Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—46.

H. B. 174, S. B. 168, bill to amend chapter 27, Laws of Special Session of 1880, being an act for the establishment of graded schools in the town of Salisbury, on its second reading.

The bill passed its second, and third readings, and was ordered enrolled.

S. B. 44, bill to authorize Justices of the Peace to take bond upon continuance of certain criminal cases, on its second reading.

The amendments reported by the Committee on Judiciary were adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 97, S. B. 181, bill to enable Justices of the Peace to take bail on the continuance of certain criminal causes, on its second reading.

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

H. B. 176, S. B. 183, bill for the relief of Handsel Mc-Call, of Transylvania County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, on its second reading.

On motion of Mr. Blair, the bill was recommitted to the Committee on Propositions and Grievances.

H. B. 142, S. B. 210, bill to amend chapter 171, Laws of 1885, in relation to Sunday fishing, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 101, S. B. 219, bill to prohibit the shooting of rifles across Currituck Sound, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. R. 9, resolution of instruction to our Senators and Members of Congress with regard to the internal revenue laws, on its second reading.

Mr. LeGrand moved that the resolution be laid upon the table, on which motion,

Mr. Leinbach asked for the ayes and noes. Not ordered. The motion that the resolution be laid on the table prevailed.

H. R. 23, S. R. 98, resolution of instruction to our Senators and Members of Congress, on its second reading.

Mr. Lusk moved to amend:

"Add, 'Tax on whiskey.'"

Lost.

The resolution was adopted, and ordered enrolled.

S. B. 109, bill to prevent county orders from bearing interest until after presentation, on its second reading.

The bill failed to pass its second reading.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 10, S. B. 235, bill to amend the charter of Kittrell Normal and Industrial School. Placed on the Calendar.

H. B. 187, S. B. 236, bill to declare the "Albemarle Timber Company" a duly incorporated company, and to amend and enlarge its charter. Referred to the Committee on Corporations.

H. B. 213, S. B. 237, bill to authorize the Treasurer of Haywood County to pay a school claim. Referred to the Committee on Finance.

H. B. 203, S. B. 238, bill to authorize the Commissioners of Montgomery County to levy a special tax. Referred to the Committee on Finance.

H. B. 133, S. B. 229, bill to amend chapter 41, section 1799 of *The Code*, relating to fees, &c. Referred to the Committee on Judiciary.

H. B. 223, S. B. 240, bill to amend the law concerning pilotage. Referred to the Committee on Propositions and Grievances.

Also a message transmitting, without engrossment,

H. B. 244, S. B. 242, bill to authorize the Commissioners of Chatham County to levy taxes in stock-law territories. Referred to the Committee on Finance.

### THE CALENDAR

was resumed.

H. B. 10, S. B. 235, bill to amend the charter of Kittrell Normal and Industrial School, on its second reading.

On motion of Mr. Aycock, the bill was referred to the Committee on Corporations.

S. B. 152, bill repealing chapter 57, Private Acts of 1885, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

Mr. Banks, for and on behalf of the President and young ladies of St. Mary's Female College, extended an invitation to the members of the Senate to attend a reception and entertainment at said college on Friday evening next, Ist of February.

On motion, the Senate adjourned until to-morrow morning at 10 o'clock.

# SIXTEENTH DAY.

SENATE CHAMBER, January 26, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Foster, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Wimberly until Tuesday. Mr. Williams of Pitt was announced absent on account of illness.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Barber, petition of citizens of Wilkes, asking the repeal of the merchants' tax. Referred to the Committee on Finance.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Bailey, S. B. 174, bill to incorporate "Granite Cotton Mills," recommending it do pass.

By Mr. Barber, S. B. 82, bill to aid the Guilford Battle Ground Company, reporting a substitute, and recommending the substitute do pass.

H. B. 10, S. B. 235, bill to amend the charter of Kittrell Normal and Industrial School, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Reid, S. B. 146, bill to amend chapter 3 of *The Code*, relative to apprentices, reporting amendments, and, as amended, recommending the bill do pass.

From the Committee on Judiciary:

By Mr. Pou, S. B. 132, bill to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads, recommending it do pass;

S. B. 125, bill to amend section 741 of *The Code*, relating to costs, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 148, bill to amend the charter of the Roanoke and Southern Railway Company, and to enable said company to complete its road, reporting amendments, and, as amended, recommending the bill do pass.

From the Committee on Finance:

By Mr. Moore, H. B. 244, S. B. 242, bill to authorize the Board of Commissioners of Chatham County to levy taxes in stock-law territories, recommending it do pass.

By Mr. Payne, H. B. 79, S. B. 218, bill to authorize the Commissioners of Clay County to issue bonds, &c., recommending it do pass.

By Mr. Campbell, S. B. 202, bill to suppress riots during political campaigns, recommending it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 231, bill to prevent the careless rafting of logs and timbers down the French Broad and Mills rivers and their tributaries, recommending it do pass.

From the Committee on Education:

By Mr. Bailey, S. B. 187, bill to amend the public school law, recommending it do pass.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Smith, S. B. 243, bill to amend the charter of the Hiwassee Railroad Company. Referred to the Committee on Internal Improvements;

S. B. 244, bill to incorporate the Alleghany Construction Company. Referred to the Committee on Corporations.

By Mr. Brock (by request), S. B. 245, bill to impound and recover damages out of stock breaking into fields and pastures in fence districts enclosed by lawful fences. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Reid, S. B. 246, bill to refund the debt of Mecklenburg County. Referred to the Committee on Finance.

By Mr. Crawford, S. B. 247, bill to amend chapter 54 of *The Code*, in relation to religious worship. Referred to the Committee on Judiciary.

By Mr. Abbott, S. B. 248, bill to pay citizens for stock killed by the Norfolk Southern Railroad. Referred to the Committee on Propositions and Grievances.

By Mr. Bailey, S. B. 249, bill to satisfy certain claims against the University of North Carolina. Referred to the Committee on Propositions and Grievances.

By Mr. Payne, S. B. 250, bill to allow the county of Robeson to issue bonds. Referred to the Committee on Finance.

By Mr. Means, S. R. 251, resolution of instruction to the State Librarian. Referred to the Committee on Library.

On motion of Mr. Barber, the rules were suspended, and S. B. 82, bill to aid the Guilford Battle Ground Company, was taken up on its second reading.

The substitute reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

### THE CALENDAR.

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

S. B. 72, bill to establish ferries across the Cape Fear and Brunswick rivers, at Wilmington, N. C., passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Hampton, Hughes, Leeper, LeGrand, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—36.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 108, bill to amend chapter 79, Private Acts of 1873, and amending the charter of the town of Asheboro, in Randolph County, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbot, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Hampton, Hughes, King, Leeper, LeGrand, Long, Lusk, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—35.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 43, S. B. 164, bill to authorize the Commissioners of Jackson County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Hampton King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—36.

The Senate amendment was ordered engrossed and sent to the House of Representatives for concurrence.

H. B. 67, S. B. 169, bill to incorporate the town of Hot Springs, in Madison County, on its third reading.

The bill passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—42.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

S. B. 16, bill to provide a uniform system of text-books for the common schools of North Carolina, on its second reading.

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

S. B. 24, bill to incorporate West Asheville, in the county of Buncombe, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—39.

S. B. 32, bill to simplify indictments for perjury, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 47, bill to increase the salary of the Superintendent of Public Instruction, on its second reading.

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

S. B. 51, bill to extend the jurisdiction of Justices of the Peace, and other officers, in granting bail in criminal actions, on its second reading.

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

S. B. 51, bill to abolish the office of County Superintendent of Education, on its second reading.

Mr. White moved the bill be laid on the table; on which, Mr. Lusk asked for the ayes and noes, which were ordered, and the motion prevailed—ayes 33, noes 6, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Campbell, Crawford, Falkener, Farthing, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

Those voting in the negative were:

Messrs. Banks, Hampton, Holton, Lusk, Thomas and Warters—6.

S. B. 110, bill to amend section 717 of *The Code*, for the benefit of Justices of the Peace, on its second reading.

Mr. Campbell moved the bill be laid on the table; on which motion,

Mr. LeGrand demanded the ayes and noes, which were ordered, and the motion prevailed—ayes 28, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing,

Hampton, Holton, Hughes, Kerr, King, Leinbach, Lucas, Lusk, Rice, Sills, Thomas, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—28.

Those voting in the negative were:

Messrs. Abbott, Blair, Leeper, LeGrand, Long, Means, Moore, Payne, Pou, Reid, Robinson, Smith and Turner of Catawba—13.

S. B. 133, bill to amend the charter of the town of Smith-field—chapter 142, Private Laws of 1883—on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 37, S. B. 177, bill to levy a special tax for Jones County, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—40.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 333, S. B. 252, bill to authorize the trustees of Brower's Chapel to sell a certain lot. Referred to the Committee on Propositions and Grievances.

H. B. 294, S. B. 253, bill amendatory of an act, Laws of 1887, in regard to Landmark Baptist Church. Referred to the Committee on Propositions and Grievances.

H. B. 291, S. B. 254, bill to improve the drainage of Vanassa Creek, in Rockingham County. Referred to the Committee on Propositions and Grievances.

H. B. 208, S. B. 255, bill in relation to saw-mills. Referred to the Committee on Propositions and Grievances.

H. B. 200, S. B. 256, bill to create a new township in the county of Madison. Referred to the Committee on Propositions and Grievances.

H. B. 231, S. B. 257, bill to authorize the Commissioners of Brunswick County to levy a special tax. Referred to the Committee on Finance.

H. B. 110, S. B. 258, bill in relation to the public roads in Robeson County. Referred to the Select Committee on Roads.

H. B. 189, S. B. 259, bill to divide Clinton Township, in Sampson County, into North and South Clinton. Referred to the Committee on Propositions and Grievances.

H. B. 205, S. B. 260, bill for the protection of livery-stable keepers, and others. Referred to the Committee on Judiciary.

H. B. 204, S. B. 261, bill to amend section 2693 of *The Code*, in regard to canvassing returns. Referred to the Committee on Judiciary.

House amendment to

S. B. 28, H. B. 220, bill to amend section 2834, Vol. II of *The Code*. Placed on the Calendar.

# THE CALENDAR

was resumed.

H. B. 79, S. B. 218, bill to authorize the Commissioners of Clay County to issue bonds, &c., on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Brown, Campbell, Copeland, Crawford, Falkener,

Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland —38.

By consent,

Mr. Pou introduced

S. R. 262, resolution asking Congress to make an appropriation to complete the improvements of Neuse River, which was read the first time and placed on the Calendar.

Mr. LeGrand moved to reconsider the vote by which

H. B. 96, S. B. 142, bill to amend chapter 98, Laws of 1879, entitled an act to compromise, commute and settle the State debt,

Passed its third reading on yesterday. The motion prevailed. On the further motion of Mr. LeGrand, consideration of the bill upon its third reading was postponed until Monday morning next.

#### THE CALENDAR

was resumed.

H. B. 10, S. B. 235, bill to amend the charter of Kittrell Normal and Industrial School, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 244, S. B. 242, bill to authorize the Board of Commissioners of Chatham County to levy taxes in stock-law territories, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou,

Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—39.

S. B. 125, bill to amend section 741 of *The Code*, relating to costs, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 174, bill to incorporate Granite Cotton Mills, on its second reading.

The bill passed its second and third readings, was ordered engressed and sent to the House of Representatives.

S. B. 132, bill to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads, on its second reading.

The bill passed its second reading, and was taken up on its third reading.

Mr. LeGrand moved the bill be referred to the Joint Committee on Roads.

Mr. Pou demanded the previous question, and was sustained.

The motion that the bill be referred was lost.

The bill passed its third reading.

Mr. Lusk moved to reconsider the vote by which the bill passed its third reading.

Mr. Pou moved the motion to reconsider be laid on the table; on which,

Mr. Lusk asked for the ayes and noes, which were ordered, and the motion to lay upon the table the motion to reconsider prevailed—ayes 23, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Farthing, Leeper, Long, Lucas, Moore, Payne, Pou, Rice, Robinson, Shaw, Sills, Thomas, Toms and Twitty—23.

Those voting in the negative were:

Messrs. Banks, Falkener, Hampton, Holton, King, Le-Grand, Leinbach, Lusk, Means, Reid, Smith, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—15.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 148, bill to amend the charter of the Roanoke and Southern Railway Company, and to enable said company to complete its road, on its second reading.

The amendments reported by the Committee on Internal Improvements were adopted.

The bill passed its second reading and was put upon its third reading.

Mr. Turner of Iredell moved to amend:

"Insert after the word 'advance,' the words 'not less than.'"

Lost.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 187, bill to amend the public school law, on its second reading.

On motion of Mr. Twitty, the bill was postponed until Thursday next, 31st instant, and made the special order for 12 o'clock noon of that day.

On motion of Mr. LeGrand, the Senate adjourned until Monday evening at 3 o'clock.

# SEVENTEENTH DAY.

SENATE CHAMBER, January 28, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Mr. Moore, Senator for Rockingham.

The Journal of Saturday was approved.

The President of the Senate announced as

Senate Branch of Joint Select Committee on Governor's Mansion—Messrs. Moore, White and Rice.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 44, bill to be entitled an act to authorize Justices of the Peace to take bond upon continuance of certain criminal cases;
- S. B. 134, bill to be entitled an act to incorporate the Ocean View Railroad Company;
- S. B. 86, bill to be entitled an act to enable the County Commissioners of Cherokee County to build a jail, and for other purposes;
- S. B. 82, bill to be entitled an act to aid the Guilford Battle Ground Company;
- S. B. 108, bill to be entitled an act to amend chapter 79 of the Private Acts of 1873, and amending the charter of the town of Asheboro, in Randolph County;
- S. B. 132, bill to be entitled an act to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads;
- S. B. 32, bill to be entitled an act to simplify indictments for perjury;
- S. B. 72, bill to be entitled an act to establish ferries across Cape Fear and Brunswick rivers, at Wilmington, N. C.;

S. B. 148, bill to be entitled an act to amend the charter of the Roanoke and Southern Railway Company, and to enable said company to complete its road;

S. B. 125, bill to be entitled an act to amend section 741

of The Code, relating to costs;

Senate amendment to

H. R. —, S. R. —, resolution in favor of N. H. R. Dawson—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 206, H. B. 240, an act to authorize the Commissioners of the town of Taylorsville, in Alexander County, to sell certain real estate;

H. B. 64, S. B. 122, an act to amend chapter 162, Private Laws of the Acts of 1887, entitled an act to incorporate the Guilford Battle Ground Company;

H. B. 146, S. B. 171, an act to enforce the better drainage of certain lands in Gaston County, on Big Beaver Dam Creek;

S. B. 197, H. B. 375, an act relating to the Lynchburg and Durham Railroad Company;

H. B. 343, S. B. 147, an act to incorporate the Phœnix Fire Engine Company, of Wilson, North Carolina;

H. B. 125, S. B. 139, an act to establish a board of health in the city of Charlotte;

S. B. 45, H. B. 282, an act to incorporate the Merchants and Planters Bank, of Milton, North Carolina;

H. B. 120, S. B. 143, an act to amend chapter 70 of the Laws of 1887;

S. R. 26, H. R. 167, joint resolution requesting our Senators and Representatives in Congress to procure a geological survey of the mineral deposits of Central and Western North Carolina;

S. R. 107, H. R. 285, resolution requesting our Representatives in Congress to secure the passage of the Cowles internal revenue measure.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Kerr, S. B. 263, bill to amend section 1022 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Hampton (by request), S. B. 264, bill to take an appeal from the decision of Board of County Commissioners. Referred to the Committee on Judiciary.

By Mr. Campbell, S. B. 265, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County. Referred to the Committee on Finance.

By Mr. Barber, S. B. 266, bill to amend section 1, chapter 180, Laws of 1885. Referred to the Committee on Judiciary.

By Mr. Payne, S. B. 267, bill to regulate and limit the levy of taxes for special purposes. Referred to the Committee on Finance.

By Mr. Payne (by request), S. B. 268, bill to protect the landlord from the wrongful act of a cropper, tenant, &c. Referred to the Committee on Judiciary.

By Mr. Hampton, S. B. 269, bill to authorize the payment of school order of Mrs. Nevada E. Roth out of school funds of Surry County. Referred to the Committee on Propositions and Grievances.

By Mr. Crawford, S. B. 270, bill for the relief of the Treasurer of Alamance County. Referred to the Committee on Propositions and Grievances.

### THE CALENDAR.

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

H. B. 79, S. B. 218, bill to authorize the Commissioners of Clay County to issue bonds, on its third reading.

The bill passed its third reading—ayes 32, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Hampton, Kerr, LeGrand, Long, Lusk, Means, Moore, Payne, Pou, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—32.

The bill was ordered enrolled.

H. B. 244, S. B. 242, bill to authorize the Board of Commissioners of Chatham County to levy taxes in stock-law territories, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Brown, Campbell, Copeland, Falkener, Hampton, Holton, Hughes, Kerr, LeGrand, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—35.

The bill was ordered engrossed.

S. B. 24, bill to incorporate West Asheville, in the county of Buncombe, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Falkener, Hamp-

ton, Holton, Hughes, Kerr, LeGrand, Long, Lusk, Means, Moore, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—35.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 37, S. B. 177, bill to levy a special tax for Jones County, on its third reading.

The bill passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, LeGrand, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—39.

The bill was ordered enrolled.

House amendment to

S. B. 28, H. B. 220, bill to amend section 2834, Vol. II, of *The Code*, was taken up, concurred in, and the bill was ordered enrolled.

S. B. 89, bill to amend chapter 198, Laws of 1887, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 96, S. B. 142, bill to amend chapter 98, Laws of 1879, entitled an act to compromise, commute and settle the State debt, on its third reading.

Mr. LeGrand moved to amend:

"Insert in section 1, after the words 'one thousand eight hundred and ninety,' the following: 'And the Gover-

nor is directed to resist the collection of all such bonds as are not funded by the time above specified."

Adopted.

The bill then passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 202, bill to suppress riots during political campaigns, on its second reading.

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

S. B. 231, bill to prevent the careless rafting of logs and timbers down the French Broad and Mills rivers and their tributaries, on its second reading.

The bill passed its second reading.

S. R. 262, resolution asking Congress to make an appropriation to complete the improvements of Neuse River on its second reading.

'The resolution was adopted, ordered engrossed and sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions and a House amendment to Senate bill, which were read the first time and disposed of as follows:

H. B. 290, S. B. 271, bill to amend chapter 70, Laws of 1883, relating to the stock law. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 135, S. B. 272, bill to repeal section 1445 of *The Code*, relating to sales made by administrators, &c. Referred to the Committee on Judiciary.

H. B. 194, S. B. 273, bill to prevent trespass. Referred to the Committee on Judiciary.

H. B. 116, S. B. 274, bill to regulate the service of summons by publication in certain cases. Referred to the Committee on Judiciary.

H. B. 293, S. B. 275, bill to allow the Commissioners of Nash County to levy a special tax. Placed on the Calendar.

H. B. 336, S. B. 276, bill to confirm the incorporation and organization of the Moore County Millstone Company. Referred to the Committee on Corporations.

H. B. 251, S. B. 277, bill to amend section 1310 of *The Code*, in relation to draining flat lands. Referred to the Committee on Propositions and Grievances.

H. B. 230, S. B. 278, bill to repeal chapter 283, Laws of 1887. Referred to the Committee on Judiciary.

H. B. 331, S. B. 279, bill to incorporate the Women's Christian Temperance Union, Asheville, North Carolina. Referred to the Committee on Corporations.

H. B. 229, S. B. 280, bill for the better protection of the books in the North Carolina State Library. Placed on Calendar.

H. B. 195, S. B. 281, bill relating to public highways in Stokes County. Referred to the Committee on Roads.

H. B. 227, S. B. 282, bill to improve the drainage of Haw River, in Rockingham County. Referred to the Committee on Propositions and Grievances.

H. B. 267, S. B. 283, bill for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County. Referred to the Committee on Finance.

House amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties in North Carolina. Placed on the Calendar.

On motion of Mr. LeGrand, the Senate adjourned until to-morrow morning at 11 o'clock.

# EIGHTEENTH DAY.

SENATE CHAMBER, January 29, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Cordon, of the city.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Pou for the remainder of the week.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Farthing, petition of citizens of Ashe County, asking the re-election of Sidney Tucker as Justice of the Peace for Horse Creek Township, said county. Referred to the Committee on Election of Justices of the Peace.

By Mr. Pou, petition from Wm. Lane and others, praying that a certain mill-dam on Little river, Johnston County, be removed. Referred to the Committee on Propositions and Grievances.

By Mr. Campbell, petition from citizens of Bogue Township, in Columbus County. Referred to the Committee on Finance.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Thomas, H. B. 145, S. B. 161, bill in reference to Deep River Township, Moore County, recommending it do pass.

By Mr. Lucas, H. B. 158, S. B. 207, bill to incorporate the Scranton and North Carolina Land and Lumber Company, recommending it do pass.

By Mr. Aycock, S. B. 55, bill to empower gas companies to supply electricity for lighting and power, recommending it do pass.

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By Mr. Barber, H. B. 152, S. B. 184, bill to create a new township in the county of Pender, recommending it do pass.

H. B. 187, S. B. 236, bill to declare the Albemarle Timber Company a duly incorporated company, and to enlarge its charter, &c., recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Long, H. B. 189, S. B. 259, bill to divide Clinton Township, Sampson County, into North and South Clinton, recommending it do pass;

H. B. 294, S. B. 253, bill amendatory of the Laws of 1887, in regard to Landmark Baptist Church, recommending it do pass;

S. B. 230, bill to amend chapter 245, Laws of 1885, recommending it do pass.

By Mr. Crawford, H. B. 333, S. B. 252, bill to authorize the trustees of Brower's Chapel to sell a certain lot, recommending it do pass;

H. B. 223, S. B. 240, bill to amend the laws concerning pilotage, recommending it do pass.

By Mr. Hampton, S. B. 224, bill to provide for the better regulation of the liquor traffic, and to facilitate the collection of statistics in regard to the same, reporting it without recommendation;

H. B. 200, S. B. 256, bill to create a new township in the County of Madison, recommending it do pass.

By Mr. Robinson, H. B. 291, S. B. 254, bill to improve the drainage of Benaja Creek, in Rockingham County, recommending it do pass;

S. B. 225, bill to repeal chapter 73, Laws of 1887, reporting it without recommendation.

By Mr. Turner of Catawba, S. B. 151, bill to pay citizens for stock killed by the Norfolk and Southern Railroad, recommending it do not pass;

H. B. 208, S. B. 255, bill in relation to saw-mills, recommending it do pass.

By Mr. Kerr, H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, recommending it do not pass;

S. B. 249, bill to satisfy certain claims against the University of North Carolina, reporting amendments, and, as amended, recommending it do pass.

By Mr. Turner of Iredell, S. B. 270, bill for the relief of the Treasurer of Alamance County, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Long, S. B. 243, bill to amend the charter of the Hiawassee Railroad Company, recommending it do pass.

From the Committee on Judiciary:

By Mr. Lusk, S. B. 94, bill amending section 1189 of *The Code*, curing certain defects in indictments, recommending it do not pass.

By Mr. Lucas, S. B. 81, bill to amend section 1139 of *The Code*, so as to provide for the taking of recognizances by Justices of the Peace, recommending it do not pass.

By Mr. Leeper, S. B. 126, bill to amend chapter 63, Laws of 1885, recommending it do not pass.

By Mr. Payne, H. B. 149, S. B. 140, bill to amend section 2281 of *The Code*, relating to auctioneers, recommending it do pass.

By Mr. Kerr, H. B. 194, S. B. 273, bill to prevent trespass, recommending it do pass.

S. B. 85, bill to increase the jurisdiction and compensation of the Justices of the Peace, recommending it do not pass.

S. B. 43, bill to amend section 1144 of *The Code*, and empower magistrates to admit to bail in certain cases, recommending it do not pass.

By Mr. Barber, S. B. 266, bill to amend section 1, chapter 180, Laws of 1885, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 174, bill to be entitled an act to incorporate "Granite Cotton Mills":
- S. B. 133, bill to be entitled an act to amend the charter of the town of Smithfield, chapter 142, Private Laws of 1883;
- S. R. 262, resolution asking Congress to make an appropriation to complete the improvements of Neuse River;

Senate amendment to

H. B. 96, S. B. 142, bill to be entitled an act to amend chapter 98, Laws of 1879, entitled an act to compromise the State debt, &c.;

Senate amendment to

H. B. 67, S. B. 169, bill to be entitled an act to incorporate the town of Hot Springs, in Madison County—

Which were sent to the House of Representatives for concurrence.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Brock, S. B. 284, bill to allow the Board of Education of Jones County to rent or build an office. Referred to the Committee on Finance.

By Mr. Farthing, S. B. 285, bill for the relief of the sureties of A. J. McBride, Sr., late Sheriff of Watauga County. Referred to the Committee on Finance.

By Mr. Twitty, S. B. 286, bill to fix the capital stock of the Charleston, Cincinnati and Chicago Railroad Company. Referred to the Committee on Internal Improvements.

S. B. 287, bill to establish local option in parts of Green Hill and Rutherford townships, in the county of Rutherford. Referred to the Committee on Propositions and Grievances.

By Mr. LeGrand, S. B. 288, bill to amend section 3619 of *The Code*. Referred to the Committee on Library.

S. B. 289, bill relating to the hours of the State Library. Referred to the Committee on Library.

By Mr. Reid, S. B. 290, bill to amend chapter 105, Laws of 1885. Referred to the Committee on Judiciary.

By Mr. Lucas, S. B. 291, bill to amend sections 72 and 3648 of *The Code*. Referred to the Committee on Judiciary.

S. B. 292, bill to prevent batterying and decoy fowling in the waters of Bogue Sound, Carteret County, from Sally Bell's Shoal to Cedar Point. Referred, with accompanying papers, to the Committee on Propositions and Grievances.

By Mr. Shaw (by request), S. B. 293, bill to grant certain additional powers to the Suffolk and Carolina Railway Company, and to effect its consolidation with the Edenton and Norfolk Railway Company, and to increase its capital stock. Referred to the Committee on Corporations.

By Mr. Abbott, S. B. 294, bill to amend chapter 74, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. Green, S. B. 295, bill for the relief of D. Congdon. Referred to the Committee on Insane Asylums.

By Mr. Falkener, S. R. 296, resolution requesting our Senators and Members of Congress to use their efforts to secure an appropriation to erect a monument to the late Hon. Nathaniel Macon. Placed on the Calendar.

By Mr. Banks, S. B. 297, bill to amend chapter 355, Laws of 1887, in relation to working convicts on public roads. Referred to the Committee on Penal Institutions.

Mr. Campbell asked and obtained consent to withdraw

S. B. 224, bill to provide for the better regulation of the liquor traffic; and S. B. 225, bill to repeal chapter 73, Laws of 1887.

Mr. Campbell moved to reconsider the vote by which S. B. 89, bill to amend chapter 198, Laws of 1887, passed its third reading on yesterday; and moved to postpone the consideration of the motion for the present.

The latter motion was adopted.

### SPECIAL ORDER.

S. B. 37, bill to prevent the buying and selling of "futures," was taken up on its second reading, it being the special order for to-day.

On motion of Mr. Aycock, the bill was recommitted to the Committee on Agriculture, Mechanics and Mining.

#### THE CALENDAR.

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

S. B. 48, bill to regulate the pay of jurors for Craven County, on its third reading.

Mr. Little moved the bill be recommitted to the Committee on Judiciary.

Lost.

Mr. Emry moved the bill be laid on the table, on which—Mr. Holton asked for the ayes and noes, which were ordered, and the motion, the bill be laid on the table, prevailed—ayes 30, noes 12, as follows:

Those voting in the affirmative were:

Messrs, Abbott, Aycock, Bailey, Barber, Bennett, Briggs, Brock, Crawford, Emry, Farthing, Hughes, King, Leeper, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Twitty, White and Williams of Cumberland—30.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Copeland, Falkener, Green, Hampton, Holton, Lusk, Thomas, Turner of Iredell and Warters—12.

S. B. 117, bill to authorize Justices of the Peace in certain cases to issue process to any county other than their own, on its third reading.

Mr. Pou moved to amend:

"Insert in section 5: 'Provided, however, that if the plaintiff fails to obtain judgment, and the defendant obtains judgment against the plaintiff, and the defendant actually attends the trial, the defendant shall be allowed mileage against the plaintiff to such extent as other witnesses are allowed in the Superior Court.'"

Adopted.

Mr. Turner of Iredell moved to amend:

"Add the following: 'Provided, this act shall not apply to actions where the plaintiff's demand is under one hundred dollars.'"

Mr. Campbell moved to amend:

"Add: 'Provided, that if, upon the trial of the cause, plaintiff shall obtain judgment against defendant for less than seventy-five per cent. of the amount claimed, plaintiff shall pay all costs and such damages as defendant may suffer."

Mr. Lusk moved to amend:

"Add: 'Provided, that the contract for all goods, wares and merchandise shall be construed to have been made in the county where such goods, wares and merchandise are delivered to the defendant in the action.'"

Mr. Payne demanded the previous question, and was sustained.

The amendments offered by Mr. Turner of Iredell, Mr. Campbell and Mr. Lusk, respectively, were lost.

On the passage of the bill its third reading,

Mr. Thomas asked for the ayes and noes, which were ordered, and the bill failed to pass its third reading—ayes 4, noes 39, as follows:

Those voting in the affirmative were:

Messrs. Bailey, LeGrand, Payne and Toms-4.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—39.

S. B. 231, bill to prevent the careless rafting of logs and timber down the French Broad and Mills rivers, and their tributaries, on its second reading.

Mr. Lusk moved to amend:

"Strike out all after the word 'property,' in section 1, and insert the following: 'And the person or persons placing said logs or timbers in the said streams shall be construed to be the owners of said timbers or logs, which may be seized by the party damaged and held or sold as is provided in section three;' amend section 2 by inserting after the words 'said streams,' the words 'or on the lands bordering on said streams'; amend section 3 by inserting after words 'all costs,' the words 'and damages'; and after the words 'seizure is made,' insert 'Provided, however, if the said owner of such timber or logs shall pay all damages claimed by the party making the seizure, then he may remove the timbers or logs, but if the damages cannot be agreed upon between the owner and the party making the seizure, then each may choose a referee, and upon the failure of said referees chosen

to agree as to said damages, then they may choose an umpire and award the damages due the owner of the property; and upon the payment of said award, said logs and timbers shall be released, and the said owner allowed to remove the same.'"

Adopted.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

House amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties of North Carolina, was taken up.

Mr. Shaw moved to amend the amendment:

"Strike out 'Hertford.'"

On motion of Mr. Falkener, the consideration of the amendments was passed over informally for the present.

S. B. 146, bill in relation to indigent and other apprentices, on its second reading.

The amendments reported by the Committee on Agriculture, Mechanics and Mining were adopted.

Mr. Falkener moved to amend:

"Add at end of section 17: 'And no colored child shall be bound to any white person if a competent and suitable colored person can be found in the county."

Adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 249, bill to satisfy certain claims against the University of North Carolina, on its second reading.

The amendments reported by the Committee on Propositions and Grievances were adopted.

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

On the passage of the bill its third reading,

Mr. White asked for the ayes and noes. Not ordered.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 149, S. B. 140, bill to amend section 2281 of *The Code*, relating to auctioneers, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 243, bill to amend the charter of the Hiawassee Rail road Company, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 266, bill to amend section 1, chapter 180, Laws of 1885, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 152, S. B. 184, bill to create a new township in the county of Pender, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 270, bill for the relief of the Treasurer of Alamance County, on its second reading.

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

On motion of Mr. Payne, the bill was postponed until Friday next, February 1st, and made the special order for 12 o'clock noon of that day.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions ich were read the first time and disposed of as follows: H. B. 272, S. B. 298, bill to incorporate the Davis and Wiley Bank, in the town of Salisbury. Referred to the Committee on Corporations.

H. B. 128, S. B. 299, bill to amend section 2566 of *The Code*, requiring the rudiments of agriculture to be taught in the public schools. Referred to the Committee on Education.

H. B. 52, S. B. 300, bill declaring four feet to be legal height for fences. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 53, S. B. 301, bill to prevent the increase and spread of hog cholera. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 300, S. B. 302, bill to repeal chapter 270, Laws of 1887, relating to Cape Hatteras Camp Ground. Referred to the Committee on Propositions and Grievances.

H. B. 298, S. B. 303, bill relating to public bridges in Pamlico County. Referred to the Committee on Propositions and Grievances.

H. B. 263, S. B. 304, bill for the relief of D. G. Bingham, ex-Sheriff of Jackson County. Referred to the Committee on Finance.

H. B. 387, S. B. 305, bill to amend section 4, chapter 313, Laws of 1887, in regard to the sale of spirituous liquors. Referred to the Committee on Propositions and Grievances.

H. B. 33, S. B. 306, bill to amend section 2816 of *The Code*, relating to the stock law. Referred to the Committee on Agriculture, Mechanics and Mining.

H. R. 287, S. R. 307, resolution in favor of J. A. Perry. Referred to the Committee on Claims.

By consent,

Mr. Aycock introduced S. B. 308, bill to define the liabilities of railroad companies in relation to damages sustained by their employees. Referred to the Judiciary Committee.

On motion of Mr. Long, the Senate adjourned until to-morrow morning at 11 o'clock.

# NINETEENTH DAY.

SENATE CHAMBER, January 30, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Carter, of the city.

The Journal of yesterday was read and approved.

Leave of absence was granted Mr. Moore for one day.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. White, petition from citizens of Randolph County, asking for the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Holton, petitions from citizens of High Point, in Guilford County, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

• By Mr. Twitty, petition from Mountain Creek Baptist Church, in Rutherford County, praying for local option. Referred to the Committee on Propositions and Grievances.

By Mr. Bailey (by request), petition of J. H. Crawford, and others, colored people of Mocksville, N. C., in regard to local option in said town. Referred to the Committee on Propositions and Grievances.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Finance:

By Mr. Smith, S. B. 25, bill to make an appropriation for the Colored Orphan Asylum of North Carolina, recommending it do not pass. By Mr. Toms, H. B. 73, S. B. 136, bill to authorize the Board of County Commissioners of Caldwell County to levy a special tax, recommending it do pass.

By Mr. Payne, S. B. 265, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County,

recommending it do pass.

By Mr. Long, S. B. 201, bill to drain swamp lands in Henderson County, reporting amendments, and, as amended, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Brock, H. B. 81, S. B. 212, bill to repeal chapter 89, Laws of 1885, in relation to oysters, recommending it do pass.

By Mr. Copeland, H. B. 159, S. B. 213, bill to amend section 3396 of *The Code*, relative to the fishery interests, recommending it do not pass.

By Mr. Abbott, H. B. 99, S. B. 220, bill to amend the Laws of 1887, relative to fishing in Currituck Sound, recommending it do pass.

By Mr Lucas, S. B. 67, bill to protect fish in Union Millpond, in Bertie County, recommending it do not pass.

S. B. 232, bill to prevent the catching of diamond-back terrapins in the waters of Brunswick County, recommending it do pass.

From the Committee on Judiciary:

By Mr. Little, S. B. 191, bill for the relief of Joseph H. Wheeler, of Anson County, recommending it do pass.

By Mr. Turner of Iredell, S. B. 247, bill to amend chapter 54 of *The Code*, in relation to religious worship, recommending it do pass.

By Mr. Barber, S. B. 60, bill to prohibit the sale of pistols, reporting it without recommendation;

S. B. 193, bill in relation to continuances in courts of Justices of the Peace, recommending it do not pass.

By Mr. Lusk, S. B. 268, bill to protect the landlord from the wrongful act of a cropper, tenant, &c, recommending it do not pass.

S. B. 203, bill to increase the jurisdiction of Justices of the Peace, recommending it do not pass.

By Mr. Leeper, H. B. 133, S. B. 239, bill to amend chapter 41, section 1799, of *The Code*, relating to fees, &c., recommending it do not pass.

By Mr. Lucas, H. B. 135, S. B. 272, bill to repeal section 1445 of *The Code*, relating to sales made by administrators, &c., recommending it do not pass.

By Mr. Kerr, S. B. 263, bill to amend section 1022 of *The Code*, recommending it do pass;

S. B. 229, bill to prevent trusts, combinations, &c., reporting it without recommendation.

From the Committee on Claims:

By Mr. Campbell, H. R. 287, S. R. 307, resolution in favor of J. A. Perry, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 249, bill to be entitled an act to satisfy certain claims against the University of North Carolina;

S. B. 243, bill to be entitled an act to amend the charter of the Hiawassee Railroad Company;

S. B. 24, bill to be entitled an act to incorporate West Asheville, in the county of Buncombe;

Senate amendment to

H. B. 43, S. B. 164, bill to be entitled an act to authorize the Commissioners of Jackson County to levy a special tax—

Which were sent to the House of Representatives for concurrence.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions,

which were duly ratified and sent to the office of Secretary of State:

H. B. 176, S. B. 183, an act for the relief of Handsel Mc-Call, of the county of Transylvania;

S. B. 168, H. B. 174, an act to amend chapter 27 of the Laws of the Special Session of 1880, it being an act entitled "An act to authorize the establishment of graded schools for the town of Salisbury," etc.;

H. B. 101, S. B. 219, an act to prohibit the shooting of rifles across Currituck Sound:

H. B. 156, S. B. 180, an act to empower the Commissioners of Beaufort County to levy a special tax;

H. B. 142, S. B. 210, an act to amend chapter 171, Laws of 1885;

H. B. 51, S. B. 103, an act to relieve Grand Juries of the State from coming into Court in a body, except in certain cases;

H. B. 44, S. B. 144, an act to authorize the Commissioners of the town of Shelby, N. C., to issue bonds for the purchasing of fire engine, etc., for said town;

H. B. 142, S. B. 165, an act to prohibit the sale of spirituous, vinous and malt liquors within three miles of the Baptist church situated at Beaver Dam, in Union County;

S. B. 42, H. B. 254, an act to repeal chapter 144, Laws of 1887;

S. B. 41, H. B. 168, an act to change the term of the Court in Henderson County from three to two weeks.

S. B. 70, H. B. 341, an act to incorporate the town of Liberty;

S. B. 162, H. B. 141, an act requiring persons in Harnett County who gin cotton for the public to keep standard weights, and for other purposes;

H. B. 138, S. B. 160, an act for the relief of the sureties of Neil McQueen, late Sheriff of Cumberland County, and for the relief of the sureties of W. A. McArthur, tax-collector of Cumberland County;

S. B. 13, H. B. 256, an act to amend section 2019 and 2021 of *The Code*, in relation to overseers of roads in Rockingham County;

H. B. 37, S. B. 177, an act to authorize the Commissioners of Jones County to levy a special tax;

S. B. 28, H. B. 220, an act to amend section 2834, Vol. II, of The Code;

H. B. 244, S. B. 242, an act to authorize the Board of County Commissioners of Chatham County to levy taxes in stock-law territories;

S. B. 76, H. B. 284, an act to amend section 1 of chapter 59 and 94, respectively, of the Laws of 1887;

H. B. 79, S. B. 218, an act to authorize the Commissioners of Clay County to borrow money, issue bonds, and levy special tax;

H. B. 10, S. B. 235, an act to amend an act entitled "An act to incorporate the trustees of Kittrell Industrial Normal School," ratified the 7th day of March, 1887, and amendments thereto;

H. R. 23, S. R. 98, resolution of instruction to our Senators and Members of Congress;

H. R. 5, S. R. 216, resolution of instruction to our Senators, and request to our Representatives in the Congress of the United States, in regard to the surplus funds in the Treasury;

H. R. 185, S. R. 163, resolution requesting our Senators and Representatives in the Congress of the United States to use their best efforts to obtain an increase of salary of the employees of the life-saving service.

Mr. Brown asked and obtained consent to withdraw

S. B. 25, bill to make an appropriation for the Colored Orphan Asylum.

Mr. Aycock, for Committee on Printing, submitted the following report:

The undersigned, your Committee on the part of the

Senate on Public Printing, beg leave to report, that after due consideration, your committee, in co-operation with the House Committe, has awarded, for the term of two years ensuing, the public printing to Josephus Daniels, at the present prices established by law, and that he has entered into a bond prescribed by law for the performance of his duties as State Printer.

B. F. AYCOCK,

W. S. FARTHING, W. L. WILLIAMS.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. LeGrand, S. B. 309, bill to amend section 1014 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Emry, S. B. 310, bill to establish public schools for the town of Littleton. Referred to the Committee on Education.

By Mr. Lusk, S. B. 311, bill to provide for the election of Justices of the Peace and County Commissioners by the people. Referred to the Committee on Judiciary.

By Mr. Long, S. B. 312, bill in relation to the Lynchburg and Durham Railroad Company. Referred to the

Committee on Internal Improvements.

By Mr. Hampton, S. R. 313, resolution for the relief of N. W. Craft and J. Van Lindley. Referred to the Committee on Propositions and Grievances.

By Mr. Green, S. B. 314, bill to protect the owners of timber growing on the lands of others. Referred to the Committee on Propositions and Grievances.

S. B. 315, bill to amend chapter 180, Laws of 1885, in relation to Craven County Superior Court. Referred to the Committee on Judiciary.

By Mr. Lucas, S. B. 316, bill to amend the charter of the town of Plymouth. Referred, with the accompanying petition, to the Committee on Corporations.

By Mr. Barber, S. B. 317, bill to abolish Fishing Creek Township and to create a new township, &c., in Wilkes County. Referred to the Committee on Corporations.

By Mr. Leeper, S. B. 318, bill to amend section 1274 of *The Code*, being an act to regulate fees of registers of deeds, in certain cases. Referred to the Committee on Salaries and Fees.

By Mr. Stubbs, S. R. 319, resolution concerning the George Washington Centennial Celebration. Placed on the Calendar.

By Mr. Reid, S. B. 320, bill to amend chapter 92, Laws of 1872-'73. Referred to the Committee on Internal Improvements.

By Mr. Leinbach, S. B. 321, bill amending and striking out certain sections in chapter 5 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Stubbs, S. B. 333, bill to amend sections 549, 550 and 553 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Bailey (by request), S. R. 334, resolution in favor of Baring Brothers & Company, bankers, of London, England. Referred to the Committee on Finance.

### THE CALENDAR.

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

H. B. 293, S. B. 275, bill to allow the Commissioners of Nash County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long,

Lucas, Lusk, Means, Payne, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—40.

The bill was ordered enrolled.

House amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties of North Carolina.

On motion of Mr. Lucas, the Senate refused to concur in the House amendment, and a message was directed to be sent to the House of Representatives, asking for a committee of conference thereon.

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

S. R. 319, resolution concerning the George Washington Centennial Celebration, was taken up on its second reading.

On motion of Mr. Payne, the resolution was referred to the Committee on Federal Relations.

### THE CALENDAR

was resumed.

H. B. 145, S. B. 161, bill in reference to Deep River Township, Moore County, North Carolina, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, on its second reading.

Mr. LeGrand moved the bill be laid on the table.

Lost.

On the passage of the bill its second reading,

Mr. Emry asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 29, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Lucas, Lusk, Reid,

Sills, Smith, Thomas, Toms, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—29.

Those voting in the negative were:

Messrs. Abbott, Aycock, Banks, Campbell, Copeland, Emry, Green, Kerr, King, Little, Payne, Robinson and Turner of Iredell—13.

H. B. 158, S. B. 207, bill to incorporate the Scranton and North Carolina Land and Lumber Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 187, S. B. 236, bill to declare the Albemarle Timber Company a duly incorporated company, and to enlarge its charter, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 223, S. B. 240, bill to amend the laws concerning pilotage, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 333, S. B. 252, bill to authorize the trustees of Brower's Chapel to sell a certain lot, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. R. 287, S. R. 307, resolution in favor of J. A. Perry, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 294, S. B. 253, bill amendatory of an act, Laws of 1887, in regard to Landmark Baptist Church, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 291, S. B. 254, bill to improve the drainage of Benaja Creek, in Rockingham County, on its second reading.

On motion of Mr. Kerr, the bill was recommitted to the Committee on Propositions and Grievances.

H. B. 72, S. B. 179, bill to amend chapter 265, Laws of 1887, in relation to the road law for Tyrrell County, on its second reading.

The bill passed its second reading.

H. B. 208, S. B. 255, bill in relation to saw-mills, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 200, S. B. 256, bill to create a new township in the county of Madison, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 265, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 189, S. B. 259, bill to divide Clinton Township, Sampson County, into North and South Clinton, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 194, S. B. 273, bill to prevent trespass, on its second reading.

Mr. Smith moved to amend:

"Strike out 'Jackson.'"

Adopted.

'the bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. R. 296, resolution requesting our Senators and Members of Congress to use their efforts to secure an appropri-

ation to erect a monument to the late Hon. Nathaniel Macon, on its second reading.

The resolution was adopted, ordered engrossed and sent to the House of Representatives.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, without engrossment,

House amendment to

S. B. 82, H. B. 459, bill to aid the Guilford Battle Ground Company.

On motion of Mr. Barber, the rules were suspended, the amenpment was concurred in, and the bill was ordered enrolled for ratification.

#### THE CALENDAR

was resumed.

S. B. 43, bill to amend section 1144 of *The Code*, and empower Magistrates to admit to bail in certain cases, on its second reading.

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

S. B. 55, bill to empower gas companies to supply electricity for lighting and power, on its second reading.

The bill passed its second reading.

S. B. 81, bill to amend section 1139 of *The Code* so as to provide for the taking of recognizances by Justices of the Peace, on its second reading.

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

S. B. 85, bill to increase the jurisdiction and compensation of the Justices of the Peace, on its second reading.

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

S. B. 94, bill amending section 1189 of *The Code*, curing certain defects in indictments, on its second reading.

The bill failed to pass its second reading.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 357, S. B. 322, bill to prevent fishing in the tributaries of Frying-pan Creek, in Tyrrell County. Referred to the Committee on Fish and Fisheries.

H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount. Referred to the Committee on Banks and Currency.

H. B. 326, S. B. 324, bill to amend section 1, chapter 204, Laws of 1885. Referred to the Committee on Judiciary.

H. B. 335, S. B. 325, bill in relation to booming Tuckasegee River and its tributaries. Referred to the Committee on Propositions and Grievances.

H. B. 323, S. B. 326, bill to amend section 1, chapter 28, Private Laws of 1885, in relation to change of name of Hickory Hill. Referred to the Committee on Propositions and Grievances.

H. B. 367, S. B. 327, bill to correct State grant number 2443, of Jackson County. Referred to the Committee on Judiciary.

H. B. 353, S. B. 328, bill for the protection of fish in Ashe County. Referred to the Committee on Fish and Fisheries.

H. B. 297, S. B. 329, bill to prevent fishing by muddying the streams of Pender County. Referred to the Committee on Fish and Fisheries.

H. B. 327, S. B. 330, bill to amend chapter 54, section 3672 of *The Code*, in relation to fines. Referred to the Committee on Judiciary.

H. B. 268, S. B. 331, bill to authorize the Commissioners of Alamance County to levy a special tax. Referred to the Committee on Finance.

H. B. 360, S. B. 332, bill to authorize the Superior Court

Clerk of Dare to pay into the treasury certain funds. Referred to the Committee on Finance.

On motion of Mr. Campbell, the Senate adjourned until to-morrow morning at 11 o'clock.

# TWENTIETH DAY.

SENATE CHAMBER, January 31, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was read and approved.

Leave of absence heretofore granted Mr. Moore for one day was extended for one day.

### PETITIONS. .

Petitions were presented and disposed of as follows:
By Mr. Toms, petitions (2) from citizens of Henderson
County, asking the repeal of the merchants' purchase tax.
Referred to the Committee on Finance.

By Mr. Leeper, petitions (2) from citizens of Gaston County, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Bailey (by request), petition of C. G. Bailey and others, citizens of Davie County. Referred to the Committee on Propositions and Grievances.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Finance: By Mr. Smith, S. B. 285, bill for the relief of the sureties of A. J. McBride, Sr., late Sheriff of Watauga County, recommending it do pass;

H. B. 263, S. B. 304, bill for the relief of D. G. Bingham, ex-Sheriff of Jackson County, recommending it do pass;

S. B. 190, bill to repeal section 3620 of *The Code*, in relation to the public printing, and to authorize the committee to contract for the State printing with the lowest responsible printer, reporting it without recommendation.

By Mr. Payne, S. B. 87, bill for the relief of E. R. Outlaw, late Sheriff and *ex officio* Treasurer of Bertie County, recommending it do pass;

H. B. 203, S. B. 238, bill to authorize the Commissioners of Montgomery County to levy a special tax, recommending it do pass;

H. B. 213, S. B. 237, bill to authorize the Treasurer of Haywood County to pay a school claim, recommending it do pass.

By Mr. Reid, H. B. 267, S. B. 283, bill for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance, reporting an amendment, and, as amended, recommending the bill do pass;

S. B. 246, bill to refund the debt of Mecklenburg County, recommending it do pass;

S. B. 88, bill in relation to deadly weapons, reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Leeper, S. B. 6, bill to reduce the legal rate of interest to six per cent., recommending it do not pass.

By Mr. Toms, H. B. 231, S. B. 257, bill to authorize the Commissioners of Brunswick County to levy a special tax, recommending it do pass;

S. B. 250, bill to allow the county of Robeson to issue bonds, recommending it do pass;

S. B. 284, bill to allow the Board of Education of Jones County to rent or build an office, recommending it do pass.

By Mr. Payne, S. B. 267, bill to regulate and limit the levy of taxes for special purposes, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Thomas, S. B. 287, bill to establish local option in parts of Green Hill and Rutherford township, in the county of Rutherford, recommending it do pass.

By Mr. Kerr, H. B. 227, S. B. 282, bill to improve the drainage of Haw River, in Rockingham County, recommending it do not pass.

By Mr. Turner of Iredell, S. B. 269, bill to authorize the payment of a school order to Mrs. Nevada E. Roth, out of school funds of Surry County, recommending it do pass;

H. B. 300, S. B. 302, bill to repeal chapter 270, Laws of 1887, relating to Cape Hatteras Camp Ground, recommending it do not pass.

S. B. 292, bill to prevent batterying and decoy fowling in the waters of Bogue Sound, Carteret County, from Sally Bell's Shoal to Cedar Point, recommending it do pass;

By Mr. Hampton, S. B. 248, bill to pay citizens for stock killed by the Norfolk and Southern Railroad, recommending it do not pass.

By Mr. Long, H. B. 298, S. B. 303, bill relating to bridges in Pamlico County, recommending it do not pass;

S. B. 294, bill to amend chapter 74, Laws of 1887, recommending it do not pass.

By Mr. Robinson, H. B. 251, S. B. 277, bill to amend section 1310 of *The Code*, in relation to draining flat lands, recommending it do pass.

From the Committee on Judiciary:

By Mr. Lusk, H. B. 19, S. B. 217, bill to repeal chapter 159, Laws of 1887, recommending it do pass;

S. B. 192, bill to give Magistrates jurisdiction over the offenses of disposing of mortgaged property, when the value of the property does not exceed five dollars, recommending it do not pass.

By Mr. Little, S. B. 222, bill to repeal such provisions of existing law as require a stated annual renewal of official bonds, recommending it do not pass.

By Mr. Lucas, H. B. 150, S. B. 182, bill to authorize the Tunis and Serpel Lumber Company to hold and convey lands in this State, recommending it do not pass;

H. R. 184, S. R. 167, resolution in relation to the boundary line of the State, recommending it do pass.

By Mr. Kerr, S. B. 228, bill to amend section 2724 of *The Code*, recommending it do not pass;

H. B. 221, S. B. 211, bill explaining and amending chapter 119, Laws of 1887, recommending its reference to the Committee on Fish and Fisheries. It was so referred.

S. B. 199, bill to amend chapter 39 of *The Code*, reporting an amendment, and, as amended, recommending it do pass;

H. B. 202, S. B. 215, bill to amend chapters 395 and 399, Laws of 1885, recommending it do pass;

By Mr. Leeper, H. B. 230, S. B. 278, bill to repeal chapter 283, Laws of 1887, recommending it do not pass;

S. B. 127, bill to amend section 709 of *The Code*, recommending it do not pass.

By Mr. Barber, S. B. 223, bill amendatory of section 1876 of *The Code*, recommending it do not pass;

S. B. 264, bill to take an appeal from the decision of Board of County Commissioners, recommending it do not pass.

By Mr. Turner of Iredell, S. B. 62, bill to amend the road law of the State, reporting á substitute therefor, and recommending the substitute do pass;

S. B. 198, bill to amend section 2799 of *The Code*, recommending it do pass;

H. B. 116, S. B. 274, bill to regulate the service of summons by publication in certain cases, recommending it do pass. From the Committee on Internal Improvements:

By Mr. King, S. B. 286, bill to fix the capital stock of the Charleston, Cincinnati and Chicago Railroad Company, recommending it do pass.

By Mr. Twitty, S. B. 227, bill to amend chapter 134, Laws of 1887, being an act to incorporate the Polk County Railroad Company, recommending it do pass;

S. B. 312, bill in relation to the Lynchburg and Durham Railroad Company, recommending it do pass.

By Mr. Campbell, S. B. 320, bill to amend chapter 92, Laws of 1872-'73, recommending it do pass.

From the Committee on Corporations:

By Mr. Pou, S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, recommending it do not pass.

By Mr. Bailey, S. B. 149, bill repealing chapter 126, Laws of 1887, recommending it do pass.

By Mr. Lucas, S. B. 74, bill to amend the charter of the town of Burgaw, recommending it do not pass;

S. B. 316, bill to amend the charter of the town of Plymouth, N. C., recommending it do pass.

By Mr. Barber, S. B. 317, bill to abolish Fishing Creek Township, Wilkes County, and to create a new township in said county, recommending it do pass.

From the Committee on Federal Relations:

By Mr. LeGrand, S. R. 319, resolution concerning the George Washington centennial celebration, reporting it without recommendation.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, S. B. 37, bill to prevent the buying and selling of "futures," reporting a substitute therefor, and recommending the substitute do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 231, bill to be entitled an act to prevent the careless rafting of logs and timbers down the French Broad and Mills rivers, and their tributaries;

S. B. 266, bill to be entitled an act to amend section 1, chapter 180, of the Laws of 1885;

S. R. 296, resolution asking an appropriation to erect a monument to the late Hon. Nathaniel Macon;

S. B. 265, bill to be entitled an act to prohibit the sale of spirituous liquors in certain localities in Columbus County;

S. B. 146, bill to be entitled an act in relation to indigent and other apprentices;

Senate amendment to

H. B. 194, S. B. 273, bill to be entitled an act to prevent trespass—

Which were sent to the House of Representatives.

Mr. Warters, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 80, H. B. 310, an act to amend section 737 of *The Code*;

S. B. 121, H. B. 376, an act to abolish the June Term of the Superior Court of Watauga County;

S. B. 114, H. B. 311, an act to amend section 533 of *The Code*, relative to fees of referees;

S. B. 155, H. B. 408, an act to abolish January Term of Halifax Superior Court;

H. B. 152, S. B. 184, an act to create a new township in Pender County;

H. B. 149, S. B. 140, an act to amend section 2281 of *The Code*, relating to auctioneers;

S. B. 119, H. B. 404, an act to protect telegrams and letters;

S. B. 124, H. B. 378, an act to incorporate the trustees of Antioch Methodist Protestant Church and Camp Ground, in Union County;

S. B. 84, H. B. 339, an act to amend section 1736 of *The Code*, in relation to jurors;

S. B. 123, H. B. 377, an act to authorize the Treasurer of Mecklenburg County to pay V. M. Waring the sum of thirty dollars for teaching during the month of November, 1884;

- S. B. 158, H. B. 383, an act to amend section 10, chapter 119, Laws of 1887;
- S. B. 77, H. B. 340, an act to authorize the Mayor and Commissioners of the town of Southport to convey certain lots in said town;
- S. B. 156, H. B. 407, an act to amend chapter 149 of the Acts of 1885, in relation to draining the lowlands in the counties of Rowan, Davidson, Davie and Catawba, so that none but residents of said counties may be appointed overseers;
- S. R. 172, H. R. 313, resolution in relation to the use of electric lights;

H. R. 287, S. R. 307, resolution in favor of J. H. Perry.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Green, S. B. 335, bill to protect manufacturers of lumber. Referred to the Committee on Propositions and Grievances.

By Mr. Pou, S. B. 336, bill to incorporate the North Carolina Power Company. Referred to the Committee on Corporations.

By Mr. Stubbs, S. B. 337, bill to incorporate the town of "Edwards' Mill," in Beaufort County. Referred to the Committee on Corporations.

By Mr. King, S. B. 338, bill to provide for the erection of a suitable building for the common schools of District No. 1, Wilson County. Placed on the Calendar.

By Mr. Abbott, S. B. 339, bill to amend chapter 13, Private Laws of 1883. Referred to the Committee on Corporations.

By Mr. Aycock, S. B. 340, bill to enable county officers to bond in surety companies. Referred to the Committee on Judiciary.

By Mr. Little, S. B. 341, bill for the relief of George C. McLarty, Clerk of the Superior Court of Union County. Placed on the Calendar.

By Mr. Kerr, S. B. 342, bill for the relief of F. H. Cameron, Inspector General of North Carolina. Referred to the Committee on Military Affairs.

By Mr. Campbell (for the Committee on Education), S. B. 343, bill to establish the North Carolina Teachers' Training School, and for other purposes. Placed on the Calendar and ordered printed.

By Mr. Lusk, S. B. 344, bill to extend the time for collecting taxes and settlement of tax-collectors. Placed on the Calendar.

By Mr. Aycock, S. B. 345, bill to compel clerks to publish a statement of moneys in their hands. Referred to the Committee on Judiciary.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 20, S. B. 346, bill to prevent manufacturers and others from issuing "non-transferable" scrip for labor done. Referred to the Committee on Finance.

H. B. 234, S. B. 347, bill to abolish the June Term of the Superior Court for Pasquotank County. Referred to the Committee on Judiciary.

H. B. 239, S. B. 348, bill to abolish the December Term of Martin-Superior Court. Referred to the Committee on Judiciary.

H. B. 332, S. B. 349, bill to abolish the Inferior Court of Swain County. Referred to the Committee on Judiciary.

H. B. 370, S. B. 350, bill to authorize the Commissioners of Jackson County to levy a special tax. Referred to the Committee on Finance.

H. B. 420, S. B. 351, bill for the relief of D. H. West, a disabled ex-Confederate soldier of Cumberland County. Referred to the Committee on Finance.

H. B. 356, S. B. 352, bill to amend section 3535, Vol. II, of *The Code*, in relation to fees of pilots. Referred to the Committee on Salaries and Fees.

Also engrossed House amendment to

S. B. 18, H. B. 338, bill for the relief of the clerks of the Superior Court of Forsyth and Craven counties. Placed on the Calendar.

On motion of Mr. Campbell, the motion submitted by himself to reconsider the vote by which

S. B. 89, bill to amend chapter 198, Laws of 1887, passed its third reading, was taken up.

By consent, Mr. Campbell withdrew the motion to reconsider; the bill was ordered engrossed and sent to the House of Representatives.

Mr. Rice asked and obtained consent to withdraw

S. B. 74, bill to amend the charter of the town of Burgaw. On motion of Mr. Williams of Pitt,

S. B. 87, bill to prevent the buying and selling of "futures," was ordered printed.

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

S. B. 344, bill to extend the time for collecting taxes and settlement of tax-collectors, was taken up on its second reading.

Pending consideration, the hour of 12 M. arrived, it being the hour for the consideration of the

# SPECIAL ORDER,

S. B. 187, bill to amend the Public School Law.

On motion of Mr. Twitty, the Senate went into Committee of the Whole, for the consideration of the bill, Mr. Pou in the chair.

The committee having risen,

Mr. Pou reported the Senate, in Committee of the Whole, had had under consideration the bill to amend the Public School Law, but had reached no conclusion thereon.

The bill was then passed over informally.

The consideration of

S. B. 344, bill to extend the time for collecting taxes and settlement of tax-collectors, was resumed.

Mr. Campbell moved to adjourn.

Lost.

Mr. Lusk moved to amend:

"Insert as section 2:

"'Section 2. Strike out 'January,' in line 12 of said section 55, acts of 1887, and insert in lieu thereof 'April'; and in line 20 of said section strike out 'January,' and insert 'April,' and in the last line of said section strike out 'January' and insert 'April.' And amend section 57 of said act by striking out the word 'March,' and inserting in lieu thereof the word 'June.'"

Mr. LeGrand moved the bill, with pending amendment, be referred to the Committee on Judiciary.

Lost.

Mr. LeGrand moved the bill be laid on the table; on which motion,

Mr. Lucas asked for the ayes and noes, which were ordered, and the motion was lost—ayes 3, noes 35, as follows:

Those voting in the affirmative were:

Messrs. Leeper, LeGrand and Robinson-3.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Leinbach, Little, Lucas, Lusk, Pou, Rice, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White,

Williams of Cumberland, Williams of Pitt and Wimberly —35.

Mr. Turner of Iredell moved to adjourn.

Lost.

Mr. Twitty moved the bill be postponed until to-morrow at 12 o'clock noon, and be made the special order for that hour.

Lost.

Mr. Campbell offered a substitute for the bill.

Mr. Blair moved the bill be referred to the Committee on Propositions and Grievances.

Lost.

Mr. Aycock moved to adjourn.

Lost.

The amendment offered by Mr. Lusk was adopted.

On the adoption of the substitute,

Mr. LeGrand demanded the ayes and noes. Not ordered. The substitute was not adopted.

Mr. Blair moved the Senate take recess until 3 o'clock P. M.

Lost.

The bill passed its second reading.

Mr. Green moved the rules be suspended, and the bill be taken up on its third reading; on which motion,

Mr. Barber asked for the ayes and noes, which were ordered, and the motion the rules be suspended was lost; (two-thirds of the Senators present not voting therefor) as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Brock, Copeland, Crawford, Falkener, Green, Hampton, Holton, Leinbach, Lucas, Lusk, Rice, Shaw, Sills, Smith, Thomas, Toms, Warters, Williams of Pitt and Wimberly—22.

Those voting in the negative were:

Messrs. Aycock, Bailey, Blair, Campbell, Farthing, Kerr, Leeper, LeGrand, Little, Pou, Robinson, Turner of Catawba, Turner of Iredell, Twitty and White—15.

At his own request,

Mr. Reid was relieved from service on the Joint Select Committee to consider the Governor's mansion.

The President appointed in his stead Mr. White.

The President also announced that Mr. Bennett was added to the Committee on Insane Asylums.

On motion of Mr. LeGrand, the Senate adjourned until to-morrow morning at 11 o'clock.

# TWENTY-FIRST DAY.

SENATE CHAMBER, February 1, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Clark, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Messrs. Brown and Sills until Tuesday; Messrs. Brock, Copeland, Long and Payne until Wednesday; Messrs. Bennett and Shaw until Thursday.

## PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Barber, petition of A. M. Alexander and others, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Salaries and Fees:

By Mr. Lusk, S. B. 318, bill to amend section 1274 of *The Code*, being an act to regulate the fees of registers of deeds in certain cases, recommending it do pass.

By Mr. LeGrand, S. B. 223, bill to amend section 3726 of *The Code*, recommending it do not pass.

By Mr. Leeper, H. B. 356, S. B. 352, bill to amend section 3535, Vol. II, of *The Code*, in relation to fees of pilots, recommending it do pass.

From the Committee on Corporations:

By Mr. Pou, S. B. 336, bill to incorporate the North Carolina Power Company, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Abbott, H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount, recommending it do pass.

By Mr. Briggs, S. B. 49, bill to amend chapter 82, Private Laws of 1881, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 344, bill to be entitled an act to extend the time for collecting taxes and settlement of tax-collectors;

S. B. 89, bill to be entitled an act to amend chapter 198, Laws of 1887—

Which were sent to the House of Representatives.

Mr. Leinbach, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 228, S. B. 240, an act to amend the laws concerning pilotage;

H. B. 187, S. B. 236, an act to declare the Albemarle Timber Company a duly incorporated company, and to amend and enlarge its charter;

H. B. 145, S. B. 161, an act in reference to Deep River Township, in Moore County;

H. B. 333, S. B. 252, an act to authorize the trustees of Brower's Chapel, in Randolph County, to sell a certain lot;

S. B. 154, H. B. 409, an act amending section 72 of The Code;

H. B. 200, S. B. 256, an act to establish a new township in Madison County, to be known by the name of Grape Vine;

S. B. 82, H. B. 459, an act to aid the Guilford Battle Ground Company;

H. B. 158, S. B. 207, an act to incorporate the Scranton and North Carolina Land and Lumber Company;

H. B. 293, S. B. 275, an act to authorize the Commissioners of Nash County to levy a special tax for the purpose of paying its indebtedness;

H. B. 294, S. B. 253, an act amendatory to an act, Laws of 1887, in regard to Landmark Baptist Church, in Ashe County;

H. B. 208, S. B. 255, an act in relation to saw-mills;

H. B. 189, S. B. 259, an act to divide Clinton Township, Sampson County, into North Clinton Township and South Clinton Township;

H. R. 85, S. R. 1, resolution in relation to contested election cases;

S. B. 157, H. B. 382, an act for the protection of oysters in Pamlico and Roanoke sounds.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Robinson, S. B. 353, bill to require the general school taxes to be paid into the State Treasury, and to be distributed among the several counties of the State. Referred to the Committee on Education.

By Mr. Briggs, S. B. 354, bill for the relief of the late J. W. Buchanan, Sheriff of Mitchell County. Referred to the Committee on Finance.

By Mr. White, S. B. 355, bill to prohibit the sale of intoxicating liquors in the town of Sanford, Moore County. Referred, with accompanying petition, to the Committee on Propositions and Grievances.

S. B. 356, bill to allow witnesses before justices' courts per diem and mileage in certain cases. Referred to the Committee on Judiciary.

By Mr. Long, S. B. 357, bill to incorporate the "Jule Carr Home Loan Fund." Referred to the Committee on Banks and Currency.

By Mr. Twitty, S. B. 358, bill to amend chapter 77, Laws of 1887. Referred to the Committee on Internal Improvements.

By Mr. Green, S. B. 359, bill to incorporate the Original Free will Baptist Conference of the State of North Carolina. Referred to the Committee on Corporations.

By Mr. Payne, S. B. 360, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments. Referred to the Committee on Judiciary, and ordered printed.

By Mr. Stubbs, S. B. 361, bill to amend the charter of the Albemarle and Raleigh Railroad Company. Referred to the Committee on Corporations.

By Mr. Bailey (by request), S. B. 362, bill to incorporate the Raleigh Gas Company. Referred to the Committee on Corporations.

By Mr. Rice, S. B. 363, bill to amend chapter 174, Laws of 1887, in relation to changing the day of municipal elections from Monday to Wednesday in the town of Burgaw. Referred to the Committee on Corporations.

Mr. Payne, for the Committee on Railroad Commission, asked and obtained consent for the committee to sit during the session of the Senate to-day.

On motion of Mr. Long, the rules were suspended, and S. B. 312, bill in relation to the Lynchburg and Durham Railroad Company, was taken up on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

## THE CALENDAR.

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

S. B. 55, bill to empower gas companies to supply electricity for lighting and power, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 72, S. B. 179, bill to amend chapter 265, Laws of 1887, in relation to the road law for Tyrrell County, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, on its third reading.

Mr. Kerr moved to amend:

"Add, 'Provided, that section 3154 of The Code shall not apply to said L. D. Gillespie.'"

Adopted.

Mr. Lusk moved to amend:

"Add, 'Provided, that the time for registration in section 4 of chapter 178, Laws of 1887, be and the same is hereby extended to July 1st, 1889."

Lost.

Mr. Blair demanded the previous question, and was sustained.

On the passage of the bill its third reading,

Mr. Rice asked for the ayes and noes. Not ordered.

The bill failed to pass its third reading.

S. B. 344, bill to extend the time for collecting taxes and the settlement of tax-collectors, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

## SPECIAL ORDER.

S. B. 270, bill for the relief of the Treasurer of Alamance County, on its third reading, being the special order for to-day.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing the refusal of that honorable body to recede from its amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties, and consenting to a committee of conference thereon, and announcing as the conferees on the part of the House, Messrs. Phillips, Hargrove and Marsh of Union.

The President appointed as conferees on the part of the Senate,

Messrs. Lucas, Williams of Pitt and Thomas.

A message was also received transmitting without engrossment House amendment to

S. B. 46, H. B. 283, bill to renew and continue in force the powers of the Lynchburg and Durham Railroad Company.

On motion of Mr. Long, the rules were suspended, the amendment was concurred in, and the bill was ordered enrolled.

Also a message transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 390, S. B. 364, bill to incorporate the Farmers Bank of Roxboro. Referred to the Committee on Banks and Currency.

H. B. 246, S. B. 365, bill to amend chapter 6, Private Laws of 1887, in relation to the Carolina Insurance Company, of Wilmington, N. C. Referred to the Committee on Insurance.

H. B. 346, S. B. 366, bill in relation to pay of the Public Printer. Referred to the Committee on Printing.

H. R. 467, S. R. 367, resolution in regard to the United States and State flags. Referred to the Committee on Federal Relations.

On motion of Mr. Lucas, the rules were suspended, and S. B. 187, bill to amend the Public School Law, was taken up on its second reading.

On motion of Mr. Lucas, the Senate, as in Committee of the Whole House, proceeded with the consideration of the bill, Mr. Pou in the chair.

The committee having risen,

Mr. Pou reported that the Senate, in Committee of the Whole House, had considered the bill to amend the Public School Law, and adopted certain amendments thereto, and, as amended, recommended the bill do pass.

On motion of Mr. LeGrand, the bill, with pending amendments, was recommitted to the Committee on Education.

## THE CALENDAR

was resumed.

S. B. 6, bill to reduce the legal rate of interest to six per cent., on its second reading.

On motion of Mr. Williams of Pitt, the bill was postponed until Mouday next, 4th inst., and made the special order to follow the morning hour of that day.

On motion of Mr. Campbell, the Senate adjourned until to-morrow morning at 11 o'clock.

# TWENTY-SECOND DAY.

SENATE CHAMBER, February 2, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Foster, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Messrs. Hampton and Williams of Cumberland until Tuesday.

## PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. White, petition from citizens of Sanford, Moore County, and adjoining sections, requesting the General Assembly that they do not prohibit the sale of intoxicating liquors in the town of Sanford. Referred to the Committee on Propositions and Grievances.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Pou, S. B. 321, bill amending and striking out certain sections in chapter 5 of *The Code*, recommending it do not pass;

S. B. 345, bill to compel clerks to publish a statement of moneys in their hands, reporting an amendment, and, as amended, recommending the bill do pass.

By Mr. Lusk, H. B. 367, S. B. 327, bill to correct State grant number 2443, of Jackson County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Little, H. B. 205, S. B. 260, bill for the protection of livery-stable keepers and others, recommending it do not pass.

By Mr. Lucas, S. B. 333, bill to amend sections 549, 550 and 553 of *The Code*, reporting an amendment, and, as amended, recommending the bill do pass;

S. B. 290, bill to amend chapter 105, Laws of 1885, recom-

mending it do pass.

By Mr. Green, H. B. 139, S. B. 214, bill for the relief of sheriffs and tax-collectors, and their legal representatives, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Leeper, S. B. 297, bill to amend chapter 355, Laws of 1887, in relation to working convicts on the public road, recommending it do not pass.

By Mr. LeGrand, S. B. 291, bill to amend sections 72 and

3648 of The Code, recommending it do pass;

S. B. 309, bill to amend section 1014 of *The Code*, recommending the bill do pass.

By Mr. Kerr, S. B. 340, bill to enable county officers to bond in surety companies, recommending it do pass;

S. B. 315, bill to amend chapter 180, Laws of 1885, in relation to Craven County Superior Court, recommending it do pass;

H. B. 332, S. B. 349, bill to abolish the Inferior Court of Swain County, recommending it do not pass.

From the Committee on Finance:

By Mr. Leeper, H. B. 20, S. B. 346, bill to prevent manufacturers and others from issuing "non-transferable" scrip for labor done, recommending it do pass.

By Mr. Toms, H. B. 290, S. B. 271, bill to amend chapter 70, Laws of 1883, relating to the stock law, recommending it do pass;

S. R. 334, resolution in favor of Baring Brothers & Company, bankers, of London, England, recommending it do pass.

By Mr. Leinbach, H. B. 268, S. B. 331, bill to authorize the Commissioners of Alamance County to levy a special tax, recommending it do pass. From the Committee on Internal Improvements:

By Mr. Means, S. B. 358, bill to amend chapter 77, Laws of 1887, recommending it do pass.

From the Committee on Corporations:

By Mr. Pou, S. B. 361, bill to amend the charter of the Albemarle and Raleigh Railroad Company, recommending it do pass;

S. B. 337, bill to incorporate the town of Edwards' Mill, in Beaufort County, recommending it do pass.

By Mr. Barber, H. B. 336, S. B. 276, bill to confirm the incorporation and organization of the Moore County Millstone Company, recommending it do pass;

S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company, reporting an amendment, and, as amended, recommending the bill do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, H. B. 53, S. B. 301, bill to prevent the increase and spread of hog cholera, recommending it do pass;

H. B. 52, S. B. 300, bill declaring four feet to be a legal height for fences, reporting an amendment, and, as amended, recommending the bill do pass;

H. B. 33, S. B. 306, bill to amend section 2816 of *The Code*, relating to the stock law, recommending it do not pass.

H. B. 155, S. B. 178, bill to amend the Mecklenburg Road Law, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 270, bill to be entitled an act for the relief of the Treasurer of Alamance County;

S. B. 55, bill to be entitled an act to empower gas companies to supply electricity for lighting and power—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 46, H. B. 283, an act to renew and continue in force the powers of the Lynchburg and Durham Railroad Company;

S. B. 129, H. B. 410, an act authorizing the Commissioners of Henderson County to levy a special tax;

S. B. 79, H. B. 403, an act to amend section 2840 of *The Code*, in reference to killing wild fowl in certain counties;

S. B. 150, H. B. 380, an act to amend the Laws of 1885 and 1887, so as to provide additional educational facilities for the Croatan Indians, citizens of Robeson County, N. C.;

S. B. 75, H. B. 406, an act to punish resistance to a public officer:

S. B. 134, H. B. 457, an act to incorporate the Ocean View Railroad Company;

S. R. 234, H. R. 466, resolution in favor of N. H. R. Dawson;

S. B. 344, H. B. 551, an act to extend the time for collecting taxes.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, without engrossment, House bills, which were read the first time and disposed of as follows:

H. B. 321, S. B. 368, bill to incorporate the Greenleaf Johnson Lumber Company. Referred to the Committee on Corporations.

H. B. 236, S. B. 369, bill in relation to indictments and to expedite criminal trials upon their merits. Referred to the Committee on Judiciary.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Holton, S. B. 370, bill to amend chapter 135, section 23, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. Moore, S. B. 371, bill to incorporate the town of Grogansville, in Rockingham County. Referred to the Committee on Corporations.

By Mr. Campbell, S. B. 372, bill to provide for the better regulation of the liquor traffic, and to facilitate the collection of statistics in regard to the same. Referred to the Committee on Propositions and Grievances.

By Mr. Reid, S. B. 373, bill for the better drainage of certain lands in Mecklenburg County. Referred to the Committee on Propositions and Grievances.

Mr. Green moved to reconsider the vote by which

H. B. 179, S. B. 185, bill for the relief of L. D. Gillespie, relating to dentistry, failed to pass its third reading yesterday, and moved to postpone the consideration of the motion for the present. The latter motion prevailed.

# THE CALENDAR.

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

S. B. 49, bill to amend chapter 82, Private Laws of 1881, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. R. 184, S. R. 167, resolution in relation to the boundary line of the State, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

S. B. 62, bill to amend the road law of the State, on its second reading.

The substitute reported by the Committee on Judiciary was adopted.

The bill passed its second reading.

S. B. 67, bill to protect fish in Union Mill-pond, in Bertie County, on its second reading.

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

H. B. 229, S. B. 280, bill for the better protection of the books in the North Carolina State Library, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 338, bill to provide for the erection of suitable buildings for the common schools of District No. 1, Wilson County, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Campbell, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Pou, Reid, Rice Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—37.

S. B. 88, bill in relation to deadly weapons, on its second reading.

The substitute reported by the Committee on Finance was read.

Mr. Moore moved to amend the substitute:

"In section 1, strike out the word 'two' and insert 'ten."

Mr. Campbell moved to amend:

"Strike out all after the enacting clause except the second and final sections."

On motion of Mr. LeGrand, the bill, with pending amendments, was recommitted to the Committee on Finance.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, and House amendment to Senate bill, which were read the first time and disposed of as follows:

H. B. 396, S. B. 374, bill to amend section 2288 of *The Code*, in regard to trespassing on boats, &c. Referred to the Committee on Propositions and Grievances.

H. B. 424, S. B. 375, bill to amend section 2828 of *The Code*, in regard to trespassing on crops. Referred to the Committee on Agriculture, Mechanics and Mining.

H. R. 385, S. R. 376, resolution of instruction to State Printer. Referred to the Committee on Printing.

H. B. 365, S. B. 377, bill to amend section 706 of *The Code*, in regard to the Commissioners of Clay County. Referred to the Committee on Finance.

H. B. 428, S. B. 378, bill to make four and one-half feet a lawful fence. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 40, S. B. 379, bill to incorporate the Morganton Land and Lumber Company. Referred to the Committee on Corporations.

H. B. 444, S. B. 380, bill to amend chapter 410, Laws of 1887, regarding the election of trustees for the North Carolina College of Agriculture and Mechanic Arts. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 7, S. B. 381, bill to prevent the spread of disease among hogs. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 334, S. B. 382, bill to change the name of Holden Township in Pender County to Burgaw Township. Referred to the Committee on Propositions and Grievances. H. B. 393, S. B. 383, bill to amend chapter 81, section 3, Laws of 1887, in regard to the sale of seed cotton. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 364, S. B. 384, bill relative to the drainage of land in the county of Davidson. Referred to the Committee on Agriculture, Mechanics and Mining.

House amendment to

S. B. 78, H. B. 405, bill to amend chapter 81, Laws of 1887, regulating sale of seed cotton. Placed on the Calendar.

Also a message transmitting, without engrossment,

H. B. 553, S. B. 385, bill requiring certain law books in the Public Library of the State to be placed in the Supreme Court Library, which was read the first time and placed on the Calendar.

On motion, the rules were suspended, and

H. B. 553, S. B. 385, bill requiring certain law books in the Public Library of the State to be placed in the Supreme Court library, was taken up on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

#### THE CALENDAR

was resumed.

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, on its second reading.

On motion of Mr. Means, the bill was postponed until Tuesday next, and made the special order for 12 o'clock noon of that day.

S. B. 317, bill to abolish Fishing Creek Township, in Wilkes County, and to create a new township in said county, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 300, S. B. 302, bill to repeal chapter 270, Laws of 1887, relating to Cape Hatteras Camp Ground, on its second reading.

The bill passed its second reading.

Mr. Crawford asked and obtained consent to withdraw S. B. 247, bill to amend chapter 54 of *The Code*, in rela-

tion to religious worship.

On motion of Mr. Kerr, the Senate adjourned until Monday evening at 3 o'clock.

# TWENTY-THIRD DAY.

SENATE CHAMBER, February 4, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Foster, of the city.

The Journal of Saturday was approved.

## PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Barber, petition of L. E. Whittington and others, of Wilkes and Ashe counties, asking aid in regard to a road, &c. Referred to the Committee on Roads.

By Mr. White, petition asking the General Assembly not to pass a law prohibiting the sale of intoxicating liquors in the town of Sanford, Moore County. Referred to the Committee on Propositions and Grievances.

By Mr. Reid, petitions (2) from citizens of Wilmington and New Hanover County, praying the repeal of the purchase tax. Referred to the Committee on Finance.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Turner of Iredell, H. B. 119, S. B. 208, bill for the relief of the Clerk of the Superior Court of Mitchell County, recommending it do pass.

By Mr. Lucas, S. B. 311, bill to provide for the election of Justices of the Peace and County Commissioners by the people, a majority of the committee recommending the bill do not pass.

Mr. Lusk, for himself and Mr. Green, a minority of the committee, submitted a report recommending the bill do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 331, S. B. 279, bill to incorporate the Women's Christian Temperance Union, of Asheville, recommending it do pass.

By Mr. Bailey, S. B. 362, bill to incorporate Raleigh Gas Company, recommending it do pass;

S. B. 371, bill to incorporate the town of Grogansville, in Rockingham County, recommending it do pass.

By Mr. Barber, H. B. 321, S. B. 368, bill to incorporate the Greenleaf Johnson Lumber Company, recommending it do pass.

From the Committee on Library:

By Mr. Moore, S. B. 288, bill to amend section 3619 of *The Code*, recommending it do pass;

- S. B. 96, bill to open the State Library at night, recommending it do not pass;
- S. B. 251, resolution of instruction to the State Librarian, recommending it do pass;
- S. B. 289, bill relating to the hours of the State Library, reporting an amendment, and, as amended, recommending the bill do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 49, bill to be entitled an act to amend chapter 82 of the Private Laws of 1881;

H. B. 317, bill to be entitled an act to abolish Fishing Creek Township, in Wilkes County, and to create a new township in said county—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bill, which was duly ratified and sent to the office of the Secretary of State.

S. B. 243, H. B. 507, an act to amend the charter of the Hiawassee Railroad Company.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Toms, S. B. 386, bill to amend the charter of the town of Hendersonville. Referred to Committee on Corporations.

By Mr. Lusk, S. B. 387, bill to relieve the burden of taxation. Referred to the Committee on Finance.

By Mr. Twitty, S. B. 388, bill to provide for the better drainage of certain lands in Rutherford County. Referred to the Committee on Propositions and Grievances.

By Mr. Campbell, S. B. 389, bill to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Crawford, S. B. 390, bill to amend section 3672, chapter 54, of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Farthing, S. B. 391, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of

Cove Creek Baptist Church in Watauga County. Referred, with petition, to the Committee on Propositions and Grievances:

S. B. 392, bill to create a new township in the county of Ashe, to be called Creston Township. Referred, with petition, to the Committee on Propositions and Grievances.

By Mr. LeGrand, S. B. 393, bill to allow Z. F. Long, Clerk of the Superior Court of Richmond County, to be absent first and second Mondays in March, A. D. 1889. Placed on the Calendar.

## JOINT COMMITTEES.

The President announced as Senate Branch of

Joint Committee on Roads—Messrs. Crawford, Hughes and
Warters.

Senate Branch of

Joint Select Committee on State Boundary—Messrs. Kerr and Leeper.

On motion of Mr. LeGrand, the rules were suspended, and S. B. 393, bill to allow Z. F. Long, Clerk of the Superior Court of Richmond County, to be absent first and second Mondays of March, A. D. 1889, was taken up on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

Mr. Emry moved the Calendar of Bills and Resolutions be placed under the control of the President for the remainder of the session. The motion prevailed.

#### THE CALENDAR.

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

H. B. 300, S. B. 302, bill to repeal chapter 270, Laws of 1887, relating to Cape Hatteras Camp Ground, on its third reading.

The bill passed its third reading and was ordered enrolled. S. B. 62, bill to amend the road law of the State, on its

third reading.

On motion of Mr. Means, the bill was referred to the Committee on Roads.

## SPECIAL ORDER.

S. B. 6, bill to reduce the legal rate of interest to six per cent., on its second reading, it being the special order for this hour.

On the passage of the bill its second reading,

Mr. Green asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 32, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Briggs, Brock, Campbell, Crawford, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—32.

Those voting in the negative were:

Messrs. Bailey, Leeper, Stubbs and Thomas-4.

Mr. Leinbach moved the rules be suspended and the bill be taken up on its third reading.

The motion did not prevail.

#### THE CALENDAR

was resumed.

H. B. 321, S. B. 368, bill to incorporate the Greenleaf Johnson Lumber Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

By consent,

Mr. Turner of Iredell offered the following:

Resolved by the Senate, the House of Representatives concurring, That the General Assembly attend the Newbern Fish and Oyster Fair in a body, on a day and at such time as may be fixed upon by a committee of three on the part of the Senate and five on the part of the House of Representatives, which is hereby ordered to be appointed for this purpose.

On motion of Mr. Turner of Iredell, the rules were suspended, the resolution was taken up and adopted, and ordered sent to the House of Representatives without engrossment.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting a communication from his Excellency the Governor, with a petition from Mr. Fisk P. Brewer, late a professor at the University of North Carolina. The petition was read and referred to the Committee on Finance.

Also a message transmitting, with a proposition to print, a communication from his Excellency the Governor.

The communication was read, as follows:

# STATE OF NORTH CAROLINA, EXECUTIVE DEPARTMENT.

To the Senate and House of Representatives:

The subject of conducting the Penitentiary in such a way as to make the convicts self-sustaining has given me much

thought in the last two weeks, and I deem it my duty to submit my conclusions to your honorable body.

So far as I can ascertain, or have reasons to form a belief. the action of the present Board of Directors has been guided by conscientious effort to do the best for the State which they could under the circumstances of the case, and I believe, if the wise legislation which your honorable body seems ready to adopt in regard to making the convicts selfsustaining, should be carried out, that the next board will be able to do much more in the same direction; but I fear the system which has been adopted for the government of the Penitentiary is so fatally defective that it will not be in the power of any board of directors, constituted under the present law, to carry out, as you wish it done, the plan you seem about to adopt, and for this reason: The business affairs of the Penitentiary on the credit and debit sides amount, during the year, to about \$400,000; that is, \$200,000 in receipts from various sources, and \$200,000 in expenses. This business is to be managed by nine directors, who visit Raleigh not more than once a month, and stay at the Penitentiary building during that visit, say, ten hours. During that time they are expected, under the law, to examine understand and thoroughly digest the accounts, extending through many folios, and at the same time to advise the officers and employees of the institution as to the conduct of affairs for the next month at least; and often, in the few hours named, to digest a plan for the profitable employment of the convicts for months ahead. I do not believe, gentlemen of the General Assembly, that there are nine men in the State who, under the circumstances, can produce the result which you desire and the people demand.

I have therefore asked myself the question: Can the present system be amended or changed so that the affairs of the Penitentiary can be properly attended to without adding to the present expense of the establishment? I think it can be done, and, with deep solicitude as to your

concurrence, but at the same time desirous of discharging my duty to the State, venture to state how the expenses of the present board of nine directors amount to the sum of \$300 for each director:

,	(say)	
		\$3,600

The labor they are able as a board to give I have already stated. Now, suppose a Commissioner of the Penitentiary should be selected, and a good business man should be appointed to the place, with a salary, say, of \$2,500, and require him to give his entire time to his work; allow him a clerk, with a salary, say, of \$1,000; abolish the compensation of the present board, and appoint a board to serve, like the Board of the Asylum for the Deaf, Dumb and Blind, without compensation, and I think the gain to North Carolina will be immense. In thinking the matter over, it has suggested itself to me, that no business man having a mercantile, mechanical or agricultural business involving so much money would, for an instant, think of placing his fortunes under the management of any nine gentlemen, however capable, energetic or efficient they might be under favorable circumstances, if only a few hours each thirty days were given to the conduct of the business.

Believing that the business of the State should be conducted by us as if it were our own personal business, and desiring most profoundly that during this administration the Penitentiary shall not only be made self-sustaining, but by economy and good management be enabled to aid our people by helping to pay the taxes needed for disabled

soldiers, suffering widows, and our poor afflicted ones, I most respectfully but earnestly call your attention to the suggestion herein made.

(Signed)

DANIEL G. FOWLE, Governor.

On motion of Mr. Means, the proposition of the House of Representatives to have the communication printed was concurred in; and the communication was referred to the Committee on Penal Institutions.

A message was also received from the House of Representatives transmitting engrossed House bills and resolutions, and House amendments to a Senate bill, which were read the first time and disposed of as follows:

H. R. 191, S. B. 394, bill to amend chapter 178, Laws of 1887, relative to registration of dentists. Referred to the Committee on Judiciary.

H. B. 238, S. B. 395, bill to correct State Grant No. 1730. Referred to the Committee on Judiciary.

H. B. 388, S. B. 396, bill to amend section 2184 of *The Code*, so as to relieve the Governor from acting as Chairman of the Board of Agriculture. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 278, S. B. 397, bill to amend section 677 of *The Code*, and chapter 19, Laws of 1885, in reference to forming corporations before the Clerk. Referred to the Committee on Judiciary.

H. R. 288, S. R. 398, resolution instructing the Door-keeper to furnish two large maps of North Carolina for the General Assembly. Referred to the Committee on Propositions and Grievances.

House amendments to

S. B. 68, H. B. 342, bill to incorporate the Aberdeen and West End Railroad Company.

On motion of Mr. LeGrand, the rules were suspended, the House amendments were taken up and concurred in, and the bill was ordered enrolled.

## THE CALENDAR

was resumed.

S. B. 371, bill to incorporate the town of Grogansville, in Rockingham County, on its second reading.

The bill passed its second reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brock, Campbell, Emry, Falkener, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Little, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—33.

S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

On motion of Mr. Barber, the bill was referred to the Committee on Internal Improvements.

By consent,

Mr. Stubbs introduced

S. B. 399, bill to recognize and amend the charter of the Beaufort County Lumber Company of North Carolina, which was read the first time and referred to the Committee on Corporations.

Mr. Smith introduced

S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, which was read the first time and referred to the Committee on Corporations.

### THE CALENDAR

was resumed.

S. B. 336, bill to incorporate the North Carolina Power Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 60, bill to prohibit the sale of pistols, on its second reading.

On motion of Mr. Barber, the bill was recommitted to the Committee on Judiciary.

S. B. 246, bill to refund the debt of Mecklenburg County, on its second reading.

The bill passed its second reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Campbell, Crawford, Falkener, Farthing, Green, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—37.

S. B. 227, bill to amend chapter 134, Laws of 1887, being an act to incorporate the Polk County Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 286, bill to fix the capital stock of the Charleston, Cincinnati and Chicago Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 287, bill to establish local option in parts of Green Hill and Rutherford townships in the county of Rutherford, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 201, bill to drain the swamp lands of Henderson County, on its second reading.

Mr. Barber moved to amend:

"Add, 'at a price not less than one hundred and twenty-five dollars each per annum in cash.'"

On motion of Mr. Turner of Iredell, the bill was referred to the Committee on Internal Improvements.

On motion of Mr. Barber, the Senate adjourned until tomorrow morning at 11 o'clock.

# TWENTY-FOURTH DAY.

SENATE CHAMBER, February 5, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city. The Journal of yesterday was approved.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Leeper, petition from citizens of Gaston County, asking for the repeal of the purchase tax. Referred to the Committee on Finance.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 388, bill to provide for the better drainage of certain lands in Rutherford County, recommending it do pass;

S. B. 314, bill to protect the owners of timber growing on the lands of others, reporting an amendment, and, as amended, recommending it do pass; S. B. 335, bill to protect manufacturers of lumber, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Robinson, S. B. 392, bill to create a new township in the county of Ashe, to be called Creston Township, recommending it do pass.

By Mr. Kerr, petition from William Lane and others, of Johnston County, concerning a certain mill-dam, recommending no action thereon, as the subject matter thereof is already within the jurisdiction of the courts.

From the Committee on Corporations:

By Mr. Barber, S. B. 363, bill to amend chapter 174, Laws of 1887, in relation to changing the day of municipal elections from Monday to Wednesday, in the town of Burgaw, recommending it do not pass.

- The Committee on Engrossed Bills reported as properly engrossed:

S B 227, bill to be entitled an act to amend chapter 134 of the Laws of 1887, being an act to incorporate the Polk County Railroad Company;

S. B. 286, bill to be entitled an act to fix the capital stock of the Charleston, Cincinnati and Chicago Railroad Company;

S. B. 287, bill to be entitled an act to establish local option in parts of Green Hill and Rutherford townships in the county of Rutherford;

S. B. 393, bill to be entitled an act to allow Z. F. Long, Clerk Superior Court Richmond County, to be absent first and second Mondays of March, 1889—

Which were sent to the House of Representatives.

Mr. Thomas, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 72, S. B. 179, an act to amend chapter 265 of the Laws of 1887, in relation to the public roads in Tyrrell County;

- S. B. 385, H. B. 553, an act requiring certain law books in the public library of the State to be placed in the Supreme Court library;
- S. B. 169, H. B. 367, an act to incorporate the town of Hot Springs, in the county of Madison;
- S. B. 159, H. B. 402, an act to pay a balance due to the holders of road certificates for the building of the Tucka-seege and Keowee Turnpike Road, in Jackson County;
- H. B. 96, S. B. 142, an act to amend chapter 98 of the Laws of 1879, entitled an act to compromise, commute and settle the State debt, as amended by acts ratified the 16th day of January, 1883, and the 3d day of March, 1885, and the 8th day of February, 1887;
- S. B. 133, H. B. 485, an act to amend the charter of the town of Smithfield, chapter 142, Private Laws of 1883;
- S. B. 15, H. B. 257, an act to prevent fraud in the sale of lands and personal property under mortgage or other contract;
- H. B. 229, S. B. 280, an act for the better protection of the books in the North Carolina State Library;
- S. B. 249, H. B. 506, an act to satisfy certain claims against the trustees of the University of North Carolina;
- S. R. 167, H. R. 184, joint resolution in relation to the boundary line of North Carolina;
- S. R. 105, H. R. 252, resolution in regard to printing the inaugural address of Hon. Daniel G. Fowle.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and House amendment to Senate bill, which were read the first time and disposed of as follows:

H. B. 18, S. B. 401, bill to abolish the term of the Superior Court of Wilkes County held on the eighth Monday after the first Monday in March. Referred to the Committee on Judiciary.

H. B. 399, S. B. 402, bill to enlarge the Tenth Judicial District, and to regulate and fix the terms of the courts thereof. Referred to the Committee on Judiciary.

H. B. 417, S. B. 403, bill to incorporate the town of Walnut Cove, in the county of Stokes. Referred to the Committee on Corporations.

H. B. 337, S. B. 404, bill for the drainage of Lick Creek, in Stokes and Forsyth. Referred to the Committee on Propositions and Grievances.

H. B. 374, S. B. 405, bill to incorporate the Bank of Commerce and Industry of Raleigh, North Carolina. Referred to the Committee on Banks and Currency.

H. B. 103, S. B. 406, bill to regulate the shooting of wild fowl in Currituck and Dare counties. Referred to the Committee on Propositions and Grievances.

H. B. 277, S. B. 407, bill to amend section 1260 of *The Code*, curing certain defects in the probate and registration of written instruments, &c. Referred to the Committee on Judiciary.

H. B. 243, S. B. 408, bill to amend section 1089 of *The Code*, in relation to the disposition of mortgaged property. Referred to the Committee on Judiciary.

H. B. 102, S. B. 409, bill to prohibit bushes on boats, &c., in Currituck County. Referred to the Committee on Propositions and Grievances.

H. B. 391, S. B. 410, bill to prohibit pound-net fishing in Cashie River. Referred to the Committee on Fish and Fisheries.

H. B. 369, S. B. 411, bill to amend the charter of the Rough and Ready Fire Company of the city of Newbern. Referred to the Committee on Corporations.

H. B. 351, S. B. 412, bill to amend the charter of the Burgaw and Onslow Railroad Company. Referred to the Committee on Internal Improvements.

House amendment to

S. B. 93, H. B. 411, bill to change the time of holding the Superior Courts of Granville County. Placed on the Calendar.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Moore, S. B. 413, bill to make the sheriff responsible for the criminal negligence of his jailer Referred to the Committee on Judiciary.

By Mr. Means, S. R. 414, resolution in favor of F. A. Watson. Referred to the Committee on Finance.

By Mr. Leeper, S. B. 415, bill to amend sections 713, 714 and 752 of *The Code*, in regard to publishing annual statements. Referred to the Committee on Judiciary.

By Mr. Reid, S. B. 416, bill to provide additional accommodations for the deaf, the dumb and the blind. Referred to the Committee on Deaf, Dumb and Blind Institutions.

By Mr. Campbell (by request), S. B. 417, bill to amend sections 2912, 2915, 2916 and 2921 of *The Code*, to carry into effect the provisions of section 2915, and for maintaining an efficient quarantine at the mouth of the Cape Fear River. Referred, with petition, to the Committee on Finance.

By Mr. Green, S. R. 418, resolution to pay Henry R. Bryan, S. H. Lane and others per diem and mileage in contested election case of Green *versus* Clark. Referred to the Committee on Privileges and Elections.

By Mr. Little, S. B. 419, bill to amend section 956, chapter 24, Volume I, of *The Code*. Referred to the Committee on Judiciary;

S. B. 420, bill to provide for the redemption of certain bonds held by the United States Government. Placed on the Calendar.

By Mr. LeGrand, S. B. 421, bill to amend subsection 1, section 349 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Williams of Pitt, S. B. 422, bill relative to the drainage of low lands. Referred to the Committee on Judiciary.

By Mr. Moore, S. B. 423, bill to protect farmers. Referred to the Committee on Finance.

Mr. Rice moved to reconsider the vote by which

S. B. 336, bill to incorporate the North Carolina Power Company, passed its third reading on yesterday, and moved to postpone the consideration of the motion for the present. The latter motion prevailed.

Mr. Barber moved that on and after to-morrow the Senate meet daily, except on Mondays, at 10 o'clock a.m. The motion prevailed.

#### THE CALENDAR.

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

House amendment to

S. B. 93, H. B. 411, bill to change the time of holding the Superior Courts of Granville County, was taken up, concurred in, and the bill was ordered enrolled.

S. B. 246, bill to refund the debt of Mecklenburg County, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Holton, Kerr, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—37.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 371, bill to incorporate the town of Grogansville, in Rockingham County, on its third reading.

Mr. Moore moved to amend:

"Insert after the word 'law,' in line 7, the following: 'And shall be subject to all the provisions contained in chapter sixty-two (62) of *The Code*,' and strike out the words in said section, 'now existing in reference to incorporated towns not inconsistent with this act.'"

Adopted.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Holton, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—37.

The bill was ordered engrossed and sent to the House of Representatives.

House amendment to

S. B. 18, H. B. 338, bill for the relief of the Superior Court Clerks of Forsyth and Craven counties, was concurred in, and the bill was ordered enrolled.

S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, on its second reading.

On motion of Mr. Pou, the bill was recommitted to the Committee on Corporations.

S. B. 297, bill to amend chapter 355, Laws of 1887, in relation to working convicts on public roads, on its second reading.

On motion of Mr. Banks, the bill was referred to the Committee on Roads.

H. B. 150, S. B. 182, bill to authorize the Tunis and Serpel Lumber Company to hold and convey lands in this State, on its second reading.

On motion of Mr. Abbott, the bill was recommitted to the Committee on Judiciary.

H. B. 155, S. B. 178, bill to amend the Mecklenburg Road Law, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

House amendment to

S. B. 78, H. B. 405, bill to amend chapter 81, Laws of 1887, regulating the sale of seed cotton.

On motion of Mr. Emry, the Senate refused to concur in the amendment.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting a communication from his Excellency the Governor, relating to certain bonded indebtedness of the State. Referred to the Committee on Finance.

## THE CALENDAR

was resumed.

S. B. 420, bill to provide for the redemption of certain bonds held by the United States Government, on its second reading.

Mr. Emry moved to amend:

"Insert 'not less than par.'"

On motion of Mr. Barber, the bill was referred to the Committee on Finance.

H. B. 119, S. B. 208, bill for the relief of the Clerk of the Superior Court of Mitchell County, on its second reading.

Mr. Briggs moved to amend:

"Insert the counties of Yancey, McDowell and Burke."

Adopted.

The bill passed its second reading and was taken up on its third reading.

Mr. Holton moved to amend:

"Add after the word 'tenth,' the words 'and fifth'; and by inserting after the word 'Mitchell,' the word 'Guilford."

On motion of Mr. Twitty, the bill was recommitted to the Committee on Judiciary.

Mr. Lucas, of conferees on the part of the Senate to consider House amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties of North Carolina, submitted a report thereon, which was placed on the Calendar.

#### THE CALENDAR

was resumed.

H. B. 81, S. B. 212, bill to repeal chapter 89, Laws of 1885, in relation to oysters, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 139, S. B. 214, bill for the relief of sheriffs and \*ax-collectors and their legal representatives, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

Mr. Barber moved to amend:

"Insert in section 1 the words '1884."

Adopted.

Mr. Falkener moved to amend:

"Add 'this act shall not apply to the county of Warren."

Lost.

The bill passed its second reading.

#### SPECIAL ORDER.

S. B. 106, bill to amend the Constitution of North Carolina and to provide for the election as to said amendments, on its second reading, it being the special order for to-day.

Mr. Stubbs moved to amend:

"Strike out in section 5 all after the word 'State,' in line 2, up to and including '1890,' in line 3, and insert in lieu thereof 'for members of the General Assembly."

Adopted.

Mr. Thomas moved to amend:

"Strike out section 1."

Mr. Means demanded the previous question and was sustained

On the adoption of the amendment offered by Mr. Thomas, Mr. LeGrand asked for the ayes and noes, which were ordered, and the motion was lost—ayes 19, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Brock, Crawford, Emry, Falkener, Holton, Hughes, Kerr, Leeper, Leinbach, Lucas, Lusk, Moore, Thomas, Turner of Iredell, Warters, White and Williams of Pitt—19

Those voting in the negative were:

Messrs. Aycock, Bailey, Banks, Briggs, Brown, Campbell, Farthing, Green, LeGrand, Little, Means, Pou, Reid, Rice, Robinson, Smith, Stubbs, Toms, Turner of Catawba, Twitty, Williams of Cumberland and Wimberly—22

The bill failed to pass its second reading (not three fifths of the Senate voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Aycock, Barber, Campbell, Emry, Farthing, Green, Leeper, LeGrand, Lucas, Means, Moore, Pou, Reid, Smith, Toms, Turner of Catawba, Williams of Cumberland and Williams of Pitt—18.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Briggs, Brock, Brown, Crawford, Falkener, Holton, Kerr, Leinbach, Little, Lusk, Rice, Robinson, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White and Wimberly—22.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES

A message was received from the House of Representatives announcing the concurrence of that honorable body in the Senate resolution that the General Assembly attend the Newbern Fish and Oyster Fair, and that a joint committee be appointed to arrange the day and time of attendance; and had appointed as the House branch of such committee,

Messrs. Lyon, Cooke, Baird, Matheson and Wall.

The President appointed as Senate branch of the committee,

Messrs. Kerr, Twitty and Lusk.

Mr. Pou moved to take up for consideration the motion offered by Mr. Rice to reconsider the vote by which

S. B. 336, bill to incorporate the North Carolina Power Company, passed its third reading. The motion prevailed.

Mr. Pou moved the motion to reconsider be laid on the table. Adopted.

The bill was ordered engrossed and sent to the House of Representatives.

## THE CALENDAR

was resumed.

S. B. 362, bill to incorporate the Raleigh Gas Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 336, bill to incorporate the North Carolina Power Company—

Which was sent to the House of Representatives.

On motion of Mr. Kerr, the Senate adjourned until to-morrow morning at 10 o'clock.

# TWENTY-FIFTH DAY.

SENATE CHAMBER, February 6, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Moore, Senator from Rockingham.

The Journal of yesterday was approved.

Leave of absence was granted to Mr. Long for one day.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Payne, petition of citizens of Robeson County, in relation to the extension of the operations of the stock law

in Shoe Heel Township, Robeson County. Referred to the Committee on Propositions and Grievances.

By Mr. Thomas, petition from citizens of Jackson Hill, Davidson County, asking the appointment of James P. Redwine a Justice of the Peace. Referred to the Committee on Election of Justices of the Peace.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Campbell, S. B. 420, bill to provide for the redemption of certain bonds held by the United States Government, recommending the bill do pass;

H. B. 370, S. B. 350, bill to authorize the Commissioners of Jackson County to levy a special tax, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 201, bill to drain the swamp lands in Henderson County, reporting an amendment, and, as amended, recommending it do pass;

S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company, reporting an amendment, and, as

amended, recommending it do pass.

By Mr. Kerr, H. B. 351, S. B. 412, bill to amend the charter of the Burgaw and Onslow Railroad Company, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 244, bill to incorporate the Alleghany Construction Company, recommending it do pass.

From the Committee on Deaf, Dumb and Blind Institutions:

By Mr. Reid, S. B. 416, bill to provide additional accommodations for the deaf, the dumb and blind, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Abbott, H. B. 221, S. B. 211, bill explaining and amending chapter 119, Laws of 1887, recommending it do pass.

By Mr. Brock, H. B. 297, S. B. 329, bill to prevent fishing by muddying in the streams of Pender County, recommending it do pass.

By Mr. Lucas, H. B. 391, S. B. 410, bill to prevent poundnet fishing in Cashie River, recommending it do pass.

By Mr. Rice, H. B. 357, S. B. 322, bill to prevent fishing in tributaries of Frying Pan Creek in Tyrrell County, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 246, bill to be entitled an act to refund the debt of Mecklenburg County;

S. B. 362, bill to be entitled an act to incorporate the "Raleigh Gas Company"—

Which were sent to the House of Representatives.

Mr. Warters, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills, which were duly ratified and sent to the office of Secretary of State:

S. B. 108, H. B. 460, an act to amend an act entitled an act to incorporate the town of Asheboro, in the county of Randolph, being chapter 79 of the Private Acts of 1883;

H. B. 300, S. B. 302, an act to repeal chapter 270, Laws of 1887, relating to Cape Hatteras Camp Ground;

S. B. 368, H. B. 321, an act to incorporate the Greenleaf Johnson Lumber Company;

S. B. 68, H. B. 342, an act to incorporate the Aberdeen and West End Railroad Company.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting, without engrossment,

H. B. 435, S. B. 424, bill to repeal section 6, chapter 32, Private Laws of 1887, in regard to Gay Manufacturing Company, which was read the first time and referred to the Committee on Corporations.

Also a message transmitting a communication from his Excellency the Governor, with the report of Engineer-in-Chief General W. G. Lewis, with the proposition the same be printed.

The proposition to have the report printed was concurred in, and the report was referred to the Committee on Military Affairs.

Also a message transmitting a communication from his Excellency the Governor, with the report of the Secretary of the Board of Trustees of the University, proposing the same be printed.

The proposition to print was concurred in.

Also a message announcing that the House of Representatives had reconsidered the vote by which that honorable body concurred in the resolution of the Senate to raise a joint committee to arrange for the attendance of the General Assembly at the Newbern Fish and Oyster Fair, and that that body had refused to concur in said resolution.

Also a message announcing the concurrence of that honorable body in the proposition of the Senate to raise a Joint Select Committee on Public Roads, and that

Messrs. Scott, McDonald, White, Wooten of Lenoir and Amis had been appointed as the House branch of said committee.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Banks, S. R. 425, resolution to pay balance of judgment due M. A. Bledsoe. Referred to the Committee on Judiciary.

By Mr. Bailey, S. B. 426, bill to repeal section 2232, Volume II, of *The Code*, as to deaf, dumb and blind from other States. Referred to the Committee on Institutions for the Deaf, Dumb and the Blind.

By Mr. Rice, S. B. 427, bill to repeal chapter 21, Laws of 1885, in the counties of Onslow, Pender and New Hanover. Referred to the Committee on Propositions and Grievances.

By Mr. Campbell, S. B. 428, bill to ratify and confirm certain actions of the Commissioners of Navigation and Pilotage of Cape Fear River. Referred to the Committee on Propositions and Grievances.

By Mr. Moore, S. B. 429, bill to charter the Bank of Leaksville, N. C. Referred to the Committee on Banks and Currency.

By Mr. King, S. B. 430, bill to amend *The Code* in relation to pharmacy. Referred to the Committee on Propositions and Grievances.

By Mr. Aycock, S. B. 431, bill to encourage mechanical proficiency in this State. Referred to the Committee on Propositions and Grievances.

By Mr. Holton, S. B. 432, bill to extend an act ratified the 26th day of January, 1859. Referred to the Committee on Corporations.

By Mr. Means, S. R. 433, resolution to raise a joint committee on game laws. Placed on the Calendar.

By Mr. Turner of Iredell, S. R. 434, resolution to rescind and repeal the joint resolution to attend the Fish and Oyster Fair at Newbern. Placed on the Calendar.

By Mr. King, S. B. 435, bill for the relief of W. M. King, late sheriff of Pitt County. Referred to the Committee on Finance.

By Mr. Stubbs, S. B. 436, bill to amend chapter 112, Laws of 1848-'49. Referred to the Committee on Corporations.

By Mr. Means, S. R. 437, resolution regarding attending the Newbern Fair. Placed on the Calendar.

By Mr. Green, S. R. 438, resolution in regard to the Newbern Fair. Placed on the Calendar.

By Mr. Kerr, S. B. 439, bill to take depositions in certain cases. Referred to the Committee on Judiciary.

Mr. Bailey moved to reconsider the vote by which

S. B. 106, bill to amend the Constitution of North Carolina and to provide for the election as to said amendments, failed to pass its second reading on yesterday.

Mr. Lusk moved the motion to reconsider be laid on the table; on which motion,

Mr. Means asked for the ayes and noes, which were ordered, and the motion was lost—ayes 12, noes 31, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Brock, Brown, Falkener, Hampton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—12.

· Those voting in the negative were:

Messrs. Aycock, Bailey, Barber, Blair, Briggs, Campbell, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—31.

The motion to reconsider prevailed.

Question recurred upon the passage of the bill its second reading.

On motion of Mr. Means, the bill was postponed until Thursday, 14th instant, and made the special order for 12 o'clock noon of that day.

#### THE CALENDAR.

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

H. B. 227, S. B. 282, bill to improve the drainage of Haw River, in Rockingham County, on its second reading.

On motion of Mr. Moore, the bill was recommitted to the Committee on Propositions and Grievances.

S. B. 388, bill to provide for the better drainage of certain lands in Rutherford County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 116, S. B. 274, bill to regulate the service of summons by publication in certain cases, on its second reading.

Mr. Pou offered a substitute for the bill, which was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 87, bill for the relief of E. R. Outlaw, late Sheriff and ex-officio Treasurer of Bertie County, on its second reading.

Mr. Lucas moved the bill be recommitted. Lost.

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

On the passage of the bill its third reading,

Mr. Lucas asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 33, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Blair, Briggs, Brock, Brown, Crawford, Emry, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—33.

Those voting in the negative were:

Messrs. Aycock, Bailey, Barber, Falkener, Farthing, Holton, Lucas and Rice—8.

The bill was ordered engrossed and sent to the House of Representatives.

S. R. 433, resolution to raise a Joint Committee on Game Laws, on its second reading.

The resolution was adopted, and ordered sent to the House of Representatives without engrossment.

H. B. 139, S. B. 214, bill for the relief of sheriffs and tax-collectors and their legal representatives, on its third reading.

The bill passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 285, bill for the relief of the sureties of A. J. McBride, Sr., late Sheriff of Watauga County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 202, S. B. 215, bill to amend chapters 395 and 399, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 19, S. B. 217, bill to repeal chapter 159, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 149, bill repealing chapter 126, Laws of 1887, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 190, bill to repeal section 3620 of *The Code*, in relation to the public printing, and to authorize the committee to contract for the State printing with the lowest responsible printer, on its second reading.

Mr. Moore moved to amend:

"Provided, the Public Printer is of the same political party as a majority of the members of the Legislature."

On motion of Mr. Turner of Iredell, the bill was recommitted to the Committee on Finance.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 271, S. B. 440, bill to amend section 645 of *The Code*. Referred to the Committee on Judiciary.

H. R. 258, S. R. 441, resolution in regard to the Governor's Mansion. Referred to the Committee to consider the Governor's Mansion.

H. B. 301, S. B. 442, bill incorporating and protecting camp grounds on Hatteras Circuit of M. E. Church, South. Referred to the Committee on Propositions and Grievances.

H. B. 296, S. B. 443, bill to change the time of holding the Fall Term of Alamance Superior Court. Referred to the Committee on Judiciary.

H. B. 426, S. B. 444, bill to incorporate the town of Ellenboro, in Rutherford County. Referred to the Committee on Corporations.

## THE CALENDAR

was resumed.

S. B. 131, bill to punish the keeping of disorderly houses, &c., on its second reading.

Mr. Lusk moved to amend:

"Insert: 'Provided, that every person found in said house of ill fame shall be regarded the keeper thereof, and upon conviction, shall suffer all the pains and penalties of this act.'"

Mr. Pou demanded the previous question, and was sustained.

On the adoption of the amendment,

Mr. Leinbach asked for the ayes and noes. Not ordered. The amendment was not adopted.

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

Mr. Lusk moved to amend:

"Insert: 'Provided, that every person found in said house of ill fame for immoral purposes shall be regarded the keeper thereof, and upon conviction, shall suffer all the pains and penalties of this act: Provided, however, that being found there shall only be prima facie evidence of being the keeper thereof."

The amendment was adopted.

Mr. Means (by request), moved to reconsider the vote by which the amendment was adopted, which prevailed.

Mr. Twitty demanded the previous question, and was sustained.

The question recurring upon the adoption of the amendment, it was again adopted.

On the passage of the bill its third reading,

Mr. Pou asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 32, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Blair, Briggs, Brock, Campbell, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Pitt—32.

Those voting in the negative were:

Messrs. Bailey, Barber, Brown, Emry, Green, Kerr, King, Little, Rice, Sills, Stubbs, Toms, Warters and Wimberly—14.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 361, bill to amend the charter of the Albemarle and Raleigh Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 437, resolution in regard to attending the Newbern Fair, on its second reading.

Mr. LeGrand moved to amend:

"Add: 'Provided, that no member of the Senate shall receive any per diem for the day or days absent.'"

Mr. Turner of Iredell moved the resolution be laid on the table; on which,

Mr. Means asked for the ayes and noes, which were ordered, and the motion to lay the resolution on the table was adopted—ayes 30, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Briggs, Brock, Campbell, Crawford, Farthing, Holton, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—30.

Those voting in the negative were:

Messrs. Abbott, Brown, Emry, Falkener, Green, Hampton, Lucas, Means, Rice, Stubbs, Toms, Warters and Wimberly—13.

S. R. 438, resolution in regard to the Newbern Fair, on its second reading.

The resolution was adopted.

The resolution is in words following:

"Resolved by the Senate, that in order to allow all members of this body the opportunity of attending the Fish, Oyster, Game and Industrial Association Fair to be held at Newbern on February 19th, 20th, 21st and 22d insts., that

leave of absence be granted all such members as may desire to attend for the days above mentioned."

S. B. 230, bill to amend chapter 245, Laws of 1885, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 201, bill to drain the swamp lands in Henderson County, on its second reading.

The amendment reported by the Committee on Internal Improvements was read.

Mr. Turner of Iredell moved to amend the amendment:

"Insert before the words 'one hundred and twenty-five'

Adopted.

The amendment reported by the committee as amended was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 334, resolution in favor of Baring Brothers & Company, bankers, of London, England, on its second reading.

The resolution passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 191, bill for the relief of Joseph H. Wheeler, of Anson County, on its second reading.

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

On motion of Mr. Twitty, the bill was referred to the Committee on Pension Legislation.

On motion of Mr. Moore, the Senate adjourned until tomorrow morning at 10 o'clock.

## TWENTY-SIXTH DAY.

SENATE CHAMBER, February 7, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Twitty until Tuesday next.

#### PETITIONS AND MEMORIALS.

Petitions and memorials were presented and disposed of as follows:

By Mr. Stubbs, petition of eighty-two citizens of Pamlico County, concerning the pay of Shell-fish Commissioners. Referred to the Committee on Propositions and Grievances.

By Mr. LeGrand, memorial of the Farmers' Alliances in Vance County. Referred to the Committee on Agriculture, Mechanics and Mining;

Memorial of the Farmers' Alliances of Warren County. Referred to the Committee on Agriculture, Mechanics and Mining;

Petition of citizens of Richmond County, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Little, H. B. 326, S. B. 324, bill to amend section 1, chapter 204, Laws of 1885, recommending it do pass.

By Mr. Barber, S. B. 308, bill to define the liabilities of railroad companies in relation to damages sustained by their employees, recommending it do not pass;

H. B. 18, S. B. 401, bill to abolish the term of Wilkes Superior Court of Wilkes County, held on the eighth Monday after the first Monday in March, recommending it do not pass.

By Mr. Green, H. B. 234, S. B. 347, bill to abolish the June term of the Superior Court for Pasquotank County, recommending it do pass.

By Mr. Payne, H. B. 236, S. B. 369, bill in relation to indictments, and to expedite criminal trials upon their merits, recommending it do not pass.

By Mr. Means, S. B. 118, bill to alter the Constitution of the State, giving the Legislature power, by statute, to alter, modify or abrogate certain sections of the State Constitution, and to establish corporal punishment, &c., recommending it do not pass;

H. B. 119, S. B. 208, bill for the relief of the Clerk of the Superior Court of Mitchell County, recommending it do pass.

From the Committee on Education:

By Mr. Campbell, S. B. 187, bill to amend the Public School Law, reporting amendments, and, as amended, recommending it do pass.

From the Committee on Finance:

By Mr. Campbell, H. B. 360, S. B. 332, bill to authorize the Superior Court Clerk of Dare to pay into the treasury certain funds, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, H. B. 291, S. B. 254, bill to improve the drainage of Benaja Creek, in Rockingham County, reporting amendments, and, as amended, recommending it do pass;

H. B. 227, S. B. 282, bill to improve the drainage of Haw River, in Rockingham County, recommending it do not pass.

By Mr. Hampton, H. B. 323, S. B. 326, bill to amend section 1, chapter 28, Private Laws of 1885, in relation to change of name of Hickory Hill, recommending it do pass;

H. B. 334, S. B. 382, bill to change the name of Holden Township, in Pender County, to Burgaw Township, recommending it do pass;

S. B. 90, bill to amend section 2799, chapter 20, of *The Code*, making four feet the lawful height for fences, recommending it do not pass.

By Mr. Warters, S. B. 370, bill to amend chapter 135, section 23, Laws of 1887, recommending its reference to the Committee on Finance. The bill was so referred.

S. B. 390, bill to amend section 3672, chapter 54, of *The Code*, recommending it do pass.

By Mr. Crawford, S. B. 373, bill for the better drainage of certain lands in Mecklenburg County, recommending it do pass;

S. B. 389, bill to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*, recommending it do pass;

H. B. 237, S. B. 305, bill to amend section 4, chapter 313, Laws of 1887, in regard to the sale of spirituous liquors, recommending it do not pass.

By Mr. Robinson, H. R. 288, S. R. 398, resolution instructing the Door-keeper to furnish two large maps of North Carolina for the General Assembly, recommending it dopass;

S. B. 372, bill to provide for the better regulation of the liquor traffic and to facilitate the collection of statistics in regard to the same, recommending it do not pass;

S. B. 404, bill for the drainage of Lick Creek, in Stokes and Forsyth, recommending it do pass.

By Mr. Turner of Catawba, H. B. 396, S. B. 374, bill to amend section 2288 of *The Code*, in regard to trespassing on boats, &c., recommending it do not pass;

S. B. 427, bill to repeal chapter 21, Laws of 1885, in the counties of Onslow, Pender and New Hanover, recommending it do pass;

S. R. 313, resolution for the relief of N. W. Craft and J. Van Lindley, recommending its reference to the Committee

on Finance. It was so referred.

From the Committee on Education:

By Mr. LeGrand, H. B. 128, S. B. 299, bill to amend section 2566 of *The Code*, requiring the rudiments of agriculture to be taught in the public schools, recommending it do pass.

By Mr. Lucas, S. B. 310, bill to establish public schools for the town of Littleton, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, S. B. 37, bill to prohibit the buying and selling of "futures," reporting a substitute therefor, and recommending the substitute do pass;

H. B. 364, S. B. 384, bill relative to drainage of land in the county of Davidson, recommending it do pass;

H. B. 393, S. B. 383, bill to amend chapter 81, section 3, Laws of 1887, in regard to the sale of seed cotton, recommending it do pass;

H. B. 7, S. B. 381, bill to prevent the spread of disease among hogs, recommending it do pass;

H. B. 424, S. B. 375, bill to amend section 2828 of *The Code*, in regard to trespassing on crops, recommending it dopass;

H. B. 428, S. B. 378, bill to make four and one-half feet a lawful fence, recommending it do pass;

H. B. 444, S. B. 380, bill to amend chapter 410, Laws of 1887, regarding the election of trustees for the North Carolina College of Agriculture and Mechanic Arts, recommending it do pass;

S. B. 245, bill to impound and recover damages out of stock breaking into fields and pastures in fence districts enclosed by lawful fences, recommending it do not pass.

From the Committee on Banks and Currency:

By Mr. Toms, S. B. 357, bill to incorporate the "Jule Carr Home Loan Fund," recommending it do pass.

By Mr. Moore, S. B. 429, bill to charter the Bank of Leaksville, Leaksville, N. C., recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Lucas, H. B. 353, S. B. 328, bill for the protection of fish in Ashe County, recommending it do pass.

From the Committee on Judiciary:

By Mr. Leeper, H. B. 243, S. B. 408, bill to amend section 1089 of *The Code*, in relation to the disposition of mortgaged property, recommending it do not pass.

From the Committee on Military Affairs:

By Mr. Stubbs, S. B. 342, bill for the relief of F. H. Cameron, Inspector General of North Carolina, recommending it do pass.

From the Committee on Pensions:

By Mr. Lucas, S. B. 191, bill for the relief of Joseph H. Wheeler, of Anson County, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 420, bill to be entitled an act to provide for the redemption of certain bonds held by the United States Government;

S. B. 131, bill to be entitled an act to punish the keeping of disorderly houses, &c.;

Senate substitute for

H. B. 116, S. B. 274, bill to be entitled an act to provide for the service by publication of summons, notices, orders to show cause, orders and other process in certain cases;

S. B. 371, bill to be entitled an act to incorporate the town of Grogansville, in Rockingham County;

S. B. 87, bill to be entitled an act for the relief of E. R. Outlaw, late Sheriff and ex-officio Treasurer of Bertie County—

Which were sent to the House of Representatives.

Mr. Warters, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 18, H. B. 338, an act for the relief of the Clerks of the Superior Court of the counties of Forsyth, Lincoln, Caldwell and Craven;

S. B. 93, H. B. 411, an act to change the time of holding the Superior Courts of Granville County;

H. B. 81, S. B. 212, an act to repeal chapter 89, Laws of 1885;

H. B. 155, S. B. 178, an act to amend chapter 134, Laws of 1885, in relation to the public roads of Mecklenburg County.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Reid, S. B. 445, bill to incorporate the Charlotte Savings Bank. Referred to the Committee on Banks and Currency.

By Mr. LeGrand, S. B. 446, bill to amend section 1, chapter 290, Laws of 1887. Referred to the Committee on Library.

By Mr. Smith, S. B. 447, bill to incorporate the town of Sylva, in the county of Jackson, and provide a local government therefor. Referred to the Committee on Corporations.

By Mr. Bailey, S. B. 448, bill to authorize chapter 729 of first session of the Fiftieth Congress, approved August 1st, 1888, to be operative in the State of North Carolina. Referred to the Committee on Judiciary.

(By request), S. B. 449, bill to regulate the compromising of suits. Referred to the Committee on Judiciary.

By Mr. Brown, S. B. 450, bill to make appropriation for the Colored Orphan Asylum of North Carolina. Referred to the Committee on Propositions and Grievances.

By Mr. Rice, S. B. 451, bill for the relief of the people of Rocky Point Township, Pender County, from the stock law. Referred to the Committee on Judiciary.

By Mr. Campbell, S. B. 452, bill to authorize the Commissioners of Columbus County to levy a special tax. Referred to the Committee on Finance.

By Mr. Leeper, S. B. 453, bill to authorize the removal of the county seat of Gaston County from Dallas to Gastonia. Referred to the Committee on Propositions and Grievances.

By Mr. Leinbach, S. B. 454, bill to allow S. C. Rieson, taxcollector, to collect arrears of taxes. Referred to the Committee on Finance.

By Mr. Means, S B. 455, bill to amend the Constitution of this State, so as to allow a waiver of homestead and personal property exemptions. Referred to the Committee on Judiciary.

By Mr. Aycock, S. B. 456, bill to investigate railroad corporations which refuse or fail to pay taxes in North Carolina. Placed on the Calendar.

Mr Briggs asked and obtained consent to withdraw

S. B. 354, bill for the relief of the late J. W. Buchanan, Sheriff of Mitchell County.

COMMITTEE TO EXAMINE THE BOOKS OF THE STATE TREASURER.

The President appointed as Senate branch of the committee of the General Assembly to examine the books and accounts of the State Treasurer and Auditor,

Messrs. Stubbs and Lusk.

## THE CALENDAR.

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

S. B. 308, bill to define the liabilities of railroad companies in relation to damages sustained by their employees, on its second reading.

On motion of Mr. Kerr, the bill was recommitted to the Committee on Judiciary.

S. B. 420, bill to provide for the redemption of certain bonds held by the United States Government, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 290, S. B. 271, bill to amend chapter 70, Laws of 1883, relating to the stock law, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Green, Hampton, Holton, Kerr, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—37.

S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company, on its second reading.

Mr. Reid moved to amend:

"Add: 'Provided, that if the said railroad shall at any time join or be a party to any syndicate, combination or system, or become subject to the control or management of any other corporation or railroad, or of any syndicate, combination or system, either of corporations, individuals or companies, then, in such event, this charter and its amendments shall be and become utterly null and void, and may

be so declared by any court of competent jurisdiction at the suit or instance of any person whatever."

Mr. Williams of Pitt moved to amend:

"Add, 'That if the said railroad shall pass through Pitt County the license to tax or petition for an election shall not apply to said county, or any part thereof; and no tax levied in said county shall be valid for such purpose.'"

Mr. Brock moved to amend:

"Except Jones County from being taxed for said railroad."

Mr. Little moved to amend:

"Strike out the last sentence in section 3."

Mr. Twitty demanded the previous question, and was sustained.

On the adoption of Mr. Reid's amendment,

Mr. Reid asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 11, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Blair, Briggs, LeGrand, Moore, Payne, Reid, Sills, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—11.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leeper, Leinbach, Little, Lucas, Lusk, Means, Pou, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Twitty, Warters and Wimberly—34.

On the adoption of the amendment offered by Mr. Williams of Pitt,

Mr. Williams of Pitt asked for the ayes and noes, which were ordered, and the amendment was adopted—ayes 34, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Falkener, Green, Holton, Hughes, LeGrand, Leinbach, Little, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—34.

Those voting in the negative were:

Messrs. Abbott, Bennett, Emry, Kerr, Lusk, Thomas, Warters and Wimberly—8.

The amendment offered by Mr. Brock was adopted.

The amendment offered by Mr. Little was adopted.

The bill passed its second reading—ayes 39, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Rice; Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—39.

Those voting in the negative were:

Messrs. Aycock, LeGrand, Reid and Robinson-4.

Mr. Campbell was excused from voting on the bill.

S. B. 191, bill for the relief of Joseph H. Wheeler, of Anson, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 250, bill to allow the county of Robeson to issue bonds, on its second reading.

The bill passed its second reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—43.

S. B. 199, bill to amend chapter 39 of *The Code*, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

Mr. Campbell moved to amend:

"Insert as section 4: Section 4. That section 1727 of *The Code* be amended as follows: Insert in line 5, after the word 'age' and before 'thirty-six,' the words 'not less than'; and after 'thirty-six' and before the word 'scrolls', in said line 5, insert 'nor more than forty-eight.'"

Adopted.

Mr. Blair moved to amend:

"Strike out the word 'four' in line -, and insert in lieu thereof the word 'one.'"

Lost.

Mr. Emry moved to amend:

"This act shall not apply to the county of Halifax."

Lost.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B 203, S. B. 238, bill to authorize the Commissioners of Montgomery County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 45, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—45.

S. B. 267, bill to regulate and limit the levy of taxes for special purposes, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 338, bill to provide for the erection of suitable buildings for the common schools of District No. 1, Wilson County, on its third reading.

The bill passed its third reading—ayes 46, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—46.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 20, S. B. 346, bill to prevent manufacturers and others from issuing non-transferable scrip for labor done, on its second reading.

Mr. Moore moved to amend:

"Insert: 'Provided, this act shall apply to Rockingham County."

Mr. Leeper moved to amend:

"Add 'Gaston' after 'Guilford.'"

Mr. Rice moved to amend:

"Insert 'New Hanover and Pender."

Mr. Brown moved to amend:

" Add 'Granville.'"

Mr. Lusk moved to amend:

"Strike out the proviso to section 2 of the bill."

Mr. Means moved to amend:

"Add: 'And it shall be unlawful for any person or corporation to require any employee to take anything in payment for his services except cash, if such employee prefers and asks cash.'"

Mr. Campbell moved to amend the amendment offered by Mr. Means by adding thereto:

"Provided, nothing herein shall be so construed as to require a check, which bears on its face, 'payable in goods,' to be paid in cash.'"

Mr. LeGrand moved the bill, with pending amendments, be referred to the Committee on Propositions and Grievances; on which motion,

Mr. Means asked for the ayes and noes, which were ordered, and the motion to refer prevailed—ayes 27, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Emry, Farthing, Hampton, Hughes, Kerr, King, LeGrand, Little, Lucas, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—27.

Those voting in the negative were:

Messrs. Aycock, Banks, Brown, Campbell, Copeland, Falkener, Green, Holton, Leeper, Leinbach, Lusk, Means, Moore, Pou, Rice, Thomas, Turner of Catawba, Twitty, Warters and Wimberly—20.

S. B. 229, bill to prevent trusts, combinations, &c., on its second reading.

On motion of Mr. Reid, the bill was postponed until Tuesday next, 12th inst, made the special order for 11 o'clock a. m. of that day, and ordered printed.

### - MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 440, S. B. 457, bill to prevent the felling of trees in Perquimans River. Referred to Committee on Propositions and Grievances.

H. B. 555, S. B. 458, bill allowing judgments and decrees of the Circuit and District Courts of the United States within this State to be docketed on the judgment docket of the Superior Courts of this State. Referred to the Committee on Judiciary.

H. B. 437, S. B. 459, bill to amend chapter 417, Laws of 1887, relative to the corporation of the town of Henderson-ville. Referred to the Committee on Corporations.

H. B. 568, S. B. 460, bill to amend section 2327 of *The Code*. Referred to the Committee on Judiciary.

H. B. 554, S. B. 461, bill to repeal chapter 102, Private Laws of 1887, entitled an act to amend charter of the town of Youngsville, &c. Referred to the Committee on Corporations.

H. B. 479, S. B. 462, bill to protect the fish interest in Graham County. Referred to the Committee on Fish and Fisheries.

H. B. 425, S. B. 463, bill to remedy defective probate of wills. Referred to the Committee on Judiciary.

H. B. 454, S. B. 464, bill to protect private graveyards Referred to Committee on Propositions and Grievances.

H. B. 489, S. B. 465, bill to extend the time of working the roads in New Lake neighborhood in Tyrrell County. Referred to Committee on Roads.

H. B. 567, S. B. 566, bill to amend chapter 58, Private Laws of 1879, in reference to Rock Spring Camp Ground in Lincoln County. Referred to Committee on Propositions and Grievances.

H. B. 472, S. B. 467, bill to prevent the felling of timber in the streams of Granville County. Referred to Committee on Propositions and Grievances.

H. B. 490, S. B. 468, bill to incorporate Skyland Institute, near Blowing Rock, in Watauga County. Placed on Calendar.

H. B. 433, S. B. 469, bill to regulate the working of Sherrill's Ferry road in Iredell County. Referred to Committee on Propositions and Grievances.

H. B. 438, S. B. 470, bill relating to burning woods in Pamlico County. Referred to Committee on Propositions and Grievances.

H. B. 352, S. B. 471, bill to amend section 2845 of *The Code*, so as to give Vance County the right to elect its representatives. Referred to Committee on Judiciary.

H. B. 429, S. B. 472, bill to amend section 677 of *The Code*. Referred to Committee on Judiciary.

H. B. 500, S. B. 473, bill to settle the boundary line between the counties of Moore and Harnett. Referred to Committee on Propositions and Grievances.

H. B. 478, S. B. 474, bill to prohibit the herding of non-residents' stock in Graham County. Referred to Committee on Propositions and Grievances.

H. B. 487, S. B. 475, bill to appoint cotton weighers in the county of Anson. Referred to Committee on Propositions and Grievances.

H. R. 414, S. R. 476, resolution of instruction in reference to reports of State officers. Referred to Committee on Judiciary.

H. B. 530, S. B. 477, bill to amend chapter 214 of the Laws of 1885. Referred to Committee on Judiciary.

H. B. 447, S. B. 478, bill to prohibit the use of dynamite for killing fish in Jackson County. Referred to Committee on Propositions and Grievances.

H. B. 473, S. B. 479, bill to incorporate the Atlanta, Asheville and Baltimore Railroad Company. Referred to Committee on Internal Improvements.

H. B 539, S. B. 480, bill to amend chapters 117 and 261 of the Laws of 1885, and chapter 34 of *The Code*, relative to the practice of medicine. Referred to the Committee on Judiciary.

H. B. 494, S. B. 481, bill to amend chapter 85, Private Laws of 1885, amending the charter of the town of Greenville, in Pitt County. Referred to Committee on Corporations.

H. B. 556, S. B. 482, bill to incorporate Sparta Institute, in Alleghany County. Placed on the Calendar.

By consent,

Mr. Pou introduced

S. R. 483, resolution to raise a joint committee on election of Trustees of the State University, which was read the first time and placed on the Calendar.

#### THE CALENDAR

was resumed.

S. R. 483, resolution to raise a joint committee on election of '1 rustees of the State University, on its second reading.'

The resolution was adopted and ordered sent to the House of Representatives without engrossment.

S. B. 232, bill to prevent the catching of diamond-back terrapins in the waters of Brunswick County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 244, bill to incorporate the Alleghany Construction Company, on its second reading.

Pending consideration,

On motion of Mr. Campbell, the Senate adjourned until to-morrow morning at 10 o'clock.

# TWENTY-SEVENTH DAY.

SENATE CHAMBER, February 8, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Moore, Senator from Rockingham.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Campbell until Monday; to Mr. Leinbach until Wednesday.

#### PETITIONS AND MEMORIALS.

Petitions and memorials were presented and disposed of as follows:

By Mr. Reid, memorial of citizens of Mecklenburg County. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Leeper, petitions from citizens of Gaston, asking that M. D. Friday and R. P. Rankin be appointed Justices of the Peace. Referred to the Committee on Election of Justices of the Peace.

By Mr. Farthing, petition of citizens of Watauga, asking the incorporation of Mt. Pleasant Lutheran Church. Referred to the Committee on Propositions and Grievances.

Petition of citizens of Ashe County, asking the reappointment of W. J. Stanbery as Justice of the Peace. Referred to the Committee on Election of Justices of the Peace.

By Mr. Williams of Cumberland, petition from the Farmers' Alliances of Harnett County. Referred to the Committee on Agriculture, Mechanics and Mining.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Lusk, H. B. 327, S. B. 330, bill to amend chapter 54, section 3672, of *The Code*, in relation to fines, recommending it do not pass.

By Mr. Kerr, S. B. 439, bill to take depositions in certain cases, recommending it do pass;

H. B. 150, S. B. 182, bill to authorize the Tunis and Serpel Lumber Company to hold and convey lands in this State, recommending it do pass;

H. B. 296, S. B. 443, bill to change the time of holding the Fall Term of Alamance Superior Court, recommending it do pass; S. B. 356, bill to allow witnesses before justices' courts per diem and mileage in certain cases, recommending it do not pass.

By Mr. Pou, S. B. 419, bill to amend section 956, chapter 24, Vol. I, of *The Code*, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Robinson, S. B. 428, bill to ratify and confirm certain actions of the Commissioners of Navigation and Pilotage of Cape Fear River, recommending it do pass.

By Mr. Crawford, H. B. 301, S. B. 442, bill incorporating and protecting camp grounds on Hatteras Circuit of M. E. Church, South, recommending it do pass.

By Mr. Turner of Iredell, S. B. 431, bill to encourage mechanical proficiency in this State, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 437, S. B. 459, bill to amend chapter 417, Laws of 1887, relative to the corporation of the town of Hendersonville, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 201, bill to be entitled an act to drain the swamp lands of Henderson County;

S. B. 230, bill to be entitled an act to amend chapter 245, Laws of 1885;

S. B. 361, bill to be entitled an act to amend the charter of the Albemarle and Raleigh Railroad Company;

S. R. 334, resolution in favor of Baring Bros. & Co., of London, England;

S. B. 149, bill to be entitled an act repealing chapter 126, Acts of 1887;

S. B. 285, bill to be entitled an act for the relief of the sureties of A. J. McBride, Sr., late Sheriff of Watauga County;

S. B. 388, bill to be entitled an act to provide for the better drainage of certain lands in Rutherford County;

Senate amendments to

H. B. 139, S. B. 214, bill to be entitled an act for the relief of sheriffs and tax-collectors and their legal representatives—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 164, H. B. 43, an act to authorize the Commissioners and Magistrates of Jackson County to levy a special tax;

S. B. 266, H. B. 535, an act to amend section 1, chapter 180, of the Laws of 1885;

H. B. 202, S. B. 215, an act to amend chapters 395 and 399 of the Laws of 1885;

H. B. 19, S. B. 217, an act to repeal chapter 159 of the Laws of 1887;

S. B. 362, H. B. 643, an act to incorporate the Raleigh Gas Company;

S. R. 262, H. R. 486, resolution requesting Congress to make an appropriation to complete the improvement of Neuse River.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Falkener, S. B 484, bill for the relief of the Sheriff of Warren County. Referred to the Committee on Judiciary.

By Mr. Briggs, S. B. 485, bill to amend the charter of the town of Morganton, chapter 120, Private Laws of 1885. Referred, with petition, to the Committee on Propositions and Grievances.

By Mr. Bailey (by request), S. B. 486, bill in regard to prisoners in the town of Salem. Referred to the Committee on Propositions and Grievances.

By Mr. Stubbs, S. B. 487, bill to promote the efficiency of the State Guard. Referred to the Committee on Military Affairs.

#### UNFINISHED BUSINESS.

S. B. 244, bill to incorporate the Alleghany Construction Company, was taken up on its second reading, being the unfinished business of yesterday.

On motion of Mr. Barber, the bill was recommitted to the Committee on Corporations.

#### THE CALENDAR.

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

S. B. 280, bill to allow the county of Robeson to issue bonds, on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Warters, White and Williams of Cumberland—39.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 203, S. B. 238, bill to authorize the Commissioners of Montgomery County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—41.

The bill was ordered enrolled.

H. B. 290, S. B. 271, bill to amend chapter 70, Laws of 1883, relating to the stock law, on its third reading.

The bill passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—42.

The bill was ordered enrolled.

S. B. 37, bill to prohibit the buying and selling of futures, on its second reading.

On motion of Mr. Williams of Pitt, the bill was postponed until Wednesday next, 13th inst, and made the special order for that day.

S. B. 90, bill to amend section 2799, chapter 20, of *The Code*, making four feet the lawful height for fences, on its second reading.

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

S. B. 187, bill to amend the Public School Law, on its second reading.

On motion of Mr. Campbell, the bill was postponed until Wednesday next, 13th inst., and made the special order for 11 o'clock a.m. of that day. S. B. 429, bill to charter the Bank of Leaksville, Leaksville, N. C., on its second reading.

The bill passed its second and third readings, was ordered engressed and sent to the House of Representatives.

The report of the committee of conference on

House amendment to

S. B. 31, H. B. 253, bill to regulate the sale of corn in certain counties in North Carolina, was taken up, adopted, and ordered sent to the House of Representatives for concurrence.

S. R. 251, resolution of instruction to the State Librarian, on its second reading.

The resolution was adopted, ordered engrossed and sent to the House of Representatives.

S. B. 263, bill to amend section 1022 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 269, bill to authorize the payment of school order of Mrs. Nevada E. Roth out of school funds of Surry County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 284, bill to allow the Board of Education of Jones County to rent or build an office, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 288, bill to amend section 3619 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 290, bill to amend chapter 105, Laws of 1885, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 291, bill to amend sections 72 and 3648 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

Mr. Payne asked and obtained consent for the Committee on Railroad Commission to be absent to day on duties of the committee.

#### THE CALENDAR

was resumed.

S. B. 309, bill to amend section 1014 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 310, bill to establish public schools for the town of Littleton, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—39.

S. B. 314, bill to protect the owners of timber growing on the lands of others, on its second reading.

The amendments reported by the Committee on Propositions and Grievances were adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 315, bill to amend chapter 180, Laws of 1885, in relation to Craven County Superior Court, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 318, bill to amend section 1274 of *The Code*, being an act to regulate fees of Registers of Deeds in certain cases, on its second reading.

Mr. Turner of Iredell offered a substitute for the bill.

Mr. Williams of Cumberland moved the bill be laid on the table; on which,

Mr. LeGrand asked for the ayes and noes, which were ordered, and the motion prevailed—ayes 24, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Bennett, Crawford, Emry, Falkener, Hughes, King, LeGrand, Leinbach, Little, Long, Moore, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Warters, White, Williams of Cumberland and Williams of Pitt—24.

Those voting in the negative were:

Messrs. Aycock, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Farthing, Green, Hampton, Holton, Kerr, Leeper, Lusk, Payne, Rice, Stubbs, Turner of Iredell and Wimberly—21.

S. B. 439, bill to take depositions in certain cases, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 319, resolution concerning the George Washington Centennial Celebration, on its second reading.

Mr. LeGrand moved to amend:

"Strike out 'one thousand' and insert in lieu thereof, 'a sum not to exceed five hundred."

Mr. Aycock demanded the previous question, and was sustained.

On the adoption of the amendment,

Mr. LeGrand asked for the ayes and noes, which were ordered, and the amendment was adopted—ayes 27, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Copeland, Crawford, Farthing, Hampton, LeGrand, Little, Long, Lucas, Lusk, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, White, Williams of Cumberland and Wimberly—27.

Those voting in the negative were:

Messrs. Abbott, Brown, Falkener, Green, Holton, Hughes, Kerr, King, Leeper, Leinbach, Means, Rice, Shaw, Stubbs, Thomas, Turner of Iredell and Warters—17.

When Mr. Moore's name was called, he stated he was paired with Mr. Emry, who, if present, would vote against the amendment and he for it.

On the passage of the resolution its second reading,

Mr. Blair asked for the ayes and noes, which were ordered, and the resolution failed to pass its second reading—ayes 9, noes 34, as follows:

Those voting in the affirmative were:

Messrs. Bailey, LeGrand, Little, Long, Means, Payne, Reid, Robinson and Thomas—9.

Those voting in the negative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Lucas, Lusk, Pou, Rice, Shaw, Sills, Smith, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—34.

When Mr. Moore's name was called, he stated he was paired with Mr. Emry, who, if present, would vote for the resolution, and he against it.

S. B. 333, bill to amend sections 549, 550, and 553 of *The Code*, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 335, bill to protect manufacturers of lumber, on its second reading.

The amendments reported by the Committee on Propositions and Grievances were adopted.

Mr. Turner of Iredell moved to amend:

"Strike out the word 'larceny' and insert in lieu thereof 'misdemeanor."

Adopted.

Mr. Williams of Cumberland moved to amend:

"Insert 'with intent to steal the said logs or timbers."

Adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 337, bill to incorporate the town of Edwards' Mill, in Beaufort County, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Holton, Hughes, Kerr, Leeper, Little, Long, Lusk, Means, Moore, Payne, Pou, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—37.

H. B. 437, S. B. 459, bill to amend chapter 417, Laws of 1887, relative to the corporation of the town of Henderson-ville, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 456, bill to investigate railroad corporations which refuse or fail to pay taxes in North Carolina, on its second reading.

On motion of Mr. Kerr, the bill was referred to the Committee on Finance.

S. B. 320, bill to amend chapter 92, Laws of 1872-'73, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 341, bill for the relief of George C. McLarty, Clerk of the Superior Court of Union County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 342, bill for the relief of F. H. Cameron, Inspector General of North Carolina, on its second reading.

Mr. Turner of Iredell moved the bill be laid on the table, on which he asked for the ayes and noes, which were ordered, and the motion prevailed—ayes 34, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, Kerr, LeGrand, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—34.

Those voting in the negative were:

Messrs. Falkener, Green, King, Leeper, Leinbach, Means, Shaw and Stubbs—8.

Mr. Means moved that the Committee on Governor's Mansion be authorized and empowered to send for persons and papers, examine witnesses and administer oaths. The motion was adopted.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 476, S. B. 488, bill to amend the charter of the town of Marshall, in Madison County. Referred to the Committee on Corporations.

H. B. 483, S. B. 489, bill to authorize the Commissioners of Yadkin County to levy a special tax and sell the stock-law fence. Referred to the Committee on Finance.

H. B. 431, S. B. 490, bill to make the Penitentiary self-sustaining. Referred to the Committee on Penal Institutions.

H. B. 206, S. B. 491, bill to amend chapter 15, Vol. II, of *The Code*, in relation to swamp lands. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 470, S. B. 492, bill to incorporate the town of Jason, in Greene County. Referred to the Committee on Corporations.

H. B. 320, S. B. 493, bill to incorporate the town of Spring Hope, in the County of Nash. Referred to the Committee on Corporations.

H. B. 524, S. B. 494, bill to erect gates across certain public roads in Carteret County. Referred to the Committee on Roads.

On motion of Mr. Little, the Senate adjourned until tomorrow morning at 10 o'clock.

## TWENTY-EIGHTH DAY.

SENATE CHAMBER, February 9, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Carter, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Hughes until Wednesday next; Mr. Turner of Catawba until Friday next; Messrs. LeGrand and Turner of Iredell for next week; Mr. Pou for two weeks; the Reading Clerk for Monday next.

## PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Briggs, petition of Mayor and Commissioners of the town of Morganton, N. C., relating to section 56, chapter 120, Private Laws of 1885. Referred to the Committee on Propositions and Grievances.

By Mr. Payne, petitions of the Farmers' Alliance of Robeson County. Referred to the Committee on Agriculture, Mechanics and Mining.

By. Mr. Brock, petitions of Farmers' Alliance of Jones and Onslow counties. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Green, petitions of the Farmers' Alliance of Craven County. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Rice, petition of Farmers' Alliance of Northampton County. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Abbott, petition of Farmers' Alliance of Pasquotank County. Referred to the Committee on Agriculture, Mechanics and Mining.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Kerr, H. B. 124, S. B. 209, bill for protection of insane persons, recommending it do pass.

By Mr. Barber, S. B. 91, bill to amend section 1, chapter 180, Laws of 1885, in reference to the holding of courts in Davidson County, recommending it do pass.

From the Committee on Finance:

By Mr. Moore, S. B. 454, bill to empower S. C. Rieson, tax-collector, to collect arrears of taxes, recommending it do pass.

By Mr. Payne, S. B. 452, bill to authorize the commissioners of Columbus County to levy a special tax, recommending it do pass;

S. B. 456, bill to investigate railroad corporations which refuse or fail to pay taxes in North Carolina, reporting amendments thereto, and recommending the bill, as amended, do pass.

By Mr. Toms, H. B. 483, S. B. 489, bill to allow the commissioners of Yadkin County to levy a tax and sell the stock-law fence, recommending it do pass;

S. B. 88, bill in relation to deadly weapons, recommending it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Catawba, S. B. 430, bill to amend *The Code* in relation to pharmacy, recommending it do not pass.

By Mr. Crawford, S. B. 450, bill to make appropriation for the Colored Orphan Asylum of North Carolina, recommending it do not pass;

H. B. 103, S. B. 406, bill to regulate the shooting of wild fowl in Currituck and Dare counties, recommending it do pass.

By Mr. Thomas, H. B. 478, S. B. 474, bill to prohibit the

herding of non-residents' stock in Graham County, recommending it do pass;

H. B. 472, S. B. 467, bill to prevent the felling of timber in the streams of Granville County, recommending it do pass.

By Mr. Warters, H. B. 102, S. B. 409, bill to prohibit bushes on boats, &c., in pursuing ducks in Currituck County, recommending it do pass;

H. B. 500, S. B. 473, bill to settle the boundary line between the counties of Moore and Harnett, recommending it do pass.

By Mr. Long, H. B. 454, S. B. 464, bill to protect private graveyards, recommending it do pass;

H. B. 567, S. B. 466, bill to amend chapter 58, Private Laws of 1879, in reference to Rock Spring Camp Ground in Lincoln County, recommending it do pass;

H. B 487, S. B. 475, bill to appoint cotton weighers in the county of Anson, recommending it do pass.

By Mr. Hampton, H. B. 440, S. B. 457, bill to prevent felling trees in Perquimans River, recommending it do pass;

H. B. 447, S. B. 478, bill to prohibit the use of dynamite for killing fish in Jackson County, recommending it do pass.

By Mr. Turner of Iredell, H. B. 433, S. B. 469, bill to regulate the working of Sherrill's Ferry road, in Iredell County, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 116, bill to incorporate the town of James City, in the county of Craven, recommending it do pass.

By Mr. Aycock, S. B. 432, bill to extend an act ratified the 26th day of January, 1859, recommending it do pass.

By Mr. Bailey, H. B. 272, S. B. 298, bill to incorporate Davis and Wiley Bank, in the town of Salisbury, recommending it do pass.

By Mr. Pou, S. B. 386, bill to amend the charter of the town of Hendersonville, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Briggs, H. B. 390, S. B. 364, bill to incorporate the Farmers Bank of Roxboro, recommending it do pass.

From the Committee on Military Affairs:

By Mr. Stubbs, S. B. 487, bill to promote the efficiency of the State Guard, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 232, bill to be entitled an act to prevent the catching of diamond-back terrapius in the waters of Brunswick County, N. C.;

S. B. 338, bill to be entitled an act to provide for the erection of suitable buildings for the common schools of District No. 1, Wilson County;

S. B. 191, bill to be entitled an act for the relief of Joseph H. Wheeler, of Anson County;

S. B. 267, bill to be entitled an act to regulate and limit the levy of taxes for special purposes;

S. B. 439, bill to be entitled an act to take depositions in certain cases;

S. B. 429, bill to be entitled an act to charter the Bank of Leaksville, Leaksville, N. C.—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 194, S. B. 273, an act to prevent trespass;

S. B. 174, H. B. 484, an act to incorporate Granite Cotton Mills;

S. B. 270, H. B. 570, an act for the relief of B. F. Fonville, Treasurer of Alamance County;

S. B. 24, H. B. 508, an act to incorporate the town of West Asheville, in the county of Buncombe.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Williams of Pitt (by request), S. B. 495, bill to revise and consolidate the charter of the town of Tarboro. Referred to the Committee on Corporations and ordered printed.

By Mr. Bailey, S. B. 496, bill to amend section 2034 of *The Code*, in relation to keeping up and repairing bridges. Referred to the Committee on Proposition's and Grievances.

By Mr. Turner of Catawba, S. B. 497, bill to renew the charter of the town of Newton, in the county of Catawba. Referred to the Committee on Corporations.

By Mr. Crawford, S. B. 498, bill to prohibit the sale of liquor within two miles of Plain View Methodist Church, in Alamance County. Referred to the Committee on Propositions and Grievances.

By Mr. Leeper (by request), S. B. 499, bill to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office. Referred to the Committee on Salaries and Fees.

By Mr. Toms, S. B. 500, bill to furnish *The Code* and Laws of North Carolina to Mayors of cities and towns. Referred to the Committee on Judiciary.

By Mr. Rice, S. B. 501, bill to incorporate the Southport Steamboat Company. Referred to the Committee on Corporations.

By Mr. Lusk, S. B. 502, bill to amend the charter of the city of Asheville. Referred to the Committee on Corporations.

By Mr. Holton (by request), S. B 503, bill to incorporate the West End King's Daughters, of Greensboro, N. C. Referred to the Committee on Corporations.

By Mr. Bailey, S. B. 504, bill to amend subsection 4, section 190, of *The Code*. Referred to the Committee on Judiciary.

By Mr. Blair, S. B. 505, bill to make the provisions of sections 3410 and 3411, chapter 43, of *The Code*, applicable to the Catawba River. Referred to the Committee on Fish and Fisheries.

By Mr. Holton, S. B. 507, bill to amend chapter 57, Private Laws of 1883, entitled an act for the promotion of female education. Referred to the Committee on Education.

By Mr. Shaw (by request of Mr. Lucas), S. B. 508, bill to amend section 1864 of *The Code*. Referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting a communication from his Excellency the Governor, with a memorial from the Farmers' Alliance of Chatham County.

Mr. Lusk moved the memorial be printed and referred to the Committee on Agriculture, Mechanics and Mining. Adopted.

Mr. LeGrand moved the memorials presented by the several Alliances of the State be also printed in connection with the memorial from the Alliances of Chatham. Adopted.

The memorial of the Alliances of the county of Chatham is in words following, to wit:

# To the Honorable the General Assembly of North Carolina:

Your petitioners respectfully show: That they were appointed by the County Alliance of Chatham County, held in Pittsboro January 4th, 1889, to memorialize your honorable body, and ask for the following legislation:

- 1. That the State and county governments be administered on the most economical basis, and that all useless offices be abolished.
- 2. That our charitable and penal institutions, so far as practical, be made self-sustaining.

- 3. That a just and equitable equalization be established by law between the wages of the laborer and the compensation of office-holders and professional men.
- 4. That sheep husbandry, stock raising, diversified farming, and all the industries, be fostered by appropriate legislation.

Your petitioners show that they are true and loyal to the best interests of North Carolina, and that they would ask nothing in conflict with the greatest good to the greatest number of their fellow citizens.

The fact that there are seven or eight hundred lots or tracts of land now advertised to be sold for taxes in Wake County is suggestive. This they believe to be but a fair index of the condition of things in a large part of the State; and that even this does not show the full extent of financial depression.

The failure of the crops in this county last year necessitates the buying of almost our entire supplies to make another crop, and there is very little money in the hands of the farmers. Almost every farmer is depressed; many are disheartened; labor is unremunerative; the value of land is depreciating, and there is a growing disposition to abandon the farm and seek other employment. Unless something is done to bring relief, many will be compelled to give up their farms.

The boasted progress and increase of wealth in North Carolina is not shared by the farmers. They are gradually but steadily becoming poorer and poorer every year.

Relying upon your wisdom and justice, the farmers of Chatham County, for themselves and for their brother farmers throughout the State, have outlined as above set forth the legislation which they believe will bring contentment to the people and prosperity to the State.

The first step towards relief is to put into effect in our State and county governments something of that rigid economy which the farmers are compelled to practice, and thereby lessen the burdens of taxation. Make the salaries of State and county officers as low as will be consistent with efficient service; reduce, if possible, the costs and delays of litigation, and devise some means of punishing crime and caring for criminals which will be less burdensome to the honest tax-payers.

We trust that the justice of our cause, and our own good intentions, will be a sufficient apology for troubling your honorable body with our petition.

With utmost respect,

ALEX McIVER, E. W. ATWARTER, J. A. ALSTON,

Committee.

### THE CALENDAR.

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

H. B. 124, S. B. 209, bill for the protection of insane persons, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 433, S. B 469, bill to regulate the working of Sherrill's Ferry road, in Iredell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 337, bill to incorporate the town of Edwards' Mill, in Beaufort County, on its third reading.

The bill passed its third reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne,

Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—43.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 316, bill to amend the charter of the town of Plymouth, N. C., on its second reading.

The bill passed its second reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—43.

S. B. 340, bill to enable county officers to bond in surety companies, on its second reading.

The bill passed its second reading.

S. B. 345, bill to compel clerks to publish a statement of moneys in their hands, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 356, bill to allow witnesses before Justices' Courts per diem and mileage in certain cases, on its second reading.

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

S. B. 357, bill to incorporate the Jule Carr Home Loan. Fund, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 373, bill for the better drainage of certain lands in Mecklenburg County, on its second reading. The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 390, bill to amend section 3672, chapter 54, of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 392, bill to create a new township in Ashe County, to be called Creston Township, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 416, bill to provide additional accommodations for the deaf, dumb and the blind, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 419, bill to amend section 956, chapter 24, volume I, of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 427, bill to repeal chapter 21, Laws of 1885, in the counties of Onslow, Pender and New Hanover, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 431, bill to encourage mechanical proficiency in this State, on its second reading.

Mr. King moved the bill be recommitted to the Committee on Propositions and Grievances.

Lost.

The bill passed its second reading.

S. B. 487, bill to promote the efficiency of the State Guard, on its second reading.

The bill passed its second reading.

H. B. 73, S. B. 136, bill to authorize the Commissioners of Caldwell County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Warters, White, Williams of Pitt and Wimberly—40.

H. B. 150, S. B. 182, bill to authorize the Tunis and Serpel Lumber Company to hold and convey lands in this State, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 119, S. B. 208, bill for the relief of the Clerk of the Superior Court of Mitchell County, on its second reading.

The amendments reported by the Committee on Judiciary were adopted.

Mr. Kerr moved to amend:

"Add the county of Pender."

Adopted.

Mr. Blair moved to amend:

" Add Caldwell."

Adopted.

The bill passed its second and third readings, the amendments were ordered engrossed and sent to the House of Representatives.

H. B. 99, S. B. 220, bill to amend Laws of 1887 relative to fishing in Currituck Sound, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 213, S. B. 237, bill to authorize the Treasurer of Haywood County to pay a school claim, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Toms moved to take from the table and place upon the Calendar

S. R. 319, resolution concerning the George Washington Centennial Celebration.

The motion was not adopted.

#### THE CALENDAR

was resumed.

H. B. 291, S. B. 254, bill to improve the drainage of Benaja Creek in Rockingham County, on its second reading.

The amendments reported by the Committee on Propositions and Grievances were adopted.

The bill passed its second and third readings, the amendments were ordered engrossed and sent to the House of Representatives.

H. B. 231, S. B. 257, bill to authorize the commissioners of Brunswick County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Hampton, Holton, King, Leeper, LeGrand, Little, Long, Lusk, Means, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Iredell, Williams of Cumberland, Williams of Pitt and Wimberly—33.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 318, S. B. 506, bill to amend the Public School Law. Placed on the Calendar.

House amendments to

S. B. 231, H. B. 534, bill to be entitled an act to prevent the careless rafting of logs and timbers down the French Broad, Mills rivers, Cheoah River and their tributaries.

Upon motion said amendment was concurred in and bill ordered enrolled.

House amendment to

S. B. 148, H. B. 464, bill to be entitled an act to amend the charter of the Roanoke and Southern Railroad Company and to enable said company to complete its road.

Upon motion, said amendment was concurred in and bill ordered enrolled.

House amendment to

S. B. 336, H. B. 640, bill to be entitled an act to incorporate the North Carolina Power Company.

Upon motion, said amendment was concurred in and bill ordered enrolled.

Mr. Blair moved the Senate adjourn. Lost.

### THE CALENDAR

was resumed.

H. B. 234, S. B. 347, bill to abolish the June Term of the Superior Court for Pasquotank County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 456, bill to investigate railroad companies which refuse or fail to pay taxes in North Carolina, on its second reading.

The amendments reported by the Committee on Finance were adopted.

The bill passed its second and third readings, was ordered engressed and sent to the House of Representatives.

H. B. 331, S. B. 279, bill to incorporate the Women's Christian Temperance Union of Asheville, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Reid, the Senate adjourned until Monday evening at 3 o'clock.

## TWENTY-NINTH DAY.

SENATE CHAMBER, February 11, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Moore, Senator from Rockingham. The Journal of Saturday was approved.

Leave of absence was granted Mr. Brown for one day; Mr. Kerr until Thursday.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. King, petition of citizens of Wilson County, asking for the passage of an act to prevent the sale of spirituous or intoxicating drinks within three miles of Aspen Grove (Free Will) Church, in Wilson County. Referred to the Committee on Propositions and Grievances.

By Mr. Williams of Pitt, petition of citizens of Jordan's Cross-Roads, Pitt County, asking permission to sell cider, etc. Referred to the Committee on Propositions and Grievances.

By Mr. Moore, petition of citizens of Rockingham County to incorporate Troy Church. Referred to the Committee on Propositions and Grievances.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 250, bill to be entitled an act to allow the county of Robeson to issue bonds;
- S. B. 290, bill to be entitled an act to amend chapter 105 of the Laws of 1885;
- S. B. 284, bill to be entitled an act to allow the Board of Education of Jones County to rent or build an office;
- S. B. 309, bill to be entitled an act to amend section 1014 of *The Code*;
- S. B. 269, bill to be entitled an act to authorize the payment of school order of Mrs. Nevada E. Roth, out of the school funds of Surry County;
- S. B. 320, bill to be entitled an act to amend chapter 92 of the Laws of 1872 and 1873;
- S. B. 263, bill to be entitled an act to amend section 1022 of *The Code*;
- S. B. 314, bill to be entitled an act to protect the owners of timber growing on the lands of others;
- S. B. 392, bill to be entitled an act to create a new township in the county of Ashe, to be called "Creston Township";
- S. B. 427, bill to be entitled an act to repeal chapter 21 of the Laws of 1885, in the counties of Onslow, Pender and New Hanover;
- S. B. 416, bill to be entitled an act to provide additional accommodation for the deaf, dumb and blind;
- S. B. 390, bill to be entitled an act to amend section 3672, chapter 54, of *The Code*;
- S. B. 337, bill to be entitled an act to incorporate the town of Edwards' Mills, in Beaufort County;
- S. B. 373, bill to be entitled an act for the better drainage of certain lands in Mecklenburg County;
- S. B. 345, bill to be entitled an act to compel clerks to publish a statement of money in their hands;
- S. B. 315, bill to be entitled an act to amend chapter 180 of the Acts of 1885, in relation to Craven County Superior Court;

- S. B. 341, bill to be entitled an act for the relief of George C. McLarty, Clerk of the Superior Court of Union County;
  - S. R. 251, resolution of instruction to the State Librarian.
- S. B. 419, bill to be entitled an act to amend section 956, chapter 24, volume I, of *The Code*;
- S. B. 335, bill to be entitled an act to protect manufacturers of lumber;
- S. B. 288, bill to be entitled an act to amend section 3619 of *The Code*;
- S. B. 291, bill to be entitled an act to amend sections 72 and 3648 of *The Code*;
- S. R. 456, resolution to investigate railroad corporations which refuse or fail to pay taxes in North Carolina;
- S. B. 333, bill to be entitled an act to amend sections 549, 550 and 553 of *The Code*;
- S. B. 357, bill to be entitled an act to incorporate the "Jule Carr Home Loan Fund";

Senate amendments to

H. B. 119, S. B. 208, bill to be entitled an act for the relief of the Clerk Superior Court of Mitchell County;

Senate amendment to

H. B. 291, S. B. 254, bill to be entitled an act to improve the drainage of Benaja Creek, in Rockingham County;

S. B. 199, bill to be entitled an act to amend chapter 39 of *The Code*—

Which were sent to the House of Representatives.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Smith, S. B. 509, bill to authorize the Commissioners and Justices of the Peace of Macon County to levy a special tax. Referred to the Committee on Finance.

By Mr. Long, S. B. 510, bill for changing the time of holding the Spring Term of Court in Caswell County. Referred to the Committee on Propositions and Grievances S. B. 511, bill to amend and renew the charter of the Caswell Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. Briggs, S. B. 512, bill to amend the charter of the Linville Land, Manufacturing and Mining Company. Referred to the Committee on Corporations.

By Mr. Payne, S. R. 513, resolution in relation to election of members of the Board of Agriculture. Placed on the Calendar.

By Mr. Means, S. B. 514, bill to establish Bethpage Academy Common School District. Placed on the Calendar.

#### THE CALENDAR.

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

S. B. 431, bill to encourage mechanical proficiency in this State, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 316, bill to amend the charter of the town of Plymouth, N. C., on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Green, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, White, Williams of Cumberland and Wimberly—36.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 73, S. B. 136, bill to authorize the Board of County Commissioners of Caldwell County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Green, Hampton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, White, Williams of Cumberland and Wimberly—33.

The bill was ordered enrolled.

H. B. 231, S. B. 257, bill to authorize the commissioners of Brunswick County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Green, Hampton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, White, Williams of Cumberland and Wimberly—33.

The bill was ordered enrolled.

H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount, on its second reading.

The bill passed its second reading.

S. B. 91, bill to amend section 1, chapter 180, Laws of 1885, in reference to the holding of courts in Davidson County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 116, bill to incorporate the town of James City in the county of Craven, on its second reading.

The bill passed its second reading—ayes 27, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Green, Hampton, Holton, King, Leeper, Little, Long, Lusk, Means, Robinson, Shaw, Smith, Stubbs, Toms, White, Williams of Cumberland and Wimberly—27.

H. B. 336, S. B. 276, bill to confirm the incorporation and organization of the Moore County Millstone Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 292, bill to prevent batterying and decoy fowling in the waters of Bogue Sound, Carteret County, from Sally Bell's Shoal to Cedar Point, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 386, bill to amend the charter of the town of Hendersonville, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Copeland, Crawford, Emry, Falkener, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, White, Williams of Cumberland, Williams of Pitt and Wimberly—35.

S. R. 513, resolution in relation to election of members of the Board of Agriculture, on its second reading.

The resolution was adopted, and ordered sent to the House of Representatives without engrossment.

S. B. 389, bill to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*, on its second reading.

The bill passed its second reading.

Mr. Thomas moved to reconsider the vote by which

S. B. 91, bill to amend section 1, chapter 180, Laws of 1885, in reference to the holding of courts in Davidson County, passed it third reading, and moved to postpone the consideration of the motion to reconsider for the present. The latter motion prevailed.

#### THE CALENDAR

was resumed.

S. B. 432, bill to extend an act ratified the 26th day of January, 1859, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 444, S. B. 380, bill to amend chapter 410, Laws of 1887, regarding the election of trustees for the North Carolina College of Agriculture and the Mechanic Arts, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 221, S. B. 211, bill explaining and amending chapter 119, Laws of 1887, on its second reading.

The bill passed its second reading.

H. B. 251, S. B. 277, bill to amend section 1310 of *The Code*, in relation to draining flat lands, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 267, S. B. 283, bill for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County, on its second reading.

The amendment reported by the Committee on Finance was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 514, bill to establish Bethpage Academy Common School District, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 272, S. B. 298, bill to incorporate the Davis and Wiley Bank, in the town of Salisbury, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 128, S. B. 299, bill to amend section 2566 of *The Code*, requiring the rudiments of agriculture to be taught in the common schools, on its second reading.

The bill passed its second reading.

H. B. 52, S. B. 300, bill declaring four feet to be a legal height for fences, on its second reading.

The amendment reported by the Committee on Agriculture, Mechanics and Mining was adopted.

Mr. Barber moved to amend:

"Insert Wilkes County."

Adopted.

Mr. Blair moved to amend:

"Add Caldwell, Duplin, Jackson and Henderson counties to the provisions of the bill; also add: 'Provided, this act shall not apply to fences surrounding stock-law territory.'"

Adopted.

The bill passed its second reading.

H. B. 53, S. B. 301, bill to prevent the increase and spread of cholera, on its second reading.

Mr. Toms moved to amend:

"Add Henderson, Jackson, Duplin and Wayne to the provisions of the act."

Adopted.

The bill passed its second reading.

S. B. 358, bill to amend chapter 77, Laws of 1887, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 263, S. B. 304, bill for the relief of D. G. Bingham, ex-Sheriff of Jackson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 428, bill to ratify and confirm the action of the Commissioners of Navigation and Pilotage of Cape Fear River, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 487, bill to promote the efficiency of the State Guard, on its third reading.

Mr. Aycock demanded the previous question, and was sustained.

On the passage of the bill its third reading,

Mr. Lusk asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 22, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Brock, Campbell, Emry, Falkener, Green, King, Leeper, Long, Lucas, Means, Moore, Payne, Reid, Rice, Shaw, Sills, Stubbs and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Banks, Blair, Briggs, Copeland, Farthing, Hampton, Holton, Little, Lusk, Robinson, Smith, Thomas, Toms, White and Wimberly—15.

Mr. Means moved to reconsider the vote by which the bill passed its third reading; and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 490, S. B. 468, bill to incorporate Skyland Institute, near Blowing Rock, in Watauga County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 556, S. B. 482, bill to incorporate Sparta Institute, in Alleghany County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 357, S. B. 322, bill to prevent fishing in the tributaries of Frying Pan Creek in Tyrrell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 326, S. B. 324, bill to amend section 1, chapter 204, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 323, S. B. 326, bill to amend section 1, chapter 28, Private Laws of 1885, in relation to change of name of Hickory Hill, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 367, S. B. 327, bill to prevent State Grant No. 2443, of Jackson County, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 268, S. B. 331, bill to authorize the Commissioners of Alamance County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, White, Williams of Cumberland, Williams of Pitt, and Wimberly—38.

H. B. 353, S. B. 328, bill for the protection of fish in Ashe County, on its second reading.

The bill passed its second and third readings and was ordered enrolled.

S. B. 452, bill to authorize the Commissioners of Columbus County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Toms, White, Williams of Cumberland, Williams of Pitt, and Wimberly—10.

H. B. 297, S. B. 329, bill to prevent fishing by muddying in the streams of Pender County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 360, S. B. 332, bill to authorize the Superior Court Clerk of Dare County to pay into the treasury certain funds, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 565, S. B. 515, bill to protect fish in the waters of Tranter's Creek, in the county of Martin. Referred to the Committee on Fish and Fisheries. H. B. 348, S. B. 516, bill to incorporate the Wrightsville and Onslow Navigation Company. Placed on the Calendar.

H. B. 491, S. B. 517, bill to prevent the killing of squirrels in the counties of Martin and Bertie. Referred to Committee on Propositions and Grievances.

H. B. 578, S. B. 518, bill in relation to fishing in the Swannanoa River, in Buncombe County. Referred to Committee on Fish and Fisheries.

H. B. 449, S. B. 519, bill to amend sections 148 and 163 of *The Code*, relating to persons under disabilities. Referred to Committee on Judiciary.

H. B 480, S. B. 520, bill to repeal chapter 126 of the Private Laws of 1887. Referred to Committee on Propositions and Grievances.

H. B. 584, S B. 521, bill to change the line between Lisbon and Franklin townships, in Sampson County. Referred to Committee on Judiciary.

H. B. 569, S. B. 522, bill to abolish the office of Standard Keeper in Cleveland County. Referred to Committee on Propositions and Grievances.

H. B. 550, S. B. 523, bill to incorporate Mud Creek School House and Apple Grove and Maple Spring Baptist churches, in Ashe County. Referred to Committee on Propositions and Grievances.

H. B. 560, S. B. 524, bill to repeal section 3049 of *The Code*, in regard to sale of wood in incorporated towns. Referred to Committee on Propositions and Grievances.

H. B. 579, S. B. 525, bill to promote the immediate cultivation of shell fish by citizens of the State. Referred to the Committee on Fish and Fisheries.

H B. 488, S. B. 526, bill to protect fish in Beach Swamp, in Halifax County. Referred to Committee on Fish and Fisheries.

H. B. 441, S B. 527, bill to amend the charter of the town of Morganton relative to sale of spirituous liquors. Referred to Committee on Propositions and Grievances.

H. B. 450, S. B 528, bill to amend section 565, of *The Code*, relating to appeals from Justices of the Peace. Referred to Committee on Judiciary.

H. B. 498, S. B. 529, bill to amend section 1050 of *The Code* in relation to gambling. Referred to Committee on Judiciary.

Also, engrossed House amendment to

S. B. 55, H. B 571, bill to empower gas companies to supply electricity for lighting and power. Amendment concurred in and bill ordered enrolled.

Also, without engrossment, House amendment to

S. B. 420, H. B. 676, bill to provide for the redemption of certain bonds held by the United States Government. Amendment was concurred in and bill ordered enrolled.

On motion of Mr. Aycock, the Senate adjourned until to morrow morning at 10 o'clock.

# THIRTIETH DAY.

SENATE CHAMBER, February 12, 1889.

Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Moore, Senator from Rockingham.

The Journal of yesterday was approved.

Mr. Payne asked and obtained consent for the Committee on Railroad Commission to be absent to-day on duties of the committee.

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

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Briggs, petitions of citizens of Morganton, against repealing town charter relative to burying dead bodies within the corporate limits. Referred to Committee on Propositions and Grievances.

By Mr. Green, petition of residents of the town of Hickstown, in the county of Durham, against the repeal of the charter of said town. Referred to the Committee on Corporations.

By Mr. Barber, petition of the Farmers' Alliances in Wilkes County. Referred to the Committee on Agriculture, Mechanics and Mining.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Institutions for the Deaf and Dumb and the Blind:

By Mr. Reid, S. B. 426, bill to repeal section 2232, Volume II, of *The Code*, as to the deaf and dumb and blind from other States, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Abbott, H. B. 479, S. B. 462, bill to protect fish interests of Graham County, recommending it do pass.

By Mr. Rice, S. B. 505, bill to make the provisions of sections 3410 and 3411, chapter 43 of *The Code*, applicable to the Catawba River, reporting a substitute therefor, and recommending the substitute do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 487, bill to be entitled an act to promote the efficiency of the State Guard;

S. B. 358, bill to be entitled an act to amend chapter 77 of the Laws of 1887;

S. B. 432, bill to be entitled an act to extend for a period of thirty years an act incorporating "The North State Copper and Gold Mining Company," ratified the 26th day of January, 1859;

S. B. 292, bill to be entitled an act to prevent batterying and decoy fowling in the waters of Bogue Sound, Carteret County;

Senate amendment to

H. B. 367, S. B. 327, bill to be entitled an act to correct State Grant No. 2443, of Jackson County;

Senate amendment to

H. B. 267, S. B. 283, bill to be entitled an act for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 213, S. B. 237, an act to allow the Treasurer of Haywood County to pay a school claim;

S. B. 32, H. B. 462, an act to simplify indictments for perjury;

H. B. 203, S. B. 238, an act to authorize Commissioners of Montgomery County to levy a special tax;

H. B. 290, S. B. 271, an act to amend chapter 70, Laws of 1883, in reference to the stock law for Greene and Lenoir counties;

S. B. 286, H. B. 607, an act to fix the capital stock of the Charleston, Cincinnati and Chicago Railroad Company;

H. B. 331, S. B. 279, an act to incorporate the Women's Christian Temperance Union of Asheville, North Carolina;

H. B. 124, S. B. 209, an act for the protection of insane persons;

H. B. 437, S. B. 459, an act to amend chapter 417 of the Laws of 1887;

H. B. 433, S. B. 469, an act to regulate the working of the Sherrill's Ferry road, in Iredell County;

H. B. 99, S. B. 220, an act to amend chapter 277, Laws of 1887, relative to fishing in Currituck Sound;

H. B. 234, S. B. 347, an act to abolish the June Term of the Superior Court of Pasquotank County;

S. B. 336, H. B. 640, an act to incorporate the North Carolina Power Company;

H. B. 150, S. B. 182, an act to authorize the Tunis and Serpel Lumber Company to hold and convey lands in this State;

S. B. 31, H. B. 250, an act to regulate the sale of corn in certain counties;

S. B. 89, H. B. 505, an act to amend an act entitled "An act to incorporate the East Carolina Land and Railway Company," being chapter 198 of the Laws of 1887;

S. B. 231, H. B. 534, an act to prevent the careless rafting of logs down the French Broad, Mills and Cheoah rivers and their tributaries;

S. B. 148, H. B. 464, an act to amend the charter of the Roanoke and Southern Railway Company, and to enable said company to complete its road.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Barber, S. B. 530, bill to amend section 3405 of *The Code.* Referred to the Committee on Judiciary.

By Mr. Reid, S. B. 531, bill to regulate municipal elections, and for other purposes. Referred to the Committee on Finance;

S. B. 532, bill to amend section 2827 of *The Code* Referred to the Committee on Propositions and Grievances.

By Mr. Robinson, S. B. 533, bill to regulate fishing in the northeast branch of the Cape Fear River. Referred to the Committee on Fish and Fisheries.

By Mr. Aycock, S. B. 534, bill to amend section 2228 of *The Code*. Referred to the Committee on Propositions and Grievances.

S. B. 535, bill to amend section 2245 of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Emry, S. B. 536, bill to amend chapter 82, Private Laws of 1885, and chapter 165, Laws of 1860-'61. Referred to the Committee on Judiciary.

By Mr. Stubbs, S. B. 537, bill to authorize the Commissioners of Hyde County to levy a special tax. Referred to the Committee on Finance;

S B. 538, bill to incorporate the Confederate Veterans' Association of North Carolina. Referred to the Committee on Corporations.

By Mr. Toms, S. B. 539, bill for the relief of C. M. Pace, Clerk of the Superior Court of Henderson County. Placed on the Calendar.

ByMr. Barber, S. B. 566, bill to amend the charter of the Alleghany Mining and Improvement Company. Referred to the Committee on Corporations.

By Mr. Rice, S. B. 567, bill for the exemption of telegraph operators regularly employed from serving as jurors. Referred to the Committee on Propositions and Grievances.

#### THE CALENDAR.

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

S. B. 116, bill to incorporate the town of James City, in the county of Craven, on its third reading.

The bill passed its third reading—ayes 31, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Leeper, Little, Long, Lucas, Lusk,

Means, Moore, Rice, Robinson, Shaw, Sills, Smith, White, Williams of Pitt and Wimberly—31.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 221, S. B. 211, bill explaining and amending chapter 119, Laws of 1887, on its third reading.

The bill passed its third reading and was ordered enrolled.

H. B. 128, S B 299, bill to amend section 2566 of *The Code*, requiring the rudiments of agriculture to be taught in the public schools, on its third reading.

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

H. B. 52, S. B. 300, bill declaring four feet to be a legal height of fence, on its third reading.

The pending amendment, offered by Mr. Blair, was adopted.

The bill passed its third reading, the Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 53, S. B 301, bill to prevent the increase of hog cholera, on its third reading.

The pending amendment offered by Mr. Toms was not adopted.

Mr. Lucas moved to amend:

"Insert 'Pamlico.'"

Adopted.

Mr. Campbell moved to amend:

"Insert 'Robeson.'"

Adopted.

The bill passed its third reading, the Senate amendments were ordered engrossed and sent to the House of Representatives.

S. B. 310, bill to establish public schools for the town of Littleton, on its third reading.

The bill passed its third reading—ayes 28, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Smith, Williams of Cumberland and Wimberly—28.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 268, S. B. 331, bill to authorize the Commissioners of Alamance County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, King, Leeper, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, White, Williams of Cumberland, Williams of Pitt and Wimberly—34.

The bill was ordered enrolled.

H. B. 348, S. B. 516, bill to incorporate the Wrightsville and Onslow Navigation Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 452, bill to authorize the Commissioners of Columbus County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry,

Falkener, Farthing, Green, Hampton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, Toms, White and Williams of Cumberland—33.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 386, bill to amend the charter of the town of Hendersonville, on its third reading.

The bill passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, Toms, White, Williams of Cumberland, Williams of Pitt and Wimberly—36.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 389, bill to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*, on its third reading.

Mr. Farthing moved to amend:

"Add to section 3 the following: 'Provided, the provisions of this act shall not apply to the counties of Ashe, Alleghany and Watauga.'"

Adopted.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount, on its third reading.

On motion of Mr. Sills, the bill was recommitted to the Committee on Banks and Currency.

H. B. 370, S. B. 350, bill to authorize the Commissioners of Jackson County to levy a special tax, on its second reading.

The substitute reported by the Committee on Finance was adopted.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Little, Lucas, Lusk, Means, Moore, Robinson, Shaw, Sills, Smith, Toms, White, Williams of Cumberland, Williams of Pitt and Wimberly—35.

H. B. 356, S. B. 352, bill to amend section 3535, Volume II, of *The Code*, in relation to fees of pilots, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 390, S. B. 364, bill to incorporate the Farmers Bank of Roxboro, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 424, S. B. 375, bill to amend section 2828 of *The Code*, in regard to trespassing on crops, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 428, S. B. 378, bill to make four and one-half feet a lawful fence, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 7, S. B. 381, bill to prevent the spread of disease among hogs, on its second reading.

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

H. B. 334, S. B. 382, bill to change the name of Holden Township, in Pender County, to Burgaw Township, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 393, S. B. 383, bill to amend chapter 81, section 3, Laws of 1887, in regard to the sale of seed cotton, on its second reading.

The bill passed its second reading.

H. B. 364, S. B. 384, bill relative to the drainage of land in the county of Davidson, on its second reading.

The bill passed its second reading.

## SPECIAL ORDER.

S. B. 229, bill to prevent trusts, combinations, &c., on its second reading, it being the special order for 11 o'clock, a. m.

On motion, the consideration of the bill was postponed until 1 o'clock p. m. to-day.

#### THE CALENDAR

was resumed.

H. R. 298, S. R. 398, resolution instructing the Doorkeeper to furnish two large maps of North Carolina for the General Assembly, on its second reading.

Mr. Aycock moved to amend:

Strike out "Door-keeper" and insert "Secretary of State."

Adopted.

Mr. Rice moved to amend:

Add "Said maps shall be of late edition, containing town-ships."

Adopted.

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

H. B. 337, S. B. 404, bill for the drainage of Lick Creek, in Stokes and Forsyth, on its second reading.

The bill passed its second reading.

H. B. 103, S. B. 406, bill to regulate the shooting of wild fowl in Currituck and Dare counties, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 102, S. B. 409, bill to prohibit bushes on boats, etc., in pursuing ducks in Currituck county, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 391, S. B. 410, bill to permit pound-net fishing in Cashie River, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 351, S. B. 412, bill to amend the charter of the Burgaw and Onslow Railroad Company, on its second reading.

On motion of Mr. Campbell, the bill was recommitted to the Committee on Internal Improvements.

H. B. 301, S. B. 442, bill incorporating and protecting camp-grounds on Hatteras Circuit of the M. E. Church, South, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 454, S. B. 464, bill to protect private grave yards, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 296, S. B. 443, bill to change the time of holding the Fall Term of Alamance Superior Court, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 440, S. B. 457, bill to prevent felling trees in Perquimans River, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 567, S. B. 466, bill to amend chapter 58, Private Laws of 1879, in reference to Rock Spring Camp Ground, in Lincoln County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 472, S. B. 467, bill to prevent the felling of timber in the waters of Granville County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 500, S. B. 473, bill to settle the boundary line between the counties of Moore and Harnett, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 483, S. B. 489, bill to authorize the Commissioners of Yadkin County to levy a tax and sell the stock-law fence, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Little, Long, Lusk, Means, Moore, Rice, Robinson, Sills, Smith, Stubbs, Toms, White, Williams of Cumberland and Wimberly—35.

H. B. 447, S. B. 473, bill to prohibit the use of dynamite for killing fish in Jackson county, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 478, S. B. 474, bill to prohibit the herding of non-residents' stock in Graham County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 487, S. B. 475, bill to appoint cotton weighers in the County of Anson, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 539, bill for the relief of C. M. Pace, Clerk of the Superior Court of Henderson County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

# SPECIAL ORDER.

S. B. 37, bill to prevent the buying and selling of "futures," was taken up on its second reading, it being the special order for 12 o'clock noon to-day.

The substitute reported by the Committee on Agriculture, Mechanics and Mining was read.

Mr. Means moved to amend the substitute:

"Add: 'Provided, this act shall not apply to merchants selling fertilizers for prospective cotton, or farmers making contracts to cover the same by future delivery of cotton.'"

Lost.

On the adoption of the substitute,

Mr. Aycock asked for the ayes and noes, which were ordered, and the substitute was adopted—ayes 37, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, White, Williams of Cumberland, Williams of Pitt and Wimberly—37.

Those voting in the negative were:

Messrs. Brown, Emry and Stubbs-3.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting the

Report of the commission to examine the accounts of the Auditor and Treasurer for the fiscal years 1887 and 1888, with a proposition the same be printed.

The proposition to order printed was concurred in.

Also a message announcing the adoption of

S. R. 483, H. R. 705, resolution to raise a Joint Select Committee on the election of Trustees of the University, and that

Messrs. Doughton, King, Coffield, Hoke, McCotter, Cheek, Walser and Hendricks were appointed the House branch of said committee.

The President announced as Senate Branch of said committee,

Messrs. Long, Campbell, Toms, Abbott and Thomas.

Also a message was received transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 452, S. B. 540, bill to amend the charter of the town of Morganton, allowing the commissioners to issue bonds under certain restrictions Referred to the Committee on Corporations

H. B. 659, S. B. 541, bill in relation to undertakings on appeal to the Supreme Court. Referred to the Committee on Judiciary

H. B. 493, S. B 542, bill to create Holly Springs Township, in Wake County. Referred to the Committee on Corporations.

H. B. 453, S. B. 543, bill to change the dividing line between Caldwell and Wilkes counties. Referred to the Committee on Propositions and Grievances.

H. B. 177, S. B. 544, bill to simplify the application of the statute of limitations. Referred to the Committee on Judiciary.

H. B. 585, S. B. 545, bill to change the line between the counties of Wilkes and Watauga. Referred to the Committee on Propositions and Grievances.

H. B. 520, S. B. 546, bill to repeal chapter 199 of the Acts of 1885, relative to clerks of the superior courts. Referred to the Committee on Judiciary.

H. B. 630, S. B. 547, bill to authorize the Treasurer of Randolph County to pay a certain school claim. Referred to the Committee on Finance.

H. B. 499, S. B. 548, bill to repeal chapter 160 of the Laws of 1887, relative to Thyatira Academy. Referred to the Committee on Propositions and Grievances.

H. B. 531, S. B. 549, bill to authorize sheriffs to administer oaths in certain cases. Referred to the Committee on Judiciary.

H. B. 627, S. B. 550, bill in relation to fees of standard keepers. Referred to the Committee on Salaries and Fees.

H. B. 634, S. B. 551, bill to protect Flat Swamp Canal, in Cumberland County, from obstruction. Referred to the Committee on Propositions and Grievances.

H. B. 661, S. B. 552, bill to amend chapter 313 of the Laws of 1879. Referred to the Committee on Judiciary.

H. B. 600, S. B. 553, bill concerning navigation. Referred to the Committee on Propositions and Grievances.

H. B. 660, S. B. 554, bill to amend chapter 108 of the Laws of 1885. Referred to the Committee on Judiciary.

H. B. 671, S. B. 555, bill to change the names of Lincoln and Grant townships, in the County of Pender. Referred to the Committee on Propositions and Grievances.

H. B. 523, S. B. 556, bill for the protection of the water of cities and towns in Mecklenburg County. Referred to the Committee on Propositions and Grievances.

H. B. 469, S. B. 557, bill in regard to special tax for Sharon Township, in Mecklenburg County. Referred to the Committee on Finance.

H. B. 363, S. B. 558, bill to amend section 3405 of *The Code*, in relation to killing fish with dynamite in Haywood and other western counties. Referred to Committee on Fish and Fisheries.

H. B. 349, S. B. 559, bill to amend chapter 102 of the Private Acts of 1885, entitled an act to incorporate the town of McFarland, in Anson County. Placed on the Calendar.

H. B. 559, S. B. 560, bill to amend chapter 266, Laws of 1881, relative to the protection of the agricultural interest in Perquimans County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 49, S. B. 561, bill to authorize the Board of Education of Caswell County to pay a certain school claim. Referred to Committee on Finance.

H. B. 201, S. B 562, bill to abolish the May Term of Superior Court of Pender County. Referred to Committee on Judiciary.

H. B. 595, S. B. 563, bill to incorporate the Greensboro Street Railway Company. Referred to Committee on Corporations.

H. B. 262, S. B. 564, bill to extend the corporate limits of the town of Concord. Referred to Committee on Corporations.

Mr. Payne, for a majority of the Committee on Railroad Commission, reported

S. B. 565, bill to provide for the regulation of railroad freights and passenger tariffs in this State, recommending the bill do pass.

Mr. Thomas, for a minority of the committee, submitted a report, in the nature of a substitute for

S. B. 565, recommending the substitute do pass.

Mr. Payne moved the bill be made the special order for Thursday next, at 12 o'clock noon.

Mr. Williams moved to amend the motion by substituting Tuesday, 19th inst.

Adopted.

On motion of Mr. Payne, the two reports were ordered printed.

On motion of Mr. Lucas, the Senate went into Executive Session.

The Senate, in Executive Session, having adjourned, the doors were opened, and the Senate was called to order.

On motion of Mr. Holton, the Senate adjourned until to-morrow morning at 10 o'clock.

# THIRTY-FIRST DAY.

SENATE CHAMBER, February 13, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Carter, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Stubbs until Monday next.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Robinson, petition from citizens of Faison, Duplin County, asking for local prohibition;

Also a petition from citizens of Faison against local prohibition. Referred to the Committee on Propositions and Grievances.

By Mr. Brock (by request), petition of citizens of Carteret County, in regard to impounding stock in fenced districts. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Shaw (by request), petition of citizens of Pasquotank County in regard to stock law. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Briggs, petition from citizens of Mitchell County to repeal the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Williams of Pitt, petition-of citizens of Swift Creek Township, Pitt County, in opposition to the repeal of the act which prevents the selling of intoxicating liquors near certain churches. Referred to the Committee on Propositions and Grievances.

#### REPORTS FROM COMMITTEES

Reports from committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Robinson, S. B. 510, bill for changing the time of holding the Spring Term Court in Caswell County, recommending it do pass.

By Mr. Hampton, H. B. 491, S. B. 517, bill to prevent the killing of squirrels in the counties of Martin and Bertie, recommending it do pass.

By Mr. Long, H. B. 550, S. B. 523, bill to incorporate Mud Creek School House, Apple Grove and Maple Spring Baptist churches in Ashe County, recommending it do pass;

H. B. 441, S. B. 527, bill to amend the charter of the town of Morganton relative to sale of spirituous liquors, recommending it do pass;

S. B. 486, bill in regard to prisoners in the town of Salem, recommending it do pass;

H. B. 569, S. B. 522, bill to abolish the office of Standard Keeper in Cleveland County, recommending it do pass.

By Mr. Crawford, H. B. 560, S. B. 524, bill to repeal section 3049 of *The Code*, in regard to the sale of wood in incorporated towns, recommending it do pass.

By Mr. Long, S. B. 485, bill to amend the charter of the town of Morganton, chapter 120, section 56, Private Laws of 1885, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Finance:

By Mr. Payne, S. B. 435, bill for the relief of W. M. King, late sheriff of Pitt County, reporting an amendment, and, as amended, recommending it do pass;

S. B 61, bill to authorize the Commissioners of Watauga County to levy a special tax, reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Abbott, S. B. 115, bill for the relief of W. T. Buxton, late Sheriff of Northampton County, reporting a substitute therefor, and recommending the substitute do pass;

H. B 420, S. B. 351, bill for the relief of D. H. West, a disabled ex-Confederate soldier of Cumberland County, recommending its reference to the Committee on Pensions. The bill was so referred;

S. B. 387, bill to relieve the burden of taxation, recommending it do not pass.

By Mr. Payne, H. B. 365, S. B. 377, bill to amend section 706 of *The Code*, in regard to the Commissioners of Clay County, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Education:

By Mr. Moore, S. B. 353, bill to require the general school taxes to be paid into the State Treasury and to be distributed among the several counties of the State, reporting it without recommendation.

From the Committee on Corporations:

By Mr. Barber, H. B. 40, S. B. 379, bill to incorporate the Morganton Land and Improvement Company, recommending its reference to the Committee on Banks and Currency. It was so referred.

By Mr. Aycock, H. B. 320, S. B. 493, bill to incorporate the town of Spring Hope in the county of Nash, recommending it do pass;

H. B. 369, S. B. 411, bill to amend the charter of the Rough and Ready Fire Company of the city of Newbern, recommending it do pass;

H. B. 426, S. B. 444, bill to incorporate the town of Ellenboro, in Rutherford County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Thomas, S. B. 503, bill to incorporate the West End King's Daughters, of Greensboro, N. C., recommending it do pass;

H. B. 470, S. B. 492, bill to incorporate the town of Jason, in Greene County, recommending it do pass;

By Mr. Lucas, S. B. 339, bill to amend chapter 13, Private Laws of 1883, recommending it do pass;

H. B. 554, S. B. 461, bill to repeal chapter 102, Private Laws of 1887, entitled an act to amend the charter of the town of Youngsville, recommending it do pass;

S. B. 436, bill to amend chapter 112, Laws of 1848-'49, recommending it do pass.

By Mr. Barber, S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, recommending it do not pass;

S. B. 497, bill to amend the charter of the town of Newton, in the county of Catawba, recommending it do not pass.

By Mr. Bailey, S. B. 293, bill to grant certain additional powers to the Suffolk and Carolina Railway Company and to effect its consolidation with the Edenton and Norfolk Railway Company, and to increase its capital stock, recommending it do pass;

H. B. 65, S. B. 135, bill to incorporate the town of Ramoth, in the county of Buncombe, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Means, H. B. 262, S. B. 564, bill to extend the corporate limits of the town of Concord, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Aycock, H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount, recommending it do pass.

From the Committee on Judiciary:

By Mr. Means, H. B. 539, S. B. 480, bill to amend chapters 117 and 261, Laws of 1885, and chapter 34 of *The Code*, relative to the practice of medicine, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 431, bill to be entitled an act to encourage mechanical proficiency in this State;

S. B. 514, bill to be entitled an act to establish "Bethpage Academy Common School District";

S. B. 428, bill to be entitled an act to ratify and confirm certain action of the Commissioners of Navigation and Pilotage of Cape Fear River;

S. B. 316, bill to be entitled an act to amend the charter of the town of Plymouth, N. C.;

Senate amendments to

·H. B. 52, S. B. 300, bill to be entitled an act declaring four feet to be a legal height of fence—

Which were sent to the House of Representatives.

Mr. Thomas, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 297, S. B. 329, an act to prevent fishing by muddying the streams in Pender County;

H. B. 605, S. B. 317, an act to abolish Fishing Creek Township, in Wilkes County, and to create a new township in said county;

S. B. 87, H. B. 679, an act for the relief of E. R. Outlaw, late Sheriff and ex officio Treasurer of Bertie County;

S. B. 312, H. B 572, an act relating to the Lynchburg and Durham Railroad Company;

H. B. 251, S. B. 277, an act to amend section 1310 of *The Code*;

H B. 353, S. B. 328, an act for the protection of fish in Ashe County;

H. B. 360, S. B. 332, an act to authorize the Superior Court Clerk of Dare to pay into the treasury certain funds;

H. B 328, S. B. 326, an act to amend section 1, chapter 28, of the Private Laws of 1885;

H. B. 556, S. B. 482, an act to incorporate Sparta Institute;

H. B. 73, S. B. 136, an act to levy a special tax to pay for the building and keeping in repair the stock-law fences in the county of Caldwell;

S. B 393, H. B. 606, an act to allow Z. F. Long, Clerk of the Superior Court of Richmond County, to be absent the first and second Mondays of March, 1889;

S. B. 420, H. B. 676, an act to provide for the redemption of certain bonds held by the United States Government;

H. B. 326, S. B. 324, an act to amend chapter 204 of the Laws of 1885;

H. B. 357, S. B. 322, an act to prevent fishing in the tributaries of Frying Pan Creek;

H. B. 444, S. B. 380, an act to amend chapter 410 of the Laws of 1887;

H. B. 490, S. B. 468, an act to incorporate Skyland Institute, near Blowing Rock, in Watauga County;

H. B. 262, S. B. 304, an act for the relief of D. G. Bingham, ex Sheriff of Jackson County;

H. B. 231, S. B. 257, an act to authorize the Commissioners of Brunswick County to levy a special tax;

S. B. 274, H. B. 116, an act to provide for the service by publication of summons, notices, orders to show cause, orders and other process in certain cases;

H. B. 571, S. B. 55, an act to empower gas companies to supply electricity for lighting and power;

H. B. 348, S. B. 516, an act to incorporate the Wrightsville and Onslow Navigation Company;

S. R. 334, H. R. 701, resolution in favor of Baring Bros. & Co.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Moore, S. B. 568, bill to improve the drainage of Wolf Island Creek, in Rockingham County. Referred to the Committee on Propositions and Grievances.

By Mr. Long, S. B. 569, bill to provide for the women, children and crippled convicts, and to make them self-sustaining. Referred to the Committee on Penal Institutions

By Mr. Emry, S. B. 570, bill to prohibit the sale of liquors within one mile of Corinth Church, in Halifax County. Referred to the Committee on Propositions and Grievances.

By Mr. Wimberly, S. B. 571, bill to amend chapter 106, Laws of 1885. Referred to the Committee on Propositions and Grievances.

By Mr. Means, S. B. 572, bill to amend *The Code*. Referred to the Committee on Judiciary.

S. B. 573, bill to amend *The Code*. Referred to the Committee on Judiciary.

S. B. 574, bill to amend *The Code*. Referred to the Committee on Judiciary.

By Mr. Stubbs, S. B. 579, bill to incorporate the Bethlehem Burial and Benevolent Society of Martin County. Referred to the Committee on Corporations.

By Mr. Barber, S. B. 580, bill to establish a ferry across the Yadkin River, in Wilkes County. Referred to the Committee on Corporations.

#### THE CALENDAR.

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

H. B. 236, S. B. 369, bill in relation to indictments and to expedite criminal trials upon their merits, on its second reading.

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

H. B. 396, S. B. 374, bill to amend section 2288 of *The Code*, in regard to trespassing on boats, &c., on its second reading.

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

H. B. 18, S. B. 401, bill to abolish the term of Wilkes Superior Court, of Wilkes County, held on the eighth Morday after the first Monday in March, on its second reading.

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

H. B. 243, S. B. 408, bill to amend section 1089 of *The Code*, in relation to the disposition of mortgaged property, on its second reading.

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

H. B. 159, S. B. 213, bill to amend section 3396 of *The Code*, relative to fishing interests, on its second reading.

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

H. B. 205, S. B. 260, bill for the protection of livery-stable keepers, and others, on its second reading.

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

H. B. 135, S. B. 272, bill to repeal section 1445 of *The Code*, relating to sales made by administrators, on its second reading.

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

H. B. 230, S. B. 278, bill to repeal chapter 283, Laws of 1887, on its second reading.

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

H. B. 227, S. B. 282, bill to improve the drainage of Haw River in Rockingham County, on its second reading.

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

H. B. 298, S. B. 303, bill relating to public bridges in Pamlico County, on its second reading.

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

H. B. 237, S B. 305, bill to amend section 4, chapter 313, Laws of 1887, in regard to sale of spirituous liquors, on its second reading.

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

H. B. 33, S. B. 306, bill to amend section 2816 of *The Code*, relating to the stock law, on its second reading.

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

H. B. 327, S. B. 330, bill to amend chapter 54, section 3672 of *The Code*, in relation to fines, on its second reading On motion of Mr. Little, the bill was laid on the table.

S. B. 118, bill to alter the Constitution of the State, giving the Legislature power by statute to alter, modify or abrogate section 3, article XI; and to alter or modify section 1 of article XI, so as to establish corporal punishment for infamous offences and felonies not capital, on its second reading.

On the passage of the bill on its second reading,

Mr. Twitty asked for the ayes and noes, which were ordered, and the bill failed to pass—ayes 15, noes 27 (not three-fifths of the Senate voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Aycock, Blair, Campbell, Emry, King, Leeper, Lucas, Moore, Payne, Reid, Robinson, Sills, Twitty, White and Williams of Cumberland—15.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leinbach, Little, Long, Lusk, Means, Pou, Rice, Smith, Stubbs, Thomas, Williams of Pitt and Wimberly—27.

S. B. 126, bill to amend chapter 63, Laws of 1885, on its second reading.

On motion of Mr. Briggs, the bill was laid on the table. H. B. 262, S. B. 564, bill to extend the corporate limits of the town of Concord, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Green, Hampton, Holton, Hughes, King, Leeper,

Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Twitty, White, Williams of Cumberland, Williams of Pitt and Wimberly—40.

H. B. 127, bill to amend section 709 of *The Code*, on its second reading.

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

S B. 151, bill to pay citizens for stock killed by the Norfolk and Southern Railroad, on its second reading.

The bill failed to pass its second reading.

S. B. 192, bill to give Magistrates jurisdiction over the offenses of disposing of mortgaged property when the value of the property does not exceed five dollars, on its second reading.

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

S. B. 193, bill in relation to continuances in Courts of Justices of the Peace on its second reading.

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

S. B. 198, bill to amend section 2799 of *The Code*, on its second reading.

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

S. B. 222, bill to repeal such provisions of existing law as require a stated annual renewal of official bonds, on its second reading.

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

S. B. 223, bill amendatory of section 1876 of *The Code*, on its second reading.

The bill failed to pass its second reading.

S. B. 228, bill to amend section 2724 of *The Code*, on its second reading.

On motion of Mr. Emry, the bill was recommitted to the Committee on Judiciary.

S. B. 430, bill to amend *The Code*, in relation to pharmacy, on its second reading.

On motion of Mr. King, the bill was referred to the Committee on Judiciary.

#### SPECIAL ORDER.

S. B. 187, bill to amend the Public School Law, was taken up on its second reading, it being the special order for 11 o'clock a. m. to-day.

On motion of Mr. Shaw, the bill was passed over informally, and

H. B. 318, S. B. 506, bill to amend the Public School Law, was taken up on its second reading.

On motion of Mr. Twitty, the Senate went into Committee of the Whole on the consideration of the bill, Mr. Pou in the chair.

The committee having risen,

Mr. Pou reported the Senate, in Committee of the Whole, had had under consideration

H. B. 318, S. B. 506, bill to amend the Public School Law, and had reached no conclusion thereon.

The bill was placed on the Calendar.

#### EXECUTIVE SESSION.

On motion of Mr. Reid, the Senate went into Executive Session.

The Senate, in Executive Session, having adjourned, the doors were opened, and the Senate was called to order.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills, which were read the first time and disposed of as follows:

House amendments to

S. B. 44, H. B. 456, bill to authorize Justices of the Peace to take bond upon continuance of certain criminal cases,

Which were concurred in and ordered enrolled.

H. B. 614, S. B. 575, bill to authorize the Commissioners, in joint session with the Magistrates of Greene County, to levy a special tax. Referred to Committee on Finance.

H. B. 624, S. B. 576, bill to provide for refunding the bonded debt of Charlotte maturing in 1890. Referred to

Committee on Finance.

H. B. 583, S. B. 577, bill to work the public roads of Alamance County by taxation. Referred to Committee on Agriculture, Mechanics and Mining.

H. B. 665, S. B. 578, bill to protect the oyster interest in Carteret County. Referred to Committee on Fish and Fisheries.

#### THE CALENDAR

was resumed.

S. B. 173, bill to amend the charter of the Norfolk Southern Railroad Company, on its third reading.

Mr. Shaw moved to amend:

"Amend section 3 by striking out the words 'it shall be the duty of,'and inserting in lieu thereof the words 'it shall be lawful, in the exercise of this discretion, for.'"

Adopted.

The bill passed its third reading—ayes 34, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, Leinback, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Rice, Robinson, Sills, Smith, Thomas, Toms, Twitty and Wimberly—34.

Voting in the negative:

Mr. White-1.

The bill was ordered engrossed and sent to the House of Representatives.

Mr. Smith asked and obtained consent to withdraw

S. B. 194, bill to amend the charter of the town of Murphy in Cherokee County.

Mr. Leinbach asked and obtained consent to withdraw S. B. 203, bill to increase the jurisdiction of Justices of the Peace.

By consent,

Mr. Means introduced the following:

Resolved by the Senate, That a select Committee of eight on Game Laws be appointed by the President of the Senate for this session.

The resolution was adopted.

Mr. Bailey asked and obtained leave of absence for the Committee on Insane Asylums to visit and examine the Morganton Insane Asylum.

On motion of Mr. White, the Senate adjourned until 10 o'clock a. m. to morrow.

# THIRTY-SECOND DAY.

SENATE CHAMBER, February 14, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Clarke, of the city.

The Journal of yesterday was approved.

Indefinite leave of absence was granted Mr. Toms on account of serious illness in his family.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Leeper, petition from the citizens of Gaston County against the removal of the county seat from Dallas to Gas-

tonia. Referred to the Committee on Propositions and Grievances.

By Mr. Leinbach, petition of certain persons in the county of Stokes with regard to the keeping of gates across the public road. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Means, petition of citizens of Cabarrus asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Green, joint memorial of the Commissioners and Justices of the Peace of Craven County asking that the February term of Craven Superior Court be abolished. Referred to the Committee on Judiciary.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Kerr, H. B. 659, S. B. 541, bill in relation to undertakings on appeal to the Supreme Court, recommending it do pass;

S. B. 536, bill to amend chapter 82, Private Laws of 1885, and chapter 165, Laws of 1860-'61, recommending it do pass;

H. B. 660, S. B. 554, bill to re enact and amend chapter 108, Laws of 1885, recommending it do pass;

H. B. 425, S. B. 463, bill to remedy defective probate of wills, recommending it do pass;

S. B 415, bill to amend sections 713, 7:4 and 752 of *The Code*, in regard to publishing annual statements, recommending it do pass.

By Mr. Pou, H. B. 177, S. B. 544, bill to simplify the application of the statute of limitations, recommending it do not pass;

S B 573, bill to amend *The Code*, recommending it do pass.

By Mr. Barber, S. B. 530, bill to amend section 3405 of The Code, recommending it do pass;

H. B. 555, S. B. 458, bill allowing judgments and decrees of the Circuit and District Courts of the United States within this State to be docketed on the judgment dockets of the Superior Courts of this State, recommending it do pass;

H. B. 429, S. B. 47, bill to amend section 677 of *The Code*, recommending it do pass.

By Mr. Lusk, S. B. 572, bill to amend *The Code*, reporting an-amendment, and, as amended, recommending it do pass;

H. B. 531, S. B. 549, bill to authorize sheriffs to administer oaths in certain cases, recommending it do pass.

By Mr. Lusk, H. B 661, S. B. 552, bill to amend chapter 313, Laws of 1879, recommending it do pass.

By Mr. Little, S. B. 422, bill in relation to the draining of lowlands, recommending it do pass;

H. B. 530, S. B. 477, bill to amend chapter 274, Laws of 1885, recommending it do pass.

By Mr. Green, H. B. 271, S. B. 440, bill to amend section 645 of *The Code*, recommending it do not pass.

By Mr. Means, H. B. 600, S. B. 553, bill concerning navigation, recommending it do not pass;

H. B. 568, S. B. 460, bill to amend section 2327 of *The Code*, recommending it do not pass.

From the Committee on Internal Improvements:

By Mr. Long, S. B. 195, bill to incorporate the Milton and Yanceyville Railroad Company, reporting an amendment, and, as amended, recommending it do pass;

S. B. 511, bill to amend and renew the charter of the Caswell Railroad Company, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Twitty, H. B. 473, S. B. 479, bill to amend an act to incorporate the Atlanta, Asheville and Baltimore Railroad Company, recommending it do pass;

H. B. 351, S. B. 412, bill to amend the charter of the Burgaw and Onlslow Railroad Company, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, H. B. 559, S. B. 560, bill to amend chapter 266, Laws of 1881, relative to the protection of the agricultural interest in Perquimans County, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 580, bill to establish a ferry across the Yadkin River, in Wilkes County, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Abbott, H B. 363, S. B. 558, bill to amend section 3405 of *The Code*, in relation to killing fish with dynamite, recommending it do pass;

H. B. 665, S. B. 578, bill to protect the oyster interests in Carteret County, recommending it do pass;

By Mr. Lucas, H. B. 578, S. B. 518, bill in relation to fishing in the Swannanoa River, in Buncombe County, recommending it do pass.

By Mr. Brock, H. B. 488, S. B. 526, bill to protect fish in Beach Swamp, in Halifax County, recommending it do pass;

H. B. 565, S. B. 515, bill to protect fish in the waters of Tranter's Creek, in the county of Martin, recommending it do pass.

By Mr. Rice, H. B. 579, S. B. 525, bill to promote the immediate cultivation of shell fish by citizens of the State, recommending it do pass;

S. B. 533, bill to regulate fishing in the northeast branch of the Cape Fear River, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Roads:

By Mr. Warters, H. B. 489, S. B. 465, bill to extend the time of working the roads in New Lake neighborhood, in Tyrrell County, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 37, bill to be entitled an act to suppress and prevent certain kinds of vicious contracts;
- S. B. 116, bill to be entitled an act to incorporate the town of James City, in the county of Craven;
- S. B. 452, bill to be entitled an act to authorize the Commissioners of Columbus County to levy a special tax;
- S. B. 389, bill to be entitled an act to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*;
- S. B. 310, bill to be entitled an act to establish public schools for the town of Littleton;.
- S. B. 386, bill to be entitled an act to amend the charter of the town of Hendersonville;
- S. B. 173, bill to be entitled an act to amend the charter of the Norfolk Southern Railroad Company;

Senate amendments to

H. B. 53, S. B. 301, bill to be entitled an act to prevent the increase and spread of hog cholera—

Which were sent to the House of Representatives.

Mr. Thomas, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 440, S. B. 457, an act to prevent the felling of trees in Cypress Run and Perquimans River;

H. B. 390, S. B. 364, an act to incorporate the Farmers' Bank of Roxboro;

H. B. 336, S. B. 276, an act to confirm the incorporation and organization of the Moore County Millstone Company;

H. B. 447, S. B. 478, an act to prohibit killing fish in Jackson County with dynamite;

H. B. 102, S. B. 409, an act to prohibit persons from putting bushes on their boats, skiffs or any float of any character, with the intent of decoying or pursuing ducks in the county of Currituck

H. B. 296, S. B. 443, an act to change the time of holding the Fall Term of Alamance Superior Court;

H. B. 472, S. B. 467, an act to prevent the felling of timber in the streams of Granville County;

H. B. 424, S. B. 375, an act to amend section 2828 of *The Code* in relation to trespassing on crops;

H. B. 428, S. B. 378, an act to make four and one-half feet a lawful fence in certain counties;

S. B. 214, H. B. 139, an act for the relief of sheriffs and tax-collectors and their representatives;

H. B. 103, S. B. 406, an act to regulate the shooting of wild fowl in the counties of Currituck and Dare;

H. B. 356, S. B. 352, an act to amend section 3535, volume II, of *The Code*:

H. B. 391, S. B. 410, an act to permit pound-net fishing in Cashie River;

S. B. 230, H. B. 696, an act to amend chapter 245, Laws of 1885;

H. B. 478, S. B. 474, an act to prohibit the herding of non-residents' stock in the county of Graham;

H. B. 268, S. B. 331, an act to authorize the Commissioners of Alamance County to levy a special tax to pay cost of erecting stock-law fence around certain townships;

S. B. 371, H. B. 678, an act to incorporate the town of Grogansville in Rockingham County;

H. B. 500, S. B. 473, an act to settle the boundary line between the counties of Moore and Harnett;

H. B 221, S. B. 211, an act explaining and amending chapter 119, Laws of 1887;

H. B. 334, S. B. 382, an act to change the name of Holden Township, in Pender County, to Burgaw Township;

H. B. 301, S. B. 442, an act incorporating and protecting camp grounds on Hatteras Circuit of the M. E. Church, South;

H. B. 567, S. B. 466, an act to amend chapter 58, Private

Laws of 1879, in reference to Rock Spring Camp Ground, in Lincoln County;

H. B. 454, S. B. 464, an act to protect private grave-yards.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Pou, S. B. 581, bill to amend section 316 of *The Code.* Referred to the Committee on Judiciary.

By Mr. Twitty, S. B. 582, bill regarding the laying off or changing roads in Rutherford County. Referred to the Committee on Roads;

S. B. 583, bill to provide convicts for the Polk County Railroad Company. Referred, with petition, to the Committee on Internal Improvements.

By Mr. Bennett, S. B. 584, bill to prohibit the sale of spirituous liquors within three miles of Friendship and Beulah Baptist churches, in Brunswick County, N. C. Referred, with petition, to the Committee on Propositions and Grievances.

By Mr. Kerr, S. B. 585, bill to amend section 3752 of *The Code.* Referred to the Committee on Judiciary.

By Mr. Brock, S. B. 586, bill to empower the Commissioners of Onslow County to use the surplus of special tax levied to build a jail to build bridges and for other county purposes. Referred to the Committee on Finance.

By Mr. Long, S. B. 587, bill to extend the corporate limits of the town of Milton. Referred to the Committee on Corporations.

By Mr. Falkener, S. B. 588, bill to amend chapter 107, Laws of 1885. Referred, with petition, to the Committee on Corporatons.

By Mr. Green, S. B. 589, bill to abolish the February Term of Craven Superior Court. Referred to the Committee on Judiciary.

S. B. 590, bill authorizing the levy of a special tax in Craven County. Referred to the Committee on Finance.

By Mr. Leinbach, S. B. 591, bill for the relief of certain persons in the county of Stokes. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Payne (by request), S. B. 592, bill for the benefit of creditors of copartnerships. Referred to the Committee on Judiciary.

By Mr. Means, S. B. 593, bill to amend chapter 310, Laws of 1885. Referred to the Committee on Judiciary.

By Mr. Means, S. B. 594, bill to amend the game laws of North Carolina. Referred to the Special Select Committee on Game.

By Mr. Pou (by request of the County Commissioners and hundreds of tax payers of Johnston County), S. B. 595, bill for the relief of P. T. Massey, late Treasurer of Johnston County. Referred to the Committee on Finance.

By Mr. Banks, S. B. 596, bill to authorize the city of Raleigh to issue bonds for public improvements, and to levy a special tax. Referred to the Committee on Finance.

By Mr. Little (by request), S. B. 597, bill to amend subsection 9 of section 155 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Emry, S. B. 598, bill to incorporate the town of Tillery, Halifax County, N. C. Referred to the Committee on Corporations.

By Mr. Barber, S. B. 599, bill to amend the charter of the town of Wilkesboro, N. C. Referred to the Committee on Corporations.

By Mr. Moore, S. B. 600, bill to equalize the appropriations allowed the State Guard among the several companies. Referred to the Committee on Military Affairs.

By Mr. Emry, S. B. 601, bill for the relief of James W. Copeland, Treasurer of Northampton County. Referred to the Committee on Finance.

### THE CALENDAR.

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

H. B. 665, S. B. 578, bill to protect the oyster interest in Carteret County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 580, bill to establish a ferry across the Yadkin River, in Wilkes County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 659, S. B. 541, bill in relation to undertakings on appeal to the Supreme Court, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 293, bill to grant certain additional powers to the Suffolk and Carolina Railway Company, and to effect its consolidation with the Edenton and Norfolk Railway Company, and to increase its capital stock, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 245, bill to impound and recover damages out of stock breaking into fields and pastures in fence districts enclosed by lawful fences, on its second reading.

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

S. B. 248, bill to pay citizens for stock killed by the Norfolk Southern Railroad, on its second reading.

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

S. B. 264, bill to take an appeal from the decision of Board of County Commissioners, on its second reading.

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

S. B. 268, bill to protect the landlord from the wrongful act of a cropper, tenant, &c., on its second reading.

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

S. B. 294, bill to amend chapter 74, Laws of 1887, on its second reading.

On motion of Mr. Briggs, the bill was laid on the table. S. B. 321, bill amending and striking out certain sections in chapter 5 of *The Code*.

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

S. B. 363, bill to amend chapter 174, Laws of 1887, in relation to changing the day of municipal elections from Monday to Wednesdays in the town of Burgaw, on its second reading.

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

S. B. 372, bill to provide for the better regulation of the liquor traffic, and to facilitate the collection of statistics in regard to the same, on its second reading.

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

S. B. 387, bill to relieve the burden of taxation, on its second reading.

Mr. Payne moved the bill be laid on the table, on which motion he asked the ayes and noes, which were ordered, and the motion prevailed—ayes 27, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Farthing, Hughes, Kerr, Leeper, Leinbach, Little, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Twitty, White and Williams of Cumberland—27.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Green, Hampton, Holton, Lusk, Rice, Thomas, Warters and Wimberly—11.

H. B. 370, S. B. 350, bill to authorize the Commissioners of Jackson County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair,

Briggs, Brock, Brown, Campbell, Crawford, Falkener, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Lucas, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—37.

The Senate substitute was ordered engrossed and sent to the House of Representatives.

H. B. 393, S. B. 383, bill to amend chapter 81, section 3, Laws of 1887, in regard to the sale of seed cotton, on its third reading.

Mr. Reid moved to amend:

"Strike out Mecklenburg."

Adopted.

The bill passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 364, S. B. 384, bill relative to the drainage of land in the county of Davidson, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 337, S. B. 404, bill for the drainage of Lick Creek, in Stokes and Forsyth, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 483, S. B. 489, bill to authorize Commissioners of Yadkin County to levy a tax, and sell the stock-law fence, on its third reading.

The bill passed its third reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Twitty, Warters, White and Williams of Cumberland—35.

The bill was ordered enrolled.

H. B. 262, S. B. 564, bill to extend the corporate limits of the town of Concord, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Little, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Twitty, Warters, White, Williams of Cumberland and Wimberly—33.

The bill was ordered enrolled.

H. B. 65, S. B. 135, bill to incorporate the town of Ramoth, in the county of Buncombe, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Lucas Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Twitty, Warters, White, Williams of Cumberland and Wimberly—34.

H. B. 147, S. B. 323, bill to incorporate the Bank of Rocky Mount, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 365, S. B. 377, bill to amend section 706 of *The Code*, in regard to the Commissioners of Clay County, on its second reading.

The substitute reported by the Committee on Finance was adopted.

The bill passed its second and third readings, the substitute was ordered engrossed and sent to the House of Representatives.

H. B. 369, S. B. 411, bill to amend the charter of the Rough and Ready Fire Company, of the city of Newbern, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 436, bill to amend chapter 112 of the Laws of 1848-'49, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 422, bill relative to the draining of lowlands, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 426, S. B. 444, bill to incorporate the town of Ellenboro, in Rutherford County, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—34.

H. B. 554, .S. B. 461, bill to repeal chapter 102, Private Laws 1887, entitled an act to amend the charter of the town of Youngsville, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 479, S. B. 462, bill to protect the fish interests of Graham County, on its second reading.

Mr. Briggs moved to amend:

"Insert Yancey."

Adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 454, bill to empower S. C. Rierson, tax collector, to collect arrears of taxes, on its second reading.

Mr. Leinbach moved to amend:

"Strike out '1888' and insert '1886 and 1887."

Adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

#### SPECIAL ORDER.

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, on its second reading, it being the special order for 12 o'clock noon to-day.

Mr. Means asked for a division of the question.

Question recurred upon the passage of the first proposed amendment, and it was not adopted—ayes 18, noes 14—(not three-fifths of the Senate present and voting therefor) as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Crawford, Emry, Farthing, Long, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Twitty, White and Williams of Cumberland—18.

Those voting in the negative were:

Messrs. Banks, Blair, Briggs, Brock, Falkener, Hampton, Holton, Hughes, Kerr, Leeper, Lusk, Warters, Williams of Pitt and Wimberly—14.

The second proposed amendment was adopted—ayes 22, noes 12—(three-fifths of the Senators present and voting voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Banks, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leinbach, Long, Means, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Warters, White and Williams of Pitt—23.

Those voting in the negative were:

Messrs. Bailey, Barber, Bennett, Blair, Brock, Leeper, Little, Lusk, Moore, Twitty, Williams of Cumberland and Wimberly—12.

On motion of Mr. Shaw, the Senate went into Committee of the Whole to consider

H. B. 318, S. B. 506, bill to amend the Public School Law, Mr. Pou in the chair.

The Committee having risen,

Mr. Pou reported that the Senate, in Committee of the Whole, had had under consideration

H. B. 318, S. B 506, bill to amend the Public School Law, had made certain amendments thereto, but rendered no conclusion thereon.

The bill was placed upon the Calendar.

#### THE CALENDAR

was resumed.

H. B. 600, S. B. 553, bill concerning navigation, on its second reading.

On motion of Mr. Means, the bill was recommitted to the Committee on Judiciary.

S. B. 6, bill to reduce the legal rate of interest to six per cent., on its third reading.

On motion of Mr. Williams of Pitt, the bill was postponed until to-morrow morning at 11 o'clock, and made the special order for that hour.

An invitation was read from Dr. C. E. Taylor, President

of Wake Forest College, inviting the members of the Senate to attend the annual celebration of the literary societies of that college on to-morrow (Friday) evening.

### SELECT COMMITTEE ON GAME.

The President announced as the Select Senate Committee on Game,

Messrs. Means, Emry, Payne, Bailey, Lucas, Green, Kerr and Toms.

On motion of Mr. Twitty, the Senate adjourned until tomorrow morning at 10 o'clock.

# THIRTY-THIRD DAY.

SENATE CHAMBER, February 15, 1889.

Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Leeper, petition from citizens of Gaston County against the removal of the county seat from Dallas to Gastonia. Referred to the Committee on Propositions and Grievances.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary: By Mr. Barber, S. B. 360, bill to amend the Constitution of North Carolina and to provide for the election as to said amendments, recommending it do pass.

By Mr. Bailey, S. B. 504, bill to amend subsection 4 of section 190, of *The Code*, recommending it do pass.

By Mr. Kerr, H. B 584, S. B. 521, bill to change the line between Lisbon and Franklin townships, in Sampson County, recommending it do pass;

S. B. 228, bill to amend section 2724 of *The Code*, recommending it do pass;

S. B. 574, bill to amend *The Code*, recommending it do pass;

S. B. 188, bill to amend section 2845 of *The Code*, recommending it do not pass;

H. B. 278, S. B. 397, bill to amend section 677 of *The Code*, and chapter 19, Laws of 1885, in reference to forming corporations before the Clerk, recommending it do pass;

S. B. 430, bill to amend *The Code* in relation to pharmacy, reporting an amendmant, and, as amended, recommending the bill do pass;

H. B. 238, S. B. 395, bill to correct State grant No. 1730, recommending it do pass.

By Mr. Means, H. R. 414, S. R. 476, resolution of instruction in reference to reports of State officers, recommending the resolution be adopted;

S. B. 449, bill to regulate the compromising of suits, recommending it do not pass;

H. B. 201, S. B. 562, bill to abolish the May Term of Superior Court of Pender County, recommending it do pass.

By Mr. Little, H. B. 520, S. B. 546, bill to repeal chapter 199, Acts of 1885, relative to clerks of the superior courts, recommending it do not pass;

S. B. 500, bill to furnish *The Code* and Laws of North Carolina to mayors of cities and towns, recommending it do pass;

H. B. 191, S. B. 394, bill to amend chapter 178, Laws of 1887, relative to registration of dentists, recommending it do pass.

By Mr. Lucas, H. B. 498, S. B. 529, bill to amend section 1050 of *The Code*, in relation to gambling, recommending it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Thomas, S. B. 568, bill to drain the lowlands of Wolf Island Creek, in Rockingham County, recommending it do pass;

H. B. 585, S. B. 545, bill to change the line between the counties of Wilkes and Watauga, recommending it do not pass.

By Mr. Warters, S. B. 571, bill to amend chapter 106, Laws of 1885, recommending it do pass.

By Mr. Robinson, H. B. 453, S. B. 543, bill to change the dividing line between Caldwell and Wilkes counties, recommending it do not pass;

S. B. 532, bill to amend section 2827 of *The Code*, recommending it do not pass;

H. B. 523, S. B. 556, bill for the protection of the water of cities and towns in Mecklenburg County, recommending it do pass.

By Mr. Crawford, S. B. 567, bill for the exemption of telegraph operators, regularly employed, from serving as jurors, recommending it do pass;

S. B. 534, bill to amend section 2228 of *The Code*, recommending it do pass.

By Mr. Hampton, H. B. 499, S. B. 548, bill to repeal chapter 160, Laws of 1887, recommending it do pass.

By Mr. Long, H. B. 20, S. B. 346, bill to prevent manufacturers and others from issuing non-transferable scrip for labor done, reporting amendments, and, as amended, recommending it do pass;

H. B. 438, S. B. 470, bill relating to burning woods in Pamlico County, recommending it do pass;

S. B. 535, bill to amend section 2245 of *The Code*, recommending it do pass;

H. B. 634, S. B. 551, bill to protect Flat Swamp Canal, in Cumberland County, from obstruction, recommending it do pass.

From the Committee on Penal Institutions:

By Mr. Emry, S. B. 297, bill to amend chapter 355, Laws of 1887, in relation to working convicts on public roads, recommending it do not pass.

By Mr. Twitty, S. B. 569, bill to provide for the women, children and crippled convicts, and to make them self-sustaining, recommending it do not pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Reid, H. B. 583, S. B. 577, bill to work public roads in Alamance County by taxation, recommending it do pass;

H. B. 627, S. B. 550, bill in relation to fees of standard keepers, recommending it do pass;

H. B. 206, S. B. 491, bill to amend chapter 15, volume II, of *The Code*, in relation to swamp lands, recommending it do pass.

By Mr. Williams, of Pitt, S. B. 591, bill to relieve certain persons in the county of Stokes, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Briggs, H. B. 374, S. B. 405, bill to incorporate the Bank of Commerce and Industry of Raleigh, N. C., recommending it do pass;

S. B. 445, bill to incorporate the Charlotte Savings Bank, recommending it do pass.

Mr. Thomas, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 361, H. B. 700, an act to amend the charter of the Albemarle and Raleigh Railroad Company;

H. B. 487, S. B. 475, an act to authorize the Board of Commissioners of Anson County to regulate the weighing of cotton, and to appoint cotton weighers for Anson County;

S. B. 44, H. B. 456, an act to authorize Justices of the Peace to take bond upon continuance of certain criminal cases;

S. B. 487, H. B. 805, an act to promote the efficiency of the State Guard.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, and engrossed amendments to Senate bills, which were read the first time and disposed of as follows:

H. B. 497, S. B. 602, bill to be entitled an act to incorporate Long Creek High School, in Pender County. Referred to Committee on Education.

H. B. 713, S. B. 603, bill to be entitled an act to authorize the Board of Councilmen of the town of Greenville to make an appropriation for building a road. Referred to Committee on Roads.

H. B. 586, S. B. 604, bill to be entitled an act to require the Secretary of State to put numbers of certificates in State grants. Referred to Judiciary Committee.

H. B. 668, S. B. 605, bill to be entitled an act to incorporate the Farmers' Alliance Tobacco Manufacturing Company. Referred to Committee on Corporations.

H. B. 193, S. B. 606, bill to be entitled an act to allow the town of Elizabeth City to issue bonds. Referred to Committee on Finance.

H. B. 629, S. B. 607, bill to be entitled an act to prevent the putting of dead bodies of animals in Roanoke River. Referred to Committee on Propositions and Grievances.

H. B. 104, S. B. 608, bill to be entitled an act to incorporate the West Asheville Improvement Company. Referred to Committee on Corporations.

H. B. 98, S. B. 609, bill to be entitled an act to incorporate the West Asheville Toll Bridge Company. Referred to Committee on Corporations.

H. B. 548, S. B. 610, bill to be entitled an act for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County. Referred to Committee on Finance.

H. B. 621, S. B. 611, bill to be entitled an act to amend chapter 337, Laws of 1887, in regard to the drainage of Hogan's Creek, in Rockingham County. Referred to Committee on Propositions and Grievances.

H. B 707, S. B. 612, bill to be entitled an act to repeal chapter 223, Laws of 1887, to take Warren out of the list of tobacco counties in the revenue law. Referred to Committee on Finance.

H. B. 682, S. B. 613, bill to be entitled an act to protect fish in Rockingham County. Referred to Committee on Fish and Fisheries.

H. B. 626, S. B. 614, bill to be entitled an act to require surveyors to have their chains tried by standard-keepers. Referred to Committee on Propositions and Grievances.

H. B. 564, S. B. 615, bill to be entitled an act to regulate the service of criminal process in Roanoke Swamps of Martin and Bertie counties. Referred to the Committee on Judiciary.

H. B. 715, S. B. 616, bill to be entitled an act to prevent the obstruction of southwest branch of New River, in Onslow County. Referred to Committee on Propositions and Grievances.

H. B 633, S. B. 617, bill to be entitled an act to incorporate the Farmers' Coöperative School of North Carolina. Referred to Committee on Education.

H. B. 667, S. B. 618, bill to be entitled an act to prevent the obstruction of Nine Mile Creek, in Duplin and Onslow counties. Referred to Committe on Propositions and Grievances. H. B. 670, S. B. 619, bill to be entitled an act for the relief of Daniel W. Patrick, Clerk of the Superior Court of Greene County. Referred to Committee on Judiciary.

H. R. 644, S. R. 620, resolution in favor of Thomas H. Briggs & Sons. Referred to Committee on Finance.

H. B. 347, S. B. 621, bill to be entitled an act to legalize the registration of certain grants in Wilkes County. Referred to Committee on Judiciary.

H. B. 549, S. B. 622, bill to be entitled an act to prohibit the hunting of deer in Poplar Branch Township, in Currituck. Referred to the Committee on Propositions and Grievances.

H. B. 710, S. B. 623, bill to be entitled an act to authorize the State Board of Education to sell to Anson M. Swindell certain lands on which he lives. Referred to the Committee on Education.

House amendment to

H. B. 642, S. B. 246, bill to be entitled an act to refund the debt of Mecklenburg County, which was concurred in and ordered enrolled.

H. B. 546, S. B. 624, bill to be entitled an act to incorporate the Fayetteville and Albemarle Railroad Company. Referred to the Committee on Internal Improvements.

Also a message transmitting, without engrossment, House amendment to

S. B. 427, H. B. 774, bill to repeal chapter 21, Laws of 1885, in the counties of Onslow, Pender and New Hanover.

On motion of Mr. Rice, the amendment was concurred in and the bill was ordered enrolled.

Also a message transmitting a communication from his Excellency the Governor, with a petition from citizens of Carteret. Referred to the Committee on Fish and Fisheries.

Also a message transmitting, without engrossment,

H. B. 706, S. B. 625, bill to incorporate the Farmers' State Alliance of North Carolina, and sub-alliances, which was read the first time and placed on the Calendar.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Robinson, S. B. 626, bill to amend section 2563 of *The Code*, in relation to reëstablishing a State system of public schools. Referred to the Committee on Propositions and Grievances.

S. B. 627, bill to amend section 3754 of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Abbott, S. B. 628, bill to legalize the marriage of Willie Upton and Sallie Wilroy, of Camden County. Referred to the Committee on Judiciary.

By Mr. Farthing, S. B. 629, bill to amend section 2020 of *The Code*. Referred to the Committee on Roads.

By Mr. Emry, S. B. 630, bill to incorporate the Tarboro Land and Trust Company. Referred to the Committee on Corporations.

S. B. 631, bill for the better accommodation of the traveling public at railroad eating houses. Referred to the Committee on Propositions and Grievances.

By Mr. Means (for Mr. King), S. B. 632, bill to incorporate the Wilson Banking and Trust Company. Referred to the Committee on Corporations.

By Mr. Lusk, S. B. 633, bill to designate and define a stock-law district in Swannanoa Township, in Buncombe County. Referred to the Committee on Agriculture, Mechanics and Mining;

S. B. 634, bill to amend the Constitution and to provide for an election as to the same. Referred to the Committee on Judiciary and ordered printed.

By Mr. White, S. B. 635, bill to amend chapter 2, Laws of 1880, incorporating the town of Randleman, in Randolph County. Referred to the Committee on Corporations.

By Mr. Long, S. B. 636, bill to amend and continue in force the charter of the Raker City and Greensboro Railroad

Company. Referred to the Committee on Internal Improvements.

By Mr. Pou, S. B. 637, bill to prevent the selling of liquor near New Hope and Antioch churches, in Johnston County. Placed on the Calendar.

By Mr. Hampton, S. B. 638, bill for the relief of S. H. Taylor, late Sheriff of Surry County. Referred to the Committee on Propositions and Grievances.

By Mr. Moore, S. B. 639, bill to amend the charter of the town of Stoneville, in Rockingham County. Referred to the Committee on Corporations.

# DEATH OF MRS. M. C. TOMS.

Mr. Shaw introduced the following:

Resolved, That the Senate have learned with profound sorrow of the recent death of Mrs. Josephine H. Toms, wife of Hon. M. C. Toms, Senator for the forty-first district.

Resolved, That the Senate extend to Senator Toms and the relatives and friends of the deceased our heartfelt condolence and sympathy.

In addressing the Senate Mr. Shaw said:

# "MR. PRESIDENT:

Since the adjournment of the Senate on yesterday there has occurred an event full of admonition and warning to all alike; an event suggestive of the great and momentous enquiry to which no human tongue can voice a reply—Who will be next? And it is with tender sadness I rise now to ask the privilege of interrupting the ordinary current of business in the Senate that I may announce the death of Mrs. Josephine H. Toms, wife of our esteemed friend Hon. M. C. Toms, Senator for the forty-first district.

Mrs. Toms died at 9 o'clock p. m., on yesterday, at the Yarboro House, in this city, where she has been residing with her husband since the opening of the legislative session. She was the daughter of Mr. George R. French, of Wilmington, and was in the 39th year of her age.

In her departure she leaves behind her not only a fond, heart-stricken husband and loving son, but many sorrowing relatives and friends, who must trust to time to come with healing on its wings to assuage their great grief.

The visit of the Death Angel, to whose coming no dilatory motion avails, is always sad and seems to call for grief and tears; but when it comes to one whose life's duties have been well performed and who has lived in an abiding faith in Him who is the Light and the Way, it may be regarded as the crown of such a life.

Those who knew the deceased best bear cheerful testimony of her exalted character and exemplary virtues and many Christian graces; and extending to her sorrowing husband, relatives and friends our heartfelt sympathy, let us trust she has gone from the shores of time and conflict to a home of rest in Heaven.

Mr. President, I ask the adoption of the resolutions which I have just submitted."

Mr. Leinbach moved the resolutions be adopted by a rising vote, and the resolutions were unanimously adopted, every Senator present rising and voting therefor.

On motion of Mr. Lucas, a copy of the resolutions was ordered to be sent to the family of the deceased.

Mr. Emry submitted the following:

"Resolved, That the Senate adjourn to-day at the hour of 12 o'clock noon, as a mark of respect and sympathy for Senator Toms in his great bereavement, and that a committee of four Senators be appointed to accompany the remains of Mrs. Toms to Wilmington for interment."

The resolution was unanimously adopted, and the President appointed

Messrs. Emry, Lucas, Lusk and Leeper.

#### THE CALENDAR.

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

H. B. 706, S. B. 625, bill to incorporate the Farmers' State Alliance of North Carolina, and sub-alliances, on its second reading.

On motion of Mr. Lusk, the bill was referred to the Committee on Corporations.

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, on its third reading.

The bill failed to pass its third reading (not three-fifths of the Senators present and voting voting therefor)—ayes 19, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Brown, Campbell, Copeland, Green, Leinbach, Long, Means, Payne, Pou, Reid, Rice, Robinson, Sills, Thomas, Warters, White and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Briggs, Brock, Crawford, Little, Lucas, Lusk, Moore, Smith and Wimberly—13.

H. B. 65, S. B. 135, bill to incorporate the town of Ramoth, in the county of Buncombe, on its third reading.

The bill passed its third reading—ayes 30, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Farthing, Green, Hughes, Kerr, Leinbach, Little, Long, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Smith, Thomas, Warters, White and Wimberly—30.

The Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 591, bill for the relief of certain persons in the county of Stokes, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

Mr. Bennett moved to reconsider the vote by which

S. B. 106, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, failed to pass its third reading.

Mr. Blair moved to lay the motion to reconsider on the table; on which motion,

Mr. Means asked for the ayes and noes, which were ordered, and the motion to lay on the table was lost—ayes 10, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Blair, Briggs, Brock, Crawford, Hughes, Lusk, Smith, and Wimberly—10.

Those voting in the negative were:

Messrs. Bailey, Banks, Bennett, Brown, Copeland, Falkener, Farthing, Green, Hampton, Holton, Kerr, Long, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Thomas and White—22.

Mr. Blair made the point of order that the question having been reconsidered once, the pending motion to reconsider was not in order.

The President sustained the point of order as well taken; from which ruling

Mr. Means appealed.

The vote was as follows:

To sustain the President:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Warters, White, Williams of Pitt and Wimberly—36.

#### THE CALENDAR

was resumed.

H. B. 426, S. B. 444, bill to incorporate the town of Ellenboro, in Rutherford County, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Warters, White, Williams of Pitt and Wimberly—34.

The Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 343, bill to establish the North Carolina Teachers' Training School, and for other purposes, on its second reading.

On motion of Mr. Shaw, the bill was postponed until Monday next, 18th inst, and made the special order for 4 o'clock p. m. of that day.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 132, S. B. 640, bill to compel butchers to keep registration. Referred to Committee on Judiciary.

H. B. 745, S. B. 641, bill to pay a certain school claim in Swain County. Referred to Committee on Finance.

H. B. 610, S. B. 642, bill to protect owners of land adjacent to and adjoining railroad companies and other corporations. Referred to Committee on Propositions and Grievances.

H. B. 474, S. B. 643, bill for the protection of schools and colleges. Referred to Committee on Education.

H. B. 746, S. B. 644, bill to pay a certain school claim in Swain County. Referred to Committee on Finance.

H. B. 810, S. B. 645, bill to incorporate Centre Lodge, No. 3, Knights of Pythias. Referred to Committee on Corporations.

H. B. 693, S. B. 646, bill to authorize and empower the Trustees of Oak Forest School House and site in Randolph County to sell the same and make title thereto. Referred to Committee on Education.

H. B. 518, S. B. 647, bill to abolish the State Normal Schools and apply the proceeds set apart for the purpose of holding county institutes. Referred to Committee on Education.

H. B. 684, S. B. 648, bill for the relief of W. P. White, of Alamance County. Referred to Committee on Education.

H. B. 591, S. B. 649, bill to authorize the town of Shelby to issue bonds. Referred to Committee on Finance.

On motion of Mr. Holton, the Senate proceeded to the consideration of executive business.

The Senate, in Executive Session, having adjourned, the doors were opened, and the Senate was called to order.

In accordance with the resolution of the Senate,

The President declared the Senate adjourned until to-morrow morning at 10 o'clock.

# THIRTY-FOURTH DAY.

SENATE CHAMBER, February 16, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Messrs. Copeland and King for to-day; Mr. Hampton until Wednesday next.

#### PETITIONS.

Petitions were presented and disposed of as fellows:

By Mr. Barber, petition of citizens of Wilkes County, asking to have Fishing Creek Church, in said county, incorporated. Referred to Committee on Propositions and Grievances.

By Mr. Brock, petition from citizens of Carteret County, in favor of impounding stock breaking in fields or pastures enclosed by lawful fences. Referred to the Committee on Propositions and Grievances.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Campbell, S. B. 601, bill for the relief of James W. Copeland, Treasurer of Northampton County, recommending it do pass.

By Mr. Thomas, S. B. 586, bill to empower the Commissioners of Onslow County to use the surplus of special tax levied to build a jail, to build bridges, and for other county purposes, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 583, bill to provide convicts for the Polk County Railroad Company, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 435, S. B. 424, bill to repeal section 6, chapter 32, Private Laws of 1887, in regard to Gay Manufacturing Company, recommending it do not pass;

H. B. 494, S. B. 481, bill to amend chapter 85, Private Laws of 1885, amending the charter of the town of Greenville, in Pitt County, recommenning it do pass;

H. B. 476, S. B. 488, bill to amend the charter of the town of Marshall, in Madison County, reporting amendments thereto, and, as amended, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 713, S. B. 603, bill to authorize the Board of Councilmen of the town of Greenville to make an appropriation for building a road or highway near said town, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

Senate amendment to

H. B. 479, S. B. 462, bill to be entitled an act to protect the fish interests in Graham County;

Senate amendment to

H. B. 393, S. B. 383, bill to be entitled an act to amend chapter 81, Laws of 1887, in regard to the sale of seed cotton;

Senate substitute for

H. B. 365, S. B. 377, bill to be entitled an act in relation to the Commissioners of Clay County;

Senate substitute for

H. B. 370, S. B. 350, bill to be entitled an act to bridge Tuckaseege River, in Jackson County;

S. B. 422, bill to be entitled an act relating to the drainage of lowlands;

S. B. 436, bill to be entitled an act to amend chapter 112 of the Laws of 1848-'49;

S. B. 454, bill to be entitled an act to empower S. C. Rierson to collect arrears of taxes—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bill, which was duly ratified and sent to the office of Secretary of State:

H. B. 659, S. B. 541, an act in relation to undertakings on appeal to the Supreme Court.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Smith, S. B. 650, bill to incorporate the Murphy Iron Company. Referred to the Committee on Corporations.

By Mr. Moore, S. B. 651, bill to incorporate the Leaksville Water-Power Company. Referred to the Committee on Corporations.

S. B. 652, bill to incorporate Troy M. E. Church, in Rockingham County. Referred to the Committee on Propositions and Grievances.

By Mr. Green, S. B. 653, bill to authorize the Board of Directors of the North Carolina State Penitentiary to hire convicts to the East Carolina Land and Railway Company. Referred to Committee on Internal Improvements.

By Mr. Payne (by request), S. B. 654, bill to be entitled an act to regulate local option laws in this State. Referred to the Committee on Propositions and Grievances.

By Mr. Wimberly, S. B. 655, bill concerning the Clerk of the Superior Court of Edgecombe County. Referred to the Committee on Propositions and Grievances.

By Mr. Payne, S. B. 656, bill to secure proper freight and passenger rates over railroads and other transportation companies. Referred to the Committee on the Judiciary.

By Mr. Little, S. B. 657, bill for the relief of John C. Mc-Lauchlin, Clerk of the Superior Court of Anson County. Placed on the Calendar.

S. B. 658, bill to amend section 3466 of *The Code*, relating to prison bounds for health of prisoners, etc. Referred to the Committee on Judiciary.

By Mr. Wimberly, S. B. 659, bill to incorporate the Woman's Home Mission Society. Referred to the Committee on Corporations.

By Mr. Brock, S. B. 660, bill to prohibit the sale of spirituous or malt liquors within two miles of Friendship Baptist Church, in Jones County. Referred, with the petition, to the Committee on Propositions and Grievances.

By Mr. Abbott, S. B. 661, bill to amend an act to amend the charter of the town of Elizabeth City, N. C. Referred to the Committee on Corporations.

By Mr. Barber (by request), S. B. 662, a bill to authorize the Commissioners of Forsyth County to levy a special tax, and for other purposes. Referred to the Committee on Finance.

### THE CALENDAR.

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

S. B 657, bill for the relief of John C. McLauchlin, Clerk of the Superior Court of Anson County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 61, bill to authorize the Commissioners of Watauga County to levy a special tax, on its second reading.

The substitute reported by the Cammittee on Finance was adopted.

The bill passed its second reading—ayes 31, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Crawford, Farthing, Green, Hughes, Kerr, Leinback, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Twitty, Warters and White—31.

S. B. 195, bill to incorporate the Milton and Yanceyville Railroad Company, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second reading—ayes 31, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Crawford, Farthing, Green, Hughes, Kerr, Leinbach, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Twitty, Warters, White and Wimberly—31.

S. B. 115, bill for the relief of W. T. Buxton, late Sheriff of Northampton County, on its second reading.

The substitute reported by the Committee on Finance was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 339, bill to amend chapter 13, Private Laws of 1883, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 426, bill to repeal section 2232, Vol. II, of *The Code*, as to deaf and dumb and blind from other States, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 445, bill to incorporate the Charlotte Savings Bank, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 435, bill for the relief of W. M. King, late Sheriff of Pitt County, on its second reading.

The amendment reported by the Committee on Finance was adopted.

The bill passed its second reading.

S. B. 593, bill to amend chapter 310, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 485, bill to amend the charter of the town of Morganton, chapter 120, section 56, Private Laws of 1885, on its second reading.

The substitute reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 486, bill in regard to prisoners in the town of Salem, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 188, bill to amend section 2845 of *The Code*, on its second reading.

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

S. B. 297, bill to amend chapter 355, Laws of 1887, in relation to working convicts on public roads, on its second reading.

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

S. B. 449, bill to regulate the compromising of suits, on its second reading.

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

S. B. 450, bill to make appropriation for the Colored Orphan Asylum of North Carolina, on its second reading.

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

S. B. 532, bill to amend section 2827 of  $\it{The~Code}$ , on its second reading.

Mr. Payne moved to amend:

"Insert: 'Provided, that a person owning land outside of the stock-law territory may turn his or her stock upon the said land outside of the stock-law district.'"

Adopted.

The bill passed its second reading, and was taked up on its third reading.

On motion of Mr. Thomas, the bill was recommitted to the Committee on Propositions and Grievances.

Mr. Payne moved the bill be withdrawn from the committee and placed on the Calendar.

The motion was lost for want of a quorum voting.

Mr. Blair demanded a call of the House, which was ordered, and the following Senators responded to their names:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Farthing, Green, Hughes, Kerr, Leinbach, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Twitty, Warters, White, Williams of Pitt and Wimberly—32.

A quorum being present,

Mr. Pou demanded the ayes and noes on the motion of Mr. Payne to withdraw the bill from the committee, which was ordered, and the motion to withdraw prevailed—ayes 23, noes 6, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Blair, Briggs, Brock, Brown, Campbell, Green, Holton, Hughes, Leinbach, Long, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Twitty, White, Williams of Pitt and Wimberly—23.

Those voting in the negative were:

Messrs. Barber, Farthing, Little, Means, Thomas and Warters—6.

Mr. Pou moved the rules be suspended, and the bill be taken up on its third reading; on which motion he demanded the ayes and noes, which were ordered, and the motion was lost—ayes 18, noes 10 (not two thirds of the Senators present voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Banks, Blair, Briggs, Brock, Campbell, Green, Hughes, Leinbach, Long, Moore, Payne, Pou, Reid, Robinson, Sills, White, Williams of Pitt and Wimberly—18.

Those voting in the negative were:

Messrs. Abbott, Bailey, Brown, Crawford, Farthing, Kerr, Shaw, Smith, Thomas and Twitty—10.

S. B. 569, bill to provide for the women, children and crippled convicts, and to make them self-sustaining, on its second reading.

On motion of Mr. Long, the bill was recommitted to the Committee on Penal Institutions.

H. B. 332, S. B. 349, bill to abolish the Inferior Court of Swain County, on its second reading.

On motion of Mr. Smith, the bill was recommitted to the Committee on Judiciary.

H. B. 271, S. B. 440, bill to amend section 645 of *The Code*, on its second reading.

On motion of Mr. Briggs, the bill was laid on the table. H. B. 568, S. B. 460, bill to amend section 2327 of *The Code*, on its second reading.

On motion of Mr. Briggs, the bill was laid on the table. H. B. 498, S. B. 529, bill to amend section 1050 of *The Code*, in relation to gambling.

On motion of Mr. Twitty, the bill was recommitted to the Committee on Judiciary.

H. B. 453, S. B. 543, bill to change the dividing line between Caldwell and Wilkes counties, on its second reading.

On motion of Mr. Barber, the bill was laid on the table. H. B. 585, S. B. 445, bill to change the line between the counties of Wilkes and Watauga, on its second reading.

On motion of Mr. Barber, the bill was laid on the table. Mr. Blair moved to reconsider the vote by which the bill was laid on the table; and moved to lay the motion to reconsider on the table. The latter motion prevailed.

H. B. 177, S. B. 544, bill to simplify the application of the statute of limitations, on its second reading.

On motion of Mr. Twitty, the bill was laid on the table. H. B. 494, S. B. 481, bill to amend chapter 85, Private Laws of 1885, amending the charter of the town of Greenville, in Pitt County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 601, bill for the relief of James W. Copeland, Treasurer of Northampton County, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

S. B. 503, bill to incorporate the West End King's Daughters of Greensboro, N. C, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 349, S. B. 559, bill to amend chapter 102, Private Laws of 1885, entitled an act to incorporate the town of McFarland, in Anson County, on its second reading.

The bill passed its second reading—ayes 26, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Brown, Campbell, Farthing, Green, Holton, Hughes, Kerr, Leinbach, Long, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Twitty, White and Williams of Pitt—26.

S. B. 583, bill to provide convicts for the Polk County Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 504, bill to amend subsection 4 of section 190 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 505, bill to make the provisions of sections 3410 and 3411, chapter 43 of *The Code*, applicable to the Catawba River, on its second reading.

The substitute reported by the Committee on Fish and Fisheries was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 510, bill for changing the time of holding the Spring Term of Court in Caswell County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

Mr. Thomas moved to take up for consideration the motion made by himself on the 11th inst., to reconsider the vote by which

S. B. 91, bill to amend section 1, chapter 180, Laws of 1885, in reference to the holding of courts in Davidson County, passed its third reading.

Mr. Bailey made the point of order that the Senator, not having called up his motion for consideration within three days of the time it was made, could not now do so.

The President ruled that in the absence of any specific Senate rule on this point, he would follow the rule which obtains in other parliamentary bodies, and sustain the point of order made by Mr. Bailey.

The bill was ordered engrossed and sent to the House of Representatives.

# THE CALENDAR

was resumed.

S. B. 511, bill to amend and renew the charter of the Caswell Railroad Company, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second and third readings, was ordered engressed and sent to the House of Representatives.

H. B. 533, bill to regulate fishing in the northeast branch of the Cape Fear River, on its second reading.

The amendment reported by the Committee on Fish and Fisheries was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 713, S. B. 603, bill authorizing the Board of Councilmen of the town of Greenville to make an appropriation for building a road or highway near said town, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 568, bill to drain the lowlands of Wolf Island Creek, in Rockingham County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 572, bill to amend *The Code*, on its second reading. The amendment reported by the Committee on Judiciary was not adopted.

Mr. Means moved to amend:

"Add: 'Provided, that nothing herein contained shall be construed to authorize the county Treasurer to lend any county funds."

Adopted.

The bill passed its second reading.

S. B. 573, bill to amend *The Code*; on its second reading. The bill passed its second reading.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting a communication from his Excellency the Governor, with regard to the North Carolina State Penitentiary, and accompanying documents.

On motion of Mr. Means, the communication, with accompanying documents, were referred to the Committee on Penal Institutions, and ordered printed.

On motion of Mr. White, the Senate adjourned until 3 o'clock Monday evening.

# THIRTY-FIFTH DAY.

SENATE CHAMBER, February 18, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Moore, Senator for Rockingham.

The Journal of Saturday was approved.

Leave of absence was extended Mr. Turner of Catawba for to-morrow.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Payne, petition of citizens of Maxton, N. C., asking an amendment to the charter of said town. Referred to the Committee on Corporations.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Abbott, S. R. 414, resolution in favor of F. A. Watson, recommending it do pass.

By Mr. Moore, H. R. 644, S. R. 620, resolution in favor of Thomas H. Briggs & Sons, recommending it do pass;

S. B. 537, bill to authorize the Commissioners of Hyde County to levy a special tax, recommending it do pass;

H. B. 193, S. B. 606, bill to allow the town of Elizabeth City to issue bonds, recommending it do pass.

By Mr. Smith, H. B. 630, S. B. 547, bill to authorize the Treasurer of Randolph County to pay a certain school claim, recommending it do pass;

H. B. 746, S. B. 644, bill to pay a certain school claim in Swain County, recommending it do pass;

S. B. 509, bill to authorize the Commissioners and Justices of the Peace of Macon County to levy a special tax, recommending it do pass.

By Mr. Reid, H. B. 624, S. B. 576, bill to provide for refunding the bonded debt of Charlotte maturing in 1890,

recommending it do pass;

H. B. 469, S. B. 557, bill in regard to special tax for Sharon Township, in Mecklenburg County, recommending it do pass;

H. B. 548, S. B. 610, bill for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Robinson, S. B. 655, bill concerning the Clerk of the Superior Court of Edgecombe County, recommending it do not pass;

H. B. 626, S. B. 614, bill to require surveyors to have their chains tried by standard-keepers, recommending it do pass.

By Mr. Turner of Iredell, S. B. 654, bill to regulate local option laws in this State, reporting an amendment thereto, and the bill without recommendation;

S. B. 496, bill to amend section 2034 of *The Code*, in relation to keeping up and repairing bridges, reporting an amendment thereto, and, as amended, recommending it do pass;

S. B. 627, bill to amend section 3754 of *The Code*, recommending it do not pass.

By Mr. Long, H. B. 549, S. B. 622, bill to prevent the hunting of deer in Poplar Branch Township, in Currituck County, recommending it do pass;

H. B. 610, S. B. 642, bill to protect owners of land adjacent to and adjoining railroad companies and other corporations, recommending it do not pass;

H. B. 621, S. B. 611, bill to amend chapter 337, Laws of 1887, in regard to the drainage of Hogan's Creek, in Rockingham County, recommending it do pass.

By Mr. Crawford, H. B. 715, S. B. 616, bill to prevent the obstruction of southwest branch of New River, in Onslow County, recommending it do pass;

H. B. 629, S. B. 607, bill to prevent the putting of dead bodies of animals in Roanoke River, recommending it do pass.

By Mr. Kerr, H. B. 671, S. B. 555, bill to change the name of Lincoln and Grant townships, in the County of Pender, recommending it do pass;

S. B. 626, bill to amend section 2563 of *The Code*, in relation to re-establishing a State system of public schools, reporting it without recommendation.

From the Committee on Corporations:

By Mr. Aycock, S. B. 566, bill to amend the charter of the Alleghany Mining and Improvement Company, recommending it do pass.

By Mr. Barber, S. B. 635, bill to amend chapter 2, Laws of 1880, incorporating the town of Randleman, Randolph County, recommending it do pass;

H. B. 810, S. B. 645, bill to incorporate Centre Lodge, No. 3, Knights of Pythias, recommending it do pass;

S. B. 659, bill to incorporate the Women's Home Missionary Society, recommending it do pass;

H. B. 417, S. B. 403, bill to incorporate the town of Walnut Cove, in the county of Stokes, recommending it do pass;

H. B. 452, S. B. 540, bill to amend the charter of the town of Morganton, allowing the commissioners to issue bonds, recommending it do pass;

S. B. 598, bill to incorporate the town of Tillery, Halifax County, N. C., recommending it do pass;

S. B. 579, bill to incorporate the Bethlehem Burial and Benevolent Society of Martin County, recommending it do pass;

S. B. 587, bill to extend the corporate limits of the town of Milton, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 486, bill to be entitled an act in regard to prisoners in the town of Salem;
- S. B. 91, bill to be entitled an act to amend section 1, chapter 180, Laws of 1885, in reference to holding of courts in Davidson County;
- S. B. 504, bill to be entitled an act to amend subsection 4 of section 190 of *The Code*;
- S. B. 426, bill to be entitled an act to repeal section 2232 of Vol. II of *The Code*, as to deaf, dumb and blind from other States;
- S. B. 503, bill to be entitled an act to incorporate the "West End King's Daughters" of Greensboro, N. C.;
- S. B. 583, bill to be entitled an act to provide convicts for the Polk County Railroad Company;
- S. B. 568, bill to be entitled an act to drain the lowlands of Wolf Island Creek, in Rockingham County;
- S. B. 511, bill to be entitled an act to amend and renew the charter of the Caswell Railroad Company;
- S. B. 505, bill to be entitled an act to amend section 3410, chapter 43, of *The Code*, so as to make it applicable to the Catawba River;
- S. B. 339, bill to be entitled an act to amend chapter 13 of the Private Laws of 1883;
- S. B. 115, bill to be entitled an act for the relief of W. T. Buxton, ex Sheriff of Northampton County;
- S. B. 533, bill to be entitled an act to regulate fishing in the northeast branch of Cape Fear River;
- S. B. 293, bill to be entitled an act to grant certain additional powers to the Suffolk and Carolina Railway Company, and to effect its consolidation with the Edenton and Norfolk Railway Company, and to increase its capital stock;
- S. B. 510, bill to be entitled an act for changing the time of holding the Spring Term Court in Caswell County;

S. B. 657, bill to be entitled an act for the relief of John C. McLauchlin, Clerk of the Superior Court of Anson County;

Senate amendment to

H. B. 426, S. B. 444, bill to be entitled an act to incorporate the town of Ellenboro, in Rutherford County.

Senate amendment to

H. B. 65, S. B. 135, bill to be entitled an act to incorporate the town of Ramoth, in the county of Buncombe—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 283, H. B. 267, an act for the relief of the sureties of James T. Hunter, late Sheriff of Alamance County;

S. B. 250, H. B. 761, an act to authorize the county of Robeson to issue bonds;

S. B. 254, H. B. 291, an act to improve the drainage of Benaja Creek, in Rockingham County;

H. B. 483, S. B. 489, an act to authorize the Commissioners of Yadkin County to sell stock-law fence and levy tax;

S. B. 208, H. B. 119, an act for the relief of the Clerks of the Superior Court of Mitchell, Yancey, McDowell, Burke, Caldwell, Pender and Guilford counties;

S. B. 335, H. B. 782, an act to protect manufacturers of lumber;

H. B. 147, S. B. 323, an act to incorporate the Bank of Rocky Mount;

H. B. 665, S. B. 578, an act for the protection of oysters in the waters of Carteret County;

H. B. 369, S. B. 411, an act to amend the charter of the Rough and Ready Fire Company of the city of Newbern.

S. B. 290, H. B. 762, an act to amend chapter 105 of the Laws of 1885;

H. B. 367, S. B. 327, an act to correct the calls of the State grant No. 2443 of Jackson County;

S. B. 428, H. B. 839, an act to ratify, confirm and make valid the action of the Board of Commissioners of Navigation and Pilotage for the Cape Fear River and bars, in relation to a fund for the benefit of the widows and children of deceased pilots of Southport, N. C;

S. B. 246, H. B. 642, an act to empower the county of Mecklenburg to refund its bonded indebtedness;

S. B. 358, H. B. 806, an act to amend chapter 77 of the Laws of 1887;

S. B. 373, H. B. 779, an act for the better drainage of certain lands in Mecklenburg County;

S. B. 427, H. B. 774, an act to repeal chapter 21 of the Laws of 1885, in reference to the killing of deer in the counties of Pender and New Hanover;

S. B. 429, H. B. 733, an act to incorporate the Bank of Leaksville;

H. B. 337, S. B. 404, an act for the drainage of Lick Creek, in Stokes and Forsyth;

S. B. 439, H. B. 728, an act to provide for the taking of depositions in certain cases;

S. B. 315, H. B. 769, an act to amend chapter 180 of the Acts of 1885, in relation to Craven County Superior Court;

S. B. 191, H. B. 731, an act for the relief of Joseph H. Wheeler, of Anson County;

S. B. 149, H. B. 702, an act repealing chapter 126 of the Acts of the General Assembly of 1887;

H. B. 554, S. B. 461, an act to repeal chapter 102 of the Private Laws of 1887, being entitled "An act to amend the charter of the town of Youngsville, in Franklin County";

S. B. 337, H. B. 777, an act to incorporate the town of Edwards' Mill, in Beaufort County;

H. B. 262, S. B. 564, an act to amend chapter 119, Private Laws of 1879, and the amendatory law thereto, being chapter 13, Private Laws of 1885;

H. B. 364, S. B. 384, an act to amend chapter 132, Laws of 1881.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. White, S. B. 663, bill to amend the charter of the town of Archdale, Randolph County. Referred to the Committee on Corporations.

By Mr. Moore, S. B. 664, bill to extend the corporate limits of the town of Madison, in Rockingham County. Referred to the Committee on Corporations.

By Mr. Farthing, S. B. 665, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of Antioch Baptist Church, in the county of Watauga. Referred to the Committee on Propositions and Grievances.

By Mr. Aycock, S. B. 666, bill concerning assignees. Referred to the Committee on Judiciary.

By Mr. Abbott, S. B. 667, bill to give the County Commissioners of Pasquotank County authority to issue bonds to build a jail and levy a special tax. Referred to the Committee on Finance.

By Mr. Reid, S. B. 668, bill to amend section 3308, volume II, of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Kerr, S. B. 669, bill to incorporate the town of Ingold, in Sampson County. Referred to the Committee on Corporations.

By Mr. Shaw, S. B. 670, bill to incorporate the town of Union, in the county of Hertford. Referred to the Committee on Corporations.

By Mr. Reid, S. B. 671, bill to amend section 2234, Vol. II, of *The Code*. Referred to the Committee on Deaf, Dumb and Blind Institutions.

By Mr. Green, S. B. 672, bill to authorize the Commissioners of Craven County to establish a free ferry across-Neuse River, in that county. Referred to the Committee on Propositions and Grievances.

By Mr. Campbell, S. B. 673, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County.

Placed on the Calendar.

By Mr. Emry, S. B. 674, bill to extend the provisions of a law enacted by the General Assembly of 1885. Placed on the Calendar.

#### THE CALENDAR.

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

S. B. 530, bill to amend section 3405 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 573, bill to amend *The Code*, on its third reading. The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 572, bill to amend *The Code*, on its third reading. Mr. Long moved to amend:

"Strike out the word 'county,' in the proviso of section 1, and insert in lieu thereof the word 'public.'"

Adopted.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 673, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 349, S. B. 559, bill to amend chapter 102, Private Laws of 1885, entitled an act to incorporate the town of McFarland, in Anson County, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Farthing, Green, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—38.

The till was ordered enrolled.

S. B. 61, bill to authorize the Commissioners of Watauga County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Holton, Kerr, King, Leeper, Le-Grand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Thomas, Turner of Irdell, Twitty, Warters, White, Williams of Cumberland and Wimberly—41.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 195, bill to incorporate the Milton and Yanceyville Railroad Company, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—41.

The bill was ordered engrossed and sent to the House of

Representatives.

S. B. 435, bill for the relief of W. M. King, late Sheriff of Pitt County, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 532, bill to amend section 2827 of *The Code*, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 574, bill to amend *The Code*, on its second reading. The bill passed its second reading.

S. B. 353, bill to require the general school taxes to be paid into the State Treasury and to be distributed among the several counties of the State, on its second reading.

Pending consideration, the hour for the

## SPECIAL ORDER

arrived, being

S. B. 343, bill to establish The North Carolina Teachers' Training School, and for other purposes, which was taken up on its second reading.

Mr. Blair offered a substitute for the bill.

Mr. Means demanded the previous question and was sustained.

On the adoption of the substitute,

Mr. Blair asked for the ayes and noes, which were ordered, and the substitute was not adopted—ayes 12, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brown, Emry, Farthing, Lusk, Moore, Rice, Robinson, Sills and Smith—12.



Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Brock, Campbell, Copeland, Crawford, Holton, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Payne, Pou, Reid, Shaw, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—29.

On the passage of the bill its second reading,

Mr. Blair asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 30, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Brock, Campbell, Copeland, Crawford, Emry, Holton, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Payne, Pou, Reid, Shaw, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—30.

Those voting in the negative were:

Messrs. Barber, Blair, Briggs, Brown, Farthing, King, Lusk, Moore, Robinson, Sills and Smith—11.

Mr. Barber moved to adjourn. Lost.

Mr. Pou moved the rules be suspended and the bill put upon its third reading; on which,

Mr. Barber asked for the ayes and noes, which were ordered, and the motion to suspend the rules prevailed—ayes 31, noes 10 (two-thirds of the Senators present and voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Brock, Campbell, Copeland, Crawford, Emry, Kerr, Leeper, Le-Grand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Shaw, Sills, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—31.

Those voting in the negative were:

Messrs. Barber, Blair, Briggs, Brown, Farthing, Holton, King, Lusk, Robinson and Smith—10.

Mr. Blair moved to adjourn. Lost. Mr. Turner of Iredell moved to amend:

"Add to section 4: 'but shall not be located in any city or town of over three thousand inhabitants."

Mr. Barber moved to amend:

"Strike out section 1 of the bill; strike out in line 5, of section 2 the words 'male and female,' and insert after the word 'white,' and before the word 'teacher,' in said line, the word 'female'; amend section 4 by adding at the end of said section: 'Provided, that the school shall be located in a county as nearly geographically in the center of the State as possible.'"

Mr. Pou demanded the previous question, and was sustained.

Mr. Blair moved to adjourn. Lost.

On the adoption of the amendment offered byMr. Turner of Iredell, the ayes and noes were ordered, and the amendment was adopted—ayes 23, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Kerr, King, Leeper, Little, Lusk, Moore, Payne, Pou, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White and Wimberly—23.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Crawford, Emry, Holton, LeGrand, Lucas, Means, Reid, Rice, Shaw, Williams of Cumberland and Williams of Pitt—16.

Mr. Barber moved to adjourn, on which he asked the ayes and noes, which were ordered, and the motion prevailed—ayes 24, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Blair, Briggs, Brock, Brown, Crawford, Farthing, Holton, Kerr, King, Leeper, Little, Long, Lusk, Moore, Rice, Robinson, Sills, Smith, Thomas, Warters and Wimberly—24.

Those voting in the negative were:

Messrs. Aycock, Bailey, Bennett, Campbell, Copeland, Emry, LeGrand, Means, Payne, Pou, Reid, Shaw, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—17.

The Senate was declared adjourned until to morrow morning at 10 o'clock.

## THIRTY-SIXTH DAY.

SENATE CHAMBER, February 19, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Payne, H. B. 277, S. B. 407, bill to amend section 1260 of *The Code*, curing certain defects in probate and registration, recommending it do pass;

S. B. 186, bill to allow trustees and mortgagees in real estate conveyances to purchase at their own sale, reporting an amendment thereto, and, as amended, recommending it do pass.

From the Committee on Finance:

By Mr. Payne, S. B. 596, bill to authorize the city of Ral-

eigh to issue bonds for public improvements, and to levy a special tax, recommending it do pass;

S. B. 595, bill for the relief of P. T. Massey, late Treasurer of Johnston County, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 447, bill to incorporate the town of Sylva, in the county of Jackson, and to provide a local government therefor, reporting amendment, and, as amended, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 445, bill to be entitled an act to incorporate the Charlotte Savings Bank;
- S. B. 485, bill to be entitled an act to amend the charter of the town of Morganton;
  - S. B. 572, bill to be entitled an act to amend The Code;
  - S. B. 573, bill to be entitled an act to amend The Code;
- S. B. 530, bill to be entitled an act to amend section 3405 of *The Code*:
- S. B. 435, bill to be entitled an act for the relief of W. M. King, late Sheriff of Pitt County;
- S. B. 532, bill to be entitled an act to amend section 2827 of *The Code*—

Which were sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 744, S. B. 675, bill to prevent the felling of timber in Linville River, in Mitchell County. Referred to the Committee on Propositions and Grievances.

H. B. 741, S. B. 676, bill to change the dividing line between the counties of Ashe and Alleghany. Referred to the Committee on Propositions and Grievances.

H. B. 752, S. B. 677, bill to amend chapter 21, section 2834, of *The Code*, in relation to birds. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 656, S. B. 678, bill to regulate fees of officers in suits of *forma pauperis*. Referred to the Committee on Salaries and Fees.

H. B. 78, S. B. 679, bill to repeal chapter 100, Laws of 1887, regarding divorce. Referred to the Committee on Judiciary.

H. B. 662, S. B. 680, bill to amend the charter of the city of Charlotte. Referred to the Committee on Corporations.

H. B. 618, S. B. 681, bill to incorporate the town of Southport, in Brunswick County. Referred to the Committee on Propositions and Grievances.

H. B. 305, S. B. 682, bill to promote the cultivation of shell-fish in Onslow County, and to repeal chapter 90, Laws of 1887. Referred to the Committee on Fish and Fisheries.

H. B. 597, S. B. 683, bill to incorporate the Bank of Goldsboro. Referred to the Committee on Banks and Currency.

H. B. 475, S. B. 684, bill for the relief of certain citizens in Beaufort County. Referred to the Committee on Propositions and Grievances.

H. B. 368, S. B. 685, bill to incorporate the town of Franklin, in Macon County. Referred to the Committee on Corporations.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Long, S. B. 686, bill to amend chapter 215, Laws of 1887, in relation to local option. Referred to the Committee on Propositions and Grievances.

By Mr. Sills, S. B. 687, bill to repeal chapter 389, Laws of 1883. Referred, with petition, to the Committee on Propositions and Grievances.

By Mr. Briggs, S. B 688, bill to amend sections 1, 2, 3, 4, 5 and 6, chapter 234, Laws of 1881. Placed on the Calendar.

By Mr. Lusk, S. R. 689, resolution in favor of F. Keuster, of Kaleigh. Placed on the Calendar.

By Mr. Payne, S. B. 690, bill to prohibit the sale of liquors by druggists on prescriptions in the town of Lumberton. Placed on the Calendar.

By Mr. Means, S. B. 691, bill for the distribution of certain funds in the hands of the Treasurer of Cabarrus County. Placed on the Calendar.

By Mr. LeGrand, S. B. 692, bill to incorporate the town of Roberdel, in the county of Richmond. Referred to the Committee on Corporations.

S. B. 693, bill to incorporate Our-Home Manufacturing Company, in the county of Richmond. Referred to the Committee on Corporations.

By Mr. Aycock, S. B. 694, bill to amend sections 2206 and 2218 of *The Code*. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Reid, S. B. 695, bill to prohibit the sale of liquors in Pineville, Mecklenburg County. Placed on the Cal-Cendar.

By M. Emry, S. B. 717, bill to amend the charter of the town of Henderson, Vance County. Referred to the Committee on Corporations.

## UNFINISHED BUSINESS.

S. B. 343, bill to establish the North Carolina Teachers' Training School, and for other purposes, was taken up on its third reading, it being the unfinished business of yesterday.

Mr. Blair moved to reconsider the vote by which the demand for the previous question was sustained yesterday. The motion prevailed.

The question recurred upon the adoption of the amendments offered by Mr. Barber.

Mr. Barber asked for a division of the question, and asked the ayes and noes on each of the amendments. Ordered.

The first amendment, to strike out section 1, was lost—ayes 11, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brown, Farthing, Holton, Lusk, Moore, Rice, Robinson and Smith—11.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Brock, Campbell, Copeland, Falkener, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Means, Payne, Reid, Shaw, Sills, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—29.

The second amendment, strike out in line five of section two the words "male and female," and insert after the word "white," and before the word "teacher," in said line, the word "female," was lost—ayes 17, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Briggs, Brown, Crawford, Farthing, Green, King, Little, Moore, Rice, Robinson, Sills, Smith, Turner of Iredell and Williams of Cumberland—17.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Brock, Campbell, Copeland, Falkener, Holton, Kerr, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Payne, Reid, Shaw, Stubbs, Thomas, Twitty, Warters, White, Williams of Pitt and Wimberly—27.

#### SPECIAL ORDER.

The hour for the special order having arrived,

S. B. 565, bill to provide for the regulation of railroad freights and passenger tariffs in this State, was taken up on its second reading.

Mr. Payne moved the bill be postponed until half-past twelve o'clock to day, and be made the special order for that hour.

Mr. Kerr moved the bill be postponed until Tuesday next, 26th inst., and be made the special order for 11 o'clock a.m. of that day.

On the motion to postpone until Tuesday next,

Mr. LeGrand asked for the ayes and noes, which were ordered, and the motion was adopted—ayes 29, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Holton, Kerr, King, Leinbach, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Sills, Stubbs, Thomas, Warters and Wimberly—29.

Those voting in the negative were:

Messrs. Aycock, Bailey, Campbell, Leeper, LeGrand, Little, Payne, Reid, Shaw, Smith, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—15.

Mr. Barber moved to reconsider the vote by which the bill was postponed, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The consideration of

S. B. 343, bill to establish the North Carolina Teachers' Training School, and for other purposes, was resumed.

The question recurred upon the third amendment offered by Mr. Barber, to add at end of section 4: "Provided, that the school shall be located in a county as nearly geopraphically in the center as possible." The amendment was lost—ayes 12, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brown, Emry, Farthing, King, Moore, Robinson, Sills, Smith and Turner of Iredell—12.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Brock, Campbell, Copeland, Crawford, Falkener, Kerr, Leeper, LeGrand, Long, Lucas, Lusk, Means, Payne, Reid, Shaw, Stubbs, Thomas, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—28.

Mr. Campbell moved to reconsider the vote by which the amendment offered by Mr. Turner of Iredell, restricting the location of the school to a town of less than three thousand inhabitants, was adopted yesterday. The motion was adopted.

Question recurred upon the adoption of the amendment. Mr. Barber asked for 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. Aycock, Banks, Barber, Blair, Briggs, Brown, Crawford, Farthing, Green, King, Leeper, Little, Moore, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty and White—20.

Those voting in the negative were:

Messrs. Abbott, Bailey, Bennett, Brock, Campbell, Copeland, Emry, Falkener, Holton, Kerr, LeGrand, Long, Lucas, Lusk, Means, Payne, Reid, Rice, Shaw, Stubbs, Warters, Williams of Pitt and Wimberly—23.

Mr. Blair moved to amend:

"Strike out section 4, and insert in lieu thereof the following: 'Sec. 4. The institution shall be located at the /University, and the teachers who shall be elected by the State Board of Education shall be a part of the faculty of said institution.'"

On which,

Mr. Blair asked the ayes and noes, which were ordered, and the amendment was lost—ayes 7, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brown, Lusk, Moore and Robinson—7.

Those voting in the negative were:

Messrs. Abbott, Aycock, Banks, Bennett, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Holton, Kerr, King, Leeper, LeGrand, Long, Lucas, Means, Payne, Reid, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—33.

Mr. Blair moved to amend:

"Strike out, in section 2, line 4, 'five thousand,' and insert in lieu thereof 'one thousand.'"

The ayes and noes were ordered thereon, and the amendment was lost—ayes 10, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Farthing, King, Lusk, Moore, Robinson, Sills and Turner of Iredell—10.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bennett, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Green, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Payne, Reid, Rice, Shaw, Smith, Stubbs, Thomas, Twitty, Warters, White, Williams of Pitt and Wimberly—29.

On the passage of the bill its third reading,

Mr. Barber asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 28, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bennett, Brock, Campbell, Copeland, Emry, Falkener, Green, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Payne, Reid, Rice, Shaw, Stubbs, Thomas, Twitty, Warters, White, Williams of Pitt and Wimberly—28.

Those voting in the negative were:

Messrs. Barber, Blair, Briggs, Farthing, King, Lusk, Moore, Robinson, Sills, Smith and Turner of Iredell—11.

Mr. Means moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The bill was ordered engrossed and sent to the House of Representatives.

Mr. Kerr asked and obtained consent for the Committee on Insane Asylums to be absent on duties of the committee.

#### UNFINISHED BUSINESS.

S. B. 353, bill to require the general school taxes to be paid into the State Treasury, and to be distributed among the several counties of the State, was taken up on its second reading, it being unfinished business of yesterday.

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

Mr. Stubbs moved to take from the table and place on the Calendar

S. B. 342, bill for the relief of F. H. Cameron, Inspector General of North Carolina. The motion was not adopted.

#### THE CALENDAR.

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

S. B. 690, bill to prohibit the sale of liquors by druggists on prescription in the town of Lumberton, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

S. B. 655, bill concerning the Clerk of the Superior Court of Edgecombe County, on its second reading.

On motion of Mr. Wimberly, the bill was recommitted to the Committee on Propositions and Grievances. By consent,

Mr. Kerr introduced the following, to be Senate Rule No. 43:

Senate Rule 43—No Senator shall be permitted to explain his vote unless he gives previous notice, and then he shall be confined to two minutes to make his explanation.

The rule was adopted.

#### THE CALENDAR

was resumed.

S. B. 674, bill to extend the provisions of the law enacted by the General Assembly of 1885, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 193, S. B. 606, bill to allow the town of Elizabeth City to issue bonds, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—35.

H. B. 417, S. B. 403, bill to incorporate the town of Walnut Cove, in the county of Stokes, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Thomas,

Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—34.

H. B. 624, S. B. 576, bill to provide for refunding the bonded debt of Charlotte maturing in 1890, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Falkener, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White and Wimberly—34.

S. B. 691, bill for the distribution of certain funds in the hands of the Treasurer of Cabarrus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 469, S. B. 557, bill in regard to a special tax for Sharon Township, in Mecklenburg County, on its second reading.

The bill passed its second reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—35.

H. B. 442, S. B. 540, bill to amend the charter of the town of Morganton, allowing Commissioners to issue bonds. etc., on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—34.

H. B. 320, S. B. 493, bill to incorporte the town of Spring Hope, in the county of Nash, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—40.

H. B. 470, S. B. 492, bill to incorporate the town of Jason, in Greene County, on its second reading.

The bill passed its second reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—37.

H. B. 206, S. B. 491, bill to amend chapter 15, volume II, of *The Code*, in relation to swamp lands, on its second reading.

On motion of Mr. Lucas, the bill was referred to the Committee on Judiciary and ordered printed.

H. B. 476, S. B. 488, bill to amend the charter of the town of Marshall, in Madison County, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White Williams of Pitt and Wimberly—39.

S. B. 654, bill to regulate local option laws in this State, on its second reading.

On motion of Mr. Payne, the bill was recommitted to the Committee on Propositions and Grievances.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 751, S. B. 676, bill to amend the charter of the town of Salisbury. Referred to the Committee on Corporations.

H. B. 631, S. B. 697, bill to change the time of holding the Superior Court of Moore County. Referred to the Committee on Judiciary.

H. B. 791, S. B. 698, bill to amend chapter 212, Laws of 1885, relative to making the Yadkin and Pee Dee rivers public highways. Referred to the Committee on Judiciary.

H. B. 748, S. B. 699, bill to amend sections 1273 and 1274 of *The Code*, relative to mortgages and deeds of trust. Referred to the Committee on Judiciary.

H. B. 306, S. B. 700, bill to change the punishment of fornication and adultery in certain cases, and to amend section 1041 of *The Code*. Referred to the Committee on Judiciary.

H. B. 616, S. B. 701, bill relative to working the roads in the counties of Clay and Graham. Referred to the Committee on Roads.

H. B. 359, S. B. 702, bill to amend section 732 of *The Code*, as to collection of jury tax in certain cases. Referred to the Committee on Judiciary.

H. B. 598, S. B. 703, bill to survey lands in Cherokee County. Referred to the Committee on Propositions and Grievances.

H. B. 587, S. B. 704, bill to amend chapter 63, Laws of 1885, in regard to the Criminal Court of Mecklenburg County. Referred to the Committee on Judiciary.

H. B. 192, S. B. 705, bill to repeal chapter 247, Laws of 1887, relating to the Superior Courts of Pitt County. Referred to the Committee on Judiciary.

H. B. 590, S. B. 706, bill to work the public roads in Mitchell county by taxation. Referred to the Committee on Roads.

H. B. 210, S. B. 707, bill to amend chapter 73, Laws of 1887, in relation to constructing public roads. Referred to the Committee on Roads.

H. B. 648, S. B. 708, bill to regulate the sale of seed cotton in Bertie County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 749, S. B. 709, bill to amend the charter of the town of Durham. Referred to Committee on Corporations.

H. B. 540, S. B. 710, bill to better secure the recapture of escaped convicts, and to protect the people. Referred to Committee on Judiciary.

H. B. 666, S. B. 711, bill in regard to railroad tax in Onslow County. Referred to Committee on Judiciary.

H. B. 448, S. B. 712, bill to extend time to Sheriffs of Alexander, Henderson and Macon counties for settling with the State Treasurer. Referred to Committee on Finance.

H. B. 739, S. B. 713, bill to prevent the felling of timber in Swift Creek, in Pitt County. Referred to Committee on Propositions and Grievances.

H. B. 270, S. B. 714, bill to cure the defective registration of deeds. Referred to Committee on Judiciary.

H. B. 742, S. B. 715, bill to authorize the Commissioners of Tyrrell County to fund the debt of the county, and to levy a special tax to pay the same. Referred to Committee on Finance.

H. B. 175, S. B. 716, bill to amend the charter of the Caldwell and Watauga Turnpike Company, and acts amendatory thereto. Referred to Committee on Corporations.

The President announced as additional members of the Committee on Corporations,

Messrs. LeGrand and Brown.

Committee on Propositions and Grievances,

Messrs. Twitty and Stubbs.

On motion of Mr. King, the Senate adjourned until to-morrow morning at 10 o'clock.

# THIRTY-SEVENTH DAY.

SENATE CHAMBER, February 20, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Carter, of the city. The Journal of yesterday was approved.

Leave of absence was granted to Mr. Williams of Pitt for four days; indefinitely to Mr. Turner of Iredell.

#### PETITIONS.

Petitions were presented and disposed of as follows: By Mr. King, petition of citizens of Saratoga Township, Wilson County, asking the appointment of J. L. Gay, B. A. Howard, W. H. Owens and J. T. Burruss Justices of the Peace. Referred to the Committee on Election of Justices of the Peace.

By Mr. Payne, petition of citizens of Maxton, N. C., opposing the extension of the corporate limits of said town. Referred to the Committee on Corporations.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Barber, S. B. 585, bill to amend section 3752 of The Code, recommending it do not pass.

By Mr. Kerr, H. B. 332, S. B. 349, bill to abolish the Inferior Court of Swain County, recommending it do not pass;

H. B. 352, S. B. 471, bill to amend section 2845 of *The Code*, so as to give Vance County the right to elect its Representative, recommending it do pass.

From the Committee on Finance:

By Mr. Moore, S. B 667, bill to give the County Commissioners of Pasquotank County authority to issue bonds to build a jail and levy a special tax, recommending it do pass.

By Mr. Leeper, H. B. 745, S. B. 641, bill to pay a certain school claim in Swain County, recommending it do pass;

H. B. 614, S. B. 575, bill to authorize the Commissioners and Magistrates of Greene County to levy a special tax for 1889 and 1890, recommending it do pass.

By Mr. Reid, H. B. 132, S. B. 640, bill to compel butchers to keep registration, recommending it do pass.

By Mr. Payne, H. B. 742, S. B. 715, bill to authorize the Commissioners of Tyrrell County to fund the debt of the county and levy a special tax to pay the same, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Leinbach, H. B. 707, S. B. 612, bill to repeal chap-

ter 223, Laws of 1887, to take Warren out of the list of tobacco counties in the revenue law, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Aycock, H. B. 597, S. B. 683, bill to incorporate the Bank of Goldsboro, recommending it do pass.

From the Committee on Military Affairs:

By Mr. Green, S. B. 600, bill to equalize the appropriations allowed the State Guard among the several companies, recommending it do pass.

From the Committee on Education:

By Mr. Sills, S. B. 507, bill to amend chapter 57, Private Laws of 1883, entitled an act for the promotion of female education, recommending it do pass;

H. B. 633, S. B. 617, bill to incorporate the Farmers' Co-operative School of North Carolina, recommending it do pass.

By Mr. Leinbach, H. B. 693, S. B. 646, bill to authorize and empower the trustees of Oak Forest school-house and site, in Randolph County, to sell the same and make title thereto, recommending it do pass;

H. B. 684, S. B. 648, bill for the relief of W. P. White, of Alamance County, recommending it do pass;

H. B. 474, S. B. 643, bill for the protection of schools and colleges, recommending it do pass;

H. B. 479, S. B. 602, bill to incorporate Long Creek High School, in Pender County, recommending it do pass;

H. B. 710, S. B. 623, bill to authorize the State Board of Education to sell to Anson M. Swindell certain lands on which he lives, recommending it do pass;

H. B. 518, S. B. 647, bill to abolish the State normal schools, and apply the proceeds set apart for that purpose to hold county institutes, recommending it do not pass.

From the Committee on Corporations:

By Mr. Thomas, S. B. 538, bill to incorporate the Confederate Veterans' Association of North Carolina, recommending it do pass.

By Mr. Brown, S. B. 639, bill to amend the charter of the town of Stoneville, in Rockingham County, recommending it do pass.

By Mr. Barber, S. B. 651, bill to incorporate the Leaksville Waterpower Company, recommending it do pass.

By Mr. Aycock, S. B. 359, bill to incorporate the Original Freewill Baptist Conference of the State of North Carolina, recommending it do pass.

By Mr. LeGrand, S. B. 692, bill to incorporate the town of Roberdell, in the county of Richmond, reporting an amendment, and, as amended, recommending it do pass;

S. B 693, bill to incorporate Our Home Manufacturing Company, in the county of Richmond, recommending it do pass;

S. B. 501, bill to incorporate the Southport Steamboat Company, recommending it do pass.

By Mr. Lucas, H. B. 493, S. B. 542, bill to create Holly Springs Township, in Wake County, recommending it do pass.

By Mr. Barber, S. B. 669, bill to incorporate the town of Ingold, in Sampson County, recommending it do pass.

From the Committee on Pensions:

By Mr. Lucas, H. B. 420, S. B. 351, bill for the relief of D. H. West, a disabled ex-Confederate soldier of Cumberland County, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 61, bill to be entitled an act to authorize the Commissioners of Watauga County to issue bonds and to levy a special tax;

S. B. 195, bill to be entitled an act to incorporate the Milton and Yanceyville Railroad Company;

S. B. 691, bill to be entitled an act for the distribution of certain funds in the hands of the Treasurer of Cabarrus County;

S. B. 343, bill to be entitled an act to establish "The North Carolina Teachers' Training School," and for other purposes—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills, which were duly ratified and sent to the office of Secretary of State:

H. B. 272, S. B. 298, an act to incorporate the Davis and Wiley Bank, in the town of Salisbury, N. C.;

H. B. 349, S. B. 559, an act to amend chapter 102, Private Acts of 1885, entitled "An act to incorporate the town of McFarland, in Anson County";

S. B. 432, H. B. 807, an act to extend for a period of thirty years an act incorporating the North State Copper and Gold Mining Company, ratified 26th day of January, 1859;

H. B. 713, S. B. 603, an act authorizing the Board of Councilmen of Greenville to make an appropriation for building a road or highway near said town;

H. B. 494, S. B. 481, an act to amend chapter 85 of the Private Acts of 1885, amending the charter of the town of Greenville, in Pitt County.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Pou, S. B. 718, bill to improve the turnpike roads of Johnston County. Referred to the Committee on Internal Improvements.

By Mr. Pou, S. B. 719, bill to amend the charter of the town of Clayton. Referred to the Committee on Corporations.

By Mr. Bennett, S. B. 720, bill to amend section 15, chapter 97, Private Laws of 1873 and 1874. Referred to the Committee on Corporations.

By Mr. Green, S. B. 721, bill to repeal chapter 211, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. Falkener (by request), S. B. 722, bill to incorporate the Methodist Protestant Church Bethany (white), Warren County, Vaughan, N. C. Referred to the Committee on Corporations.

By Mr. Sills, S. B. 723, bill to prohibit the sale of intoxicating liquors in certain localities in Nash County. Referred to the Committee on Propositions and Grievances.

By Mr. Lucas, S. B. 724, bill for the relief of Dempsey Spruill, late Sheriff of Washington County, N. C. Referred to the Committee on Judiciary.

By Mr. Holton, S. B. 725, bill to repeal chapter 320, Laws of 1883. Referred to the Committee on Propositions and Grievances.

By Mr. Payne, S. B. 726, bill to amend chapter 16 of *The Code*, in relation to elections. Referred to the Committee on Judiciary.

By Mr. LeGrand, S. B. 733, bill to amend the charter of the town of Rockingham, in Richmond County. Placed on the Calendar.

By Mr. Brown, S. B. 734, bill to incorporate the town of Stems, in Granville County. Referred to the Committee on Corporations.

By Mr. Briggs, S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes. Referred to the Committee on Finance.

By Mr. Campbell, S. B. 736, bill to change the line between Chadbourn and Williams townships, in Columbus County. Placed on the Calendar.

By Mr. Long, S. B. 737, bill to amend the charter of the Atlantic and Western Railway Company. Referred to the Committee on Internal Improvements.

By Mr. Stubbs, S. B. 738, bill relative to the Clerks of the Superior Court of Beaufort and Martin counties. Referred to the Committee on Judiciary.

By Mr. Means, S. B. 739, bill to amend the Constitution and to provide for the election as to said amendments. Referred to the Committee on Judiciary.

By Mr. Payne, S. B. 740, bill to amend chapter 25 of the Laws of the year 1887, of the Private Laws of North Carolina. Referred to the Committee on Corporations.

### THE CALENDAR.

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

H. B. 193, S. B. 606, bill to allow the town of Elizabeth City to issue bonds, on its third reading.

The bill passed its third reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means; Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—38.

The bill was ordered enrolled.

H. B. 417, S. B. 403, bill to incorporate the town of Walnut Cove, in the county of Stokes, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou,

Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters and White—37.

The bill was ordered enrolled.

H. B. 624, S. B. 576, bill to provide for refunding the bonded debt of Charlotte maturing in 1890, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters and White—38.

The bill was ordered enrolled.

H. B. 469, S. B 557, bill in regard to special tax for Sharon Township, in Mecklenburg County, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters and White—37.

The bill was ordered enrolled.

H. B 452, S. B. 540, bill to amend the charter of the town of Morganton, allowing the Commissioners to issue bonds, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green,

Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Turner of Iredell, Twitty, Warters and White—37.

The bill was ordered enrolled.

H. B. 320, S. B. 493, bill to incorporate the town of Spring Hope, in the county of Nash, on its third reading.

The bill passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Smith, Stubbs, Turner of Iredell, Twitty, Warters and White—39.

The bill was ordered enrolled.

H. B. 470, S. B. 492, bill to incorporate the town of Jason, in Greene County, on its third reading.

The bill passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters and White—41.

The bill was ordered enrolled.

H. B. 476, S. B. 488, bill to amend the charter of the town of Marshall, in Madison County, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock,

Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—41.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

S. B. 600, bill to equalize the appropriation allowed the State Guard among the several companies, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 595, bill for the relief of P. T. Massey, late Treasurer of Johnston County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 509, bill to authorize the Commissioners and Justices of the Peace of Macon County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White and Wimberly—39.

S. B. 537, bill to authorize the Commissioners of Hyde County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener,

Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Turner of Iredell, Twitty, Warters, White and Wimberly—42.

S. B. 695, bill to prohibit the sale of liquor in Pineville, Mecklenburg County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 652, S. B. 727, bill to prevent the spread of disease among hogs. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 655, S. B. 728, bill to abolish the June Term of Hertford County Superior Court. Referred to the Committee on Judiciary.

H. B. 683, S. B. 729, bill for the relief of the administrator of John W. Buchanan, deceased, late Sheriff of Mitchell County. Referred to the Committee on Judiciary.

H. B. 228, S. B. 730, bill to improve the Edenton Academy. Referred to the Committee on Education.

\* H. B. 423, S. B. 731, bill to validate certain State grants in the counties of Haywood, Jackson and Swain. Referred to the Committee on Judiciary.

H. B. 545, S. B. 732, bill in relation to working convicts on the Cape Fear and Yadkin Valley Railroad. Referred to the Committee on Penal Institutions.

Also a message transmitting a communication from his Excellency the Governor, with the report of the State Treasurer, concerning State banks, etc., proposing the same be printed.

The proposition to print was concurred in.

#### THE CALENDAR

was resumed.

S. B. 566, bill to amend the charter of the Alleghany Mining and Improvement Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 201, S. B. 562, bill to abolish the May Term of the Superior Court of Pender County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 586, bill to empower the Commissioners of Onslow County to use the surplus of special tax levied to build a jail, to build bridges, and for other county purposes, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 587, bill to extend the corporate limits of the town of Milton, on its second reading.

The bill passed its second reading--ayes 37, noes --, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Turner of Iredell, Twitty, Warters, White and Wimberly—37.

S. B. 447, bill to incorporate the town of Sylva, in the county of Jackson, and provide a local government therefor, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Rice, Robinson, Shaw, Sills, Smith, Stubbs, Turner of Iredell, Twitty, Warters, White and Wimberly—36.

H. B. 597, S. B. 683, bill to incorporate the Bank of Goldsboro, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B 579, bill to incorporate the Bethlehem Burial and Benevolent Society of Martin County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 598, bill to incorporate the town of Tillery, Halifax County, N. C., on its second reading.

The bill passed\_its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Twitty, Warters, White and Wimberly—38.

S. B. 567, bill for the exemption of telegraph operators, regularly employed, from serving as jurors, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 493, S. B. 542, bill to create Holly Springs Township, in Wake County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 228, bill to amend section 2724 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 360, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, on its second reading.

Mr. Campbell moved to amend:

"Insert a provision for the further amendment of the same section by striking out the words 'general and uniform,' in line three of said section."

Mr. Turner of Iredell moved the bill be postponed until Monday next, 25th inst., and made the special order for 4 o'clock p. m. of that day. The motion prevailed.

S. B. 736, bill to change the line between Chadbourn and Williams townships, in Columbus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 659, bill to incorporate the Women's Home Mission Society, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

On motion of Mr. Shaw, the Senate went into Committee of the Whole for the consideration of

H. B. 318, S. B. 506, bill to amend the public school law, Mr. Pou in the chair.

The committee having risen,

Mr. Pou reported the Senate, in Committee of the Whole, had had under consideration bill to amend the public school law, and had adopted certain amendments thereto, and, thus amended, recommended the passage of the bill.

On motion of Mr. Pou, the further consideration of the bill was postponed until Saturday next, 23d inst., made the special order for that day, and the amendments reported by the Committee of the Whole were ordered engrossed.

#### THE CALENDAR

was resumed.

S. B. 637, bill to prevent the selling of liquors near New Hope and Antioch churches, in Johnston County, and Henrietta Church, in Rutherford County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 414, resolution in favor of F. A. Watson, on its second reading.

The resolution passed its second and third readings, was sent to the House of Representatives without engrossment.

S. B. 669, bill to incorporate the town of Ingold, in Sampson County, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Robinson, Shaw, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—35.

S. B. 635, bill to amend chapter 2, Laws of 1880, incorporating the town of Randleman, in Randolph County, on its second reading.

The bill passed its second reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Barber, Bennett, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Thomas, Twitty, Warters and White—33.

S. B. 186, bill to allow trustees and mortgagees in real estate conveyances to purchase at their own sale, on its second reading.

Mr. Means demanded the previous question, and was sustained.

The amendment reported by the Committee on Judiciary was not adopted.

On the passage of the bill its second reading,

Mr. Williams of Pitt asked for the ayes and noes, which were ordered, and the bill failed to pass its second reading—ayes—, noes 40, as follows:

Those voting in the affirmative-none.

Those voting in the negative were:

Messrs. Abbott, Aycock, Barber, Bennett, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Shaw, Sills, Smith, Thomas, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—40.

Mr. Means announced he voted in the negative for the purpose of moving for a reconsideration.

Mr. Emry moved the Senate adjourn until Friday morning at 10 o'clock. Adopted.

# THIRTY-EIGHTH DAY.

. SENATE CHAMBER, February 22, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of Thursday was approved.

Mr. Campbell was announced absent to-day on account of sickness.

Leave of absence was granted Lieutenant-Governor Holt, Messrs. Briggs and Copeland, until Monday next.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Turner of Iredell, petition of citizens of Iredell County, asking for the incorporation of Bethlehem Church. Referred to the Committee on Propositions and Grievances.

By Mr. Leeper, petition from distillers at Gastonia, in regard to license to sell liquor at place of manufacture. Referred to the Committee on Finance.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Kerr, H. B. 498, S. B. 529, bill to amend section 1050 of *The Code*, in relation to gambling, recommending it do pass;

H. B. 670, S. B. 619, bill for the relief of David W. Patrick, Clerk of the Superior Court of Greene County, recommending it do pass;

H. B. 540, S. B. 710, bill to better secure the recapture of escaped convicts, and to protect the people, recommending it do pass;

H. B. 587, S. B. 704, bill to amend chapter 63, Laws of 1885, in regard to Criminal Court of Mecklenburg County, recommending it do pass;

S. R. 425, resolution to pay balance of judgment due M. A. Bledsoe, recommending it do not pass;

S. B. 451, bill for the relief of the people of Rocky Point Township, Pender County, from the stock law, recommending it do not pass.

By Mr. LeGrand, H. B. 683, S. B. 729, bill for the relief of the administrator of John W. Buchanan, deceased, late Sheriff of Mitchell County, recommending it do not pass;

H. B. 270, S. B. 714, bill to cure the defection of the registration of deeds, recommending it do not pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 751, S. B. 696, bill to amend the charter of the town of Salisbury, recommending it do pass;

H. B. 98, S. B. 609, bill to incorporate the West Asheville Toll Bridge Company, recommending it do pass;

H. B. 662, S. B. 680, bill to amend the charter of the city of Charlottee, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Robinson, S. B. 668, bill to amend section 3308, volume II, of *The Code*, recommending it do not pass;

H. B. 667, S. B. 618, bill to prevent the obstruction of Nine Mile Creek, in Duplin and Onslow counties, recommending it do not pass;

S. B. 638, bill for the relief of S. H. Taylor, late Sheriff of Surry County, recommending it do not pass.

By Mr. Turner of Iredell, S. B. 631, bill for the better accommodation of the traveling public at railway eating houses, recommending it do not pass;

S. B. 686, bill to amend chapter 215, Laws of 1887, in relation to local option, recommending it do pass;

S. B. 453, bill to authorize the removal of the county seat of Gaston County from the town of Dallas to the town of Gastonia, recommending it do not pass.

By Mr. Long, H. B. 475, S. B. 684, bill for the relief of certain citizens in Beaufort County, recommending it do pass;

H. B. 744, S. B. 675, bill to prevent the felling of timber in Linville River, Mitchell County, recommending it do not pass.

By Mr. Twitty, H. B. 737, S. B. 713, bill to prevent the felling of timber in Swift Creek, recommending it do not pass.

By Mr. Thomas, S. B. 672, bill to authorize the Commissioners of Craven County to establish a free ferry across Neuse River, in the county of Craven, recommenning it dopass.

By Mr. Hampton, S. B. 687, bill to repeal chapter 389, Laws of 1883, recommending it do pass.

From the Committee on Penal Institutions:

By Mr. Emry, H. B. 545, S. B. 732, bill in relation to working convicts on the Cape Fear and Yadkin Valley Railroad, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Long, S. B. 737, bill to amend the charter of the Atlantic and Western Railway Company, recommending it do pass.

From the Committee on Salaries and Fees:

By Mr. Lusk, H. B. 656, S. B. 678, bill to regulate fees of officers in suits in forma pauperis, recommending it do pass.

By Mr. Leeper, S. B. 499, bill to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 210, S. B. 707, bill to amend chapter 73, Laws of 1887, in relation to constructing public roads, reporting an amendment, and, as amended, recommending it do pass;

H. B. 616, S. B. 701, bill in relation to working the roads in the counties of Clay and Graham, recommending it do pass;

S. B. 62, bill to amend the road law of the State, reporting a substitute, and recommending the substitute do pass;

S. B. 629, bill to amend section 2020 of *The Code*, recommending it do not pass;

H. B. 195, S. B. 281, bill relating to public highways in Stokes County, recommending it do pass;

H. B. 110, S. B. 258, bill in relation to the public roads in Robeson County, recommending it do not pass.

By Mr. Hughes, H. B. 590, S. B. 706, bill to work the public roads in Mitchell County by taxation, recommending it do pass.

From the Committee on Finance:

H. B. 591, S. B. 649, bill to authorize the town of Shelby to issue bonds, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Thomas, H. B. 598, S. B. 703, bill to survey lands in Cherokee County, recommending it do not pass.

The Committee on Engrossed Bills reported as properly engrossed:

- S. B. 228, bill to be entitled an act to amend section 2724 of *The Code*;
- S. B. 566, bill to be entitled an act to amend the charter of the Alleghany Mining and Improvement Company;
- S. B. 567, bill to be entitled an act for the exemption of telegraph operators, regularly employed, from serving as jurors;
- S. B. 579, bill to be entitled an act to incorporate the "Bethlehem Burial and Benevolent Society," of Martin County;
- S. B. 586, bill to be entitled an act to empower the County Commissioners of Onslow County to use the surplus of special tax, levied to build a jail, to build bridges and for other county purposes;
- S. B. 595, bill to be entitled an act for the relief of P. T. Massey, late Treasurer of Johnston County;
- S. B. 600, bill to be entitled an act to equalize the appropriations allowed the State Guard among the several companies;
- S. B. 637, bill to be entitled an act to prevent the selling of liquor near New Hope and Antioch churches, in Johnston County, and Henrietta Church, in Rutherford County;
- S. B. 659, bill to be entitled an act to incorporate the Women's Home Mission Society;
- S. B. 695, bill to be entitled an act to prohibit the sale of liquor in Pineville, Mecklenburg County;
  - S. B. 736, bill to be entitled an act to change the line be-

tween Chadbourn and Williams townships, in Columbus County;

Senate amendments to

H. B. 476, S. B. 488, bill to be entitled an act to amend the charter of the town of Marshall, in Madison County— Which were sent to the House of Representatives.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. White (for Committee on Governor's Mansion), S. B. 741, bill to complete the Governor's Mansion. The bill, with accompanying report thereon, was placed on the Calendar, and ordered printed.

By Mr. Farthing, S. B. 742, bill to prohibit the manufacture and sale of intoxicating liquors within two miles of Thomas' School House and "Thomas' Chapel" (M. E. Church, South), situated in Watauga County. Referred to the Committee on Propositions and Grievances;

S. B. 743, bill to prohibit the mannfacture and sale of intoxicating liquors within two miles of Southerland's Seminary and Chapel, in Ashe County. Referred to the Committee on Propositions and Grievances.

By Mr. Lusk, S. B. 744, bill to provide for the election of County Commissioners, Justices of the Peace and County Superintendent of Public Instruction for Buncombe County. Referred to the Committee on Judiciary.

By Mr. Leeper, S. B. 745, bill to amend chapter 52 of the Laws of 1876 and 1877, being an act to incorporate the town of Gastonia, in Gaston County. Referred to the Committee on Corporations.

By Mr. Payne, S. B. 746, bill to amend chapter 33, volume II, of *The Code*. Referred to the Committee on Judiciary;

S. B. 747, bill to change the time of holding the Superior Court of Robeson County. Referred to the Committee on Judiciary.

By Mr. Kerr, S. B. 748, bill for the relief of the State Treasurer. Referred to the Committee on Finance;

S. B. 749, bill to incorporate the North Carolina Land, Lumber and Railroad Company. Referred to the Committee on Corporations;

S. B. 750, bill to protect fish in the waters of the Cape Fear River. Referred to the Committee on Fish and Fisheries;

S. B. 751, bill to incorporate the Clinton Cemetery Company, Sampson County. Referred to the Committee on Corporations;

S. B. 752, bill to amend the charter of the town of Clinton, in Sampson County. Referred to the Committee on Corporations.

By Mr. Long, S. B. 753, bill to incorporate the Winstead Manufacturing Company. Referred to the Committee on Corporations.

By Mr. Rice, S. B. 754, bill to incorporate the North Carolina Society for the Prevention of Cruelty to Animals. Referred to the Committee on Propositions and Grievances.

By Mr. Leinbach, S. B. 755, bill to amend the charter of the town of Salem. Referred to the Committee on Corporations.

By Mr. Holton, S. B. 756, bill to supplement the public school in District No. 4, in Guilford County, with a special tax. Referred to the Committee on Education.

By Mr. Long, S. B. 785, bill to empower the County Commissioners of Person County to sell land of the county in the town of Roxboro. Referred to the Committee on Propositions and Grievances.

By Mr. Stubbs, S. B. 786, bill relative to the Superior Court of Martin County. Placed on the Calendar.

By Mr. Blair, S. B. 787, bill to repeal chapter 113, Laws of 1887, being an act to establish a Bureau of Labor Statistics. Referred to the Committee on Propositions and Grievances.

By Mr. Payne (by request), S. B. 788, bill to amend sections 604 and 605 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Kerr, S. B. 789, bill to review and re-mark the boundary lines between this State and the States of Virginia, Tennessee, South Carolina and Georgia. Referred to the Committee on Finance.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 804, S. B. 756, bill to alter the charter of the Polk County Railroad Company. Referred to the Committee on Internal Improvements.

H. B. 835, S. B. 758, bill authorizing the erection of gates across a public road in Hyde County. Referred to the Committee on Propositions and Grievances.

H. B. 826, S. B. 759, bill to modify section 1079 of *The Code*, in reference to selling liquors within two miles of political public speakings. Referred to the Committee on Judiciary.

H. B. 824, S. B. 760, bill to amend chapter 291 of the Laws of 1887, in relation to a road in Jackson and Macon counties. Referred to the Committee on Roads.

H. B. 851, S. B. 761, bill to establish a new township in Jackson County, by the name of Dillsboro. Referred to the Committee on Propositions and Grievances.

H. B. 843, S. B. 762, bill concerning county prisoners. Referred to the Committee on Judiciary.

H. B. 853, S. B. 763, bill to be entitled an act to authorize the Commissioners of Catawba County to use stock-law fence. Referred to the Committee on Propositions and Grievances.

H. R. 1013, S. R. 764, resolution to appoint additional

members on the Joint Committee to elect Trustees of the University. Placed on the Calendar.

H. B. 850, S. B. 765, bill authorizing the Enterprise Lumber Company to construct tramway or railway. Referred to the Committee on Internal Improvements.

H. B. 9, S. B. 766, bill relating to roads and highways in Granville County. Referred to the Committee on Roads.

H. B. 815, S. B. 767, bill to amend section 3522 of *The Code*, relating to pilot law at Hatteras Inlet. Referred to the Committee on Judiciary.

H. B. 790, S. B. 768, bill to amend chapter 265, Laws of 1887, relative to the Kilkenny road law in Tyrrell County. Referred to the Committee on Roads.

H. B. 581, S. B. 769, bill to authorize, levy and collect an additional tax for the support of the graded schools in Raleigh Township, in the county of Wake. Referred to the Committee on Education.

H. B. 845, S. B. 770, bill to incorporate the Mount Pleasant Baptist Chapel Church, in Ashe County. Referred to the Committee on Propositions and Grievances.

H. B. 857, S. B. 771, bill for the relief of J. G. Hughes, late Treasurer, and his sureties, of Camden County. Referred to the Committee on Finance.

H. B. 820, S. B. 772, bill to amend section 4, chapter 138, Laws of 1874-'75, relating to the charter of the city of Charlotte. Referred to the Committee on Corporations.

H. B. 813, S. B. 773, bill to change the line of Winston and Broadway townships, in Forsyth County. Referred to the Committee on Propositions and Grievances.

H. B. 740, S. B. 774, bill to prohibit non-residents from dredging oysters in this State. Referred to the Committee on Fish and Fisheries.

H. B. 792, S. B. 775, bill to abolish the June Term of the Superior Court of Richmond County. Referred to the Committee on Judiciary.

H. B. 814, S. B. 776, bill to prevent the felling of timber, or putting other obstruction in Long and Cypress creeks,

in Pender County. Referred to the Committee on Propositions and Grievances.

H. B. 526, S. B. 777, bill to protect fish in Elk River and its tributaries, in Mitchell County. Referred to the Committee on Fish and Fisheries.

H. B. 802, S. B. 778, bill to repeal chapter 15, Laws of 1885, relating to the drainage of streams in Forsyth County. Referred to the Committee on Propositions and Grievances.

H. B. 854, S. B. 779, bill to make Shooting Creek, in Clay County, a lawful fence. Referred to the Committee on Propositions and Grievances.

H. B. 636, S. B. 780, bill to incorporate the town of Cumberland, in Cumberland County. Referred to the Committee on Corporations.

H. B. 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth. Referred to the Committee on Propositions and Grievances.

H. B. 796, S. B. 782, bill to permit the incorporation of fire companies without payment of a tax. Referred to the Committee on Corporations.

H. B. 800, S. B. 783, bill to authorize the Commissioners of Hyde County to levy a special tax. Referred to the Committee on Finance.

H. B. 811, S. B. 784, bill for the regulation of railroad freight and passenger tariffs in this State. Referred to the Committee on Railroad Commission.

H. B. 816, S. B. 790, bill for the relief of Ashley T. Hill, of Lenoir County. Referred to the Judiciary Committee.

#### THE CALENDAR.

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

S. B. 635, bill to amend chapter 2, Laws of 1880, incorporating the town of Randleman, in Randolph County, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—35.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 598, bill to incorporate the town of Tillery, in Halifax County, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Brock, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 587, bill to extend the corporate limits of the town of Milton, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—35.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 447, bill fo incorporate the town of Sylva, in the county of Jackson, and provide a local government therefor, on its third reading.

The bill passed its third reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—34.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 509, bill to authorize the Commissioners and Justices of the Peace of Macon County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:
Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Shaw, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—38.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 537, bill to authorize the Commissioners of Hyde County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 31, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Falkener, Farthing, Hampton, Holton,

Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Moore, Payne, Pou, Reid, Rice, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—31.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 534, bill to amend section 2228 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 415, bill to amend sections 713, 714 and 752 of *The Code*, in regard to publishing annual statements, on its second reading.

Mr. Payne moved to amend:

"Add: 'That the provisions of this bill shall apply only to the county of Gaston.'"

Adopted.

Mr. Thomas moved to amend:

"Add the county of Davidson."

Adopted.

Mr. Hampton moved to amend:

"Add: 'Yadkin and Surry.'"

Adopted.

Mr. Leinbach moved to amend:

"Add Forsyth."

Adopted.

The bill passed its second reading.

S. B. 669, bill to incorporate the town of Ingold, in Sampson County, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Moore, Pou, Rice, Robinson, Sills, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

The bill was sent to the House of Representatives without engrossment.

S. B. 507, bill to amend chapter 57, Private Laws of 1883, entitled an act for the promotion of female education, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. R. 689, resolution in favor of F. Keuster, of Raleigh, on its second reading.

The resolution passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 733, bill to amend the charter of the town of Rockingham, in Richmond County, on its second, reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 430, bill to amend *The Code*, in relation to pharmacy, on its second reading.

The amendment reported by the Committe on Judiciary was adopted.

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

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

H. B. 662, S. B. 680, bill to amend the charter of the city of Charlotte, on its second reading.

On motion of Mr. Reid, the bill was referred to the Committee on Judiciary.

S. B. 501, bill to incorporate the Southport Steamboat Company, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 536, bill to amend chapter 82, Private Laws of 1885, and chapter 165, Laws of 1860-'61, on its second reading.

The bill passed its second reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Crawford, Emry, Farthing, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Lusk, Moore, Payne, Reid, Rice, Robinson, Shaw, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—32.

S. B. 499, bill to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office, on its second reading.

The bill passed its second reading.

S. B. 651, bill to incorporate the Leaksville Water-power Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 692, bill to incorporate the town of Roberdel, in the county of Richmond, ou its second reading.

The amendment reported by the Committee on Corporations was not adopted.

The bill passed its second reading—ayes 28, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Bennett, Brock, Brown, Crawford, Emry, Farthing, Holton, Hughes, Leeper, LeGrand, Lein-

bach, Little, Long, Lusk, Moore, Payne, Reid, Rice, Shaw, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—28.

Those voting in the negative were:

Messrs. Barber and Robinson-2.

S. B. 693, bill to incorporate Our Home Manufacturing Company, in the county of Richmond, on its second reading.

The bill passed its second reading—ayes 32, noes —, as

follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Blair, Brock, Brown, Crawford, Emry, Farthing, Hampton, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lusk, Moore, Reid, Rice, Robinson, Shaw, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—32.

S. B. 538, bill to incorporate the Confederate Veterans' Association of North Carolina, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 639, bill to amend the charter of the town of Stoneville, in Rockingham County, on its second reading.

The bill passed its second reading—ayes 29, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Blair, Brock, Brown, Crawford, Falkener, Farthing, Hampton, Hughes, King, Leinbach, Little, Long, Lusk, Moore, Reid, Robinson, Shaw, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—29.

S. B. 596, bill to authorize the city of Raleigh to issue bonds for public improvements, and to levy a special tax, on its second reading.

The bill passed its second reading—ayes 30, noes —, as follows:

. Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Brock, Brown, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, Le-Grand, Leinbach, Little, Long, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—30.

H. B. 545, S. B. 732, bill in relation to working convicts on the Cape Fear and Yadkin Valley Railroad, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 473, S. B. 479, bill to amend an act entitled "An act to incorporate the Atlanta, Asheville and Baltimore Railroad Company," on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 191, S. B. 394, bill to amend chapter 178, Laws of 1887, relative to registration of dentists, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 20, S. B. 346, bill to prevent manufacturers and others from issuing non-transferable scrip for labor done, on its second reading.

The amendment reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 726, bill to amend chapter 16 of *The Code*, in relation to elections, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

Mr. Thomas moved the bill be postponed until Wednesday next, and be made the special order for 12 o'clock noon of that day; on which motion,

Mr. Payne asked for the ayes and noes, which were ordered, and the motion to postpone was lost—ayes 15, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Brown, Falkener, Farthing, Hampton, Holton, Leeper, Leinbach, Lusk, Rice, Stubbs, Thomas, Turner of Catawba and White—15.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, Hughes, Kerr, LeGrand, Little, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Toms and Turner of Iredell—20.

Mr. Falkener moved to amend:

"Strike out, in line 2, section 3, the words 'no registration shall be valid unless it truly specifies the age, occupation, place of birth.'"

Mr. Blair demanded the previous question. Not sustained.

Mr. Lusk moved to adjourn. Lost,

On the adoption of the amendment,

Mr. Payne asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 8, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinbach, Rice and Thomas—8.

Those voting in the negative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Brock, Crawford, Emry, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lusk, Moore, Payne, Pou, Reid, Robinson, Shaw, Sills, Stubbs, Toms, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—28.

Mr. Turner of Iredell demanded the previous question; on which,

Mr. Hampton asked for the ayes and noes, which were ordered, and the demand for the previous question was sustained—ayes 24, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Brock, Crawford, Emry, Hughes, Kerr, Leeper, LeGrand, Little, Long, Moore, Payne, Pou, Reid, Robinson, Sills, Toms, Turner of Catawba, Turner of Iredell and White—24.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinbach, Lusk, Rice and Stubbs—9.

The bill passed its second reading—ayes 24, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, Hughes, Kerr, Leeper, LeGrand, Little, Long, Moore, Payne, Pou, Reid, Robinson, Sills, Stubbs, Toms, Turner of Catawba, Turner of Iredell and White—24.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinbach, Lusk, Rice and Thomas—9.

The bill was put upon its third reading.

Mr. Thomas moved to postpone the bill until Wednesday next, 27th inst., and be made the special order for 12 noon of that day.

Pending consideration,

On motion of Mr. Turner of Iredell, the Senate adjourned until to morrow morning at 10 o'clock.

# THIRTY-NINTH DAY.

SENATE CHAMBER, February 23, 1889.

The Senate met pursuant to adjournment, Mr. Kerr in the chair.

The Journal of yesterday was read and approved.

Mr. Pou was announced absent to-day on account of sickness.

Mr. Hughes was announced absent to day on account of sickness.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Payne, petition of citizens of Robeson County, asking the repeal of the merchants' purchase tax. Referred to the Committee on Finance.

By Mr. Farthing, petition of citizens of Ashe County, protesting against the passage of the bill now pending changing the dividing line between Ashe and Alleghany counties. Placed on the Calendar.

Petition of citizens of Watauga, asking the incorporation of Austin School House, in Cove Creek Township, in Watauga County. Referred to the Committee on Propositions and Grievances.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Kerr, H. B. 843, S. B. 762, bill concerning county prisoners, recommending it do pass;

H. B. 359, S. B. 702, bill to amend section 732 of *The Code*, as to collection of jury tax in certain cases, reporting it without recommendation.

By Mr. Payne, H. B. 631, S. B. 697, bill to change the time of holding the Superior Courts of Moore County, reporting amendments, and, as amended, recommending the bill do pass;

S. B. 421, bill to amend subsection 1 of section 349 of The

Code, recommending it do not pass;

S. B. 747, bill to change the time of holding the Superior Courts of Robeson County, recommending it do pass.

By Mr. Turner of Iredell, S. B. 746, bill to amend chapter 33, volume II, of *The Code*, recommending it do pass.

By Mr. LeGrand, H. B. 748, S. B. 699, bill to amend sections 1273 and 1274 of *The Code*, recommending it do not pass.

By Mr. Little, H. B. 826, S. B. 759, bill to modify section 1079 of *The Code*, in reference to selling liquor within two miles of political public speakings, recommending it do pass;

S. B. 597, bill to amend subsection 9 of section 155 of The

Code, recommending it do pass;

H. B. 666, S. B. 711, bill in regard to railroad tax in Onslow County, recommending it do pass.

By Mr. LeGrand, S. B. 508, bill to amend section 1864 of

The Code, recommending it do pass;

S. B. 658, bill to amend section 3466 of *The Code*, relating to prison bounds for health of prisoners, &c., recommending it do pass;

H. B. 564, S. B. 615, bill to regulate the service of criminal process in the Roanoke swamps of Martin and Bertie, recommending it do pass;

S. B. 724, bill for the relief of Dempsey Spruill, late Sheriff of Washington County, recommending it do pass.

S. B. 581, bill to amend section 316 of *The Code*, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Reid, H. B. 648, S. B. 708, bill to regulate the sale of seed cotton in Bertie County, recommending it do pass. From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, H. B. 741, S. B. 676, bill to change the dividing line between the counties of Ashe and Alleghany, reporting amendments, and, as amended, recommending it do pass;

S. B. 654, bill to regulate local option laws in this State, reporting a substitute therefor and submitting the same without recommendation;

H. B. 618, S. B. 681, bill to incorporate the town of Southport, in Brunswick County, recommending it do pass.

By Mr. Twitty, S. B. 725, bill to repeal chapter 320, Laws of 1883, recommending it do pass.

From the Committee on Corporations:

By Mr. Lucas, H. B. 625, S. B. 706, bill to incorporate the Farmers' State Alliance of North Carolina, and sub-alliances, reporting an amendment thereto, and, as amended, recommending the bill do pass;

S. B. 632, bill to incorporate the Wilson Banking and Trust Company, recommending it do not pass.

By Mr. Brown, S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, recommending it do not pass;

H. B. 595, S. B. 563, bill to incorporate the Greensboro Street Railway Company, recommending it do not pass;

S. B. 661, bill to amend an act to amend the charter of the town of Elizabeth City, N. C., recommending it do pass.

By Mr. Aycock, S. B. 512, bill to amend the charter of the Linville Land, Manufacturing and Mining Company, recommending it do pass.

By Mr. Barber, S. B. 734, bill to incorporate the town of Stems, in Granville County, reporting an amendment, and, as amended, recommending the bill do pass;

S. B. 670, bill to incorporate the town of Union, in the county of Hertford, recommending it do pass;

S. B. 740, bill to amend chapter 25, Private Laws of 1887, recommending it do pass;

S. B. 719, bill to amend the charter of the town of Clay-

ton, recommending it do pass;

S. B. 664, bill to extend the corporate limits of the town of Madison, in Rockingham County, recommending it do pass;

S. B. 663, bill to amend the charter of the town of Arch-

dale, in Randolph County, recommending it do pass.

By Mr. LeGrand, H. B. 668, S. B. 605, bill to incorporate the Farmers' Alliance Tobacco Manufacturing Company, recommending it do pass;

S. B. 495, bill to revise and consolidate the charters of the town of Tarboro, N. C., recommending it do pass.

From the Committee on Education:

By Mr. Shaw, H. B. 228, S. B. 730, bill to improve the Edenton Academy, recommending it do pass.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Payne, S. B. 791, bill to establish Philadelphus Township, in Robeson County, and for other purposes. Referred to the Committee on Propositions and Grievances.

By Mr. Crawford, S. B. 792, bill to authorize the payment of certain school orders in Alamance County. Referred to the Committee on Finance.

By Mr. Payne, S. B. 793, bill to enlarge the jurisdiction of Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Crawford, S. B. 794, bill to incorporate Yadkin Academy, in Alamance County. Referred to the Committee on Corporations.

By Mr. Robinson, S. B. 795, bill to change the time of holding the September Term of Duplin Superior Court. Referred to the Committee on Judiciary. By Mr. Robinson, S. B. 796, bill to amend section 3707 of *The Code*. Referred to the Committee on Propositions and Grievances.

By Mr. Long, S. B. 797, bill to amend chapter 345, Laws of 1887. Referred to the Committee on Propositions and Grievances.

By Mr. Falkener, S. R. 798, resolution relating to the help of the colored people of North Carolina. Placed on the Calendar and ordered printed.

By Mr. Holton, S. B. 799, bill to create a new free school district. Referred to the Committee on Education.

By Mr. Lusk, S. B. 800, bill to equalize taxation in the several counties of the State. Referred to the Committee on Finance and ordered printed.

By Mr. Leeper, S. B. 801, bill to incorporate the town of Mount Holly, in the county of Gaston. Referred to the Committee on Corporations.

By Mr. Leeper, S. B. 802, bill to incorporate the town of Lowell, in the county of Gaston. Referred to the Committee on Corporations.

By Mr. Sills, S. B. 803, bill to incorporate Rockville Lodge, No. 411, of Stanhope, Nash County. Placed on the Calendar.

### UNFINISHED BUSINESS.

S. B. 726, bill to amend chapter 16 of *The Code*, in relation to elections, was taken up on its third reading, it being the unfinished business of yesterday.

The question recurred upon the motion of Mr. Thomas that the bill be postponed until Wednesday next; on which,

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion to postpone was lost—ayes 16, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Brown, Falkener, Farthing, Hamp-

ton, Holton, Leinbach, Lusk, Rice, Robinson, Smith, Thomas, Turner of Catawba, Twitty and Wimberly-16.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Sills, Toms, Turner of Iredell, White and Williams of Cumberland—19.

#### SPECIAL ORDER.

Pending consideration,

The hour of 11 o'clock a. m. having arrived,

H. B. 318, S. B. 506, bill to amend the public school law, was taken up, it being the special order for that hour.

Mr. Payne moved the bill be postponed; upon which,

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion to postpone prevailed—ayes 24, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—24.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinback, Lusk, Rice, Thomas and Wimberly—10.

The consideration of

The bill to amend chapter 16 of *The Code*, in relation to elections, was resumed.

Mr. Payne demanded the previous question.

Messrs. Thomas, Lusk, Little, Falkener and Rice gave notice of amendments.

Upon the demand for the previous question,

Mr. Lusk asked for the ayes and noes, which were ordered, and the demand was sustained—ayes 24, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Stubbs, Toms, Turner of Iredell, Twitty and White—24.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinbach, Lusk, Rice, Smith, Thomas, Turner of Catawba and Wimberly—12.

Mr. Thomas moved to amend:

"Strike out, in section 1, the word 'September."

On which the ayes and noes were ordered, and the amendment was lost—ayes 9, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Leinbach, Lusk, Rice, Thomas and Wimberly—9.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Leeper, LeGrand, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—23.

When Mr. Hampton's name was called, he announced himself as paired with Mr. Williams of Cumberland, who, if present, would vote "no," and he would vote "aye."

Mr. Thomas moved to amend:

"Strike out in line 7, section 5, all after the word 'May."

On which the ayes and noes were ordered; the amendment was lost—ayes 7, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Leinbach, Lusk, Thomas and Wimberly—7.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Crawford, Emry, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—25.

When Mr. Farthing's name wus called, he announced himself paired on certain amendments, and on the bill, with Mr. Pou, who, if present, would vote against this amendment, while he would vote for it.

Mr. Hampton announced himself paired with Mr. Williams of Cumberland, who, if present, would vote against the amendment, and he for it.

Mr. Thomas moved to amend:

"Strike out all after the words 'section 10,' on page 4."

On which the ayes and noes were ordered.

Mr. Lusk moved to adjourn. Lost.

The amendment was lost—ayes 3, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Rice, Thomas and Wimberly-3.

Those voting in the negative were:

Messrs. Abbott, Barber, Blair, Brock, Emry, Kerr, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—24.

Mr. LeGrand moved the Sergeant-at-Arms be directed to lock the door of the Senate Chamber, and permit no Senator to leave the chamber pending the consideration of the bill; on which,

Mr. Rice asked the ayes and noes. Not ordered.

The motion of Mr. LeGrand was adopted.

Mr. Rice moved to reconsider the vote by which Mr. LeGrand's motion was adopted.

Mr. Payne moved the motion to reconsider be laid on the table, which prevailed.

Mr. Wimberly moved to adjourn. Lost.

Mr. Thomas moved to amend:

"Strike out the words 'second Saturday' wherever they occur in section four; and strike out all after the word 'follows' in fifth line."

Lost.

Mr. Thomas moved to amend:

"Strike out section three." Lost.

Mr. Thomas moved to amend:

"Strike out in last line of section two the words 'second Saturday.'"

Lost.

Mr. Thomas moved to amend:

"Strike out all after the word 'and,' in line seven, section six."

Lost.

Mr. Thomas moved to amend:

"Strike out section eight."

Lost.

Mr. Thomas moved to amend:

"Strike out section nine."

Lost.

Mr. Lusk moved to amend:

"Strike out in section five the words 'may if deemed

proper,' in line seven, and insert in lieu thereof the word 'shall.'"

Lost.

Mr. Lusk moved to amend:

"Strike out all of section five, after the word 'commissioner,' in line ten."

Lost.

Mr. Lusk moved to amend:

"Strike out all of section six of the bill, and insert the following, which shall be section 2681 of *The Code*:

'SEC. 2681. Every person who shall present himself for registration shall state, under oath, how long he has continuously resided in this State, and in the county in which he offers to vote; whether he is an alien or native born; when he became twenty-one years of age; whether married or single, and where or with whom he resides. Upon the request of any elector the registrar shall require the applicant to prove his identity, or age, or residence, upon the sworn statement of said elector, administered by the said registrar, which, when made, shall be prima facie as to the declarations therein; subject, however, to rebuttal by evidence to the contrary notwithstanding."

Lost.

Mr. Lusk moved to amend:

"Strike out section eight,"

Lost.

Mr. Wimberly moved to adjourn. Lost.

Mr. Lusk moved to amend:

"Amend section nine of said bill by substituting the following:

'Sec. 9. That section 2687 of *The Code* be stricken out, and the following substituted in its place, to be known as section 2687:

'That all the State officers, to wit: Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney General; the members of Congress in and for their respective districts, the member or members of Congress for the State at large (if there be such); the Justices of the Supreme Court, Judges of the Superior Courts, and Solicitors in and for their several districts; members of the General Assembly for their respective counties and districts; the county officers for their respective counties, viz.: Clerk of the Superior Court, Sheriff, Treasurer, Register of Deeds, Surveyor, Coroner and Constable, and Presidential Electors, classified and now voted for on separate ballots heretofore when voted for, for their respective terms of office as now prescribed by law, shall be voted for on one single ballot, which shall be written or printed, or partly written or printed, on one single white piece of paper, without device or artifice."

On which Mr. Lusk asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 8, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Kerr, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—25.

Mr. Rice moved to adjourn. Lost.

Mr. Lusk moved to amend:

"Amend section 10 of said bill by striking out all of said section after the word 'amended,' in the first line of said bill, and substitute the following, to be known as section 2687 of The Code: 'The Board of County Commissioners, or upon their failure, the Inspectors of Election, shall provide one ballotbox for each election precinct or voting place in their county, in which to deposit ballots for the respective officers. Each box shall have an opening through the lid of sufficient size to admit a single folded ballot. The said ballot box shall be kept by the Judges of Election for the use of their several election precincts respectively; and said Judges of Election, before the voting begins, shall carefully examine the ballot-box and see that there is nothing in it.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 8, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Kerr, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell and White—25.

Mr. Hampton announced himself paired on all the amendmends and on the bill with Mr. Williams of Cumberland, who, if present, would vote against the amendments and for the bill, while he would vote for the amendments and against the bill.

Mr. Leinbach announced himself paired with Mr. Crawford on the amendments and the bill, who, if present, would vote against the amendments and for the bill, while he would vote for the amendments and against the bill.

Mr. Lusk moved to amend:

"Amend section 10 by adding after the word 'direct,' in line 10, the following: 'but not so as to obscure said ballot boxes from the observation of as many electors as desire to be present and observe the same.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 12, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Smith, Thomas, Turner of Catawba, Twitty, White and Wimberly—12.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Emry, Kerr, Leeper, LeGrand, Little, Long, Lucas, Payne, Reid, Robinson, Sills, Stubbs, Toms and Turner of Iredell—18.

Mr. Farthing announced himself paired on this amendment with Mr. Pou, who, if present, would vote against the amendment and he would vote for it.

Mr. Wimberly moved to adjourn, on which he asked the ayes and noes, which were ordered, and the motion was lost—ayes 8, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Banks, Falkener, Holton, Lusk, Rice Thomas, Twitty and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell and White—24.

Mr. Lusk moved to amend:

"Amend section 10 by adding after the word 'vote,' in line 19, the following proviso: 'Provided, that upon the voter declaring his inability to read the label on the box, or the name on the ballot, and that he desires to vote for a person named on the ballot, it shall be the duty of the

judges of election, upon the voter offering his ballot, to receive the same and deposit it in the proper box, according to the wish of the voter."

On which the ayes and noes were ordered, and the amendment was lost—ayes 19, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener Holton, Lusk, Rice, Shaw, Thomas, Twitty and Wimberly—10.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Le-Grand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell and White—21.

Mr. Farthing announced himself paired on this amendment with Mr. Pou, who, if present, would vote against, and he for it.

M. Lusk moved to amend:

"Amend section 11 of said bill by striking out the word 'no,' in line 2, of the proviso of said section, and inserting in lieu thereof the word 'all,' so as to make said proviso read as follows: *Provided*, that in making said count, 'all' ballots for other officers other than that for which such box shall be designated and labeled, shall be counted."

On which the ayes and noes were ordered, and the amendment was lost—ayes 8, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White —25.

Mr. Little moved to amend:

"Strike out the word 'truly ' in section 23."

On which the ayes and noes were ordered, and the amendment was adopted—ayes 27, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Blair, Brown, Emry, Falkener, Farthing, Holton, Leeper, LeGrand, Little, Long, Lusk, Moore, Rice, Robinson, Shaw, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Wimberly—27.

Those voting in the negative were:

Messrs. Bennett, Lucas, Payne and Reid-4.

Mr. Falkener moved to amend:

"Strike out in section 5, line 7, the words 'if deemed proper.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 8, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—22.

Mr. Farthing announced himself paired with Mr. Pou on this amendment, who, if present, would vote against and he for it.

Mr. Falkener moved to amend:

"Strike out, in section 6, line 4, the words 'such testimony under oath as may be satisfactory to the registrar.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 8, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—24.

Mr. Rice moved to amend:

"Strike out the provisions of section 10."

On which the ayes and noes were ordered, and the amendment was lost—ayes 8, noes 24, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas and Wimberly—8.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Shaw, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—24.

Mr. Farthing announced himself paired on this amendment with Mr. Pou, who, if present, would vote against and he for it.

Mr. Rice moved to amend:

"Strike out, in section 3, the words 'place of birth."

On which the ayes and noes were ordered, and the amendment was lost—ayes 9, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Moore, Rice, Thomas and Wimberly—9.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Payne, Reid, Robinson, Shaw, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—23.

Mr. Rice moved to amend:

"Strike out in section 5 the words 'who may if deemed proper,' and insert in lieu thereof the word 'shall.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 9, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Thomas, Twitty and Wimberly—9.

Those voting in the negative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell and White—22.

Mr. Farthing announced himself paired on this amendment with Mr. Pou, who, if present, would vote against, and he for it.

On the passage of the bill its third reading,

Mr. Holton asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 20, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Kerr, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Stubbs, Toms and Turner of Iredell—20.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Smith, Thomas, Turner of Catawba, Twitty, White and Wimberly—12.

Mr. Farthing announced himself paired with Mr. Pou, who, if present, would vote for, and he against the bill.

Mr. Hampton announced himself paired with Mr. Williams of Cumberland, who, if present, would vote for, and he against the bill.

Mr. Leinbach announced himself paired with Mr. Crawford, who, if present, would vote for and he against the bill.

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

On the latter motion,

Mr. Wimberly asked for the ayes and noes, which were ordered, and the motion to table the motion to reconsider prevailed—ayes 20, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Blair, Brock, Emry, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Stubbs, Toms, Turner of Iredell and White —20.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Holton, Lusk, Rice, Shaw, Smith, Thomas, Turner of Catawba and Wimberly—11.

Mr. Farthing announced himself as paired with Mr. Pou on this motion, who, if present, would vote for, and he against it.

Mr. Hampton announced himself paired on this motion with Mr. Williams of Cumberland, who, if present, would vote for, and he against it.

Mr. Leinbach announced himself paired with Mr. Crawford on this motion, who, if present, would vote for, and he against it.

The bill was ordered engrossed and sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills, and House amendments to Senate bills, which were read the first time and disposed of as follows:

H. B. 952, S. B. 804, bill to incorporate the Bank of Carthage. Referred to the Committee on Banks and Currency.

H. B. 859, S. B. 805, bill to authorize the city of Raleigh to issue bonds and pay and fund its present bonded indebtedness at a low rate of interest. Referred to the Committee on Finance.

H. B. 953, S. B. 806, bill to prevent gambling at agricultural fairs. Referred to the Committee on Judiciary.

H. B. 829, S. B. 807, bill providing an alternative method of constructing and keeping in repair the public roads of Raleigh Township, in Wake County. Referred to the Committee on Roads.

House amendment to

S. B. 132, H. B. 461, bill to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads, which was placed on the Calendar.

H. B. 760, S. B. 808, bill to provide an alternative method of working the public roads. Placed on the Calendar.

H. B. 958, S. B. 809, bill to protect from overflow the lands on Clarke's Creek, in Lincoln County. Referred to the Committee on Propositions and Grievances.

H. B. 882, S. B. 810, bill to amend chapter 315, Laws of 1887, relative to the protection of fish. Referred to the Committee on Fish and Fisheries.

H. B. 890, S. B. 811, bill to incorporate the Highland Prak Association. Referred to the Committee on Corporations.

House substitute for

S. B. 419, H. B. 781, bill to amend section 956 of *The Code*, relative to the Justices of the Supreme Court, which was concurred in and ordered enrolled.

H. B. 921, S. B. 811, bill to punish the making of false returns by school committeemen. Referred to the Committee on Judiciary.

H. B. 906, S. B. 813, bill to amend section 790 of *The Code*, increasing the powers of the County Commissioners of Tyrrell County. Referred to the Committee on Corporations.

H. B. 987, S. B. 814, bill to extend the corporate limits of the town of Windsor, in Bertie County. Referred to the Committee on Corporations.

### THE CALENDAR.

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

H. B. 610, S. B. 642, bill to protect owners of land adjacent to and adjoining railroad companies and other corporations, on its second reading.

On motion of Mr. Abbott, the bill was recommitted to the Committee on Propositions and Grievances.

S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, on its second reading.

On motion of Mr. Smith, the bill was recommitted to the Committee on Corporations.

S. B. 497, bill to renew the charter of the town of Newton, in the county of Catawba, on its second reading.

On motion of Mr. Barber, the bill was recommitted to the Committee on Corporations.

Mr. Reid moved to reconsider the vote by which

S. B. 534, bill to amend section 2228 of *The Code*, passed its third reading on yesterday; and moved to postpone the consideration of the motion.

The latter motion prevailed.

On motion of Mr. Rice, the Senate adjourned until Monday evening at 3 o'clock.

## FORTIETH DAY.

SENATE CHAMBER, February 25, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of Saturday was read and approved.

The President announced that Mr. Barber was added to the Committee on Privileges and Elections.

### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Farthing, petition of citizens of Ashe County, praying for the passage of a law prohibiting the manufacture and sale of intoxicating liquors within three miles of Brushy Fork Methodist Episcopal Church, in said county. Referred to the Committee on Propositions and Grievances.

By Mr. Twitty, petition of citizens against the extension of the corporate limits of Gastonia. Referred to the Committee on Corporations.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Barber, H. B. 78, S. B. 679, bill to repeal chapter 100, Laws of 1887, regarding divorce, recommending it do not pass.

From the Committee on Finance:

By Mr. Payne, H. B. 857, S. B. 771, bill for the relief of J. G. Hughes, late Treasurer (and his sureties) of Camden County, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Long, H. B. 804, S. B. 757, bill to alter the charter

of the Polk County Railroad Company, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 497, bill to renew the charter of the town of Newton, in Catawba County, reporting a substitute therefor, and recommending the substitute do pass;

S. B. 599, bill to amend the charter of the town of Wilkes-

boro, recommending it do pass;

H. B. 175, S. B. 716, bill to amend the charter of the Caldwell and Watauga Turnpike Company and acts amendatory thereto, recommending it do pass;

H. B. 368, S. B. 685, bill to incorporate the town of Frank-

lin, in Macon County, recommending it do pass;

S. B. 755, bill to amend the charter of the town of Salem, recommending it do pass.

By Mr. LeGrand, S. B. 630, bill to incorporate the Tarboro Land and Trust Company, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 655, bill concerning the Superior Court of Edgecombe County, recommending a substitute therefor, and recommending the substitute do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 501, bill to be entitled an act to incorporate the Southport Steamboat Company;

S. B. 507, bill to be entitled an act to amend chapter 57, Private Laws of 1883, entitled an act for the promotion of female education;

S. B. 537, bill to be entitled an act to authorize the Commissioners of Hyde County to levy a special tax;

S. B. 538, bill to be entitled an act to incorporate the Confederate Veterans' Association of North Carolina;

S. B. 587, bill to be entitled an act to extend the corporate limits of the town of Milton;

S. B. 598, bill to be entitled an act to incorporate the town of Tillery, in Halifax County, N. C.;

S. B. 635, bill to be entitled an act to amend chapter 2, Laws of 1880, incorporating the town of Randleman, in Randolph County;

S. B. 651, bill to be entitled an act to incorporate the Leaksville Water-Power Company;

S. R. 689, resolution in favor of F. Kuester, of Raleigh;

S. B. 733, bill to be entitled an act to amend the charter of the town of Rockingham, in Richmond County;

S. B. 509, bill to be entitled an act to authorize the Commissioners and Justices of the Peace of Macon County to levy a special tax:

S. B. 447, bill to be entitled an act to incorporate the town of Sylva, in the county of Jackson, and provide a local government therefor;

Senate amendments to

H. B. 20, S. B. 346, bill to be entitled an act to prevent manufacturers and others from issuing non-transferable scrip for labor done—

Which were sent to the House of Representatives.

The Committee on Enrolled Bills reported as correctly enrolled the following bills and resolutions, which were duly ratified by the President of the Senate:

S. B. 357, H. B. 787, an act to incorporate the Jule Carr Home Loan Fund;

S. B. 350, H. B. 370, an act to bridge Tuckaseege River, in Jackson County;

S. B. 601, H. B. 925, an act for the relief of James W. Copeland, Treasurer of Northampton County;

S. B. 690, H. B. 1010, an act to prohibit the sale of spirituous liquors by druggists on prescription within the corporate limits of the town of Lumberton, Robeson County;

H. B. 545, S. B. 732, an act in relation to the working of convicts on the Cape Fear and Yadkin Valley Railroad;

S. B. 333, H. B. 786, an act to amend sections 549, 550 and 553 of *The Code*;

S. B. 486, H. B. 966, an act in regard to prisoners in the town of Salem;

S. B. 462, H. B. 479, an act to protect the fish interests in Graham and Yancey counties;

S. B. 436, H. B. 923, an act to amend chapter 112 of the Laws of 1848-'49;

H. B. 469, S. B. 557, an act in regard to special tax for Sharon Township, in Mecklenburg County;

H. B. 470, S. B. 492, an act to incorporate the town of Jason, in the county of Greene;

H. B. 320, S. B. 493, an act to incorporate the town of Spring Hope, in the county of Nash;

S. B. 493, H. B. 542, an act to create Holly Springs Township, in Wake County;

H. B. 452, S. B. 540, an act to amend the charter of the town of Morganton;

H. B. 597, S. B. 683, an act to incorporate the Bank of Goldsboro;

H. B. 193, S. B. 606, an act to permit the town of Elizabeth City to issue bonds and levy a special tax;

S. B. 232, H. B. 729, an act to prevent the catching of diamond-back terrapins in the waters of Brunswick County, N. C.;

S. B. 510, H. B. 979, an act changing the time for holding the Spring Term Court of Caswell County;

S. B. 657, H. B. 980, an act for the relief of John C. McLauchlin, Clerk of the Superior Court of Anson County;

H. B. 624, S. B. 576, an act to provide for the refunding of the bonded indebtedness of the city of Charlotte maturing in the year 1890;

H. B. 201, S. B. 562, an act to abolish one term of the Superior Court of Pender County, and to regulate the terms of the Superior Court of said county;

H. B. 417, S. B. 403, an act to incorporate the town of Walnut Cove, in the county of Stokes;

- S. B. 504, H. B. 968, an act to amend subsection four of section 190 of *The Code*;
- S. B. 580, H. B. 878, an act to establish a ferry across the Yadkin River;
- S. B. 37, H. B. 874½, an act to suppress and prevent certain kinds of vicious contracts;
- S. B. 505, H. B. 974, an act to amend section 3410, chapter 43, of *The Code*, so as to make it applicable to the Catawba River;
- S. B. 691, H. B. 1040, an act for the disbursement of certain funds in the hands of the Treasurer of Cabarrus County;
- S. B. 454, H. B. 924, an act to empower S. C. Rierson, tax-collector, to collect arrears of taxes;
- S. B. 539, H. B. 840, an act for the relief of C. M. Pace, Clerk of the Superior Court of Henderson County;
- S. B. 309, H. B. 764, an act to amend section 1014 of *The Code*;
- H. B. 473, S. B. 479, an act to amend an act entitled "An act to incorporate the Atlanta, Asheville and Baltimore Railroad Company";
- H. B. 191, S. B. 394, an act to extend the time for the registration of dentists in North Carolina;
- S. B. 511, H. B. 973, an act to extend the limit of time provided in section 1980 of *The Code* to the Caswell Railroad Company;
- H. B. 781, S. B. 419, an act to amend section 956 of *The Code*, relating to the Justices of the Supreme Court;
- S. B. 269, H. B. 765, an act to authorize the payment of school order of Mrs. Nevada E. Roth out of the school funds of Surry County;
- S. B 583, H. B. 971, an act to provide convicts for the Polk County Railroad Company;
- S. B. 503, H. B. 970, an act to incorporate the West End King's Daughters of Greenesboro, N. C.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, also House amendment, which were read the first time and disposed of as follows:

H. B. 804, S. B. 815, bill to prohibit obstructions in Scuppernong River. Referred to the Committee on Propositions and Grievances.

H. B. 84, S. B. 816, bill for the benefit of a certain class of debtors. Referred to the Committee on Judiciary.

H. B. 726, S. B. 817, bill to incorporate the Southport Land and Improvement Company. Referred to the Committee on Corporations.

H. B. 899, S. B. 818, bill to protect deer. Referred to the Committee on Propositions and Grievances.

H. B. 865, S. B. 819, bill to incorporate Louisburg Male Academy. Referred to the Committee on Corporations.

H. B. 822, S. B. 820, bill to amend the charter of the North Carolina Steel and Iron Company. Referred to the Committee on Corporations.

H. B. 245, S. B. 821, bill to amend sections 2102 and 2116 of *The Code*, in relation to dower and year's allowance. Referred to the Committee on Judiciary.

H. B. 1074, S. B. 822, bill to protect fish in Pamlico Sound. Referred to the Committee on Fish and Fisheries.

H. B. 389, S. B. 823, bill to amend the charter of the town of Rocky Mount. Referred to the Committee on Corporations.

H. B. 941, S. B. 824, bill to elect cotton weighers for Monroe and other towns in Union County. Referred to the Committee on Propositions and Grievances.

H. R. 711, S. R. 825, resolution in favor of Fred. Keuster. Referred to the Committee on Finance.

H. B. 796, S. B. 826, bill to permit the incorporation of

fire companies without the payment of a tax. Referred to the Committee on Finance.

H. B. 883, S. B. 827, bill to amend chapter 418 of the Laws of 1887, relating to the protection of fish. Referred to the Committee on Fish and Fisheries.

H. B. 833, S. B. 828, bill to prohibit the placing of fish traps or set-nets in Beaver Creek, in Jones County. Referred to the Committee on Fish and Fisheries.

H. B. 832, S. B. 829, bill to prevent the felling of trees in Beaver Creek, in Jones County. Referred to the Committee on Propositions and Grievances.

H. B. 995, S. B. 830, bill to correct certain land grants in Swain County. Referred to the Committee on Judiciary.

H. B. 830, S. B. 831, bill to incorporate Auburn Male and Female Academy and Auburn Farmers' Alliance, No. 41. Referred to the Committee on Corporations.

H. B. 932, S. B. 832, bill for the benefit of the Clerk of the Superior Court of Rockingham County. Referred to the Committee on Judiciary.

H. B. 823, S. B. 833, bill to facilitate the trial of certain actions. Referred to the Committee on Judiciary.

H. B. 951, S B. 834, bill to incorporate the Fayetteville Savings Bank. Referred to the Committee on Banks and Currency.

H. B. 721, S. B. 835, bill to amend chapter 122, Laws of 1887, relative to the clerks of superior courts in certain counties. Referred to the Committee on Judiciary.

H. B. 862, S. B. 836, bill to amend chapter 47, Laws of 1887, relative to the French Broad River. Referred to the Committee on Propositions and Grievances.

H. B. 895, S. B. 837, bill to incorporate Neuse Club, at Goldsboro, in Wayne County. Referred to the Committee on Corporations.

H. B. 989, S. B. 838, bill to correct a grant to certain lands in Burke County. Referred to the Committee on Judiciary.

H. B. 856, S. B. 839, bill to amend section 3383 of *The Code*, relative to fishing. Referred to the Committee on Fish and Fisheries.

H. B. 937, S. B. 840, bill concerning the Clerks of the Superior Courts of Bertie and Northampton. Referred to the Committee on Judiciary.

H. B. 901, S. B. 841, bill to prohibit the manufacture of spirituous, vinous or malt liquors, &c., in Watauga County. Referred to the Committee on Propositions and Grievances.

H. B. 893, S. B. 842, bill to authorize Junaluskee Lodge, No. 145, A. F. and A. M., to sell the female academy in Franklin. Referred to the Committee on Finance.

H. B. 903, S. B. 843, bill to prevent riding or driving over the suspension bridge at Henrietta Mills, in Rutherford County. Referred to the Committee on Propositions and Grievances.

H. B. 686, S. B. 844, bill in relation to obtaining advances in provisions, &c., by false pretences. Referred to Committee on Judiciary.

H. B. 1012, S. B. 845, bill to amend the charter of thetown of Graham, in Alamance County. Referred to Committee on Corporations.

H. B. 818, S. B. 846, bill to drain South Deep Creek, in Yadkin County. Referred to Committee on Propositions and Grievances.

H. B. 863, S. B. 847, bill to authorize the payment of a school claim in Haywood County. Referred to the Committee on Education.

H. B. 897, S. B. 848, bill to establish Sylva Township, in Jackson County. Referred to Committee on Judiciary.

H. B. 913, S. B. 849, bill to incorporate the Bromine and Arsenic Springs and Baptist Church, in Ashe County (known as the Thompson Healing Spring). Referred to Committee on Corporations.

H. B. 886, S. B. 850, bill to prohibit the sale of intoxicating liquors in the town of Pineville, in Mecklenburg

County. Referred to the Committee on Propositions and Grievances.

H. B. 881, S. B. 851, bill to protect fish in Chowan River and Wiccoan Creek. Referred to Committee on Fish and Fisheries.

H. B. 827, S. B. 852, bill to simplify the law relating to the illicit selling of spirituous liquors. Referred to Committee on Propositions and Grievances.

H. B. 1001, S. B. 853, bill to amend section 3665 of *The Code*, relating to church property. Referred to Committee on Judiciary.

H. R. 905, S. R. 854, resolution of instruction to our Senators and Representatives in Congress in relation to the manufacture of spurious goods, wares, merchandise, &c. Referred to Committee on Federal Relations.

H. B. 985, S. B. 855, bill to incorporate the Bank of Madison, in the county of Rockingham. Referred to Committee on Banks and Currency.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Toms, S. B. 856, bill to prohibit the sale of spirituous liquors in one mile of Hooper's Creek and Old Salem churches. Referred to the Committee on Propositions and Grievances.

By Mr. Bennett, S. B. 857, bill to protect life and limb in the erection of buildings in this State. Referred to the Committee on Propositions and Grievances.

By Mr. Lusk, S. B. 858, bill to incorporate the Mount Pisgah Turnpike Company, and to authorize the construction of a turnpike road to the top of Mount Pisgah, in Buncombe County. Referred to the Committee on Corporations.

By Mr. Emry, S. B. 859, bill to amend section 3606 of chapter 51 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Reid, S. B. 860, bill in relation to the registration of cattle and other domestic animals. Referred to the Committee on Agriculture, Mechanics and Mining.

S. B. 861, bill to appoint a cotton weigher for the town of Matthews, Mecklenburg County. Referred to the Committee on Propositions and Grievances.

By Mr. Lucas, S. B. 862, bill to incorporate the Free Mason's Lodge at Amity Academy, in Hyde County. Referred to the Committee on Corporations;

S. B. 863, bill for the relief of certain soldiers of the late war between the States. Referred to the Select Committee on Pensions.

By Mr. Barber, S. B. 864, bill to lay off and establish a public road in Wilkes and Ashe counties. Referred to the Committee on Roads;

S. B. 865, bill for the relief of George P. Johnson. Referred to the Select Committee on Pensions;

S. B. 866, bill for the relief of S. C. Horton, a Confederate soldier. Referred to the Select Committee on Pensions.

By Mr. Payne, S. R. 867, resolution of instruction to our Senators and Representatives in Congress in relation to the Signal Corps service. Placed on the Calendar.

By Mr. Stubbs, S. B. 868, bill to incorporate the East Carolina Railroad Company. Referred to the Committee on Corporations.

By Mr. Sills, S. B. 869, bill to protect fish in certain streams in Nash County. Referred, with petition, to the Committee on Fish and Fisheries.

By Mr. Rice, S. B. 870, bill to sell the Governor's Mansion. Referred to the Committee on Governor's Mansion.

By Mr. Bailey (by request), S. B. 871, bill to amend an act entitled an act to amend the charter of the Hiawassee

Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. Payne (by request), S. B. 872, bill to amend section 550 of *The Code*, in relation to appeals. Referred to the Committee on Judiciary.

Mr. Turner of Iredell offered the following:

Resolved, That after to-day the Senate meet daily (except on Sunday) at 10 o'clock a.m. and 8 o'clock p.m., the evening sessions to be devoted to the consideration of private or local bills and resolutions, unless otherwise ordered.

The resolution was adopted.

Messrs. Lusk, Thomas and Holton gave notice of protests to be filed against the passage of

S. B. 726, bill to amend chapter 16 of *The Code*, in relation to elections.

### SPECIAL ORDER.

The hour of 4 o'clock p. m. having arrived,

S. B. 360, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, was taken up on its second reading, it being the special order for that hour.

On motion of Mr. Payne, the bill was postponed until Wednesday, and made the special order to follow the morning hour.

### THE CALENDAR.

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

S. B. 755, bill to amend the charter of the town of Salem, on its second reading.

The bill passed its second reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Farthing, Hampton, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—39.

S. B. 692, bill to incorporate the town of Roberdel, in the county of Richmond, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Crawford, Farthing, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—37.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 693, bill to incorporate Our Home Manufacturing Company, in the county of Richmond, on its third reading.

The bill passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Copeland, Crawford, Emry, Farthing, Hampton, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—40.

The bill was ordered engrossed and sent to the House of Representatives.

S B 639, bill to amend the charter of the town of Stoneville, in Rockingham County, on its third reading.

The bill passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Copeland, Emry, Farthing, Hampton, Holton, Hughes, Kerr, LeGrand, Little, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—36.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 596, bill to authorize the city of Raleigh to issue bonds for public improvements and to levy a special tax, on its third reading.

The bill passed its third reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Brock, Copeland, Falkener, Hampton, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—35.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 536, bill to amend chapter 82, Private Laws of 1885, and chapter 165, Laws of 1860-'61, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Brock, Copeland, Farthing, Hampton, Holton, Hughes, Kerr, King,

LeGrand, Little, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—34.

The bill was ordered engrossed and sent to the House of

Representatives.

H. B. 539, S. B. 480, bill to amend chapters 117 and 261 of the Laws of 1885, and chapter 34 of *The Code*, relative to the practice of medicine, on its second reading.

The bill passed its second and third readings, and was

ordered enrolled.

S. B. 786, bill relative to the Superior Courts of Martin County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 495, bill to revise and consolidate the charters of the town of Tarboro, on its second reading.

Mr. Wimberly moved to amend:

"Strike out in line 3, section 7, the word 'ninety' and insert 'thirty'; insert in line 10, after the word 'name', the words 'that every lot shall be numbered sixty days before the election, at the expense of the town."

Lost.

Mr. Lusk moved to amend:

"Strike out section 8."

Lost.

The bill passed its second reading—ayes 33, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Toms

Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

Those voting in the negative were:

Messrs. Falkener, Lusk, Thomas and Wimberly-4.

S. B. 512, bill to amend the charter of the Linville Land, Manufacturing and Mining Company, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engressment.

Mr. Rice moved that

S. B. 870, bill to sell the Governor's Mansion, be printed; on which,

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion was lost—ayes 11, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Banks, Copeland, Falkener, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—11.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, King, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Robinson, Sills, Smith, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—28.

#### THE CALENDAR

was resumed.

S. B. 497, bill to renew the charter of the town of Newton, in the county of Catawba, on its second reading.

The substitute reported by the Committee on Corporations was adopted.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Copeland, Farthing, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—37.

S. B. 663, bill to amend the charter of the town of Archdale, in Randolph County, on its second reading.

The bill passed its second reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—37.

S. B. 664, bill to extend the corporate limits of the town of Madison, in Rockingham County, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, King, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—38.

S. R. 867, resolution of instruction to our Senators and Representatives in Congress, in relation to the Signal Corps service, on its second reading.

The resolution was adopted, and ordered sent to the House of Representatives without engrossment.

H. B. 706, S. B. 625, bill to incorporate the Farmers' State Alliance of North Carolina, and sub-alliances, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 740, bill to amend chapter 25, Private Laws of 1887, on its second reading.

The bill passed its second reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Farthing, Hampton, Hughes, Kerr, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—34.

S. B. 667, bill to give the Commissioners of Pasquotank County authority to issue bonds to build a jail and levy a special tax, on its second reading.

The amendments reported by the Committee on Finance were adopted.

The bill passed its second reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Hampton, Holton, Hughes, Kerr, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—39.

H. B. 278, S. B. 397, bill to amend section 677 of *The Code*, and chapter —, Laws of 1885, in reference to forming corporations before the Clerk, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. White, the Senate proceeded to the consideration of executive business.

The Senate, in Executive Session, having adjourned, the doors were opened and the Senate was called to order.

On motion of Mr. Holton, the Senate adjourned until tomorrow morning at 10 o'clock.

# FORTY-FIRST DAY.

SENATE CHAMBER, February 26, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

## PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Farthing, petition from citizens of Ashe and Alleghany praying for a change in the county line between the two counties. Referred to the Committee on Propositions and Grievances.

By Mr. Briggs, petition of citizens of Asheville against the House bill repealing the act relative to closing the barrooms on public days. Referred to the Committee on Propositions and Grievances.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Library:

By Mr. Moore, S. B. 446, bill to amend section 1, chapter 290, Laws of 1887, recommending it do pass.

From the Committee on Finance:

By Mr. Payne, S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Fish and Fisheries:

By Mr. Brock, H. B. 856, S. B. 839, bill to amend section 3383 of *The Code*, relative to fishing, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 718, bill to improve the turnpike roads of Johnston County, recommending it do pass;

S. B 636, bill to amend and continue in force the charter of the Raker City and Greensboro Railroad Company, recommending it do pass;

H. B. 546, S. B. 624, bill to incorporate the Fayetteville and Albermarle Railroad Company, recommending it do pass.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Farthing, S. B. 873, bill to amend chapter 180, Laws 1885, providing that a grand jury be dispensed with at the May Term of the Superior Court of Ashe County. Placed on the Calendar.

By Mr. Long, S. R 874, resolution relieving certain property of double tax. Placed on the Calendar;

S. B 875, bill to amend chapter 170, Laws of 1887. Referred to the Committee on Insurance.

By Mr. Holton, S. B. 876, bill relative to concluding a treaty with the government of Great Britain. Referred to the Committee on Federal Relations;

S. B. 877, bill to provide for the drainage of Myers' Fork Creek, in Guilford County. Referred to the Committee on Propositions and Grievances. By Mr. Bailey, S. B. 878, bill to amend section 896 of *The Code*. Referred to the Committee on Judiciary;

(By request), S. B. 879, bill to incorporate the Fries Shoals Manufacturing and Water Power Company. Referred to the Committee on Corporations.

By Mr. Reid, S. B. 880, bill to repeal chapter 53, Laws of 1887, and for other purposes. Referred to the Committee on Judiciary;

S. B 881, bill to provide for Deaf, Dumb and Blind Institution. Referred to the Committee on Deaf, Dumb and Blind Institutions.

By Mr. King, S. B. 882, bill to amend the charter of the town of Wilson. Referred to the Committee on Corporations.

### THE CALENDAR.

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

S. B. 664, bill to extend the corporate limits of the town of Madison, in Rockingham County, on its third reading.

The bill passed its third reading—ayes 30, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brown, Campbell, Copeland, Hampton, Holton, Hughes, Kerr, Long, Lucas, Lusk, Moore, Reid, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—30.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 663, bill to amend the charter of the town of Archdale, Randolph County, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, Leeper, Leinbach, Long, Lucas, Moore, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—33.

The bill was ordered engrossed and sent to the House of Representatives.

By consent,

Mr. Smith re-introduced

S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County (heretofore withdrawn for correction). Recommitted to the Committee on Corporations.

### THE CALENDAR

was resumed.

S. B. 755, bill to amend the charter of the town of Salem, on its third reading.

The bill passed its third reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—38.

The bill was sent to the House of Representatives without engrossment.

S. B. 499, bill to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office, on its third reading.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 667, bill to give the County Commissioners of Pasquotank County authority to issue bonds to build a jail and levy a special tax, on its third reading.

The bill passed its third reading—ayes 38, noes —, as

follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Emry, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberley—38.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 574, bill to amend *The Code*, on its third reading. On motion of Mr. Means, the bill was laid on the table.

S. B. 740, bill to amend chapter 25, Private Laws of 1887, on its third reading.

The bill passed its third reading—ayes 45, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—45.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 497; bill to amend the charter of the town of Newton, in the county of Catawba, on its third reading.

The bill passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—42.

The bill was sent to the House of Representatives without engrossment.

S. B. 725, bill to repeal chapter 320, Laws of 1883, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 420, S. B. 351, bill for the relief of D. H. West, a disabled ex-Confederate soldier of Cumberland County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. R. 1013, S. R. 764, resolution to appoint additional members on the joint committee to elect Trustees of the University, was adopted.

The President announced the appointment of Mr. Means, on the part of the Senate, under the resolution.

S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes, on its second reading.

The substitute reported by the Committee on Finance was adopted.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills,

Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—40.

S. B. 599, bill to amend the charter of the town of Wilkesboro, on its second reading.

The bill passed its second reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—41.

Mr. Turner of Iredell moved to withdraw from the Committee on Railroad Commission

H. B. 811, S. B. 784, bill to provide for the regulation of railroad freights and passenger tariffs in this State, and that the same be placed on the Calendar. The motion prevailed.

The bill was taken up on its second reading.

On motion of Mr. Turner of Iredell, the bill was postponed and made the special order for 11:55 a.m. to-day.

### THE CALENDAR

was resumed.

S. B. 670, bill to incorporate the town of Union, in the county of Hertford, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Copeland, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas Lusk, Means, Moore, Pou, Reid, Robinson,

Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—38.

H. B. 621, S. B. 611, bill to amend chapter 337, Laws of 1887, in regard to the drainage of Hogan's Creek, Rockingham County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 719, bill to amend the charter of the town of Clayton, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 741, bill to complete the Governor's Mansion, on its second reading.

On motion of Mr. LeGrand, the bill was postponed until Thursday next, and made the special order for 12 o'clock noon of that day.

S. B. 359, bill to incorporate the Original Free-will Baptist Conference of the State of North Carolina, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 508, bill to amend section 1864 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 571, bill to amend chapter 106, Laws of 1885, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 581, bill to amend section 316 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 686, bill to amend chapter 215, Laws of 1887, in relation to local option, on its second reading.

On motion of Mr. Long, the bill was recommitted to the Committee on Propositions and Grievances.

S. B. 597, bill to amend subsection 9, of section 155, of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 658, bill to amend section 3466 of *The Code*, relating to prison bounds for health of prisoners, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 500, bill to furnish *The Code* and Laws of North Carolina to Mayors of cities and towns, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 688, bill to amend sections 1, 2, 3, 4, 5 and 6, chapter 234, Laws of 1881, on its second reading.

Mr. Briggs moved to amend:

"Add this proviso: 'That this act shall only apply to the counties of Burke, Caldwell, McDowell, Mitchell and Yancey.'"

Adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 655, bill concerning the Clerk of the Superior Court of Edgcombe County, on its second reading.

The substitute reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 630, bill to incorporate the Tarboro Land and Trust Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 747, bill to change the time of holding the Superior Courts of Robeson County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 496, bill to amend section 2034 of *The Code*, in relation to keeping up and repairing bridges, on its second reading.

The amendment reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 737, bill to amend the charter of the Atlantic and Western Railway Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 724, bill for the relief of Dempsey Spruill, late Sheriff of Washington County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 687, bill to repeal chapter 389, Laws of 1883, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 803, bill to incorporate the Rockville Lodge, No. 411, of Stanhope, Nash County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills, which were read the first time and disposed of as follows:

H. B. 888, S. B. 883, bill to protect the owners of stock living near Smithfield. Referred to the Committe on Agriculture, Mechanics and Mining.

H. B. 887, S. B. 884, bill to repeal part of section 3417 of *The Code*, in regard to fishing. Referred to the Committee on Fish and Fisheries.

H. B. 582, S. B. 885, bill to amend section 1321 of *The Code*, relating to the drainage of lowlands and corporation of canal companies. Referred to the Committee on Propositions and Grievances.

H. B. 562, S. B. 886, bill to incorporate Beaufort County Lumber Company. Referred to the Committee on Corporations.

H. B. 847, S. B. 837, bill to improve the health in certain townships in Davie County. Referred to the Committee on Propositions and Grievances.

H. B. 936, S. B. 888, bill for the better drainage of swamp lands in Wayne County. Referred to the Committee on Propositions and Grievances.

H. B. 635, S. B. 889, bill explanatory of the recent acts for the relief of sheriffs, tax-collectors and their sureties. Referred to Committee on Finance.

H. B 910, S. B. 890, bill to amend section 2831 of *The Code*, in regard to hunting. Referred to the Committee on Propositions and Grievances.

H. B. 663, S. B. 891, bill to incorporate the Loan, Land and Improvement Company. Referred to the Committee on Corporations.

H. B. 944, S. B. 892, bill to incorporate the Jersey Cattle Club. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 900, S. B. 893, bill to protect the oyster interest in the State of North Carolina. Referred to the Committee on Fish and Fisheries.

H. B. 852, S. B. 894, bill to amend the charter of the town of Hickory. Referred to the Committee on Propositions and Grievances.

Also, without engrossment,

H. B. 76, S. B. 895, bill to prohibit trusts in the State of 32

North Carolina, and to provide for the punishment of persons connected with them. Referred to the Committee on Judiciary.

H. R. 984, S. R. 896, resolution on adjournment. Referred to the Committee on Finance.

Also a message announcing the refusal of that honorable body to concur in Senate amendments to

H. B 426, S. B. 444, bill to incorporate the town of Ellenboro, Rutherford County.

On motion of Mr. Twitty, the Senate receded from its amendment, and the bill was ordered enrolled.

### SPECIAL ORDER.

The hour for the special order having arrived,

H. B. 811, S. B. 784, bill to provide for the regulation of railroad frieght and passenger tariffs, in this State, was taken up on its second reading.

Mr. Emry moved to amend:

"Strike out sections 5 and 6."

Lost.

Mr. LeGrand moved to amend:

"Strike out in section 2, the words 'two thousand' and insert 'twenty-five hundred'; strike out 'one thousand' and insert 'twelve hundred'; strike out section 17."

Pending consideration,

On motion of Mr. Blair, the Senate adjourned until 8 p. m., for the consideration of private bills and resolutions.

## EVENING SESSION.

February 26th, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Mr. Pou was announced absent on account of sickness.

Mr. Stubbs arose to a question of privilege and stated that he desired to call attention to the fact that when H. B. 182, S. B. 166, bill to authorize an election on local option in the town of Washington, N. C., was considered by the Senate, there was no evidence before the Senate that the thirty days' notice required by law had been given.

## THE CALENDAR.

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

H. B. 591, S. B. 649, bill to authorize the town of Shelby to issue bonds, on its second reading.

The bill passed its second reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Copeland, Green, Hampton, Hughes, Kerr, King, Leeper, Leinbach, Little, Lucas, Lusk, Moore, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—36.

H. B. 614, S. B. 575, bill to authorize the Commissioners and Magistrates of Greene County to levy a special tax for 1889 and 1890, on its second reading.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, Le-Grand, Leinbach, Little, Long, Lucas, Lusk, Moore, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—41.

H. B. 751, S. B. 696, bill to amend the charter of the town of Salisbury, on its second reading.

The bill passed its second reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—41.

H. B. 742, S. B. 715, bill to authorize the Commissioners of Tyrrell County to fund the debt of the county and levy a special tax to pay the same, on its second reading.

The amendment reported by the Committee on Finance was adopted.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—41.

H. B. 546, S. B. 624, bill to incorporate the Fayetteville and Albemarle Railroad Company, on its second reading.

The bill passed its second reading—ayes 32, noes 3, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Emry, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Lucas, Lusk, Moore, Payne, Reid, Rice, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—32.

Those voting in the negative were:

Messrs. Aycock, Falkener and Robinson-3.

H. B. 618, S. B. 681, bill to incorporate the town of Southport, in Brunswick County, on its second reading.

The bill passed its second reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Payne, Reid, Rice, Sills, Smith, Thomas, Toms, Turner of Catawba, Twitty, Warters and White—35.

S. B. 661, bill to amend an act to amend the charter of the town of Elizabeth City, N. C., on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 672, bill to authorize the Commisssoners of Craven County to establish a free ferry across Neuse River, in the county of Craven, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—42.

H. B. 631, S. B. 697, bill to change the time of holding the Superior Courts of Moore County, on its second reading.

The amendments reported by the Committee on Judiciary were adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 351, S. B. 412, bill to amend the charter of the Burgaw and Onslow Railroad Company, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 633, S. B. 617, bill to incorporate the Farmers' Co-operative School of North Carolina, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 579, S. B. 525, bill to promote the immediate cultivation of shell fish by citizens of the State, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. R. 874, resolution relieving certain property of double tax, on its second reading.

On motion of Mr. Little, the resolution was referred to the Committee on Finance.

S. B. 873, bill to amend chapter 180, Laws of 1885, dispensing with a grand jury for the May Term of Court for Ashe County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 636, bill to amend and continue in force the charter of the Raker City and Greensboro Railroad Company, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Copeland, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Rice, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters White and Williams of Cumberland—40.

S. B. 446, bill to amend section 1, chapter 290, Laws of 1887, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 453, bill to authorize the removal of the county seat of Gaston County from the town of Dallas to the town of Gastonia, on its second reading.

On motion of Mr. Leeper, the bill was laid on the table. (By consent, Mr. Leeper withdrew the petitions filed with the bill.)

H. R. 644, S. R. 620, resolution in favor of Thomas H. Briggs & Sons, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 277, S. B. 407, bill to amend section 1260 of *The Code*, curing certain defects in probate and registration, on its second reading.

The bill passed its second reading.

H. B. 583, S. B. 577, bill to work public roads in Alamance County by taxation, on its second reading.

The bill passed its second reading--ayes 30, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, King, Leeper, Leinbach, Little, Lusk, Moore, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—30.

Those voting in the negative were:

Messrs. Lucas and Stubbs-2.

H. B. 634, S. B. 551, bill to protect Flat Swamp Canal, in Cumberland County, from obstruction, on its second reading.

The bill passed its second and third readings, and was

ordered enrolled.

H. B. 548, S. B. 610, bill for the relief of the sureties of J. T. Hunter, late Sheriff of Alamance County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 632, bill to incorporate the Wilson Banking and Trust Company, on its second reading.

On motion of Mr. King, the bill was referred to the Committee on Judiciary.

H. B. 98, S. B. 609, bill to incorporate the West Asheville Toll Bridge Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 228, S. B. 730, bill to improve the Edenton Academy. The amendments reported by the Committee on Education were adopted.

The bill passed its second and third readings, the Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 616, S. B. 701, bill in relation to working the roads in the counties of Clay and Graham, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 587, S. B. 704, bill to amend chapter 63, Laws of 1885, in regard to the criminal court of Mecklenburg County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Toms, the Senate adjourned until tomorrow morning at 10 o'clock.

## FORTY-SECOND DAY.

SENATE CHAMBER, February 27, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Williams, of the city. The Journal of yesterday was approved.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Bennett, petitions for and against the sale of intoxicating liquors near Chapel Hill Church, in Brunswick County. Referred to the Committee on Propositions and Grievances.

By Mr. Lusk, petition from the Farmers' Alliance of Buncombe County, representing 800 farmers, protesting against the passage of the law authorizing bar-rooms to keep open

on days of political speakings. Referred to the Committee on Propositions and Grievances;

Petition from citizens of Asheville against the passage of the bill allowing bar-rooms to keep open on days of public political speaking. Referred to the Committee on Propositions and Grievances.

By Mr. Payne, petitions and papers from citizens of Robeson County, praying the establishment of a new county to be formed of portions of Robeson and Richmond counties. Referred to the Committee on Propositions and Grievances.

By Mr. LeGrand, petition of citizens of Richmond County concerning stock law. Referred to the Committee on Propositions and Grievances.

By Mr. Barber, petition of citizens of Watauga and Wilkes against incorporating Mt. Ephraim Church. Referred to the Committee on Propositions and Grievances.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Propositions and Grievances:

By Mr. Long, S. B. 723, bill to prohibit the sale of intoxicating liquors in certain localities in Nash County, recommending it do pass;

H. B. 814, S. B. 776, bill to prevent the felling of timber or putting other obstructions in Long or Cypress creeks, Pender County, recommending it do not pass;

H. B. 903, S. B. 843, bill to prevent fast riding or driving over the suspension bridge at Henrietta Mills, in Rutherford County, recommending it do pass;

H. B. 862, S. B. 836, bill to amend chapter 47, Laws of 1887, relative to the French Broad River, recommending it do pass.

By Mr. Turner of Iredell, S. B. 785, bill to empower the Commissioners of Person County to sell land of the county in the town of Roxboro, recommending it do pass;

S. B. 791, bill to establish Philadelphus Township in Robeson County, and for other purposes, recommending it do pass;

H. B. 851, S. B. 761, bill to establish a new township in Jackson by the name of Dillsboro Township, recommending

it do pass;

H. B. 910, S. B. 890, bill to amend section 2831 of *The Code*, in regard to hunting, recommending it do not pass;

S. B. 721, bill to repeal chapter 211, Laws of 1887, reporting it without recommendation;

H. B. 852, S. B. 894, bill to amend the charter of the town

of Hickory, recommending it do pass.

By Mr. Twitty, H. B. 854, S. B. 779, bill to make Shooting Creek, in Clay County, a lawful fence, recommending it do pass;

H. B. 827, S. B. 852, bill to simplify the law relating to the illicit selling of spirituous liquors, recommending it do pass;

S. B. 754, bill to incorporate the North Carolina Society for the Prevention of Cruelty to Animals, recommending it do not pass;

H. B. 804, S. B. 815, bill to prohibit obstructions in Scuppernong River, recommending it do not pass.

By Mr. Thomas, H. B. 936, S. B. 888, bill for the better drainage of swamp lands in Wayne County, recommending it do pass;

H. B. 813, S. B. 773, bill to change the line of Winston and Broadway townships, in Forsyth County, recommending it do pass;

S. B. 861, bill to appoint a cotton weigher for the town of Matthews, Mecklenburg County, recommending it do pass;

S. B. 796, bill to amend section 3707 of *The Code*, recommending it do pass.

By Mr. Kerr, H. B. 480, S. B. 520, bill to repeal chapter 126, Private Laws of 1887, recommending it do pass.

By Mr. Robinson, H. B. 818, S. B. 846, bill to drain South Deep Creek, in Yadkin County, recommending it do pass.

S. B. 787, bill to repeal chapter 113, Laws of 1887, being an act to establish a Bureau of Labor Statistics, reporting it without recommendation;

S. B. 857, bill to protect life and limb in the erection of buildings in this State, recommending it do not pass;

H. B. 958, S. B. 809, bill to protect from overflow the lands on Clarke's Creek, in Lincoln County, recommending it do pass.

By Mr. Turner of Catawba, H. B. 853, S. B. 763, bill to authorize the Commissioners of Catawba County to use stock-law fund, recommending it do pass;

S. B. 797, bill to amend chapter 345, Laws of 1887, recommending it do pass;

H. B. 941, S. B. 824, bill to elect cotton-weighers for Monroe and other towns in Union County, recommending it do pass.

By Mr. Hampton, H. B. 845, S. B. 770, bill to incorporate Mount Pleasant Baptist Chapel Church, in Ashe County, recommending it do pass;

H. B 582, S. B. 885, bill to amend section 1321 of *The Code* of North Carolina, relating to drainage of lowlands and corporation of canal companies, recommending it do pass.

By Mr. Stubbs, H. B. 802, S. B. 778, bill to repeal chapter 15, Laws of 1885, relating to the drainage of streams in Forsyth County, recommending it do pass;

H. B. 901, S. B. 841, bill to prohibit the manufacture of spirituous, vinous or malt liquors, &c., in Watauga County, recommending it do not pass;

H. B. 836, S. B. 758, bill authorizing the erection of gates across a public road in Hyde County, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 868, bill to incorporate the East Carolina Railroad Company, recommending it do pass. By Mr. Bailey, S. B. 879, bill to incorporate the Fries Shoals Manufacturing and Water Company, recommending it do pass.

By Mr. Aycock, S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, reporting an amendment, and, as amended, recommending the bill do pass.

From the Committee on Institutions for the Deaf and Dumb and the Blind:

By Mr. Reid, S. B. 881, bill to provide for the Deaf, Dumb and Blind Institutions, recommending it do pass;

S. B. 671, bill to amend section 2234, Vol. II, of *The Code*, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Briggs, H. B. 40, S. B. 379, bill to incorporate the Morganton Land and Improvement Company, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Abbott, H. B. 1074, S. B. 822, bill to protect fish in Pamlico Sound, recommending it do pass;

H. B. 882, S. B. 810, bill to amend chapter 315, Laws of 1887, relative to the protection of fish, recommending it do pass;

H. B. 682, S. B. 613, bill to protect fish in Rockingham County, recommending it do pass.

By Mr. Brock, H. B. 833, S. B. 828, bill to prohibit the placing of fish traps or set-nets in Beaver Creek, in Jones County, recommending it do pass;

H. B. 883, S. B. 827, bill to amend chapter 418, Laws of 1887, recommending it do pass;

H. B. 832, S. B. 829, bill to prevent the felling of trees in Beaver Creek, in Jones County, recommending it do pass;

H. B. 740, S. B. 774, bill to prohibit non-residents from-dredging oysters in this State, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 829, S. B. 807, bill providing an alternative method of constructing and keeping in repair the public roads of Raleigh Township, in Wake County, recommending it do pass;

H. B. 824, S. B. 760, bill to amend chapter 291, Laws of 1887, in relation to a road in Jackson and Macon counties, recommending it do pass;

H. B. 9, S. B. 766, bill relating to the roads and highways in Granville County, recommending it do pass.

By Mr. Warters, H. B. 790, S. B. 768, bill to amend chapter 265, Laws of 1887, relative to Kilkenny Road Law, in Tyrrell County, recommending it do pass.

From the Committee on Judiciary:

By Mr. Stubbs, S. B. 738, bill relative to the Clerks of the Superior Court of Beaufort and Martin counties, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 596, bill to be entitled an act to authorize the city of Raleigh to issue bonds for public improvements and levy a special tax;

S. B. 571, bill to be entitled an act to amend chapter 106, Laws of 1885;

S. B. 873, bill to be entitled an act to amend chapter 180, Laws of 1885, providing that a grand jury be dispensed with at the May Term of the Superior Court of Ashe County;

S. B. 663, bill to be entitled an act to amend the charter of the town of Archdale, in Randolph County;

S. B. 667, bill to be entitled an act to give the County Commissioners of Pasquotank County authority to issue bonds to build a jail and levy a special tax;

S. B. 639, bill to be entitled an act to amend the charter of the town of Stoneville, in Rockingham County;

S. B. 692, bill to be entitled an act to incorporate the town of Roberdel, in the county of Richmond;

S. B. 499, bill to be entitled an act to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office;

S. B. 803, bill to be entitled an act to incorporate Rockville Lodge, No. 411, of Stanhope, Nash County;

S. B. 786, bill to be entitled an act relative to the Superior Courts of Martin County;

S. B. 664, bill to be entitled an act to extend the corporate limits of the town of Madison, in Rockingham County;

S. B. 693, bill to be entitled an act to incorporate "Our Home Manufacturing Company," in the county of Richmond;

S. B. 726, bill to be entitled an act to amend chapter 16 of *The Code*, in relation to elections;

Senate amendments to

H. B. 706, S. B. 625, bill to be entitled an act to incorporate the Farmers' State Alliance of North Carolina, and sub-alliances—

Which were sent to the House of Representatives.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Leeper, S. R. 897, resolution to pay J. P. Carpenter the reward offered by the Governor for the apprehension of Don. Thornburg, a fugitive from justice. Referred to the Committee on Finance.

By Mr. Little, S B. 898, bill to prohibit the sale of spirituous, vinous or malt liquors within three miles of College Hill school-house, in District No. 19, and Jackson Forest school-house, in District No. 30, in Jackson Township, in Union County. Placed on the Calendar.

By Mr. Payne, S. B. 899; bill to change the name of the Alma and Little Rock Railroad Company. Referred to the Committee on Corporations.

By Mr. Payne, S. B. 900, bill entitled an act to incorporate the Maxton and Northwestern Railroad Company. Referred to the Committee on Corporations.

By Mr. Kerr, S. B. 901, bill to be entitled an act to amend chapter 215, Laws of 1887, and sections 3113 and 3114 of *The Code.* Referred to the Committee on Propositions and Grievances.

By Mr. Crawford, S. B. 902, bill to incorporate the Bonair College. Referred to the Committee on Propositions and Grievances.

By Mr. Reid, S. B. 903, bill to be entitled an act to incorporate the Charlotte and Goldsboro Air Line Railway Company. Referred to the Committee on Internal Improvements.

By Mr. Briggs, S. B. 904, bill to be entitled an act to establish the dividing line between the counties of Mitchell and Yancey. Placed on the Calendar.

By Mr. Lucas (by request), S. B. 905, an act to erect a Soldiers' Home in North Carolina. Referred to the Committee on Pensions.

By Mr. Payne, S. B. 906, bill to be entitled an act to amend chapter 33, Laws 1841, relating to the charter of Floral College. Referred to the Committee on Corporations.

By Mr. Means, S. B. 907, bill to be entitled an act concerning the Clerk of the Superior Court of Cabarrus County. Placed on the Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 738, S. B. 908, bill to amend chapter 12, Laws of 1883, incorporating Germantown, in Stokes County. Referred to the Committee on Corporations.

H. B. 1028, S. B. 909, bill to prevent setting strike nets in

Far Creek, in Hyde County. Referred to the Committee on Fish and Fisheries.

H. B. 1029, S. B. 910, bill to prevent druggists from selling liquors in Swain County. Referred to the Committee on Propositions and Grievances.

H. B. 724, S. B. 911, bill to prohibit the sale of intoxicating liquors in Yancey County. Referred to the Committee on Propositions and Grievances.

H. B. 948, S. B. 912, bill to incorporate the National Christian Congress. Referred to the Committee on Corporations.

H. B. 879, S. B. 913, bill to incorporate the Southern Inter-State Exposition Society. Referred to the Committee on Corporations.

H. B. 916, S. B. 914, bill for the better protection of crops in Mecklenburg County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 914, S. B. 915, bill to authorize the Commissioners of Rutherford County to order an election on the question of local option. Referred to the Committee on Propositions and Grievances.

H. B. 996, S. B. 916, bill to incorporate the town of Elkin, in the County of Surry. Referred to the Committee on Corporations.

H. R. 1015, S. R. 917, resolution relative to the purchase of the "Brick-Yard Farm." Referred to Committee on Finance.

H. B. 880, S. B. 918, bill to authorize the Commissioners of Alleghany County to levy a special tax. Referred to the Comittee on Finance.

H. B. 945, S. B. 919, bill to allow the Commissioners of Burke County to issue bonds. Referred to the Committee on Finance.

H. B. 954, S. B. 920, bill to better regulate the working of public roads in Cleveland County. Referred to the Committee on Roads.

H. B 998, S B. 921, bill to incorporate the Gillis Improvement Company, of Granville County. Referred to the Committee on Corporations.

H. B. 788, S. B. 922, bill to incorporate the Tennessee River Land and Timber Company. Referred to the Committee on Corporations.

H. B. 695, S. B. 923, bill to amend Laws of 1883, in relation to the drainage of South Fork Creek. Referred to the Committee on Propositions and Grievances.

H. B. 743, S. B. 924, bill to authorize the Commissioners of Swain County to refund to J. S. Elmore, tax-collector, certain moneys. Referred to the Committee on Finance.

H. B. 673, S. B. 925, bill to-secure the better drainage and improvement of the lowlands of Rowan County. Referred to the Committee on Propositions and Grievances.

H. B. 929, S. B. 926, bill to incorporate the town of Dillsboro, in Jackson County. Referred to the Committee on Corporations.

H. B. 907, S. B. 927, bill to incorporate the Piedmont Wagon Company. Referred to the Committee on Corporations.

H. B. 1034, S. B. 928, bill to make more effectual proceedings before Boards of Aldermen and other bodies. Referred to the Committee on Judiciary.

H. B. 935, S. B. 929, bill to authorize Macon and Swain counties to subscribe capital stock to railroad companies. Referred to the Committee on Propositions and Grievances.

H. B. 950, S. B. 930, bill in relation to the town of Fayetteville, North Carolina. Referred to the Committee on Propositions and Grievances.

H. B. 997, S. B. 931, bill to incorporate the town of Pilot Mountain, in Surry County. Referred to the Committee on Corporations.

H. B 940, S. B. 932, bill to encourage sheep husbandry. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 798, S. B. 933, bill to provide for better and additional roads in Buncombe County. Referred to the Committee on Roads.

H. B 955, S. B. 934, bill to be entitled an act to authorize the Town Council of King's Mountain to levy a special tax. Referred to the Committee on Finance.

H. B. 930, S. B. 935, bill to incorporate the town of Brevard, Transylvania County. Placed on the Calendar.

#### THE CALENDAR.

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

H. B. 813, S. B. 773, bill to change the line of Winston and Broadway townships, in Forsyth County, on its second reading.

On motion of Mr. Barber, the bill was referred to the Committee on Judiciary.

Mr. LeGrand moved to reconsider the vote by which

S. B. 446, bill to amend section 1, chapter 290, Laws of 1887, passed its third reading on yesterday.

The motion prevailed.

The question recurring upon the passage of the bill its third reading,

On motion of Mr. LeGrand, it was referred to the Committee on Propositions and Grievances.

Mr. King moved that

S. B. 632, bill to incorporate the Wilson Banking and Trust Company, be withdrawn from the Committee on Judiciary and referred to the Committee on Corporations.

The motion prevailed.

Mr. Barber asked and obtained consent for the Committee on Corporations to be absent during the session to-day on committee duty.

## UNFINISHED BUSINESS.

H. B. 811, S. B. 784, bill to provide for the regulation of railroad freight and passenger tariffs in this State, was taken up on its second reading, it being the unfinished business of yesterday.

The question recurred upon the adoption of the amendment offered by Mr. LeGrand, as follows:

"Strike out section 17."

On which the ayes and noes were ordered, and the amendment was adopted—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—33.

Mr. LeGrand's second amendment-

"Strike out in section 21, 'two thousand' and insert 'two thousand five hundred' in lieu thereof; also strike out in said section 'one thousand' and insert 'twelve hundred' in lieu thereof"—

Was lost (the ayes and noes being ordered thereon)—ayes 23, noes 24 (the President voting in the negative), as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Brock, Campbell, Crawford, Emry, Leeper, LeGrand, Little, Long, Lucas, Payne, Pou, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty and Williams of Pitt —23.

Those voting in the negative were:

Mr. President, Messrs. Banks, Barber, Blair, Briggs, Brown, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leinbach, Lusk, Means, Moore, Sills, Stubbs, Thomas, Warters, White, Williams of Cumberland and Wimberly—24.

When Mr. Copeland's name was called he announced himself paired with Mr. Shaw, who, if present, would vote for and he against the amendment.

Mr. Emry moved to amend:

"Add: 'That this act shall be of no effect unless the act shall apply to all roads in the State.'"

The ayes and noes being ordered, the amendment was adopted—ayes 24, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Blair, Briggs, Brown, Crawford, Emry, Falkener, Farthing, Green, Holton, Kerr, King, Leinbach, Long, Lusk, Means, Moore, Rice, Thomas, Warters, White and Wimberly—24.

Those voting in the negative were:

Messrs. Abbott, Aycock, Brock, Campbell, Leeper, Le-Grand, Little, Lucas, Payne, Pou, Reid, Robinson, Sills, Toms, Turner of Catawba, Turner of Iredell, Twitty, Williams of Cumberland and Williams of Pitt—19.

Mr. Copeland announced himself paired with Mr. Shaw, who, if present, would vote against and he for the amendment.

Pending consideration, the hour for the

#### SPECIAL ORDER

arrived.

S. B. 360, bill to amend the Constitution of North Carolina, and to provide for the election as to said amendments, was taken up on its second reading

On motion of Mr. Payne, the bill was postponed until Friday next, 1st day of March, and made the special order for 11 o'clock a. m. of that day.

The consideration of

H. B. 811, S. B. 784, bill to provide for the regulation of railroad freights and passenger tariffs in this State, was resumed.

On motion of Mr. Moore, the Senate adjourned until 8° o'clock p. m.

### EVENING SESSION.

February 27, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Mr. Payne asked and obtained consent for the Committee on Privileges and Elections to sit during the session of the Senate.

By consent,

Mr. Emry introduced

S. B. 936, bill to repeal the local or prohibitory laws so far as they concern or relate to the town of Seaboard, Northampton County. Placed on the Calendar.

Mr. Campbell introduced

S. B. 937, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County. Placed on the Calendar.

#### THE CALENDAR.

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

H. B. 614, S. B. 575, bill to authorize the Commissioners and Magistrates of Greene County to levy a special tax for 1889-'90, on its third reading.

The bill passed its third reading—ayes 28, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Copeland, Emry, Falkener, Hampton, Holton, Hughes, Leeper, Lusk, Moore, Payne, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—28.

The bill was ordered enrolled.

H. B. 583, S. B. 577, bill to work public roads in Alamance County by taxation, on its third reading.

The bill passed its third reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Campbell, Copeland, Falkener, Farthing, Hampton, Hughes, Leeper, Little, Long, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—30.

The bill was ordered enrolled.

S. B. 791, bill to establish Philadelphus Township, in Robeson County, and for other purposes, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 591, S. B. 649, bill to authorize the town of Shelby to issue bonds, on its third reading.

The bill passed its third reading—ayes 30, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Hampton, Hughes, King, Leeper, Lusk, Moore, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—30.

The bill was ordered enrolled.

H. B. 751, S. B. 696, bill to amend the charter of the town of Salisbury, on its third reading.

The bill passed its third reading—ayes 30, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Hampton, Hughes, King, Leeper, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—30.

The bill was ordered enrolled.

S. B. 670, bill to incorporate the town of Union in the county of Hertford, on its third reading.

The bill passed its third reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Hampton, Hughes, King, Leeper, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—30.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 495, bill to revise and consolidate the charter of the town of Tarboro, on its third reading.

The bill passed its third reading—ayes 28, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Campbell, Copeland, Farthing, Hampton, Hughes, King, Leeper, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—28.

Voting in the negative:

Mr. Wimberly-1.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 599, bill to amend the charter of the town of Wilkesboro, on its third reading.

Mr. Barber moved to amend:

"Add to section 3 the following: 'Provided, That J. T. Ferguson shall be Mayor, and T. S. Miller, J. G. Hackett, John Carrigan, J. T. Privett and R. M. Staley shall be Commissioners until the election, to be held on the first Monday in May, 1889."

Adopted.

The bill passed its third reading—ayes 29, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Falkener, Farthing, Holton, Hughes, King, Leeper, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—29.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 742, S. B. 715, bill to authorize the Commissioners of Tyrrell County to fund the debt of the county and levy a special tax to pay the same, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Falkener, Farthing, Hampton, Holton, Hughes, King, Leeper, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—33.

The Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 672, bill to authorize the Commissioners of Craven County to establish a free ferry across Neuse River, in the county of Craven, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, Lucas, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—33.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 277, S. B. 407, bill to amend section 1260 of *The Code*, curing certain defects in probate and registration, on its third reading.

Mr. Bailey moved to amend:

"Add the following section:

'SEC. — . That said section be amended by adding the words 'Clerk or' before the words 'deputy,' in second line.'"

Adopted

The bill passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 636, bill to amend and continue in force the charter of the Raker City and Greensboro Railroad Company, on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett,

Blair, Briggs, Brock, Campbell, Copeland, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, Long, Lucas, Lusk, Moore, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—36.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 546, S. B. 624, bill to incorporate the Fayetteville and Albemarle Railroad Company, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, Long, Lucas, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—34.

The bill was ordered enrolled.

H. B. 618, S. B. 681, bill to incorporate the town of Southport, in Brunswick County, on its third reading.

The bill passed its third reading—ayes 31, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Falkener, Farthing, Hughes, Kerr, King, Leeper, Long, Lucas, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—31.

The bill was ordered enrolled.

S. B. 868, bill to incorporate the East Carolina Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Hughes, Kerr, King, Leeper, Long, Lucas, Lusk, Moore, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—33.

The bill was ordered engrossed and sent to the House of Representatives.

By consent,

Mr. Aycock reported from the Committee on Corporations

S. B. 717, bill to amend the charter of the town of Henderson, N. C., recommending it do pass.

#### THE CALENDAR

was resumed.

H. B. 40, S. B. 379, bill to incorporate the Morganton Land and Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 684, S. B. 648, bill for the relief of W. P. White, of Alamance County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 861, bill to appoint a cotton-weigher for the town of Matthews, Mecklenburg County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 723, bill to prohibit the sale of intoxicating liquors in certain localities in Nash County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, on its second reading.

The amendment reported by the Committee on Corpora-

tions was adopted.

The bill passed its second reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Campbell, Copeland, Emry, Falkener, Farthing, Holton, Hughes, King, Leeper, Long, Lucas, Lusk, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Pitt and Wimberly—35.

S. B. 785, bill to empower the Commissioners of Person County to sell land of the county in the town of Roxboro, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 898, bill to prohibit the sale of spirituous, vinous or malt liquors within three miles of College Hill school-house, etc., on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 904, bill to establish the dividing line between the counties of Mitchell and Yancey, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 907, bill concerning the Clerk of the Superior Court of Cabarrus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 879, bill to incorporate the Fries Shoals Manufacturing and Water-Power Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 738, bill relative to the Clerks of the Superior Court of Beaufort and Martin counties, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 796, bill to amend section 3707 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 670, S. B. 619, bill for the relief Daniel W. Patrick, Clerk of the Superior Court of Greene County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 804, S. B. 757, bill to alter the charter of the Polk County Railroad Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 682, S. B. 613, bill to protect fish in Rockingham County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 195, S. B. 281, bill relating to public highways in Stokes County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 630, S. B. 547, bill to authorize the Treasurer of Randolph County to pay a certain school claim, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 671, S. B. 555, bill to change the name of Lincoln and Grant townships, in Pender County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 497, S. B. 602, bill to incorporate Long Creek High School, in Pender County, on its second reading. The bill passed its second and third readings, and was ordered enrolled.

H. B. 629, S. B. 607, bill to prevent the putting dead bodies of animals in Roanoke River, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 368, S. B. 685, bill to incorporate the town of Franklin, in Macon, County, on its second reading.

The bill passed its second reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Brock, Copeland, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, Long, Lucas, Lusk, Moore, Pou, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—32.

H. B. 374, S. B. 405, bill to incorporate the Bank of Commerce and Industry of Raleigh, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 666, S. B. 711, bill with regard to railroad tax in Onslow County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 707, S. B. 612, bill to repeal chapter 223, Laws of 1887, to take Warren out of the list of tobacco counties in the revenue law, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 715, S. B. 616, bill to prevent the obstruction of southwest branch of New River, Onslow County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 549, S. B. 622, bill to prohibit the hunting of deer

in Poplar Branch Township, in Currituck County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 710, S. B. 623, bill to authorize the State Board of Education to sell to Anson M. Swindell certain lands on which he lives, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 718, bill to improve the turnpike roads in Johnston County, on its second reading.

Mr. Blair moved the bill be laid on the table. Lost.

On the passage of the bill its second reading,

Mr. Blair asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 16, noes 15 (the President voting in the affirmative) as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Bennett, Campbell, Emry, Green, King, Leeper, Lucas, Moore, Pou, Sills, Smith, Turner of Catawba, Twitty, Williams of Cumberland and Williams of Pitt—16.

Those voting in the negative were:

Messrs. Abbott, Banks, Brock, Copeland, Crawford, Farthing, Hampton, Holton, Hughes, Lusk, Robinson, Warters, White and Wimberly—15.

The bill was put upon its third reading.

Mr. Blair moved to amend:

"Strike out the provisions of the bill granting the public lands."

Adopted.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 132, S. B. 640, bill to compel butchers to keep registration, on its second reading.

Mr. Lucas moved to amend:

"Strike out 'Beaufort.'"

Adopted.

Mr. Moore moved to amend:

"Insert 'Rockingham.'"

Adopted.

Mr. Wimberly moved to amend:

"Strike out 'Edgecombe.'"

Lost.

The bill passed its second reading.

H. B. 857, S. B. 771, bill for the relief of J. G. Hughes, late Treasurer (and his sureties) of Camden County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 745, S. B. 641, bill to pay a certain school claim in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 746, S. B. 644, bill to pay a certain school claim in Swain County, on its second reading.

The bill passsed its second and third readings, and was ordered enrolled.

S. B. 797, bill to amend chapter 345, Laws of 1887, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 937, bill to prohibit the sale of spirituous liquors in certain localities in Columbus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 936, bill to repeal the local option or prohibitory laws, so far as they concern or relate to the town of Seaboard, in Northampton County, N. C., on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 810, S. B. 645, bill to incorporate Centre Lodge, No. 3, Knights of Pythias, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 693, S. B. 646, bill to authorize and empower the trustees of Oak Forest school house and site, in Randolph County, to sell the same and make title thereto, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 238, S. B. 395, bill to correct State grant No. 1730, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 851, S. B. 761, bill to establish a new township in Jackson County, by the name of Dillsboro Township, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 660, S. B. 554, bill to re-enact and amend chapter 108, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 480, S. B. 520, bill to repeal chapter 126, Private Laws of 1887, on its second reading.

The bill passed its second reading.

On motion of Mr. Banks, the Senate adjourned until tomorrow morning at 10 o'clock.

# FORTY-THIRD DAY.

SENATE CHAMBER, February 28, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Leeper, H. B. 655, S. B. 728, bill to abolish the June Term of Hertford County Superior Court, recommending it do pass.

By Mr. Bailey, S. B. 878, bill to amend section 896 of *The Code*, recommending it do pass;

S. B. 448, bill to authorize chapter 729 of first session of Fiftieth Congress, approved August 1st, 1888, to be operative in the State of North Carolina, recommending it do not pass;

H. B. 821, S. B. 245, bill to amend sections 2102 and 2116 of *The Code*, in relation to dower and year's allowance,

recommending it do pass.

By Mr. Kerr, S. B. 880, bill to repeal chapter 53, Laws of 1887, and for other purposes, recommending it do not pass;

H. B. 1001, S. B. 853, bill to amend section 3665 of *The Code*, relating to church property, recommending it do pass;

H. B. 921, S. B. 812, bill to punish the making of false returns by School Committeemen, recommending it do pass;

H. B. 206, S. B. 491, bill to amend chapter 15, volume II, of *The Code*, in relation to swamp lands, recommending it do pass;

H. B. 600, S. B. 553, bill concerning navigation, reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Green, H. B. 662, S. B. 680, bill to amend the charter of the city of Charlotte, recommending it do pass.

From the Committee on Finance:

By Mr. Moore, S. B. 792, bill to authorize the payment of certain school orders in Alamance County, recommending it do pass.

By Mr. Leeper, S. B. 417, bill to amend sections 2912, 2915, 2916 and 2921 of *The Code*, to carry into effect the provisions of section 2915, and for maintaining an efficient quarantine at the mouth of the Cape Fear River, reporting an amendment, and recommending the bill do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 996, S. B. 916, bill to incorporate the town of Elkin, in the county of Surry, recommending it do pass;

S. B. 751, bill to incorporate the Clinton Cemetery Com-

pany, Sampson County, recommending it do pass;

S. B. 745, bill to amend chapter 52 of the Laws of 1876-'77, being an act to incorporate the town of Gastonia, in Gaston County, recommending it do pass;

H. B. 389, S. B. 823, bill to amend the charter of the town of Rocky Mount, recommending it do pass;

S. B. 753, bill to incorporate the Winstead Manufacturing Company, recommending it do pass;

H. B. 879, S. B. 913, bill to incorporate the Southern Inter-State Exposition Society, recommending it do pass;

H. B. 865, S. B. 819, bill to incorporate the Louisburg Male Academy, recommending it do pass;

H. B. 987, S. B. 814, bill to amend the corporate limits of the town of Windsor, in Bertie County, recommending it do pass;

H. B. 822, S. B. 820, bill to amend the charter of the North Carolina Steel and Iron Company, recommending it do pass;

H. B. 796, S. B. 782, bill to permit the incorporation of fire companies without the payment of a tax, recommending it do pass;

H. B. 820, S. B. 772, bill to amend section 4, chapter 138, Laws of 1874-'75, relating to the charter of the city of

Charlotte, recommending it do pass;

H. B. 636, S. B. 780, bill to incorporate the town of Cumberland, in Cumberland County, recommending it do pass;

H. B. 913, S. B. 849, bill to incorporate the Bromine and Arsenic Springs (known as the Thompson Healing Springs) and Baptist Church, in Ashe County, recommending it do pass;

H. B. 899, S. B. 818, bill to protect deer, recommending

it do pass;

H. B. 895, S. B. 837, bill to incorporate Neuse Club, in Goldsboro, in Wayne County, recommending it do pass;

S. B. 802, bill to incorporate the town of Lowell, in the county of Gaston, recommending it do pass;

S. B 801, bill to incorporate the town of Mount Holly, in Gaston County, recommending it do pass.

By Mr. Bailey, H. B. 562, S. B. 886, bill to incorporate the Beaufort County Lumber Company, recommending it dopass;

H. B. 1012, S. B. 845, bill to amend the charter of the town of Graham, in Alamance County, recommending it do pass;

S. B. 862, bill to incorporate the Free Mason's Lodge at Amity Academy, in Hyde County, N. C., recommending it do pass.

By Mr. Aycock, H. B. 663, S. B 891, bill to incorporate the Loan, Land and Improvement Company, recommending it do pass;

S. B. 858, bill to incoporate the Mount Pisgah Turnpike Company, and to authorize the construction of a turnpike road to the top of Mount Pisgah, in Buncombe County, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, H. B. 752, S. B. 677, bill to amend chapter 21, section 2834, of *The Code*, in relation to birds, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Farthing, H. B. 985, S. B. 855, bill to incorporate the Bank of Madison, in the county of Rockingham, reporting amendments, and, as amended, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Copeland, H. B. 526, S. B. 777, bill to protect fish in Elk River and its tributaries, in Mitchell County, recommending it do pass.

From the Committee on Penal Institutions:

By Mr. Pou, H. B. 431, S. B. 490, bill to make the Penitentiary self-sustaining, reporting an amendment, and a majority of the committee recommending the bill, as amended, do pass.

Mr. Bailey, for a minority of the committee, submitted a report, with an amendment, and, thus amended, recommending the bill do pass.

On motion of Mr. Pou, the bill was made special order for Saturday, 2d day of March, at 11 o'clock a. m., and ordered printed.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 536, bill to be entitled an act to amend chapter 82 of the Private Laws of 1885, and chapter 165 of the Laws of 1860-'61;

S. B. 688, bill to be entitled an act to amend sections 1, 2, 3, 4, 5 and 6, chapter 234, Laws of 1881;

S. B. 496, bill to be entitled an act to amend section 2034 of *The Code*, in relation to keeping up and repairing bridges;

S. B. 655, bill to be entitled an act concerning the Clerk of the Superior Court of Edgecombe County; S. B. 500, bill to be entitled an act to furnish *The Code* and Laws of North Carolina to Mayors of cities and towns;

S. B. 581, bill to be entitled an act to amend section 316 of The Code;

S. B. 630, bill to be entitled an act to incorporate the Tarboro Land and Trust Company;

S. B. 737, bill to be entitled an act to amend the charter of the Atlantic and Western Railway Company;

S. B. 687, bill to be entitled an act to repeal chapter 389, Laws of 1883;

S. B. 658, bill to be entitled an act to amend section 3466 of *The Code*, relating to prison bounds for health of prisoners, etc.;

S. B. 597, bill to be entitled an act to amend subsection 9 of section 155 of *The Code*;

S. B. 724, bill to be entitled an act for the relief of Dempsey Spruill, late Sheriff of Washington County, N. C.;

Senate amendments to

H. B. 228, S. B. 730, bill to be entitled an act to improve the Edenton Academy;

Senate amendments to

H. B. 631, S. B. 697, bill to be entitled an act to change the time of holding the Superior Courts of Moore County; Senate amendment to

H. B. 351, S. B. 412, bill to be entitled an act to amend the charter of the Burgaw and Onslow Railroad Company— Which were sent to the House of Representatives.

#### TRUSTEES OF THE UNIVERSITY.

Mr. Long, for Special Joint Committee to recommend Trustees for the University, reported:

The Joint Committee on the Election of Trustees of the University of North Carolina recommend the Election of the following, whose terms expire November 30th, 1889:

Hon. A. C. Avera, Hon. H. C. Jones, Dr. P. L. Murphy, Maj. Geo. N. Thompson, Hon. W. L. Steele, Col. S. McD. Tate, Rev. W. S. Black, Hon. H. D. Williamson, Hon. C. M. Cook, Hon. J. J. Davis, Dr. Eugene Grissom, Rev. Neill McKay, Rev. J. L. Stewart, Hon. C. R. Thomas, Hon. R. A. Doughton and Rev. J. H. Cordon.

And as additional Trustees, chosen from points convenient to the seat of government and the University:

Hon. R. W. Scott, Hon. Isaac R. Strayhorn, Hon. Thos. J. Jarvis and Maj. Robt. Bingham.

To fill unexpired terms made vacant by death:

Hon. R. A. Doughton, to succeed Joseph Williams; Rev. J. H. Cordon, to succeed N. H. D. Wilson; J. D. Curry, Esq., to succeed Col. R. R. Bridgers; Chas. D. McIver, Esq., to succeed Jas. L. Robinson; Col. Wm. Johnson, to succeed Maj. W. J. Yates.

J. A. LONG,

Chairman Senate Branch.

R. A. DOUGHTON,

Chairman House Branch.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Leeper, S. B. 938, bill to amend the charter of the town of Shelby. Referred to the Committee on Corporations.

By Mr. Bennett, S. B. 939, bill to prohibit the sale of intoxicating liquors within three miles of Chapel Hill Baptist Church, in Brunswick County. Referred to the Committee on Propositions and Grievances.

By Mr. Wimberly, S. B. 940, bill to be entitled an act that the Laws of 1881, chapter 13, be amended by inserting after the end of section 2 in said chapter, &c. Referred to the Committee on Propositions and Grievances.

By Mr. Williams of Pitt, S. B. 941, bill to change the name of Bell's Ferry, in the counties of Pitt and Lenoir. Referred to the Committee on Propositions and Grievances.

By Mr. Kerr, S. B. 942, bill in relation to bastardy.

Referred to the Committee on Judiciary;

S. B. 943, bill to amend chapter 63 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Campbell, S. B. 944, bill in relation to unlawful fences. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Turner of Iredell, S. B. 945, bill to establish a public ferry across the Catawba River. Referred to the Committee on Propositions and Grievances.

By Mr. Holton, S. B. 946, bill to incorporate the High Point Female College. Referred to the Committee on Corporations.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, also House amendments, which were read the first time and disposed of as follows:

H. B. 858, S. B. 947, bill to be entitled an act to amend the charter of the city of Raleigh. Referred to the Committee on Corporations.

H. B. 1123, S. B. 948, bill to be entitled an act to change the spelling of certain words in chapter 179, Laws of 1885, and chapter 209, Laws of 1887. Referred to the Committee on Judiciary.

H. B. 1089, S. B. 949, bill to be entitled an act for the benefit of Thomas B. Bridgers. Referred to the Committee on Propositions and Grievances.

H. B 1055, S. B. 950, bill to be entitled an act to regulate deposits of trust funds. Referred to the Committee on Finance.

H. B. 1018, S. B. 951, bill to be entitled an act to amend the charter of the Raleigh Street Railway Company. Referred to the Committee on Corporations.

H. B. 928, S. B. 952, bill to be entitled an act in relation to certain school claims in Jackson County. Referred to the Committee on Education.

H. B. 919, S. B. 953, bill to be entitled an act for the relief of J. Rowan Rogers, Sheriff, and R. W. Wynne, Treasurer, of Wake County. Referred to the Committee on Finance.

H. B. 612, S. B. 954, bill to be entitled an act to repeal chapter 135, Laws of 1885, relating to the town of Scuffleton. Referred to the Committee on Propositions and Grievances.

H. B. 1071, S. B. 955, bill to be entitled an act to authorize the Governor to sell and convey a certain lot in the city of Raleigh. Referred to the Committee on Finance.

H. B. 1072, S. B. 956, bill to be entitled an act for the relief of D. C. Mangum, Clerk of the Superior Court of Durham County. Referred to the Committee on Judiciary.

H. B. 1021, S. B. 957, bill to be entitled an act to incorporate the town of Argo, in the county of Nash. Referred to the Committee on Corporations.

H. B. 1063, S. B. 958, bill to be entitled an act to amend the charter of the town of Bryson City, in Swain County. Referred to the Committee on Corporations.

H. B. 1061, S. B. 959, bill to be entitled an act to amend section 2832 of *The Code*, relating to hunting deer in Brunswick and Columbus counties. Referred to the Committee on Game.

H. B. 1025, S. B. 960, bill to be entitled an act to change the name and increase the stock of the Salisbury Gas-Light Company. Referred to the Committee on Corporations.

H. B. 1020, S. B. 961, bill to be entitled an act to compel citizens in certain sections along Buffalo Creek, in Cleveland County, to clean out the same. Referred to the Committee on Propositions and Grievances.

H. B. 1057, S. B. 962, bill to be entitled an act to amend the Acts of 1885, chapter 57, in reference to the schools of the Croatan Indians, in Richmond County. Referred to the Committee on Education.

H. B. 617, S. B. 963, bill to be entitled an act to incorporate the Pender and Onslow Land and Improvement Company. Referred to the Committee on Corporations.

H. B. 992, S. B. 964, bill to be entitled an act to provide for a review and alteration of the public road crossing the Blue Ridge at Mulberry Gap. Referred to the Committee on Propositions and Grievances.

H. B. 1037, S. B. 965, bill to be entitled an act to repeal chapter 321, Laws of 1885, in reference to sale of spirituous liquors in Sampson County. Referred to the Committee on Propositions and Grievances.

H. B. 1042, S. B. 966, bill to be entitled an act to prohibit the felling of timber in Cove Creek, Montford Township, McDowell County. Referred to the Committee on Propositions and Grievances.

H. B. 685, S. B. 967, bill to be entitled an act to amend an act to incorporate the town of Sanford, in Moore County. Referred to the Committee on Corporations.

H. B. 1052, S. B. 968, bill to be entitled an act to amend section 3408 of *The Code*, in relation to fishing in Scuppernong River, in Tyrrell County. Referred to the Committee on Finance.

House amendment to

S. B. 388, H. B. 704, bill to be entitled an act to provide for the drainage of certain lands in Rutherford County, which was concurred in, and the bill ordered enrolled.

House amendment to

S. B. 416, H. B. 775, bill to be entitled an act to provide additional accommodations for the deaf, dumb and blind, which was concurred in, and the bill ordered enrolled.

Also a message transmitting, without engrossment, House

bills, which were read the first time and disposed of as follows:

H. B. 1049, S. B. 969, bill to be entitled an act to amend the charter of the town of Pittsboro. Referred to the Committee on Corporations.

H. B. 1051, S. B. 970, bill to be entitled an act to amend sections 1, 2, 3 and 4, chapter 310, Laws 1854'-55. Referred to the Committee on Judiciary.

Also a message transmitting engrossed House amendments to

S. R. 456, H. R. 785, a resolution to investigate railroad companies which refuse or fail to pay taxes in North Carolina, which was concurred in, and the bill ordered enrolled.

Also a message announcing the appointment of Messrs. McDonald and Overman as additional members of the House branch of the Joint Committee to Recommend Trustees for the University of North Carolina.

# ELECTION OF TRUSTEES OF THE UNIVERSITY.

A message was sent to the House of Representatives proposing to that honorable body that the two houses proceed, at 8:30 o'clock p.m. to-day, to ballot for Trustees of the University.

A message was received from the House of Representatives announcing the concurrence of that honorable body in the proposition of the Senate to proceed, at 8:30 o'clock p. m. to-day, to ballot for Trustees of the University, and that the Speaker had appointed as tellers on the part of the House, to superintend the election, Messrs. Sutton and Amis.

The President of the Senate announced as tellers on the part of the Senate, Messrs. Long and Lusk.

#### THE CALENDAR.

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

H. B. 879, S. B. 913, bill to incorporate the Southern Inter-State Exposition Society, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 206, S. B. 491, bill to amend chapter 15, Volume II, of *The Code*, in relation to swamp lands, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Lusk moved to reconsider the vote by which

S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes, passed its third reading on yesterday; and moved to postpone the consideration of the motion for the present. The latter motion prevailed.

#### UNFINISHED BUSINESS.

H. B. 811, S. B. 784, bill to provide for the regulation of railroad freight and passenger tariffs in this State, was taken up on its second reading, it being the unfinished business of yesterday.

Pending consideration, the hour for the

## SPECIAL ORDER

having arrived, it being

S. B. 741, bill to complete the Governor's Mansion, which was taken up on its second reading.

On motion of Mr. Payne, the bill was postponed for the present.

The consideration of

H. B. 811, S. B. 784, bill to provide for the regulation of railroad freights and passenger tariffs in this State, was resumed.

Mr. Turner of Iredell moved to amend:

"Add to section 1: 'That not more than two of the aforesaid commission shall be of the same political party.'"

The ayes and noes were ordered on the amendment and it was adopted—ayes 27, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Briggs, Brock, Campbell, Crawford, King, Leeper, LeGrand, Long, Lucas, Means, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Williams of Cumberland, Williams of Pitt and Wimberly—27.

Those voting in the negative were:

Messrs. Banks, Barber, Bennett, Blair, Brown, Copeland, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Little, Lusk, Moore, Rice, Stubbs, Thomas, Warters and White—22.

Mr. Emry demanded the previous question, and was sustained.

On the passage of the bill its second reading, the ayes and noes were ordered, and the bill failed to pass its second reading—ayes 22, noes 28, as follows.

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Brock, Campbell, Leeper, LeGrand, Little, Lucas, Payne, Pou, Reid, Robinson, Shaw, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Banks, Barber, Bennett, Blair, Briggs, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leinbach, Long, Lusk, Means, Moore, Rice, Stubbs, Thomas, Warters, White and Wimberly—28.

Mr. Emry 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.

Mr. LeGrand moved to adjourn, on which the ayes and noes were ordered, and the motion to adjourn was lost—ayes 22, noes 23 (the President voting in the negative), as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Brock, Crawford, Farthing, Leeper, LeGrand, Little, Lucas, Payne, Reid, Robinson, Shaw, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Mr. President, Messrs. Banks, Barber, Blair, Brown, Copeland, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Long, Lusk, Means, Moore, Rice, Thomas, Warters, White and Wimberly—23.

The question recurred upon the motion to table the motion to reconsider, and the ayes and noes being ordered, the motion to table prevailed—ayes 26, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Bennett, Blair, Briggs, Brown, Copeland. Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Long, Lusk, Means, Moore, Rice, Smith, Thomas, Warters, White and Wimberly—26.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Brock, Leeper, LeGrand, Little, Lucas, Payne, Reid, Robinson, Sills, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—17.

On motion of Mr. LeGrand, the Senate adjourned until 8 p. m.

#### EVENING SESSION.

February 28, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

# THE CALENDAR.

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

S. B. 194, bill to amend the charter of the town of Murphy, in Cherokee County, on its third reading.

The bill passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Hughes, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—36.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 368, S. B. 685, bill to incorporate the town of Franklin, in Macon County, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Hampton, Hughes, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Pou, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Pitt and Wimberly—35.

The bill was ordered enrolled.

H. B. 132, S. B. 640, bill to compel butchers to keep registration, on its third reading.

The bill passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 717, bill to amend the charter of the town of Henderson, N. C., on its second reading.

The bill passed its second reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—39.

H. B. 562, S. B. 886, bill to incorporate the Beaufort County Lumber Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 996, S. B. 916, bill to incorporate the town of Elkin, in the county of Surry, on its second reading.

The bill passed its second reading--ayes 44, noes -, as follows:

Those voting in the affirmative were:

Messrs. Abbott, 'Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Pitt and Wimberly—44.

Mr. Blair moved to take up for consideration the pending motion to reconsider the vote by which

S. B. 735, bill to authorize the Commissioners of Mitchell County to issue bonds for certain purposes, passed its third reading. The motion prevailed.

Mr. Blair moved to lay the motion to reconsider on the table, which prevailed.

The bill was ordered engrossed and sent to the House of Representatives.

## ELECTION OF TRUSTEES FOR THE UNIVERSITY.

The hour for balloting for Trustees for the University having arrived, the names reported by the committee were read.

The Senate proceeded to vote as follows:

For terms to expire November 30th, 1889:

For Messrs. A. C. Avery, H. C. Jones, P. L. Murphy, George N. Thompson, W. L. Steele, S. McD. Tate, W. S. Black, H. D. Williamson, C. M. Cooke, Neill McKay, J. S. Stewart, R. A. Doughton, J. H. Cordon,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—44.

For Mr. J. J. Davis,

Messrs. Abbott. Aycock, Bailey, Banks, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Holton, Hughes, Kerr, King, Leeper, Little, Long, Lusk, Pou, Smith, Toms, Turner of Iredell, White and Williams of Cumberland—24.

For Mr. Eugene Grissom,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett,

Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—42.

For Mr. C. R. Thomas,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—42.

For Mr. Eugene Harrell,

Mr. LeGrand.

For Mr. G. N. Folk,

Messrs. Aycock, Bailey, Barber, Blair, Brown, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Kerr, Leeper, Leinbach, Little, Lucas, Moore, Pou, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Williams of Cumberland, Williams of Pitt and Wimberly—28.

For additional Trustees chosen from points convenient to the seat of government and the University:

For Messrs. R. W. Scott and Robert Bingham,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—44.

For Mr. Jarvis,

Messrs. Abbott, Bailey, Banks, Bennett, Blair, Briggs,

Brock, Campbell, Copeland, Hughes, LeGrand, Long, Lusk, Pou, Turner of Iredell and White—16.

For Mr. Strayhorn,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, White, Williams of Cumberland, Williams of Pitt and Wimberly—43.

For Mr. John King,

Messrs. Aycock, Barber, Brown, Crawford, Emry, Falkener, Farthing, Green, Hampton, Kerr, King, Leeper, Leinbach, Little, Lucas, Moore, Reid, Rice, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Williams of Cumberlaud, Williams of Pitt and Wimberly—27.

To fill unexpired terms made vacant by death:

For Messrs. Doughton, Cordon, Curry and McIver,

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—44.

For Mr. Johnson,

Messrs. Abbott, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leinbach, Long, Lusk, Moore, Rice, Robinson, Sills, Toms, Turner of Catawba, White, Williams of Pitt and Wimberly—30.

For Mr. A. D. Jones,

Mr. LeGrand.

For Mr. F. B. McDowell,

Messrs. Lucas, Reid and Thomas-3.

For Mr. Folk:

Messrs. Aycock, Bailey, Crawford, Kerr, Leeper, Little, Pou, Smith, Turner of Iredell and Williams of Cumberland—10.

By consent,

Mr. Barber reported from the Committee on Corpora-

S. B. 900, bill to incorporate the Maxton and Northwestern Railroad Company, recommending it do pass;

S. B. 906, bill to amend chapter 33, Laws of 1841, relating to charter of Floral College, recommending it do pass;

S. B. 899, bill to change the name of the Alma and Little Rock Railroad Company, recommending it do pass.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 146, H. B. 538, an act in relation to indigent and other apprentices;

H. B. 278, S. B. 397, an act to amend section 677 of *The Code*, and chapter 19, Laws of 1885, in reference to forming corporations before the Clerk;

S. B. 341, H. B. 770, an act for the relief of George C. McLarty, Clerk of the Superior Court of Union County;

S. B. 392, H. B. 773, an act to create a new township in the county of Ashe, to be called "Creston Township";

S. B. 314, H. B. 768, an act to protect the owners of timber growing on the lands of others;

S. B. 301, H. B. 53, an act to prevent the increase of hog cholera;

S. B. 320, H. B. 766, an act to amend chapter 92, Laws of 1872-'73;

H. B. 621, S. B. 611, an act to amend chapter 337, Laws of 1887, in regard to the drainage of Hogan's Creek, in Rockingham County;

S. B. 300, H. B. 52, an act to prescribe what is a lawful fence;

H. B. 579, S. B. 525, an act to promote the immediate cultivation of shell-fish by citizens of the State;

H. B. 632, S. B. 617, an act to incorporate the Farmers' Co-operative School of North Carolina;

H. B. 65, S. B. 135, an act to incorporate the town of Ramoth, in the county of Buncombe;

H. B. 634, S. B. 551, an act to protect the waters of Flat Swamp, Evans' Creek and Lock Creek Canal, in Cumberland County;

H. B. 587, S. B. 704, an act to amend chapter 63, Laws of 1885, in regard to the Criminal Court for Mecklenburg County;

H. B. 426, S. B. 444, an act to incorporate the town of Ellenboro, in Rutherford County;

S. B. 593, H. B. 926, an act to amend chapter 310, Laws of 1885;

H. B. 539, S. B. 480, an act to amend chapters 117 and 261, Laws of 1885, and chapter 34 of *The Code*;

H. B. 548, S. B. 610, an act for the relief of sureties of J. T. Hunter, late Sheriff of Alamance County;

H. B. 98, S. B. 609, an act to incorporate the West Asheville Toll-Bridge Company;

S. B. 49, H. B. 604, an act to amend chapter 82 of the Private Laws of 1881;

S. B. 339, H. B. 975, an act to amend chapter 13 of the Private Laws of 1883;

S. B. 533, H. B. 977, an act to regulate fishing in the northeast branch of the Cape Fear River;

S. B. 287, H. B. 608, an act to establish local option in parts of Green Hill and Rutherford townships, in Rutherford County;

S. B. 383, H. B. 393, an act to amend chapter 81, section 3, Laws of 1887, in regard to the sale of seed cotton;

H. B. 420, S. B. 351, an act for the relief of D. H. West, a totally disabled ex-Confederate soldier of Cumberland County, N. C.;

S. B. 377, H. B. 365, an act in relation to the Commissioners of Clay County;

H. R. 644, S. R. 620, resolution in favor of T. H. Briggs & Sons.

# THE CALENDAR

was resumed.

H. B. 930, S. B. 935, bill to charter the town of Brevard, Transylvania County, on its second reading.

The bill passed its second reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Wimberly—40.

S. B. 906, bill to amend chapter 33, Laws of 1841, relating to the charter of Floral College, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 600, S. B. 553, bill concerning navigation, on its second reading.

The substitute reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, the Senate substitute was ordered engrossed and sent to the House of Representatives.

S. B. 899, bill to change the name of the Alma and Little Rock Railroad Company, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 900, bill to incorporate the Maxton and Northwestern Railroad Company, on its second reading.

The bill passed its second reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—43.

H. B. 941, S. B. 824, bill to elect cotton weighers for Monroe and other towns in Union County, on its second reading. The bill passed its second and third readings, and was

ordered enrolled.

S. B. 792, bill to authorize the payment of certain school orders in Alamance County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 971, bill in regard to Columbus County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the Honse of Representatives without engrossment.

S. B. 858, bill to incorporate the Mount Pisgah Turnpike 'Company, and to authorize the construction of a turnpike road to the top of Mount Pisgah, in Buncombe County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 862, bill to incorporate the Free Masons' Lodge at Amity Academy, in Hyde County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 801, bill to incorporate the town of Mount Holly, in the county of Gaston, on its second reading.

The bill passed its second reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Emry, Falkener, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Robinson, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—38.

H. B. 480, S. B. 520, bill to repeal chapter 126 of the Private Laws of 1887, on its third reading.

The bill failed to pass its third reading (the ayes and noes having been ordered thereon)—ayes 16, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Briggs, Brock, Campbell, Farthing, Hughes, Kerr, Leinbach, Long, Lucas, Sills, Smith, Toms, Turner of Iredell, White and Williams of Cumberland—16.

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Blair, Brown, Emry, Falkener, Hampton, Holton, King, Leeper, Lusk, Moore, Reid, Rice, Robinson, Thomas, Turner of Catawba, Warters, Williams of Pitt and Wimberly—22.

H. B. 741, S. B. 676, bill to change the dividing line between the counties of Ashe and Alleghany, on its second reading.

The amendment reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 748, S. B. 699, bill to amend sections 1273 and 1274 of *The Code*, on its second reading.

On motion of Mr. Abbott, the bill was recommitted to the Committee on Judiciary.

By consent,

Mr. Banks introduced the following:

Resolved, That after to-day the Senate will meet at 10 o'clock a.m. and adjourn at 2 p.m.; meet at 8 p.m. and adjourn at 10 o'clock p.m., except on Saturdays, unless otherwise ordered.

The resolution was adopted.

Mr. Barber introduced the following:

Resolved by the Senate, That the Keeper of the Capitol be, and he is hereby, instructed to keep on the heat at night while the Senate is in session, during the remainder of this session, unless otherwise ordered.

The resolution was adopted.

On motion of Mr. Little, the Senate adjourned until tomorrow morning at 10 o'clock.

# FORTY-FOURTH DAY.

SENATE CHAMBER, March 1, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

Leave of absence was granted Messrs. Brock, Shaw and Crawford.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Turner of Iredell, S. B 592, bill for the protection of creditors of copartnerships, recommending it do pass.

By Mr. Little, S. B. 130, bill to secure to creditors a just division of the estate of debtors who convey to assignees for the benefit of creditors, reporting a substitute therefor, and recommending the substitute do pass.

On motion of Mr. Little, the substitute was ordered printed.

By Mr. Payne, H. B. 1034, S. B. 928, bill to make more effective proceedings before Boards of Aldermen and other bodies, recommending it do pass.

By Mr. Means, H. B. 791, S. B. 698, bill to amend chapter 212, Laws of 1885, relative to making the Yadkin and Pee Dee rivers public highways, recommending it do pass.

By Mr. Kerr, S. B. 859, bill to amend section 3606 of chapter 51 of *The Code*, recommending it do pass.

From the Committee on Finance:

By Mr. Leeper, H. B. 893, S. B. 842, bill to authorize Junaluskee Lodge, No. 145, A. F. & A. M, to sell the Female-Academy in Franklin, recommending it do pass.

By Mr. Moore, H. B. 796, S. B. 826, bill to permit the incorporation of fire companies without the payment of a tax, recommending it do pass.

By Mr. Thomas, S. B. 789, bill to renew and re-mark the boundary lines between this State and the States of Virginia, Tennessee, South Carolina and Georgia, reporting it without recommendation.

By Mr. Toms, H. B. 919, S. B. 953, bill for the relief of J. Rowan Rogers, Sheriff of Wake County, and R. W. Wynne, Treasurer of Wake County, recommending it dopass.

By Mr. Long, H. B. 635, S. B. 889, bill explanatory of the recent acts for the relief of Sheriffs, tax-collectors and their sureties, recommending it do pass;

S. R. 874, resolution relieving certain property of double tax, reporting an amendment, and, as amended, recommending it do pass;

S. B. 748, bill for the relief of the State Treasurer, recommending it do pass.

By Mr. Payne, H. R. 984, S. R. 896, resolution on adjournment, recommending it do pass.

From the Committee on Education:

By Mr. Campbell, S. B. 799, bill to create a new free school district, recommending it do pass;

S. B. 756, bill to supplement the public school in district No. 4, Guilford County, with a special tax; recommending it do pass.

By Mr. Moore, H. B. 1057, S. B. 962, bill to amend the acts of 1885, chapter 57, in reference to the schools of the Croatan Indians, in Richmond County, recommending it do pass;

H. B. 928, S. B. 952, bill in relation to certain school claims in Jackson County, recommending it do pass;

H. B. 863, S. B. 847, bill to authorize the payment of a school claim in Haywood County, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 632, bill to incorporate the Wilson Banking and Trust Company, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Thomas, H. B. 1025, S. B. 960, bill to change the name and increrse the stock of the Salisbury Gas Light Company, recommending it do pass.

By Mr. Barber, H. B. 998, S. B. 921, bill to incorporate the Gillis Improvement Company, of Granville County, recommending it do pass;

H. B. 749, S. B. 709, bill to amend the charter of the town of Durham, recommending it do pass.

From the Committee on Insurance:

By Mr. Toms, H. B. 246, S. B. 365, bill to amend chapter 6, Private Laws of 1887, in relation to the Carolina Insurance Company, of Wilmington, N. C., recommending it dopass.

From the Committee on Agriculture, Mechanics and

Mining:

By Mr. Brown, H. B. 888, S. B. 883, bill to protect owners of stock living near Smithfield, recommending it do pass;

H. B. 944, S. B. 892, bill to incorporate the Jersey Cattle

Club, recommending it do pass;

S. B. 860, bill in relation to the registration of cattle and other domestic animals, reporting it without recommendation.

By Mr. Aycock, H. B. 388, S. B. 396, bill to amend section 2184 of *The Code*, so as to relieve the Governor from acting as Chairman of the Board of Agriculture, recommending it do pass.

H. B. 652, S. B. 727, bill to prevent the spread of disease among hogs, recommending it do pass.

From the Committee on Pensions:

By Mr. Lucas, S. B. 866, bill for the relief of L. C. Horton, Confederate soldier, recommending it do pass;

S. B. 863, bill for the relief of certain soldiers of the late war between the States, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Lucas, H. B. 1052, S. B. 968, bill to amend section 3408 of *The Code*, in relation to fishing in Scuppernong River, Tyrrell County, recommending it do pass;

H. B. 900, S. B. 893, bill to protect certain interests in the State of North Carolina, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 904, bill to be entitled an act to establish the dividing line between the counties of Mitchell and Yancey;

- S. B. 868, bill to be entitled an act to incorporate the East Carolina Railroad Company;
- S. B. 735, bill to be entitled an act to authorize the Commissioners of Mitchell County to issue bonds for the purpose of paying the indebtedness of said county;
- S. B. 508, bill to be entitled an act to amend section 1864 of *The Code*;
- S. B. 898, bill to be entitled an act to prohibit the sale of liquor within three miles of College Hill School House and Jackson Forest School, in Union County;
- S. B. 862, bill to be entitled an act to incorporate the Free Mason Lodge at Amity Academy, in Hyde County, N. C.;
- S. B. 725, bill to be entitled an act to repeal chapter 320, Laws of 1883;
- S. B. 718, bill to be entitled an act to improve the turnpike roads of Johnston County;
- S. B. 359, bill to be entitled an act to incorporate the original "Free Will Baptist Conference" of the State of North Carolina;
- S. B. 740, bill to be entitled an act to amend chapter 25, Private Laws of 1887;
- S. B. 936, bill to be entitled an act to repeal the local option or prohibitory laws so far as they concern or relate to the town of Seaboard, Northampton County, N. C.;
- S. B. 719, bill to be entitled an act to amend the charter of the town of Clayton;
- S. B. 738, bill to be entitled an act relative to the Clerks of the Superior Court of Beaufort and Martin counties;
- S. B. 791, bill to be entitled an act to establish Philadelphus Township, in Robeson County, and for other purposes;
- S. B. 670, bill to be entitled an act to incorporate the town of Union, in the county of Hertford;
- S. B. 797, bill to be entitled an act to amend chapter 345, Laws of 1887;
- S. B. 861, bill to be entitled an act to appoint a cotton weigher for the town of Matthews, Mecklenburg County;

- S. B. 796, bill to be entitled an act to amend section 3707 of *The Code*;
- S. B. 672, bill to be entitled an act to authorize the Commissioners of Craven County to establish a free ferry across Neuse River;
- S. B. 785, bill to be entitled an act to empower the County Commissioners of Person County to sell land of the county in the town of Roxboro;
- S. B. 937, bill to be entitled an act to prohibit the sale of spirituous liquors in certain localities in Columbus County;
- S. B. 723, bill to be entitled an act to prohibit the sale of intoxicating liquors in certain localities in Nash County;
- S. B. 907, bill to be entitled an act concerning the Clerk of the Superior Court of Cabarrus County;
- S. B. 661, bill to be entitled an act to amend an act to amend the charter of the town of Elizabeth City, N. C.;

Senate amendments to

H. B. 741, S. B. 676, bill to be entitled an act to change the dividing line between the counties of Ashe and Alleghany;

Senate amendments to

H. B. 132, S. B. 640, bill to be entitled an act to compel butchers to keep registration;

Senate amendment to

H. B. 277, S. B. 407, bill to be entitled an act to amend section 1260 of *The Code*, curing certain defects in probate and registration;

Senate amendment to

H. B. 742, S. B. 715, bill to be entitled an act to authorize the Commissioners of Tyrrell County to fund the debt of the county and levy a special tax to pay the same—

Which were sent to the House of Representatives.

#### INTRODUCTION OF BILLS, AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Shaw, S. B. 972, bill to change the name of Winton Academy. Placed on the Calendar.

By Mr. Smith, S. B. 973, bill to incorporate the Fair Mining and Manufacturing Company. Referred to the Committee on Corporations.

By Mr. Farthing, S. B. 974, bill to lay out and construct a public road in Caldwell and Watauga counties. Referred to the Committee on Propositions and Grievances.

By Mr. Means, S. B. 975, bill to authorize the Board of Commissioners of the town of Concord to levy and collect a tax for a special purpose. Placed on the Calendar.

Mr. Mr. Means, S. B. 976, bill to authorize the Board of Commissioners of the town of Concord to issue bonds. Placed on the Calendar.

By Mr. Means, S. B. 977, bill to incorporate the Concord Railway Company. Placed on the Calendar.

By Mr. Long, S. B. 978, bill to incorporate the Roxboro Land and Loan Company. Referred to the Committee on Propositions and Grievances.

By Mr. Williams of Cumberland (by request), S. B. 979, bill in relation to the county-seat of Harnett County. Bill, with petition, referred to the Committee on Propositions and Grievances.

By Mr. Lucas, S. B. 980, bill to prohibit the sale of spirituous liquors within two miles of Pleasant Grove M. E. Church and Hebron M. E. Church, in Washington County. Referred to the Committee on Propositions and Grievances.

By Mr. Little (by request), S. B. 986, bill to repeal chapter 284 of the Laws of 1887, and to amend chapter 47 of *The Code*, on the subject of partition. Referred to the Committee on Judiciary.

By Mr. LeGrand, S. B. 987, bill to create a Board of Health for the town of Laurinburg. Referred to the Committee on Propositions and Grievances.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, and House amendments, which were read the first time and disposed of as follows:

H. B. 199, S. B. 981, bill to amend chapter 162, Laws of 1885, in relation to the Durham, Blue Wing and Clarksville Railroad Company. Referred to the Committee on Corporations.

H. B. 825, S. B. 982, bill to incorporate the town of Lucama, in the county of Wilson. Referred to the Committee on Corporations.

H. B. 1019, S. B. 983, bill to incorporate the town of Waxhaw, in Lenoir County. Referred to the Committee on Corporations.

House amendment to

S. B 201, H. B. 698, bill to drain the swamp lands in Henderson County, which was concurred in, and the bill ordered enrolled.

House amendment to

S. B. 422, H. B. 922, bill relating to the drainage of lowlands, which was concurred in, and the bill ordered enrolled.

H. B. 515, S. B. 984, bill to incorporate the town of Hasty, in Richmond County. Referred to the Committee on Corporations.

H. B. 1143, S. B. 985, bill to submit the question of repeal of the stock law in certain sections of Franklin County to the qualified voters residing in said sections. Referred to the Committee on Agriculture, Mechanics and Mining.

House amendment to-

S. B. 173, H. B. 873, bill to amend the charter of the Norfolk Southern Railroad Company, which was concurred in, and the bill ordered enrolled.

Also a message announcing the refusal of that honorable body to concur in Senate amendments to

H. B. 20, S. B. 364, bill to prevent manufacturers and others from issuing non-transferable scrip for labor done, asking a committee of conference thereon, and announcing as the House branch of such committee,

Messrs. McGill, Beddingfield and Amis.

The Senate concurred in the proposition of conference, and appointed as the Senate branch thereof,

Messrs. White, Crawford and Leeper.

#### THE CALENDAR.

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

H. R. 984, S. R. 896, resolution on adjournment, on its second reading.

Mr. Little moved the resolution be postponed until Tues day next, 5th inst, and made the special order for 12 o'clock noon of that day; on which,

Mr. Payne asked for the ayes and noes, which were ordered, and the motion to postpone prevailed—ayes 24, noes 23 (the President voting in the affirmative), as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Abbott, Aycock, Barber, Blair, Brock, Copeland, Emry, Falkener, Farthing, Holton, Kerr, Leeper, Little, Lusk, Means, Rice, Robinson, Smith, Stubbs, Thomas, Turner of Catawba, Warters and Williams of Pitt—24.

Those voting in the negative were:

Messrs. Bailey, Banks, Bennett, Briggs, Campbell, Green,

Hampton, Hughes, King, LeGrand, Leinbach, Long, Lucas, Moore, Payne, Pou, Reid, Sills, Toms, Turner of Iredell, White, Williams of Cumberland and Wimberly—23.

Mr. Blair moved to reconsider the vote by which

H. B. 480, S. B. 520, bill to repeal chapter 126, Private Laws of 1887, failed to pass its third reading on yesterday. The motion prevailed.

The bill was passed over informally.

Mr. Kerr moved to reconsider the vote by which the Senate concurred in

House amendment to

S. R. 456, H. R. —, resolution to investigate railroad companies which refuse or fail to pay taxes in North Carolina; and moved to postpone the consideration of the motion to reconsider for the present. The latter motion prevailed.

## SPECIAL ORDER.

The hour for the special order having arrived,

S. B. 741, bill to complete the Governor's Mansion, was taken up on its second reading.

Mr. LeGrand moved the bill be postponed until after the

## SECOND SPECIAL ORDER,

S. B. 360, bill to amend the Constitution of North Carolina and to provide for the election as to said amendments, be disposed of, which prevailed.

S. B. 360, bill to amend the Constitution of North Carolina and to provide for the election as to said amendments, was taken up on its second reading, it being the second special order for to-day.

Mr. Turner of Iredell moved the bill be recommitted to the Committee on Judiciary.

On which,

Mr. Payne asked for the ayes and noes, which were

ordered, and the motion to recommit prevailed—ayes 30, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Rice, Robinson, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Warters, Williams of Pitt and Wimberly—30.

Those voting in the negative were:

Messrs. Campbell, LeGrand, Lucas, Moore, Payne, Pou, Reid, Sills, Toms, White and Williams of Cumberland—11.

On motion of Mr. Williams of Pitt,

S. B. 6, bill to reduce legal rate of interest to six per cent., was taken up on its third reading.

On motion of Mr. Williams of Pitt, the bill was postponed until 8:30 o'clock p. m., and made the special order for that hour.

## SPECIAL ORDER.

S. B. 741, bill to complete the Governor's Mansion, was taken up on its second reading.

Mr. LeGrand moved to amend:

"Strike out, in section 1, in the second line thereof, the words, 'cause to be completed,' and insert in lieu thereof the words 'sell at public outcry;' and add, at end of said section, the words 'to the highest bidder, for cash, and make deed to the purchaser; Provided, said Mansion shall not be sold for less than thirty-five thousand dollars (\$35,000).' Strike out sections 2, 3 and 4 of the bill and insert in lieu thereof the following: 'And the Governor and his Council are hereby authorized and directed to buy a suitable building already completed for the use of the Governor of the State, at a sum not to exceed fifteen thousand dollars, and apply fifteen thousand dollars of the proceeds of the sale of the said Gov-

ernor's Mansion on Burke Square to the payment of said building, and pay over the balance of proceeds of said sale to the Treasurer of the State.'"

Mr. Thomas moved to amend the amendment:

"Strike out 'thirty-five thousand dollars,' and insert in lieu thereof 'forty-five thousand dollars;' strike out the words 'at public outcry.'"

Mr. Moore demanded the previous question and was sustained.

On the amendment offered by Mr. Thomas, the ayes and noes were ordered, and the amendment was lost—ayes 15, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Falkener, Holton, Hughes, Leinbach, Lusk, Rice, Thomas, Turner of Iredell, Warters and Wimberly—15.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Blair, Crawford, Emry, Green, Kerr, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, White, Williams of Cumberland and Williams of Pitt—26.

On the amendment offered by Mr. LeGrand, the ayes and noes were ordered, and the amendment was adopted—ayes 26, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Blair, Briggs, Crawford, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Long, Payne, Pou, Reid, Rice, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—26.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Brown, Campbell, Cope-

land, Emry, Falkener, Farthing, King, Little, Lucas, Lusk, Moore, Robinson, Stubbs, Thomas, Williams of Pitt and Wimberly—19.

The bill passed its second reading.

Mr. Pou moved the rules be suspended and the bill be put upon its third reading; on which,

Mr. Barber demanded the ayes and noes, which were ordered, and the motion to suspend the rules was lost (not two-thirds of the Senators present and voting voting therefor), as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Blair, Briggs, Crawford, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Long, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland and Williams of Pitt—28.

Those voting in the negative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Emry, Falkener, Farthing, King, Little, Lucas, Lusk, Payne, Stubbs, Thomas, White and Wimberly—17.

Mr. Little moved to reconsider the vote by which the Senate refused to suspend the rules. Adopted.

The rules were then suspended, and the bill put upon its third reading.

Mr. Payne moved to amend:

"Strike out 'thirty-five thousand dollars,' and insert in lieu thereof 'forty thousand dollars.'"

Mr. Pou moved to amend:

"Amend the title by making it read: 'A bill to be entitled an act to sell the Governor's Mansion.'" Mr. Moore moved to amend:

"Add the following section:

'SEC. — . That in the event said property cannot be sold for the price named in this act on or before the first day of March, 1890, then, and in that event, the Board of Directors of the Penitentiary are hereby authorized to complete said mansion out of the earnings of said institution, not exceeding four thousand dollars.'"

Mr. Blair moved to postpone the bill until to-morrow, and instruct the Committee on Judiciary to inquire into the power of the State to sell the property. Lost.

Mr. Campbell moved to amend:

"Strike out the words 'at public outcy'; strike out the 'thirty-five thousand,' and insert 'fifty thousand.'"

Mr. Turner of Iredell demanded the previous question, and was sustained.

The amendment offered by Mr. Campbell was lost.

On Mr. Payne's amendment,

Mr. Payne asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 11, noes 29, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Briggs, Campbell, Copeland, King, Lusk, Payne, Rice, Thomas and Williams of Cumberland—11.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Blair, Brown, Crawford, Emry, Falkener, Green, Holton, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Moore, Pou, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Warters, White and Wimberly—29.

On the adoption of the amendment offered by Mr. Moore, Mr. Thomas asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 6, noes 37, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Barber, Briggs, Moore, Payne and Reid-6.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Blair, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Pou, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—37.

The amendment offered by Mr. Pou was adopted.

On the passage of the bill its third reading,

Mr. Barber asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 25, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Blair, Briggs, Brown, Copeland, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Long, Pou, Rice, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—25.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Campbell, Emry, Farthing, King, Little, Lucas, Lusk, Moore, Payne, Reid, Robinson, Stubbs, Thomas, Williams of Pitt and Wimberly—18.

The bill was ordered engrossed and sent to the House of Representatives.

#### THE CALENDAR

was resumed.

H. B. 1034, S. B. 928, bill to make more effective proceedings before boards of Aldermen and other bodies, on its second reading.

The bill passed its second reading.

S. B. 632, bill to incorporate the Wilson Banking and Trust Company, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 318, S. B. 506, bill to amend the public school law, on its second reading.

On motion of Mr. Barber, the bill was postponed and ordered printed.

H. B. 760, S. B. 808, bill to provide an alternative method of working the public roads, on its second reading.

On motion of Mr. Kerr, the bill was postponed until to-morrow, and made the special order for 11:30 o'clock of that day.

On motion of Mr. Barber, the Senate proceeded to the consideration of executive business.

The Senate, in Executive Session, having adjourned, the doors were opened, and the Senate was called to order.

#### THE CALENDAR

was resumed.

S. B. 902, bill to incorporate Bonair College, on its second reading.

On motion of Mr. Crawford, the bill was referred to the Committee on Corporations.

The hour for adjournment having arrived,

The Senate was declared adjourned until 8 o'clock p. m.

# EVENING SESSION.

March 1, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 858, bill to be entitled an act to incorporate the Mount Pisgah Turnpike Company, Buncombe County; Senate substitute for

H. B. 600, S. B. 553, bill to be entitled an act to amend section 2751 of *The Code*—

Which were sent to the House of Representatives.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 595, H. B. 1077, an act for the relief of P. T. Massey, late Treasurer of Johnston County;

S. B. 416, H. B. 775, an act to provide additional accommodations for the deaf, dumb and blind;

H. B. 710, S. B. 623, an act to authorize the State Board of Education to sell to Anson M. Swindell certain lands on which he now lives;

H. B. 629, S. B. 607, an act to prevant the putting of dead bodies of animals in the waters of Roanoke River;

H. B. 810, S. B. 645, an act to incorporate Centre Lodge, No. 3, Knights of Pythias;

H. B. 804, S. B. 757, an act to alter the charter of the Polk County Railroad Company;

H. B. 671, S. B. 555, an act to change the names of Lincoln and Grant townships, in the county of Pender;

H. B. 238, S. B. 395, an act to correct State grant No. 1730;

H. B. 616, S. B. 701, an act for working the public roads in Clay and Graham counties;

H. B. 684, S. B. 648, an act for the relief of W. P. White, a public school teacher of Alamance County;

H. B. 751, S. B. 696, an act to amend the charter of the town of Salisbury;

H. B. 374, S. B. 405, an act to incorporate the Bank of Industry and Commerce, of Raleigh, N. C.;

H. B. 715, S. B. 616, an act to prevent the obstruction of the southwest branch of New River, in Onslow County;

H. B. 497, S. B. 602, an act to incorporate Long Creek High School, of Long Creek, in Pender County;

H. B. 707, S. B. 612, an act to repeal chapter 223, Laws of 1887;

H. B. 666, S. B. 711, an act with regard to railroad tax in Onslow County;

H. B. 879, S. B. 913, an act to incorporate the Southern Inter-State Exposition Society;

H. B. 851, S. B. 761, an act to establish a new township, by the name of Dillsboro, in Jackson County;

H. B. 857, S. B. 771, an act for the relief of J. G. Hughes, (and his securities) late Treasurer of Camden County, N. C.;

H. B. 746, S. B. 644, an act to authorize the Treasurer of the County of Swain to pay school claim;

H. B. 693, S. B. 646, an act to authorize and empower the trustees to sell and convey Oak Forest school-house and school-house site, in Randolph County;

H. B. 670, S. B. 619, an act for the relief of D. W. Patrick, Clerk of the Superior Court of Greene County;

H. B. 630, S B. 547, an act to authorize the Treasurer of Randolph County to pay a certain school claim;

H. B. 606, S. B. 554, an act to re-enact and amend chapter 108 of the Private Laws of 1885, entitled an act to incorporate the town of Lewisville, in Columbus County;

H. B. 682, S. B. 613, an act to protect fish in Rockingham-County;

H. B. 195, S. B. 281, an act to prohibit the deadening of timber within sixty feet of the public highways in Stokes County;

H. B. 614, S. B. 575, an act to authorize the County Commissioners of Greene County, in joint session with the Magistrates, to levy a special tax;

H. B. 549, S. B. 622, an act to prohibit the hunting and chasing of deer on the North River side of Poplar Branch Township, in Currituck County;

H. R. 785, S. R. 456, a resolution to investigate railroad corporations which refuse or fail to pay taxes in North Carolina.

#### THE CALENDAR.

Birls and resolutions on the Calendar were taken up and disposed of as follows:

H. B. 996, S. B. 916, bill to incorporate the town of Elkin, in the county of Surry, on its third reading.

The bill passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Falkener, Farthing, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—36.

The bill was ordered enrolled.

#### SPECIAL ORDER

S. B. 6, bill to reduce the legal rate of interest to six per cent., was taken up on its third reading, it being the special order.

Mr. Blair demanded the previous question, and was sustained.

On the passage of the bill its third reading,

Mr. Williams of Pitt asked for the ayes and noes, which were ordered, and the bill failed to pass its third reading—ayes 16, noes 23, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Briggs, Campbell, Copeland, Holton, LeGrand, Leinbach, Moore, Pou, Turner of Catawba, White, Williams of Cumberland, Williams of Pitt and Wimberly—16.

Those voting in the negative were:

Messrs. Bailey, Barber, Blair, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, Little, Lucas, Lusk, Payne, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty and Warters—23.

When Mr. Brown's name was called he announced himself paired with Mr. Emry, who, if present, would vote in

the negative and he in the affirmative.

Mr. Long announced himself paired with Mr. Brock, who, if present, would vote in the affirmative and he in the negative.

#### THE CALENDAR

was resumed.

H. B. 921, S. B. 998, bill to incorporate the Gillis Improvement Company of Granville County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 480, S. B. 520, bill to repeal chapter 126, Private Laws of 1887, on its third reading.

On the passage of the bill its third reading,

Mr. Lusk demanded the ayes and noes, which were ordered, and the bill passed its third reading—ayes 20, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Blair, Briggs, Campbell, Crawford, Farthing, Kerr, Leinbach, Long, Lucas, Moore, Payne, Reid,

Sills, Smith, Toms, White, Williams of Cumberland and Williams of Pitt—20.

Those voting in the negative were:

Messrs. Banks, Copeland, Falkener, Hampton, Holton, Leeper, Lusk, Rice, Robinson and Wimberly—10.

Mr. Turner of Iredell announced himself paired with Mr. Emry, who, if present, would vote in the negative and he in the affirmative.

Mr. Thomas announced himself paired with Mr. Brock, who, if present, would vote in the affirmative and he in the negative.

The bill was ordered enrolled.

S. B. 900, bill to incorporate the Maxton and Northwestern Railroad Company, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Farthing, Green, Hampton, Holton, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—41.

The bill was ordered sent to the House of Representatives without engrossment.

Mr. Lusk moved to reconsider the vote by which

S. B. 741, bill to complete the Governor's Mansion, passed its third reading to-day.

Pending consideration,

The hour for adjournment having arrived,

The Senate was declared adjourned until to morrow morning at 10 o'clock.

# FORTY-FIFTH DAY.

SENATE CHAMBER, March 2, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

Leave of absence was granted Mr. Wimberly until Wednesday next.

#### PETITIONS.

Petitions were presented and disposed of as follows:

By Mr. Lusk, petition of citizens of Reems Creek Township, in the county of Buncombe, asking for appointment of certain Justices of the Peace. Referred to the Committee on Election of Justices of the Peace.

## REPORTS FROM COMMITTEES

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Kerr, H. B. 1051, S. B. 970, bill to amend sections 1, 2, 3 and 4 of chapter 310, Laws of 1854-'55, recommending it do not pass;

S. B. 628, bill to legalize the marriage of Willie Upton and Sallie Wilroy, of Camden County, reporting it without recommendation;

S. B. 795, bill to change the time of holding the September Term of Duplin Superior Court, recommending it dopass;

H. B. 748, S. B. 699, bill to amend sections 1273 and 1274 of *The Code*, recommending it do not pass;

H. B. 1072, S. B. 956, bill for the relief of D. C. Mangum, Clerk of the Superior Court of Durham, recommending it do pass. By Mr. Lucas, S. B. 788, bill to amend sections 604 and 605 of *The Code*, recommending it do pass.

By Mr. Kerr, H. B. 897, S. B. 848, bill to establish Sylva Township, in Jackson County, recommending it do pass;

H. B. 423, S. B. 731, bill to validate certain State grants in Haywood, Jackson and Swain counties, recommending it do pass.

From the Committee on Propositions and Grievances.

By Mr. Turner of Iredell, H. B. 914, S. B. 915, bill to authorize the Commissioners of Rutherford County to order an election on local option, recommending it do pass;

S. B. 974, bill to lay out and construct a public road in Caldwell and Watauga counties, recommending it do pass.

By Mr. Twitty, H. B. 724, S. B. 911, bill to prohibit the sale of intoxicating liquors in Yancey County, reporting it without recommendation;

H. B. 673, S. B. 925, bill to secure the better drainage and improvement of the lowlands of Rowan County, recommending it do pass;

S. B. 941, bill to change the name of Bell's Ferry, in the counties of Pitt and Lenoir, recommending it do pass;

S. B. 940, bill to amend chapter 13, Laws of 1881, recommending it do pass;

S. B. 945, bill to establish a public ferry across the Catawba River, recommending it do pass;

S. B. 877, bill to provide for the drainage of Myers' Fork Creek, in Guilford County, recommending it do pass.

By Mr. Thomas, H. B. 695, S. B. 923, bill to amend the Laws of 1883, in relation to the drainage of South Fork Creek, recommending it do pass;

S. B. 446, bill to amend section 1, chapter 290, Laws of 1887, recommending it do pass.

By M. Long, H. B. 935, S. B. 929, bill to authorize Macon and Swain counties to subscribe capital stock to railroad companies, reporting an amendment, and, as amended, recommending it do pass;

S. B. 686, bill to amend chapter 215, Laws of 1887, in relation to local option, recommending it do pass;

H. B. 1042, S. B. 966, bill to prohibit the felling of timber in Cove Creek, Montford Township, McDowell County, recommending it do not pass;

H. B. 612, S. B. 954, bill to repeal chapter 135, Private Laws of 1885, relating to the town of Scuffleton, recommending it do pass.

By Mr. Twitty, H. B 886, S. B. 850, bill to prohibit the sale of intoxicating liquors in the town of Pineville, in Mecklenburg County, recommending it do pass.

From the Committee on Education:

By Mr. LeGrand, H. B. 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake, recommending it do pass.

By Mr. Campbell, H. B. 518, S. B. 647, bill to abolish the State normal schools and apply the proceeds set apart for that purpose to hold county institutes, reporting a substitute therefor, and recommending the substitute do pass.

From the Committee on Internal Improvements:

By Mr. Twitty, H. B. 850, S. B. 765, bill to authorize the Enterprise Lumber Company to construct tramway or railway, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 907, S. B. 927, bill to incorporate the Piedmont Wagon Company, recommending it do pass;

S. B. 722, bill to incorporate the Methodist Protestant Church Bethany (white), Warren County, Vaughan, N. C., recommending it do pass.

By Mr. Aycock, H. B. 830, S. B. 831, bill to incorporate Auburn Male and Female Academy, and Auburn Farmers' Alliance, No. 41, in Wake County, recommending it do pass;

H. B. 726, S. B. 817, bill to incorporate the Southport

Land and Improvement Company, recommending it do pass.

By Mr. Bailey, S. B. 978, bill to incorporate the Roxboro Land and Loan Company, recommending it do pass.

By Mr. Barber, H. B. 617, S. B. 963, bill to incorporate the Pender and Onslow Land and Improvement Company, recommending it do pass.

From the Committee on Insane Asylums:

By Mr. Aycock, S. B. 295, bill for the relief of D. Cogdon, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. White, H. B. 940, S. B. 932, bill to encourage sheep husbandry, recommending it do pass;

S. B. 944, bill in relation to unlawful fences, recommending it do not pass.

From the Committee on Insurance:

By Mr. Long, S. B. 875, bill to amend chapter 170, Laws of 1887, reporting a substitute therefor, and recommending the substitute do pass.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 61, H. B. 1038, an act to authorize the Commissioners of Watauga County to issue bonds, and to levy a special tax;

H. B. 591, S. B. 649, an act to authorize the town of Shelby to issue bonds;

S. B. 193, H. B. 873, an act to amend the charter of the Norfolk Southern Railroad Company;

S. B. 736, H. B. 1076, an act to change the line between Chadbourn and Williams townships, in Columbus County;

S. B. 674, H. B. 1011, an act to extend the provisions of a law enacted by the General Assembly of 1885;

H. B. 583, S. B. 577, an act to work public roads in Alamance county by taxation;

H. B. 941, S. B. 824, an act to elect cotton-weighers for the towns of Monroe, Waxhaw and Beaver Dam, in Union County;

H. B. 745, S. B. 641, an act to authorize the Treasurer of the county of Swain to pay a school claim;

S. B. 388, H. B. 704, an act to provide for the better drainage of certain lands in Rutherford County;

S. B. 579, H. B. 1085, an act to incorporate the Bethlehem Burial and Benevolent Society, of Martin County, N. C.;

S. B. 695, H. B. 1080, an act to prohibit the sale of spirituous, vinous or malt liquors within the corporate limits of the town of Pineville, Mecklenburg County, by any druggists on the prescription of any physician whatsoever;

S. B. 485, H. B. 1004, an act to amend the charter of the

town of Morganton;

S. B. 586, H. B. 1081, an act to empower the County Commissioners of Onslow County to use the surplus of the special tax, levied to build a jail, to build or repair bridges, on for other county purposes;

S. B. 284, H. B. 763, an act to allow the Board of Education of Jones County to rent or build an office;

S. B. 659, H. B. 1083, an act to incorporate the Battleboro Home Mission Society;

H. B. 546, S. B. 624, an act to incoporate the Fayetteville and Albemarle Railroad Company;

H. B. 351, S. B. 412, an act to amend the charter of the Burgaw and Onslow Railroad Company;

H. B. 1005, S. B. 572, an act to amend The Code;

H. B. 206, S. B. 491, an act to amend chapter 15, Vol. II, of *The Code*, in relation to swamp lands;

S. R. 414, H. R. 1084, resolution in favor of F. A. Watson. The Committee on Engrossed Bills reported as properly engrossed:

S. B. 636, bill to be entitled an act to amend and continue in force the charter of the Raker City and Greensboro Railroad Company;

S. B. 632, bill to be entitled an act to incorporate the Wilson Banking and Trust Company—

Which were sent to the House of Representatives.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed copies of House bills and resolutions, also engrossed House amendments to Senate bills, which were read the first time and disposed of as follows:

H. B. 694, S. B. 1003, bill to be entitled an act to incorporate the Carolina Manufacturing Company. Placed on the Calendar.

H. B. 690, S. B. 1004, bill to be entitled an act to protect fish in the waters of Roanoke River. Referred to the Committee on Fish and Fisheries.

H. B. 115, S. B. 1005, bill to be entitled an act to have the Chief Justice to make report to the General Assembly of needed amendments. Referred to the Committee on Judiciary.

H. B. 279, S. B. 1006, bill to be entitled an act to provide for criminal statistics. Referred to the Committee on Judiciary.

H. B. 178, S. B. 1007, bill to be entitled an act to define felony. Referred to the Committee on Judiciary.

H. B. 1222, S. B. 1009, bill to be entitled an act to amend section 645 of *The Code*. Referred to the Committee on Judiciary.

H. R. 1220, S. R. 1010, resolution to authorize the destruction of certain bonds which have been redeemed by the State. Referred to the Committee on Finance.

H. B. 1201, S. B. 1011, bill to be entitled an act to amend

section 2120 of The Code. Referred to the Committee on Judiciary.

H. B. 1193, S. B. 1012, bill to be entitled an act to amend chapter 340, Laws of 1887. Referred to Committee on Judiciary.

H. B. 904, S. B. 1013, bill to be entitled an act to incorporate the Henderson Electric Light, Water Works and Power Company. Referred to the Committee on Corporations.

H. B. 1100, S. B. 1014, bill to be entitled an act to amend the charter of the city of Asheville. Referred to the Committee on Corporations.

H. B. 1182, S. B. 1015, bill to be entitled an act for the relief of S. W. Brewer, Sheriff and ex-officio Treasurer of Chatham County. Referred to the Committee on Corporations.

H. B. 1140, S. B. 1016, bill to be entitled an act to amend the charter of the town of Taylorsville, Alexander County. Referred to the Committee on Gorporations.

H. B. 1218, S. B. 1017, bill to be entitled an act to enable the city of Wilmington to encourage manufacturing in that city. Referred to the Committee on Propositions and Grievances.

H. B. 1205, S. B. 1018, bill to be entitled an act to incorporate the Albemarle Academy, Stanly County. Referred to Committee on Corporations.

H. B. 1190, S. B. 1019, bill to be entitled an act to incorporate the North Carolina Christian Missionary Convention. Referred to the Committee on Corporations.

House amendment to

S. B. 566, H. B. 1073, bill to be entitled an act to amend the charter of the Alleghanny Mining and Improvement Company. Placed on the Calendar.

House amendment to

S. B. 445, H. B. 1003, bill to be entitled an act to incorporate the Charlotte Savings Bank. Placed on Calendar.

## House amendments to

S. B. 288, H. B. 783, bill to be entitled an act to amend section 3619 of *The Code*. The amendment was concurred in, and the bill ordered enrolled.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing that the House had concurred in the report of the Committee of Conference on H. B. 20, S. B. 346, bill to be entitled an act to prevent manufacturers and others from issuing non-transferable scrip for labor done. The Senate concurred in the report of the Conference Committee, and the bill was ordered enrolled.

## ELECTION OF TRUSTEES OF UNIVERSITY—REPORT OF TELLERS.

We, the tellers on the part of the Senate and House of Representatives, for the election of Trustees of the University of North Carolina, upon a comparison of votes, find that

Hon. A. C. Avery	received	128 votes.
" C. M. Cooke	46	128 "
" H. C. Jones	· ·	128 "
" J. J. Davis	"	128 "
Dr. P. L. Murphy	46	128 "
" Eugene Grissom	"	126 "
Maj. George N. Thompson	"	128 "
Rev. Neil McKay	"	128 "
Hon. W. L. Steele	· ·	128 "
Rev. J. L. Stuart	"	128 "
Col. S. McD. Tate	"	128 "
Hon. C. R. Thomas	"	126 "
Rev. W. S. Black	"	128 "
Hon. R. A. Doughton	"	128 "
" H. D. Williamson	"	128 "
Rev. J. H. Cordon	"	128 "

And as additional Trustees, chosen from points convenient to the seat of government and to the University,

R. W. Scott	received	128 votes.
Robert Bingham	"	128 "
Hon. T. J. Jarvis	"	102 "
Isaac R. Strayhorn, Esq.,	"	127 "

To fill unexpired terms made vacant by death,

Hon. R. A. Doughton	received	128 votes.
Rev. J. H. Cordon	66	128 "
John D. Currie, Esq.,	46	128 "
Charles D. McIver	t c	1.8 "
Col. William Johnson	"	114 "

Scattering votes were received by other partes, but the foregoing received a majority of the votes cast in the two houses of the General Assembly.

J. A. LONG,
V. S. LUSK,

Tellers on the part of the Senate.
THOMAS H. SUTTON,
Z. V. WALSER,

Tellers on the part of the House.

The several gentlemen named were declared duly elected.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Holton, S. B. 988, bill to enable the townships of

Guilford County to adopt the Mecklenburg road law. Referred to the Committee on Roads;

S. B. 989, bill to incorporate Bennett College at Greensboro, N. C. Referred to the Committee on Corporations.

By Mr. Green, S. B. 990, bill to incorporate the East Carolina Fish, Oyster, Game and Industrial Association. Placed on the Calendar.

By Mr. Abbott (by request), S. B. 991, bill to prevent fishing in Godwin's mill-pond and the head of Perquimans River. Referred to the Committee on Fish and Fisheries;

(By request), S. B. 992, bill concerning the Norfolk Southern Railroad Company. Referred to the Committee on Corporations.

By Mr. Long, S. B. 993, bill to incorporate the Louisburg and Southern Railroad Company. Referred to the Committee on Internal Improvements.

By Mr. White, S. B. 994, bill to prohibit the sale of spirituous liquors in Randolph County. Referred to the Committee on Propositions and Grievances;

S. B. 995, bill to change the name of Columbia Factory to Ramseur, in Randolph County. Referred to the Committee on Propositions and Grievances.

By Mr. Bailey (for the Committee on Insane Asylums), S. B. 996, bill to make appropriations for the Insane Asylums. Placed on the Calendar.

By Mr. Campbell, S. B. 997, bill to provide for the better regulation of the liquor traffic. Placed on the Calendar.

By Mr. Barber, S. B. 998, bill to amend the charter of the Wilkesboro Bridge Company. Referred to the Committee on Corporations.

By Mr. Toms, S. B. 999, bill to prohibit the sale of liquor in one mile of certain churches in Henderson County. Referred to the Committee on Propositions and Grievances.

By Mr. Abbott (by request), S. B. 1000, bill to amend chapter 365 of the Laws of 1887. Referred to the Committee on Corporations.

By Mr. Lusk, S. B. 1001, bill to admit attorneys at law holding certificates from other States to practice law in the Courts of this State. Referred to the Committee on Judiciary.

By Mr. Lucas, S. R. 1002, resolution to pay certain claims for expenses on account of the Shell Fish Commissioners. Referred to the Committee on Fish and Fisheries.

By Mr. Aycock, S. R. 1008, resolution to render effective any investigation made by the committee in relation to the investigation of certain corporations. Placed on the Calendar.

By Mr. Payne, S. B. 1020, bill to prohibit railroad companies in this State from charging unjust and unreasonable rates for transportation. Referred to the Committee on Propositions and Grievances.

By consent,

Mr. Turner of Iredell introduced the following:

"Resolved, That the Senate meet at 10 a.m. and 8 p.m. daily (except Sundays), and adjourn at pleasure, and no Senator shall speak longer than ten minutes on the same question."

The resolution was taken up and adopted.

## THE CALENDAR.

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

S. B. 875, bill to amend chapter 170, Laws of 1887, on its second reading.

The bill passed its second and third readings, was ordered sent to the House of Representatives.

S. B. 795, bill to change the time of holding the September Term of Duplin Superior Court, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 930, S. B. 935, bill to charter the town of Brevard, in Transylvania County, N. C., on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Pou, Rice, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland, Williams of Pitt and Wimberly—36.

The bill was ordered enrolled.

S. B. 801, bill to incorporate the town of Mount Holly, in the county of Gaston, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—37.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 717, bill to amend the charter of the town of Henderson, N. C., on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Briggs, Brown,

Campbell, Copeland, Falkener, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—39.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 662, S. B. 680, bill to amend the charter of the city of Charlotte, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 802, bill to incorporate the town of Lowell, in the county of Gaston, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair-Briggs, Brown, Campbell, Copeland, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Sills, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—40.

S. B. 881, bill to provide for the Deaf and Dumb and Blind Institutions, on its second reading.

Mr. Twitty moved to amend:

"Strike out 'forty thousand dollars' and insert in lieuthereof 'thirty-seven thousand dollars."

Lost.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 850, S. B. 765, bill to authorize the Enterprise Lumber Company to construct tramway or railway, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 745, bill to amend chapter 52, Laws of 1876-'77, being an act to incorporate the town of Gastonia, in Gaston County, on its second reading.

The bill passed its second reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—42.

S. B. 977, bill to incorporate the Concord Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives.

#### SPECIAL ORDER.

The hour for the special order having arrived,

H. B. 431, S. B. 490, bill to make the Penitentiary selfsustaining, was taken up on its second reading, it being the special order for that hour.

The amendment reported by Mr. Pou (for a majority of the Committee on Penal Institutions) was read.

The amendment offered by Mr. Bailey in the nature of a substitute for the amendment reported by Mr. Pou was read.

Mr. Payne moved to amend:

"In section one, strike out in the first line thereof the words seventy-five,' and insert in lieu thereof 'fifty.'"

Mr. Blair moved to amend the amentment offered by Mr. Payne:

"Strike out the word 'fifty' and insert 'forty."

Mr. Banks moved to amend:

"Add: 'Provided, that each county in the State shall receive, upon the requisition of the Board of County Commissioners, convict labor to the amount said county shall pay in taxes for the support of the Penitentiary during the year in which such taxes shall be collected, to work the public roads."

Mr. White demanded the previous question, and was sustained.

The question was submitted on the amendment offered by Mr. Banks, on which the ayes and noes were ordered, and the amendment was lost—ayes 12, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Banks, Blair, Brown, Copeland, Falkener, Green, Holton, Lusk, Rice, Thomas, Warters and Wimberly—12.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Barber, Campbell, Hughes, Kerr, King, Leeper, Leinbach, Long, Lucas, Means, Moore, Payne, Pou, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—25.

On the substitute for the amendment reported by a majority of the Committee on Penal Institutions the ayes and noes were ordered, and the substitute was lost—ayes 19, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Blair, Campbell, Farthing, Leeper, Le-Grand, Little, Long, Moore, Payne, Reid, Robinson, Sills, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Brown, Copeland, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leinbach, Lucas, Lusk, Means, Rice, Smith, Stubbs, Thomas, Toms and Wimberly—22.

Mr. Pou announced that he was paired with Mr. Aycock, who, if present, would vote for the substitute and he against it.

On the amendment reported by the majority of the Committee on Penal Institutions the ayes and noes were ordered, and the amendment was adopted—ayes 30, noes 8, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Briggs, Brown, Copeland, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Long, Lucas, Lusk, Means, Rice, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Williams of Pitt and Wimberly—30.

Those voting in the negative were:

Messrs. Bailey, Blair, Campbell, Farthing, LeGrand, Moore, White and Williams of Cumberland—8.

Mr. Pou announced himself paired on this amendment with Mr. Aycock, who, if present, would vote in the negative and he in the affirmative.

On the amendment offered by Mr. Blair to the amendment offered by Mr. Payne the ayes and noes were ordered, and the amendment was adopted—ayes 21, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Blair, Brown, Copeland, Falkener, Farthing, Green, Hampton, Holton, Kerr, LeGrand, Lusk, Moore, Reid, Rice, Sills, Thomas, Williams of Cumberland, Williams of Pitt and Wimberly—21.

Those voting in the negative were:

Messrs. Abbott, Barber, Campbell, Hughes, King, Leeper, Leinbach, Lucas, Payne, Pou, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—17.

The amendment thus amended was adopted.

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

Mr. Toms moved to amend:

"That section 6 be amended by inserting: 'that these convicts shall not be furnished to any corporation after the first day of September, 1889, for a less amount than the actual expenses of working said convicts.'"

Adopted.

Mr. Turner of Iredell moved to amend:

"Strike out in line 10, section 3, the words 'two hundred and twenty' and insert in lieu thereof 'one hundred and seventy five.'"

On this amendment the ayes and noes were ordered, and the amendment was lost—ayes 13, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Blair, Briggs, Farthing, Leeper, LeGrand, Moore, Sills, Toms, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—13.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Brown, Campbell, Copeland, Falkener, Green, Hampton, Hughes, Kerr, King, Little, Lucas, Lusk, Means, Payne, Pou, Reid, Rice, Smith, Stubbs, Thomas, Twitty and Wimberly—25.

Mr. Turner of Iredell moved to amend:

"Strike out 'forty thousand,' and insert 'seventy-five thousand.'"

Mr. Turner asked consent to withdraw this amendment. Objected to.

On the adoption of the amendment, the ayes and noes were ordered, and the amendment was lost—ayes 15, noes 26, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Campbell, Leeper, Leinbach, Little, Lucas, Means, Payne, Pou, Reid, Robinson, Smith, Stubbs and Twitty—15.

Those voting in the negative were:

Messrs. Bailey, Banks, Blair, Briggs, Brown, Copeland, Falkener, Farthing, Green, Holton, Hughes, Kerr, LeGrand, Long, Lusk, Moore, Rice, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Wimberly—25.

Mr. Farthing moved to amend:

"Insert, in section 6, between the words 'otherwise' and 'nor,' in line 10, the following: 'Nor to prevent the Penitentiary authorities from furnishing to the Commissioners of Watauga and Mitchell counties, at the expense of the State, twenty-five convicts to complete a public road from Elk Park, in Mitchell County, to Boone, in Watauga County.'"

On the adoption of which the ayes and noes were ordered, and the amendment was lost—ayes 16, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Farthing, Green, Hampton, Holton, Kerr, Leinbach, Lusk, Rice, Robinson, Smith and Thomas—16.

Those voting in the negative were:

Messrs. Abbott, Bailey, Blair, Hughes, King, Leeper, Le-Grand, Little, Long, Lucas, Means, Moore, Pou, Reid, Sills, Stubbs, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Wimberly—22.

Mr. Lusk moved to amend:

"Add, 'Provided, that nothing herein contained shall be so construed as to preclude or forbid the Penitentiary Board from furnishing fifty convicts to the Madison County turnpike, as provided in chapter 107, Laws of 1887.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 18, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Copeland, Falkener, Farthing, Green, Hampton, Holton, Kerr, Leinbach, Lucas, Lusk, Rice, Robinson, Smith, Thomas and Wimberly—18.

Those voting in the negative were:

Messrs. Abbott, Campbell, Hughes, King, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Reid, Sills, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—22.

Mr. Turner of Iredell moved to reconsider the vote by which his amendment (to strike out "forty thousand" and insert in lieu thereof "seventy-five thousand") was lost.

On this motion Mr. Lusk asked for the ayes and noes. Not ordered.

The motion to reconsider prevailed.

On the adoption of the amendment the ayes and noes were ordered, and the amendment was adopted—ayes 23, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Briggs, Campbell, Hughes, King, Leeper, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Turner of Catawba, Turner of Iredell and Twitty—23.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Farthing, Green, Hampton, Holton, Kerr, LeGrand, Lusk, Sills, Thomas, Toms, White, Williams of Cumberland and Wimberly—16.

Mr. Robinson moved to amend:

"Add to section—, 'Provided, that the Penitentiary authorities shall furnish one hundred convicts free of cost to the county of Duplin, to drain swamp lands in said county, at points to be designated by the Commissioners of Duplin County."

Lost.

Mr. Pou demanded the previous question, and was sustained.

On the passage of the bill its third reading, the ayes and noes were ordered, and the bill passed its third reading—ayes 27, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Green, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Means, Moore, Payne, Pou, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Pitt and Wimberly--27.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Copeland, Farthing, Hampton, Holton, LeGrand, Lucas, Lusk, Rice and Thomas—12.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 816, S. B. 790, bill for the relief of Ashley T. Hill, of Lenoir County, on its second reading.

On motion of Mr. LeGrand, the bill was recommitted to the Committee on Judiciary.

On motion of Mr. Smith, the Senate adjourned until 8 o'clock p. m.

## EVENING SESSION.

March 2, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Barber, H. B. 983, S. B. 1019, bill to incorporate the town of Waxhaw, in Union County, recommending it do pass.

By Mr. Lucas, S. B. 992, bill concerning the Norfolk Southern Railroad Company, recommending it do pass;

S. B. 1000, bill to amend chapter 365, Laws of 1887, recommending it do pass.

From the Committee on Finance:

By Mr. Leeper, H. B. 918, S. B. 880, bill to allow the Commissioners of Alleghany County to levy a special tax, recommending it do pass.

H. B 955, S. B. 934, bill to authorize the Town Council of King's Mountain to levy a special tax, recommending it do pass;

H B. 859, S. B. 805, bill to authorize the city of Raleigh to issue bonds and pay and fund its present bonded indebtedness at a lower rate of interest, recommending it do pass;

H. B. 945, S. 919, bill to authorize the Commissioners of Burke County to issue bonds, recommending it do pass;

H. B. 1071, S. B. 955, bill to authorize the Governor to sell and convey a certain lot in the city of Raleigh, reporting it without recommendation;

S. B. 800, bill to equalize taxation in the several counties of the State, reporting it without recommendation.

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By Mr. Toms, H. R. 711, S. R. 825, resolution in favor of Fred. Kuester, recommending it do pass.

From the Committee on Judiciary:

By Mr. Kerr, S. B. 60, bill to prohibit the sale of pistols, recommending it do not pass.

From the Committee on Propositions and Grievances:

By Mr. Kerr, bill to amend chapter 215, Laws of 1887, and sections 3113 and 3114 of The Code, recommending it do pass;

H. B. 950, S. B. 930, bill in relation to the town of Fayetteville, N. C., recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 495, bill to be entitled an act to revise and consolidate the charters of the town of Tarboro.

By consent,

Mr. Campbell introduced

S. B. 1021, bill to prohibit the sale of spirituous liquors within three miles of Cherry Grove Baptist Church, in Columbus County, which was read the first time and placed on the Calendar.

## THE CALENDAR.

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

H. B. 584, S. B. 521, bill to change the line between Lisbon and Franklin townships, in Sampson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 648, S. B. 708, bill to regulate the sale of seed cotton, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 748, bill for the benefit of the State Treasurer, on its econd reading.

On the passage of the bill its second reading,

Mr. Lusk asked for 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. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Holton, King, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Pou, Reid, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—29.

Those voting in the negative were:

Messrs. Falkener, Hampton, Leinbach, Lusk and Rice
-5.

The bill was put upon its third reading.

On the passage of the bill its third reading,

Mr. Little asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 33, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

Those voting in the negative were:

Messrs. Hampton and Lusk-2.

The bill was sent to the House of Representatives without engrossment.

S. B. 975, bill to authorize the Board of Commissioners of the town of Concord to levy and collect a tax for a special purpose, on its second reading.

The bill passed its second reading—ayes 26, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Copeland, Falk-

ener, Farthing, Hughes, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—26.

Voting in the negative:

Mr. Campbell-1.

S. B. 976, bill to authorize the Board of Commissioners of the town of Concord to issue bonds, on its second reading.

The bill passed its second reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Falkener, Farthing, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty and White—30.

H. B. 903, S. B. 843, bill to prevent fast riding or driving over the suspension bridge at Henrietta Mills, in Rutherford, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B 1019, S. B. 983, bill to incorporate the town of Wax-haw, in Union County, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Falkener, Farthing, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—34.

H. B. 919, S. B. 953, bill for the relief of J. Rowan Rogers, Sheriff of Wake County, and R. W. Wynne, Treasurer of Wake County, on its second reading.

On the passage of the bill its second reading,

Mr. Payne asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 33, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—33.

Voting in the negative:

Mr. Lusk-1.

The bill was put upon its third reading, and the ayes and noes being ordered, it passed its third reading—ayes 34, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—34.

Those voting in the negative were:

Messrs. Hampton and Lusk—2.

The bill was ordered enrolled.

S. B. 753, bill to incorporate the Winstead Manufacturing Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 985, S. B. 855, bill to incorporate the Bank of Madison, in the County of Rockingham, on its second reading.

The amendments reported by the Committee on Banks and Currency were adopted.

The bill passed its second and third readings, the Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 499, S. B. 548, bill to repeal chapter 160, Laws of 1887, relative to Thyatira Academy, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 438, S. B. 470, bill relating to burning woods in Pamlico County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1025, S. B. 960, bill to change the name and increase the stock of the Salisbury Gas-Light Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 978, bill to incorporate the Roxboro Land and Loan Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 877, bill to provide for the drainage of Myers' Fork Creek, in Guilford County.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 974, bill to lay out and construct a public road in Caldwell and Watauga counties, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 941, bill to change the name of Bell's Ferry, in the counties of Pitt and Lenoir, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 788, bill to amend sections 604 and 605 of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 617, S. B. 963, bill to incorporate the Pender and Onslow Land and Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 746, bill to amend chapter 33, volume II, of *The Code*, on its second reading.

The bill passed its second reading.

Mr. Payne moved the rules be suspended and the bill be put upon its third reading; on which,

Mr. Falkener asked for the ayes and noes, which were ordered, and the motion to suspend the rules prevailed, two-thirds of the Senators present and voting voting therefor—ayes 22, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Blair, Briggs, Campbell, Farthing, Hampton, King, Leeper, LeGrand, Long, Lucas, Moore, Payne, Pou, Reid, Toms, Turner of Catawba, Turner of Iredell, Twitty, White and Williams of Cumberland—22.

Those voting in the negative were:

Messrs. Banks, Barber, Copeland, Falkener, Kerr, Leinbach, Lusk, Rice, Smith and Thomas—10.

Mr. Turner of Iredell moved to amend:

"Insert in section 3, 'before the expiration of the time of his lease or contract.'"

Adopted.

Mr. Falkener moved to amend:

"Strike out the words 'shall be fined."

Lost.

Mr. Lusk moved to amend:

"Add: 'Provided, the provisions of this act shall not apply to the counties of Madison and Buncombe.'"

Adopted.

On the passage of the bill its third reading the ayes and noes were ordered, and the bill passed its third reading, ayes 19, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Blair, Briggs, Campbell, Farthing, King, Leeper, LeGrand, Lucas, Moore, Payne, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—19.

Those voting in the negative were:

Messrs. Banks, Barber, Brown, Copeland, Falkener, Hampton, Holton, Kerr, Leinbach, Lusk, Pou, Rice and Thomas—13.

The bill was ordered engrossed and sent to the House of Representatives.

H. B. 1012, S. B. 845, bill to amend the charter of Graham, in Alamance County, on its second reading.

The bill passed its second reading—ayes 29, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Farthing, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Lusk, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, White and Williams of Cumberland—29.

S. B. 866, bill for the relief of S. C. Horton, Confederate soldier, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 897, S. B. 848, bill to establish Sylva Township, in Jackson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 751, bill to incorporate the Clinton Cemetery Company, Sampson County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 1000, bill to amend chapter 365, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 914, S. B. 915, bill to authorize the Commissioners of Rutherford County to order an election on local option, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 822, S. B. 820, bill to amend the charter of the North Carolina Steel and Iron Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 972, bill to change the name of Winton Academy, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 756, bill to supplement the public school in district No. 4, Guilford County, with a special tax, on its second reading.

The bill passed its second reading—ayes 29, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Briggs, Brown, Campbell, Copeland, Farthing, Hampton, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty and Williams of Cumberland—29.

S. B. 799, bill to create a new free school district, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. R. 874, resolution relieving certain property of double tax, on its second reading.

The amendment reported by the Committee on Finance was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 451, bill for the relief of the people of Rocky Point Township, Pender County, from stock law, on its second reading.

Mr. LeGrand demanded the previous question, and was sustained.

On the passage of the bill its second reading,

Mr. Rice asked for the ayes and noes, which were ordered, and the bill failed to pass its second reading—ayes 14, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Falkener, Hampton, Holton, King, Leinbach, Lusk, Pou, Rice and White—14.

Those voting in the negative were:

Messrs. Abbott, Bailey, Blair, Briggs, Leeper, LeGrand, Little, Long, Lucas, Moore, Payne, Reid, Smith, Toms, Turner of Iredell, Twitty and Williams of Cumberland—17.

H. B. 435, S. B. 424, bill to repeal section 6, chapter 32, Private Laws of 1887, in regard to Gay Manufacturing Company, on its second reading.

On motion of Mr. LeGrand, the bill was recommitted to the Committee on Corporations.

Mr. Banks moved to adjourn. Lost.

H. B. 1051, S. B. 970, bill to amend sections 1, 2, 3 and 4 of chapter 310, Laws of 1854-'55, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Campbell moved to adjourn. Lost.

H. B. 895, S. B. 837, bill to incorporate Neuse Club, at Goldsboro, in Wayne County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 907, S. B. 927, bill to incorporate the Piedmont Wagon Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Leeper moved to adjourn. Lost.

Mr. Leinbach moved the Sergeant-at-Arms lock the door of the Senate Chamber. Lost.

S. B. 945, bill to establish a public ferry across the Catawba River, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 628, bill to legalize the marriage of Willie Upton and Sallie Wilroy, of Camden County, on its second reading.

The bill passed its second reading.

H. B. 523, S. B. 556, bill for the protection of the water of cities and towns in Mecklenburg County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Briggs, the Senate adjourned until 10 o'clock a. m. on Monday.

# FORTY-SIXTH DAY.

SENATE CHAMBER, March 4, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of Saturday was approved.

Leave of absence was granted Mr. Moore for one day; to Mr. Pou for to night's session.

## REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Lucas, H. B. 937, S. B. 840, bill concerning the Clerks of the Superior Court of Bertie and Northampton counties, recommending it do not pass;

H. B. 450, S. B. 528, bill to amend section 565 of *The Code*, relating to appeals from the Justices of the Peace, recommending it do pass;

H. B 192, S. B. 705, bill to repeal chapter 247, Laws of 1887, relating to Superior Courts of Pitt County, recommending it do pass;

H. B. 823, S. B. 833, bill to facilitate the trial of certain actions, recommending it do pass;

H. B. 932, S. B. 832, bill for the benefit of the Clerk of the Superior Court of Rockingham County, recommending it do pass;

S. B. 943, bill to amend chapter 63 of The Code, recommending it do pass;

H. B. 1123, S. B. 948, bill to change the spelling of certain words in chapter 179, Laws of 1885, and chapter 209, Laws of 1887, recommending it do pass;

S. B. 942, bill in relation to bastardy, recommending it do not pass;

H. B. 586, S. B. 604, bill to require the Secretary of State to put numbers of certificates in State grants, recommending it do pass;

H. B. 84, S. B. 816, bill for the benefit of a certain class of debtors, recommending it do not pass;

H. B. 76, S. B. 895, bill to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected with them, reporting an amendment, and, as amended, recommending it do pass;

H. B. 906, S. B. 813, bill to amend section 709 of The Code,

increasing the powers of the County Commissioners of Iredell County, recommending it do pass.

By Mr. Pou, H. B. 686, S. B 844, bill in relation to obtaining advances in provisions, &c., by false pretenses, &c., recommending it do pass.

By Mr. Turner of Iredell, H. B. 816, Ş. B. 790, bill for the relief of Ashley T. Hill, of Lenoir County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Kerr, H. B. 815, S. B. 767, bill to amend section 3522 of *The Code*, relative to pilot law of Hatteras Inlet, recommending it do pass.

From the Committee on Finance:

By Mr. Moore, H. B. 943, S. B. 924, bill to authorize the Commissioners of Swain County to refund to J. S. Elmore, tax-collector, certain moneys, recommending it do pass;

H. B. 1055, S. B. 950, bill to regulate deposits of trust funds, recommending it do pass;

H. R. 1015, S. R. 917, resolution in reference to the purchase of the Brick-Yard Farm, recommending it do pass;

H. B. 49, S. B. 561, bill to authorize the Board of Education of Caswell County to pay public school claims, recommending it do pass;

H. B. 800, S. B. 783, bill to authorize the Commissioners of Hyde County to levy a special tax, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Pou, H. B. 1037, S. B. 965, bill to repeal chapter 321, Laws of 1885, in reference to sale of spirituous liquors in Sampson County, recommending it do pass.

By Mr. Robinson, S. B. 939, bill to prohibit the sale of intoxicating liquors within three miles of Chapel Hill Baptist Church, in Brunswick County, recommending it do not pass;

S. B. 979, bill in relation to the county-seat of Harnett County, recommending it do pass.

By Mr. Turner of Iredell, H. B. 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth, reporting it without recommendation;

H. B. 992, S. B. 964, bill to provide for a review and alteration of the public road crossing the Blue Ridge at Mulberry Gap, recommending it do pass;

S. B. 856, bill to prohibit the sale of spirituous liquors in one mile of Hooper's Creek and Old Salem churches, recommending it do not pass.

By Mr. Turner of Catawba, H. B. 1029, S. B. 910, bill to prevent druggists from selling liquors in Swain County, recommending it do not pass;

H. B. 1020, S. B. 961, bill to compel citizens in certain sections along Buffalo Creek, in Cleveland County, to clean out the same, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 954, S. B. 920, bill to better regulate the working of public roads in Cleveland County, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Long, S. B. 993, bill to incorporate the Leasburg and Southern Railroad Company, recommending it do pass. From the Committee on Corporations:

·By Mr. Bailey, H. B. 685, S. B. 967, bill to amend an act to incorporate the town of Sanford, in Moore County, recommending it do pass;

H. B. 1063, S. B. 958, bill to amend the charter of Bryson City, in Swain County, recommending it do pass;

H. B. 997, S. B. 931, bill to incorporate the town of Pilot Mountain, in the county of Surry, recommending it do pass.

By Mr. Barber, H. B. 929, S. B. 926, bill to incorporate the town of Dillsboro, Jackson County, reporting amendments, and, as amended, recommending it do pass;

H. B. 890, S. B. 811, bill to incorporate the Highland Park Association, recommending it do pass; S. B. 752, bill to amend the charter of the town of Clinton, in Sampson County, recommending it do pass;

S. B. 882, bill to amend the charter of the town of Wilson, reporting it without recommendation;

S. B. 720, bill to amend section 15, chapter 97, Private Laws of 1873-'74, recommending it do pass;

H. B. 1048, S. B. 969, bill to amend the charter of the town of Pittsboro, recommending it do pass;

S. B. 946, bill to incorporate the High Point Female College, recommending it do pass;

H. B. 515, S. B. 984, bill to incorporate the town of Hasty, in Richmond County, recommending it do pass;

H. B. 1021, S. B. 957, bill to incorporate the town of Argo, in the county of Nash, recommending it do pass;

H. B. 948, S. B. 912, bill to incorporate the National Christian Congress, recommending it do pass;

'S. B. 938, bill to amend the charter of the town of Shelby, recommending it do pass;

S. B. 989, bill to incorporate Bennett College, at Greensboro, N. C., recommending it do pass;

H. B. 1190, S. B. 1019, bill to incorporate the North Carolina Christian Missionary Convention, recommending it do pass;

H. B 825, S. B 982, bill to incorporate the town of Lucoma, in the county of Wilson, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Lucas, H. B. 887, S. B. 884, bill to repeal part of section 3417 of *The Code*, in regard to fishing, recommending it do pass;

S. B. 869, bill to protect fish in certain streams in Nash County, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, S. B. 980, bill to prohibit the sale of liquors near certain churches in Washington County, N. C., recommending it do not pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 194, bill to be entitled an act to amend the charter of the town of Murphy, in Cherokee County;

S. B. 881, bill to be entitled an act to provide for the Deaf, Dumb and Blind Institutions;

Senate amendments to

H. B. 431, S. B. 490, bill to be entitled an act to make the Penitentiary self-sustaining—

Which were sent to the House of Representatives.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 1096, S. B. 1022, bill to change the time of holding the Superior Court in Warren County. Referred to the Committee on Judiciary.

H. B. 1134, S. B. 1023, bill to amend chapter 24, Laws of 1887, in regard to what is a lawful fence in Carteret County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 1114, S. B. 1024, bill to amend chapter 134, Laws of 1885, relating to public roads. Referred to the Committee on Roads.

H. B. 1195, S. B. 1025, bill for the relief of Thomas White, Treasurer of the town of Louisburg. Referred to the Committee on Finance.

H. B. 871, S. B. 1026, bill to provide for cotton-weighers for Cabarrus, Stanly and Halifax counties. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 1030, S. B. 1027, bill to authorize the Treasurer of Randolph County to pay W. F. Tally certain school claims. Referred to the Committee on Education. H. B. 1064, S. B. 1028, bill to correct a State grant in Swain County. Referred to the Committee on Judiciary.

H. B. 801, S. B. 1029, bill to amend chapter 10 of *The Code*, in regard to the statute of limitations and other purposes. Referred to the Committee on Judiciary.

H. B. 1059, S. B. 1030, bill to prohibit the killing of deer in Bertie County. Referred to the Committee on Proposi-

tions and Grievances.

H. B. 803, S. B. 1031, bill to charter a street railway company for Winston and Salem. Referred to the Committee on Corporations.

H. B. 1098, S. B. 1032, bill to amend chapter 85, Private Laws of 1885, relating to the charter of Greenville, in Pitt County. Referred to the Committee on Corporations.

H. B. 1117, S. B. 1033, bill in relation to New Hope Creek, in Chatham County. Referred to the Committee on Propositions and Grievances.

H. B. 1191, S. B. 1034, bill to authorize and allow the Commissioners of Morehead City, in Carteret County, to regulate the sale of spirituous liquors in said town. Referred to the Committee on Propositions and Grievances.

H. B. 1112, S. B. 1035, bill to incorporate Broad Street Baptist Church, in Winston. Referred to the Committee on

Corporations.

H. B. 1107, S. B. 1036, bill to prohibit the killing of deer with dogs in Caldwell County. Referred to the Committee on Propositions and Grievances.

H. B. 869, S. B. 1037, bill to regulate the trial of certain actions. Referred to the Committee on Judiciary.

H. B. 712, S. B. 1038, bill relating to laws, reports, etc., received by this State from other States and Territories, by exchange. Referred to the Committee on Judiciary.

H. B. 986, S. B. 1039, bill to provide for condemning land for ferry-houses. Referred to the Committee on Judiciary.

H. B. 957, S. B. 1040, bill to aid the Penitentiary in becom-

ing self-sustaining. Referred to the Committee on Penal Institutions.

H. B. 1127, S. B. 1041, bill to raise revenue. Placed on the Calendar.

H. B. 1065, S. B. 1042, bill to amend chapter 67, Laws of 1887. Referred to the Judiciary Committee.

H. B. 1320, S. B 1043, bill to amend section 1953 of *The Code.* Referred to the Committee on Corporations.

H. B. 1184, S. B. 1056, bill to restrict the corporate limits of Old Fort, in McDowell County. Referred to the Committee on Propositions and Grievances.

H. B. 794, S. B. 1057, bill to repeal chapter 177 of the Private Laws of 1876 and 1877, to incorporate the town of Contentnea, in Greene County. Referred to Committee on Corporations.

H. B. 1102, S. B. 1058, bill to authorize the town of Newton to issue new bonds on its indebtedness. Referred to Committee on Finance.

H. B. 1206, S. B. 1059, bill for the relief of Melton McNeill, Clerk of the Superior Court of Wilkes County. Referred to Committee on Judiciary.

H. B. 1249, S. B. 1060, bill to authorize the payment of school order out of the school funds of Surry County. Referred to the Committee on Education.

H. B. 1213, S. B. 1061, bill to incorporate Dobson Lodge, 402, of Free and Accepted Masons. Referred to Committee on Corporations.

H. B. 1242, S. B. 1062, bill to incorporate Graham School, in Alamance County. Referred to Committee on Corporations.

H. B. 1202, S. B. 1063, bill to correct State grant No. 2443, in Jackson County. Referred to the Committee on Judiciary.

H. B. 1062, S. B. 1064, bill to correct State grant in Swain County. Referred to the Committee on Judiciary.

H. B. 1099; S. B. 1065, bill to adopt the alternative road law in Cherokee County. Referred to the Committee on Roads.

H. B. 1125, S. B. 1066, bill to correct certain State grants in Swain County. Referred to the Committee on Judiciary.

H. B. 1192, S. B. 1067, bill to prevent the obstruction of a certain portion of New River, in Onslow County. Referred to the C mmittee on Propositions and Grievances.

H. B. 1177, S. B. 1068, bill to amend the charter of the Atlanta, Franklin and Knoxville Railway Company. Referred to the Committee on Internal Improvements.

H. B. 1173, S. B. 1069, bill to correct State grant No. 7879. Referred to the Committee on Judiciary.

H. B. 819, S. B. 1070, bill to amend chapter 313, Laws of 1887, in regard to sale of liquors in Greene County. Referred to the Committee on Propositions and Grievances.

H. B. 1002, S. B. 1071, bill to amend the charter of the French Broad Bank. Placed on the Calendar.

H. B. 753, S. B. 1072, bill to authorize the Commissioners of Martin County to keep in repair certain cause and footways. Referred to the Committee on Propositions and Grievances.

H. B. 793, S. B. 1073, bill to repeal chapter 151, Private Laws of 1887, to incorporate the town of Rufe, in Greene County. Referred to the Committee on Corporations.

H. B. 1079, S. B. 1074, bill to exempt township No. 12, (Roanoke) in Warren County, from chapter 107, Laws of 1885. Referred to the Committee on Judiciary.

H. B. 1133, S. B. 1075, bill to amend chapter 83, Laws of 1874 and 1875, being an act amending the charter of Wake Forest College. Referred to the Committee on Education.

H. B. 1094, S. B. 1076, bill for the drainage of lowlands of Hogan's Creek, Caswell County. Referred to the Committee on Propositions and Grievances.

H. B. 1162, S. B. 1077, bill to make upper Dowery Creek, in Beaufort County, a lawful fence. Referred to the Committee on Propositions and Grievances.

H. B. 1165, S. B. 1078, bill to amend chapter 80, Private Laws of 1879, in relation to cotton weighers of Goldsboro. Referred to the Committee on Propositions and Grievances.

H. B. 1132, S. B. 1079, bill to protect the private oyster beds or grounds of the State. Referred to the Committee on Fish and Fisheries.

H. B. 1066, S. B. 1080, bill to exempt Raymon Brookfield from tax as auctioneer, &c. Referred to the Committee on Judiciary.

H. B. 1129, S. B. 1081, bill to amend chapter 325, Laws of 1887. Referred to the Committee on Judiciary.

H. B. 1118, S. B. 1082, bill to incorporate McElrath M. E. Church, in Burke County, and to prohibit the sale of liquor within two miles thereof. Referred to the Committee on Propositions and Grievances.

H. B. 1161, S. B. 1083, bill to amend section 1799 of *The Code*, in regard to advancement of money, supplies, &c. Referred to the Committee on Judiciary.

And without engrossment,

H. B. 1119, S. B. 1084, bill to incorporate the town of Blowing Rock, Watauga County. Referred to the Committee on Corporations.

H. B. 1174, S. B. 1085, bill to authorize the Commissioners of Forsyth County to issue bonds to build a court house. Referred to the Committee on Finance.

H. B. 1181, S. B. 1086, bill to amend the charter of Marion, McDowell County. Referred to the Committee on Corporations.

H. B. 1166, S. B. 1087, bill in relation to certain convicts released from the Penitentiary. Referred to the Committee on Judiciary.

H. B. 1158, S. B. 1088, bill to allow the Commissioners of Wake County to issue bonds. Referred to the Committee on Finance.

House amendments to

S. B. 581, H. B. 1263, bill to amend section 316 of The

Code. The amendments were concurred in and the bill ordered enrolled.

House amendment to

S. B. 199, H. B. 772, bill to amend chapter 39 of *The Code*. Placed on the Calendar.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Smith, S. B. 1044, bill to prohibit the manufacture or sale of spirituous liquor in the county of Cherokee. Referred to the Committee on Propositions and Grievances.

By Mr. Campbell, S. B. 1045, bill to authorize the Secretary of State to furnish copies of the Colonial Records. Placed on the Calendar.

By Mr. Leinbach, S. B. 1046, bill amendatory of an act passed by the present session of the General Assembly, entitled an act to amend the charter of the town of Winston. Referred to the Committee on Corporations.

By Mr. Reid, S. B. 1047, bill to regulate the sale of liquor in certain districts. Referred to the Committee on Propositions and Grievances.

By Mr. Barber (by request), S. B. 1048, bill to empower outgoing or incoming tax-collectors to make deeds for land sold for taxes. Referred to the Committee on Judiciary.

By Mr. Toms, S. B. 1049, bill to prohibit the sale of spirituous liquors in the county of Henderson. Placed on the Calendar.

By Mr. White, S. B. 1050, bill to protect people from hydrophobia, and other purposes. Placed on the Calendar.

By Mr. Kerr, S. B. 1051, bill to relieve N. A. Boyden, of Surry County, from the payment of certain sci. fa. judgments against him and others, issuing from the Superior Courts of Stokes and Surry counties. Referred to the Committee on Judiciary.

By Mr. Holton, S. B. 1052, bill to incorporate the Robson Mining and Manufacturing Company. Referred to the Committee on Corporations.

By Mr. Blair, S. B. 1053, bill to amend section 9 of chapter 258, Laws of 1885. Referred to the Committee on Judiciary.

By Mr. Holton, S. B. 1054, bill in relation to duties of overseers of public roads. Placed on the Calendar.

By Mr. Thomas, S. B. 1055, bill to amend the charter of the Thomasville and Silver Valley Railroad Company. Referred to the Committee on Corporations.

By Mr. Brown, S. B. 1089, bill to incorporate the town of Stems, in Granville County. Referred to the Committee on Corporations.

# THE CALENDAR.

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

H. B. 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake, on its second reading.

On motion of Mr. LeGrand, the bill was postponed until 8:30 o'clock p. m., and made the special order for that hour.

H. B. 928, S. B. 1034, bill to make more effective proceedings before Boards of Aldermen, and other bodies, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 210, S. B. 707, bill to amend chapter 73, Laws of 1887, in relation to constructing public roads, on its second reading.

The amendment reported by the Committee on Roads was adopted.

The bill passed its second reading.

H. B. 1037, S. B. 965, bill to repeal chapter 321, Laws of 1885, in reference to sale of spirituous liquors in Sampson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

By consent,

Mr. Lucas, for a minority of the Committee on Education, submitted a report on

H. B. 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake, recommending it do not pass.

It was placed on the Clendar.

# THE CALENDAR

was resumed.

H. B. 423, S. B. 731, bill to validate certain State grants in Haywood, Jackson and Swain counties, on its second reading.

Mr. Smith moved to amend:

"In section 1, after the word 'ninety,' strike out 'one' and insert 'seven,' so as to read, 'eighteen hundred and ninety seven,' and after the words 'Migs and Freeman line,' and before 'within,' insert, 'together with all lands purchased upon the said speculation lands from Robert Love, James R. Love, and the executors of James R. Love;' and strike out all of the said section (in the latter part) after the words 'in and to said lands.'"

Mr. Turner of Iredell demanded the previous question on the bill, and was sustained.

On the adoption of Mr. Smith's amendment, the ayes and noes were ordered, and the amendment was lost—ayes 1, noes 28, as follows:

Voting in the affirmative:

Mr. Smith-1.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Kerr, Leeper, Leinbach, Long, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Thomas, Toms, Turner of Catawba, Turner of Iredell and White—28.

The bill passed its second reading, and was, under a suspension of the rules, put upon its third reading.

Mr. Smith moved to amend:

"Provided, this act shall not apply to the counties of Jackson and Swain."

On which Mr. Smith asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 3, noes 26, as follows:

Those voting in the affirmative were:

Messrs. King, Lucas and Smith-3.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Kerr, Leeper, Leinbach, Long, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Thomas, Toms, Turner of Catawba, Turner of Iredell and White—26.

Mr. Lucas moved to amend:

"That only the original number of acres that were granted by the State shall be held by any one."

On which the ayes and noes were ordered, and the amendment was lost—ayes 6, noes 26, as follows:

Those voting in the affirmative were:

Messrs. King, LeGrand, Lucas, Moore, Smith, and Twitty

—6.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Falkener, Farthing,

Kerr, Leeper, Leinbach, Long, Lusk, Means, Payne, Reid, Rice, Robinson, Thomas, Toms, Turner of Catawba, Turner of Iredell and White—27.

On the passage of the bill its third reading,

Mr. Smith asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 32, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Thomas, Toms, Turner of Catawba, Turner of Iredell and White—32.

Those voting in the negative were:

Messrs. Lucas and Smith-2.

Mr. Payne moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

S. B. 628, bill to legalize the marriage of Willie Upton and Sallie Wilroy, of Camden County, on its third reading.

On the passage of the bill its third reading, the ayes and noes were ordered, and the bill passed third reading—ayes 23, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Blair, Briggs, Crawford, Holton, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell and Twitty—23.

Those voting in the negative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Falkener, Farthing, Hampton, Kerr, Little, Moore and White—12.

#### SPECIAL ORDER.

The hour for the special order having arrived,

S. B. 863, bill for the relief of certain soldiers of the war between the States, was taken up on its second reading.

Mr. Farthing moved to amend:

"Strike out in section 1 the words, 'his or her application for pension,' and insert in lieu thereof, 'the ratification of this act.'"

Lost.

Mr. Means moved to amend:

"Strike out all of section 2 and renumber the sections accordingly."

Lost.

Mr. Barber offered a substitute for the bill.

On the adoption of the substitute,

Mr. Barber asked for the ayes and noes, which were ordered, and the substitute was lost—ayes 16, noes 23, as follosws:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Campbell, Copeland, Falkener, Green, Hampton, Holton, Leeper, Leinbach, Moore, Payne, Thomas, Twitty and White—16.

Those voting in the negative were:

Messrs. Abbott, Bailey, Blair, Briggs, Crawford, Farthing, Kerr, King, LeGrand, Little, Long, Lucas, Means, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—23.

Mr. Means moved to amend:

"Increase each amount given as a pension five percent."

Lost.

Mr. Falkener moved to amend:

"Insert after the word 'sailor,' in the several sections in which it occurs, the words 'servant or laborer,' so that this act shall apply to all persons who were in the Confederate service as servants or laborers, or were conscripted by virtue of any law or laws, passed by the Confederate Congress, to work on fortifications."

Mr. Turner of Iredell moved to amend the amendment:

"Add thereto 'and received the injuries as specified in section 1 of this act.'"

The amendment to the amendment was adopted. On the adoption of the amendment as amended,

Mr. Falkener asked for the ayes and noes, which were ordered, and the amendment was adopted—ayes 32, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Falkener, Green, Holton, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty and Williams of Pitt—32.

Those voting in the negative were:

Messrs. Abbott, Farthing, Leeper and Sills-4.

Mr. Blair moved to amend:

"In the section levying the tax strike out 'four' and insert 'three'; strike out 'twelve' and insert 'nine.'"

On which the ayes and noes were ordered, and the amendment was lost—ayes 13, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Blair, Brown, Campbell, Copeland, Falkener, Hampton, Holton, Hughes, Leeper, Leinbach, Payne, Thomas and Twitty—13.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brown, Crawford, Green, Kerr, King, LeGrand, Little, Long, Lucas, Pou, Reid, Rice, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—25.

Mr. Lusk announced himself paired on this amendment with Mr. Moore, who, if present, would vote in the negative and he in the affirmative.

Mr. Campbell moved to amend:

"In section 1, strike out 'one hundred' and insert 'fifty'; strike out 'seventy five' and insert 'forty'; strike out 'fifty' and insert 'twenty-five.'"

On the adoption of the amendment the ayes and noes were ordered, and the amendment was lost—ayes 14, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Barber, Brown, Campbell, Copeland, Falkener, Green, Hampton, Holton, Leeper, Leinbach, Payne, Thomas, Turner of Iredell and Twitty—14.

Those voting in the negative were:

Messrs. Abbott, Bailey, Briggs, Farthing, Kerr, King, LeGrand, Little, Long, Lucas, Means, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, White, Williams of Cumberland and Williams of Pitt—21.

Mr. Lusk announced himself paired with Mr. Moore, who, if present, would vote in the negative and he in the affirmative.

On the passage of the bill its second reading, the ayes and noes were ordered, and the bill passed its second reading—ayes 27, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Briggs, Campbell, Copeland, Crawford, Falkener, Farthing, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Iredell, Williams of Cumberland and Williams of Pitt—27.

Those voting in the negative were:

Messrs. Aycock, Banks, Barber, Blair, Brown, Hampton, Holton, Leeper, Rice, Thomas, Twitty and White—12.

Mr. Lusk announced himself paired with Mr. Moore, who, if present, would vote in the affirmative and he in the negative.

# THE CALENDAR

was resumed.

H. B. 1127, S. B. 1041, bill to rasie revenue, on its second reading.

On motion of Mr. Payne, the bill was made the special order for Tuesday, 5th inst., at 12 o'clock noon.

S. B. 996, bill to make appropriations for the Insane Asylums, on its second reading.

On motion of Mr. Bailey, the bill was postponed until 8:30 p. m., and made the special order for that hour.

On motion of Mr. Barber, the Senate adjourned until 8 p. m.

# EVENING SESSION.

March 4, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Fish and Fisheries:

By Mr. Lucas, H. B. 305, S. B. 682, bill to promote the cultivation of shell-fish, in Onslow County, recommending it do pass.

From the Committee on Corporations:

By Mr. Aycock, S. B. 1052, bill to incorporate the Robson Mining and Manufacturing Company, recommending it dopass.

From the Committee on Judiciary:

By Mr. Payne, S. B. 793, bill to enlarge the jurisdiction of Justices of the Peace, recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, S. B. 1092, bill to incorporate the town of Four Oaks, in Johnston County, recommending it do pass. From the Committee on Fish and Fisheries:

By Mr. Abbott, S. B. 750, bill to protect fish in the waters of the Cape Fear River, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 941, bill to be entitled an act to change the name of Bell's Ferry, in the counties of Pitt and Lenoir;

S. B. 877, bill to be entitled an act to provide for the drainage of Myers' Fork Creek, in Guilford County;

S. B. 788, bill to be entitled an act to amend sections 604 and 605 of *The Code*;

- S. B. 751, bill to be entitled an act to incorporate the Clinton Cemetery Company, Sampson County;
- S. B. 945, bill to be entitled an act to establish a public ferry across the Catawba River;
- S. R 874, resolution relieving certain property of double tax:
- S. B. 972, bill to be entitled an act to change the name of Winton Academy;
- S. B. 978, bill to be entitled an act to incorporate the Roxboro Land and Loan Company;
- S. B. 753, bill to be entitled an act to incorporate the Winstead Manufacturing Company;
- S. B. 974, bill to be entitled an act to lay out and construct a public road in Caldwell and Watauga Counties;
- S. B. 866, bill to be entitled an act for the relief of L. C. Horton, Confederate soldier:
- S. B. 599, bill to be entitled an act to amend the charter of the town of Wilkesboro;
- S. B. 746, bill to be entitled an act to amend chapter 33, Vol. II, of *The Code*.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Emry, S. B. 1090, bill to amend sections 3840 and 3841 of *The Code*, so as to abolish the office of Standard-Keeper for Halifax County. Placed on the Calendar.

By Mr. Campbell, S. B. 1091, bill to incorporate the town of Hallsboro, in Columbus County. Placed on the Calendar.

By Mr. Pou, S. B. 1092, bill to incorporate the town of Four Oaks, in the county of Johnston. Placed on the Calendar.

## THE CALENDAR.

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

H. B. 246, S. B. 365, bill to amend chapter 6, Private Laws of 1887, in relation to Carolina Insurance Company, Wilmington, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 796, S. B. 782, bill to permit the incorporation of fire companies without the payment of a tax, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1012, S. B. 845, bill to amend the charter of the town of Graham, in Alamance County, on its third reading.

The bill passed its third reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Leeper, LeGrand, Little, Lucas, Lusk, Means, Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—30.

The bill was ordered enrolled.

S. B. 756, bill to supplement the public school in District No. 4, Guilford County, on its third reading.

The bill passed its third reading—ayes 29, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Bennett, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Reid, Robinson, Thomas, Turner of

Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—29.

The bill was ordered engrossed and sent to the House of Representatives.

S. B. 976, bill to authorize the Board of Commissioners of the town of Concord to issue bonds, on its third reading.

The bill passed its third reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—35.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 975, bill to authorize the Board of Commissioners of the town of Concord to levy and collect a tax for a special purpose, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—33.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 694, S. B. 1003, bill to incorporate the Carolina Mining, Manufacturing and Improvement Company, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—38.

H. B. 816, S. B. 790, bill for the relief of Ashley T. Hill, of Lenoir County, on its second reading.

The amendment reported by the Committee on Judiciary was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 993, bill to incorporate the Leasburg and Southern Railroad Company, on its second reading.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks; Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—41.

H. B. 617, S. B. 963, bill to incorporate the Pender and Onslow Land and Improvement Company, on its third reading.

The bill passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett,

Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—40.

The bill was ordered enrolled.

S. B. 802, bill to incorporate the town of Lowell, in the county of Gaston, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—41.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 745, bill to amend chapter 52, Laws of  $1876\tau'77$ , being an act to incorporate the town of Gastonia, in Gaston County, on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—39.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 979, bill in relation to the county-seat of Harnett County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 515, S. B. 984, bill to incorporate the town of Hasty, in Richmond County, on its second reading.

The bill passed its second reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—35.

H. B. 475, S. B. 684, bill for the relief of certain citizens of Beaufort County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 990, bill to incorporate the East Carolina Fish, Oyster, Game and Industrial Association, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

### SPECIAL ORDER.

The hour for the special order having arrived,

S. B. 996, bill to make appropriations for the Insane Asylums, was taken up on its second reading.

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

Mr. Kerr moved to amend:

"Strike out, in section 3, the words 'thirty-five thousand,' and insert in lieu thereof the words 'forty thousand.'"

Adopted.

The bill passed its third reading, was ordered engrossed and sent to the House of Representatives.

H. B. 815, S. B. 767, bill to amend section 3522 of *The Code*, in relation to pilots at Hatteras Inlet, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 9, S. B. 766, bill relating to roads and highways in Granville County, on its second reading.

The bill passed its second reading—ayes 43, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—43.

H. B. 1048, S. B. 969, bill to amend the charter of the town of Pittsboro, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Toms,

Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—42.

H. B. 1242, S. B. 1062, bill to incorporate Graham School, in Alamance County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1002, S. B. 1071, bill to amend the charter of the French Broad Bank, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 931, S. B. 997, bill to incorporate the town of Pilot Mountain, in the county of Surry, on its second reading.

The bill passed its second reading--ayes 39, noes --, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—39.

H. B. 955, S. B. 934, bill to authorize the Town Council of King's Mountain to levy a special tax, on its second reading.

The bill passed its second reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—42.

S. B. 938, bill to amend the charter of the town of Shelby, on its second reading.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—41.

H. B. 880, S. B. 918, bill to authorize the Commissioners of Alleghany County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Little, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—37.

H. B. 673, S. B. 925, bill to secure the better drainage and improvement of the lowlands of Rowan County, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—42.

S. B 980, bill to prohibit the sale of spirituous liquors within two miles of Pleasant Grove M. E. Church and Hebron M. E. Church, in Washington, N. C., on its second reading.

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

S. B. 1090, bill to amend sections 3840 and 3841 of *The Code*, so as to abolish the office of Standard Keeper for Halifax County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing the refusal of that honorable body to recede from the amendment of the House to

S. B. 78, H. B. 405, bill to amend chapter 81, Laws of 1887, regulating the sale of seed cotton, asking a committee of conference thereon, and stating that Messrs. Gibbons, Anthony and Outlaw had been appointed conferees on the part of the House.

The Senate consented to the committee of conference, and the President appointed as conferees on the part of the Senate,

Messrs. Reid and Warters.

#### SPECIAL ORDER.

The hour for the special order having arrived,

H. B 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake, was taken up on its second reading, it being the second special order for the evening.

Mr. Little moved to amend:

"Strike out in section 1 the word 'shall,' and insert in lieu thereof the word 'may,' between the words 'commissioners' and 'order.'"

On which,

Mr. Emry asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 13, noes 30, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Brock, Emry, Farthing, Green, King, Little, Lucas, Reid, Toms and Williams of Pitt—13.

Those voting in the negative were:

Messrs. Aycock, Bailey, Bennett, Blair, Briggs, Brown, Campbell, Copeland, Crawford, Falkener, Hampton, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Long, Lusk, Payne, Rice, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—30.

Mr. Emry moved to amend:

"Add to section 6: 'Provided, such levy of additional taxes shall be for one year only.'"

Lost.

Mr. Emry moved to amend:

"Add to section 4: 'Provided, the total levy of taxes under this act and other laws now in force shall not exceed for Raleigh Township the constitutional limit of two dollars on the one hundred dollars valuation of real estate.'"

Lost.

Mr. Emry moved to amend:

"Strike out the words 'Raleigh Township' wherever they occur, and insert in lieu thereof 'the city of Raleigh."

Lost.

Mr. Emry moved to amend:

"Add to section 1: 'Provided, a petition to the County Commissioners for this election shall be signed by one-fifth of the free holders of the township."

On which,

Mr. Emry asked the ayes and noes, which were ordered, and the amendment was adopted—ayes 20, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Briggs, Brock, Campbell, Emry, Farthing, Green, Kerr, King, Little, Long, Lucas, Payne, Rice, Robinson, Toms, Turner of Catawba, Turner of Iredell and Williams of Pitt—20.

Those voting in the negative were:

Messrs. Aycock, Bailey, Banks, Bennett, Blair, Brown, Copeland, Falkener, Holton, Hughes, Leeper, LeGrand, Leinbach, Lusk, Rice, Sills, Thomas, Warters and White—19.

Mr. Lucas moved to amend:

"Add to section 4: 'Not more than seven grades shall be taught in the public schools in Raleigh township.'"

On which he asked the ayes and noes, which were ordered, and the amendment was adopted—ayes 21, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Briggs, Campbell, Copeland, Emry, Farthing, Green, Kerr, King, Little, Lucas, Lusk, Payne, Robinson, Toms, Turner of Catawba, Turner of Iredell, White and Williams of Pitt—21.

Those voting in the negative were:

Messrs. Aycock, Bailey, Bennett, Blair, Brock, Brown, Falkener, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Sills, Smith, Thomas and Warters—18.

Mr. Lucas moved to amend:

"Strike out section 5."

On which,

Mr. Emry asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 14, noes 25, asfollows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Brock, Emry, Green, Kerr, Little, Lucas, Lusk, Payne, Reid, Toms, Turner of Catawba and Williams of Pitt—14.

Those voting in the negative were:

Messrs. Aycock, Bailey, Banks, Bennett, Blair, Brown, Campbell, Copeland, Falkener, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Warters, White and Williams of Cumberland—25.

Mr. White demanded the previous question, and was sustained.

On the passage of the bill its second reading the ayes and noes were ordered, and the bill passed its second reading --ayes 29, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Blair, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, King, Leeper, LeGrand, Leinbach, Long, Lusk, Payne, Rice, Robinson, Sills, Smith, Thomas, Turner of Iredell, Warters and Williams of Cumberland—29.

Those voting in the negative were:

Messrs. Barber, Briggs, Brock, Emry, Green, Hughes,

Kerr, Little, Lucas, Turner of Catawba and Williams of Pitt --11.

The bill was put upon its third reading.

On motion of Mr. LeGrand, the bill was postponed until to-morrow night at 9 o'clock, and made the special order for that hour.

#### THE CALENDAR

was resumed.

S. B. 1021, bill to prohibit the sale of spirituous liquor within three miles of Cherry Grove Baptist Church, in Columbus County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 1074, S. B. 822, bill to protect fish in Pamlico Sound, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 720, bill to amend section 15, chapter 97, Private Laws of 1873-'74, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 1049, bill to prohibit the sale of spirituous liquors in the county of Henderson, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 1052, bill to incorporate the Robson Mining and Manufacturing Company, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 722, bill to incorporate the Methodist Protestant Church Bethany, Warren County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 989, bill to incorporate Bennett College, at Greensboro, N. C., on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 852, S. B. 984, kill to amend the charter of the town of Hickory, on its second reading.

The bill passed its second reading—ayes 38, noes --, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Payne, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—38.

S. B. 752, bill to amend the charter of the town of Clinton, in Sampson County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 869, bill to protect fish in certain streams in Nash County, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 488, S. B. 526, bill to protect fish in Beach Swamp, in Halifax County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 882, bill to amend the charter of the town of Wilson, on its second reading.

The bill passed its second reading—ayes 23, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Blair, Campbell, Emry, King, Leeper, LeGrand, Leinbach, Long, Lusk, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Warters and Williams of Cumberland—23.

Those voting in the negative were:

Messrs. Barber, Briggs, Falkener and White--4.

S. B. 939, bill to prohibit the sale of intoxicating liquors within three miles of Chapel Hill Baptist Church, in Brunswick County, on its second reading.

The bill failed to pass its second reading.

H. B. 887, S. B. 884, bill to repeal part of section 3417 of *The Code*, in regard to fishing, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 935, S. B. 929, bill to authorize Macon and Swain counties to subscribe to capital stock of railroad companies.

The amendment reported by the Committee on Propositions and Grievances was adopted.

The bill passed its second reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—36.

S. B. 750, bill to protect fish in the waters of the Cape Fear River, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

Mr. Banks moved to adjourn. Lost.

H. B. 820, S. B. 772, bill to amend section 4, chapter 138, Laws of 1874-'75, relating to the charter of the city of Charlotte, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth, on its second reading.

Mr. Leinbach moved the bill be postponed until Tuesday, 5th inst, and be made the special order for 8:30 o'clock p. m. of that day.

On that motion,

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion to postpone prevailed—ayes 19, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Bennett, Blair, Briggs, Campbell, Crawford, Farthing, Green, Leeper, LeGrand, Leinbach, Little, Long, Pou, Reid, Rice, Robinson, Smith and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Brock, Brown, Falkener, Holton, Lusk, Thomas, Turner of Iredell, Warters and White—12.

S. B. 946, bill to incorporate the High Point Female College, on it second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 305, S. B. 682, bill to promote the cultivation of shell-fish in Onslow County, and to repeal chapter 90, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 363, S. B. 558, bill to amend section 3405 of *The Code*, in relation to killing fish with dynamite, on its second reading.

Mr. Blair moved to amend:

"Add the counties of Buncombe, Caldwell, Burke, Guil-

ford, Richmond, Wayne, Transylvania, Granville, McDowell and Watauga."

Adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 1028, S. B. 909, bill to prevent setting strike nets in Far Creek, in Hyde County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 881, S. B. 851, bill to protect fish in Chowan River and Wiccacon Creek, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 818, S. B. 846, bill to drain South Deep Creek, in Yadkin County, on its second reading.

Mr. Hampton moved to amend:

"Strike out, in section 1, the words 'Speers' bridge,' and insert in lieu thereof the words 'the Yadkin River;' strike out, in section 7, the words 'twentieth day of May,' and insert in lieu thereof the words 'first day of September.'

Adopted

The bill passed its second and third readings, the Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 663, S. B. 891, bill to incorporate the Loan, Land and Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 724, S. B. 911, bill to prohibit the sale of intoxicating liquors in Yancey County, on its second reading.

On motion of Mr. Briggs, the bill was recommitted to the Committee on Propositions and Grievances.

H. B. 578, S. B. 518, bill in relation to fishing in the

Swannanoa River, in Buncombe County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1071, S. B. 955, bill to authorize the Governor to sell and convey a certain lot in the city of Raleigh, on its second reading.

On motion of Mr. Turner of Iredell, the bill was referred to the Committee on Judiciary.

H. B. 924, S. B. 943, bill to authorize the Commissioners of Swain County to refund to J. S. Elmore, tax-collector, certain moneys, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 890, S. B. 811, bill to incorporate the Highland Park Association, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 958, S. B. 1063, bill to amend the charter of Bryson City, in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1029, S. B. 910, bill to prevent druggists from selling liquors in Swain County, on its second reading.

The bill failed to pass its second reading.

H. B. 929, S. B. 926, bill to incorporate the town of Dillsboro, Jackson County, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Pou, Reid,

Robinson, Smith, Thomas, Toms, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt--36.

House amendment to

S. B. 566, H. B. 1073, bill to amend the charter of the Alleghany Mining and Improvement Company, was taken up, concurred in, and the bill ordered enrolled.

On motion of Mr. Aycock, the Senate adjourned until to morrow morning at 10 o'clock.

# FORTY-SEVETNH DAY.

SENATE CHAMBER, March 5, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

# PETITIONS AND MEMORIALS.

Petitions and memorials were submitted as follows:

By Mr. Toms, memorial of Waynesville Lodge, 259, A. F. and A. M., of Waynesville, N. C. Referred to the Committee on Propositions and Grievances.

By Mr. Hampton, petition from citizens of Mount Airy, asking repeal of local option. Referred to the Committee on Propositions and Grievances.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Green, H. B. 721, S. B. 835, bill to amend chapter 122, Laws of 1887, relative to the Clerks of the Superior Court in certain counties, recommending it do pass;

S. B. 589, bill to abolish the February Term of Craven County Superior Court, recommending it do not pass;

H. B. 953, S. B. 806, bill to prevent gambling at agricul-

tural fairs, recommending it do not pass.

By Mr. Bailey, H. B. 869, S. B. 1037, bill regulating the trial of certain actions, recommending it do pass.

By Mr. Kerr, H. B. 279, S. B. 1006, bill to provide for

criminal statistics, recommending it do pass;

S. B. 1048, bill to empower outgoing and incoming taxcollectors to make deeds to land sold for taxes, recommending it do not pass;

S. B. 1051, bill to relieve N. A. Boyden, of Surry County, from the payment of certain sci. fa. judgments against him,

reporting it without recommendation;

H. B. 1066, S. B. 1080, bill to exempt Raymon Brookfield from tax as auctioneer, &c., recommending it do pass;

H. B. 1206, S. B. 1059, bill for the relief of Milton McNeill, Clerk of the Superior Court of Wilkes County, recommending it do pass;

H. B. 989, S. B. 838, bill to correct a grant to certain land in Burke County, recommending it do pass;

H. B. 1064, S. B. 1028, bill to correct State grant in Swain County, recommending it do pass;

H. B. 1202, S. B. 1063, bill to correct State grant No. 2443, in Jackson County, recommending it do pass;

H. B. 1173, S. B. 1069, bill to correct State grant No. 7879, recommending it do pass;

H. B. 1062, S. B. 1064, bill to correct State grant in Swain County, recommending it do pass;

H. B. 1125, S. B. 1066, bill to correct certain State grants in Swain County, recommending it do pass;

H. B. 449, S. B. 519, bill to amend sections 148 and 163 of *The Code*, relating to persons under disabilities, recommending it do pass;

H. B. 1193, S. B. 1012, bill to amend chapter 340, section 4, Acts of 1887, recommending it do pass;

H. B. 986, S. B. 1039, bill to provide for condemning land for ferry houses, recommending it do pass;

H. B. 712, S. B. 1038, bill relating to the laws, reports, &c., received by this State from other States and Territories by exchange, recommending it do pass;

H. B. 1161, S. B. 1083, bill to amend section 1799 of *The Code*, in regard to advancement of money, supplies, &c., recommending it do pass;

H. B. 1096, S. B. 1022, bill to change the time of holding the Superior Court in Warren County, recommending it do. pass.

From the Committee on Finance:

By Mr. Reid, S. B 531, bill to regulate municipal elections, and for other purposes, recommending it do not pass.

By Mr. Campbell, S. R. 897, resolution to pay J. P. Carpenter the reward offered by the Governor for the apprehension of Dan. Thornburg, a fugitive from justice, reporting it without recommendation;

H. B. 1195, S. B. 1025, bill for the relief of Thomas White, Treasurer of the town of Louisburg, recommending it do pass;

\* H. R. 1020, S. R 1010, resolution to authorize the destruction of certain bonds which have been redeemed by the State, recommending it do pass.

By Mr. Turner of Catawba, S. B. 590, bill authorizing the levy of a special tax in Craven County, reporting it without recommendation.

By Mr. Thomas, S. B. 196, bill to authorize the Sheriff of Orange County to collect arrears of taxes, recommending it do pass;

H. B. 1182, S. B. 1015, bill for the relief of S. W. Brewer, Sheriff and ex-officio Treasurer of Chatham County, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Catawba, H. B. 1059, S. B. 1030, bill to prohibit the killing of deer in Bertie County, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Toms, H. B. 952, S. B. 804, bill to incorporate the Bank of Carthage, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Turner of Iredell, H. B. 1162, S. B. 1077, bill to make upper Dowery Creek, in Beaufort County, a lawful fence, recommending it do pass;

H. B. 1117, S. B. 1033, bill in relation to New Hope Creek,

in Chatham County, recommending it do not pass;

S B. 999, bill to prohibit the sale of liquor in one mile of certain churches in Henderson County, recommending it do not pass;

S. B. 994, bill to prohibit the sale of spirituous liquors in

Randolph County, recommending it do not pass;

S. B. 987, bill to create a Board of Health for the town of Laurinburg, N. C., recommending it do pass;

H. B. 1191, S. B. 1034, bill to authorize and allow the Commissioners of Morehead City, Carteret County, to regulate the sale of spirituous liquors in said town, recommending it do pass;

H. B. 1107, S. B. 1036, bill to prohibit the killing of deer in Caldwell County with dogs, recommending it do pass.

By Mr. Turner of Catawba, S. B. 995, bill to change the name of Columbia Factory to Ramseur, Randolph County, recommending it do pass.

From the Committee on Penal Institutions:

By Mr. Pou, H. B. 957, S. B. 1043, bill to aid the Penitentiary in becoming self sustaining, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Corporations:

By Mr. Bailey, S. B. 244, bill to incorporate the Alleghany Construction Company, reporting amendments, and recommending, as amended, it do pass.

By Mr. LeGrand, H. B 904, S. B. 1013, bill to incorporate

the Henderson Electric Light, Water-works and Power Company, recommending it do pass.

By Mr. Thomas, H B. 788, S. B. 922, bill to incorporate the Tennessee River Land and Timber Company, limited, recommending it do pass;

H. B. 1098, S. B. 1032, bill to amend chapter 85, Private Laws of 1885, relating to the charter of Greenville, in Pitt County, recommending it do pass.

By Mr. Brown, H. B. 1112, S. B. 1035, bill to incorporate Broad Street Baptist Church, of Winston, N. C., recommending it do pass.

By Mr. Aycock, S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, recommending it do not pass.

S. B. 795, bill to incorporate Yadkin Academy, in Alamance County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Pou, S. B. 1055, bill to amend the charter of the Thomasville and Silver Valley Mining Company, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Green, H. B. 951, S. B. 834, bill to incorporate the Fayetteville Savings Bank, recommending it do pass.

From the Committee on Internal Improvements:

By Mr. Means, S. B. 871, bill to amend the charter of the Hiawassee Railroad Company, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 1114, S. B. 1024, bill to amend chapter 134, Laws of 1885, relating to public roads, recommending it do pass;

S. B. 988, bill to enable the townships of Guilford County to adopt the Mecklenburg road law, reporting amendments, and, as amended, recommending it do pass.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions,

which were duly ratified and sent to the office of Secretary of State:

H. B. 618, S. B. 681, an act to incorporate the town of Southport;

S. B. 316, H. B. 842, an act to amend the charter of the town of Plymouth;

S. B. 568, H. B. 972, an act to drain the lowlands of Wolf Island Creek, in Rockingham County;

S. B. 587, H. B. 1149, an act to extend the corporate limits of the town of Milton;

S. B. 740, H. B. 1311, an act to amend chapter 25 of the Private Laws of 1887;

H. B. 897, S. B. 848, an act to establish the township of Sylva, in Jackson County;

H. B. 903, S. B. 843, an act to prevent fast riding or driving over the suspension bridge at Henrietta Mills, in Rutherford County;

H. B. 584, S. B. 521, an act to change the line between Lisbon and Franklin townships, in Sampson County;

H. B. 438, S. B. 470, an act relating to burning woods in Pamlico County;

S. B. 288, H. B. 783, an act to amend section 3619 of The Code;

H. B 850, S. B. 765, an act to authorize the Enterprise Lumber Company to construct a tramway or railway;

S. B. 635, H. B. 1151, an act to amend chapter 2, Laws of 1880, incorporating the town of Randleman, in Randolph County;

S. B. 386, H. B. 875, an act to amend the charter of the town of Hendersonville;

S. B. 664, H. B. 1227, an act to extend the corporate limits of the town of Madison, in Rockingham County, N. C;

H. B. 40, S. B. 379, an act to incorporate the Morganton Land and Improvement Company;

H. B. 996, S. B. 916, an act to incorporate the town of Elkin, in the county of Surry;

S. B. 669, H. B. 1126, an act to incoporate the town of Ingold, in the County of Sampson;

S. B. 407, H. B. 277, an act to amend section 1260 of *The Code* of North Carolina;

S. B. 201, H. B 698, an act to drain the swamp lands of Mud Creek and its tributaries, in Henderson County;

S. B 422, H. B. 922, an act concerning the drainage of lowlands;

H. B 476, S. B. 488, an act to amend the charter of the town of Marshall, in Madison County;

H. B. 562, S. B. 886, an act to recognize and incorporate the Beaufort County Lumber Company of North Carolina, heretofore incorporated under the general laws, and to amend the same and grant certain additional powers thereto;

S. B. 567, H. B. 1082, an act to provide for the exemption from service as jurors of telegraph operators regularly employed in that business;

S. B. 310, H. B. 876, an act to establish public schools for the town of Littleton, with a special tax supplemental thereto;

S. B. 676, H. B. 741, an act to change the dividing line between the counties of Alleghany and Ashe;

S. B. 921, H. B. 998, an act to incorporate the Gillis Improvement Company;

H. B. 742, S. B. 715, an act to authorize the Commissioners of Tyrrell County to fund the debt of the county and levy a special tax to pay the same;

H. B. 537, S. B. 1147, an act to authorize the Commissioners of Hyde County to levy a special tax;

H. B. 480, S. B. 520, an act to repeal chapter 126 of the Private Laws of 1887;

H. B. 822, S. B. 820, an act to amend chapter 34, Private Laws of North Carolina, 1887, entitled "an act to incorporate the North Carolina Steel and Iron Company";

S. R. 867, H. R. 1187, resolution of instruction to our Sen-

ators and Representatines in Congress in relation to the Signal Corps service.

The Committee on Engrossed Bills reported as properly

engrossed:

- S. B. 471, bill to be entitled an act to sell the Governor's-Mansion;
- S. B. 996, bill to be entitled an act to make appropriations for the Insane Asylums;
- S. B. 990, bill to be entitled an act to incorporate the East Carolina Fish, Oyster, Game and Industrial Association;
- S. B. 756, bill to be entitled an act to supplement the public school in District No. 4, Guilford County, North Carolina, with a special tax;

Senate amendment to

H. B. 816, S. B. 790, bill to be entitled an act for the relief of Ashley T. Hill, of Lenoir County—

Which were sent to the House of Representatives.

#### LONG VS. LEGRAND-CONTESTED ELECTION CASE.

Mr. Little, for a majority of the Committee on Privileges and Elections, submitted a report in the case of A. M. Long, Esq., contestant, claiming the seat now occupied by James-T. LeGrand, Esq., as Senator for the 26th Senatorial District, recommending that Mr. LeGrand be declared entitled to the seat.

Mr. Rice, for a minority of the Committee, submitted a report recommending that Mr. Long be declared entitled to the seat now held and occupied by Mr. LeGrand.

On the adoption of the minority report the ayes and noeswere ordered, and the report was not adopted—ayes 13, noes-32, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Campbell, Copeland, Falkener Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas and Warters—13.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Emry, Farthing, Hughes, Kerr, King, Leeper, Little, Long, Lucas, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—32.

On the adoption of the majority report, the ayes and noes were ordered, and the report was adopted—ayes 31, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Crawford, Emry, Farthing, Hughes, King, Leeper, Little, Long, Lucas, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—31.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Hampton, Holton, Leinbach, Lusk, Rice, Thomas and Warters—10.

# MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives transmitting engrossed House bills and resolutions, which were read the first time and disposed of as follows:

H. B. 1014, S. B. 1093, bill to submit to the qualified voters of the town of Shelby the question of prohibition or no prohibition of the sale of liquors. Referred to the Committee on Propositions and Grievances.

H. B. 1141, S. B. 1094, bill to amend chapter 31, section 2, Laws of 1887, authorizing Sheriffs to collect township railroad tax. Referred to the Committee on Finance.

H. B. 1290, S. B. 1095, bill to settle disputes and controversies between adjacent land owners, in respect to boundary lines. Referred to the Committee on Judiciary.

H. B. 1068, S. B. 1096, bill to change the time of holding November Term of Harnett Superior Court. Referred to the Committee on Judiciary.

H. B. 1179, S. B. 1097, bill to amend the law of burglary.

Referred to the Committee on Judiciary.

H. B. 834, S. B. 1098, bill for the relief of D. G. McClellan, of School District No. 3, in Cumberland County. Referred to the Committee on Education.

H. B. 421, S. B. 1099, bill to drain certain swamp lands in Cumberland County. Referred to the Committee on Propositions and Grievances.

H. B. 1128, S. B. 1100, bill to allow standard-keepers to remove weights and measures from the court house. Referred to the Committee on Judiciary.

H. B. 541, S. B. 1101, bill to amend chapter 309, Laws of 1885, in relation to reprinting and sale of certain volumes of the Supreme Court Reports. Referred to the Committee on Judiciary.

H. B. 1101, S. B. 1102, bill to protect public moneys in the hands of County Treasurers. Referred to the Committee on Finance.

H. B. 1111, S. B. 1103, bill to prevent the careless handling of fire-arms. Referred to the Committee on Judiciary.

H. B. 1198, S. B. 1104, bill prescribing the duties and directing the manner of appointing port wardens for the port of Wilmington. Referred to the Committee on Judiciary.

H. B. 1093, S. B. 1105, bill to establish a new township in Ashe County by the name of Walnut Hill. Referred to the Committee on Propositions and Grievances.

H. B. 727, S. B. 1106, bill concerning fishing in Pamlico County. Referred to the Committee on Fish and Fisheries.

H. B. 1212, S. B. 1107, bill to incorporate Dobson Lodge, No. 117, Independent Order of Odd Fellows, in Surry County. Referred to the Committee on Corporations.

H. B. 1067, S. B. 1108, bill to incorporate Sulphur Springs

Baptist Church, in Alexander County. Placed on the Calendar.

H. B. 1033, S. B. 1109, bill to protect wire fences. Referred to the Committee on Propositions and Grievances.

H. B. 1047, S. B. 1110, bill to amend chapter 1, volume II, of *The Code*, and chapters 409 and 410, Laws of 1887, pertaining to the Department of Agriculture, Immigration, Statistics, &c. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 1280, S. B. 1111, bill to repeal section 4 of the charter of Highlands. Referred to the Committee on Corporations

H. B. 1322, S. B. 1112, bill to incorporate the Trustees of Piedmont Literary and Industrial College, at Salisbury. Referred to the Committee on Education.

H. B. 1321, S. B. 1113, bill to increase the school facilities in portions of Rowan and Iredell counties. Placed on the Calendar.

H. B. 1323, S. B. 1114, bill to amend the charter of the Chestnut Hill Cemetery Association at Salisbury. Referred to the Committee on Propositions and Grievances.

H. B. 1250, S. B. 1115, bill to incorporate the Fayetteville Street Railway Company. Referred to the Committee on Corporations.

H. B. 1337, S. B. 1116, bill explanatory of an act for the relief of D. H. West, a disabled Confederate soldier of Cumberland County. Referred to the Committee on Propositions and Grievances.

H. B. 1338, S. B. 1117, bill to confirm the organization of the Greystone Granite and Construction Company. Referred to the Committee on Corporations.

H. B. 1240, S. B. 1118, bill to appoint a cotton weigher for the town of LaGrange, Lenoir County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 889, S. B. 1119, bill to prohibit the manufacture and sale of liquor within two miles of the Highland Acad-

emy. Referred to the Committee on Propositions and Grievances.

H. B. 949, S. B. 1120, bill to incorporate the Battery Park Hotel and Improvement Company. Referred to the Committee on Corporations.

H. B. 1355, S. B. 1121, bill concerning the Norfolk Southern Railroad Company. Referred to the Committee on Fish and Fisheries.

H. B. 828, S. B. 1122, bill to abolish the Inferior Court and to establish a Criminal Court for Buncombe County. Referred to the Committee on Judiciary.

H. B. 1344, S. B. 1123, bill in relation to deeds procured by fraud or duress. Referred to the Committee on Judiciary.

Without engrossment,

H. B. 1247, S. B. 1124, bill to incorporate the town of Macon, Warren County. Referred to the Committee on Corporations.

H. B. 747, S. B. 1125, bill to incorporate the town of Buford, Haywood County. Referred to the Committee on Corporations.

H. B. 1272, S. B. 1126, bill to incorporate the town of Osgood, Chatham County. Referred to the Committee on Corporations.

H. B. 1274, S. B. 1129, bill to incorporate the town of Bakersville, Mitchell County. Referred to the Committee on Corporations.

H. B. 1288, S. B. 1128, bill to authorize the Commissioners of the town of Mt. Airy, Surry County, to issue bonds. Referred to the Committee on Finance.

H. B. 1210, S. B. 1129, bill to charter the Modoc Railroad Company. Referred to the Committee on Internal Improvements.

H. B. 1278, S. B. 1130, bill to incorporate the town of Rowland, in the county of Robeson. Placed on the Calendar.

House amendments to

S. B. 86, H. B. 458, bill to enable the Commissioners of Cherokee County to build a jail, and for other purposes. The amendments were concurred in and the bill was ordered enrolled.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Rice, S. R. 1131, resolution in favor of A. M. Long, contestant from 26th Senatorial District. Referred to the Committee on Privileges and Elections.

By Mr. LeGrand, S. B. 1132, bill to prevent Clerks of Superior Court from appointing themselves commissioners in certain cases. Placed on the Calendar.

By Mr. Abbott, S. B 1133 (by request), bill to incorporate the Winton Railroad and Lumber Company. Referred to the Committee on Corporations.

By Mr. King, S. B. 1134, bill to abolish the normal schools of the State. Placed on the Calendar.

By Mr. Holton, S. B. 1135, bill to amend chapter 412 of the Laws of 1887. Referred to the Committee on Education.

By Mr. Means, S. B. 1136, bill to require banks incorporated within the State of North Carolina to make stated reports to the State Treasurer. Referred to the Committee on Banks and Currency.

By Mr. Williams of Cumberland, S. B. 1137, bill requiring the publication of the calendar of cases to be tried at each term of the court. Referred to the Committee on the Judiciary.

#### SPECIAL ORDER.

The hour for the special order having arrived,

H. R. 984, S. R. 896, resolution on adjournment, was taken up on its second reading, it being the special order for that hour.

Mr. Aycock moved to amend:

"Strike out 'Monday, 11th inst.,' and insert 'Thursday, 14th inst.,' in lieu thereof.

On the adoption of the amendment the ayes and noes were ordered, and the amendment was lost—ayes 10, noes 32, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Barber, Blair, Farthing, King, LeGrand, Long, Means, Robinson and Smith—10.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Bennett, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Green, Hampton, Holton, Kerr, Leeper, Leinbach, Lucas, Lusk, Payne, Pou, Reid, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—32.

Mr. Farthing moved to amend:

"Add to the resolution: 'And no bills or resolutions shall be introduced after March 6th.'"

Lost.

On the adoption of the resolution,

Mr. Barber asked for the ayes and noes, which were ordered, and the resolution was adopted—ayes 32, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Hampton, Holton, Hughes, Kerr, Leeper, Leinbach, Lucas, Lusk, Payne, Pou, Reid, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—32.

Those voting in the negative were:

Messrs. Aycock, Barber, Blair, Farthing, Green, King, LeGrand, Long, Means, Robinson, Smith and Williams of Pitt—12.

## THE CALENDAR

was resumed.

S. B. 993, bill to incorporate the Leasburg and Southern Railroad Company, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Green, Hampton, Holton, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—38.

The bill was ordered sent to the House of Representatives without engrossment.

S. B. 938, bill to amend the charter of the town of Shelby, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leeper,

LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—41.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 673, S. B. 925, bill to secure the better drainage and improvement of the lowlands of Rowan County, on its third reading.

The bill passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Copeland, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—40.

The bill was ordered enrolled:

H. B. 900, S. B. 893, bill to protect the oyster interest in the State of North Carolina, on its third reading.

The bill passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Copeland, Emry, Falkener, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Payne, Pou, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—37.

The bill was ordered enrolled.

H. B. 874, S. B. 1026, bill to provide for cotton-weighers for Cabarrus and Stanly, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

#### SPECIAL ORDER.

H. B. 1127, S. B. 1041, bill to raise revenue, was taken up on its second reading, it being the second special order for the day.

On motion of Mr. Turner of Iredell, the Senate went into Committee of the Whole, for the consideration of the bill, Mr. Pou in the chair.

The Senate, in committee, having risen, the Senate was called to order, and

Mr. Pou reported that the Senate, in Committee of the Whole, had considered

H. B. 1127, S. B. 1041, bill to raise revenue, but had reached no conclusion thereon.

The further consideration of the bill was postponed until 8 p. m.

#### THE CALENDAR

was resumed.

S. B. 754, bill to incorporate the North Carolina Society for the Prevention of Cruelty to Animals, on its second reading.

On motion of Mr. Rice, the bill was recommitted to the Committee on Propositions and Grievances.

S. B. 863, bill for the relief of certain soldiers of the late war between the States, on its third reading.

On motion of Mr. Lucas, the bill was postponed until to-morrow (Wednesday) morning, and made the special order for 11 o'clock.

S. B. 793, bill to enlarge the jurisdiction of Justices of the Peace, on its second reading.

On motion of Mr. Payne, the bill was postponed until tomorrow (Wednesday, 6th inst.), and made the special order for 1 o'clock p. m.

On motion of Mr. Leeper, the Senate adjourned until 8 o'clock p. m.

#### EVENING SESSION.

March 5, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Leave of absence was granted Mr. Pou until Thursday next.

By consent,

Mr. Means introduced S. B. 1138, bill to amend chapter 206, Laws of 1885, which was read the first time and referred to the Committee on Penal Institutions.

By consent,

Mr. Pou reported from the Committee on Penal Institu-

S. B. 1138, bill to amend chapter 206, Laws of 1885, recommending it do pass.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting, without engrossment,

H. B. 1384, S. B. 1139, bill to incorporate the Morehead Banking Company, which was read the first time and placed on the Calendar.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 989, bill to be entitled an act to incorporate Bennett College, at Greensboro, N. C.;

S. B. 752, bill to be entitled an act to amend the charter of the town of Clinton, Sampson County;

S. B 7-2, bill to be entitled an act to incorporate the Methodist Protestant Church Bethany (white) Warren County, N. C.;

S. B. 720, bill to be entitled an act to amend section 15, chapter 97, Private Laws of 1873 and 1874;

S. B. 1021, bill to be entitled an act to prohibit the sale of liquor within three miles of Cherry Grove Baptist Church, in Columbus Counnty;

S. B. 869, bill to be entitled an act to protect fish in certain streams in Nash County;

Senate amendments to

H. B. 363, S. B. 558, bill to be entitled an act to amend section 3405 of *The Code*, in relation to killing fish with dynamite;

Senate amendments to

H. B. 818, S. B. 846, bill to be entitled an act to drain South Deep Creek, in Yadkin County.

## THE CALENDAR.

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

H. B. 9, S. B. 766, bill relating to roads and highways in Granville County, on its third reading.

The bill passed its third reading—ayes 26, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Briggs, Brock, Campbell, Copeland, Crawford, Farthing, Hampton, Hughes, Leinbach, Little, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell and White—26.

The bill was ordered enrolled.

Mr. Payne moved the Senate go into Committee of the Whole, and take up

H. B. 1127, S. B. 1041, bill to raise revenue. The motion prevailed, and the Senate in Committee, with Mr. Little in the chair, proceeded with the consideration of the bill.

The Senate in Committee having risen, the Senate was called to order.

Mr. Little reported the Senate, in Committee of the Whole, had considered

H. B. 1127, S. B. 1041, bill to raise revenue, had adopted certain amendments thereto, and, thus amended, recommended the bill do pass.

The amendments reported by the Committee of the Whole were adopted.

The bill passed its second reading—ayes 31, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—31.

Those voting in the negative were:

Messrs. Barber, Blair, Falkener, Hampton, Holton, Kerr, Lusk, Means, Thomas and White—10.

#### SPECIAL ORDER.

The hour for the special order having arrived,

H. B. 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth, was taken up on its second reading, it being the special order.

On the passage of the bill its second reading,

Mr. Leinbach asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 22, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Blair, Briggs, Campbell, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Means, Moore Payne, Robinson, Sills, Smith, Turner of Catawba and Williams of Cumberland—22.

Those voting in the negative were:

Messrs. Banks, Brock, Copeland, Crawford, Falkener, Holton, Lusk, Reid, Thomas, Turner of Iredell, Warters, White and Williams of Pitt—13.

Mr. Barber announced himself paired on this bill with Mr. Green.

Mr. Bailey moved the rules be suspended and the bill be put upon its third reading. The motion did not prevail, not two-thirds of the Senators voting voting therefor.

# SPECIAL ORDER.

H. B. 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake, was taken up on its third reading, it being the second special order for the evening.

Mr. LeGrand demanded the previous question, and was sustained.

The bill passed its third reading—ayes 26, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Blair, Briggs, Brown, Copeland, Crawford, Falkener, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Moore, Payne, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters and Williams of Cumberland—26.

Those voting in the negative were:

Messrs. Barber, Brock, Emry, Farthing, Kerr, Little, Lucas, Lusk, Means, Reid, Toms, White and Williams of Pitt—13.

Mr. LeGrand moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

Mr. Lucas moved to reconsider the vote by which

S. B. 863, bill for the relief of certain soldiers of the late war between the States, was postponed until to-morrow, and made a special order for that day. The motion prevailed.

Mr. Lucas moved to suspend the rules and take the bill up on its third reading. The motion was adopted.

Mr. Aycock moved to amend:

"Add: 'Five thousand dollars of the money raised under this act shall be expended annually for perfecting a roster of the North Carolina State troops in the late war between the States.'"

On which,

Mr. Little asked for the ayes and noes. Not ordered.

The amendment was lost.

Mr. Barber moved to amend:

"Insert: 'That widows of soldiers shall receive an amount equal to the amount allowed any disabled soldier by this act.'"

On which he asked for the ayes and noes, which were ordered, and the amendment was adopted—ayes 21, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Barber, Blair, Brown, Falkener, Hampton, Holton, Hughes, Leeper, Leinbach, Lusk, Moore, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—21.

Those voting in the negative were:

Messrs. Abbott, Brock Emry, Farthing, King, LeGrand, Little, Long, Lucas, Payne, Reid, Sills and Toms—13.

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Mr. Blair moved to amend:

"In the section levying the tax, strike out 'four cents' and insert 'three cents;' strike out 'twelve cents' and insert 'nine cents.'"

Lost.

Mr. Moore moved to amend:

"Strike out 'four cents' and insert 'two cents;' strike out 'twelve cents' and insert 'six cents.'

On which, the ayes and noes were ordered, and the amendment was adopted—ayes 22, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Barber, Blair, Brock, Brown, Campbell, Crawford, Falkener, Hampton, Holton, Hughes, Leeper, Leinbach, Lusk, Moore, Payne, Thomas, Turner of Catawba, Turner of Iredell, Warters and White—22.

Those voting in the negative were:

Messrs. Abbott, Briggs, Emry, King, LeGrand, Little, Long, Lucas, Means, Reid, Robinson, Sills, Smith, Toms, Williams of Cumberland and Williams of Pitt—16.

Mr. Lucas demanded the previous question, and was sustained.

The bill passed its third reading—ayes 23, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Blair, Briggs, Brock, Crawford, Farthing, Hampton, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—23.

Those voting in the negative were:

Messrs. Abbott, Banks, Campbell, Emry, Holton, Hughes, Kerr, King, Leinbach, Lucas, Lusk, Reid, Sills and Thomas—14.

Mr. Barber announced himself paired on this bill with Mr. Green.

Mr. Means moved to reconsider the vote by which the bill passed its third reading.

The motion prevailed.

The question recurring upon the passage of the bill its third reading,

On motion of Mr. Means, the bill was postponed until to-morrow, and made the special order for 11 o'clock a. m.

# THE CALENDAR

was resumed.

H. B. 1384, S. B. 1139, bill to incorporate the Morehead Banking Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 880, S. B. 918, bill to authorize the Commissioners of Alleghany County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Moore, Payne, Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pttt—39.

The bill was ordered enrolled.

H. B. 1048, S. B. 969, bill to amend the charter of the town of Pittsboro, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair,

Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters and White—37.

The bill was ordered enrolled.

Mr. Banks moved to adjourn. Lost.

H. B. 955, S. B. 934, bill to authorize the Town Council of King's Mountain to levy a special tax, on its third reading.

The bill passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—39.

The bill was ordered enrolled.

H. B. 997, S. B. 931, bill to incorporate the town of Pilot Mountain, in the county of Surry, on its third reading.

The bill passed its third reading—ayes 44, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—44.

The bill was ordered enrolled.

S. B. 694, S. B. 1003, bill to incorporate the Carolina Mining, Manufacturing and Improvement Company, on its third reading.

The bill passed its third reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—35.

The bill was ordered enrolled.

H. B. 515, S. B. 984, bill to incorporate the town of Hasty, in Richmond County, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—38.

The bill was ordered enrolled.

H. B. 210, S. B. 707, bill to amend chapter 73, Acts of 1887, in relation to constructing public roads, on its third reading.

The bill passed its third reading—ayes 31, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lusk, Means, Moore, Reid, Sills, Smith, Toms, Turner of Catawba, War-

ters, White, Williams of Cumberland and Williams of Pitt —31.

Voting in the negative:

Mr. Barber-1.

The Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 1138, bill to amend chapter 206, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1190, S. B. 1019, bill to incorporate the North Carolina Christian Missionary Convention, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1098, S. B. 1032, bill to amend chapter 85, Private Laws of 1885, relating to the charter of Greenville, in Pitt County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 952, S. B. 804, bill to incorporate the Bank of Carthage, on its second reading.

The amendment reported by the Committee on Banks and Currency was adopted.

The bill passed its third reading, the Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 655, S. B. 728, bill to abolish the June Term of Hertford County Superior Court, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Banks moved to adjourn. Lost.

H. B. 992, S. E. 964, bill to provide for a review and alteration of the public road crossing the Blue Ridge at Mulberry Gap, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 794, bill to incorporate Yadkin Academy, in Alamance County, on its second reading.

The amendment reported by the Committee on Corpo-

rations was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 950, S. B. 930, bill in relation to the town of Fay-

etteville, N. C., on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—39.

H. B. 1066, S. B. 1080, bill to exempt Raymon Brookfield from tax as auctioneer, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 800, S. B. 783, bill to authorize the Commissioners of Hyde County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—39.

H. B. 788, S. B. 922, bill to be entitled an act to incorporate the Tennessee River Land and Timber Company, limited, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 749, S. B. 709, bill to amend the charter of the town of Durham, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Sills, Smith, Turner of Catawba, Turner of Iredell, Warters, White and Williams of Cumberland—33.

H. B. 636, S. B. 780, bill to incorporate the town of Cumberland, in Cumberland County, on its second reading.

The bill passed its second reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Copeland, Farthing, Green, Hampton, Hughes, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—33.

S. B. 244, bill to incorporate the Alleghany Construction Company, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Copeland, Emry, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long,

Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—34.

H. B. 389, S. B. 823, bill to amend the charter of the town of Rocky Mount, on its second reading.

The bill passed its second reading--ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Long, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—34.

S. B. 988, bill to enable the townships of Guilford County to adopt the Mecklenburg road law, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—38.

S. B. 871, bill to amend an act to amend the charter of the Hiawassee Railroad Company, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives.

S. B. 1051, bill to relieve N. A. Brogden, of Surry County, from the payment of certain sci. fa. judgments against him, etc., on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1162, S. B. 1077, bill to make Upper Downey Creek, in Beaufort County, a lawful fence, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1096, S. B. 1022, bill to be entitled an act to change the time of holding the Superior Court in Warren county, on its second reading.

Mr. Emry moved the bill be laid on the table; on which, Mr. Falkener asked for the ayes and noes. Not ordered. The motion, the bill be laid on the table, prevailed.

On motion of Mr. Aycock, the Senate adjourned until to-morrow morning at 10 o'clock.

# FORTY-EIGHTH DAY.

SENATE CHAMBER, March 6, 1889.

The Senate met pursuant to adjournment, Lieutenant Governor Holt in the chair.

Prayer by Rev. Mr. Carter, of the city. The Journal of yesterday was approved.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Judiciary:

By Mr. Leeper, H. B. 801, S. B. 1029, bill to amend chapter 10 of *The Code*, in regard to the statute of limitations, and other purposes, recommending it do pass;

S. B. 872, bill to amend section 550 of *The Code*, in relation to appeals, recommending it do pass;

H. B. 1068, S. B. 1096, bill to change the time of November Term of the Superior Court for Harnett County, recommending it do pass;

S. B. 986, bill to repeal chapter 284 of the Laws of 1887, and to amend chapter 47 of *The Code*, on the subject of partition, recommending it do pass.

By Mr. Turner of Iredell, H. B. 1222, S. B. 1009, bill to amend section 645 of *The Code*, in reference to the appointment of special officers to execute process, recommending it do not pass;

H. B. 1179, S. B. 1097, bill to amend the law of burglary, recommending it do not pass;

H. B. 1111, S. B. 1103, bill to prevent the careless handling of fire-arms, recommending it do pass;

H. B. 955, S. B. 1071, bill to authorize the Governor to sell and convey a certain lot in the city of Raleigh, recommending it do not pass;

S. B. 1053, bill to amend section 9, chapter 258, Laws of 1885, recommending it do not pass;

H. B. 1290, S. B. 1095, bill to settle disputes and controversies between adjacent land owners, in respect to boundary lines, recommending it do not pass;

H. B. 1201, S. B. 1011, bill to amend section 2120 of *The Code*, in relation to the better care and protection of orphan children, recommending it do pass;

S. B. 1001, bill to admit attorneys at law holding certificates from other States to practice law in this State, recommending it do pass.

By Mr. Kerr, H. B. 1344, S. B. 1123, bill in relation to deeds procured by fraud or duress, recommending it do not pass;

H. B. 995, S. B. 830, bill to correct certain land grants in Swain County, recommending it do pass;

H. B. 541, S. B. 1101, bill to amend chapter 309, Laws of 1885, in relation to reprinting and sale of certain volumes of the Supreme Court Reports, recommending it do pass;

S. B. 666, bill concerning assignments, recommending it do pass.

By Mr. Pou, H. B. 178, S. B. 1007, bill to define felony, recommending it do not pass;

H. B. 115, S. B. 1005, bill to have the Chief Justice make report to the General Assembly of needed amendments to the law, recommending it do not pass;

From the Committee on Finance:

By Mr. Moore, H. B. 1288, S. B. 1128, bill to authorize the Commissioners of the town of Mount Airy, in Surry County, to issue bonds, recommending it do pass.

By Mr. Campbell, H. B. 1158, S. B. 1088, bill to allow the Commissioners of Wake County to issue bonds, recommending it do pass;

H. B. 1102, S. B. 1058, bill to authorize the town of Newton to issue bonds on its indebtedness, recommending it dopass.

By Mr. Leeper, H. B. 1101, S. B. 1102, bill to protect the public moneys in the hands of county treasurers, recommending it do pass.

By Mr. Leinbach, H. B. 1174, S. B. 1085, bill to authorize the Commissioners of Forsyth County to issue bonds to build a court-house, recommending it do pass;

H. B. 1141, S. B. 1094, bill to amend chapter 31, section 2, Laws of 1887, authorizing sheriffs to collect township railroad tax, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Robinson, H. B. 1093, S. B. 1105, bill to establish a new township in Ashe County by the name of Walnut Hill, recommending it do pass;

H. B. 1323, S. B. 1114, bill to amend the charter of the Chestnut Hill Cemetery Association, at Salisbury, N. C., recommending it do pass;

H. B. 753, S. B. 1072, bill to authorize the Commissioners of Martin County to keep in repair certain cause and foot ways, recommending it do pass.

By Mr. Twitty, S. B. 1044, bill to prohibit the manufac-

ture or sale of spirituous liquors in the county of Cherokee, recommending it do pass;

S. B. 1047, bill to regulate the sale of liquors in certain districts, recommending it do not pass;

H. B. 1165, S. B. 1078, bill to amend section 4, chapter 80, Private Laws of 1879, in relation to cotton-weighers of Goldsboro, recommending it do pass;

H. B. 1128, S. B. 1100, bill to allow standard-keepers to remove weights and measures from the court-house, recommending it do pass;

H. B. 819, S. B. 1070, bill to amend chapter 313, Laws of 1887, in regard to sale of liquors in Greene County, recommending it do pass.

By Mr. Crawford, H. B. 1118, S. B. 1082, bill to incorporate McElreth Methodist Episcopal Church, in Burke County, and to prohibit the sale of liquor within two miles thereof, recommending it do pass;

H. B. 889, S. B. 1119, bill to prohibit the manufacture, use and sale of liquors within two miles of the Highlands Academy, recommending it do pass;

H. B. 1184, S. B. 1056, bill to restrict the corporate limits of Old Fort, in McDowell County, recommending it dopass;

H. B. 1192, S. B. 1067, bill to prevent the obstruction of a certain portion of New River, in Onslow County, recommending it do pass.

By Mr. Turner of Iredell, S. B. 754, bill to incorporate the North Carolina Society for the Prevention of Cruelty to Animals, recommending it do not pass;

H. B. 1253, S. B. 1149, bill to amend chapter 149, Laws of 1885, relative to drainage, recommending it do pass.

By Mr. Hampton, H. B. 1337, S. B. 1116, bill explanatory of an act for the relief of D. H. West, a disabled Confederate soldier of Cumberland County, recommending it do pass;

By Mr. Turner of Catawba, H. B. 421, S. B. 1099, bill to drain certain swamp lands in Cumberland county, recommending it do pass;

H. B. 1094, S. B. 1076, bill for the drainage of lowlands of Hogan's Creek, Caswell County, recommending it do pass;

H. B. 1033, S. B. 1109, bill to protect wire fences, recommending it do pass.

From the Committee on Education:

By Mr. Bailey, H. B. 1332, S. B. 1112, bill to incorporate the Trustees of Piedmont Literary and Industrial College, Salisbury, N. C., recommending it do pass.

By Mr. Campbell, H. B. 1133, S. B. 1075, bill to amend chapter 83, Laws of 1874-'75, it being an act amending the charter of Wake Forest College, recommending it do pass.

S. B. 1135, bill to amend chapter 412, Laws of 1887, recommending its reference to the Committee on Banks and Currency.

The bill was so referred.

From the Committee on Internal Improvements:

By Mr. Campbell, S. B. 653, bill to authorize the Directors of the North Carolina State Penitentiary to hire convicts to the East Carolina Land and Railway Company, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Twitty, H. B. 1210, S. B. 1129, bill to charter the Medoc Railway Company, recommending it do pass.

By Mr. Means, S. B. 903, bill to incorporate the Charlotte and Goldsboro Railroad Company, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 798, S. B. 933, bill to provide for better and additional roads in Buncombe county, recommending it do pass.

From the Committee on Corporations:

By Mr. Bailey, H. B. 1320, S. B. 1043, bill to amend section 1953 of The Code, recommending it do pass;

H. B. 1250, S. B. 1115, bill to incorporate the Fayetteville Street Railway Company, recommending it do pass;

H. B. 803, S. B. 1031, bill to charter a street railway company for Winston and Salem, recommending it do pass.

By Mr. LeGrand, S. B. 1089, bill to incorporate the town of Stems, in Granville County, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Brown, H. B. 1018, S. B. 951, bill to amend the charter of the Raleigh Street Railway Company, recommending it do pass.

By Mr. Barber, S. B. 973, bill to incorporate the Fain Mining and Manufacturing Company, recommending it do not pass;

H. B. 1280, S. B. 1111, bill to repeal section 4 of the charter of Highlands, recommending it do pass;

S. B. 998, bill to amend the charter of the Wilkesboro Bridge Company, recommending it do pass;

H. B. 1213, S. B. 1061, bill to incorporate Dobson Lodge, No. 402, A. F. and A. M., recommending it do pass;

H. B. 1205, S. B. 1018, bill to incorporate the Albemarle Academy, Stanly County, recommending it do pass;

S. B. 902, bill to incorporate the Bonair College, reporting an amendment, and, as amended, recommending it do pass;

H. B. 738, S. B. 908, bill to amend chapter 12, laws of 1883, incorporating Germantown, in Stokes County, reporting an amendment, and, as amended, recommending it do pass;

H. B. 1119, S. B. 1084, bill to incorporate the town of Blowing Rock, in Watauga County, reporting an amendment, and, as amended, recommending it do pass;

H. B. 435, S. B. 422, bill to repeal section 6, chapter 32, private laws of 1887, in regard to Gay Manufacturing Company, recommending it do not pass;

H. B. 1212, S. B. 1107, bill to incorporate Dobson Lodge, No. 117, Independent Order of Odd Fellows (Surry county), recommending it do pass.

By Mr. Lucas, S. B. 1133, bill to incorporate the Winton Railroad and Lumber Company, reporting an amendment, and, as amended, recommending it do pass.

By Mr. Thomas, H. B. 104, S. B. 608, bill to incorporate the West Asheville Improvement Company, recommending it do pass.

By Mr. Barber, S. B. 650, bill to incorporate the Murphy Iron Company, reporting it without recommendation;

H. B. 1363, S. B. 1164, bill to incorporate the Asheville Fast Line and Suburban Railway Company, recommending it do pass;

H. B. 1341, S. B. 1157, bill to incorporate the Asheville Opera House Company, recommending it do pass;

H. B. 1401, S. B. 1162, bill to incorporate the Cosmopolitan Club, in the city of Asheville, recommending it do pass;

H. B. 1345, S. B. 1163, bill to incorporate the Asheville and Craggy Mountain Turnpike Company, recommending it do pass;

H. B. 1343, S. B. 1146, bill to incorporate the Isbell-File and Calendar Company, recommending it do pass;

H. B. 949, S. B 1120, bill to incorporate the Battery Park Hotel and Improvement Company, recommending it do pass.

By Mr. Lucas, H. B. 1338, S. B. 1117, bill to confirm the organization of the Greystone Granite and Construction Company, recommending it do pass.

By Mr. LeGrand, H. B. 858, S. B. 947, bill to amend the charter of the city of Raleigh, recommending it do pass.

From the Committee on Game:

By Mr. Means, H. B. 1061, S. B. 959, bill to amend section 2832 of *The Code*, relative to hunting deer in Brunswick and Columbus counties, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, H. B. 1134, S. B. 1023, bill to amend chapter 24, acts of 1887, in regard to what is a lawful fence in Carteret County, reporting it without recommendation.

By Mr. White, S. B. 633, bill to designate and define a stock-law district in Swannanoa Township, in Buncombe County, recommending it do not pass.

By Mr. Reid, H. B. 1240, S. B. 1118, bill to appoint a cotton-weigher for the town of LaGrange, Lenoir County, N. C., recommending it do pass;

H. B. 1097, S. B. 1074, bill to exempt Township No. 12 (Roanoke), in Warren County, from chapter 107, Laws of 1885, recommending it do pass.

From the Committee on Privileges and Elections:

By Mr. Little, S. R. 418, resolution to pay Henry R. Bryan, S. H. Lane, and others, per diem and mileage in contested election case of Green *versus* Clark, reporting it without recommendation;

S. R. 1131, resolution in favor of A. M. Long, contestant, in the case of Long *versus* LeGrand, recommending it do pass.

From the Committee on Roads:

By Mr. Crawford, H. B. 1099, S. B. 1065, bill to adopt the alternative road law in Cherokee County, recommending it do not pass.

Mr. Reid, for Committee of Conference on House amendment to

S. B. 78, H. B. 405, bill to amend chapter 81, Laws of 1887, regulating the sale of seed cotton, submitted a report, recommending the Senate do concur in the House amendment.

The report was adopted, and the bill was ordered enrolled.

The Committee on Engrossed Bills reported as properly engrossed—

Senate amendments to

H. B. 581, S. B. 769, a bill to be entitled an act to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake;

S. B. 946, a bill to be entitled an act to incorporate the High Point Female College—

Which were sent to the House of Representatives.

Mr. Little, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

H. B. 985, S. B. 855, an act to incorporate the Bank of Madison, in the county of Rockingham;

H. B. 1002, S. B. 1071, an act to amend the charter of the French Broad Bank;

S. B. 598, H. B. 1150, an act to incorporate the town of Tillery, Halifax County;

S. B. 651, H. B. 1152, an act to incorporate the Leaksville Water Power Company;

S. B. 667, H. B. 1233, an act to give the Commissioners of Pasquotank County the power to issue bonds and levy a special tax to pay the same;

H. B. 1074, S. B. 822, an act to protect fish in Pamlico Sound;

S. B. 538, H. B. 1148, an act to incorporate the Confederate Veterans' Association of North Carolina;

S. B. 909, H. B. 1028, an act to prevent netting in Far Creek, in Hyde County;

S. B. 928, H. B. 1034, an act to make more effective proceedings before the boards of aldermen and other bodies;

S. B. 452, H. B. 872, an act to authorize the Commissioners of Columbus County to levy a special tax;

- S. B. 507, H. B. 1146, an act to amend chapter 57, Private Laws of the Acts of 1883, entitled, "an act for the promotion of female education;"
- S. B. 532, H. B. 1009, an act to amend section 2827, chapter 20, of *The Code*;
- H. B. 1012, S. B. 845, an act to amend the charter of the town of Graham, in Alamance County;
- H. B. 1051, S. B. 970, an act to amend chapter 310 of the Laws of 1854-'55, entitled "an act to incorporate the Charlotte Gas Light Company;
- H. B. 523, S. B. 556, an act for the protection of the water supply of cities and towns in Mecklenburg county;
- H. B. 662, S. B. 680, an act to amend the charter of the city of Charlotte;
- H. B. 919, S. B. 953, an act for the relief of J. R. Rogers, Sheriff, and R. W. Wynne, Treasurer, of Wake County;
- S. B. 600, H. B. 1079, an act to equalize the appropriation allowed the State Guard among the several companies;
- S. B. 597, H. B. 1268, an act to amend subsection 9 of section 155 of *The Code*;
- S. B. 786, H. B. 1228, an act relative to the Superior Courts of Martin County;
- S. B. 755, H. B. 1185, an act to amend the charter of the town of Salem;
- S. B. 663, H. B. 1234, an act to amend the charter of Archdale, Randolph County;
- S. B. 445, H. B. 1003, an act to incorporate the Charlotte Savings Bank;
- H. B. 796, S. B. 782, an act to amend section 696 of *The Code*;
- S. B. 293, H. B. 978, an act to grant certain additional powers to the Suffolk and Carolina Railway Company, and effect its consolidation with the Edenton and Norfolk Railway Company, and to increase its capital stock;

REPORT OF JOINT COMMITTEE ON ELECTION OF JUSTICES OF THE PEACE.

"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, 1889, having performed their duty, respectfully recommend that the following persons be elected by this General Assembly as justices of the peace, to fill such vacancies as will occur in August, 1889, 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, for which we make nominations.

Also, there are newly incorporated towns in several counties, for which nominations are made in the report.

> T. G. EMRY, Chm'n, W. W. BARBER, J. W. BROWN,

> > Senate Branch.

WILL. C. NEWLAND, Chm'n, NATHAN BASS. THOS. H. TAYLOR, R. C. JOHNSON,

House Branch."

## ALAMANCE COUNTY.

Patterson township-Sylvester Spoon, Geo. A. Clendennin.

· Cobles' township-Wm. A. Patterson, John M. Fogleman.

Boon Station township-Harper F. Tickle, W. P. Huffins. Morton's township-Asa Iseley, T. B. Barker.

Faucett's township-J. M. Tapscott, E. Long.

Graham township-J. N. H. Clendennin, J. L. Scott, Jr., Jacob S. Long.

Albrght's township-Alfred Iseley, Robt. N. Thompson.

Newlin's township-Chesley Moore, Wm. J. Stockard.

Thompson's township-Thos. A. Morrow, John H. Pickard, Wm. P. Thomp

Melville township-Jno. R. Williamson, James I. White, Jas. P. Kerr.

Pleasant Grove township-W. T. Barnwell, John G. Dailey.

Burlington township-W. H. Turrentine, J. A. Neese, R. W. Ingle, Joseph L. Wilson, Z. M. Foust, J. C. Robertson.

## ALEXANDER COUNTY.

Miller's township—N. P. Alexander, E. B. Alexander.
Sharpe's township—Thos, J. Sharpe, R. C. Lackey, W. G. Gaither.
Gwaltney's township—W. F. Patterson, J. Y. Williams, J. M. Query, R. P. Mc-Lain, R. C. Allen.

Sugar Loaf township—W. W. Gryder, J. P. Stevenson, Sion J. Harrington, J. Partie Russell.

Little River township—J. Walter Watts, Wm. W. Robinett, W. N. Barnes. Ellendale township—J. C. Bell, E. J. Teague, Wm. S. Rees. Wittenberg's township—V. W. Teague, J. F. Downes, A. W. Robinson.

Taylorsville township—C. T. Sharpe, Tobias Barnes, J. E. Chatham, Norma Burgess.

## ALLEGHANY COUNTY.

Cherry Lane township—A. A. Woodruff, Chas. Crouse. Glade Creek township—S. C. Douglas, M. P. Carteo. Gap Civil township—C. J. Edwards, J. M. Gambill, H. M. Crouse. Cranberry township—J. H. Doughton, Jesse Atwood. Prather's Creek township—Julius L. Smith, W. E. Cox. Piny Creek township—Wm. Halsey, Weldon Hash.

#### ANSON COUNTY.

Ansonville township—Y. H. Allen, Dr. J. M. Dunlap. Burnsville township—J. W. Kiker, George T. Lee. Gulledge township—Peter Jones, Jr., J. S. Myers, Lanesboro township—R. B. Gaddy, H. T. Knotts, M. L. Horne. Lilesville township—B. V. Henry, L. L. Little, R. L. Henry. Morven township—B. J. Baucom, J. F. Smith. Wadesboro township—Jno. M. Little, W. J. Ashcroft, J. C. Parsons. White's Store township—Addison Lowry, Walter W. Chambers.

#### ASHE COUNTY.

Chestnut Hill township—Andrew McMillan, Emory Gambrill.
Hilton township—William Young, D. P. Hurley.
Horse Creek township—W. J. Stansberry, Thos. Ham, Sidney Tucker
Jefferson township—J. Z. Neal, G. W. Perkins, G. W. Burkett.
Laurel township—B. P. Grigsby, Ellihu Graybeal.
Old Field township—John Hardin, Nimrod M. Dobbin.
Peak Creek township—S. M. Transon, Morgan Long, J. H. Ellis.
Grassy Creek township—John A. Pierce, Munroe Paxley.
Piny Creek township—E. C. Francis, J. W. Tucker.
Stagg's Creek township—Jo. Dougherty, J. W. Sapp, Cary Ashley.
North Fork township—Thomas Arnold, John Wilson.
Pine Swamp township—J. B. Miller, Z. T. Fletcher.
Obids township—John Miller, H. L. Burgess.

## BEAUFORT COUNTY.

Pantego township—R. D. Adams, Charles P. Aycock.
Bath township—J. A. H. Tankard, B. F. Godley, Jno. F. Harding.
Long Acre township—H. G. Jordan, O. P. H. Tankard.
Washington township—James K. Hatton, R. W. Wharton, A. Mayo, Samu

Washington township—James K. Hatton, R. W. Wharton, A. Mayo, Samuel C. Williams, W. G. Cherry.

Chocowinity township—W. A. B. Branch, W. H. Von Eberstein. Richlands township—W. H. Peterson, B. F. Mayo, Edward Tripp, Thomas R. Boyd.

### BERTIE COUNTY.

Windsor township—James E. Mitchell, T. Q. Castleton, A. J. Pritchard. Coleraine township—John H. White, J. W. Perry, Frank Wilson. Merry Hill township—R. J. Shields, B. W. Hathaway, Joseph E. Nichols. Roxobel township—W. J. Bishop, J. J. Jilcutt, Snake Bite township—Henry K. Parker, Frank Taylor. White's township—Geo. W. Cobb, J. H. Lawrence. Woodville township—Thos. W. Thompson, Jno. A. Outlaw, J. W. Ballance. Indian Woods township—David C. Outlaw, C. W. Spruill. Mitchell's township—W. W. Askew, Abram Jenkins, Robt. Dunning.

#### BLADEN COUNTY.

Abbott's township—John H. Ballentine, R. C. Jordan. Bethel township—A. M. McNeill, Nathaniel Carroll. Bladenboro township—David Callihan, Monroe Singletary. Brown Marsh township—W. N. Campbell, J. M. Johnson. Carver's;Creek township—Charles Stevens, K. J. Brady. Colly township—R. P. Melvin, A. A. McKay. Cypress Creek township—T. M. Smith, Richard Smith. Elizabethtown township—J. O. West, L. J. Hall. French Creek township—E. H. Anders, J. H. Squires. Hollow township—Frank Davis, T. C. Moore. Lake township—W. H. G. Beatty, W. H. Barnhill. Turnbull township—J. M. Melvin, A. L. Jones. White's Creek township—I. A. Register. J. T. Vann. White Oak township—E. F. McCollouch, Geo. F. Melvin, Jr.

## BRUNSWICK COUNTY.

Northwest township—James Reilly, A. M. Williams.
Town Creek township—Geo. H. Bellamy, Geo. M. McKeithen.
Lockwood's Folly township—E. L. Stanley, Sylvester Dixon.
Shallotte township—Elkanah Hickman, John H. Mints.
Waccamaw township—Christopher Evans, L. M. Tood.
Smithville township—S. M. Robbins, Robert W. Woodsides.

#### BUNCOMBE COUNTY.

Avery's Creek township—M. S. Glenn, N. B. Creasman, Joel Ingram, Z. T. Ledbetter. Lower Hominy township-J. W. Morgan, J. P. Gaston, D. M. Gudger, S. S. Norman.

Upper Hominy township-T. W. Shelton, R. L. Luther, Clint Howell, B. L. Morgan.

Leicester township—M. B. Wild, J. H. Starnes, J. W. Nash, R. D. F. Bobertson, F. Slade, Jr., B. G. Gudger.

Sandy Mush township—R. C. Wells, Henry West, R. F. Lee, Kerr Reeves, Thos. J. Ferguson.

Limestone township-W. R. Murray, Jos. R. Garren, J. A. Gibson, Mark Shuford.

Fairview township—R. C. Clayton, L. A. Lanning, George Lynch, Jason Ashworth, J. Will. Jones, Jesse S. Williams, Jr.

· Swannanoa township—Samuel W. (Brock) Davidson, George W. Young, J. Wesley Coggins.

Asheville township—M. L. Reed, C. W. Malone, J. M. Brookshire, J. M. Israel, A. G. Hallyburton, Daniel W. Cauble, J. M. Westall, H. L. King, J. B. Cain, Fulton Starnes, J. H. Carter.

Reems Creek township—J. R. Dubose, Pet Weaver, G. W. Peek, J. L. Weaver, Flat Creek township—Josiah M. Sams, B. J. S. McLean, W. S. Roberts, W. E. Clark, Fulton Weaver, James Brigman.

Ivy township-James N. Morgan, W. B. Baird, Martin Whittemore, W. T. Vickerson.

Black Mountain township-James McNair, Caney Allison, C. P. Kerlee.

French Broad township—J. G. Anderson, J. M. Johnson, J. E. Rogers, Thomas Revis.

#### BURKE COUNTY.

Silver Creek township-W. N. Thompson, J. C. Mills.

Linville township-R. N. Kincaid, J. R. Rust, J. T. McGimsey.

Upper Creek township-W. P. Hemphill, Benj. Barrier, T. C. McGimsey.

Quaker Meadow township-H. H. Galloway, L. A. Crawley, Miles Edmiston.

Lower Creek township-Sid. M. Rhoderick, John B. Holloway,

Smoky Creek township-E. H. Tilley, Silas Singleton, Jude D. Moore.

Morganton township—J. H. Howard, H. F. Kisler, J. C. Mull.

Lovelady township—J. W. Berry, W. E. Abernathy, F. A. Harmon, J. D. Cassell.

Icard township-W. A. Wilson, Jerre J. Abernathy.

Lower Fork township-Riley Tallent, Zero Mull, P. P. Mull.

Upper Fork township - Israel M. Hilderand, G. W. King, W. H. Mace.

#### CABARRUS COUNTY.

Township No. 1-J. F. Ervin, J. Caldwell Query.

Township No. 2—S. R. Andrews, J. M. Caldwell.

Township No. 3-M. A. Emerson, R. W. Fleming, John O. Mower.

Township No. 4-Fred. W. Glass, P. M. Daywault.

Township No. 5-Nelson M. Barnhardt, Geo. W. Barnhardt,

Township No. 6—S. C. Fisher, W. M. Penninger.

Township No. 7-John A. Meisenheimer, Geo. J. Lentz.

Township No. 8-Martin M. Meisenheimer, Jonas Cook.

Township No. 9--M. M. Tucker, John S. Barnhardt, Monroe Cauble.

Township No. 10-F. P. Boger, Harvey C. Cook,

Township No. 11—E. F. Faggart, Henderson L. Litaker, Thomas J. White. Township No. 12—M. L. Ritch, W. P. Shealy, A. L. Sappenfield, J. P. Hornbuckle.

## CALDWELL COUNTY.

Lenoir township—Jacob J. Harshaw, G. M. Goforth, H. M. Asberry.
Lower Creek township—S. J. Sherrill, G. R. Clarke, John Siders.
Lovelady township—A. M. Martin.
Little River township—W. L. Payne, D. C. Flowers, D. W. Presnell.
Kings Creek township—Smith Coffey.
Yadkin Valley township—C. P. Jones, Thomas Hawkins, T. B. Lenoir, Calvin

Triplett.
Patterson township—John Nelson, E. L. Moore.
Globe township—W. W. Sherrill.
John's River township—J. M. Bonman, J. T. C. Hood.

John's River township—J. M. Bonman, J. T. C. Hood. North Catawba township—J. V. McCall, A. G. Corpening.

# CAMDEN COUNTY.

Court House township—Caleb Grandy, Willis G. Ferrebee. Shiloh township—G. M. Tillett, Abner Learry. South Mills township—William E. McCoy, M. A. Sawyer.

#### CARTERET COUNTY.

Beaufort township—M. R. Springle, W. W. Lewis, Hunting Quarter township -F. M. Lupton, M. R. Fulcher. White Oak township—P. A. Koonce, Jerre Watson. Newport township—R. M. Weeks, D. McCain, Eugene A. Hasket. Straits township—Cull Pigott, J. Finley Wade. Smyrna township—A. W. Piner, Otway B. Davis. Portsmouth township—Alex, Robinson. Morehead township—T. C. Davis, W. T. Pelletier, R. C. Bell.

#### CASWELL COUNTY.

Milton township—T. G. Epes, L. H. Hunt.
Dan River township—John F. Walters, W. H. Connelly.
Pelham township—James M. Hodges, W. C. Swann.
Locust Hill township—J. C. Allison, Jas, A. Williamson.
Leasburg township—T. L. Lea, B. F. Stanfield.
Hightower's township—W. C. Haralson, Charles B. Crisp.
Anderson's township—B. F. Hurdle, J. F. Dillard.
Stony Creek township—J. H. Simpson, J. A. Lea.
Yanceyville township—J. P. Poteat, N. G. Linsey.

### CATAWBA COUNTY.

Newton township—C. W. Herman, P. F. Smith, M. A. Thorneburg, G. P. Drum. Hickory township—L. C. Huffman.

Cline's township—P. G. Herman, W. H. Marrow.

Catawba township—M. J. Cochrane.

Mountain Creek township -- G. M. Beatty, Jno. T. Cochrane, Austin Sherrill, Alexander Clark.

Caldwell's township-N. E. Jones.

Jacob's Fork township—J. W. Killian, J. M. Clampitt, A. G. Corpening. Bandy township—Luther Mostellar, R. A. Ramseur, Niely Wyant.

### CHATHAM COUNTY.

Albright's township—S. P. Teague, W. A. Lineberry.
Baldwin township—R. W. Bland, A. J. Wilson.
Bear Creek township—E. H. McManus, S. E. Teague.
Cape Fear township—John McIver, J. B. Yarborough, M. H. Drake.
Centre township—J. A. Womack, J. J. Womble, Thomas F. Petty.
Gulf township—J. H. Burke, W. M. Thomas.
Hadley's township—M. C. McBane, S. P. Teague, Jr.
Hickory Mountain township—J. A. Pugh, A. T. Dixon.
New Hope township—J. W. Davis, S. G. Wilson.
Matthew's township—L. J. Kirkman, J. D. Mann, C. E. Johnson.
Oakland township—Wm. R. Pattishall, Carson Johnson.
Williams' township—C. R. Scott, Thos. H. Raney.

#### CHEROKEE COUNTY.

Murphy township—H. S. Hayes, W. A. Turnbill, D. T. Sudderth.
Valley Town township—J. L. Welch, Stephen Porter, W. B. Parker, A. M. Walker.
Beaver Dam township—A. J. Evans, Wm. Dockery, M. L. Berry, Levi Graham Shoal Creek township—A. S. Hill, P. E. Nelson.

Hot House township—D. M. Watson, P. L. Johnson, Mack Harris. Notla township—James L. Ounly, Arnett Shields.

## CHOWAN COUNTY.

Yeopim township—Jas. N. Bass, Jno. C. Hobbs, Jos. E. Smith. Upper township—Miles W. Elliott, W. C. Ward, W. D. Deans. Middle township—Elisha J. Burke, Haywood C. Privott, Geo. N. Goodwin, John W. Parrish.

Edenton township—H. DeB. Hooper, John L. Rogerson, P. H. Bell, James M. Skinner, A. T. Bush.

#### CLAY COUNTY.

Hayesville township—Lucius McClure, Charley Truett.

Tusquittee township—J. T. Patterson, Wm. H. Johnson, Peter U. Tiger.

Hiawassee township—Taylor Ledford, S. H. Allison.

Shooting Creek township—J. Mel. Kitchin, W. H. Haysed, R. W. Davenport.

Brasstown township—Geo. T. Hine, D. K. Moore, R. E. Martin, G. S. McClure,
T. H. French.

## CLEVELAND COUNTY.

Township No. 1-W. S. Wood, D. G. Palmer, Summie Humphries.

Township No. 2--J. D. Simmons, H. Blanton.

Township No. 3-Erastus Bettes, R. Roberts, W. Q. Austell.

Township No. 4-H. P. Allison, J. T. Herndon, R. J. Balfour, D. J. Keeter.

Township No. 5-F. M. A. Oates, Elpheus Hamrick, Columbus Miller, M. J. Baker.

Township No. 6-J. T. Bostic, W. F. Gold, J. F. Cline.

Township No.7-J. H. Jones, A. M. Lattimore, W. W. Washburn, Pinckney McBrayer.

Township No. 8--G. V. Hicks, J. A. Beam.

Township No. 9-A. B. Smith, Rufus Gardner.

. Township No. 10-A. B. Reeler.

Township No. 11-W. H. Hull.

#### COLUMBUS COUNTY.

Ransom townshlp-S. N. Forneyduval, J. B. Brinkley, W. M. Parker.

Waccamaw township-H. H. Holten, H. B. Short, B. M. Mears.

Bogue township-Henry Wyche, Thomas Brown, F. B. Pierce.

Welch's Creek township-Joseph Ray, James Brown.

Whiteville township -- E. W. Wooten, John T. Best, J. P. Williams.

Western Prong township-J. Q. Elkins, John E. Powell.

Tatom's township—A. D. Williamson, J. H. Williamson.

Fair Bluff township—H. D. Williamson, T. F. Toon, M. Q. Coleman, J. Q. Hammond, Jr.

Williams' township-J. K. Harper, Simeon Simmons.

Bug Hill township-M. J. Cox, Herriod Long, Benj. Benton.

Lee's township--J. A. Thompson, H. M. Long, R. B. Lewis.

Chadbourn township-W. F. Boswell, Bradley F. Yates, Mills Walker

## CRAVEN COUNTY.

Township No. 1-G. J. Dudley, J. B. Gardner.

Township No. 2-S. E. Whitford, George R. West.

Township No. 3-J. E. Kornegay, Joseph Kinsey.

Township No. 4-

Township No. 5-Wm. E. Salter, John S. Morton.

Township No. 6-T. H. Mallison, B. E. Williams.

Township No. 7-Wm. Foy, G. L. Hardison.

Township No. 8-W. G. Brinson, H. A. Marshall, W. F. Rountree, S. R. Street, J. J. Tolson, John Humphrey, Wm. M. Watson, W. P. Burrus, Nathan Tisdale. B. B. Lane, C. E. Foy, W. H. Oliver, E. B. Cox, S. W. Smallwood.

Township No. 9-A. E. Wadsworth, M. W. Carmon, John J. Spear.

### CUMBERLAND COUNTY.

Cross Creek township—W. D. Gaster, Charles Glover, L. C. Straughn, W. S. Cook, C. B. McMillan, W. J. McDonald. Seventy-first township—D. B. Gillis. Quewhiffle township-Neill'S. Blue, A. J. Bethune, John F. McRae.

Carver's Creek townshlp-

Cedar Creek township—John B. Downing, John McP. Geddie. Beaver Dam township—D. S. Bullard, Charles P. Rollins.

Gray's Creek township-E. H. Evans, F. N. McMillan.

Rock Fish township-J. T. Sellers.

Black River township—Z. Taylor, D. J. McL. McIntyre, John L. Phillips, Isaac Strickland.

#### CURRITUCK COUNTY.

Moyock township—John Umphries. Crawford township—J. L. DeCarnis, Wilson Sanderlin. Fruitville township—J. C. Carson, John Williams. Atlantic township—Valentine Harris. Poplar Branch township—Wilson Woodhouse.

#### DARE COUNTY.

Nag's Head township—John W. Ward, S. E. Mann, S. A. Griffin, John A. Hollowell.

Kinnikeet and Chicamacomico townships-E. M. Midyett, James I. Quidley. Hatteras township-R. R. Quidley, B. F. Whedbee, Jno. Wallace Austin.

Croatan and Stumpy Point township—B. F. Guard, C. E. Hooper, John P. Midyett.

East Lake township-Thomas Owen, T. M. Sanderlin.

## DAVIDSON COUNTY.

Lexington township—Bennett Nove, John H. Moyer, W. W. Hix, Jas. Smith, John A. Heitman.

Cotton Grove township—W. R. McCuiston, George F. Smith, Jr., Jno. H. Miller, Jacob A. Hedrick, S. M. Peacock,

Boone township-Robert F. Wilson, M. W. Barber.

Tyro township-H. H. Hartley, James A. Young, Richard B. Thompson.

Yadkin College township-T. M. Hartley, Gaither Walser, John E. Walser.

Reedy Creek township-John S. Delap, David Huffman, H. D. Hedrick, D. C. Adler, Wesley Byerly.

Clemmonsville townshlp-S. S. Jones, E. C Stroupe, A. C. Wharton.

Arcadia township-Elisha Raper, D. C. Kimel.

Abbott's Creek township—J. R. Osborne, C. A. Davis, Charles Teague, William R. Green.

Thomasville township-B. F. Stone, A. M. Hiatt.

Conrad Hill township-E. P. May, John R. Plummer.

Silver Hill township—Levi Hedrick, W. A. Beek, P. N. Tysenger, H. L. Palmer, Zeus Tussey.

Emmons township—Daniel Ward, J. W. Hedrick, J. A. Peacock, Harris Harrison, J. M. Daniel.

Jackson Hill township-J. C. Skeen, J. M. Badgett, Dr. A. Bulla, James S. Keen.

Alleghany township-W. H. Badgett, W. P. Steed, Jno. H. Birkhead.

Healing Springs township-W. P. Redwine, R. J. Holmes.

Midway township-W. N. Thomas, P. J. Nifong.

## DAVIE COUNTY.

Jerusalem township—H. L. Foard, D. G. Tatum. Fulton township—Wilson F. Merrill, Shady Grove township—John Davis, H. E. Robertson, Farmington township—E. C. Smith, J. H. Foster, Clarksville township—N. A. Stonestreet, G. J. Bove, Calahan township—Jas. S. Rutledge, L. B. Walker, Mocksville township—James A. Kelly, W. F. McMahon,

### DUPLIN COUNTY.

Rock Fish township—Jos. J. Ward, A. J. Ward.
Warsaw township—Thos. B. Pierce, S. M. Carlton, Gideon R. Kornegay.
Faison township—M. A. Lewis, B. B. Carr, W. S. Loftin.
Island Creek township—Wm. J. Boney, A. F. Bland, Thos. J. Carr, J. F. Landing.

Albertson township—J. B. Outlaw, Hugh Maxwell, F. P. Simmons.

Wolfscrape township—Thaddeus Jones, D. H. Garner.

Magnolia township—Wm. A. Moore, J. T. Wilkins, W. R. Newberry.

Smith's township—Lafayette Smith, John R. Miller, Jr., Jesse T. Kennedy.

Cypress Creek township—Jacob James, Robt. N. Cole, Amos Lanler.

Glissons township—Frank Heathley, John Bennett.

Kenansville township—Thos. S. Watson, G. W. Carroll, L. M. Cooper.

Limestone township—John W. Grisham, W. H. Pickett, J. N. Edwards.

#### DURHAM COUNTY.

Cedar Fork township—M. M. Lowe, W. H. Hopson, C. Barber, A. J. Weatherspoon.

Durham township—M. A. Angler, C. B. Green, W. H. Wilkins, D. C. Gunter, W. M. Busbee,

Lebanon township—W. S. Terry, W. P. Thompson, W. D. Turrentine.

Mangum township—Marcus Tilley, Philip Southerland, P. A. Flintorn.

Patterson township—C. G. Markham, Paul A. Brown, P. H. Massey.

Oak Grove township—J. Hugh Holloway, Duan Carpenter, W. G. Page, James D. Fletcher.

#### EDGECOMBE COUNTY.

Township No. 1-Ed. Pennington, L. S. Pender, L. L. Dancy, Job Cobb.

Township No. 2-F. L. Thigpen, John Warren, Jr., W. A. Williams, D. E. Cobb.

Township No. 3-Frank L. Savage, T. H. Cherry, W. S. Long.

Township No. 4-J. M. Howell, W. J. Lawrence, B. B. Howell.

Township No. 5--H. L. Leggett, M. W. Pittman, J. L. Bradley.

Township No. 6-R. H. Speight, L. L. Lyon, Julius Meyer, J. S. Dlxon.

Township No. 7-W. H. Whitehead, Geo. C. Battle, J. W. Phillips, W. W. Vlck.

Township No. 8--M. B. Pitt, B. F. Eagles, J. A. Davis, W. L. Stallings.

Township No. 9-Amos M. Wooten, W. T. Dunford, J. D. Webb.

Township No. 10--J. E. Cobb, J. O. Oates, V. B. Sharpe.

Township No. 11-A. B. Nobles, H. C. Bourne, N. B. Killebrew.

Township No. 12--Jesse Brake, John P. Tillery, S. L. Spicer, J. H. Chapman. Township No. 13--B. B. Barron, Jno. Lancaster, J. R. Bullock. Township No. 14--W. E. Bradley, O. B. Proctor.

## FORSYTH COUNTY.

Abbott's Creek township—W. F. Foy.
Belew's Creek township—R. S. Linville, J. W. Flynt.
Bethania township—N. F. Sullivan.
Broadbay township—M. J. Bodenheimer, W. H. Sheppard.
Kenersville township—J. M. Guyer, W. H. Hunter.
Lewisville township—Milton Biackburn, Daniel Brinkley.
Middle Fork township—P. A. Cox, Robt. J. Morris, W. P. Dicks.
Old Richmond township—J. C. Flemming, Alfred Shore.
Old Town township—E. A. Pfaff, Samuel Houser.
Salem Chapel township—J. D. Waddell, Joseph Grubbs, M. J. Crews.
South Fork township—Albert Atwood, Samuel Alspaugh.
Vienna township—S. D. Davis, J. S. Conrad.

Winston township—C. H. Fogle, C. Hamlen, T. T. Best, B. J. Shepperd, Martin Grogan, R. W. Belo, H. E. Fries, C. W. Masten, H. E. McIver, John Byerly, W. E. Armfield.

# FRANKLIN COUNTY.

Louisburg township—W. N. Fuller, W. T. Wilder.
Franklinton township—J. S. Joyner, W. P. Perry, J. L. Mitchell.
Haysville township—R. S. Foster, J. E. Alford.
Sandy Creek township—John Burt, Thos. D. Farrer.
Gold Mine township—Oliver P. Gupton, S. A. Jones.
Cedar Rock township—J. T. Gill.
Cypress township—W. A. Moore.
Dunn township—Burwell Baker, J. F. Bell,
Harris township—W. Hal. Mann, A. J. P. Harris.
Freeman's township—J. R. Tharrington, T. J. King, Genadias Winston.

### GASTON COUNTY.

Dallas township—M. D. Friday, John C. Puett, E. D. Thompson, A. P. H. Rhyme.

Cherryville township—J. C. Elliott, L. H. J. Houser, E. A. Manney. River Bend township—W. G. Rutledge, J. M. McIntosn, C. F. Smith. South Point township—R. P. Rankin, C. E. Stowe, A. C. Kelly, B. F. Lenhardt. Gastonia township—W. A. Pearson, E. W. Carson, T. C. Pegram.

Crowder's Mountain township—W. A. Grier, Thos. H. White, John A. Y. Love, W. A. Oates.

# GATES COUNTY.

Gatesville township—B. F. Willey, Dr. R. H. Riddick. Hall township—M. K. Lawrence, J. A. Sparkman. Reynoldston township—W. M. Daughtry, W. D. Langston. Hastett's township--H. Clay Williams, Wiley Wiggins, E. J. Freeman, Wm. W. Knight.

Holly Grove township--David W. Parker, Thomas Parker, Hunter's Mill township--James Parker, Lycurgus Hofler. Mintonsville township--Alex. Carter, John B. Walton.

#### GRAHAM COUNTY.

Robbinsville township—Reuben Rogers, t. J. Wakefield, John Deton. Stecoah township—Daniel R. Welch, P. F. Sawyer. Yellow Creek township—Clinton Millsaps, Wm. Garrison.

### GRANVILLE COUNTY.

Fishing Creek township.—H. A. Taylor, W. D. Blackley.
Brassfield township.—E. S. Jenkins, W. P. White.
Dutchville township.—E. E. Lyon, M. L. Winston.
Tally Ho township.—Jno. H. Webb, J. W. Brown.
Walnut Grove township.—R. W. Hobgood, B. P. Thorpe, Jr.
Oak Hill township.—J. S. Pool, W. A. Tuck.
Sassafras Fork township.—A. H. Gregory, Jos. J. Davis, Jr,
Oxford township.—J. S. Owen, S. V. Ellis, N. H. Whitfield, J. R. Wilson, J. H.
Meadows.

## GREENE COUNTY.

Bull Head township—John W. Taylor, T. T. Hackney.
Corporation of Contentnea—
Shine township—W. S. Best, R. E. Best, Walter Mewborn.
Snow Hill township—D. A. Sugg, Orvil Sugg, J. J. Lynch.
Hookerton township—J. C. Potter, John W. Tighlman, J. E. W. Sugg.
Ormondsville township—G. T. Ormond, J. A. Edwards, Jr.
Corporation of Shuffleton—
Willow Green township—R. R. Carr, N. S. Porter.
Olds township—B. F. Albretton, W. E. Murphy.
Carr's township—B. F. Moore, Sherrod Tindol.
Speight's Bridge township—W. M. Darden, M. A. Walston.

#### GUILFORD COUNTY.

Washington township—John V. Waggoner, Charles L. Sockwell. Rock Creek township—Robt. C. Dick, Berry Davidson, B. F. Low. Greene township—Alson G. Amick, Franklin Coble. Madison township—Manuel Clapp, Andrew Flack. Jefferson township—A. G. Wilson, Asa Clapp. Clay township—L. M. Stewart, Thomas Gruson. Monroe township—W. A. Heath, W. H. Rankin. Gilmer township—James R. Pearce, A. P. Eckel, J. M. Wolfe. Fentress township—W. D. Hardin, John C. Kennett. Centre Grove township—Pinkney Wall, John W. Wharton, Jr.

Morehead township-W. J. Edmonson, W. J. Teague, Wm. Dennis, J. N.

Sumner township-W. M. Kirkman, F. F. Glenn.

Summerfield township-Charles H. Wilson, John C. Bunch.

Friendship township-Thomas E. Cook, S. W. H. Smith.

Jamestown township-Jesse Lee Armfield, James M. Marsh.

Oak Rldge township-Charles Case, J. R. Dwiggins.

Deep River township-J. A. Davis, Henry R. Barrow.

High Point township-A. R. Hammer, J. W. Guyer, Henry Wheeler, W. H. Ragan.

#### HALIFAX COUNTY.

Butterwood township-E. A. Carter, O. Rettenhouse.

Scotland Neck township-A, A, White, J, A, Perry, J, H, Smith, E. E. Hilliard.

Conoconara township-J. P. Futrell, Ralph Pittman, L. A. Mullen.

Enfield township-J. J. Robertson, Roscoe Wilkins, J. B. Hunter.

Faucett's township-W. T. McMacks, W. K. Pittman, E. C. Shearin.

Halifax township-E. C. Pittman, J. B. Lancaster, J. L. Ousby, Sterling H. Gary.

Littleton township-R. B. Pattterson, Joseph A. House, Jesse V. Newsome.

Palmyra township-K. Leggett, W. K. White.

Roseneath townshlp-A. J. Whitehead, J. J. W. Mitchell.

Weldon township-R. W. Brown, T. J. E. Hockaday.

Brinkleyville township-J. P. Tyre, J. H. Wills.

## HARNETT COUNTY.

Anderson's Creek township-Niven Ray, John F. Shaw.

Averasboro township-G. W. Cox, John R. Godwin, G. R. Hodges.

Barbecue township-John Darrock, J. H. Harmon, Jas. Cameron, Sr.

Buckhorn township-M. V. Prince, B. F. Harrington, T. B. Lanier.

Black River township-S. J. Gardner, Thomas Matthews, A. W. Gregory.

Grove township-A. J. Turlington, Daniel Stewart, A. D. Turlington, John M.

Stewart, S. R. Wilson.

Hector's Creek township-James A. Smith, Benj. Gardner, D. E. Green.

Johnsonville township-A. C. Buie, D. P. McDonald, R. C. Belden.

Lillington township-John A. Green, John W. Pipkin, John W. Byrd. Neill's Creek township-Wm. M. Sexton, H. H. Poe, Reddin Byrd, W. R.

Spence.

Stewart's Creek township-Joseph H. Williams, Geo. E. Byrd, Duncan Dairloch, Duncan J. Parker.

Upper Little River township-John W. McLean, S. P. McKay, H. A. Black.

## HAYWOOD COUNTY.

East Fork township-James Codey, Jas. C. Osborn, J. A. Burnett.

Pigeon township-O. L. Allen, T. B. Edmonson.

Beaver Dam township-M. B. Hipp, J. L. Shope.

Clyde township-D. H. Byers, B. B. Jones.

Iron Duff township-J. L. Smith, R. C. Chambers,

Crab Tree Township-D. J. L. Haynes, A. J. Fincher.

Fine's Creek township—R. W. Green, H. M. Rogers.
Catalooche township—J. F. Owens, W. A. Palmer.
Jonathan's Creek township—C. D. Howell, D. M. Cagle, Harrison Davis.
Ivy Hill township—J. R. Henry, J. C. Rich.
Waynesville township—R. E. Medford, A. M. Ratcliff, Albert Francis.

#### HENDERSON COUNTY.

Hendersonville township—H. Y. Gash, A. E. Fletcher, E. J. Shipman, Edneyville township—John H. Tinley, Rufus Edney. Blue Ridge township—C. J. Edney, John L. Potillo, Green River township—W. C. Ward, J. I. Davis, Clear Creek township—A. C. Maxwell, A. J. McMinn. Hooper's Creek township—J. R. Byers, Jesse A. McMinn. Crab Creek township—W. A. Merrill, James Kilpatrick. Mill River township—N. W. Posey, J. Wilson Morgan.

## HERTFORD COUNTY.

Maney's Neck township—E. G. Sears, W. B. Myrick. St. John's township—G. A. Brown, G. W. Beverly, J. G. Moore, L. R. Tyler, E. H. Joyner.

Winton township—Robert Hollowman, W. H. Jernigan, A. J. Parker. Harrellsville township—D. L. Jernigan, John M. Jones, R. J. Baker, Murfreesboro township—Geo. T. Darden, W. S. Nelson, L. W. Rolf, John E. Jones.

## HYDE COUNTY.

Lake Landing township—H. S. Gibbs, W. D. Mann.
Swan Quarter township—L. S. Ross, W. R. Carrowan, Robt. Cartwright.
Fairfield township—S. B. Sadler, W. S. Carter, T. H. B. Gibbs, J. C. Simmons.
Currituck township—R. D. Harris, T. R. Jarvis, F. A. Crary.
Ocracoke township—Joseph O'Neal, Benj. G. Spencer, William Ballance,
Thad. Searboro.

## IREDELL COUNTY.

Turnersburg township—Jas, M. Godby, Wm. S. Turner.
Eagle Mills township—W. J. Calvert, J. E. Stimpson.
Union Grove township—N. T. Summers, John Warren.
New Hope township—Absalom Redman, M. O. Williams.
Olin township—R. T. Bryant, Henry Gill.
Sharpesburg township—A. P. Sharpe, J. E. King.
Cool Springs townshipJ. —L. Shepherd, N. P. Watt.
Bethany township—W. H. H. Summers, William Dunlap.
Concord township—R. A. Stone, Wm. F. Sharpe.
Shiloh township—Harry Reese, Rufus Morrison.
Statesville township—Harry Burke, A. W. Jamison, J. Harvey Stephenson.
Chambersburg township—W. E. McNeely, Jesse D. Click.
Barringer's township—W. C. Mills, James H. Brown.

Fallstown township—R. J. Wills, James Wilhelm.
Davidson township—D. A. Barkley, J. W. A. Kerr.
Coddle Creek township—Isaac Harris, A. M. Walker, E. Lee Cloninger.

#### JACKSON COUNTY.

Qualla township—James H. Cathey, E. H. Hampton, W. J. Miller, W. H. Thomas, Jr.

Barker's Creek township-Wm. Bumgarner, Jesse F. Brown.

Webster township-Joseph Davis, A. J. Long, Sr.

Sylva township—W. M. Rhea, A. M. Parker, A. W. Bryson, H. P. Brendle, L. W. Allen.

Dlllsboro township—S. T. Early, J. C. Watkins, J. W. Jones, F. Merrick, Jas. F. Williams.

Savannah township-E. C. Ashe, Alfred Davis, W. H. Buchanan.

Scott's Creek township-D. L. Robinson, L. F. Fisher, S. R. Cook.

Cullowhee township—J. E. Moses, Lee Hooper, John Bumgarner.

Caney Fork township-G. W. Hawkins, W. A. Brown, R. H. Stevens.

River township—Javan Davis, T. J. Jackson, M. M. Wike.

Hamburg township-W. A. Fowler, Thomas Wilson, James Wilson.

Cashie's Valley township—Taylor Norton, H. M. Bennett, Thomas Zackary. Canada township—J. C. Wood, W. A. Queen.

## JOHNSTON COUNTY.

Clayton township-N. R. Pool, J. G. Barbour.

Pleasant Grove township-John Stephenson, J. B. Hardee, J. T. Whittington, L. G. Stephenson.

Elevation township-Josephus Johnson, C. C. Ryals, J. P. Canady.

Meadow's township-J. W. Wood.

Bentonville township-W. N. Rose, Jr., Nathan W. Smith, J. M. Beasley.

Ingram's township—Rufus Sanders, James H. Adams.

Smithfield township-F. C. Hyman, Jno. B. Blake, W. R. Creech.

Boon Hill township-J. D. Finlayson, A. F. Holt, W. B. Rains, W. H. Capps, Jr.

Beulah township -James Hinnant, Burkett Brown, J. B. Pearce.

Oneal's township-John R. Brown, Kearney Eason, J. D. Jones, Thos. Parker.

Wilder's township-J. B. Reavis, W. M. Estridge, Paul H. Lee.

Selma township-W. T. Gerald, B. L. Aycock, John H. Parker.

Wilson's Mills township—Nat. Mitchener, Thos. Vinson.
Cleveland township—E. R. Johnson, F. T. Booker, W. G. Wren, James A. T.
Jones.

### JONES COUNTY.

White Oak township.—K. F. Foscue, K. R. Hay, Pollocksville township.—J. F. White, Franklin Foy, J. P. Harper, Trenton township.—Thomas Wilcox, J. W. Wooten, T. C. Whitaker. Cypress Creek township.—Benj. Brock, Z. T. Koonce. Tuckahoe township—F. M. Dixon, D. O. Farrior. Beaver Creek township—J. F. Noble, C. H. Foy.

## LENOIR COUNTY.

Kinston township—G. E. Miller, J. W. Grainger, A. T. Hill, A. D. Parrott.

Moseley Hall township—D. C. Murchison, T. R. Rouse, Benj. F. Sutton, Jr.
Institute township—Franklin Daile, Jesse H. Hardy.
Falling Creek township—E. S. Sutton, John B. Hill.
Vance township—B. F. Scarboro, J. M. Mewborn,
Neck township—E. J. Brooks, D. W. Wood.
Pink Hill township—W. A. Jones, Richard K. Nobles.
Trent township—Henry Cunningham, Stephen H. Davenport.
Woodington township—M. H. Wooten, C. A. Dudley, Zemas Gooding.
Sand Hill township—W. W. Arnold, Joseph W. Rhem.
South West township—B. F. Jones, N. B. Wooten.
Neuse township—Jiles Parker, Lafayette Smith.

#### LINCOLN COUNTY.

Lincolnton township—H. E. Ramseur, J. C. Warlick, A. Costner. Howard's Creek township—W. H. Hoozer, Henry Houser, Dr. W. W. Neoland. North Brook township—W. L. Baker, T. P. Jenks. Ironton township—W. O. Hinkle, S. V. Goodson. Catawba Springs township—J. A. Munday, J. Davis, J. H. King.

## MACON COUNTY.

Franklin township—Jonathan Philips, N. P. Rankin.
Mill Shoal township—J. A. Young, John T. Berry.
Ellijay township—Hosia Moses, G. A. Jacobs.
Sugar Fork township—M. B. Dockery, James Strain.
Highlands township—M. J. Skinner, B. W. Wells.
Smith's Bridge township—J. M. Carpenter, S. A. Dixon.
Cartoogechage township—W. C. Kinsey, L. H. Enloe.
Nantahala township—W. J. Evans, Parm May.
Burningtown township—D. A. Yonce, W. F. Bird, Joseph Morgan.
Cowee township—J. W. Rickman, J. A. Morrison.

### MADISON COUNTY.

Township No. 1—Barnett Fortner, R. M. Farnsworth, W. J. Gudger, Louis Peek, T. J. Flynn.

Township No. 2-Rhoderick Shelton, John Stanton.

Township No. 3-John P. Ray, W. H. Jarvis, J. H. Hunter, W. O. Conner.

Township No. 4-John Hensley, George Stevens, D. W. Angel, Wesley W. Pender.

Township No. 5-Jefferson D. Hamlin, J.M. Oliver, Nelson Jarvis, James Carter.

Township No. 6--R. S. Teague, M. Davis, J. A. Reeves, John Carson.

Township No. 7-A. J. Roberts, W. B. Roberts, Logan Lunsford, Neal Paine.

Township No. 8-Jasper Ebbs, J. A. Brooks, T. L. Case.

Township No. 9-J. H. Smith, Peter Scisom, C. H. Somers, George Wells, Frank Richardson.

Township No. 10-J. A. Wallon, James Rice.

Township No. 11-F. M. Marchbanks, J. S. Pender, Julius English.

Township No. 12-A. L. Worley, G. W. Roberts, Wm. Cody.

Township No. 13-Vance Ledford, W. A. Melton, J. J. Taylor, J. A. Ebbs.

West Fork of Bull Creek township—Wm. Ammons, C. A. McHone, B. V. Peek, Z. V. Hunter, J. Fanner.

#### MARTIN COUNTY.

Jamesville township-Goodman Darden, U.S. Hassell.

Williams' township-John A. Roberson.

Griffin's township-G. W. Griffin.

Williamston township-G. L. Whitley.

Beargrass township-Simon D. Ward.

Cross Roads township-J. S. Roberson.

Robersonville township-M. A. Roberson, William Powell.

Hamilton township-G. E. Brown, T. H. Coffield, Lewis K. Purvis.

Goose Nest township-S. T. Burnitt, J. W. Leggett, N. M. Worsley.

Poplar Point townshlp-A. H. Coffield, G. W. Andrews, Vann R. Taylor.

#### McDOWELL COUNTY.

Marion townshlp-T. J. Flemming, W. F. Cannon, H. A. Tate.

Finley township-W. H. Hunter, John L. Wilson, John A. Seagle.

Dysartville township-R. H. Lisk, G. D. Taylor, E. J. Kirkly, Jas. Goforth,

Mumford's Cove township-J. D. Morris, Geo. R. Morgan, T. W. Brackett.

Crooked Creek township-J. L. Bird, T. Y. Little.

Old Fort township--G. W. Bradly, T. Y. Greenlee.

North Cove township-Jos. P. Mace, Jos. E. Wilson, J. H. Haskins.

Broad River township-J. M. Shuford, David Clements.

Brackett's township-W. S. Clayton, J. L. Laughridge.

Higgins township-W. A. Goforth, Joseph Padgett, Thos. L. Upton.

## MECKLENBURG COUNTY.

Steel Creek township-S. W. Reid, H. D. Smith.

Pineville township-J. T. Downes, J. D. Culp, J. H. Colllns.

Providence township-Joseph M. Reid, J. M. Rice.

Morning Star township-J. Watt Hood, John R. Morris, T. J. Renfrow.

Crab Orchard township-S. H. Farrow, J. L. Campbell.

Charlotte township—W. P. Boyd, D. G. Maxwell, W. W. Ward, H. C. Severs, S. W. Davis, Thomas J. Wilson, D. P. Hutchinson, F. B. McDowell, Walter Brem, M. C. Mayer, C. H. Wolf, D. G. Long, C. L. Hunter.

Sharon township-W. D. Beattie, W. B. Alexander.

Clear Creek township—C. J. Biggers, J. A. Houston, C. P. Mingo, J. E. Henderson, N. M. Phillips,

Berryville township-W. M. Long.

Dewese township-F. J. Knox, Z. A. Hovis, W. P. Williams.

Long Creek township-John C. Hutchinson, James A. Wilson.

Paw Creek township-J. A. Tucker, M. A. Alexander, Wm. J. Dunn.

Mallard Creek township-W. D. Alexander, J. P. Hunter.

Huntersville township-D. W. Mayers, John W. Moore, A. J. Hunter, J. C. Bell, J. W. Mullen.

## MITCHELL COUNTY.

Bakersville township-D. M. Young, M. D. Wilson, S. C. George.

Red Hill township—John Flemming, Thos. C. McInturf, M. E. Green, Cason Parker.

Hollow Poplar township—Spencer Barnett, James Warrick, Jno. N. Peterson. Little Rock Creek township—T. L. Randolph, Jasper McCurry, S. E. R. Brehanan.

Toe River township—W. H. Ollis, McT. Wiseman, Wm. W. Wiseman, J. P. Thompson,

Linville township—J. G. Loven, R. R. Robbins, M. F. Walker, Thad. Brasswell, J. C. Singleton.

Cranberry township-W. A. Erwin, J. D. Horton, Wm. Ellis, Ed. Job.

Harrell's township—Samuel Bailey, Abram Buchanan, A. G. Wetherby, J. W. Phillips, Harvey Wise.

Grassy Creek township-R. B. Harrison, M. D. Wiseman.

## MONTGOMERY COUNTY,

Troy township—John C. Breton, Isaac Smith, P. W. Nooley. Uwharrie township—E. E. Smith, Elias Hurley, John Mullenix. Pee Dee township—Malcom Matheson, C. W. Boggan, C. R. Watkins. Mount Gilead township—L. P. Byrd, Houston Scarboro. Cheek Creek township—P. H. Turner, Chas. Brookshire, John Steele. Rocky Springs township—A. L. Currie, D. A. Clark, Rod. Rush. Hollingsworth township—Angus Leach, Jr., Lil Hicks. Hill township—David C. Cochran, J. W. Steed, John L. Stewart. Little River township—A. P. Leach, E. C. Martin. Ophir township—Thomas Coggin, M. W. Thayer. El Dorado township—James Moyle, G. M. Hearne. Flaggtown township—W. G. Pennington.

### MOORE COUNTY.

Carthage township—M. M. Fry, A. C. Hales.
Ben Salem township—W. C. Seawell, Kenneth Matheson.
Sheffield's township—W. C. Dunlap, E. T. Williams.
Ritter's township—W. R. Reynolds.
Greenwood township—J. M. Cole, Gorrie Jackson.
Pocket township—Wm. McCleod, A. M. Wicker.
Sand Hill township—C. W. Shaw, R. N. Page.
Mineral Springs township—D. D. Morris.
McNeill's township—W. P. Smith, John K. McLean, Pink Pope.
Sanford township—T. N. Campbell, Jno. D. McIver.
Cape Fear township—M. M. Watson, J. O. A. Kelly.
Jonesboro township—D. B. Robertson, N. McK. Dalrymple.

Deep River township—Richard Street, I. N. Edwards, W. C. Willcox, A. M. Campbell, J. H. Jones.

### NASH COUNTY.

Castalia township—Joseph Collins, B. L. Arrington.
Griffin's township—W. H. Lewis, Geo. B. Cooper, R. P. Leonard, Joe R. Ward.
Whittaker's township—D. W. Bullock, T. E. Powell, W. R. Mann.
Stoney Creek township—G. T. Coley, J. W. Watson, J. D. Armstrong.
Nashville township—E. H. Cockrell, L. M. Conyers, J. L. Hinton.
Cooper's township—G. B. Bryant, J. H. T. Baker, B. H. Vester, E. H. Deans,
Manning's township—Jas. W. Floyd, Geo. D. Johnson, J. T. Hollingsworth.
Ferrell's township—A. Bryant, C. B. Brantley, J. N. Bergeron.
Bailey's township—G. W. Morgan, David Daniel.
Jackson township—J. M. Baines, W. H. Griffin, Ed. Dillard.
Rocky Mount township—Ed. Haywood, C. W. Hammond, Jno. D. Robbins.

### NEW HANOVER COUNTY.

Wilmington township—William W. Harris, Joseph M. Cronley, Duncan McEachern, Miles F. Costen, Thomas J. Southerland, Edgar G. Parmelee, John W. Rellly, Walker Mears, Martin Newman, L. W. McLanier, Hector McL. Green, George L. Morton, James W. King, John J. Fowler, John Cowan, J. D. H. Klander, Edward D. Hall, W. McEvans, Wm. H. Strauss, Richard B. Clowe, Owen Fennell, Thomas B. Harris, John H. Daniel, F. B. Rice.

Cape Fear township—Robert Bordeaux, Wm. Cromwell. Harnett township—Ed. Wilson Manning, Geo. W. Westbrook. Masonboro township—A. J. Johnson, A. B. George. Federal Point township—John Canady, Henry Taylor.

#### NORTHAMPTON COUNTY.

Gaston township—J. W. Grant, M. J. Squire, D. B. Zollicoffer.
Occoneechee township—G. S. Urquhart, R. T. Wheeler.
Jackson township—J. A. Parker, N. Peebles, Jeremiah Gay, J. A. Buxton.
Roanoke township—C. R. Harrell, Wm. Grant, W. E. Spivey.
Rich Square township—Geo. Bishop, A. T. Eason, Paul Harrell.
Wiccamu township—J. F. Deberry, H. C. Lassiter, J. H. Deberry.
Kirby township—J. H. Edwards, R. J. Ricks, B. F. Martin.
Seaboard township—R. F. Stephenson, W. J. Maddrey, B. D. Stancell.

## ONSLOW COUNTY.

Richlands township—M. B. Steed, F. W. Hargett. Swanboro township—J. A. Pittman, W. W. Russell, Lewis Sammons. Jacksonville township—G. W. Blake, Jr., U. M. Collins, Jas. H. Foyles. White Oak township—C. S. Hewitt, J. O. Frazel. Stump Sound township—W. A. Canaday, R. J. Williams.

## ORANGE COUNTY.

Cedar Grove township—W. H. Morris, Wm. H. Jordan. Little River township—Nazor V. Ray, H. T. Tilley. Bingham township—A. P. Cates, Thomas J. Oldham. Chapel Hill township—John H. Watson, O. B. Cates. Hillsboro township—Devereux Turner, L. S. Garrard.

### PAMLICO COUNTY.

No. 1 township—A. C. Brinson.
No. 2 township—J. O. Baxter.
No. 3 township—W. N. Pugh, C. A. Flowers, Jesse F. Sawyer.
No. 4 township—James P. Leary, F. A. Spain, James Jones.
No. 5 township—John B. Martin, J. K. Land.
Bayboro—
Stonewall—

Salem township-J. C. Commander, Jr., Thos. E. Palmer.

## PASQUOTANK COUNTY.

Newland township—N. A. Jones, W. J. F. Spence, M. S. Sawyer.
Providence township—D. J. Smithson, John C. Perry.
Elizabeth City township—W. A. Moody, F. F. Cohoon, L. P. Etheredge, T. B.
Wilson, H. C. Godfrey, S. L. Sheep.
Mount Hermon township—J. N. Winslow, N. R. Parker.
Nixonton township—D. W. Morgan, William Blount.

# PENDER COUNTY.

Burgaw township—R. N. Bloodworth, G. F. Jordan, A. H. Paddison. Union township—K. J. Powers, John W. Murray.
Rocky Point township—T. J. Armstrong, H. M. Hocutt.
Caswell township—H. M. Driver, Eli Larkins, Wm. H. Lewis.
Holly township—Gibson James.
Columbia township—R. H. Murphy, L. J. Johnson.
Caintuck township—L. C. McDuffie, A. R. Hilbun, F. P. Flynn.
Long Creek township—Grattan Williams, M. F. Scott, Wm. Burney.
Topsail township—W. O. Johnson, H. J. McMillan.
Grady township—J. B. Croom, J. F. Moore, J. P. Richards, W. F. Bell, F. M. Orr.

## PERQUIMANS COUNTY.

New Hope township—B. F. Gregory, Thomas J. McNider. Parkville township—T. C. Morgan, Alphonso White. Belvidere township—James Miller, Jno. R. Jollife, Henry B. Hurdle. Bethel township—Robt. S. Pratt, J. J. Fleetwood, E. H. Elliott. Hertford township—J. H. Parker, Robt. A. Brina, W. F. Stokes.

# PERSON COUNTY.

Roxboro township—W. H. Williams, C. B. Brooks, Jas. H. Clayton. Mount Tirzah township—W. F. Noell, J. L. Clayton. Flat River township—W. F. Timberlake, Geo. H. Jones.

Allensville township—L. G. Clayton, A. D. Moore, Taylor Jackson.
Holloway's township—T. J. Montague, John A. Baird, Jr., W. T. Humphries.
Woodsdale township—J. S. Robertson, S. C. Barnett, Z. T. Brooks.
Cuuningham township—Robt, A. Williams, W. B. Crisp, Jno. S. Cunningham.
Olive Hill township—J. Y. Thomas, A. W. O'Brian.
Bushy Fork township—S. E. Morton, B. F. Hester, A. M. Long, E. S. Malone.

### PITT COUNTY.

Pactolus township-J. L. Wilson, W. R. Whichard.

Contentnea township—J. J. May, G. W. Hellen, A. L. Herrington. Carolina township—J. H. Woolard, S. R. Ross.

Bethel township—D. C. Moore, R. J. Grimes, John S. Brown.

Belvoir township—W. H. Reeves, T. A. Thigpen.

Falkland township—John King, W. R. Williams, F. G. Dupree.

Farmville township—J. A. Lang, R. L. Joyner, W. A. Barrett.

Beaver Dam township—J. S. Norman, J. W. Smith.

Swift Creek township—S. S. Rosberry, I. K. Wetherington.

Chicod township—J. J. Laughinghouse, O. C. Nobles, R. G. Chapman.

Greenville township—Richard Williams, Jr., E. O. McGowan, G. F. Evans, B.

S. Sheppard.

## POLK COUNTY.

Columbus township—N. H. Hill, J. H. Ames, R. C. Tallent. White Oak township—Wm. A. Mills, Joseph T. Waldrop, J. C. Waldrop. Cooper's Gap township—A. B. F. Mills, John Powell. Tryon township—David Foster, J. B. Livingston. Green's Creek township—Thomas M. Walker, John Earl Prince.

# RANDOLPH COUNTY.

Columbia township -- J. M. Foushee, H. T. Bray. Liberty township-D. M. Holliday, B. G. Campbell. Franklinsville township-Hugh Parks, J. S. McAllister. Randleman township-F. M. Ingold, T. C. Worth. Asheboro township-E. H. Moffitt, Peter Vancouver. Cedar Grove township-John W. Ridge, J. L. Phillips. Trinity township-B. L. Lineberry, Dr. Joseph Bird. New Market township-J. A. Wall, S. G. Coultrane, C. Gray, Back Creek township-James Miller, Hugh McCain. Tabernacle township-J. M. Johnson, Wm. H. Rush. Concord township-B. W. Steed, W. A. Prevo. New Hope township-J. W. Burkhead, E. G. Bochelle. Union township-Ransom Lucas, Randall Pressnell. Richlands township-G. E. Spinks, H. M. Johnson, Brewer township-J. E. Albright, W. F. Owens. Grant township-Joseph Redding, Stanly S. Cox. Pleasant Grove township-John R. Caviness, John M. Stinson. Providence township-William Branson.

#### RICHMOND COUNTY.

Steele's township—N. G. Nicholson, A. J. Little, Jas. L. Baldwin, S. M. Ingram, Alfred Baldwin.

Mineral Springs township--W. R. Covlngton, Joseph Gibson.

Black Jack township-F. T. Baldwin, M. J. Thrower.

Rockingham township -- H. M. McHalez, J. A. Covington, Marion Jones, E. C. Terry.

Wolf Pit township -- J. A. Harrington, J. Albert Smith.

Beaver Dam township-D. M. McNair, C. P. Dawkins.

Williamson township-Mark Morgan, G. W. Wright.

Stewartsville township-D. D. McIntyre, W. H. McLaurin, W. H. Murphy.

Laurel Hill township-John McLean, Lauchlin McNeill.

Mark's Creek township-G. J. Freeman, J. A. Cameron, L. J. Oliver, J. R. McDonald.

#### ROBESON COUNTY.

Alfordsville township-G. C. Fisher, Isaac T. McLean.

Blue Springs township-D. E. McBryde, J. A. Currie, John Chisholm.

Back Swamp township-W. P. Barker, Mike McIntyre.

Britt's township—R. X. Bullard, Redding Rice, R. O. Pitman.

Harrellsville township-Thos. Kinlaw, W. J. Regan.

Lumberton township-H. McE. McMillan, Joseph A. Boone.

Lumber Bridge township-H. B. Ennett, J. W. Adcock.

Philadelphus township—J. A. Humphrey, D. A. Buie, E. J. Begg, F. E. Tyner, James Deese,

St. Paul's township-W. B. Burns.

Sterling's Mills township-J. H. Floyd, E. McQ. Surles, E. C. Nye.

Red Springs township-John A. Brown.

Smith's township-D. L. Stewart, P. P. Smith, John H. Harris.

Shoe Heel township--R. E. Townsend, Dr. W. L. Burns.

Thompson's township-Colon Williams, E. L. Ward, J. B. Rowland.

Wishart's township-F. J. Mears, Simeon McLean.

White House township--Archd. Thompson, Oscar Page.

#### ROCKINGHAM COUNTY.

Huntsville township—Joseph H. Gentry, J. A. Colley, W. A. Gourley, R. B. Henderson.

Leaksville township-B. K. Terry, A. H. Strong, J. M. Price, C. G. Jones.

Mayo township-S. W. Carter, N. C. Deshazo, Thos. Garrett.

Madison township-T. McWoodburn, E. S. Martin, D. W. Buslek.

New Bethel township-A. R. Bennett, Patrick Williams.

Simpsonville township—John F. Dixon, J. R. Shreve, W. K. Gibbs, Robt. Brown. Oregon Hill township—J. M. Millner, L. L. Bennett.

Williamsburg township—W. C. Staples, W. H. Brannock, W. D. Hightower. Wentworth township—John M. Ellington, G. W. Moore.

#### ROWAN COUNTY.

Salisbury township—David R. Julian, Jno. Allen Brown, A. H. Boyden, Adam M. Brown, E. B. Neave, Stephen Ketchin.

Locke township-Edmond Briggs, J. C. Bernhardt, Paul A. Peeler.

Atwell township-W. R. Freeland, S. Biugham Hart, David A. Sloop.

Mt. Ulla township--Jno. K. Graham, Jos. C. Cowan, Thos. J. McConnell, E. A. Sherrell.

Scotch-Irish township—William G. Watson, W. B. Hunt, Nathan N. Flemming, Samuel M. Hobson.

Unity township-J. H. Rice, Richard Culbertson.

Franklin township--W. A. Lentz, Julius Earnhardt.

Providence township-John S. M. Miller, James A. Reid.

Morgan township-W. A. Campbell, Paul C. Shaver.

Gold Hill township-Martin E. Miller, W. A. Fesperman, J. A. Heilig.

Litaker township-J. L. Randleman, A. W. Rusher.

China Grove township—E. Riley Blackwilder, J. M. Eddleman, John C. Corribu-Steele township—W. L. Keistler, Joseph S. Hall, J. Rowau Davis.

#### RUTHERFORD COUNTY.

Rutherfordton township-W. B. Wilson, David E. Huntley, D. R. Forbis.

Green Hill township-A. P. Hill, Jonas Elliott.

Union township-Adolphus Brooks, Wm. McKinney.

Sulphur Springs township-I. N. Miller, C. P. Tanner.

High Shoals township-John Goode, G. C. Harper.

Colfax township-T. L. Harrell, J. A. Cooper.

Cool Springs township-S. F. Harrell, F. Moore, B. McMahon, A. J. Green.

Duucan's Creek township-Smith Gettys, W. B. Palmer.

Golden Valley township-J. L. Early, J. L. Gamble.

Logan's Store township-John Pope, Liudsey Pergerson.

Camp Creek township-J. W. Hampton, R. P. Geer.

Morgan township-T. C. Nanney, A. Higgins.

Chimney Rock township-P. F. Searcy, Frank Reynolds.

### SAMPSON COUNTY.

North Clinton township-W. M. Draughan, H. J. Hines, L. S. Bell, David Marshburn.

South Clinton township—M. M. Killett, B. B. Hobbs, Bias Underwood, B. S. Peterson.

Hall's township-J. A. Beaman, D. R. Watson.

Franklin township-H. W. Moore, James A. Moore.

Lisbon township-A. F. Robinson, Robert Cain.

Taylor's Bridge township-E. C. Smith, T. D. Robinson.

Turkey township-C. E. Daniel, J. R. Marable, Joseph F. Faison.

Piney Grove township-R. R. Bell, A. H. King.

Newton Grove township-R. A. Ingram, James A. Warwick, L. C. King.

Westbrook's township-Marshall Lee, J. R. Westbrook.

Mingo township-Jesse Wilson, J. C. Draughan.

Dismal township-L. C. Spell, M. O. Jackson.

Little Coharie township--J. D. O. Culbreth, John E. Howard, J. O. Tew.

Honeycutt's township-T. S. Underwood, M. T. Crumpler.

McDaniel's township---F. D. Parker, R. L. Lewis.

## STANLY COUNTY.

Centre township—D. J. Allen, James W. Smith, O. H. Upchurch, Albemarle township—Jno. W. Bastian, J. D. Forest, J. M. Redwine, J. F. Lilly. Harris township—E. F. Eddins, C. H. Brooks, M. S. Parker. Ridenhour township—J. C. Ridenhour, W. A. Moody. Almond township—W. E. Furr, D. A. . Hatley, Rufus G. Greene. Furr township—Franklin Moss, Joshua Brooks. Big Lick township—R. H. Griffin, S. D. Bost, Jas. D. Tucker. Tyson township—R. W. Thompson, F. M. Wilhalts.

#### STOKES COUNTY.

Beaver Island township—J. W. Davis, J. C. Flinn, Albert J. Wall. Meadow township—S. B. Taylor, W. V. McCanless. Quaker Gap township—C. T. Christian, W. M. Beasley. Peter's Creek township—W. F. Campbell, A. J. Pringle, C. C. Smith. Souratown townshipJ—ohn C. Bailey, J. I. Blackburn. Snow Creek township—Z. S. Alley, Jno. J. Shoffer, J. W. Hutcherson. Yadkin township—E. W. Culler, James T. Johnson, A. M. Boyles.

#### SURRY COUNTY.

Bryan township—B. J. Snow, Frederick W. Norman.
Dobson township—Henry Snow, J. M. Gordon.
Eldora township—W. A. Atkinson, D. M. Johnson.
Franklin township—W. B. Nixon, Riley Barker.
Hotel township—Thomas L. Gwyn, John C. Hart.
Marsh township—Thomas T. Anthony, Wm. S. Blackwood.
Mt. Åiry township—Samuel L. Gilmer, Albert L. Bunker, Alex. J. Thompson,
Pilot township—W. E. Stone, W. S. Redman.
Siloam township—R. E. Reeves, W. W. Cornelius.
Stewart's Creek township—C. A. Nation, W. W. Lovel.
Rockford township—B. D. McKeoghan, W. F. Sprinkle.
Westfield township—V. A. Lewis, J. H. Inman, Joseph White.

## SWAIN COUNTY.

Charleston township—N. B. McLain, A. Jones, Nantahala township—H. C. Burnett, B. B. Royal. Forney's Creek township—W. T. Calhoune, J. R. Bradshaw. Oconolufta township—J. M. Enloe, W. P. Hyde.

### TRANSYLVANIA COUNTY.

Eastatoe township—W. N. Gillespie. Glocester township—T. C. McCall.

Hogback township-S. L. Saunders, J. L. Fisher, L. E. Reese.

Boyd township-A. W. Setton.

Little River township-E. W. Blythe, Robert Kilpatrick,

Brevard township--W. P. Whitmore, T. L. Gash.

Dunn's Rock township.-T. T. Loftis, W. S. Lankford, Wm. Maxwell, Edward Batson.

Cathey's Creek township-G. W. Southern, J. H. Paxton.

# TYRRELL COUNTY.

Alligator township—Samuel S. Barnett, John H. Thomas. Columbia township—Walter McClees, J. A. Spruill, Gum Neck township—A. C. Sawyer, F. C. Patrick. Scuppernong township—Thomas W. Swain, A. W. Owens. South Fork township—S. C. Patrick, H. D. Bateman.

#### UNION COUNTY.

Monroe township-S. S. S. McCauley, Abel Helms, C. N. Simpson, J. D. A. Secrist.

Buford township-W. L. Belk, R. W. A. Rogers, Randolph Redfern.

Jackson township-R. T. Sistar.

Goose Creek township-T. E. Long, A. W. McManess.

New Salem township-Thomas C. Griffin.

Lane's Creek township-B. F. Parker.

Vance township-J. S. Baucom, E. J. Krimminger.

Sandy Ridge township-John H. Winchester.

## VANCE COUNTY.

Henderson township-Thomas L. Jones, Henry Perry.

Kittrell township-Jerome H. Fuller.

Sandy Creek-

Middleburg township—John J. Pegram, Leonidas Harris, Jas. K. Plummer, Luther R. Crocker.

Nut Bush township-Thomas M. White.

Townesville township-James M. B. Hunt.

Williamsboro township-Richard A. Bullock, John G. Morgan.

## WAKE COUNTY.

Barton's Creek township-J. D. Allen, J. R. Nipper.

Buckhorn township-Thos. S. Boothe, J. B. Council.

Cary township--Wm. G. Crowder, H. B. Jordan.

Cedar Fork township-A. M. Adams, W. M. Arnold, M. L. Carlton.

House's Creek township-Sion H. Smith, Henry Ray.

Little River township-B. T. Strickland, P. P. Pace.

Mark's Creek township-W. H. Hood, W. A. Liles.

Middle Creek township—W. H. Holland, J. E. Ballentine, J. M. Griffis, W. H. H. Jones.

Neuse River township-F. J. Holloway, H. V. Pace.

New Light township-W. H. Lassiter, B. F. Lawrence.

Oak Grove township-Q. B. Gully, R. H. D. Gooch, John Vickers.

Panther Branch township-G. P. Partin, J. W. Pegram.

St. Mary's township.T. J. Johns, P. W. Dowd.

St. Matthew's township-H. H. Knight, M. W. Buffaloe.

Swift Creek township-M. T. Jones, F. M. Gulley.

Wake Forest township-D. W. Allen, Jno. W. Jones, R. F. Temple, J. A. Stell, John Fort.

White Oak township—W. B. Upchurch, J. C. Burnes, G. W. W. Woodall. Raleigh township—John W. Brown, W. P. Batchelor, W. H. Dodd, H. H. Roberts, J. C. Marcom, C. B. Root, Wesley Whitaker, R. B. Sewell, G. F. Kennedy, W. D. Haywood, M. B. Barbee, W. E. Asheley, L. H. Adams, M. H. Horton, J. A. Haywood.

Holly Springs township—J. C. Ballentine, P. A. Norris, D. C. Adams, H. J. Barker, J. D. Marcom, Alfred C. Burt.

## WARREN COUNTY.

Township No. 1-W. H. Bobbitt, J. R. Boyd.

Township No. 2-Samuel Bobbitt, W. C. Drake.

Township No. 3-W. J. Davis, A. S. Webb.

Township No. 4-Geo. H. Fleming, John L. Robinson.

Township No. 5-B. M. Collins, W. D. Newman.

Township No. 6-J. B. Wiggins, George A. Rose.

Township No. 7-J. O. Drake, Edward Royster.

Township No. 8-H. T. Egerton.

Township No. 9-R. E. Ballard, J. P. Leach.

Township No. 10-R. H. Ford, H. B. Hunter, Sr., J. W. Scott.

Township No. 11-W. E. Davis, P. G. Alston.

Township No. 12-R. L. Stewart, Thomas W. Walker.

#### WASHINGTON COUNTY.

Plymouth township—Thomas S. Armistead, Levi I. Fagin. Lee's Mill township—W. T. Freeman, Isaac T. Hassell. Skinnerville township—Thomas S. Swain. Scuppernong township—W. J. Mercer, Joshua B. Davenport, J. L. Howell.

#### WATAUGA COUNTY.

Boone township—D. B. Dougherty, Thomas L. Critcher.
Beaver Dam township—H. H. Farthing.
Blue Ridge township—Jordan Cook, Thos. L. Day.
Blowing Rock township—Joe. B. Clark, Wm. E. Elrod.
Bald Mountain township—A. F. Davis.
Cove Creek township—Wm. B. Harbin, Jehiel E. Eggers.
Laurel Creek township—L. W. Farthing, John Harman.
Meat Camp township—James H. Taylor, Thos. J. Ingram, John H. Norris.
Stoney Fork township—D. B. Wagner, L. G. Maxwill, Wm E. Green.
Shawneehaw township—Geo. W. Dugger, Geo. W. Brown.
Watauga township—Chas. D. Taylor, Joseph Phipps.
Elk township—John R. Hodges.

#### WAYNE COUNTY.

Goldsboro township - George A. Collier, Joseph E. Peterson, John W. Bryan, W. Thomas Yelverton, James W. Borden, E. Arnold Wright.

Nahunta township—Fred. I. Becton, James H. Barnes, Needham W. Musgrove. Stoney Creek township—William G. Hooks, James W. Hall, Wm. R. Johnson. Great Swamp township—Peter L. Peacock, Matthew R. Hooks.

Saulston township—George W. Best, Charles D. Brown, Joseph Roberts.

New Hope township—John Daly, Benjamin F. Umphreys.

Indian Springs township-Charles F. Harring, W. P. Price.

Brogden township—Frank A. Simmons, W. Bryant Bowden, Geo. W. Bridgers.

Grantham township—John F. Grantham, Josiah F. Fox. Fork township—Nestus H. Gurley, W. Frank Rose.

Pikeville township---Wm. L. Pike. W. Haywood Ham, James W. Thompson.

## WILKES COUNTY.

Newcastle township-- J. C. Armstrong, John S. Haynes.

Lewis' Fork township--L. M. McGlamsey, Martin McGlamsey.

Brushy Mountain township-J. H. Ellis, J. H. Costner, J. A. Lowe.

Job's Cabin township-A. J. Taylor.

Lovelace township-J. F. Anderson, R. C. Garner.

Elk township—T. H. West, J. C. Land.

Fishing Creek township-

Edwards' township--R. G. Hickerson, J. T. Edwards.

Trap Hill township-Wesley Joines, R. N. Johnson.

Walnut Cove township-F. H. Alexander, G. W. Absher.

Rock Creek township-J. W. Emmerson, L. D. Parks.

Mulberry township-P. E. Dancy, Lee Johnson.

Union township-L. E. Whittington, E. T. Dancy.

Antioch township-W. J. Kenyon.

Reddies' River township-W. A. McNeill.

Beaver Creek township-J. A. Foster, Phineas H. German.

Somers township-L. W. Lonsford, J. R. Wright.

Wilkesboro township—J. C. Foushee, J. P. Hutchison, R. M. Staly, T. B. James, S. J. Ginnings, A. A. Finley.

Moravian Falls township—S. H. Bobbitt, W. H. Hubbard, T. J. Gilreath, J. A. Carlton, W. B. Revis.

# WILSON COUNTY.

Wilson township—W. F. Mercer, J. W. Lancaster, T. C. Davis, Calvin Barnes. Black Creek township—David Daniel, Barnes Daniel.

Cross Roads township-T. R. Atkinson, Wm. Barnes, Claudius Aycock.

Sping Hill township-L. A. Watson, J. T. Revel.

Gardner's township-John H. Barnes, Britton W. Barnes,

Toisnot township-C. L. Brasswell, J. T. Lewis.

Saratoga township-James Bryant, A. T. Smith.

Taylor's township-John J. Hales, A. M. Thompson.

Old Fields township-James H. Fulgham, D. M. Stott.

Stantonsburg township-H. B. Lane, W. J. Batts.

# YADKIN COUNTY.

Boonville township—M. L. Woodhouse, Joel D. Reece.
Knobs township—L. T. Ray, V. M. Swain, W. G. Holcombe.
Buck Shoals township—J. M. Burgess, Andrew Johnson.
Deep Creek township—M. J. Vestal, C. A. Long.
Liberty township—W. L. Macy, N. S. C. May, W. L. Kelly.
Forbush township—John T. Conrad, G. B. Harding.
Little Yadkin township—G. T. Black, J. N. S. Doub, N. Glenn Williams,
Philip Brann.

East Bend township—A. Horne, Wesley H. Spears. Falls Creek township—G. D. Hobson, J. W. Dobbins.

## YANCEY COUNTY.

Burnsville township—C. C. McCloud, Ansel Edwards.
Cane River township—E. M. Proffit, H. A. Proffit, S. T. Proffit,
Egypt township—Joel Hensley, J. H. Higgins, C. R. Bradford, D. R. A. Pate.
Ramseytown township—Wm. M. Whitsons, C. R. Byrd, S. S. Adkinson, S. J.
Peek.

Green Mountain township—Jacob M. Lipton, H. M. Bailey, Jack's Creek township—M. W. Peterson, Wm. Roland, A. Z. McCurry, Brush Creek township—Columbus Robinson, A. A. Woody, Jeff. Collis, Crabtree township—J. O. Griffith, Alex. Siler, J. E. Robinson. South Toe River township—Sidney Ballew, John Westall, Jesse Byrd. Pensacola township—John Allen, Dan'l Chatham, Admeran Riddle. Price's Creek township—C. M. Penland, Wm. McClelland, Ellis Blankenship.

The report was placed upon the Calendar.

On motion of Mr. Emry, a message was ordered sent to the House of Representatives, proposing that the two houses proceed to the election of justices of the peace at 8:30 o'clock p. m., on Thursday, 7th inst.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Reid, S. B. 1173, bill to amend section 2197 of *The Code*, and chapter 355, laws of 1885, and 269, laws of 1887. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Abbott, S. B. 1174, bill to incorporate the Grand United Order of the People's Improvement Association. Referred to the Committee on Corporations.

By Mr. Reid, S. B. 1175, bill to amend section 2483 of *The Code*. Referred to the Committee on Judiciary.

By Mr. Reid, S. B. 1176, bill to amend section 3, chapter 105, Laws of 1885. Placed on the Calendar.

By Mr. Reid, S. B. 1177, bill supplemental to an act passed at this session (1889) in relation to election of cotton-weighers. Placed on the Calendar.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting engrossed House bills and resolutions, which were disposed of as follows:

H. B. 1142, S. B. 1140, bill to allow the township of Mount Airy, in Surry county, to fund its outstanding railroad bonds. Referred to the Committee on Finance.

H. B. 657, S. B. 1141, bill incorporating the Eastern Band of Cherokee Indians, and for other purposes. Referred to the Committee on Judiciary.

H. B. 1248, S. B. 1142, bill to repeal chapter 80 of the Laws of 1876-'77, in regard to local option in Waynesville, Haywood County. Placed on the Calendar.

H. B. 1135, S. B. 1143, bill to repeal chapter 394, Laws of 1887, and to provide for an additional special tax for building bridges in Haywood County. Placed on the Calendar.

H. B. 544, S. B. 1144, bill to declare John S. Martin, a citizen of Sampson County. Placed on the Calendar.

H. B. 1126<sup>1</sup>/<sub>2</sub>, S. B. 1145, bill to incorporate the town of Cherryville, Gaston County. Placed on the Calendar.

H. B. 1343, S. B. 1146, bill to incorporate the Isbell File and Calendar Company. Referred to the Committee on Corporations.

H. B. 1289, S. B. 1147, bill to allow the sale of lands subject to the homestead estate. Referred to the Committee on Judiciary.

H. B. 1223, S. B. 1148, bill to authorize the Commissioners of Harnett County to fund and pay a certain debt of said county. Referred to the Committee on Finance.

H. B. 1253, S. B. 1149, bill to amend chapter 147, Laws of 1885, relative to drainage. Referred to the Committee on Propositions and Grievances.

H. B. 1103, S. B. 1150, bill to allow the Commissioners of Graham County to levy a special tax. Referred to the Committee on Finance.

H. B. 1221, S. B. 1151, bill to incorporate Kernersville, in Forsyth County. Referred to the Committee on Corporations.

H. R. 1090, S. R. 1152, resolution in relation to the loss of the public funds in the Raleigh National Bank. Referred to the Committee on Judiciary.

H. B. 1171, S. B. 1153, bill to authorize the Commissioners of Moore County to levy a special tax. Referred to the Committee on Finance.

H. B. 1105, S. B. 1154, bill to relieve certain farmers in Richmond County from the stock law. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 1270, S. B. 1155, bill to prevent discrimination in freights against the Atlantic and North Carolina Railroad-Placed on the Calendar.

H. B. 885, S. B. 1156, bill to amend chapter 119, Laws of 1885, and to amend section 342 of *The Code*, in regard to the Board of Directors of the Penitentiary. Referred to the Committee on Penal Institutions.

Also, without engrossment:

H. B. 1341, S. B. 1157, bill to incorporate the Asheville Opera House Company. Referred to the Committee on Corporations

H. B. 1334, S. B. 1158, bill to incorporate the Africo-American Presbyterian Publishing Company. Referred to the Committee on Corporations.

House amendment to

S. B. 630, H. B 1264, bill to incorporate the Tarboro Land and Trust Company. Placed on the Calendar.

H. B. 1283, S. B. 1159, bill to incorporate the Randolph Southern Railway Company. Referred to the Committee on Internal Improvements.

H. B 312, S. B. 1160, bill to incorporate the town of DeFork, Granville County. Placed on the Calendar.

H. B. 1398, S. B. 1161, bill to incorporate Steele's Business College, Raleigh. Referred to the Committee on Corporations.

H. B. 1401, S. B. 1162, bill to incorporate the Cosmopolitan Club of the city of Asheville. Referred to the Committee on Corporations.

H. B. 1341, S. B. 1563, bill to incorporate the Asheville and Craggy Mountain Turnpike Company. Referred to the Committee on Corporations.

H. B. 1363, S. B. 1164, bill to incorporate the Asheville Fast Line and Suburban Railway Company. Referred to the Committee on Corporations.

H. B. 1483, S. B. 1165, bill to amend section 2288 of *The Code*, in relation to boats, oars, sails, etc. Referred to the Committee on the Judiciary.

Also, engrossed:

H. B. 1167, S. B. 1166, bill to re-enact, consolidate and amend an act to incorporate the town of Dunn, in Harnett County. Referred to the Committee on Corporations.

H. B. 1176, S. B. 1167, bill to amend the charter of the Rabun Gap Short Line, Railway Company. Referred to the Committee on Internal Improvements.

H. B. 1196, S. B. 1168, bill to enable the Commissioners of Louisburg to purchase or erect a building for public purposes. Placed on the Calendar.

H. B. 1178, S. B. 1169, bill to amend chapter 50, Private Laws 1885, incorporating the North Carolina Baptist Orphanage Association. Placed on the Calendar.

H. B. 1284, S. B. 1170, bill for the better protection of sheep husbandry in Clay County. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 1241, S. B. 1171, bill to incorporate the Danville, Mebane, Pittsboro and Southern Railroad Company. Referred to Committee on Corporations.

H. B. 1291, S. B. 1172, bill to amend section 1042 of *The Code*, in regard to gambling. Referred to Committee on Judiciary.

Also, House amendments to

S. B. 338, H. B. 730, bill to provide for the erection of suitable buildings for the common schools of District No. 1, in Wilson County.

The amendments are concurred in, and the bill ordered enrolled.

A message was also received from the House of Representatives, announcing that the House had adopted

S. R. 513, H. R. 809, resolution in relation to electing members of the Board of Agriculture, and had appointed as the House branch of the committee raised by the resolution,

Messrs. Philips, Chadwick, Scott, Yancey and White.

Also, a message transmitting, without engrossment, House amendment to

S. B. 125, H. B. 465, bill to amend section 741 of *The Code*, relating to costs.

On motion of Mr. Reid, the amendment was concurred in and the bill was ordered enrolled.

## THE CALENDAR.

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

H. B. 318, S. B. 506, bill to amend the public school law, on its second reading.

The amendments reported by the Committee of the Whole were adopted.

The bill passed its second and third readings, the Senate

amendments were ordered sent to the House of Representatives without engrossment.

H. B. 518, S. B. 647, bill to abolish the State normals schools, and apply the proceeds set apart for that purpose to hold county institutes, on its second reading.

The substitute reported by the Committee on Education was adopted.

The bill passed its second and third readings, the Senate substitute was ordered engrossed and sent to the House of Representatives.

H. B. 760, S. B. 808, bill to provide an alternative method of working the public roads, on its second reading.

Mr. Means moved to amend:

"Add at end of section 13 the following: 'But this act shall not serve to repeal chapter two hundred and thirty-four (234), Laws of North Carolina, enacted at the session of 1885, in any township in Cabarrus County wherein said chapter has been adopted; and if said chapter shall, at any time, be adopted in any other township in Cabarrus County, by vote as provided in said law of 1885, then such adoption shall serve as a repeal of this act in said township.'"

Adopted.

Mr. Moore moved to amend:

"This act shall not apply to Rockingham County."

Adopted.

Mr. Lucas moved to amend:

"This act shall not apply to the counties of Hyde, Tyrrell and Beaufort."

Adopted.

Mr. Toms moved to amend:

"This act shall not apply to the counties of Henderson and Transylvania."

Adopted.

Mr. Barber moved to amend:

"This act shall not apply to Wilkes county."

Adopted.

Mr. Emry moved to amend:

"This act shall not apply to the counties of Halifax, Northampton, Edgecombe and Warren."

Adopted.

Mr. Farthing moved to amend:

"Strike out, in section 1, the words 'by a majority vote adopt,' and insert in lieu thereof the words 'submit to the voters of their county'; and add to said section the words, 'which election shall be held under the same rules and regulations as other county elections are held.'"

Lost.

Mr. Crawford moved to amend:

"This act shall not apply to Alamance County."

Adopted.

Mr. Farthing moved to amend:

"Insert, 'Provided, the County Commissioners of any

county, if they deem proper, may submit the adoption of this act to a vote of the people of the county."

Lost.

Mr. LeGrand demanded the previous question, and was sustained.

The bill passed its second reading—ayes 31, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Bennett, Blair, Briggs, Campbell, Crawford, Emry, Green, Holton, Kerr, King, Leeper, Le-Grand, Leinbach, Long, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Warters, White, and Williams of Cumberland—31.

Those voting in the negative were:

Messrs. Barber, Brock, Falkener, Farthing, Little, Lucas, Lusk, Turner of Catawba, and Twitty—9.

#### SPECIAL ORDER.

The hour for the special order having arrived, and

S. B. 863, bill for the relief of certain soldiers of the late war between the States, was taken up on its third reading, it being the special order for that hour,

Mr. Campbell moved to reconsider the vote by which the previous question was ordered on the third reading of the bill. The motion to reconsider prevailed.

The demand for the previous question was withdrawn.

Mr. Campbell moved to strike out the amendment offered by Mr. Falkener, in words as follows: "Insert after the word 'sailor,' in the several sections in which it occurs, the words 'servant or laborer,' so that this act shall apply to all persons who were in the Confederate service as servants or laborers, or were conscripted by virtue of any law or laws passed by the Confederate Congress to work on fortifications."

Adopted.

Mr. Campbell moved to reconsider the vote by which the amendment offered yesterday by Mr. Barber, namely, "that widows of soldiers shall receive an amount equal to the amount allowed any disabled soldiers by this act," was adopted.

On the motion to reconsider, Mr. Barber asked for the ayes and noes, which were ordered, and the motion to reconsider prevailed—ayes 28, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bennett, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Williams of Cumberland, and Williams of Pitt—28.

Those voting in the negative were:

Messrs. Aycock, Banks, Barber, Blair, Copeland, Falkener, Hampton, Lusk, Pou, Rice, Thomas, Turner of Iredell, Twitty, Warters and White—15.

The question recurring upon the adoption of the amendment, it was not adopted.

Mr. Campbell moved to reconsider the vote by which the amendment offered by Mr. Moore, as follows, "strike out 'four cents' and insert 'two cents'; strike out 'twelve cents' and insert 'six cents,'" was adopted.

On the motion to reconsider,

Mr. Lucas asked for the ayes and noes, which were ordered, and the motion prevailed—ayes 31, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, White, Williams of Cumberland, and Williams of Pitt—31.

Those voting in the negative were:

Messrs. Banks, Barber, Hampton, Holton, Lusk, Rice, Thomas, Turner of Iredell, Twitty, and Warters—10.

The question recurred upon the adoption of the amendment.

Mr. Emry offered the following substitute for the amendment:

"Strike out 'two cents' and insert 'three cents'; strike out 'six cents' and insert 'nine cents.'"

The substitute was adopted.

As amended, the amendment was adopted.

Mr. Barber moved to amend:

"Add, 'Provided, that not more than sixty thousand dollars shall be expended under this act in any one year.'"

Lost.

The bill passed its third reading—ayes 34, noes 9, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Williams of Cumberland, and Williams of Pitt—34.

Those voting in the negative were:

Messrs. Banks, Barber, Falkener, Hampton, Lucas, Lusk, Rice, Thomas and Warters—9.

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

The latter motion prevailed.

#### THE CALENDAR

was resumed.

S. B. 130, bill to secure to creditors a just division of the estate of debtors who convey to assignees for the benefit of creditors, was taken up on its second reading.

The substitute reported by the Committee on Judiciary was adopted.

Mr. LeGrand moved to amend:

"First. Add after subdivision 6, on page 2: 'Subdivision 7—Any debt or debts which the person executing such deed of trust or assignment may owe, in a fiduciary capacity, and which he may prefer therein, in the order of their preference.'

Second. On same page change numbers of subsections '7' and '8' to '8' and '9' respectively.

Third: Add to section 1: 'Provided, however, that nothing herein contained shall prevent the person executing such deeds of trust or assignments from preferring his individual debts over any debts which he may owe as surety, but no preference shall be allowed as between such individual debts, except as hereinbefore declared.'

Fourth. Amend section 11, line 9, by inserting after the word 'a,' the words 'week for one.'"

Mr. Long moved to amend:

"Insert in line 12, section 2, after the word 'assignment,' the words 'but in no case shall the bond required exceed fifty thousand dollars.'"

Mr. Turner of Iredell demanded the previous question, and was sustained.

Mr. LeGrand's first amendment was lost.

By consent,

Mr. LeGrand withdrew his other several amendments.

Mr. Long's amendment was lost.

On the passage of the bill its second reading,

Mr. Pou asked for the ayes and noes, which were ordered, and the bill failed to pass its second reading—ayes 10, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Campbell, Crawford, Farthing, Leinbach, Little, Lucas, Robinson, Toms and White—10.

Those voting in the negative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Brock, Brown, Copeland, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Long, Lusk, Means, Payne, Pou, Reid, Rice, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Pitt—33.

Mr. Williams of Pitt 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.

The latter motion prevailed.

By consent,

Mr. Turner of Iredell offered the following:

"Resolved by the Senate, that no Senator shall speak longer than five minutes on any question, nor more than once, and the President of the Senate shall keep the time and call any Senator to order upon the expiration of his time, and his time shall not be extended except by a unanimous vote of the Senate."

The resolution was adopted.

#### SPECIAL ORDER.

The hour for the special order having arrived—S. B. 793, bill to enlarge the jurisdiction of Justices of the

Peace, was taken up on its second reading, it being the second special order of the day.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1270, S. B. 1155, bill to prevent discrimination in freights against the Atlantic and North Carolina Railroad, on its second reading.

Mr. Means moved the bill be referred to the Committee on Internal Improvements. Lost.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 992, bill concerning the Norfolk Southern Railroad Company, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1127, S. B. 1041, bill to raise revenue, on its third reading.

The bill passed its third reading—ayes 22, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bennett, Briggs, Brock, Campbell, Emry, Farthing, Hughes, King, Leeper, Little, Long, Moore, Payne, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, and Twitty—22.

Those voting in the negative were:

Messrs. Bailey, Banks, Barber, Blair, Brown, Copeland, Falkener, Green, Hampton, Holton, LeGrand, Lusk, Means, Pou, Rice, Thomas, White, and Williams of Pitt—18.

The Senate amendments were ordered transmitted to the House of Representatives without engrossment.

H. B. 957, S. B. 1040, bill to aid the Penitentiary in becoming self-sustaining, on its second reading.

The amendments reported by the Committee on Penal Institutions were adopted.

The bill passed its second and third readings, the Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 1196, S. B. 1168, bill to enable the Commissioners of the town of Louisburg to purchase or erect a building for public purposes, on its second reading.

The bill passed its second reading—ayes 31, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Briggs, Brock, Campbell, Emry, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Pitt—31.

Voting in the negative:

Mr. Barber-1.

H. B. 76, S. B. 895, bill to prohibit trusts in North Carolina, and to punish persons connected therewith, on its second reading.

On motion of Mr. LeGrand, the bill was postponed until to-morrow, and made the special order for 11 o'clock a.m. of that day.

S. B. 417, bill to amend sections 2912, 2915, 2916, and 2921 of *The Code*, etc., on its second reading.

The amendment reported by the Committee on Finance was adopted.

On the passage of the bill its second reading,

Mr. Campbell asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 22, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Bennett, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Holton, Kerr, LeGrand, Leinbach, Long, Means, Payne, Rice, Robinson, Thomas, Toms, and Warters—22.

Those voting in the negative were:

Messrs. Aycock, Bailey, Barber, Blair, Brock, Farthing, Hughes, King, Leeper, Lucas, Lusk, Moore, Smith, Turner of Iredell, Twitty and White—16.

The bill was put upon its third reading, passed its third reading, was ordered engrossed and sent to the House of Representatives.

S. B. 244, bill to incorporate the Alleghany Construction Company, on its third reading.

The bill passed its third reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Bennett, Briggs, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White and Williams of Pitt—35.

The bill was ordered engrossed and sent to the House of Representatives.

Mr. Barber moved that when the Senate adjourn this morning, it do so to meet at half-past three o'clock p. m., and sit until half-past seven p. m.

Adopted.

#### THE CALENDAR

was resumed.

S. B. 988, bill to enable the townships of Guilford County to adopt the Mecklenburg road law, on its third reading.

The bill passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk,

Means, Moore, Payne, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt —42.

The bill was ordered sent to the House of Representatives, without engrossment.

H. B. 910, S. B. 890, bill to amend section 2831 of *The Code*, in regard to hunting, on its second reading.

On motion of Mr. White, the bill was referred to the Committee on Agriculture, Mechanics and Mining.

S. B. 650, bill to incorporate the Murphy Iron Company, on its second reading.

On motion of Mr. Smith, the bill was recommitted to the Committee on Corporations.

S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, on its second reading.

On motion of Mr. Smith, the bill was recommitted to the Committee on Corporations.

On motion of Mr. Lucas, the Senate went into Executive Session.

The Senate, in Executive Session, having adjourned, the doors were opened, and the Senate was called to order.

On motion, the Senate adjourned.

# EVENING SESSION.

March 6, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

#### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Corporations:

By Mr. Barber, H. B. 1334, S. B. 1158, bill to incorporate the Africo-American Presbyterian Publishing Company, recommending that it do pass;

H. B. 312, S. B. 1160, bill to incorporate the town of De-Fork, in Granville County, reporting an amendment, and, as amended, recommending that it do pass.

From the Committee on Finance:

By Mr. Payne, H. B. 1142, S. B. 1140, bill to allow the township of Mt. Airy, in Surry county, to fund its outstanding railroad bonds, recommending that it do pass.

From the Committee on Education:

By Mr. Campbell, H. B. 1249, S. B. 1060, bill to authorize the payment of school funds of Surry county, recommending that it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Williams of Pitt, S. B. 1173, bill to amend section 2197 of *The Code*, and chapters 355, Laws of 1885, and 269, Laws of 1887, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed:

S. B. 794, bill to be entitled an act to incorporate Yadkin Academy, in Alamance County;

S. B. 863, bill to be entitled an act for the relief of certain soldiers of the late war between the States;

Senate amendments to

H. B. 210, S. B. 707, bill to be entitled an act to amend chapter 73, Acts of 1887, in relation to constructing public roads;

H. B. 952, S. B. 804, bill to be entitled an act to incorporate the Bank of Carthage—

Which were sent to the House of Representatives.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions are introduced, read the first time, and disposed of as follows:

By Mr. Toms, S. R. 1178, resolution for the relief of R. L. Cooper, Engrossing Clerk. Placed on the Calendar.

By Mr. Green, S. B. 1179, bill to amend the charter of the city of Newbern. Placed on the Calendar.

By Mr. Payne, S. B. 1180, bill to establish Barnesville as the voting precinct in Sterling's Mill Township. Placed on the Calendar.

By Mr. LeGrand, S. B. 1181, bill to amend chapter 265 of the Laws of 1883. Placed on the Calendar.

By Mr. Moore, S. B. 1182, bill to sell the Leaksville Male Academy. Placed on the Calendar.

By Mr. Kerr, S. B. 1183, bill to amend the charter of the city of Newbern. Placed on the Calendar.

#### THE CALENDAR.

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

H. B. 1123, S. B. 948, bill to change the spelling of certain words in chapter 179, Laws of 1885, and chapter 209, Laws of 1887, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1178, S. B. 1169, bill to amend chapter 50, Laws 1885, entitled an act to incorporate the North Carolina Baptist Orphanage Association, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1195, S. B. 1025, bill for the relief of Thomas White, Treasurer of the town of Louisburg, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1133, bill to incorporate the Winton Railroad and Lumber Company, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 498, S. B. 529, bill to amend section 1050 of *The Code*, in relation to gambling, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 932, S. B. 832, bill for the benefit of the Clerk of the Superior Court of Rockingham County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. R. 385, S. R. 376, resolution of instruction to the State Printer, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 1322, S. B. 1112, bill to incorporate the Trustees of Piedmont Literary and Industrial College, at Salisbury, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 936, S. B. 888, bill for the better drainage of swamp lands in Wayne County, on its second reading.

Mr. Aycock moved to amend:

"Strike out in section 1 the words, 'Grantham's old mill seat,' in lines 10 and 11, and insert in lieu thereof the words, 'Swinnee's Ford.' Amend section 5 by striking out the word 'convicts,' and insert in lieu thereof the word 'hands.'"

Adopted.

The bill passed its second and third readings, the Senate amendments were ordered engrossed and sent to the House of Representatives.

S. B. 1045, bill to authorize the Secretary of State to furnish copies of the Colonial Records, on its second reading.

Mr. Campbell moved to amend:

"Add, 'and the libraries of the different male and female colleges and high schools of the State, and such public libraries as may apply for them."

Adopted.

The bill passed its second and third readings, and was ordered engrossed and sent to the House of Representatives.

H. B. 852, S. B. 894, bill to amend the charter of the town of Hickory, on its third reading.

The bill passed its third reading—ayes 28, noes 1, as follows:

Those voting in the affirmative were:

Messrs Bailey, Banks, Briggs, Brock, Brown, Campbell, Emry, Farthing, Holton, Hughes, Kerr, Leeper, Little, Lucas, Lusk, Moore, Payne, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—28.

Voting in the negative:

Mr. Barber-1.

The bill was ordered enrolled.

House amendment to

S. B. 199, H. B. 772, bill to amend chapter 39 of *The Code*, was concurred in, and the bill was ordered enrolled.

S. B. 1091, bill to incorporate the town of Hallsboro, in Columbus County, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Briggs, Brock,

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Brown, Campbell, Crawford, Emry, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland-34.

S. B. 903, bill to incorporate the Charlotte and Goldsboro Air-Line Railway Company, on its second reading.

The amendments reported by the Committee on Internal Improvements were adopted.

The bill passed its second reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Long, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland-33.

H. B. 950, S. B. 930, bill in relation to the town of Fayetteville, N. C., on its third reading.

The bill passed its third reading-ayes 35, noes-, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Briggs, Brock, Brown, Crawford, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland-35.

The bill was ordered enrolled.

H.B. 800, S.B. 783, bill to authorize the Commissioners of Hyde County to levy a special tax, on its third reading.

The bill passed its third reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Bennett, Briggs, Brock,

Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Smith, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—32.

The bill was ordered enrolled.

H. B. 749, S. B. 709, bill to amend the charter of the town of Durham, on its third reading.

The bill passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Bennett, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—37.

The bill was ordered enrolled.

H. B. 636, S. B. 780, bill to incorporate the town of Cumberland, in Cumberland County, on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—36.

The bill was ordered enrolled.

H. B. 389, S. B. 823, bill to amend the charter of the town of Rocky Mount, on its third reading.

The bill passed its third reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Briggs, Brock, Brown, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Sills, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—32.

The bill was ordered enrolled.

S. B. 902, bill to incorporate Bonair College, on its second reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1323, S. B. 1114, bill to amend the charter of the Chestnut Hill Cemetery Association, at Salisbury, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1055, bill to amend the charter of the Thomasville and Silver Valley Railroad Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 1218, S. B. 1017, bill to enable the city of Wilmington to encourage manufacturing in that city, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 882, bill to amend the charter of the town of Wilson, on its third reading.

The bill passed its third reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Le-

Grand, Leinbach, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Toms, Turner of Catawba, Turner of Iredell, and Twitty—33.

The bill was ordered sent to the House of Representatives, without engrossment.

H. B. 1052, S. B. 968, bill to amend section 3408 of *The Code*, in relation to fishing in Scuppernong River, Tyrrell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 790, S. B. 768, bill to amend chapter 265, Laws of 1887, relative to Kilkenny road law, in Tyrrell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 995, S. B. 830, bill to correct certain land grants in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 987, bill to create a Board of Health for Laurinburg, N. C., on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives, without engrossment.

S. B. 859, bill to amend section 3606, of chapter 51, of *The Code*, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

H. B. 929, S. B. 926, bill to incorporate the town of Dillsboro, Jackson County, on its third reading.

The bill passed its third reading—ayes 31, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper,

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LeGrand, Leinbach, Long, Lusk, Means, Moore, Payne, Pou. Smith, Turner of Catawba, Turner of Iredell, and Twitty -31.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

H. B. 1341, S. B. 1157, bill to incorporate the Asheville Opera House Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 825, S. B. 982, bill to incorporate the town of Lucama, in Wilson County, on its second reading.

The bill passed its second reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, King, Leeper, LeGrand, Leinbach, Long, Lusk, Means, Moore, Payne, Pou, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell and Twitty-30.

S. B. 1180, bill to establish Barnesville as the voting precinct in Sterling's Mill Township, Robeson County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 1181, bill to amend chapter 265, Laws of 1883, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1401, S. B. 1162, bill to incorporate the Cosmopolitan Club of the city of Asheville, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 944, S. B. 892, bill to incorporate the Jersey Cattle Club, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 859, S. B. 805, bill to authorize the city of Raleigh to issue bonds and pay and fund its present bonded indebtedness at a lower rate of interest, on its second reading.

The bill passed its second reading—ayes, 27, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, King, Leeper, LeGrand, Leinbach, Long, Lusk, Means, Moore, Payne, Pou, Smith, Turner of Catawba, Turner of Iredell, and Williams of Cumberland—27.

S. B. 789, bill to re-run and re mark the boundary lines between this State and the States of Virginia, Tennessee, South Carolina and Georgia, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 853, S. B. 763, bill to authorize the commissioners of Catawba County to use stock-law fund, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1253, S. B. 1149, bill to amend chapter 149, Laws of 1885, relative to drainage, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1164, S. B. 1363, bill to incorporate the Asheville Fast Line and Suburban Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 104, S. E. 608, bill to incorporate the West Asheville Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1338, S. B. 1117, bill to confirm the organization of the Greystone Granite and Construction Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1018, S. B. 951, bill to amend the charter of the Raleigh Street Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1345, S. B. 1163, bill to incorporate the Asheville and Craggy Mountain Turnpike Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled. • .

H. B. 352, S. B. 471, bill to amend section 2845 of *The Code*, so as to give Vance County the right to elect its Representative, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1064, S. B. 1028, bill to correct a State grant in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 937, S. B. 840, bill concerning the Clerks of the Superior Courts of Bertie and Northampton counties, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1334, S. B. 1158, bill to incorporate the Africo-American Presbyterian Publishing Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1202, S. B. 1063, bill to correct State grant number 2443, in Jackson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 686, bill to amend chapter 215, Laws of 1887, in relation to local option, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 949, S. B. 1120, bill to incorporate the Battery Park Hotel and Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 526, S. B. 777, bill to protect fish in Elk River and its tributaries, in Mitchell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1343, S. B. 1146, bill to incorporate the Isbell File and Calendar Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 803, S. B. 1031, bill to charter a street railway company for Winston and Salem, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1125, S. B. 1066, bill to correct certain State grants in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1191, S. B. 1034, bill to authorize and allow the Commissioners of Morehead City, Carteret County, to regulate the sale of spirituous liquors in said town, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 559, S. B. 560, bill to amend chapter 266, Laws of

1881, relative to the protection of the agricultural interests of Perquimans County, on its second reading.

The bill passed its second reading—ayes 30, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Hampton, Holton, King, Leeper, LeGrand, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Turner of Iredell, Twitty and Williams of Cumberland—30.

S. B. 295, bill for the relief of D. Congdon, on its second reading.

The substitute reported by the Committee on Insane Asylums was adopted.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 945, S. B. 919, bill to authorize the commissioners of Burke County to issue bonds, on its second reading.

The bill passed its second reading—ayes 31, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Robinson, Smith, Turner of Iredell, Twitty and Williams of Cumberland—31.

H. B. 858, S. B. 947, bill to amend the charter of the city of Raleigh, on its second reading.

The bill passed its second reading.

H. B. 989, S. B. 838, bill to correct a grant to certain land in Burke County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 653, bill to authorize the Board of Directors of the North Carolina State Penitentiary to hire convicts to the East Carolina Land and Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives, without engrossment.

H. B. 1213, S. B. 1061, bill to incorporate Dobson Lodge, 402, of Free and Accepted Masons, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1062, S. B. 1064, bill to correct State grant in Swain County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1021, S. B. 957, bill to incorporate the town of Argo, in the county of Nash, on its second reading.

The bill passed its second reading—ayes 31, noes—, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Farthing, Hampton, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Pou, Rice, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—31.

H. B. 1141, S. B. 1094, bill to amend chapter 31, section 2, Laws of 1887, authorizing sheriffs to collect township railroad taxes, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 565, S. B. 515, bill to protect fish in the waters of Tranter's Creek, in the county of Martin, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 491, S. B. 517, bill to prevent the killing of squirrels in the counties of Martin and Bertie, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 668, S. B. 605, bill to incorporate the Farmers' Alliance Tobacco Manufacturing Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1182, bill to sell the Leaksville Male Academy, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1135, S. B. 1143, bill to repeal chapter 394, Laws of 1887, and to provide for an additional special tax for building bridges in Haywood County, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lusk, Means, Moore, Pou, Rice, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Waters, and Williams of Cumberland—34.

H. B. 1249, S. B. 1060, bill to authorize the payment of school orders out of the school funds of Surry County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 615, S. B. 781, bill to change the dividing line between the counties of Forsyth and Davidson, on its third reading.

On motion of Mr. Leinbach, the bill was postponed until to-morrow, 7th inst., and made the special order for 12 o'clock noon of that day.

H. B. 1114, S. B. 1024, bill to amend chapter 134, Laws of 1885, relating to public roads, on its second reading.

The bill passed its second reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Rice, Robinson, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—34.

H. B. 635, S. B. 889, bill explanatory of the recent acts for the relief of sheriffs, tax-collectors, and their sureties, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1278, S. B. 1130, bill to incorporate the town of Rowland, in the county of Robeson, on its second reading.

The bill passed its second reading—ayes 32, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Copeland, Crawford, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—32.

H. B. 1061, S. B. 959, bill to amend section 2832 of *The Code*, relative to hunting deer in Brunswick and Columbus counties, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1183, bill to amend the charter of the city of Newbern, on its second reading.

The bill passed its second and third readings, and was

ordered sent to the House of Representatives without engrossment.

H. B. 954, S. B. 920, bill to better regulate the working of the public roads in Cleveland County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B.  $1126\frac{1}{2}$ , S. B. 1145, bill to incorporate the town of Cherryville, in Gaston County, on its second reading.

The bill passed its second reading—ayes 32, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Long, Lucas, Lusk, Means, Moore, Payne, Rice, Robinson, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—32.

H. B. 904, S. B. 1013, bill to incorporate the Henderson Electric Light, Water Works and Power Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 685, S. B. 967, bill to amend an act to incorporate the town of Sanford, in Moore County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1321, S. B. 1113, bill to increase school facilities in portions of Rowan and Iredell counties, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 906, S. B. 813, bill to amend section 709 of *The Code*, increasing the powers of the county commissioners of Iredell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1177, bill supplemental to an act passed at this session (1889), in relation to election of cotton-weighers in Mecklenburg County, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives, without engrossment.

S. B. 1176, bill to amend section 3, chapter 105, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives, without engrossment.

H. B. 935, S. B. 929, bill to authorize Macon and Swain counties to subscribe to the capital stock of railroad companies, on its third reading.

The bill passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Hampton, Holton, Hughes, Kerr, Leeper, Le-Grand, Leinbach, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—38.

The Senate amendment was ordered engrossed and sent to the House of Representatives.

H. B. 1142, S. B. 1140, bill to allow the township of Mount Airy, in Surry County, to fund its outstanding railroad bonds, on its second reading.

The bill passed its second reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green,

Hampton, Hughes, Kerr, Leeper, LeGrand, Long, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—32.

H. B. 1072, S. B. 956, bill for the relief of D. C. Mangum, Clerk of the Superior Court of Durham, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 569, S. B. 522, bill to abolish the office of Standard-Keeper in Cleveland County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 489, S. B. 465, bill to extend the time of working the public roads in New Lake neighborhood, in Tyrrell County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1020, S. B. 961, bill to compel citizens in certain sections along Buffalo Creek, in Cleveland County, to clean out the same, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 948, S. B. 912, bill to incorporate the National Christian Congress, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1067, S. B. 1108, bill to incorporate Sulphur Springs Baptist Church, in Alexander County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 928, S. B. 952, bill in relation to certain school claims in Jackson County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1174, S. B. 1085, bill to authorize the Commissioners of Forsyth County to issue bonds to build a court-house, on its second reading.

The bill passed its second reading—ayes 33, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Falkener, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Long, Lucas, Means, Moore, Pou, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—33.

H. B. 726, S. B. 817, bill to incorporate the Southport Land and Lumber Company, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. B. 1092, bill to incorporate the town of Four Oaks, in the county of Johnston, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Smith, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—35.

H. B. 747, S. B. 1125, bill to incorporate the town of Buford, in Haywood County, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Barber, Blair, Briggs, Brock,

Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—35.

H. B. 921, S. B. 812, bill to punish the making of false returns by school committeemen, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 690, S. B. 1004, bill to protect fish in the waters of Roanoke River, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1248, S. B. 1142, bill to repeal chapter 80, Laws of 1876-'77, in regard to local option in Waynesville, Haywood County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 882, S. B. 810, bill to amend chapter 315, Laws of 1887, relative to the protection of fish, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. R. 711, S. R. 825, resolution in favor of Fred. Keuster, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 312, S. B. 1160, bill to incorporate the town of De-Fork, in Granville county, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

Mr. Pou moved to reconsider the vote by which

H. R. -, S. R. -, resolution on adjournment, wa

adopted on yesterday, and moved to postpone the consideration of the motion.

The latter motion prevailed.

The President announced as additional members of the Committee on Enrolled Bills,

Messrs. Turner of Iredell, Aycock and Twitty.

On motion of Mr. Pou, the Senate adjourned until tomorrow morning at 10 o'clock.

# FORTY-NINTH DAY.

SENATE CHAMBER, March 7, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of yesterday was approved.

## PETITIONS.

Petitions were presented, and disposed of as follows:

By Mr. Thomas, petition of citizens of Davidson County, protesting against changing the line between Forsyth and Davidson. Placed on the Calendar.

Petition of the County Commissioners of Davidson County, protesting against changing the line between Davidson and Forsyth counties. Placed on the Calendar.

By Mr. Barber, petition of C. J. Cowles, relative to compromising certain State bonds. Referred to the Committee on Finance.

SENATE BRANCH OF THE JOINT COMMITTEE TO NOMINATE MEMBERS OF THE BOARD OF AGRICULTURE.

The President announced as Senate branch of the Joint Committee to nominate members of the Board of Agriculture,

Messrs. Reid, Lucas and Smith.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Judiciary:

By Mr. Kerr, H. B. —, S. B. —, bill to allow the sale of land subject to homestead, recommending it do not pass;

H. B. 1089, S. B. 949, bill for the benefit of Thomas B.

Bridgers, recommending it do pass;

H. B. 659, S. B. 1141, bill to incorporate the Eastern Band of Cherokee Indians, and for other purposes, recommending it do pass.

From the Committee on Finance:

By Mr. Thomas, H. B. 1182, S. B. 1015, bill for the relief S. W. Brewer, Sheriff and *ex-officio* Treasurer of Chatham County, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Banks and Currency:

By Mr. Briggs, S. B. 1136, bill to require banks incorporated within the State of North Carolina to make stated reports to the State Treasurer, recommending it do pass.

From the Committee on Education:

By Mr. Campbell, H. B. 834, S. B. 1098, bill for the relief of D. G. McLellan, of School District No. 3, Cumberland County, recommending it do pass."

From the Committee on Internal Improvements:

By Mr. Kerr, H. B. 1283, S. B. 1159, bill to incorporate the Randolph Southern Railway Company, recommending it do pass.

By Mr. Long, S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, reporting an amendment, and, as amended, recommending it do pass;

S. B. 650, bill to incorporate the Murphy Iron Company,

recommending it do pass.

From the Committee on Corporations:

By Mr. Barber, H. B. 1274, S. B. 1127, bill to incorporate the town of Bakersville, in the county of Mitchell, reporting an amendment, and, as amended, recommending it do pass;

H. B. 1167, S. B. 1166, bill to re-enact, consolidate and amend an act to incorporate the town of Dunn, in Harnett County, recommending it do pass;

H. B. 1124, S. B. 1247, bill to incorporate the town of Macon, in Warren County, recommending it do pass;

H. B. 1181, S. B. 1086, bill to amend the charter of Marion, McDowell County, recommending it do pass.

By Mr. Thomas, H. B. 1272, S. B. 1126, bill to incorporate the town of Osgood, Chatham County, recommending it do pass;

H. B. 1398, S. B. 1161, bill to incorporate Steele's Business College, of Raleigh, N. C., recommending it do pass.

By Mr. Bailey, H. B. 1221, S. B. 1151, bill to incorporate Kernersville, in Forsyth County, recommending it do pass;

S. B. 1174, bill to incorporate the Grand United Order of the People's Improvement Association, recommending it do pass.

By Mr. Brown, H. B. 1140, S. B. 1016, bill to amend the charter of the town of Taylorsville, Alexander County, recommending it do pass.

By Mr. Barber, H. B. 1241, S. B. 1171, bill to incorporate the Danville, Mebane, Pittsboro and Southern Railroad Company, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining:

By Mr. Reid, H. B. 1143, S. B. 985, bill to submit the question of the repeal of the stock law in certain sections in Franklin County, recommending it do not pass;

H. B. 910, S. B. 890, bill to amend section 2831 of *The Code*, in regard to hunting, recommending it do pass.

By Mr. White, H. B. 1284, bill for the better protection of sheep husbandry in Clay County, recommending it do not pass.

By Mr. Williams of Pitt, H. B. 1105, S. B. 1154, bill to relieve certain farmers of Richmond County from stock law, reporting an amendment, and, as amended, recommending it do pass.

From the Committee on Fish and Fisheries:

By Mr. Abbott, S. B. 991, bill to prevent fishing in Godwin's mill-pond and the head of Perquimans River, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed—

Senate amendments to

H. B. 957, S. B. 1040, bill to be entitled an act to aid the Penitentiary in becoming self-sustaining;

Senate amendment to

H. B. 318, S. B. 506, bill to be entitled an act to amend the public school law;

Senate amendment to

H. B. 936, S. B. 888, bill to be entitled an act for the better drainage of swamp lands in Wayne County;

Senate substitute for

H. B. 518, S. B. 647, bill to be entitled an act to abolish the white normal schools of the State and to provide for holding county institutes throughout the State;

Senate amendment to

H. B. 929, S. B. 926, bill to be entitled an act to incorporate the town of Dillsboro, Jackson County;

Senate amendment to

H. B. 935, S. B. 929, bill to be entitled an act to authorize

the counties of Macon and Swain to subscribe capital stock to railroad companies.

Senate amendment to

H. B. 312, S. B. 1160, an act to change the name of and incorporate the town of DeFork, formerly known as Sassafras Fork, in Granville County;

Senate amendment to

H. B. 726, S. B. 817, bill to be entitled an act to incorporate the Southport Land and Improvement Company.

S. B. 417, bill to be entitled an act to amend sections 2912, 2915, 2916, and section 2921 of *The Code*, to carry into effect the provisions of section 2915, and for maintaining an efficient quarantine at the mouth of the Cape Fear river;

S. B. 1045, bill to be entitled an act to authorize the Secretary of State to furnish copies of the Colonial Records;

S. B. 244, bill to be entitled an act to incorporate the Alleghany Construction Company.

### INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Lusk, S. B. 1184, bill to incorporate the town of West Durham, in the County of Durham. Referred to the Committee on Corporations.

By Mr. Smith, S. B. 1185, bill to compel the survey of certain speculation lands in the counties of Haywood, Jackson and Swain. Placed on the Calendar.

By Mr. Reid, S. B. 1186, bill concerning cities and towns. Referred to the Committee on Finance.

By Mr. Means, S. B. 1187, bill for the relief of North Carolina College. Placed on the Calendar.

By Mr. Pou, S. B. 1188, bill for the relief of sheriffs and tax-collectors. Placed on the Calendar.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting, without engrossment, House bills and resolutions, which were read the first time and placed on the Calendar:

H. B. 1464, S. B. 1189, bill to prohibit sale of liquor in certain localities;

H. B. 1360, S. B. 1190, bill to amend the charter of the city of Greensboro;

H. B. 1433, S. B. 1191, bill for the relief of W. P. Whittington and T. B. Bailey;

H. B. 1403, S. B. 1192, bill to incorporate the town of Wade, Cumberland County;

H. B. 1461, S. B. 1193, bill to repeal chapter 168, laws of 1876-'77, relative to entries of land in Bladen County;

H. B. 1386, S. B. 1194, bill to establish a public ferry across the Yadkin river, in Yadkin and Forsyth counties;

H. B. 323, S. B. 1195, bill to incorporate the town of Earl, Cleveland County;

H. B. 482, S. B. 1196, bill to incorporate the town of China Grove;

H. B. 1245, S. B. 1197, bill to protect the public roads of Bertie and Gates counties;

H. B. 1436, S. B. 1198, bill to prevent the felling of timber in North Fork creek, McDowell County;

H. B. 1440, S. B. 1199, bill to amend the stock law of Wayne County;

H. B. 1442, S. B. 1200, bill in relation to drawing jurors in Rowan County;

H. B. 1460, S. B. 1201, bill to incorporate the Eastern Carolina Land, Improvement and Banking Company;

H. B. 1443, S. B. 1202, bill to repeal the law prohibitory to sale of liquor in Point Caswell, Pender County;

H. B. 1357, S. B. 1203, bill to authorize the county commissioners of Haywood County to reimburse certain townships for money collected for school purposes;

H. B. 1108, S. B. 1204, bill to abolish the February and July terms of Wake Superior Court;

H. B. 1110, S. B. 1205, bill to grant certain powers to Board of County Commissioners of Wake County;

H. B. 1390, S. B. 1206, bill to amend chapter 172, Laws of 1860-'61, extending the corporate limits of Morehead City;

H. B. 1435, S. B. 1209, bill for the relief of Frances Shearin, widow of Thomas Shearin;

H. B. 1425, S. B. 1208, bill concerning the boundary line between the county of Buncombe and the county of Haywood;

H. R. 1434, S. R. 1209, resolution of thanks to Lieutenant Francis Winslow, of the United States Navy;

H. B. 1459, S. B. 1210, bill to amend the charter of the city of Newbern;

H. B. 1438, S. B. 1211, bill to incorporate Goldsboro Lumber Company.

Also, engrossed:

H. B. 1282, S. B. 1212, bill amending certain acts of the Laws of 1883 and 1885, pertaining to the alternative system of making roads in Forsyth County;

H. B. 1364, S. B. 1213, bill to incorporate the Franklinton Military and Classical Institute;

H. B. 561, S. B. 1214, bill to incorporate the North Carolina Land, Lumber and Railroad Company;

H. B. 1121, S. B. 1215, bill to authorize the working of convicts by Commissioners of Robeson County, and for other purposes;

H. B. 1215, S. B. 1216, bill to incorporate the Asheville Loan, Construction and Improvement Company;

H. B. 1393, S. B. 1217, bill to protect the water supply of Greensboro;

H. B. 1256, S. B. 1218, bill to incorporate the Northeastern Railway Company;

H. B. 1356, S. B. 1219, bill to drain Cypress Creek, in Bladen County;

H. B. 1106, S. B. 1220, bill to add another cause for divorce a vinculo matrimonii;

H. B. 250, S. B. 1221, bill to protect a certain class of creditors and debtors;

H. B. 1327, S. B. 1222, bill to protect fish in Pamlico County;

H. B. 1273, S. B. 1223, bill to amend section 3409 of *The Code* relative to fishing in Black and South rivers and their tributaries, in Sampson County;

H. B. 1346, S. B. 1224, bill to provide for the assessment of property and the collection of taxes;

House amendments to

S. B. 267, H. B. 732, bill to regulate and limit the levy of taxes for special purposes.

The amendment was concurred in and the bill ordered enrolled.

House amendments to

S. B. 861, H. B. 1296, bill to appoint a cotton-weigher for the town of Matthews, Mecklenburg County.

The amendments were concurred in and the bill ordered enrolled.

House amendments to

S. B. 726, H. B. 1225, bill to amend chapter 16 of *The Code*, relating to elections.

Placed on the Calendar.

House amendments to

S. B. 724, H. B. 1269, bill for the relief of Dempsey Spruill, late Sheriff of Washington County.

On motion of Mr. Lucas, the Senate concurred in the first House amendment and refused to concur in the second House amendment, and moved that the Senate ask for a conference thereon. The motion was adopted, and the President appointed as conferees on the part of the Senate,

Messrs. Lucas, Abbott and Green.

A message was received from the House of Representatives proposing to go into an election of Justices of the Peace for the several counties on Thursday evening, March 7, 1889, at 8:30 o'clock, and that the House had appointed as tellers on the part of the House, Messrs. Doughton and Crisp.

Mr. Kerr moved to reconsider the vote by which

H. B. 352, S. B. 471, bill to give Vance County the right to elect its Representative, passed its third reading on yesterday. The motion prevailed.

The bill was passed over informally.

#### THE CALENDAR.

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

H. B. 657, S. B. 1141, bill to incorporate the Eastern Band of Cherokee Indians, and for other purposes, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 686, S. B. 844, bill in relation to obtaining advances in provisions, etc., by false pretence, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 531, bill to regulate municipal elections, and for other purposes, on its second reading.

Mr. Lusk moved to amend:

"This act shall not apply to the county of Buncombe."

Adopted.

The bill failed to pass its second reading.

S. B. 340, bill to enable county officers to bond in surety companies, on its second reading.

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

H. B. 1105, S. B. 1154, bill to relieve certain farmers in Richmond County from the stock law, on its second reading. Mr. Payne moved to amend:

"Add, 'That nothing in this act contained shall interfere with the stock-law fence and regulations now established between Richmond and Robeson counties.'"

Adopted.

The bill passed its second and third readings, and the Senate amendment was ordered sent to the House of Representatives without engrossment.

S. B. 1173, bill to amend section 2197 of *The Code*, and chapters 355, Laws of 1885, and 269, Laws of 1887, on its second reading.

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

On the passage of the bill its third reading,

Mr. LeGrand asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 22, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Brock, Brown, Campbell, Farthing, Green, Kerr, LeGrand, Long, Lucas, Means, Moore, Payne, Reid, Robinson, Smith, Thomas, White, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Barber, Blair, Emry, Falkener, Hampton, Hughes, King, Leeper, Leinbach, Little, Lusk, Pou, Sills, Turner of Catawba, Turner of Iredell, Waters and Wimberly—17.

Mr. Aycock moved to reconsider the vote by which the bill passed its third reading. The motion prevailed.

The question recurred upon the passage of the bill its third reading.

Mr. Blair moved to amend:

"Add as a new section: 'Section —. That the salary of the Chemist be two thousand dollars, and all laws in conflict with this act are hereby repealed."

On which he asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 19, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Barber, Blair, Briggs, Copeland, Emry, Falkener, Green, Hughes, Leeper, Leinbach, Little, Lusk, Pou, Robinson, Turner of Iredell, Warters and Wimberly—19.

Those voting in the negative were:

Messrs. Abbott, Bailey, Brock, Campbell, Crawford, Farthing, Kerr, King, LeGrand, Long, Lucas, Means, Moore, Payne, Reid, Smith, Thomas, Turner of Catawba, White and Williams of Pitt—20.

Mr. Reid demanded the previous question, and was sustained.

On the passage of the bill its third reading, the ayes and noes were ordered, and the bill passed its third reading—ayes 22, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Brock, Campbell, Copeland, Crawford, Farthing, Green, Kerr, LeGrand, Long, Lucas, Means, Moore, Payne, Reid, Smith, Thomas, White, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Aycock, Banks, Blair, Briggs, Emry, Hampton, Holton, Hughes, King, Leeper, Leinbach, Little, Lusk, Robinson, Sills, Turner of Catawba, Turner of Iredell, Warters and Wimberly—19.

The bill was ordered sent to the House of Representatives without engrossment. H. B. 760, S. B. 808, bill to provide an alternative method of working the public roads, on its third reading.

Mr. Lusk moved to amend:

"SECTION -. That before any tax can be levied and collected under the provisions of this act it shall be the duty of the County Commissioners of the several counties, before making the levy herein provided for, to order an election to be held in the several voting precincts in the county on the second Tuesday in May, and not at any other time during any one year, in order to ascertain the will of the people of such county as to the propriety and advisability of levying such tax, at which election shall be submitted the question, and shall be voted upon, 'For Tax,' and 'No Tax;' those favoring the levy, as hereinbefore provided for, shall vote 'For Tax,' those opposed to the levy shall vote 'No Tax.' If a majority of the qualified voters of any county shall vote 'For Tax,' then, and not otherwise, shall the County Commissioners of the county so voting levy the tax hereinbefore provided for: Provided, that said election shall be held under the same rules and regulations as to rights of voters and declaring the result of said election as is now prescribed for holding elections for members of the General Assembly."

On which the ayes and noes were ordered, and the amendment was lost—ayes 14, noes 28, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Copeland, Crawford, Falkener, Farthing, Hampton, Holton, Hughes, Leinbach, Lusk, Robinson, Warters and Wimberly—14.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Blair, Briggs, Brock, Campbell, Crawford, Emry, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid,

Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—28.

Mr. Robinson moved to amend:

"This act shall not apply to Duplin County."

Adopted.

The bill passed its third reading—ayes 26, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Blair, Briggs, Emry, Green, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Iredell, White, and Williams of Cumberland—26.

Those voting in the negative were:

Messrs. Abbott, Banks, Barber, Brock, Copeland, Falkener, Farthing, Hampton, Holton, Leinbach, Lusk, Warters and Wimberly—13.

The Senate amendments were ordered sent to the House of Representatives without engrossment.

H. B. 76, S. B. 895, bill to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected with them, on its second reading.

The amendment reported by the Committee on Judiciary was lost.

Mr. Aycock demanded the previous question, and was sustained.

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

On motion, the bill was postponed until 8 o'clock p. m., and made the special order for that hour.

### SPECIAL ORDER.

The hour for the special order having arrived-

H. B. 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth, was taken up on its third reading, it being the first special order for to-day.

The bill passed its third reading, and was ordered enrolled.

### THE CALENDAR

was resumed.

H. B. 1178, S. B. 1130, bill to incorporate the town of Rowland, in the county of Robeson, on its third reading.

The bill passed its third reading—ayes 33, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Kerr, King, Leeper, LeGrand, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Smith, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—33.

The bill was ordered enrolled.

Mr. Turner of Iredell moved to reconsider the vote by which

H. B. 615, S. B. 781, bill to change the line between the counties of Davidson and Forsyth, passed its third reading. The motion prevailed.

Question recurred upon the passage of the bill its third reading.

Mr. Aycock asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 19, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Blair, Briggs, Campbell, Hughes, King, Leeper, LeGrand, Leinbach, Little, Means,

Moore, Payne, Pou, Robinson, Turner of Catawba and Williams of Cumberland—19.

Those voting in the negative were:

Messrs. Banks, Brock, Copeland, Falkener, Farthing, Green, Holton, Lusk, Reid, Thomas, Turner of Iredell, White, Williams of Pitt, and Wimberly—15.

The bill was ordered enrolled.

S. B. 666, bill concerning assignments, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. R. 1178, resolution in favor of R. L. Cooper, Assistant Engrossing Clerk, on its second reading.

Mr. Turner of Iredell moved to amend:

"Add, 'To include the Assistant Engrossing Clerk of the House of Representatives.'"

Adopted.

The resolution passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. B. 1001, bill to admit attorneys at law holding certificates from other States to practice law in the courts of this State, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

S. B. 1132, bill to prevent Clerks of the Superior Court from appointing themselves commissioners in certain cases, on its second reading.

Mr. Turner of Iredell moved to amend:

"Add, 'Deputy Clerks.'"

Adopted.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1196, S. B. 1168, bill to enable the Commissioners of the town of Louisburg to purchase or erect a building for public purposes, on its third reading.

The bill passed its third reading—ayes 32, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Banks, Barber, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Thomas, Toms, Turner of Catawba, Twitty, Warters and White—32.

The bill was ordered enrolled.

H. B. 1143, S. B. 985, bill to submit the question of a repeal of the stock law in certain sections of Franklin county to the qualified voters residing in said sections, on its second reading.

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

H. B. 279, S. B. 1006, bill to provide for criminal statistics, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1289, S. B. 1147, bill to allow the sale of land subject to the homestead estate, on its second reading.

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

H. B. 1001, S. B. 853, bill to amend section 3665 of *The Code*, relating to church property, on its second reading.

On motion of Mr. Kerr, the bill was referred to the Committee on Judiciary.

H. B. 450, S. B. 528, bill to amend section 565 of *The Code*, relating to appeals from Justices of the Peace, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 555, S. B. 458, bill allowing judgments and decrees of the Circuit and District Courts of the United States

within this State to be docketed on the judgment dockets of the Superior Courts of this State, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1055, S. B. 950, bill to regulate deposits of trust funds, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1201, S. B. 1011, bill to amend section 2120 of *The Code*, in relation to the better care and protection of orphan children, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1161, S. B. 1083, bill to amend section 1799 of *The Code*, in regard to advancement of money, supplies, etc., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 986, S. B. 1039, bill to provide for condemning land for ferry-houses, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1091, bill to incorporate the town of Hallsboro, in Columbus County, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—37.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 1021, S. B. 957, bill to incorporate the town of Argo, in the county of Nash, on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Farthing, Green, Hampton, Holton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—36.

The bill was ordered enrolled.

S. B. 903, bill to incorporate the Charlotte and Goldsboro Air-Line Railway Company, on its third reading.

The bill passed its third reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hughes, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Reid, Robinson, Sills, Smith, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—36.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 858, S. B. 947, bill to amend the charter of the city of Raleigh, on its third reading.

On motion, the bill was referred to the Committee on Judiciary.

Mr. Pou moved to take up the pending motion to reconsider the vote by which

H. R. —, S. R. —, resolution on adjournment, passed its third reading.

The motion prevailed.

Mr. Pou moved to lay the motion to reconsider on the table.

The motion prevailed.

## THE CALENDAR

was resumed.

H. B. 825, S. B. 982, bill to incorporate the town of Lucama, in the county of Wilson, on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—39.

The bill was ordered enrolled.

H. B. 945, S. B. 919, bill to authorize the Commissioners of Burke County to issue bonds, on its third reading.

The bill passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Holton, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—37.

The bill was ordered enrolled.

H. B. 1158, S. B. 1088, bill to allow the Commissioners of Wake County to issue bonds, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Farthing, Green, Hampton, Kerr, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—35.

H. B. 559, S. B. 560, bill to amend chapter 266, Laws of 1881, relative to the protection of the agricultural interests in Perquimans county, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Briggs, Brock, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty and White—34.

The bill was ordered enrolled.

H. B. 805, S. B. 859, bill to authorize the city of Raleigh to issue bonds and pay and fund its present bonded indebtedness at a lower rate of interest, on its third reading.

The bill passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, and Williams of Cumberland—37.

The bill was ordered enrolled.

H. B. 1135, S. B. 1143, bill to repeal chapter 394, Laws of

1887, and to provide for an additional tax for building bridges in Haywood County, on its third reading.

The bill passed its third reading—ayes 34, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Farthing, Green, Hampton, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Twitty, White and Williams of Cumberland—34.

The bill was ordered enrolled.

H. B. 1114, S. B. 1024, bill to amend chapter 134, Laws of 1885, relating to public roads, on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—39.

The bill was ordered enrolled.

H. B. 1126½, S. B. 1145, bill to incorporate the town of Cherryville, Gaston County, on its third reading.

The bill passed its third reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, Kerr, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of

Iredell, Twitty, Warters, White and Williams of Cumberland—38.

The bill was ordered enrolled.

H. B. 1142, S. B. 1140, bill to allow the township of Mount Airy, in Surry County, to fund its outstanding railroad bonds, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—41.

The bill was ordered enrolled.

H. B. 1174, S. B. 1085, bill to authorize the commissioners of Forsyth County to issue bonds to build a court-house, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—41.

The bill was ordered enrolled.

H. B. 1102, S. B. 1058, bill to authorize the town of Newton to issue new bonds on its indebtedness, on its second reading.

The bill passed its second reading—ayes 36, noes —, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, King, Leeper, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—36.

S. B. 901, bill to amend chapter 215, Laws of 1887, and sections 3113 and 3114 of *The Code*, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

S. B. 1092, bill to incorporate the town of Four Oaks, in the county of Johnston, on its third reading.

The bill passed its third reading—ayes 34, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hughes, Kerr, King, Leinbach, Little, Long, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, and Williams of Cumberland—34.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 747, S. B. 1125, bill to incorporate the town of Buford, in Haywood County, on its third reading.

The bill passed its third reading—ayes 32, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, King, Little, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Smith,

Thomas, Toms, Twitty, White and Williams of Cumberland—32.

The bill was ordered enrolled.

H. B. 987, S. B. 814, bill to extend the corporate limits of the town of Windsor, in Bertie County, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—37.

H. B. 829, S. B. 807, bill providing an alternative method of constructing and keeping in repair the public roads of Raleigh Township, in Wake County, on its second reading.

The bill passed its second reading—ayes 15, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Blair, Campbell, Copeland, Falkener, Farthing, Kerr, King, Leeper, LeGrand, Long, Lucas, Payne, Reid, Sills, and Williams of Cumberland—15.

Those voting in the negative were:

Messrs. Banks, Barber, Brock, Brown, Hampton, Holton, Little, Lusk, Moore, Smith, Thomas, Toms and White—13.

H. B. 1182, S. B. 1015, bill for the relief of S. W. Brewer, Sheriff and ex-officio Treasurer of Chatham County, on its second reading.

On motion, the bill was referred to the Committee on Finance.

H. B. 1001, S. B. 853, bill to amend section 3665 of *The Code*, relating to church property, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 590, S. B. 706, bill to work the public roads in Mitchell County by taxation, on its second reading.

Mr. Briggs moved to amend:

"This act shall not prohibit the Commissioners of Mitchell County from adopting the provisions of the general road law of the State."

Adopted.

The bill passed its second reading—ayes 27, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Blair, Briggs, Brock, Campbell, Crawford, Emry, Falkener, Farthing, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Sills, Smith, Toms, Warters, White, Williams of Cumberland and Wimberly—27.

Voting in the negative:

Mr. Barber-1.

H. B. 1106, S. B. 1220, bill to add another cause for divorce a vinculo matrimonii, on its second reading.

Mr. Little moved the bill be referred to the Committee on Judiciary. Lost.

The bill passed its second and third readings, and was ordered enrolled.

House amendments to

S. B. 726, H. B. 1225, bill to amend chapter 16 of *The Code*, in relation to elections, was taken up for concurrence.

On motion of Mr. Payne, the bill and amendments were postponed until 8:30 p. m. of to-day, and made the special order for that hour.

Mr. Lusk moved the bill and amendments be printed, on which

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion to print was lost—ayes 11, noes 27, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Kerr, Leinbach, Lusk, Thomas and Warters—11.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Brock, Campbell, Emry, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Sills, Smith, Toms, Turner of Iredell, Twitty, White and Williams of Cumberland—27.

On motion, the Senate adjourned until 8 o'clock p. m.

# EVENING SESSION.

March 7, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Mr. Thomas, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 625, H. B. 706, an act to incorporate the Farmers' State Alliance of North Carolina, and sub-Alliances;

S. B. 195, H. B. 1039, an act to incorporate the Milton and Yanceyville Railroad Company;

S. B. 803, H. B. 1230, an act to incorporate Rockville Lodge, No. 411, of Stanhope, in Nash County;

H. B. 663, S. B. 891, an act to incorporate the Charlotte Loan and Improvement Company;

S. B. 499, H. B. 1229, an act to amend sections 3728 and 3729 of *The Code*, in relation to the Attorney General's office;

S. B. 915, H. B. 914, an act to authorize the Commission-

ers of Rutherford County to order an election on the question of local option;

H. B. 881, S. B. 851, an act to protect fish in Chowan River and Wiccacon Creek;

S. B. 91, H. B. 967, an act to amend section 1, chapter 180, laws of 1885;

H. B. 499, S. B. 548, an act to repeal chapter 160, laws of 1887;

H. B. 475, S. B. 684, an act for the relief of the citizens of Head-of-Pungo District, in Beaufort County;

H. B. 895, S. B. 837, an act to incorporate the Neuse Club, at Goldsboro, N. C.;

H. B. 617, S. B. 963, an act to incorporate "The Pender and Onslow Land and Improvement Company";

H. B. 930, S. B. 935, an act to incorporate the town of Brevard, and for other purposes;

S. B. 958, H. B. 1063, an act to amend the charter of Bryson City, Swain County;

S. B. 566, H. B. 1073, an act to amend the charter of the Alleghany Mining and Improvement Company, limited;

H. B. 20, S. B. 346, an act to prevent manufacturers and others from issuing non-transferable tickets or other scrip in payment for labor done;

S. B. 497, H. B. 1186, an act to amend the charter of the town of Newton;

H. B. 890, S. B. 811, an act to incorporate the Highland Park Association;

H. B. 488, S. B. 526, an act to protect fish in Beach Swamp, in Halifax County;

S. B. 924, H. B. 943, an act to authorize the Commissioners of Swain County to refund to J. S. Elmore, tax-collector, a part of the interest collected by said county;

H. B. 578, S. B. 518, an act to prevent the taking of fish in the Swannanoa River, in the county of Buncombe, by traps, seines, drag-nets, and the like means;

H. B. 423, S. B 731, an act to validate certain State grants in the counties of Haywood, Jackson and Swain;

H. B. 815, S. B. 767, an act to amend chapter 3522, of *The Code*, in relation to pilots;

S. B. 693, H. B. 1226, an act to incorporate Our Home Manufacturing Company, in the county of Richmond;

H. B. 907, S. B. 927, an act to incorporate the Piedmont Wagon Company;

H. B. 887, S. B. 884, an act to amend section 3417 of The Code;

S. B. 596, H. B. 1237, an act to authorize the city of Raleigh to issue bonds for public improvements, and to levy a special tax;

S. B. 285, H. B. 703, an act for the relief of the sureties of A. J. McBride, late Sheriff of Watauga County;

H. B. 246, S. B. 365, an act to incorporate the Carolina Insurance Company, of Wilmington, N. C.;

H. B. 1019, S. B. 983, an act to incorporate the town of Waxhaw, in Union County;

H. B. 1305, S. B. 904, an act to establish the dividing line between the counties of Mitchell and Yancey;

S. B. 733, H. B. 1154, an act to amend the charter of the town of Rockingham, in Richmond County;

S. B. 965, H. B. 1037, an act to repeal chapter 321 of the Laws of 1885;

S. B. 512, H. B. 1188, an act to amend the charter of the Linville Land, Manufacturing and Mining Company;

S. B. 868, H. B. 1315, an act to incorporate the East Carolina Railroad Company;

S. B. 632, H. B. 1352, an act to incorporate the Wilson Banking and Trust Company;

S. B. 738, H. B. 1297, an act relative to the Clerks of the Superior Court of Beaufort and Martin counties;

S. B. 655, H. B. 1261, an act concerning the Clerk of the Superior Court of Edgecombe County;

H. B. 368, S. B. 685, an act to amend chapter 91, Laws of 1883, amending the charter of the town of Franklin, in Macon County;

S. B. 960, H. B. 1025, an act to amend chapter 106, Private Laws of North Carolina, session 1858-'59, to change the name and to increase the capital stock of the Salisbury Gas Light Company, and for other purposes;

H. B. 631, S. B. 697, an act in regard to the time of hold-

ing the Superior Court of Moore County;

H. B. 820, S. B. 772, an act to amend section 4, chapter 138, Laws of 1874-775;

S. R. 689, H. R. 1153, resolution in favor of F. Keuster.

### MESSAGE FROM THE HOUSE OF RERESENTATIVES.

A message was received from the House of Representatives, transmitting the following engrossed bills and resolutions, and House bills and resolutions without engrossment, which were read the first time and placed on the Calendar:

H. B. 1113, S. B. 1227, bill to amend chapter 130, Private Laws of 1885, to incorporate the town of Elk Park, in the county of Mitchell;

H. R. 1465, S. R. 1228, resolution in favor of M. U. Monroe, clerk to the Committee on Propositions and Grievances;

H. B. 1492, S. B. 1229, bill to amend the charter of Washington, Beaufort County;

House amendments to

S. B. 389, H. B. 877, bill to repeal chapter 73, Laws of 1887, and to amend section 2040 of *The Code*.

The amendments were concurred in, and the bill was ordered enrolled.

House amendment to

S. B. 417, H. B. 1485, bill to amend sections 2912, 2915, 2916 and 2921 of *The Code*, to carry into effect the provisions of section 2915, etc.

The amendment was concurred in and the bill ordered enrolled.

House amendments to

S. B. 797, H. B. 1301, bill to amend chapter 345, Laws of 1887.

The amendments were concurred in and the bill ordered enrolled.

A message was also received from the House of Representatives transmitting a communication and accompanying documents from His Excellency the Governor, which was placed on the Calendar.

The Committee on Engrossed Bills reported as properly engrossed—

Senate amendments to H. B. 1464, S. B. 1189, bill to be entitled an act to prohibit the sale of spirituous liquors in certain localities.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Emry, S. B. 1225, bill to amend chapter 100, Private Laws 1883. Placed on the Calendar.

By Mr. Williams of Pitt, S. R. 1226, resolution relative to *The Code* and Laws of 1885 and 1887. Placed on the Calendar.

By consent, Mr. Kerr, for the Committee on Judiciary, reported

H. B. 828, S. B. 1122, bill to abolish the inferior court and to establish a criminal court for Buncombe county, recommending that it do pass.

## ELECTION OF JUSTICES OF THE PEACE.

The hour having arrived for the two houses to vote for

Justices of the Peace for the various townships of the several counties of the State, the Senate proceeded to vote as follows:

For the persons nominated by the committee:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Brock, Campbell, Crawford, Emry, Farthing, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—34.

Mr. Lusk voted for the following for Justices of the Peace of the several townships in the county of Buncombe, to wit:

Asheville township-Charles W. Malone, W. R. West.

Avery's Creek township-J. R. Lance, Z. T. Ledbetter.

Limestone township—J. B. Sumner.

Fair View township-Johnson Ashworth.

Swannanoa township-George W. Young.

Black Mountain township-J. M. Watkins, W. A. Gregg.

Reems Creek township—J. E. Penlour, R. P. Brittain.

Flat Creek township—W. S. Roberts, FaFayette Logan.

Big Ivy township—James M. Whittemore, Geo. W. Cole.

French Broad township—J. W. Barrett, Shipley Parker. Leicester township—Robert Hawkins, J. R. Treadaway.

Sandy Mush township—T. J. Ferguson, H. C. Randall.

Lower Hominy township—Joshua R. Jones, Simpson Norman.

Upper Hominy township-James A. Keith, W. T. Justice.

Messrs. Brown, Holton, Thomas, Warters and Wimberly voted against the persons nominated by the committee.

# THE CALENDAR.

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

H. B. 1241, S. B. 1171, bill to incorporate the Danville, Mebane, Pittsboro and Southern Railroad Company, on its second reading.

Mr. Crawford moved to amend:

"Add at end of section 23 the following: 'And said bonds shall not be sold for less than par by said railroad company.'"

Adopted.

The bill passed its second reading—ayes 31, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Copeland, Crawford, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Waters and White—31.

H. B. 1460, S. B. 1201, bill to incorporate the Eastern Carolina Land, Improvement and Banking Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1442, S. B. 1200, bill in relation to drawing jurors in Rowan County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 661, S. B. 552, bill to amend chapter 313, Laws of 1879, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 400, bill to incorporate the Hiawassee Land and Improvement Company, on its second reading.

The amendment reported by the Committee on Internal Improvements was adopted.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 650, bill to incorporate the Murphy Iron Company, on its second reading.

The bill passed its second and third readings, was ordered engrossed and sent to the House of Representatives.

S. B. 1185, bill to compel the survey of certain speculation lands in the counties of Haywood, Jackson and Swain, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1184, S. B. 1015, bill for the relief of S. W. Brewer, Sheriff and ex-officio Treasurer of Chatham County, on its second reading.

The amendment reported by the Committee on Finance was adopted.

The bill passed its second and third readings, the Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 1461, S. B. 1193, bill to repeal chapter 168, Laws of 1876-'77, relative to entries of land in Bladen County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1143, S. E. 1202, bill to repeal the law prohibiting the sale of liquor in Point Caswell, Pender County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1356, S. B. 1219, bill to drain Cypress Creek, in Bladen County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1273, S. B. 1223, bill to amend section 3409 of *The Code*, relative to fishing in Black and South rivers, in Sampson counties, on its third reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 76, S. B. 895, bill to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected therewith, on its third reading.

On motion, the bill was postponed until to-morrow morning, and made the special order for 10:30 o'clock.

House amendments to

S. B. 726, H. B. 1225, bill to amend chapter 16 of *The Code*, in relation to elections, was taken up.

Mr. Kerr moved the consideration of the amendments be postponed until to-morrow at 8 o'clock p. m.; on which the ayes and noes were ordered, and the motion to postpone was adopted—ayes 23, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Brown, Copeland, Crawford, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leinbach, Lusk, Means, Moore, Rice, Thomas, Turner of Iredell, Warters, White and Wimberly—23.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Bennett, Brock, Campbell, Leeper, LeGrand, Little, Lucas, Payne, Pou, Reid, Robinson, Sills, Stubbs, Toms, Turner of Catawba, Twitty, Williams of Cumberland and Williams of Pitt—21.

H. B. 1132, S. B. 1079, bill to protect the private oyster beds or grounds of the State, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 564, S. B. 615, bill to regulate the service of criminal process in the Roanoke swamps of Martin and Bertie, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 998, bill to amend the charter of the Wilkesboro Bridge Company, on its second reading.

The bill passed its second and third readings, and was ordered engrossed and sent to the House of Representatives.

H. B. 1464, S. B. 1189, bill to prohibit sale of liquor in certain localities, on its second reading.

Mr. Barber moved to amend:

"In section 5, subdivision 'Wilkes,' strike out 'Walnut Grove Baptist Church' and 'Little River Baptist Church."

Adopted.

Mr. White moved to-amend:

"Add, in 'two-mile' section: 'Sanford M. E. Church, Moore County.'"

Adopted.

Mr. Lusk moved the bill be referred to the Committee on Propositions and Grievances. Lost.

Mr. Falkener moved to amend:

"Strike out New Hope Church, in Warren County."

Adopted.

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

Mr. Moore moved to amend:

"Add, 'Provided, that the incorporation of Troy M. E. Church, in Rockingham County, shall not interfere with the corporation of the town of Grogansville, in said county."

Adopted.

Mr. Brown moved to amend:

"Strike out 'two' and insert 'one,' for the Fouting Nane

Church, Bullock's M. E. Church, and Corinth Baptist Church, in Granville County."

Adopted.

Mr. Falkener moved to amend:

"This act shall not extend to any incorporated town."

Lost.

Mr. Emry moved to amend:

"Add, 'This act shall not apply to the town of Sanford."

Lost.

Mr. Little moved to amend:

"Add to the one-mile clause the village church at Haw River, Alamance County."

Adopted.

On the passage of the bill its third reading,

Mr. Holton asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 30, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Bennett, Blair, Brock, Campbell, Crawford, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Reid, Robinson, Sills, Smith, Toms, Turner of Iredell, Twitty, White and Williams of Cumberland—30.

Those voting in the negative were:

Messrs. Barber, Brown, Emry, Green, Hampton, Holton, Rice, Thomas, Turner of Catawba, Warters and Wimberly—11.

The Senate amendments were ordered engrossed and sent to the House of Representatives.

S. B. 1225, bill to amend chapter 100, Private Laws of 1883, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives, without engrossment.

H. B. 862, S. B. 836, bill to amend chapter 47, Laws of 1887, relative to the French Broad River, on its second reading.

Mr. Toms moved to amend:

"Add, 'Provided, that sufficient space is left open in said river for the free passage of all kinds of fish.'"

Adopted.

The bill passed its second and third readings, the Senate amendment was ordered engrossed and sent to the House of Representatives.

S. R. 1131, resolution in favor of A. M. Long, contestant from the 26th Senatorial district, on its second reading.

On motion of Mr. Rice, it was postponed and made the special order for 12 o'clock noon, March 8th.

H. B. 1121, S. B. 1215, bill to authorize the working of convicts by the Commissioners of Robeson County, and for other purposes, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1288, S. B. 1128, bill to authorize the Commissioners of Mount Airy, in Surry County, to issue bonds, on its second reading.

The bill passed its second reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne,

Pou, Rice, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—39.

H. R. 1433, S. R. 1191, resolution for the relief of W. P. Whittington and T. B. Bailey, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 388, S. B. 396, bill to amend section 2184 of *The Code*, so as to relieve the Governor from acting as Chairman of the Board of Agriculture, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 893, S. B. 842, bill to authorize Junaluskee Lodge, No. 145, A. F. and A. M., to sell the Female Academy in Franklin, N. C., on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1280, S. B. 1111, bill to repeal section 4 of the charter of Highlands, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1206, S. B. 1059, bill for the relief of Milton Mc-Neill, Clerk of the Superior Court of Wilkes County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1240, S. B. 1118, bill to appoint a cotton-weigher for the town of LaGrange, Lenoir county, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

House amendment to

S. B. 797, H. B. 1301, bill to amend chapter 345, Laws 1887, was taken up.

On motion of Mr. Long, the House amendment was concurred in, and the bill was ordered enrolled. H. B. 561, S. B. 1214, bill to incorporate the North Carolina Land, Lumber and Railroad Company, on its second reading.

The bill passed its second reading—ayes 31, noes 7, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Blair, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Holton, Hughes, Kerr, Leeper, Leinbach, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Robinson, Sills, Thomas, Warters, White and Williams of Cumberland—31.

Those voting in the negative were:

Messrs. Bailey, Barber, LeGrand, Little, Turner of Iredell, Twitty and Wimberly—7.

H. B. 1492, S. B. 1229, bill to amend the charter of the town of Washington, in Beaufort County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 668, bill to amend section 3308, Vol. 2, of *The Code*, on its second reading.

Mr. Reid moved to amend:

"Provided further, that this act shall only apply to the notary at Matthews, in Mecklenburg County."

Adopted.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 863, S. B. 847, bill to authorize the payment of a school claim in Haywood County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 951, S. B. 834, bill to incorporate the Fayetteville Savings Bank, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 834, S. B. 1098, bill for the relief of D. G. McLellan, of School District No. 3, Cumberland County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

Mr. Wimberly moved to adjourn.

Lost.

## THE CALENDAR

was resumed, and

H. B. 1357, S. B. 1203, bill to authorize the County Commissioners of Haywood County to reimburse certain townships for money collected for school purposes, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1188, bill for the relief of sheriffs and tax-collectors, on its second reading.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 832, S. B. 829, bill to prevent the felling of trees in Beaver Creek, in Jones County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 833, S. B. 828, bill to prohibit the placing of fish traps or set-nets in Beaver Creek, in Jones County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 421, S.-B. 1099, bill to drain certain swamp lands in Cumberland County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 944, bill in relation to unlawful fences, on its second reading.

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

H. B. 1097, S. B. 1074, bill to exempt Township No. 12 (Roanoke), in Warren County, from chapter 107, Laws of 1885, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 738, S. B. 908, bill to amend chapter 12, Laws of 1883, incorporating Germantown, in Stokes County, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Blair, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Green, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Sills, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters and White—38.

H. B. 1210, S. B. 1129, bill to charter the Medoc Railroad Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

On motion of Mr. Barber, the Senate adjourned until to morrow morning at 10 o'clock.

# FIFTIETH DAY.

SENATE CHAMBER, March 8, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Nash, of the city.

The Journal of yesterday was approved.

### REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows:

From the Committee on Finance:

By Mr. Payne, H. B. 1103, S. B. 1150, bill to allow the Commissioners of Graham County to levy a special tax, reporting it without recommendation;

H. B. 1223, S. B. 1148, bill to authorize the Commissioners of Harnett County to fund and pay a certain debt, recommending it do pass;

S. R. 313, resolution in favor of N. W. Croft and J. Van Lindley, recommending it do not pass;

S. B. 370, bill to amend chapter 135, section 23, Laws of 1887, recommending it do not pass;

S. B. 662, bill to authorize the Commissioners of Forsyth County to collect a special tax, etc., recommending it do not pass;

H. B. 1171, S. B. 1153, bill to authorize the Commissioners of Moore County to levy a special tax, recommending it do pass.

From the Committee on Propositions and Grievances:

By Mr. Twitty, H. B. 1093, S. B. 1014, bill to submit to the qualified voters of the town of Shelby the question of prohibition of no prohibition of the sale of liquors, recommending it do not pass.

From the Committee on Education:

By Mr. Campbell, H. B. 1030, S. B. 1027, bill to authorize the treasurer of Randolph County to pay W. F. Tally certain school claims, recommending it do pass;

S. B. 113, bill to change the Normal School from Newton to Statesville, N. C., recommending it do not pass;

S. B. 226, bill to change the Normal School from Winston to Reidsville, recommending it do not pass.

From the Committee on Roads:

By Mr. Campbell, S. B. 864, bill to lay off and establish a public road in Wilkes and Ashe counties, recommending it do pass.

The Committee on Engrossed Bills reported as properly engrossed—

S. B. 998, bill to be entitled an act to amend the charter of the Wilkesboro Bridge Company;

Senate amendment to

H. B. 862, S. B. 836, bill to be entitled an act to amend chapter 47, Laws of 1887, relative to the French Broad River;

S. B. 400, bill to be entitled an act to incorporate the Hiawassee Land and Improvement Company;

S. B. 650, bill to be entitled an act to incorporate the Murphy Iron Company;

Senate amendment to

H. B. 1241, S. B. 1171, bill to be entitled an act to incorporate the Danville, Mebane, Pittsboro and Southern Railroad Company—

Which were sent to the House of Representatives.

### BOARD OF AGRICULTURE.

Mr. Reid, of the special committee to make nominations to fill vacancies occurring in the Board of Agriculture, submitted the following report:

"The joint committee appointed for the purpose of making nominations to fill vacancies occurring in the Board of Agriculture respectfully submit the following names and recommend their election:

For the Second District—Dr. W. R. Capehart, of Bertie County.

For the Third District—Dr. Matt. Moore, of Duplin County.
For the Sixth District—Hon. J. F. Payne, of Robeson
County.

For the Seventh District—Hon. A. Leazar, of Iredell County.

For the Ninth District-Hon. C. D. Smith, of Macon

County.

(Signed)

J. S. REID,
On part of the Senate.
J. B. PHILIPS,

On part House of Representatives."

Mr. Little moved a message be sent to the House of Representatives, proposing that the two houses proceed to night, at 8:30 o'clock, to vote for members of the Board of Agriculture. The motion prevailed; and

The President appointed as tellers on the part of the Senate, to superintend the election,

Messrs. Farthing and Leinbach.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Kerr, S. R. 1230, resolution in favor of A. Williams. Placed on the Calendar.

By Mr. Kerr, S. R. 1231, resolution in favor of Latta & Myatt. Placed on the Calendar.

By Mr. Moore, S. R. 1232, resolution concerning the Governor's mansion. Placed on the Calendar.

By Mr. Lucas, S. R. 1233, resolution in favor of certain employees. Placed on the Calendar.

By Mr. Kerr, S. B. 1234, bill to prevent fishing in Cape Fear River. Placed on the Calendar.

By Mr. Payne, S. R. 1235, resolution in favor of the State Library. Placed on the Calendar.

By Mr. Means, S. R. 1236, resolution concerning captions. Placed on the Calendar.

By Mr. Aycock, S. B. 1254, bill to incorporate the Farmers

Bank of Goldsboro. Referred to Committee on Banks and Currency.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing that the House had passed the following bills and resolutions, transmitted without engrossment, which were read the first time and placed on the Calendar:

H. B. 1451, S. B. 1237, bill to preserve the Governor's mansion;

H. B. 1506, S. B. 1238, bill to incorporate the Hayesville Male and Female College, near Hayesville, Clay County;

H. R. 1368, S. R. 1239, resolution of instruction to our Senators and Representatives in reference to the adulteration of spirits of turpentine;

H. B. 1325, S. B. 1240, bill to be entitled an act to facilitate the conveyance of the right of dower in certain cases;

H. B. 1406, S. B. 1241, bill to amend chapter 27 of *The Code*, in relation to registration of deeds;

H. B. 1407, S. B. 1242, bill to amend section 1493 of *The Code*, in relation to the sale of lands by executors;

H. B. 1453, S. B. 1243, bill to amend chapter 113, Laws of 1887, to make it the duty of the Commissioner of Labor Statistics to inquire into the management of railroad corporations in this State;

H. B. 1431, S. B. 1244, bill to authorize the State Treasurer to pay certain claims against the Penitentiary;

H. B. 885, S. B. 1245, bill to prohibit the sale of liquor within two miles of Pleasant Grove Church, Lincoln County;

H. B. 1388, S. B. 1246, bill to repeal chapter 329, Laws of 1887, relating to bond of Register of Deeds of Warren County;

H. B. 1493, S. B. 1247, bill to probibit the sale of liquor in certain localities;

H. B. 1447, S. B. 1248, bill to amend chapter 397, Laws of 1887, relative to graded schools in Asheville;

H. B. 1448, S. B. 1249, bill to incorporate the Asheville and Craggy Mountain Railway Company;

H. B. 1452, S. B. 1250, bill to incorporate the North Carolina State Firemen's Association;

H. B. 1450, S. B. 1251, bill to establish a ferry across Yadkin River;

H. B. 1446, S. B. 1252, bill to amend section 2779, chapter 17, of *The Code*, so as to authorize the Secretary of State to correct State grants;

H. B. 1439, S. B. 1253, bill to amend chapter 168, Laws of 1887, in regard to the Harnett County Railroad Company.

MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, announcing that the House had receded from its amendment number two to

S. B. 724, H. B. 1269, bill for the relief of Dempsey Spruill, late Sheriff of Washington County, and ordered the same to be enrolled for ratification.

House amendment to

S. B. 794, H. B. 1454, bill to enlarge the jurisdiction of Justices of the Peace.

The amendment was concurred in and the bill ordered enrolled.

# THE CALENDAR.

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

S. R. 1230, resolution in favor of A. Williams & Co., passed its second and third readings, and was ordered sent to the House of Representatives without engressment.

S. R. 1231, resolution in favor of Latta & Myatt, passed

its second and third readings, and was ordered sent to the House of Representatives without engrossment.

- S. R. 1232, resolution concerning the Governor's mansion, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.
- S. R. 1233, resolution in favor of certain employees, passed its second and third readings, and was ordered sent to the House of Representatives without engressment.
- S. B. 1234, bill to prevent fishing in Cape Fear River and inlets, with wire nets, below Wilmington, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.
- H. B. 1181, S. B. 1086, bill to amend the charter of the town of Marion, in McDowell County, on its second reading.

The bill passed its second reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—43.

H. B. 1223, S. B. 1148, bill to authorize the Commissioners of Harnett County to fund and pay certain debts of said county, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lusk, Moore, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs,

Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Wimberly—42.

H. B. 1171, S. B. 1153, bill to authorize the Commissioners of Moore County to levy a special tax, on its second reading.

The bill passed its second reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Hughes, Le-Grand, Leinbach, Little, Long, Lusk, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Wimberly—42.

H. B. 1283, S. B. 1159, bill to incorporate the Randolph Southern Railway Company, on its second reading.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Wimberly—42.

H. B. 1241, S. B. 1171, bill to incorporate the Danville, Mebane, Pittsboro and Southern Railroad Company, on its third reading.

The bill passed its third reading—ayes 38, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, LeGrand, Leinbach, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Robinson, Sills, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Pitt and Wimberly—38.

Voting in the negative:

Mr. Little-1.

The Senate amendment was ordered sent to the House of Representatives without engrossment.

Mr. LeGrand moved to reconsider the vote by which

S. R. 1232, resolution concerning the Governor's mansion, passed its third reading; and moved to postpone the consideration of the motion for the present.

The latter motion prevailed.

# THE CALENDAR

was resumed.

H. B. 987, S. B. 814, bill to extend the corporate limits of the town of Windsor, in Bertie County, passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Hampton, Hughes, Leeper, LeGrand, Leinbach, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Sills, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—41.

The bill was ordered enrolled.

H. B. 829, S. B. 807, bill providing an alternative method of constructing and keeping in repair the public roads of Raleigh Township, in Wake County, on its third reading.

Mr. Banks moved to strike out section 5.

Mr. Aycock demanded the previous question, and was sustained.

On the adoption of his amendment,

Mr. Banks asked for the ayes and noes, which were

ordered, and the amendment was lost—ayes 18, noes 20, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Brown, Copeland, Falkener, Green, Hampton, Holton, LeGrand, Leinbach, Lucas, Lusk, Rice, Stubbs, Thomas, Turner of Catawba, Warters and Wimberly—18.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, King, Little, Long, Means, Moore, Payne, Pou, Reid, Robinson, Smith and Toms—20.

The bill passed its third reading—ayes 26, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Bennett, Blair, Campbell, Crawford, Emry, Farthing, Hughes, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Pou, Reid, Smith, Turner of Iredell, White and Williams of Cumberland—26.

Those voting in the negative were:

Messrs. Banks, Brock, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Turner of Catawba, Warters and Wimberly—15.

The bill was ordered enrolled.

H. B. 1158, S. B. 1088, bill to allow the Commissioners of Wake County to issue bonds, on its third reading.

The bill passed its third reading—ayes 32, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, King, Leeper, LeGrand, Little, Long, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, White and Williams of Cumberland—32.

Those voting in the negative were:

Messrs. Brown and Falkener-2.

The bill was ordered enrolled.

H. B. 908, S. B. 738, bill to amend chapter 12, Laws of 1883, incorporating Germantown, in Stokes County, on its third reading.

The bill passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Holton, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, White and Wimberly—37.

The Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 1288, S. B. 1128, bill to authorize the Commissioners of the town of Mount Airy, in Surry County, to issue bonds, on its third reading.

The bill passed its third reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, and Wimberly—42.

H. B. 561, S. B. 1214, bill to incorporate the North Carolina Land, Lumber and Railroad Company, on its third reading.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Hampton, Hughes, Kerr, King, Leeper, LeGrand,

Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—39.

The bill was ordered enrolled.

H. B. 482, S. B. 1196, bill to incorporate the town of China Grove, on its second reading.

The bill passed its second reading—ayes 35, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Hampton, Hughes, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—35.

H. B. 1215, S. B. 1216, bill to incorporate the Asheville Loan, Construction and Improvement Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1057, S. B. 962, bill to amend the Acts of 1885, chapter 57, in reference to the schools of the Croatan Indians, in Richmond County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

# SPECIAL ORDER.

H. B. 1346, S. B. 1224, bill to provide for the assessment of property and the collection of taxes, was taken up on its second reading, it being the special order for that hour.

On motion of Mr. Campbell, the Senate went into Committee of the Whole for the consideration of the bill, Mr. Pou in the chair.

The Senate in committee having risen, the President resumed the chair, and

Mr. Pou reported that the Senate, in Committee of the Whole, had had under consideration

H. B. 1346, S. B. 1224, bill to provide for the assessment of property and the collection of taxes, and had adopted certain amendments thereto, and, as amended, recommended the bill do pass.

The amendments reported by the committee were adopted.

The bill passed its second and third readings, the Senate amendments were ordered sent to the House of Representatives without engrossment.

S. R. 1131, resolution in favor of A. M. Long, contestant from the Twenty-sixth Senatorial District, on its second reading.

The amendment reported by the Committee on Privileges and Elections was adopted.

On the passage of the resolution its second reading,

The ayes and noes were ordered, and the resolution passed its second reading—ayes 20, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Bennett, Briggs, Brown, Copeland, Falkener, Green, Holton, Kerr, Little, Lusk, Means, Pou, Rice, Smith, Stubbs, Thomas, Turner of Catawba, Warters and Wimberly—20.

Those voting in the negative were:

Messrs. Aycock, Brock, Crawford, Farthing, Hughes, Leeper, Lucas, Moore, Payne, Reid, Robinson, Toms and Williams of Pitt—13.

Mr. LeGrand was excused from voting on the resolution.

The resolution was put upon its third reading, and passed—ayes 21, noes 19, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Bennett, Brown, Campbell, Copeland, Falkener, Green, Holton, Kerr, Little, Long, Lusk,

Pou, Rice, Smith, Stubbs, Thomas, Turner of Catawba, Warters and Wimberly—21.

Those voting in the negative were:

Messrs. Aycock, Bailey, Blair, Brock, Crawford, Emry, Farthing, Hughes, Leeper, Lucas, Means, Moore, Payne, Reid, Robinson, Toms, Turner of Iredell, White, and Williams of Pitt—19.

The bill was ordered sent to the House of Representatives without engrossment.

H. B. 885, S. B. 1156, bill to amend chapter 119, Laws of 1885, and to amend section 3427 of *The Code*, in regard to the Board of Directors of the Penitentiary, on its second reading.

Mr. Pou offered a substitute for the bill.

Mr. Emry moved to amend the substitute:

"Strike out 'nine Directors' and insert 'five Directors.'"

On motion of Mr. Brown, the bill was postponed until 9 o'clock p. m., and made the special order for that hour.

H. R. 1015, S. R. 917, resolution in reference to the purchase of the Brick-Yard farm, on its second reading.

The resolution passed its second reading, and was put upon its third reading.

On the passage of the resolution its third reading,

The ayes and noes were ordered, and the resolution was adopted—ayes 28, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, and Williams of Cumberland—28.

Those voting in the negative were:

Messrs. Banks, Copeland, Falkener, Green, Holton, Lusk, Rice, Thomas, Warters and Wimberly—10.

The bill was ordered enrolled.

H. B. 76, S. B. 895, bill to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected with them, on its third reading.

The bill passed its third reading, and was ordered enrolled.

H. B. 1205, S. B. 1018, bill to incorporate the Albemarle Academy, Stanly County, on its third reading.

The amendments reported by the Committee on Corporations were adopted.

The bill passed its second and third readings, the Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 798, S. B. 933, bill to provide for better and additional roads in Buncombe County, on its second reading.

Mr. Lusk moved to amend:

"Amend by striking out sections 1 and 2 of said bill, and inserting the following in lieu thereof, so as to make it read as follows:

'SECTION 1. That for the purpose of carrying out the provisions of this act, the County Commissioners of Buncombe County may, in their discretion, order an election to be open and held at the several voting precincts in said county on the second Tuesday in May, one thousand eight hundred and eighty nine, in order to ascertain the will of the people of said county as to the propriety and advisability of laying a special tax not to exceed ten cents on the one hundred dollars worth of real and personal property and not to exceed thirty cents on each poll in said county. the proceeds of which tax, when collected, to be applied to and used for the repair, laying out and constructing public roads in said county, as hereinafter provided. At said election the question submitted and to be voted upon shall be, 'For Tax,' and 'No Tax;' those favoring the levy shall vote 'For Tax,' and those opposed to the levy shall vote 'No Tax.' If at said election a majority of the qualified voters shall be 'For Tax,' then the Board of County Commissioners, with the concurrence of a majority of the Justices of the Peace of said county, sitting with them at their first joint meeting after their said election, shall have power and authority to determine whether or not they will raise a fund by taxation for the purpose herein indicated; and if said Commissioners and Justices of the Peace shall determine to raise said fund, then, in that case, they shall levy a fax, in like manner as other taxes for county purposes are levied, for the purposes herein specified, not exceeding ten cents on the one hundred dollars worth of real and personal property, and not to exceed thirty cents on the poll.

'SEC. 2. That in case a majority of the qualified voters shall be in favor of levying said tax, and in case the Commissioners and Justices of the Peace shall determine to levy the same, and shall levy the same, then it shall be lawful for the said Commissioners, and they shall have full power and authority to order and direct, from time to time, in their discretion, the repairs and improvements of the existing public roads, or any of them, or any portion or portions of any of them in said county, and to order from time to time the laying out and construction of such new roads in said county as they may deem necessary for the common advantage and welfare of the people of said county.'"

On the adoption of the amendments,

Mr. Lusk asked for the ayes and noes, which were ordered, and the amendments were adopted—ayes 25, noes 4, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Brown, Campbell, Copeland, Crawford, Falkener, Green, Holton, Hughes, Kerr, LeGrand, Lusk, Means, Moore, Pou, Rice, Robinson, Smith, Stubbs, Thomas, Warters, Williams of Cumberland and Wimberly—25.

Those voting in the negative were:

Messrs. Aycock, Brock, Leeper and Little-4.

The bill passed its second reading—ayes 31, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Banks, Barber, Bennett, Blair, Campbell, Copeland, Crawford, Falkener, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Long, Lusk, Means, Pou, Reid, Rice, Robinson, Smith, Stubbs, Thomas, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—31.

Voting in the negative:

Mr. Brock-1.

S. R. 1235, resolution in favor of the State Librarian.

The bill passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

S. R. 1236, resolution concerning captions, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Turner of Iredell,

H. B. 1453, S. B. 1243, bill to amend chapter 113, Laws of 1887, to make it the duty of the Commissioner of Labor Statistics to inquire into the management of the railroad corporations in this State, was taken up on its second reading.

Mr. Turner of Iredell moved the bill be postponed until 9 o'clock p. m. to-day, and made the special order for that hour, and be printed.

Mr. Kerr moved to substitute "12 o'clock noon on the 9th inst." for "9 o'clock p. m. to-day;" on which the ayes and noes were ordered, and the motion was adopted—ayes 23, noes 22 (the President voting therefor), as follows:

Those voting in the affirmative were:

Mr. President, Messrs. Banks, Barber, Blair, Briggs, Brown, Copeland, Emry, Falkener, Green, Hampton, Holton, Kerr,

King, Leinbach, Little, Long, Lusk, Means, Rice, Thomas, Warters and Wimberly—23.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Brock, Campbell, Farthing, Leeper, LeGrand, Lucas, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Iredell, Twitty, Williams of Cumberland and Williams of Pitt—22.

Mr. Kerr moved the bill be referred to the Committee on Judiciary.

On which, the ayes and noes were ordered, and the motion to refer prevailed—ayes 22, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Green, Holton, Kerr, King, Long, Lusk, Means, Moore, Rice, Thomas, Warters and Wimberly—22.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Campbell, Hughes, Leeper, LeGrand, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Iredell, Williams of Cumberland and Williams of Pitt—18.

The bill was ordered printed.

S. B. 1167, H. B. 1166, bill to re-enact, consolidate and amend an act to incorporate the town of Dunn, in Harnett County, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Green, Hampton, Kerr, King, Leeper, LeGrand, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—40.

H. R. 1220, S. R. 1020, resolution to authorize the destruc-

tion of certain bonds which have been redeemed by the State, on its second reading.

The resolution passed its second and third readings, and was ordered enrolled.

H. B. 1327, S. B. 1222, bill to protect fish in Pamlico County, passed its second and third readings, and was ordered enrolled.

H. B. 1447, S. B. 1248, bill to amend chapter 397, Laws of 1887, relating to graded schools in Asheville, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1110, S. B. 1205, bill to grant certain powers to the Board of Commissioners of Wake County, passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, King, Leeper, LeGrand, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Williams of Pitt—36.

H. B. 1459, S. B. 1210, bill to amend the charter of the city of Newbern, passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Long, Lucas, Lusk, Means, Moore, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland and Wimberly—39.

The bill was ordered enrolled.

H. B. 1102, S. B. 1058, bill to authorize the town of Newton to issue new bonds on its indebtedness, passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—39.

The bill was ordered enrolled.

H. B. 590, S. B. 706, bill to work the public roads of Mitchell County by taxation, on its third reading.

The bill passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Iredell, Twitty, White, Williams of Cumberland and Wimberly—40.

The bill was ordered enrolled.

H. B. 1108, S. B. 1204, bill to abolish the February and July terms of Wake Superior Court, on its second reading. The bill passed its second reading.

H. B. 1250, S. B. 1115, bill to incorporate the Fayetteville Street Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1140, S. B. 1016, bill to amend the charter of the town of Taylorsville, Alexander County, on its second reading.

The bill passed its second reading—ayes 35, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Falkener, Farthing, Holton, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—35.

On motion, the Senate adjourned until 8 o'clock p. m.

# EVENING SESSION.

March 8, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

#### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives informing the Senate that the House had concurred in the proposition of the Senate to go into the election of members of the Board of Agriculture at 8 o'clock p.m., and that Messrs. Philips and Temple had been appointed tellers on the part of the House.

# INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Campbell, S. B. 1255, bill in relation to the election of Justices of Peace. Placed on the Calendar.

By Mr. Reid, S. B. 1256, bill supplemental to an act passed at the present session of the General Assembly to amend the public school law. Placed on the Calendar.

By Mr. Turner of Iredell, S. B. 1257, bill relating to the county of Alexander. Placed on the Calendar.

By Mr. Toms, S. B. 1258, resolution in favor of the pages. Placed on the Calendar.

### THE CALENDAR.

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

S. B. 1254, bill to incorporate the Farmers Bank of Goldsboro, N. C., passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1119, S. B. 1084, bill to incorporate the town of Blowing Rock, in Watauga County, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Farthing, Green, Hughes, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White and Wimberly—37.

#### SPECIAL ORDER.

House substitute for

S. B. 726, H. B. 1225, bill to amend chapter 16 of *The Code*, in relation to elections, was taken up for concurrence, it being the special order for the hour.

Mr. Pou demanded the previous question.

Mr. Thomas gave notice of an amendment.

On sustaining the demand for the previous question,

Mr. Thomas asked for the ayes and noes, which were ordered, and the demand was sustained—ayes 30, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, King, Leeper, LeGrand, Little, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Toms, Turner of Iredell, Twitty, White and Williams of Cumberland—30.

Those voting in the negative were:

Messrs. Banks, Brown, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—12.

Mr. Thomas moved to amend:

"Strike out the enacting clause."

On which he demanded the ayes and noes, which were ordered, and the amendment was lost—ayes 14, noes 33, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Kerr, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—14.

Those voting in the negative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—33.

The House substitute was then concurred in—ayes 34, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs,

Brock, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland, Williams of Pitt—34.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—13.

Mr. Pou moved to reconsider the vote by which the Senate concurred in the House substitute, and moved to lay the motion to reconsider on the table.

On the latter motion,

Mr. Lusk asked for the ayes and noes, which were ordered, and the motion to table was adopted—ayes 27, noes 14, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Emry, Farthing, Hughes, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty and Williams of Cumberland—27.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Copeland, Falkener, Green, Hampton, Holton, Leinbach, Lusk, Rice, Thomas, Warters, White and Wimberly—14.

The bill was ordered enrolled.

# ELECTION OF MEMBERS OF THE BOARD OF AGRICULTURE.

The hour for the election of members of the Board of Agriculture having arrived, the Senate proceeded to vote as follows:

To be member for the Second District—Dr. W. R. Capehart, of Bertie County:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falk-

ener, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Pou, Reid, Rice, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—39.

To be member for the Third District—Dr. Matt. Moore, of Duplin:

Messrs. Abbott, Aycock, Bennett, Briggs, Crawford, Farthing, Hughes, Leeper, Lucas, Means, Reid, Robinson, Smith, Stubbs, Turner of Catawba, Twitty and Williams of Pitt—17.

To be member for the Third District—Mr. W. E. Stevens of Sampson County:

Messrs. Barber, Blair, Brown, Campbell, Copeland, Emry, Falkener, Green, Kerr, LeGrand, Little, Long, Moore, Pou, Rice, Toms, Turner of Iredell, Warters, White, Williams of Cumberland and Wimberly—21.

To be member for the Sixth District-Mr. J. F. Payne:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Emry, Farthing, Hughes, Kerr, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Pou, Reid, Robinson, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—31.

To be member for the Sixth District—Mr. G. T. Dunlap: Messrs. Brown, Copeland, Falkener, Green, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—10.

To be member for the Seventh District—Mr. A. Leazar: Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Pou, Reid, Rice, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—39.

To be member for the Ninth District—Mr. C. D. Smith: Messrs. Abbott, Aycock, Barber, Bennett, Blair, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Pou, Reid, Rice, Smith, Stubbs, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—37.

To be member for the Ninth District—Mr. J. R. Neill: Mr. Briggs—1.

# THE CALENDAR

was resumed.

H. B. 885, S. B. 1156, bill to amend chapter 119, Laws 1885, and to amend section 3427 of *The Code*, in regard to the Board of Directors of the Penitentiary, on its second reading.

The pending amendment offered to the substitute by Mr. Emry was adopted.

Mr. Blair moved to amend the substitute:

"Strike out that part of the substitute requiring that one of the directors shall receive a salary of two thousand dollars."

On which the ayes and noes were ordered, and the amendment was adopted—ayes 22, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Farthing, Hampton, Kerr, Leeper, LeGrand, Lusk, Rice, Robinson, Turner of Iredell, Twitty, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—22.

Those voting in the negative were:

Messrs. Brock, Brown, Campbell, Crawford, Emry, Green, Holton, Hughes, King, Long, Moore, Pou, Reid, Smith, Thomas, Toms and Turner of Catawba—17.

Mr. Pou moved to amend:

"Strike out 'five directors' and insert 'three directors."

Lost.

Mr. Pou moved to amend:

"The appointment of the directors and the chairman shall be subject to the confirmation of the Senate."

Lost.

Mr. Means moved to amend the substitute:

"There shall be no limitation to the time of the meeting of the Board."

Lost.

Mr. LeGrand moved to amend:

"The Governor shall nominate and the Senate confirm the chairman."

Lost.

The substitute was lost.

The bill failed to pass its second reading.

S. B. 1256, bill supplemental to an act passed at the present session of the General Assembly, to amend the public school law, on its second reading.

On the passage of the bill its second reading,

Mr. Lusk asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 28, noes 12, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Blair, Briggs, Brock, Brown, Campbell, Crawford, Emry, Falkener, Farthing, Hughes, King, LeGrand, Leinbach, Little, Long, Lucas,

Means, Moore, Payne, Pou, Reid, Rice, Smith, Toms, Turner of Catawba and White—28.

Those voting in the negative were:

Messrs. Banks, Barber, Copeland, Green, Hampton, Holton, Leeper, Lusk, Robinson, Thomas, Turner of Iredell and Wimberly—12.

The bill passed its third reading, and was sent to the House of Representatives without engrossment.

H. B. 855, S. B. 1245, bill to prohibit the sale of spirituous liquors in two miles of Pleasant Grove Methodist and other churches of Lincoln County, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

S. B. 1255, bill in relation to the election of Justices of the Peace, on its second reading.

The bill passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 858, S. B. 947, bill to amend the charter of the city of Raleigh, on its third reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its third reading—ayes 39, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Wimberly—39.

The Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 1360, S. B. 1190, bill to amend the charter of the city of Greensboro, on its second reading.

The bill passed its second reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—40.

H. B. 1274, S. B. 1127, bill to incorporate the town of Bakersville, in the county of Mitchell, on its second reading.

The amendment reported by the Committee on Corporations was adopted.

The bill passed its second reading—ayes 42, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Holton, Kerr, King, Leeper, Le-Grand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—42.

H. B. 1113, S. B. 1227, bill to amend chapter 130, Private Laws of 1885, entitled an act to incorporate the town of Elk Park, in Mitchell County, on its second reading.

The bill passed its second reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland and Williams of Pitt—41.

H. B. 1247, S. B. 1124, bill to incorporate the town of Macon, in Warren County, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—38.

H. B. 1272, S. B. 1126, bill to incorporate the town of Osgood, in Chatham County, on its second reading.

The bill passed its second reading—ayes 38, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Turner of Catawba, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—38.

H. B. 1256, S. B. 1218, bill to incorporate the Northeastern Railway Company, on its second reading.

The bill passed its second reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, White, Williams of Cumberland, Williams of Pitt and Wimberly—37.

H. B. 1221, S. B. 1151, bill to incorporate Kernersville, in Forsyth County, on its second reading.

The bill passed its second reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair Briggs, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland, Williams of Pitt and Wimberly—36.

H. B. 1364, S. B. 1213, bill to incorporate the Franklinton Military and Classical Institute, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1438, S. B. 1201, bill to incorporate the Goldsboro Lumber Company, passed its second and third readings, and was ordered enrolled.

H. B. 323, S. B. 1195, bill to incorporate the town of Earl, in Cleveland County, on its second reading.

The bill passed its second reading—ayes 28, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Barber, Blair, Briggs, Brock, Campbell, Copeland, Emry, Falkener, Farthing, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Means, Moore, Payne, Pou, Smith, Turner of Catawba, Turner of Iredell, White, Williams of Cumberland and Williams of Pitt—28.

Voting in the negative:

Mr. Lusk-1.

H. B. 1390, S. B. 1206, bill to amend chapter 172, Laws of 1860-'61, extending the corporate limits of Morehead City, passed its second reading—ayes 26, noes 1, as follows

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Blair, Briggs, Brock,

Crawford, Emry, Falkener, Farthing, Hughes, Kerr, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Turner of Catawba, Turner of Iredell, White and Williams of Pitt—26.

Voting in the negative:

Mr. Lusk-1.

S. B. 1184, bill to incorporate the town of West Durham, in the county of Durham, was,

On motion of Mr. Toms, laid on the table.

H. B. 1403, S. B. 1192, bill to incorporate the town of Wade, Cumberland County, on its second reading.

The bill passed its second reading--ayes 29, noes 1, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Blair, Briggs, Brock, Copeland, Emry, Falkener, Farthing, King, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Turner of Catawba, Twitty and Williams of Cumberland—29.

Voting in the negative:

Mr. Lusk-1.

H. B. 1177, S. B. 1068, bill to amend the charter of the Atlanta, Franklin and Knoxville Railway Company, on its second reading.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1100, S. B. 1014, bill to amend the charter of the city of Asheville, on its second reading.

Mr. Lusk moved to amend:

"Strike out the first section of the bill."

Adopted.

Mr. Lusk moved to amend:

"Strike out section 1."

Adopted.

Mr. Lusk moved to amend:

"Add a new section, to be section 6:

'SEC. 6. That when any land or right of way, either within or without the corporate limits of the city of Asheville, shall, in the opinion of the Aldermen, be required for the purpose of laying sewer pipes and making man-holes, or for any other purpose connected with the successful operation of a sewer system or sewer systems in said city, and the owners of such property cannot agree with the Aldermen as to the damage or benefit to such land by reason thereof, the proceedings for condemnation and assessment of damages or benefits shall be the same as is hereinbefore prescribed for condemnation of land for streets or other improvements, subject to like liens and terms of payment; and for the purpose of successfully operating the sewer or sewers contemplated hereby, the Aldermen of the city of Asheville are fully authorized to extend the lines of sewerpipes beyond the city limits in any direction or directions. thought most advisable, with all the rights and privileges belonging to said Aldermen within the city limits, in addition to the authority herein granted, subject to the provisions herein in this section contained for condemnation of land for water works extended as above."

The amendment was adopted.

The bill passed its second and third readings, the Senate amendments were ordered sent to the House of Representatives without engrossment.

H. B. 824, S. B. 1122, bill to abolish the Inferior Court

and establish a Criminal Court for Buncombe County, on its second reading.

Mr. Lusk moved to amend:

"Amend section six of said bill by striking out 'Justices of the Peace,' in line 3, and insert 'qualified voters' in lieu thereof; and amend section eleven of said bill by striking out 'Justices of the Peace,' in line 1 of said section, and inserting 'qualified voters' in lieu thereof; amend said bill by striking out all of section twenty-two, and substitute the following in lieu thereof:

'SEC. 22. That the Judge, Solicitor and Clerk of said Criminal Court shall be elected by the qualified voters of Buncombe County, and shall hold their offices for the term of two years from and after their election and qualification; and for the purpose of carrying out the provisions of this section an election shall be open and held in the several voting precincts in Buncombe County, on the first Monday in June, one thousand eight hundred and eighty-nine, and biennially thereafter, for the election of one Judge, one Solicitor and one Clerk of said Criminal Court hereinbefore provided for. Said election shall be held under the same rules and regulations as is now prescribed by law for holding elections for members of the General Assembly.'"

On which, he asked for the ayes and noes, which were ordered, and the amendment was lost—ayes 14, noes 22, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Kerr, Lusk, Moore, Rice, Thomas, Warters and Wimberly—14.

Those voting in the negative were:

Messrs. Abbott, Aycock, Bailey, Blair, Briggs, Brock, Campbell, Crawford, Farthing, King, Leeper, LeGrand,

Little, Lucas, Means, Pou, Reid, Robinson, Smith, Toms, Turner of Iredell, and Williams of Cumberland—22.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 1440, S. B. 1199, bill to amend the stock law of Wayne County, passed its second reading—ayes 27, noes 2, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Campbell, Crawford, Farthing, King, Leeper, LeGrand, Little, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Turner of Catawba, Turner of Iredell and Williams of Cumberland—27.

Those voting in the negative were:

Messrs. Lusk and Wimberly-2.

H. B. 855, S. B. 819, bill to incorporate the Louisburg Male Academy, passed its second and third readings, and was ordered enrolled.

H. B. 192, S. B. 705, bill to repeal chapter 247, Laws of 1887, relating to Superior Courts of Pitt County, passed its second and third readings, and was ordered enrolled.

H. B. 1446, S. B. 1252, bill to amend section 2779 of chapter 17 of *The Code*, so as to authorize the Secretary of State to correct State grants, passed its second and third readings, and was ordered enrolled.

H. B. 1407, S. B. 1242, bill to amend section 1493 of *The Code*, in relation to the sale of lands by executors, passed its second and third readings, and was ordered enrolled.

H. B. 1506, S. B. 1238, bill to incorporate the Hayesville Male and Female College, near Hayesville, in Clay County, passed its second and third readings, and was ordered enrolled.

S. B. 1257, bill to amend chapter 153, Laws of 1883, in regard to Alexander County, passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 869, S. B. 1037, bill regulating the trial of certain actions, passed its second and third readings, and was ordered enrolled.

On motion of Mr. LeGrand,

S. B. 340, bill to enable county officers to bond in surety companies, was taken up from the table and placed on the Calendar.

#### THE CALENDAR

was resumed.

H. B. 823, S. B. 833, bill to facilitate the trial of certain actions, passed its second and third readings, and was ordered enrolled.

H. B. 1068, S. B. 1096, bill to change the time of November term of the Superior Court of Harnett County, passed its second and third readings, and was ordered enrolled.

H. B. 801, S. B. 1029, bill to amend chapter 10 of *The Code*, in regard to the statute of limitations, and for other purposes, was,

On motion of Mr. Barber, laid on the table.

S. B. 1136, bill to require banks incorporated within the State of North Carolina to make stated reports to the State Treasurer, passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 245, S. B. 821, bill to amend sections 2102 and 2116 of *The Code*, in relation to dower and year's allowance, passed its second and third readings, and was ordered enrolled.

H. B. 115, S. B. 1005, bill to have the Chief Justice to make report to the General Assembly of needed amendments to the law, was,

On motion of Mr. Turner of Iredell, laid on the table.

H. B. 1393, S. B. 1217, bill to protect the water supply of Greensboro, N. C., passed its second and third readings, and was ordered enrolled.

H. B. 1337, S. B. 1116, bill explanatory of an act for the relief of D. H. West, a disabled Confederate soldier, passed its second and third readings, and was ordered enrolled.

H. B. 1425, S. B. 1208, bill concerning the boundary line between the counties of Buncombe and Haywood, passed its second-and third readings, and was ordered enrolled.

H. B. 1493, S. B. 1247, bill to prohibit the sale of liquors in certain localities, passed its second and third readings, and was ordered enrolled.

H. B. 727, S. B. 1106, bill concerning fishing in Pamlico County, passed its second and third readings, and was ordered enrolled.

S. R. 1258, resolution in favor of the pages and messengers, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1059, S. B. 1030, bill to prohibit the killing of deer in Bertie County, passed its second and third readings, and was ordered enrolled.

H. B. 827, S. B. 852, bill to simplify the law relating to the illicit selling of spirituous liquors, was,

On motion of Mr. Green, laid on the table.

H. B. 250, S. B. 1221, bill to protect a certain class of creditors and debtors, was,

On motion of Mr. Emry, laid on the table.

H. B. 1448, S. B. 1249, bill to incorporate the Asheville and Craggy Mountain Railway Company, passed its second and third readings, and was ordered enrolled.

S. B. 671, bill to amend section 2234 of *The Code*, passed its second and third readings, and was sent to the House of Representatives without engrossment.

Mr. Hampton moved to adjourn. Lost.

# THE CALENDAR

was resumed.

H. B. 1176, S. B. 1167, bill to amend the charter of the

Rabun Gap Short Line Railway Company, passed its second and third readings, and was ordered enrolled.

H. B. 1439, S. B. 1253, bill to amend chapter 168, Laws of 1887, in regard to the Harnett County Railroad Company, passed its second and third readings, and was ordered enrolled.

H. B. 1398, S. B. 1161, bill to incorporate Steele's Business College, of Raleigh, North Carolina, passed its second and third readings, and was ordered enrolled.

H. B. 1245, S. B. 1197, bill to protect the public roads of Bertie and Gates counties, passed its second and third readings, and was ordered enrolled.

On motion of Mr. Aycock, the Senate adjourned until 10 o'clock a. m. to morrow.

# FIFTY-FIRST DAY.

SENATE CHAMBER, March 9, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Prayer by Rev. Mr. Hodge, of Wilmington.

The Journal of yesterday was approved.

# REPORTS FROM COMMITTEES.

Reports from committees were submitted as follows: From the Committee on Propositions and Grievanees:

By Mr. Turner of Iredell, S. B. 1020, bill to prohibit railroad companies in this State from charging unjust and unreasonable rates for transportation, reporting it without recommendation; H. B. 610, S. B. 642, bill to protect owners of land adjacent to and adjoining railroad corporations, recommending it do not pass.

From the Committee on Corporations:

By Mr. Emry, H. B. 1047, S. B. 1110, bill to amend chapter 1, Vol. I, of *The Code*, and chapter 409 and 410, Laws of 1887, recommending it do not pass.

From the Committee on Finance:

By Mr. Payne, H. B. 448, S. B. 712, bill to extend the time of the sheriffs of Alexander, Henderson and Macon counties for settling with the State Treasurer, reporting it without recommendation;

S. B. 1186, bill concerning cities and towns, recommending it do not pass;

S. B. 190, bill to repeal section 3620 of *The Code*, in relation to public printing, reporting it without recommendation.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State;

S. B. 661, H. B. 1295, an act to amend the charter of the town of Elizabeth City, N. C.;

S. B. 941, H. B. 1380, an act to amend chapter 72 of the Laws of 1883;

S. B. 936, H. B. 1307, an act to repeal chapter 32 of *The Code*, second volume, relating to local option, so far as it applies to the town of Seaboard, Northampton County, N. C.;

H. B. 874, S. B. 1026, an act to provide for cotton-weighers for the counties of Cabarrus and Stanly;

H. B. 1375, S. B. 972, an act to change the name of Winton Academy;

S. B. 735, H. B. 1314, an act to authorize the Commissioners of Mitchell County to issue bonds for the purpose of paying the indebtedness of said county;

H. B. 305, S. B. 682, an act to promote the cultivation of shell-fish in Onslow County, and to repeal chapter 90, Laws of 1887;

S. B. 907, H. B. 1303, an act concerning the Clerk of the Superior Court of Cabarrus County;

S. B. 858, H. B. 1335, an act to incorporate the Mount Pisgah Turnpike Company, and to authorize the completion of a turnpike road to the top of Mount Pisgah, in Buncombe County;

S. B. 501, H. B. 1145, an act to incorporate the Southport Steamboat Company;

S. B. 639, H. B. 1232, an act to amend the charter of the town of Stoneville, in Rockingham County;

H. B. 900, S. B. 893, an act to protect the oyster interest in the State of North Carolina;

S. B. 918, H. B. 880, an act to authorize the Commissioners of Alleghany County to levy a special tax;

S. B. 670, H. B. 1294, an act to incorporate the town of Union, in the county of Hertford;

H. B. 1242, S. B. 1062, an act to incorporate Graham School, in Alamance County;

S. B. 984, H. B. 515, an act to incorporate the town of Hasty, in Richmond County;

S. B. 747, H. B. 1224, an act to change the time of holding the Superior Courts of Robeson County;

S. B. 862, H. B. 1310, an act to incorporate the Freemasons' Lodge at Amity Academy, in the county of Hyde;

S. B. 725, H. B. 1313, an act to repeal chapter 320, Laws of 1883;

S. B. 688, H. B. 1259, an act to amend sections 1, 2, 3, 4, 5 and 6, chapter 234, Laws of 1881;

S. B. 977, H. B. 1350, an act to incorporate Concord Railway Company;

H. B. 648, S. B. 708, an act to regulate the sale of seed cotton in Bertie County;

S. B. 86, H. B. 458, an act to enable the Commissioners of Cherokee County to build a jail, and for other purposes;

S. B. 975, H. B. 1414, an act to authorize the Board of Commissioners of the town of Concord to levy and collect a tax for a special purpose;

S. B. 945, H. B. 1373, an act to establish a ferry across Catawba River;

S. B. 799, H. B. 1367, an act to create and establish a free-school district at the county line between the counties of Guilford and Forsyth;

S. B. 672, H. B. 1299, an act to authorize the Commissioners of Craven County to establish a free ferry across Neuse River, in the county of Craven;

H, B. 363, S. B. 558, an act to amend section 3405 of The Code;

H. B. 1253, S. B. 1149, an act to amend chapter 149, Laws of 1885;

H. B. 431, S. B. 490, an act to enable the Penitentiary to become self-sustaining;

S. B. 899, H. B. 1318, an act to change the name of the Alma and Little Rock Railroad Company;

S. B. 338, H. B. 730, an act to provide for the erection of suitable buildings for the common schools of District No. 1, of Wilson County;

S. B. 496, H. B. 1260, an act to amend section 2034, chapter 50, Vol. I, of *The Code*, in relation to bridges;

H. B. 581, S. B. 769, an act to authorize the levy and collection of an additional tax for the support of the graded schools of Raleigh Township, in the county of Wake;

H. B. 132, S. B. 640, an act to compel butchers to keep registration;

S. B. 971, H. B. 1316, an act in regard to Columbus County;

H. B. 1162, S. B. 1077, an act to make Upper Dower or Jones' Creek, in Beaufort County, N. C., a lawful fence;

- S. B. 692, H. B. 1231, an act to incorporate the town of Roberdel, in the county of Richmond;
- S. B. 78, H. B. 405, an act to amend chapter 81, Laws of 1887, regulating the sale of seed cotton;
- S. B. 931, H. B. 997, an act to incorporate the town of Pilot Mountain, in the county of Surry;
- S. B. 974, H. B. 1376, an act to lay out and construct a public road in Caldwell and Watauga counties;
- S. B. 795, H. B. 1348, an act to change the time of holding the September term of Duplin Superior Court;
- S. B. 766, H. B. 9, an act relating to roads and highways; H. B. 818, S. B. 846, an act to drain South Deep Creek, in Yadkin County;
- S. B. 441, H. B. 1156, an act to incorporate the town of Sylva, in the county of Jackson, and to provide a local government therefor;
- S. B. 752, H. B. 1420, an act to amend chapter 205, Laws of 1852, relating to the charter of the town of Clinton, Sampson County;
- S. B. 869, H. B. 1424, an act to protect fish in certain streams in Nash County;
- S. B. 628, H. B. 1382, an act to legalize the marriage of Willie Upton and Sally Wilroy (white), of Camden County;
- S. B. 881, H. B. 1365, an act to provide for the support of the North Carolina Institution for the Deaf, Dumb and the Blind;
- S. B. 791, H. B. 1298, an act to establish Philadelphus Township, in Robeson County, and for other purposes;
- H. B. 228, S. B. 730, an act to improve the Edenton Academy;
- H. B. 1190, S. B. 1019, an act to incorporate the North Carolina Christian Missionary Convention;
- S. B. 1049, H. B. 1416, an act to prohibit the sale of spirituous liquors in the county of Henderson;
- S. B. 748, H. B. 1354, an act for the benefit of the State Treasurer;

- S. B. 792, H. B. 1317, an act to authorize the Treasurer of the Board of Education of Alamance County to pay certain school orders;
- S. B. 906, H. B. 1319, an act to amend chapter 33, Laws of 1841, relating to the charter of Floral College;
- S. B. 934, H. B. 955, an act to authorize the Mayor and Board of Aldermen of the town of King's Mountain to levy a special tax;
- H. B. 1066, S. B. 1080, an act to exempt Raymer Brookfield from tax as an auctioneer or itinerant vender of goods, wares and merchandise;
- S. B. 228, H. B. 1075, an act to amend section 2724 of The Code;
- S. B. 1032, H. B. 1098, an act to amend chapter 85, Laws of 1885, in relation to the charter of Greenville, in Pitt County;
- H. B. 655, S. B. 728, an act to abolish the June term of the Superior Court of Hertford County;
- H. B. 1048, S. B. 969, an act to amend the charter of the town of Pittsboro;
- H. B., 600, S. B. 552, an act to amend section 2751 of *The Code*;
- S. B. 687, H. B. 1266, an act to repeal chapter 389, Laws of 1883;
- S. R. 874, H. R. 1374, resolution relieving certain property of double tax;
- H. B. 1384, S. B. 1139, an act to incorporate the Morehead Banking Company;
- H. B. 967, S. B. 91, an act to amend chapter 180, Laws of 1885, providing that a Grand Jury be dispensed with at the May term of the Superior Court of Ashe County.

From the Committee on Judiciary:

Mr. Turner of Iredell submitted the following:

We, the undersigned members of the Judiciary Committee of the Senate, recommend that

S. B. 1243, H. B. 1453, making it the duty of the Commissioner of Labor Statistics to inquire into the management of the railroad corporations in this State, do pass.

(Signed) TURNER of Iredell,
POU,
PAYNE,
LUCAS,
LEGRAND,
JOHN F. LEEPER.

# BOARD OF AGRICULTURE-REPORT OF TELLERS.

We, the tellers appointed to superintend the election of members of the Board of Agriculture, respectfully report that—

As a member for the Second District, Mr. Capehart received:

In the Senate\_\_\_\_\_\_ 39 votes.

In	the House of Representatives	87	"
	Total	 126	
As a	member for the Third District, Mr. Moore	rece	eived:
	the Senatethe House		
	Total	43	"
Asa	member for the Third District, Mr. Steve	ns r	eceived:
In	the Senate	21	votes.

In the House\_\_\_\_\_ 80

Total\_\_\_\_\_101

As a member for the Seventh District, M	r Leazar r	eceived .
Tis a monitor for the seventh sistilet, sa	T, Licabai I	cccivou.
In the Senate	39	votes.
In the House		"
Total	135	"
As a member for the Seventh District, Ma	r. Ramsey r	eceived:
In the Senate		votes.
In the House	9	"
	Switcher von English	
Total	9	"
	117.1	
As a member for the Seventh District, M	r. Walser r	eceived:
In the Consta	00	to-a
In the Senate In the House		
In the House	I	vote.
Total	1	"
As a member for the Sixth District, Mr.	Payne, rece	eived:
In the Senate	31	votes.
In the House		"
	_	
Total	89	
As a member for the Sixth District, Mr. M	IcDonald r	eceived:
Author with the de while		
In the Senate		votes.
In the House	10	"
Total	10	66

As a member	for the	Sixth	District,	Mr.	Dunlap	received	
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In the Senate	_ 10 votes.
In the House	_ 42 "
Total	_ 52 "
As a member for the Ninth District, Mr. Smit	h received:
In the Senate	_ 37 votes.
In the House	- 70 "
Total	_107 "
As a member for the Ninth District, Mr. Neill	received:
In the Senate	_ 1 vote.
In the House	
Total	_ 15 "
As a member for the Ninth District, Mr. Sprin	nkle received:
T. the Courts	00

In the Senate\_\_\_\_\_ 00 votes. In the House 25 Total\_\_\_\_\_25

Messrs. Capehart, Stevens, Payne, Leazar and Smith have each received a majority of all the votes cast.

Respectfully submitted,

W. S. FARTHING, EDGAR LEINBACH,

Tellers on the part of the Senate.

J. B. PHILIPS,

J. A. TEMPLE,

Tellers on the part of the House of Representatives."

Messrs. Capehart, Stevens, Payne, Leazar and Smith, were declared duly elected.

REPORT OF THE TELLERS ON THE ELECTION OF JUSTICES OF THE PEACE.

Mr. Emry, of tellers to superintend the election of Justices of the Peace, submitted the following report:

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 Thursday, March 7th, 1889, 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 vacancies of such Justices of the Peace whose terms expire in August, 1889; 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:

Whole number of votes cast in the Senate	
" " " in the House	88
Total	105
Total	12%
And the names hereto attached received:	
To the Court	0.4
In the Senate	
In the House	78
Total	119
10001	114

#### ALAMANCE COUNTY.

Patterson township—Sylvester Spoon, Geo. A. Clendennin, Cobles' township—Wm. A. Patterson, John M. Fogleman.

Boon Station township-Harper F. Tickle, W. P. Huffins.

Morton's township-Asa Iseley, T. B. Barker.

Faucett's township-J. M. Tapscott, E. Long.

Graham township-J. N. H. Clendennin, J. L. Scott, Jr., Jacob S. Long.

Albright's township-Alfred Iseley, Robt. N. Thompson.

Newlin's township-Chesley Moore, Wm. J. Stockard.

Thompson's township-Thos. A. Morrow, John H. Pickard, Wm. P. Thompson.

Melville township-Jno. R. Williamson, James I. White, Jas. P. Kerr.

Pleasant Grove township-W. T. Barnwell, John G. Dailey.

Burlington township—W. H. Turrentine, J. A. Neese, R. W. Ingle, Joseph L. Wilson, Z. M. Foust, J. C. Robertson.

#### ALEXANDER COUNTY.

Miller's township-N. P. Alexander, E. B. Alexander.

Sharpe's township-Thos. J. Sharpe, R. C. Lackey, W. G. Gaither.

Gwaltney's township—W. F. Patterson, J. Y. Williams, J. M. Query, R. P. Mc-Lain, R. C. Allen.

Sugar Loaf township-W. W. Gryder, J. P. Stevenson, Sion J. Harrington, J. Partie Russell.

Little River township-J. Walter Watts, Wm. W. Robinett, W. N. Barnes.

Ellendale township-J. C. Bell, E. J. Teague, Wm. S. Rees.

Wittenberg's township-V. W. Teague, J. F. Downes, A. W. Robinson,

Taylorsville township—C. T. Sharpe, Tobias Barnes, J. E. Chatham, Norma. Burgess.

#### ALLEGHANY COUNTY.

Cherry Lane township—A. A. Woodruff, Chas. Crouse. Glade Creek township—S. C. Douglas, M. P. Carico. Gap Civil township—C. J. Edwards, J. M. Gambill, H. M. Crouse. Cranberry township—J. H. Doughton, Jesse Atwood. Prather's Creek township—Julius L. Smith, W. E. Cox. Piny Creek township—Wm. Halsey, Weldon Hash.

#### ANSON COUNTY.

Ansonville township—Y. H. Allen, Dr. J. M. Dunlap, Burnsville township—J. W. Kiker, George T. Lee.
Gulledge township—Peter Jones, Jr., J. S. Myers,
Lanesboro township—R. B. Gaddy, H. T. Knotts, M. L. Horne.
Lilesville township—B. V. Henry, L. L. Little, R. L. Henry.
Morven township—R. J. Baucom, J. F. Smith.
Wadesboro township—Jno. M. Little, W. J. Asheroft, J. C. Parsons.
White's Store township—Addison Lowry, Walter W. Chambers.

### ASHE COUNTY.

Chestnut Hill township—Andrew McMillan, Emory Gambrill.
Hilton township—William Young, D. P. Hurley.
Horse Creek township—W. J. Stansberry, Thos, Ham, Sidney Tucker
Jefferson township—J. Z. Neal, G. W. Perkins, G. W. Burkett.
Laurel township—B. P. Grigsby, Elihu Graybeal.
Old Field township—John Hardin, Nimrod M. Dobbin.
Peak Creek township—S. M. Transon, Morgan Long, J. H. Ellis.
Grassy Creek township—John A. Pierce, Muuroe Paxley.
Piny Creek township—E. C. Francis, J. W. Tucker.
Stagg's Creek township—Jo. Dougherty, J. W. Sapp, Cary Ashley.
North Fork township—Thomas Arnold, John Wilson.
Pine Swamp township—J. B. Miller, Z. T. Fletcher.
Obids township—John Miller, H. L. Burgess.

#### BEAUFORT COUNTY.

Pantego township-R. D. Adams, Charles P. Aycock.

Bath township—J. A. H. Tankard, B. F. Godley, Jno. F. Harding.
Long Acre township—H. G. Jordan, O. P. H. Tankard.
Washington township—James K. Hatton, R. W. Wharton, A. Mayo, Samuel
C. Williams, W. G. Cherry.

Chocowinity township—W. A. B. Branch, W. H. Von Eberstein. Richlands township—W. H. Peterson, B. F. Mayo, Edward Tripp, Thomas R. Boyd.

### BERTIE COUNTY.

Windsor township—James E. Mitchell, T. Q. Castleton, A. J. Pritchard. Coleraine township—John H. White, J. W. Perry, Frank Wilson. Merry Hill township—R. J. Shields, B. W. Hathaway, Joseph E. Nichols. Roxobel township—W. J. Bishop, J. J. Jilcutt. Snake Bite township—Henry K. Parker, Frank Taylor. White's township—Geo. W. Cobb, J. H. Lawrence. Woodville township—Thos. W. Thompson, Jno. A. Outlaw, J. W. Ballance. Indian Woods township—David C. Outlaw, C. W. Spruill. Mitchell's township—W. W. Askew, Abram Jenkins, Robt. Dunning.

### BLADEN COUNTY.

Abbott's township—John H. Ballentine, R. C. Jordan. Bethel township—A. M. McNeill, Nathaniel Carroll. Bladenboro township—David Callihan, Monroe Singletary. Brown Marsh township—W. N. Campbell, J. M. Johnson. Carver's, Creek township—Charles Stevens, K. J. Brady. Colly township—R. P. Melvin, A. A. McKay. Cypress Creek township—T M. Smith, Richard Smith. Elizabethtown township—T M. Smith, Richard Smith. Elizabethtown township—E. H. Anders, J. H. Squires, Hollow township—Frank Davis, T. C. Moore. Lake township—Frank Davis, T. C. Moore. Lake township—J. M. Melvin, A. L. Jones. White's Creek township—I. A. Register, J. T. Vann. White Oak township—E. F. McCollouch, Geo. F. Melvin, Jr.

## BRUNSWICK COUNTY,

Northwest township—James Reilly, A. M. Williams.
Town Creek township—Geo. H. Bellamy, Geo. M. McKeithen.
Leckwood's Folly township—E. L. Stanley, Sylvester Dixon.
Shallotte township—Elkanah Hickman, John H. Mints.
Waccamaw township—Christopher Evans, L. M. Tood.
Smithville township—S, M. Robbins, Robert W. Woodsides,

#### BUNCOMBE COUNTY.

Avery's Creek township—M. S. Glenn, N. B. Creasman, Joel Ingram, Z. T. Ledbetter.

Lower Hominy township-J. W. Morgan, J. P. Gaston, D. M. Gudger, S. S. Norman.

Upper Hominy township—T. W. Shelton, R. L. Luther, Clint Howell, B. L. Morgan.

Leicester township—M. B. Wild, J. H. Starnes, J. W. Nash, R. D. F. Bobertson, F. Slade, Jr., B. G. Gudger.

Sandy Mush township—R. C. Wells, Henry West, R. F. Lee, Kerr Reeves, Thos. J. Ferguson.

Limestone township-W. R. Murray, Jos. R. Garren, J. A. Gibson, Mark Shuford.

Fairview township—R. C. Clayton, L. A. Lanning, George Lynch, Jason Ashworth, J. Will. Jones, Jesse S. Williams, Jr.

Swannanoa township—Samuel W. (Brock) Davidson, George W. Young, J. Wesley Coggins.

Asheville township—M. L. Reed, C. W. Malone, J. M. Brookshire, J. M. Israel, A. G. Hallyburton, Daniel W. Cauble, J. M. Westall, H. L. King, J. B. Cain, Fulton Starnes, J. H. Carter.

Reems Creek township—J. R. Dubose, Pet Weaver, G. W. Peek, J. L. Weaver. Flat Creek township—Josiah M. Sams, B. J. S. McLean, W. S. Roberts, W. E. Clark, Fulton Weaver, James Brigman.

Ivy township-James N. Morgan, W. B. Baird, Martin Whittemore, W. T. Vickerson.

Black Mountain township—James McNair, Caney Allison, C. P. Kerlee. French Broad township—J. G. Anderson, J. M. Johnson, J. E. Rogers, Thomas Bevis.

### BURKE COUNTY.

Silver Creek township-W. N. Thompson, J. C. Mills.

Linville township-R. N. Kincaid, J. R. Rust, J. T. McGimsey.

Upper Creek township-W. P. Hemphill, Benj, Barrier, T. C. McGimsey.

Quaker Meadow township-H. H. Galloway, L. A. Crawley, Miles Edmiston.

Lower Creek township-Sid. M. Rhoderick, John B. Holloway,

Smoky Creek township-E. H. Tilley, Silas Singleton, Jude D. Moore.

Morganton township-J. H. Howard, H. F. Kisler, J. C. Mull.

Lovelady township—J. W. Berry, W. E. Abernathy, F. A. Harmon, J. D. Cassell.

Icard township-W, A, Wilson, Jerre J. Abernathy.

Lower Fork township-Riley Tallent, Zero Mull, P. P. Mull.

Upper Fork township-Israel M. Hilderand, G. W. King, W. H. Mace.

#### CABARRUS COUNTY.

- Township No. 1-J. F. Ervin, J. Caldwell Query.
- Township No. 2-S. R. Andrews, J. M. Caldwell.
- Township No. 3-M. A. Emerson, R. W. Fleming, John O. Mower.
- Township No. 4-Fred. W. Glass, P. M. Daywault.
- Township No. 5-Nelson M. Barnhardt, Geo. W. Barnhardt.
- Township No. 6-S. C. Fisher, W. M. Penninger.
- Township No. 7-John A. Meisenheimer, Geo. J. Lentz.
- Township No. 8-Martin M. Meisenheimer, Jonas Cook.
- Township No. 9-M. M. Tucker, John S. Barnhardt, Monroe Cauble.
- Township No. 10-F. P. Boger, Harvey C. Cook.
- Township No. 11-E. F. Faggart, Henderson L. Litaker, Thomas J. White.
- Township No. 12-M. L. Ritch, W. P. Shealy, A. L. Sappenfield, J. P. Hornbuckle.

# CALDWELL COUNTY.

- Lenoir township-Jacob J. Harshaw, G. M. Goforth, H. M. Asberry.
- Lower Creek township—S. J. Sherrill, G. R. Clarke, John Siders.
- Lovelady township-A. M. Martin.
- Little River township—W. L. Payne, D. C. Flowers, D. W. Presnell.
- Kings Creek township—Smith Coffey.
- Yadkin Valley township—C. P. Jones, Thomas Hawkins, T. B. Lenoir, Calvin Triplett.
  - Patterson township-John Nelson, E. L. Moore.
  - Globe township-W. W. Sherrill.
  - John's River township-J. M. Bonman, J. T. C. Hood.
  - North Catawba township-J. V. McCall, A. G. Corpening.

## CAMDEN COUNTY.

- Court House township-Caleb Grandy, Willis G. Ferrebee.
- Shiloh township—G. M. Tillett, Abner Learry. South Mills township—William E. McCoy, M. A. Sawyer.

# CARTERET COUNTY.

- Beaufort township-M. R. Springle, W. W. Lewis,
- Hunting Quarter township -F. M. Lupton, M. R. Fulcher.
- White Oak township-P. A. Koonce, Jerre Watson,
- Newport township-R. M. Weeks, D. McCain, Eugene A. Hasket.
- Straits township-Cull Pigott, J. Finley Wade.
- Smyrna township-A. W. Piner, Otway B. Davis.
- Portsmouth township-Alex. Robinson.
- Morehead township-T. C. Davis, W. T. Pelletier, R. C. Bell.

#### CASWELL COUNTY.

Milton township—T. G. Epes, L. H. Hunt.
Dan River township—John F. Walters, W. H. Connelly.
Pelham township—James M. Hodges, W. C. Swann.
Locust Hill township—J. C. Allison, Jas. A. Williamson.
Leasburg township—T. L. Lea, B. F. Stanfield.
Hightower's township—W. C. Haralson, Charles B. Crisp.
Anderson's township—B. F. Hurdle, J. F. Dillard.
Stony Creek township—J. H. Simpson, J. A. Lea.
Yanceyville township—J. P. Poteat, N. G. Linsey.

## CATAWBA COUNTY.

Newton township—C. W. Herman, P. F. Smith, M. A. Thorneburg, G. P. Drum. Hickory township—L. C. Huffman.

Cline's township-P. G. Herman, W. H. Marrow.

Catawba township-M. J. Cochrane.

Mountain Creek township—G. M. Beatty, Jno. T. Cochrane, Austin Sherrill, Alexander Clark.

Caldwell's township-N. E. Jones.

Jacob's Fork township—J. W. Killian, J. M. Clampitt, A. G. Corpening. Bandy township—Luther Mostellar, R. A. Ramseur, Niely Wyant.

#### CHATHAM COUNTY.

Albright's township—S. P. Teague, W. A. Lineberry.
Baldwin township—R. W. Bland, A. J. Wilson.
Bear Creek township—E. H. McManus, S. E. Teague.
Cape Fear township—John McIver, J. B. Yarborough, M. H. Drake.
Centre township—J. A. Womack, J. J. Womble, Thomas F. Petty.
Gulf township—J. H. Burke, W. M. Thomas.
Hadley's township—M. C. McBane, S. P. Teague, Jr.
Hickory Mountain township—J. A. Pugh, A. T. Dixon.
New Hope township—J. W. Davis, S. G. Wilson.
Matthew's township—I. J. Kirkman, J. D. Mann, C. E. Johnson.
Oakland township—Wm. R. Pattishall, Carson Johnson.
Williams' township—C. R. Scott, Thos. H. Raney.

#### CHEROKEE COUNTY.

Murphy township—H. S. Hayes, W. A. Turnbill, D. T. Sudderth. Valley Town township—J. L. Welch, Stephen Porter, W. B. Parker, A. M. Walker.

Beaver Dam township—A. J. Evans, Wm. Dockery, M. L. Berry, Levi Graham. Shoal Creek township—A. S. Hill, P. E. Nelson.

Hot House township—D. M. Watson, P. L. Johnson, Mack Harris,

Notla township-James L. Ounly, Arnett Shields.

### CHOWAN COUNTY.

Yeopim township-Jas. N. Bass, Jno. C. Hobbs, Jos. E. Smith.

Upper township-Miles W. Elliott, W. C. Ward, W. D. Deans.

Middle township-Ellsha J. Burke, Haywood C. Privott, Geo. N. Goodwin, John W. Parrish.

Edenton township—H. DeB. Hooper, John L. Rogerson, P. H. Bell, James M. Skinner, A. T. Bush.

# CLAY COUNTY.

Hayesville township-Lucius McClure, Charley Truett.

Tusquittee township-J. T. Patterson, Wm. H. Johnson, Peter U. Tiger.

Hiawassee township-Taylor Ledford, S. H. Allison.

Shooting Creek township—J. Mel. Kitchin, W. H. Haysed, R. W. Davenport. Brasstown township—Geo. T. Hine, D. K. Moore, R. E. Martin, G. S. McClure, T. H. French.

#### CLEVELAND COUNTY.

Township No. 1-W. S. Wood, D. G. Palmer, Summie Humphries.

Township No. 2-J. D. Simmons, H. Blanton.

Township No. 3-Erastus Bettes, R. Roberts, W. Q. Austell.

Township No. 4-H. P. Allison, J. T. Herndon, R. J. Balfour, D. J. Keeter.

Township No. 5-F. M. A. Oates, Elpheus Hamrick, Columbus Miller, M. J. Baker.

Township No. 6-J. T. Bostle, W. F. Gold, J. F. Cline.

Township No. 7-J. H. Jones, A. M. Lattimore, W. W. Washburn, Pinckney McBrayer.

Township No. 8-G. V. Hicks, J. A. Beam.

Township No. 9-A. B. Smith, Rufus Gardner.

Township No. 10-A. B. Reeler.

Township No. 11-W. H. Hull.

#### COLUMBUS COUNTY.

Ransom township-S. N. Forneyduval, J. B. Brinkley, W. M. Parker.

Waccamaw township-H. H. Holten, H. B. Short, B. M. Mears.

Bogue township-Henry Wyche, Thomas Brown, F. B. Pierce.

Welch's Creek township-Joseph Ray, James Brown.

Whiteville township-E. W. Wooten, John T. Best, J. P. Williams.

Western Prong township-J. Q. Elkins, John E. Powell.

Tatom's township-A. D. Williamson, J. H. Williamson.

Fair Bluff township-H. D. Williamson, T. F. Toon, M. Q. Coleman, J. Q. Hammond, Jr.

Williams' township-J. K. Harper, Simeon Simmons.

Bug Hill township-M. J. Cox, Herriod Long, Benj. Benton.

Lee's township-J. A. Thompson, H. M. Long, R. B. Lewis.

Chadbourn township-W. F. Boswell, Bradley F. Yates, Mills Walker

# CRAVEN COUNTY.

Township No. 1-G. J. Dudley, J. B. Gardner.

Township No. 2-S. E. Whitford, George R. West.

Township No. 3-J. E. Kornegay, Joseph Kinsey.

Township No. 4-

Township No. 5-Wm. E. Salter, John S. Morton.

Township No. 6-T. H. Mallison, B. E. Williams.

Township No. 7-Wm. Foy, G. L. Hardison.

Township No. 8—W. G. Brinson, H. A. Marshall, W. F. Rountree, S. R. Street, J. J. Tolson, John Humphrey, Wm. M. Watson, W. P. Burrus, Nathan Tisdale, B. B. Lane, C. E. Foy, W. H. Oliver, E. B. Cox, S. W. Smallwood.

Township No. 9-A. E. Wadsworth, M. W. Carmon, John J. Spear.

#### CUMBERLAND COUNTY.

Cross Creek township—W. D. Gaster, Charles Glover, L. C. Straughn, W. S. Cook, C. B. McMillan, W. J. McDonald.

Seventy-first township-D, B. Gillis,

Quewhiffle township-Neill S. Blue, A. J. Bethune, John F. McRae.

Carver's Creek township-

Cedar Creek township-John B. Downing, John McP. Geddie.

Beaver Dam township-D. S. Bullard, Charles P. Rollins.

Gray's Creek township-E. H. Evans, F. N. McMillan.

Rock Fish township-J. T. Sellers.

Black River township—Z. Taylor, D. J. McL. McIntyre, John L. Phillips, Isaac Strickland.

#### CURRITUCK COUNTY.

Moyock township—John Umphries. Crawford township—J. L. DeCarnis, Wilson Sanderlin. Fruitville township—J. C. Carson, John Williams. Atlantic township—Valentine Harris. Poplar Branch township—Wilson Woodhouse.

#### DARE COUNTY.

Nag's Head township—John W. Ward, S. E. Mann, S. A. Griffin, John A. Hollowell.

Kinnikeet and Chicamacomico townships—E. M. Midyett, James I. Quidley. Hatteras township—R. R. Quidley, B. F. Whedbee, Jno. Wallace Austin.

Croatan and Stumpy Point township—B. F. Guard, C. E. Hooper, John P. Midyett.

East Lake township-Thomas Owen, T. M. Sanderlin.

#### DAVIDSON COUNTY.

Lexington township—Bennett Nove, John H. Moyer, W. W. Hix, Jas. Smith, John A. Heitman.

Cotton Grove township—W. R. McCuiston, George F. Smith, Jr., Jno. H. Miller, Jacob A. Hedrick, S. M. Peacock.

Boone township-Robert F. Wilson, M. W. Barber.

Tyro township-H. H. Hartley, James A. Young, Richard B. Thompson.

Yadkin College township-T. M. Hartley, Gaither Walser, John E. Walser.

Reedy Creek township—John S. Delap, David Huffman, H. D. Hedrick, D. C. Adler, Wesley Byerly.

Clemmonsville township-S. S. Jones, E. C. Stroupe, A. C. Wharton.

Arcadia township-Elisha Raper, D. C. Kimel.

Abbott's Creek township—J. R. Osborne, C. A. Davis, Charles Teague, William R. Green.

Thomasville township-B. F. Stone, A. M. Hiatt.

Conrad Hill township-E, P. May, John R. Plummer,

Silver Hill township-Levi Hedrick, W. A. Beek, P. N. Tysenger, H. L. Palmer, Zeus Tussey.

Emmons township—Daniel Ward, J. W. Hedrick, J. A. Peacock, Harris Harrison, J. M. Daniel.

Jackson Hill township-J. C. Skeen, J. M. Badgett, Dr. A. Bulla, James S. Keen.

Alleghany township-W. H. Badgett, W. P. Steed, Jno. H. Birkhead.

Healing Springs township-W. P. Redwine, R. J. Holmes.

Midway township-W. N. Thomas, P. J. Nifong.

#### DAVIE COUNTY.

Jerusalem township—H. L. Foard, D. G. Tatum, Fulton township—Wilson F. Merrill.
Shady Grove township—John Davis, H. E. Robertson.
Farmington township—E. C.-Smith, J. H. Foster.
Clarksville township—J. A. Stonestreet, G. J. Bove,
Calahan township—Jas. S. Rutledge, L. B. Walker.
Mocksville township—James A. Kelly, W. F. McMahon.

# DUPLIN COUNTY.

Rock Fish township-Jos. J. Ward, A. J. Ward.

Warsaw township-Thos. B. Pierce, S. M. Carlton, Gideon R. Kornegay.

Faison township-M. A. Lewis, B. B. Carr, W. S. Loftin.

Island Creek township-Wm. J. Boney, A. F. Bland, Thos. J. Carr, J. F. Landing.

Albertson township-J. B. Outlaw, Hugh Maxwell, F. P. Simmons,

Wolfscrape township-Thaddeus Jones, D. H. Garner.

Magnolia township-Wm. A. Moore, J. T. Wilkins, W. R. Newberry.

Smith's township-Lafayette Smith, John R. Miller, Jr., Jesse T. Kennedy.

Cypress Creek township-Jacob James, Robt. N. Cole, Amos Lanier.

Glissons township-Frank Heathley, John Bennett.

Kenansville township-Thos, S. Watson, G. W. Carroll, L. M. Cooper.

Limestone township-John W. Grisham, W. H. Pickett, J. N. Edwards.

### DURHAM COUNTY.

Cedar Fork township—M. M. Lowe, W. H. Hopson, C. Barber, A. J. Weatherspoon.

Durham township—A. M. Angier, C. B. Green, W. H. Wilkins, D. C. Gunter, W. M. Busbee.

Lebanon township-W. S. Terry, W. P. Thompson, W. D. Turrentine

Mangum township—Marcus Tilley, Philip Southerland, P. A. Flintorn. Patterson township—C. G. Markham, Paul A. Brown, P. H. Massey.

Oak Grove township-J. Hugh Holloway, Duan Carpenter, W. G. Page, James D. Fletcher.

#### EDGECOMBE COUNTY.

Township No. 1-Ed. Pennington, L.S. Pender, L. L. Dancy, Job Cobb.

Township No. 2-F. L. Thigpen, John Warren, Jr., W. A. Williams, D. E. Cobb.

Township No. 3-Frank L. Savage, T. H. Cherry, W. S. Long.

Township No. 4-J. M. Howell, W. J. Lawrence, B. B. Howell.

Township No. 5-H. L. Leggett, M. W. Pittman, J. L. Bradley.

Township No. 6-R. H. Speight, L. L. Lyon, Julius Meyer, J. S. Dixon.

Township No. 7-W. H. Whitehead, Geo. C. Battle, J. W. Phillips, W. W. Vick.

Township No. 8-M. B. Pitt, B. F. Eagles, J. A. Davis, W. L. Stallings.

Township No. 9-Amos M. Wooten, W. T. Dunford, J. D. Webb.

Township No. 10-J. E. Cobb, J. O. Oates, V. B. Sharpe.

Township No. 11-A. B. Nobles, H. C. Bourne, N. B. Killebrew.

Township No. 12-Jesse Brake, John P. Tillery, S. L. Spicer, J. H. Chapman.

Township No. 13-B. B. Barron, Jno. Lancaster, J. R. Bullock.

Township No. 14-W. E. Bradley, O. B. Proctor.

#### FORSYTH COUNTY.

Abbott's Creek township-W. F. Foy.

Belew's Creek township-R. S. Linville, J. W. Flynt.

Bethania township--N. F. Sullivan.

Broadbay township-M. J. Bodenheimer, W. H. Sheppard.

Kenersville township-J. M. Guyer, W. H. Hunter.

Lewisville township-Milton Blackburn, Daniel Brinkley.

Middle Fork township-P. A. Cox, Robt. J. Morris, W. P. Dicks.

Old Richmond township-J. C. Flemming, Alfred Shore.

Old Town township-E. A. Pfaff, Samuel Houser.

Salem Chapel township-J. D. Waddell, Joseph Grubbs, M. J. Crews,

South Fork township--Albert Atwood, Samuel Alspaugh,

Vienna township-S. D. Davis, J. S. Conrad.

Winston township—C. H. Fogle, C. Hamlen, T. T. Best, B. J. Shepperd, Martin Grogan, R. W. Belo, H. E. Fries, C. W. Masten, H. E. McIver, John Byerly, W. E. Armfield.

#### FRANKLIN COUNTY.

Louisburg township-W. N. Fuller, W. T. Wilder. Franklinton township-J. S. Joyner, W. P. Perry, J. L. Mitchell. Haysville township-R. S. Foster, J. E. Altord. Sandy Creek townshlp-John Burt, Thos. D. Farrer. Gold Mine township-Oliver P. Gupton, S. A. Jones. Cedar Rock township-J. T. Gill. Cypress township-W. A. Moore. Dunn township-Burwell Baker, J. F. Bell, Harris township-W. Hal. Mann, A. J. P. Harris. Freeman's township-J. R. Tharrington, T. J. King, Genadias Winston.

#### GASTON COUNTY.

Dallas township-M. D. Friday, John C. Puett, E. D. Thompson, A. P. H. Rhyme.

Cherryville township-J. C. Elliott, L. H. J. Houser, E. A. Manney. River Bend township-W. G. Rutledge, J. M. McIntosn, C. F. Smith. South Point township-R. P. Rankln, C. E. Stowe, A. C. Kelly, B. F. Lenhardt. Gastonia township-W. A. Pearson, E. W. Carson, T. C. Pegram, Crowder's Mountain township--W. A. Grier, Thos. H. White, John A. Y. Love,

W. A. Oates.

#### GATES COUNTY.

Gatesville township--B. F. Willey, Dr. R. H. Riddick. Hall township-M. K. Lawrence, J. A. Sparkman. Reynoldston township-W. M. Daughtry, W. D. Langston. Hastett's township-H. Clay Williams, Wiley Wiggins, E. J. Freeman, Wm. W. Knight.

Holly Grove township--David W. Parker, Thomas Parker. Hunter's Mill township--James Parker, Lycurgus Hofler. Mintonsville township-Alex. Carter, John B. Walton.

Fishing Creek township-H. A. Taylor, W. D. Blackley.

# GRAHAM COUNTY.

Robbinsville township-Reuben Rogers, Y.-J. Wakefield, John Deton, Stecoah township-Daniel R. Welch, P. F. Sawyer. Yellow Creek township-Clinton Millsaps, Wm. Garrison.

#### GRANVILLE COUNTY.

Brassfield township--E. S. Jenkins, W. P. White. Dutchville townshlp-E. E. Lyon, M. L. Winston. Tally Ho township--Jno. H. Webb, J. W. Brown. Walnut Grove township--R. W. Hobgood, B. P. Thorpe, Jr. Oak Hill township-J. S. Pool, W. A. Tuck. Sassafras Fork township-A. H. Gregory, Jos. J. Davis, Jr. Oxford township--J. S. Owen, S. V. Ellis, N. H. Whitfield, J. R. Wilson, J. H.

Meadows.

### GREENE COUNTY.

Bull Head township—John W. Taylor, T. T. Hackney.
Corporation of Contentnea—
Shine township—W. S. Best, R. E. Best, Walter Mewborn.
Snow Hill township—D. A. Sugg, Orvil Sugg, J. J. Lynch.
Hookerton township—J. C. Potter, John W. Tighlman, J. E. W. Sugg.
Ormondsville township—G. T. Ormond, J. A. Edwards, Jr.
Corporation of Shuffleton—
Willow Green township—R. R. Carr, N. S. Porter.
Olds township—B. F. Albretton, W. E. Murphy.
Carr's township—B. F. Moore, Sherrod Tindol.
Speight's Bridge township—W. M. Darden, M. A. Wâlston.

#### GHILFORD COUNTY.

Washington township—John V. Waggoner, Charles L. Sockwell.
Rock Creek township—Robt. C. Dick, Berry Davidson, B. F. Low.
Greene township—Alson G. Amick, Franklin Coble.
Madison township—Manuel Clapp, Andrew Flack.
Jefferson township—A. G. Wilson, Asa Clapp.
Clay township—L. M. Stewart, Thomas Gruson.
Monroe township—W. A. Heath, W. H. Rankin.
Gilmer township—James R. Pearce. A. P. Eckel, J. M. Wolfe.
Fentress township—W. D. Hardin, John C. Kennett.
Centre Grove township—Pinkney Wall, John W. Wharton, Jr.
Morehead township—W. J. Edmonson, W. J. Teague, Wm. Dennis, J. N. Nelson.
Sumner township—W. M. Kirkman, F. F. Glenn.

Summerfield township—W. M. Kirkman, F. F. Gienn.

Summerfield township—Charles H. Wilson, John C. Bunch.

Friendship township—Thomas E. Cook, S. W. H. Smith.

Jamestown township—Jesse Lee Armfield, James M. Marsh.

Oak Ridge township—Charles Case, J. R. Dwiggins.

Deep River township—J. A. Davis, Henry R. Barrow.

High Point township—A. R. Hammer, J. W. Guyer, Henry Wheeler, W. H.

Ragan.

# HALIFAX COUNTY.

Butterwood township—E. A. Carter, O. Rettenhouse.
Scotland Neck township—A. A. White, J. A. Perry, J. H. Smith, E. E. Hilliard.
Conoconara township—J. P. Futrell, Ralph Pittman, L. A. Mullen.
Enfield township—J. J. Robertson, Roscoe Wilkins, J. B. Hunter.
Faucett's township—W. T. McMacks, W. K. Pittman, E. C. Shearin.
Halifax township—E. C. Pittman, J. B. Lancaster, J. L. Ousby, Sterling H.
Gary.

Littleton township—R. B. Pattterson, Joseph A. House, Jesse V. Newsome. Palmyra township—K. Leggett, W. K. White. Roseneath township—A. J. Whitehead, J. J. W. Mitchell. Weldon township—R. W. Brown, T. J. E. Hockaday. Brinkleyville township—J. P. Tyre, J. H. Wills.

#### HARNETT COUNTY.

Anderson's Creek township—Niven Ray, John F. Shaw.

Averasboro township—G. W. Cox, John R. Godwin, G. R. Hodges.

Barbeeue township—John Darrock, J. H. Harmon, Jas. Cameron, Sr.

Buckhorn township—M. V. Prince, B. F. Harrington, T. B. Lanier.

Black River township—S. J. Gardner, Thomas Matthews, A. W. Gregory.

Grove township—A. J. Turlington, Daniel Stewart, A. D. Turlington, John M.

Stewart, S. R. Wilson.

Hector's Creek township—James A. Smith, Benj. Gardner, D. E. Green. Johnsonville township—A. C. Buie, D. P. McDonald, R. C. Belden. Lillington township—John A. Green, John W. Pipkin, John W. Byrd. Neill's Creek township—Wm. M. Sexton, H. H. Poe, Reddin Byrd, W. R. pence.

Stewart's Creek township—Joseph H. Williams, Geo. E. Byrd, Duncan Dairloch, Duncan J. Parker.

Upper Little River township-John W. McLean, S. P. McKay, H. A. Black.

# HAYWOOD COUNTY.

East Fork township—James Codey, Jas. C. Osborn, J. A. Burnett, Pigeon township—O. L. Allen, T. B. Edmonson.
Beaver Dam township—M. B. Hipp, J. L. Shope.
Clyde township—D. H. Byers, B. B. Jones.
Iron Duff township—J. L. Smith, R. C. Chambers.
Crab Tree Township—D. J. L. Haynes, A. J. Fincher.
Fine's Creek township—R. W. Green, H. M. Rogers.
Catalooche township—J. F. Owens, W. A. Palmer.
Jonathan's Creek township—C. D. Howell, D. M. Cagle, Harrison Davis.
Ivy Hill township—J. R. Henry, J. C. Rich.
Waynesville township—R. E. Medford, A. M. Ratcliff, Albert Francis.

#### HENDERSON COUNTY.

Hendersonville township—H. Y. Gash, A. E. Fletcher, E. J. Shipman, Edneyville township—John H. Tinley, Rufus Edney. Blue Ridge township—C. J. Edney, John L. Potillo. Green River township—W. C. Ward, J. I. Davis. Clear Creek township—A. C. Maxwell, A. J. McMinn. Hooper's Creek township—J. R. Byers, Jesse A. McMinn. Crab Creek township—W. A. Merrill, James Kilpatrick. Mill River township—N. W. Posey, J. Wilson Morgan.

# HERTFORD COUNTY.

Maney's Neck township—E. G. Sears, W. B. Myrick. St. John's township—G. A. Brown, G. W. Beverly, J. G. Moore, L. R. Tyler, E. H. Joyner.

Winton township—Robert Hollowman, W. H. Jernigan, A. J. Parker. Harrellsville township—D. L. Jernigan, John M. Jones, R. J. Baker. Murfreesboro township—Geo. T. Darden, W. S. Nelson, L. W. Rolf, John E. Jones.

#### HYDE COUNTY.

Lake Landing township—H. S. Gibbs, W. D. Mann.
Swan Quarter township—L. S. Ross, W. R. Carrowan, Robt. Cartwright.
Fairfield township—S. B. Sadler, W. S. Carter, T. H. B. Gibbs, J. C. Simmons.
Currituck township—R. D. Harris, T. R. Jarvis, F. A. Crary.
Ocracoke township—Joseph O'Neal, Benj. G. Spencer, William Ballance,
Thad. Scarboro.

# IREDELL COUNTY.

Turnersburg township-Jas. M. Godby, Wm. S. Turner. Eagle Mills township-W. J. Calvert, J. E. Stimpson, Union Grove township-N. T. Summers, John Warren. New Hope township-Absalom Redman, M. O. Williams. Olin township-R. T. Bryant, Henry Gill. Sharpesburg townshi-pA. P. Sharpe, J. E. King. Cool Springs townshipJ. -L. Shepherd, N. P. Watt. Bethany township-W. H. H. Summers, William Dunlap. Concord township-R. A. Stone, Wm. F. Sharpe. Shiloh township-Harvey Reese, Rufus Morrison. Statesville township-Harry Burke, A. W. Jamison, J. Harvey Stephenson. Chambersburg township-W. E. McNeely, Jesse D. Click. Barringer's township-W. C. Mills, James H. Brown. Fallstown township-R. J. Wills, James Wilhelm. Davidson township-D. A. Barkley, J. W. A. Kerr. Coddle Creek township-Isaac Harris, A. M. Walker, E. Lee Cloninger.

# JACKSON COUNTY.

Qualla township—James H. Cathey, E. H. Hampton, W. J. Miller, W. H. Thomas, Jr.

Barker's Creek township-Wm. Bumgarner, Jesse F. Brown.

Webster township-Joseph Davis, A. J. Long, Sr.

Sylva township—W. M. Rhea, A. M. Parker, A. W. Bryson, H. P. Brendle, L. W. Allen.

Dillsboro township—S. T. Early, J. C. Watkins, J. W. Jones, F. Merrick, Jas. F. Williams.

Savannah township—E. C. Ashe, Alfred Davis, W. H. Buchanan. Scott's Creek township—D. L. Robinson, L. F. Fisher, S. R. Cook. Cullowhee township—J. E. Moses, Lee Hooper, John Bumgarner. Caney Fork township—G. W. Hawkins, W. A. Brown, R. H. Stevens. River township—Javan Davis, T. J. Jackson, M. M. Wike. Hamburg township—W. A. Fowler, Thomas Wilson, James Wilson. Cashie's Valley township—Taylor Norton, H. M. Bennett, Thomas Zackary.

Canada township-J. C. Wood, W. A. Queen.

#### JOHNSTON COUNTY.

Clayton township-N. R. Pool, J. G. Barbonr.

Pleasant Grove township—John Stephenson, J. B. Hardee, J. T. Whittington, L. G. Stephenson.

Elevation township-Josephus Johnson, C. C. Ryals, J. P. Canady.

Meadow's township--J. W. Wood.

Bentonville township-W. N. Rose, Jr., Nathan W. Smith, J. M. Beasley.

Ingram's township-Rufns Sanders, James H. Adams.

Smithfield township-F. C. Hyman, Jno. B. Blake, W. R. Creech.

Boon Hill township--J. D. Finlayson, A. F. Holt, W. B. Rains, W. H. Capps, Jr.

Benlah township -James Hinnant, Bnrkett Brown, J. B. Pearce.

Oneal's township-John R. Brown, Kearney Eason, J. D. Jones, Thos. Parker.

Wilder's township-J. B. Reavis, W. M. Estridge, Paul H. Lee.

Selma township--W. T. Gerald, B. L. Aycock, John H. Parker.

Wilson's Mills township-Nat. Mitchener, Thos. Vinson.

Cleveland township—E. R. Johnson, F. T. Booker, W. G. Wren, James A. T. Jones.

#### JONES COUNTY.

White Oak township—K. F. Foscne, K. R. Hay, Pollocksville township—J. F. White, Franklin Foy, J. P. Harper. Trenton township—Thomas Wilcox, J. W. Wooten, T. C. Whitaker. Cypress Creek township—Benj. Brock, Z. T. Koonce. Tuckahoe township—F. M. Dixon, D. O. Farrior. Beaver Creek township—J. F. Noble, C. H. Foy.

# LENOIR COUNTY.

Kinston township—G. E. Miller, J. W. Grainger, A. T. Hill, A. D. Parrott. Moseley Hall township—D. C. Murchison, T. R. Ronse, Benj. F. Sutton, Jr. Institute township—Franklin Daile, Jesse H. Hardy. Falling Creek township—E. S. Sntton, John B. Hill. Vance township—B. F. Scarboro, J. M. Mewborn. Neck township—E. J. Brooks, D. W. Wood. Pink Hill township—W. A. Jones, Richard K. Nobles. Trent township—Henry Cunningham, Stephen H. Davenport. Woodington township—M. H. Wooten, C. A. Dudley, Zemas Gooding. Sand Hill township—W. W. Arnold, Joseph W. Rhem. Sonth West township—B. F. Jones, N. B. Wooten. Neuse township—Jiles Parker, Lafayette Smith.

### LINCOLN COUNTY.

Lincolnton township—H. E. Ramsenr, J. C. Warlick, A. Costner. Howard's Creek township—W. H. Hoover, Henry Honser, Dr. W. W. Neoland. North Brook township—W. L. Baker, T. P. Jenks. Ironton township—W. O. Hinkle, S. V. Goodson. Catawba Springs township—J. A. Mnnday, J. Davis, J. H. King.

#### MACON COUNTY.

Franklin township—Jonathan Philips, N. P. Rankin, Mill Shoal township—J. A. Young, John T. Berry. Ellijay township—Hosia Moses, G. A. Jacobs.
Sugar Fork township—M. B. Dockery, James Strain.
Highlands township—M. J. Skinner, B. W. Wells.
Smith's Bridge township—J. M. Carpenter, S. A. Dixon.
Cartoogechage township—W. C. Kinsey, L. H. Enloe.
Nantahala township—W. J. Evans, Parm May.
Burningtown township—D. A. Yonce, W. F. Bird, Joseph Morgan.
Cowee township—J. W. Rickman, J. A. Morrison.

### MADISON COUNTY.

Township No. 1—Barnett Fortner, R. M. Farnsworth, W. J. Gudger, Louis Peek, T. J. Flynn.

Township No. 2-Rhoderick Shelton, John Stanton.

Township No. 3-John P. Ray, W. H. Jarvis, J. H. Hunter, W. O. Conner.

Township No. 4-John Hensley, George Stevens, D. W. Angel, Wesley W. Pender.

Township No. 5-Jefferson D. Hamlin, J.M. Oliver, Nelson Jarvis, James Carter.

Township No. 6--R. S. Teague, M. Davis, J. A. Reeves, John Carson,

Township No. 7-A. J. Roberts, W. B. Roberts, Logan Lunsford, Neal Paine.

Township No. 8-Jasper Ebbs, J. A. Brooks, T. L. Case.

Township No. 9-J. H. Smith, Peter Scisom, C. H. Somers, George Wells, Frank Richardson.

Township No. 10-J. A. Wallon, James Rice.

Township No. 11-F. M. Marchbanks, J. S. Pender, Julius English.

Township No. 12-A. L. Worley, G. W. Roberts, Wm. Cody.

Township No. 13-Vance Ledford, W. A. Melton, J. J. Taylor, J. A. Ebbs.

West Fork of Bull Creek township-Wm. Ammons, C. A. McHone, B. V. Peek, Z. V. Hunter, J. Fanner.

# MARTIN COUNTY.

Jamesville township—Goodman Darden, U. S. Hassell.
Williams' township—John A. Roberson.
Griffin's township—G. W. Griffin.
Williamston township—G. L. Whitley.
Beargrass township—Simon D. Ward.
Cross Roads township—J. S. Roberson.
Robersonville township—M. A. Roberson, William Powell.
Hamilton township—G. E. Brown, T. H. Coffield, Lewis K. Purvis.
Goose Nest township—S. T. Burnitt, J. W. Leggett, N. M. Worsley,
Poplar Point township—A. H. Coffield, G. W. Andrews, Vann R. Taylor.

### McDOWELL COUNTY.

Marion township—T. J. Flemming, W. F. Cannon, H. A. Tate. Finley township—W. H. Hunter, John L. Wilson, John A. Seagle. Dysartville township—R. H. Lisk, G. D. Taylor, E. J. Kirkly, Jas. Goforth. Mumford's Cove township—J. D. Morris, Geo. R. Morgan, T. W. Brackett. Crooked Creek township—J. L. Bird, T. Y. Little. Old Fort township—G. W. Bradly, T. Y. Greenlee. North Cove township—Jos. P. Mace, Jos. E. Wilson, J. H. Haskins. Broad River township—J. M. Shuford, David Clements. Brackett's township—W. S. Clayton, J. L. Laughridge. Higgins township—W. A. Goforth, Joseph Padgett, Thos. L. Upton.

#### MECKLENBURG COUNTY.

Steel Creek township-S. W. Reid, H. D. Smith.

Pineville township-J. T. Downes, J. D. Culp, J. H. Collins.

Providence township-Joseph M. Reid, J. M. Rice.

Morning Star township-J. Watt Hood, John R. Morris, T. J. Renfrow.

Crab Orchard township-S. H. Farrow, J. L. Campbell.

Charlotte township—W. P. Boyd, D. G. Maxwell, W. W. Ward, H. C. Severs, S. W. Davis, Thomas J. Wilson, D. P. Hutchinson, F. B. McDowell, Walter Brem, M. C. Mayer, C. H. Wolf, D. G. Long, C. L. Hunter.

Sharon township-W. D. Beattie, W. B. Alexander.

Clear Creek township—C. J. Biggers, J. A. Houston, C. P. Mingo, J. E. Henderson, N. M. Phillips.

Berryville township-W. M. Long.

Dewese township-F. J. Knox, Z. A. Hovis, W. P. Williams.

Long Creek township-John C. Hutchinson, James A. Wilson,

Paw Creek township-J. A. Tucker, M. A. Alexander, Wm. J. Dunn.

Mallard Creek township-W. D. Alexander, J. P. Hunter.

Huntersville township—D. W. Mayers, John W. Moore, A. J. Hunter, J. C. Bell, J. W. Mullen.

#### MITCHELL COUNTY.

Bakersville township-D. M. Young, M. D. Wilson, S. C. George.

Red Hill township-John Flemming, Thos. C. McInturf, M. E. Green, Cason Parker.

Hollow Poplar township—Spencer Barnett, James Warrick, Jno. N. Peterson. Little Rock Creek township—T. L. Randolph, Jasper McCurry, S. E. R. Buchanan.

Toe River township-W. H. Ollis, McT. Wiseman, Wm. W. Wiseman, J. P. Thompson.

Linville township—J. G. Loven, R. R. Robbins, M. F. Walker, Thad. Brasswell, J. C. Singleton.

Cranberry township-W. A. Erwin, J. D. Horton, Wm. Ellis, Ed. Job.

Harrell's township—Samuel Bailey, Abram Buchanan, A. G. Wetherby, J. W. Phillips, Harvey Wise.

Grassy Creek township-R. B. Harrison, M. D. Wiseman.

# MONTGOMERY COUNTY.

Troy township—John C. Breton, Isaac Smith, P. W. Nooley. Uwharrie township—E. E. Smith, Elias Hurley, John Mullenix. Pee Dee township—Malcom Matheson, C. W. Boggan, C. R. Watkins. Mount Gilead township—L. P. Byrd, Houston Scarboro. Cheek Creek township—P. H. Turner, Chas. Brookshire, John Steele, Rocky Springs township—A. L. Currie, D. A. Clark, Rod. Rush. Hollingsworth township—Angus Leach, Jr., Lil Hicks. Hill township—David C. Cochran, J. W. Steed, John L. Stewart. Little River township—A. P. Leach, E. C. Martin. Ophir township—Thomas Coggin, M. W. Thayer. El Dorado township—James Moyle, G. M. Hearne. Flaggtown township—W. G. Pennington.

# MOORE COUNTY.

Carthage township—M. M. Fry, A. C. Hales.
Ben Salem township—J. C. Seawell, Kenneth Matheson.
Sheffield's township—W. C. Dualap, E. T. Williams.
Ritter's township—W. R. Reynolds.
Greenwood township—J. M. Cole, Gorrie Jackson.
Pocket township—Wm. McCleod, A. M. Wicker.
Sand Hill township—C. W. Shaw, R. N. Page.
Mineral Springs township—D. D. Morris.
McNeill's township—W. P. Smith, John K. McLean, Pink Pope.
Sanford township—T. N. Campbell, Jno. D. McIver.
Cape Fear township—M. M. Watson, J. O. A. Kelly.
Jonesboro township—D. B. Robertson, N. McK. Dalrymple.
Deep River township—Richard Street, I. N. Edwards, W. C. Willcox, A. M.
Campbell, J. H. Jones.

# NASH COUNTY.

Castalia township—Joseph Collins, B. L. Arrington.
Griffin's township—W. H. Lewis, Geo. B. Cooper, R. P. Leonard, Joe R. Ward.
Whittaker's township—D. W. Bullock, T. E. Powell, W. R. Mann.
Stoney Creek township—G. T. Coley, J. W. Watson, J. D. Armstrong.
Nashville township—E. H. Cockrell, L. M. Conyers, J. L. Hinton.
Cooper's township—G. B. Bryant, J. H. T. Baker, B. H. Vester, E. H. Deans.
Manning's township—Jas. W. Floyd, Geo. D. Johnson, J. T. Hollingsworth.
Ferrell's township—A. Bryant, C. B. Brantley, J. N. Bergeron.
Bailey's township—G. W. Morgan, David Daniel.
Jackson township—J. M. Baines, W. H. Griffin, Ed. Dillard.
Rocky Mount township—Ed. Haywood, C. W. Hammond, Jno. D. Robbins.

# NEW HANOVER COUNTY.

Wilmingtou township—William W. Harris, Joseph M. Cronley, Duncan McEachern, Miles F. Costen, Thomas J. Southerland, Edgar G. Parmelee, John W. Reilly, Walker Mears, Martin Newman, L. W. McLanier, Hector McL. Green, George L. Morton, James W. King, John J. Fowler, John Cowan, J. D. H. Klander, Edward D. Hall, W. McEvans, Wm. H. Strauss, Richard B. Clowe, Owen Fennell, Thomas B. Harris, John H. Daniel, F. B. Rice.

Cape Fear township-Robert Bordeaux, Wm. Cromwell.

Harnett township-Ed. Wilson Manning, Geo. W. Westbrook.

Masonboro township-A. J. Johnson, A. B. George.

Federal Point township-John Canady, Henry Taylor.

# NORTHAMPTON COUNTY.

Gaston township—J. W. Grant, M. J. Squire, D. B. Zollicoffer.
Occoneechee township—G. S. Urquhart, R. T. Wheeler.
Jackson township—J. A. Parker, N. Peebles, Jeremiah Gay, J. A. Buxton.
Roanoke township—C. R. Harrell, Wm. Grant, W. E. Spivey.
Rich Square township—Geo. Bishop, A. T. Eason, Paul Harrell.
Wiccamu township—J. F. Deberry, H. C. Lassiter, J. H. Deberry.
Kirby township—J. H. Edwards, R. J. Ricks, B. F. Martin.
Seaboard township—R. F. Stephenson, W. J. Maddrey, B. D. Stancell.

#### ONSLOW COUNTY.

Richlands township—M. B. Steed, F. W. Hargett. Swanboro township—J. A. Pittman, W. W. Russell, Itwis Sammons, Jacksonville township—G. W. Blake, Jr., U. M. Collins, Jas. H. Foyles. White Oak township—C. S. Hewitt, J. O. Frazel. Stump Sound township—W. A. Canaday, R. J. Williams.

### ORANGE COUNTY.

Cedar Grove township—W. H. Morris, Wm. H. Jordan, Little River township—Nazor V. Ray, H. T. Tilley, Bingham township—A. P. Cates, Thomas J. Oldham, Chapel Hill township—John H. Watson, O. B. Cates, Hillsboro township—Devereux Turner, L. S. Garrard.

# PAMLICO COUNTY.

No. 1 township—A. C. Brinson.
No. 2 township—J. O. Baxter.
No. 3 township—W. N. Pugh, C. A. Flowers, Jesse F. Sawyer.
No. 4 township—James P. Leary, F. A. Spain, James Jones.
No. 5 township—John B. Martin, J. K. Land.
Bayboro—
Stonewall—

# PASQUOTANK COUNTY.

Newland township—N. A. Jones, W. J. F. Spence, M. S. Sawyer.
Providence township—D. J. Smithson, John C. Perry.
Elizabeth City township—W. A. Moody, F. F. Cohoon, L. P. Etheredge, T. Bi
Wilson, H. C. Godfrey, S. L. Sheep.
Mount Hermon township—J. N. Winslow, N. R. Parker.
Nixonton township—D. W. Morgan, William Blount.
Salem township—J. C. Commander, Jr., Thos. E. Palmer.

#### PENDER COUNTY.

Burgaw township—R. N. Bloodworth, G. F. Jordan, A. H. Paddison.
Union township—K. J. Powers, John W. Murray.
Rocky Point township—T. J. Armstrong, H. M. Hocutt.
Caswell township—H. M. Driver, Eli Larkins, Wm. H. Lewis.
Holly township—Gibson James.
Columbia township—R. H. Murphy, L. J. Johnson.
Caintuck township—L. C. McDuffie, A. R. Hilbun, F. P. Flynn.
Long Creek township—Grattan Williams, M. F. Scott, Wm. Burney.
Topsail township—W. O. Johnson, H. J. McMillan.
Grady township—J. B. Croom, J. F. Moore, J. P. Richards, W. F. Bell, F. M
Orr.

# PERQUIMANS COUNTY.

New Hope township—B. F. Gregory, Thomas J. McNider. Parkville township—T. C. Morgan, Alphonso White. Belvidere township—James Miller, Jno. R. Jollife, Henry B. Hurdle. Bethel township—Robt. S. Pratt, J. J. Fleetwood, E. H. Elliott. Hertford township—J. H. Parker, Robt. A. Brina, W. F. Stokes.

#### PERSON COUNTY.

Roxboro township—W. H. Williams, C. B. Brooks, Jas. H. Clayton.
Mount Tirzah township—W. F. Noell, J. L. Clayton.
Flat River township—W. F. Timberlake, Geo. H. Jones.
Allensville township—L. G. Clayton, A. D. Moore, Taylor Jackson.
Holloway's township—T. J. Montague, John A. Baird, Jr., W. T. Humphries.
Woodsdale township—J. S. Robertson, S. C. Barnett, Z. T. Brooks.
Cunningham township—Bobt. A. Williams, W. B. Crisp, Jno. S. Cunningham.
Olive Hill township—J. Y. Thomas, A. W. O'Brian.
Bushy Fork township—S. E. Morton, B. F. Hester, A. M. Long, E. S. Malone.

#### PITT COUNTY.

Pactolus township—J. L. Wilson, W. R. Whichard.
Contentnea township—J. J. May, G. W. Hellen, A. L. Herrington.
Carolina township—J. H. Woolard, S. R. Ross.
Bethel township—D. C. Moore, R. J. Grimes, John S. Brown.
Belvoir township—W. H. Reeves, T. A. Thigpen.
Falkland township—John King, W. R. Williams, F. G. Dupree.
Farmville township—J. A. Lang, R. L. Joyner, W. A. Barrett.
Beaver Dam township—J. S. Norman, J. W. Smith.
Swift Creek township—S. S. Rosberry, I. K. Wetherington,
Chicod township—J. J. Laughinghouse, O. C. Nobles, R. G. Chapman.
Greenville township—Richard Williams, Jr., E. O. McGowan, G. F. Evans, B.
S. Sheppard.

#### POLK COUNTY.

Columbus township—N. H. Hill, J. H. Ames, R. C. Tallent.
White Oak township—Wm. A. Mills, Joseph T. Waldrop, J. C. Waldrop.
Cooper's Gap township—A. B. F. Mills, John Powell.
Tryon township—David Foster, J. B. Livingston.
Green's Creek township—Thomas M. Walker, John Earl Prince.

# RANDOLPH COUNTY.

Columbia township--J. M. Foushee, H. T. Bray. Liberty township-D. M. Holliday, B. G. Campbell. Franklinsville township-Hugh Parks, J. S. McAllister. Randleman township-F. M. Ingold, T. C. Worth. Asheboro township-E. H. Moffitt, Peter Vancouver. Cedar Grove township-John W. Ridge, J. L. Phillips. Trinity township-B. L. Lineberry, Dr. Joseph Bird. New Market township-J. A. Wall, S. G. Coultrane, C. Gray. Back Creek township-James Miller, Hugh McCain. Tabernacle township-J. M. Johnson, Wm. H. Rush. Concord township-B. W. Steed, W. A. Prevo. New Hope township-J. W. Burkhead, E. G. Rochelle. Union township—Ransom Lucas, Randall Pressnell. Richlands township-G. E. Spinks, H. M. Johnson. Brewer township-J. E. Albright, W. F. Owens. Grant township-Joseph Redding, Stanly S. Cox. Pleasant Grove township--John R. Caviness, John M. Stinson. Providence township-William Branson.

#### RICHMOND COUNTY.

Steele's township—N. G. Nicholson, A. J. Little, Jas. L. Baldwin, S. M. Ingram, Alfred Baldwin.

Mineral Springs township-W. R. Covington, Joseph Gibson.

Black Jack township-F. T. Baldwin, M. J. Thrower.

Rockingham township—H. M. McHalez, J. A. Covington, Marion Jones, E. C. Terry.

Wolf Pit township -- J. A. Harrington, J. Albert Smith.

Beaver Dam township-D. M. McNair, C. P. Dawkins.

Williamson township-Mark Morgan, G. W. Wright.

Stewartsville township-D. D. McIntyre, W. H. McLaurin, W. H. Murphy.

Laurel Hill township-John McLean, Lauchlin McNeill.

Mark's Creek township—G. J. Freeman, J. A. Cameron, L. J. Oliver, J. R. McDonald.

#### ROBESON COUNTY.

Alfordsville township—G. C. Fisher, Isaac T. McLean.
Blue Springs township—D. E. McBryde, J. A. Currie, John Chisholm.
Back Swamp township—W. P. Barker, Mike McIntyre.
Britt's township—R. X. Bullard, Redding Rice, R. O. Pitman.
Harrellsville township—Thos. Kinlaw, W. J. Regan.
Lumberton township—H, McE. McMillan, Joseph A. Boone.

Lumber Bridge township-H. B. Ennett, J. W. Adcock.

Philadelphus township--J. A. Humphrey, D. A. Buie, E. J. Begg, F. E. Tyner, James Deese.

St. Paul's township-W. B. Burns.

Sterling's Mills township-J. H. Floyd, E. McQ. Surles, E. C. Nye.

Red Springs township-John A. Brown.

Smith's township-D. L. Stewart, P. P. Smith, John H. Harris.

Shoe Heel township--R. E. Townsend, Dr. W. L. Burns.

Thompson's township-Colon Williams, E. L. Ward, J. B. Rowland.

Wishart's township-F. J. Mears, Simeon McLean.

White House township-Archd. Thompson, Oscar Page.

# ROCKINGHAM COUNTY.

Huntsville township—Joseph H. Gentry, J. A. Colley, W. A. Gourley, R. B. Henderson.

Leaksville township-B. K. Terry, A. H. Strong, J. M. Price, C. G. Jones.

Mayo township-S. W. Carter, N. C. Deshazo, Thos. Garrett.

Madison township-T. McWoodburn, E. S. Martin, D. W. Busick.

New Bethel township-A. R. Bennett, Patrick Williams.

Simpsonville township-John F. Dixon, J. R. Shreve, W. K. Gibbs, Robt. Brown.

Oregon Hill township-J. M. Milliner, L. L. Bennett.

Williamsburg township-W. C. Staples, W. H. Brannock, W. D. Hightower.

Wentworth township-John M. Ellington, G. W. Moore.

#### ROWAN COUNTY.

Salisbury township--David R. Julian, Jno. Allen Brown, A. H. Boyden, Adam M. Brown, E. B. Neave, Stephen Ketchin.

Locke township-Edmond Briggs, J. C. Bernhardt, Paul A. Peeler.

Atwell township-W. R. Freeland, S. Bingham Hart, David A. Sloop.

Mt. Ulla township---Jno. K. Graham, Jos. C. Cowan, Thos. J. McConnell, E. A. Sherrell.

Scotch-Irish township—William G. Watson, W. B. Hunt, Nathan N. Flemming, Samuel M. Hobson.

Unity township-J. H. Rice, Richard Culbertson.

Franklin township-W. A. Lentz, Julius Earnhardt.

Providence township-John S. M. Miller, James A. Reid.

Morgan township—W. A. Campbell, Paul C. Shaver.

Gold Hill township—Martin E. Miller, W. A. Fesperman, J. A. Heilig.

Litaker township-J. L. Randleman, A. W. Rusher.

China Grove township—E. Riley Blackwilder, J. M. Eddleman, John C. Corribu.

Steele township-W. L. Keistler, Joseph S. Hall, J. Rowan Davis.

#### RUTHERFORD COUNTY.

Rutherfordton township-W. B. Wilson, David E. Huntley, D. R. Forbis.

Green Hill township-A. P. Hill, Jonas Elliott.

Union township-Adolphus Brooks, Wm. McKinney.

Sulphur Springs township-I. N. Miller, C. P. Tanner.

High Shoals township-John Goode, G. C. Harper.

Colfax township-T. L. Harrell, J. A. Cooper.

Cool Springs township—S. F. Harrell, F. Moore, B. McMahon, A. J. Green.

Duncan's Creek township—Smith Gettys, W. B. Palmer. Golden Valley township—J. L. Early, J. L. Gamble. Logan's Store township—John Pope, Lindsey Pergerson. Camp Creek township—J. W. Hampton, R. P. Geer. Morgan township—T. C. Nanney, A. Higgins. Chimney Rock township—P. F. Searcy, Frank Reynolds.

#### SAMPSON COUNTY.

North Clinton township—W. M. Draughan, H. J. Hines, L. S. Bell, David Marshburn.

South Clinton township—M. M. Killett, B. B. Hobbs, Bias Underwood, B. S. Peterson.

Hall's township—J. A. Beaman, D. R. Watson. Franklin township—H. W. Moore, James A. Moore. Lisbon township—A. F. Robinson, Robert Cain. Taylor's Bridge township—E. C. Smith, T. D. Robinson. Turkey township—C. E. Daniel, J. R. Marable, Joseph F. Falson.

Turkey township—C. E. Daniel, J. R. Marable, Joseph F. Faison. Piney Grove township—R. R. Bell, A. H. King.

Newton Grove township—R. A. Ingram, James A. Warwick, L. C. King. Westbrook's township—Marshall Lee, J. R. Westbrook.

Mingo township—Jesse Wilson, J. C. Draughan.

Dismal township---L. C. Spell, M. O. Jackson.

Little Coharie township.-J. D. O. Culbreth, John E. Howard, J. O. Tew.

Honeycutt's township—T. S. Underwood, M. T. Crumpler. McDaniel's township—F. D. Parker, R. L. Lewis.

# STANLY COUNTY.

Centre township—D. J. Allen, James W. Smith, O. H. Upchurch.
Albemarle township—Jno. W. Bastian, J. D. Forest, J. M. Redwine, J. F. Lilly,
Harris township—E. F. Eddins, C. H. Brooks, M. S. Parker.
Ridenhour township—J. C. Ridenhour, W. A. Moody.
Almond township—W. E. Furr, D. A. . Hatley, Rufus G. Greene.
Furr township—Franklin Moss, Joshua Brooks.
Big Lick township—R. H. Griffin, S. D. Bost, Jas. D. Tucker.
Tyson township—R. W. Thompson, F. M. Wilhaits.

#### STOKES COUNTY.

Beaver Island township—J. W. Davis, J. C. Flinn, Albert J. Wall, Meadow township—S. B. Taylor, W. V. McCanless. Quaker Gap township—C. T. Christian, W. M. Beasley. Peter's Creek township—W. F. Campbell, A. J. Pringle, C. C. Smith. Souratown townshipJ—ohn C. Bailey, J. I. Blackburn. Snow Creek township—Z. S. Alley, Jno. J. Shoffer, J. W. Hutcherson, Yadkin township—E. W. Culler, James T. Johnson, A. M. Boyles.

### SURRY COUNTY.

Bryan township—B. J. Snow, Frederick W. Norman.
Dobson township—Henry Snow, J. M. Gordon.
Eldora township—W. A. Atkinson, D. M. Johnson,
Franklin township—W. B. Nixon, Riley Barker.
Hotel township—Thomas L. Gwyn, John C. Hart.
Marsh township—Thomas T. Anthony, Wm. S. Blackwood.
Mt. Airy township—Samuel L. Gilmer, Albert L. Bunker, Alex. J. Thompson.
Pilot township—W. E. Stone, W. S. Redman.
Siloam township—R. E. Reeves, W. W. Cornelius.
Stewart's Creek township—C. A. Nation, W. W. Lovel.
Rockford township—B. D. McKeoghan, W. F. Sprinkle.
Westfield township—V. A. Lewis, J. H. Inman, Joseph White.

# SWAIN COUNTY.

Charleston township—N. B. McLain, A. Jones. Nantahala township—H. C. Burnett, B. B. Royal. Forney's Creek township—W. T. Calhoune, J. R. Bradshaw. Oconolufta township—J. M. Enloe, W. P. Hyde.

# TRANSYLVANIA COUNTY.

Eastatoe township—W. N. Gillespie.
Glocester township—T. C. McCall.
Hogback township—S. L. Saunders, J. L. Fisher, L. E. Reese.
Boyd township—A. W. Setton.
Little River township—E. W. Blythe, Robert Kilpatrick.
Brevard township—W. P. Whitmore, T. L. Gash.
Dunn's Rock township—T. T. Loftis, W. S. Lankford, Wm. Maxwell, Edward Batson.

Cathey's Creek township-G. W. Southern, J. H. Paxton.

#### TYRRELL COUNTY.

Alligator township—Samuel S. Barnett, John H. Thomas. Columbia township—Walter McClees, J. A. Spruill. Gum Neck township—A. C. Sawyer, F. C. Patrick. Scuppernong township—Thomas W. Swain, A. W. Owens. South Fork township—S. C. Patrick, H. D. Bateman.

# UNION COUNTY.

Monroe township—S. S. S. McCauley, Abel Helms, C. N. Simpson, J. D. A. Secrist.

Buford township-W. L. Belk, R. W. A. Rogers, Randolph Redfern.

Jackson township-R. T. Sistar.

Goose Creek township-T. E. Long, A. W. McManess.

New Salem township—Thomas C. Griffin.

Lane's Creek township-B. F. Parker.

Vance township-J. S. Baucom, E. J. Krimminger.

Sandy Ridge township-John H. Winchester.

# VANCE COUNTY.

Henderson township-Thomas L. Jones, Henry Perry.

Kittrell township-Jerome H. Fuller.

Sandy Creek-

Middleburg township—John J. Pegram, Leonidas Harris, Jas. K. Plummer, Luther R. Crocker.

Nut Bush township-Thomas M. White.

Townesville township—James M. B. Hunt.

Williamsboro township-Richard A. Bullock, John G. Morgan.

#### WAKE COUNTY.

Barton's Creek township-J. D. Allen, J. R. Nipper.

Buckhorn township-Thos. S. Boothe, J. B. Council.

Cary township--Wm. G. Crowder, H. B. Jordan.

Cedar Fork township-A. M. Adams, W. M. Arnold, M. L. Carlton.

House's Creek township-Sion H. Smith, Henry Ray.

Little River township-B. T. Strickland, P. P. Pace.

Mark's Creek township—W. H. Hood, W. A. Liles.

Middle Creek township—W. H. Holland, J. E. Ballentine, J. M. Griffis, W. H. H. Jones.

Neuse River township-F. J. Holloway, H. V. Pace.

New Light township-W. H. Lassiter, B. F. Lawrence.

Oak Grove township-Q. B. Gully, R. H. D. Gooch, John Vickers.

Panther Branch township-G. P. Partin, J. W. Pegram.

St. Mary's township-T. J. Johns, P. W. Dowd.

St. Matthew's township-H. H. Knight, M. W. Buffaloe.

Swift Creek township-M. T. Jones, F M. Gulley.

Wake Forest township—D. W. Allen, Jno. W. Jones, R. F. Temple, J. A. Stell, John Fort.

White Oak township-W. B. Upchurch, J. C. Burnes, G. W. W. Woodall.

Raleigh township—John W. Brown, W. P. Batchelor, W. H. Dodd, H. H. Roberts, J. C. Marcom, C. B. Root, Wesley Whitaker, R. B. Sewell, G. F. Kennedy, W. D. Haywood, M. B. Barbee, W. E. Asheley, L. H. Adams, M. H. Horton, J. A. Haywood.

Holly Springs township-J. C. Ballentine, P. A. Norris, D. C. Adams, H. J. Barker, J. D. Marcom, Alfred C. Burt.

### WARREN COUNTY.

Township No. 1-W. H. Bobbitt, J. R. Boyd.

Township No. 2-Samuel Bobbitt, W. C. Drake.

Township No. 3-W. J. Davis, A. S. Webb.

Township No. 4-Geo. H. Fleming, John L. Robinson.

Township No. 5-B. M. Collins, W. D. Newman.

Township No. 6-J. B. Wiggins, George A. Rose.

Township No. 7-J. O. Drake, Edward Royster.

Township No. 8-H. T. Egerton.

Township No. 9-R. E. Ballard, J. P. Leach.

Township No. 10-R. H. Ford, H. B. Hunter, Sr., J. W. Scott.

Township No. 11-W. E. Davis, P. G. Alston.

Township No. 12-R. L. Stewart, Thomas W. Walker.

# WASHINGTON COUNTY.

Plymouth township—Thomas S. Armistead, Levi I. Fagin. Lee's Mill township—W. T. Freeman, Isaac T. Hassell. Skinnerville township—Thomas S. Swain. Scuppernong township—W. J. Mercer, Joshua B. Davenport, J. L. Howell.

#### WATAUGA COUNTY.

Boone township—D. B. Dougherty, Thomas L. Critcher.
Beaver Dam township—H. H. Farthing.
Blue Ridge township—Jordan Cook, Thos. L. Day.
Blowing Rock township—Joe. B. Clark, Wm. E. Elrod.
Bald Mountain township—A. F. Davis.
Cove Creek township—Wm. B. Harbin, Jehiel E. Eggers.
Laurel Creek township—L. W. Farthing, John Harman.
Meat Camp township—James H. Taylor, Thos. J. Ingram, John H. Norris.
Stoney Fork township—D. B. Wagner, L. G. Maxwill, Wm E. Green.
Shawneehaw township—Geo. W. Dugger, Geo. W. Brown.
Watauga township—Chas. D. Taylor, Joseph Phipps.
Elk township—John R. Hodges.

### WAYNE COUNTY.

Goldsboro township - George A. Collier, Joseph E. Peterson, John W. Bryan, W. Thomas Yelverton, James W. Borden, E. Arnold Wright.

Nahunta township—Fred. I. Becton, James H. Barnes, Needham W. Musgrove. Stoney Creek township Will iam G. Hooks, James W. Hall, Wm. R. Johnson. Great Swamp township—Peter L. Peacock, Matthew R. Hooks.

Saulston township—George W. Best, Charles D. Brown, Joseph Roberts. New; Hope township—John Daly, Benjamin F. Umphreys. Indian Springs township—Charles F. Harring, W. P. Price. Brogden township—Frank A. Simmons, W. Bryant Bowden, Geo. W. Bridgers. Grantham township—John F. Grantham, Josiah F. Fox. Fork township—Nestus H. Gurley, W. Frank Rose.

Pikeville township.—Wm. L. Pike. W. Haywood Ham, James W. Thompson.

#### WILKES COUNTY.

Newcastle township—J. C. Armstrong, John S. Haynes, Lewis' Fork township—L. M. McGlamsey, Martin McGlamsey. Brushy Mountain township—J. H. Ellis, J. H. Costner, J. A. Lowe. Job's Cabin township—A. J. Taylor. Lovelace township—J. F. Anderson, R. C. Garner. Elk township—T. H. West, J. C. Land. Fishing Creek township— Edwards' township—R. G. Hickerson, J. T. Edwards. Trap Hill township—Wesley Joines, R. N. Johnson. Walnut Cove township—F. H. Alexander, G. W. Absher. Rock Creek township—J. W. Emmerson, L. D. Parks. Mulberry township—P. E. Daney, Lee Johnson. Union township—L. E. Whittington, E. T. Daney.

Antioch township-W. J. Kenyon.

Reddies' River township-W. A. McNeill.

Beaver Creek township-J. A. Foster, Phineas H. German.

Somers township-L. W. Lonsford, J. R. Wright.

Wilkesboro township—J. C. Foushee, J. P. Hutchison, R. M. Staly, T. B. James, S. J. Ginnings, A. A. Finley.

Moravian Falls township—S. H. Bobbitt, W. H. Hubbard, T. J. Gilreath, J. A. Carlton, W. B. Revis.

#### WILSON COUNTY.

Wilson township-W. F. Mercer, J. W. Lancaster, T. C. Davis, Calvin Barnes.

Black Creek township—David Daniel, Barnes Daniel.

Cross Roads township-T. R. Atkinson, Wm. Barnes, Claudius Aycock.

Sping Hill township-L. A. Watson, J. T. Revel.

Gardner's township-John H. Barnes, Britton W. Barnes.

Toisnot township-C. L. Brasswell, J. T. Lewis.

Saratoga township-James Bryant, A. T. Smith.

Taylor's township-John J. Hales, A. M. Thompson.

Old Fields township-James H. Fulgham, D. M. Stott.

Stantonsburg township-H. B. Lane, W. J. Batts.

#### YADKIN COUNTY.

Boonville township-M. L. Woodhouse, Joel D. Reece.

Knobs township-L. T. Ray, V. M. Swain, W. G. Holcombe.

Buck Shoals township—J. M. Burgess, Andrew Johnson.

Deep Creek township-M. J. Vestal, C. A. Long.

Liberty township-W. L. Macy, N. S. C. May, W. L. Kelly.

Forbush township-John T. Conrad, G. B. Harding.

Little Yadkin township-G. T. Black, J. N. S. Doub, N. Glenn Williams Philip Brann.

East Bend township-A. Horne, Wesley H. Spears.

Falls Creek township-G. D. Hobson, J. W. Dobbins.

### YANCEY COUNTY.

Burnsville township-C. C. McCloud, Ansel Edwards.

Cane River township-E. M. Proffitt, H. A. Proffit, S. T. Proffit.

Egypt township—Joel Hensley, J. H. Higgins, C. R. Bradford, D. R. A. Pate.

Ramseytown township—Wm. M. Whitsons, C. R. Byrd, S. S. Adkinson, S. J. Peek.

Green Mountain township-Jacob M. Lipton, H. M. Bailey.

Jack's Creek township-M. W. Peterson, Wm. Roland, A. Z. McCurry.

Brush Creek township-Columbus Robinson, A. A. Woody, Jeff. Collis.

Crabtree township-J. O. Griffith, Alex. Siler, J. E. Robinson.

South Toe River township—Sidney Ballew, John Westall, Jesse Byrd.

Pensacola township-John Allen, Dan'l Chatham, Admeran Riddle.

Price's Creek township-C. M. Penland, Wm. McClelland, Ellis Blankenship.

Whole number of votes cast 127, of which the above list of nominations received 112.

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.

T. G EMRY,
T. L. BANKS,
Tellers on the part of the Senate.

R. A. DOUGHTON, J. A. CRISP,

Tellers on the part of the House of Representatives.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

Bills and resolutions were introduced, read the first time, and disposed of as follows:

By Mr. Turner of Iredell, S. R. 1259, resolution for W. W. Cooper. Placed on the Calendar.

By Mr. Smith, S. B. 1260, bill to cure defects in the probate of a will, etc., in Jackson County. Placed on the Calendar.

By Mr. LeGrand, S. R. 1261, resolution in favor of J. M. Brown. Placed on the Calendar.

By Mr. Payne, S. R. 1262, resolution in favor of the Reading Clerks. Placed on the Calendar.

By Mr. Toms, S. R. 1263, resolution in favor of the Engrossing Clerks. Placed on the Calendar.

By Mr. Campbell, S. B. 1266, bill supplemental to an act to incorporate the town of Hallsboro, in Columbus County. Placed on the Calendar.

By Mr. Pou, S. R. 1267, resolution in favor of the clerks of the General Assembly. Placed on the Calendar.

By Mr. Abbott, S. R. 1268, resolution in favor of employees. Placed on the Calendar.

### THE CALENDAR.

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

- H. B. 541, S. B. 1101, bill to amend chapter 309, Laws of 1885, in relation to reprinting and sale of certain volumes of the Supreme Court Reports, passed its second and third readings, and was ordered enrolled.
- S. R. 1259, resolution in favor of W. W. Cooper, passed its second and third readings, was sent to the House of Representatives without engrossment.
- S. B. 1260, bill to cure defects in the probate of a will, &c., passed its second and third readings, and was sent to the House of Representatives without engrossment.
- S. R. 1261, resolution in favor of J. M. Brown, passed its second and third readings, and was sent to the House of Representatives without engrossment.
- S. R. 1262, resolution in favor of the Reading Clerks, passed its second and third readings, and was sent to the House of Representatives without engrossment.
- H. B. 1047, S. B. 1110, bill to amend chapter 1, Vol. II, of *The Code*, and chapters 409 and 410, Laws of 1887, pertaining to the Department of Agriculture, Immigration and Statistics, on its second reading.

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

Mr. Payne moved to reconsider the vote by which the bill was laid on the table, and moved to lay the motion to reconsider on the table.

The latter motion prevailed.

S. R. 1263, resolution in favor of the Engrossing Clerks, passed its second and third readings, was sent to the House of Representatives without engrossment.

H. B. 1179, S. B. 1097, bill to amend the law of burglary, passed its second and third readings, and was ordered enrolled.

H. R. 1368, S. R. 1239, resolution of instruction to our Senators and Representatives in Congress, passed its second and third readings, and was ordered enrolled.

H. B. 1383, S. B. 1165, bill to amend section 2288 of *The Code*, in relation to boats, oars, sails, etc., passed its second and third readings, and was ordered enrolled.

H. B. 1198, S. B. 1104, bill prescribing the duties and directing the manner of appointing port wardens for the port of Wilmington, passed its second and third readings, and was ordered enrolled.

S. B. 1266, bill supplemental to an act to incorporate the town of Hallsboro, in Columbus County, passed its second and third readings, was sent to the House of Representatives without engrossment.

H. B. 1450, S. B. 1251, bill to establish a ferry across Yadkin River, on its second reading.

Mr. Hampton moved to amend:

"Strike out, in line 4, section 4, the words 'three miles,' and insert in lieu thereof the words 'one and a half miles.'"

Adopted.

The bill passed its second and third readings, the Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 856, S. B. 839, bill to amend section 3383 of *The Code*, relative to fishing, passed its second and third readings, and was ordered enrolled.

H. B. 1212, S. B. 1107, bill to incorporate Dobson Lodge, No. 117, Independent Order of Odd Fellows (Surry County), passed its second and third readings, and was ordered enrolled. H. B. 1042, S. B. 966, bill to prohibit the felling of timber in Cove Creek, Montford Township, McDowell County, was,

On motion of Mr. LeGrand, laid on the table.

H. B. 1184, S. B. 1056, bill to restrict the corporate limits of Old Fort, in McDowell County, passed its second and third readings, and was ordered enrolled.

H. B. 1118, S. B. 1056, bill to incorporate McElrath Methodist Episcopal Church, in Burke County, and to prohibit the sale of liquors within two miles thereof, passed its second and third readings, and was ordered enrolled.

H. B. 441, S. B. 527, bill to amend the charter of the town of Morganton, relating to sale of spirituous liquors, passed its second and third readings, and was ordered enrolled.

H. B. 1128, S. B. 1100, bill to allow standard keepers to remove weights and measures from the court-house, passed its second and third readings, and was ordered enrolled.

H. B. 740, S. B. 774, bill to prohibit non-residents from dredging oysters in this State, passed its second and third readings, and was ordered enrolled.

House amendments to

S. B. 132, H. B. 461, bill to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads, were concurred in, and the bill was ordered enrolled.

H. B. 1119, S. B. 1184, bill to incorporate the town of Blowing Rock, in Watauga County, passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—42.

The bill was ordered enrolled.

H. B. 1360, S. B. 1190, bill to amend the charter of the city of Greensboro, on its third reading.

The bill passed its third reading—ayes 41, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Williams of Pitt—41.

The bill was ordered enrolled.

H. B. 1223, S. B. 1148, bill to authorize the Commissioners of Harnett County to fund and pay a certain debt of said county, passed its third reading—ayes 43, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—43.

The bill was ordered enrolled.

H. B. 1274, S. B. 1127, bill to incorporate the town of Bakersville, in the county of Mitchell, passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Ire-

dell, Twitty, Warters, Williams of Cumberland and Wimberly—39.

The Senate amendment was sent to the House of Representatives without engrossment.

H. B. 1108, S. B. 1204, bill to abolish the February and July terms of Wake Superior Court, passed its third reading, and was ordered enrolled.

H. B. 1113, S. B. 1227, bill to amend chapter 130, Private Laws of 1885, entitled an act to incorporate the town of Elk Park, in Mitchell County, passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—39.

The bill was ordered enrolled.

H. B. 482, S. B. 1196, bill to incorporate the town of China Grove, passed its third reading—ayes 40, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—40.

The bill was ordered enrolled.

H. B. 1184, S. B. 1086, bill to amend the charter of the town of Marion, passed its third reading—ayes 39, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Briggs, 55

Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—39.

The bill was ordered enrolled.

H. B. 1283, S. B. 1159, bill to incorporate the Randolph Southern Railway Company, passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Brock, Brown, Copeland, Emry, Falkener, Farthing, Green, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—36.

The bill was ordered enrolled.

H. B. 1247, S. B. 1124, bill to incorporate the town of Macon, in Warren County, passed its third reading—ayes 36, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Copeland, Emry, Farthing, Green, Hampton, Kerr, Kin, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters and Williams of Cumberland—36.

The bill was ordered enrolled.

House amendment to

S. B. 630, H. B. 1264, bill to incorporate the Tarboro Land and Trust Company, was concurred in, and the bill was ordered enrolled.

H. B. 1272, S. B. 1126, bill to incorporate the town of Osgood, Chatham County, passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Hampton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Mocre, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—40.

The bill was ordered enrolled.

H. B. 1256, S. B. 1218, bill to incorporate the Northeastern Railway Company, passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Hampton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—41.

The bill was ordered enrolled.

H. B. 1221, S. B. 1151, bill to incorporate Kernersville, in Forsyth County, passed its third reading—ayes 43, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—43.

The bill was ordered enrolled.

H. B. 1195, S. B. 323, bill to incorporate the town of Earl, in Cleveland County, passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Falkener, Farthing, Green, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—41.

The bill was ordered enrolled.

H. B. 1390, S. B. 1206, bill to amend chapter 172, Laws of 1860-'61, extending the corporate limits of Morehead City, passed its third reading—ayes 41, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Hampton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—41.

The bill was ordered enrolled.

H. B. 1403, S. B. 1192, bill to incorporate the town of Wade, Cumberland County, N. C., passed its third reading—ayes 42, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—42.

The bill was ordered enrolled.

H. B. 1440, S. B. 1199, bill to amend the stock law of Wayne County, passed its third reading—ayes 42, noes—, s follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Falkener, Farthing, Green, Hampton, Holton, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Rice, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—42.

The bill was ordered enrolled.

H. B. 1167, S. B. 1166, bill to re-enact, consolidate and amend an act to incorporate the town of Dunn, in Harnett County, passed its third reading—ayes 37, noes —, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brock, Brown, Campbell, Emry, Falkener, Farthing, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland and Wimberly—37.

The bill was ordered enrolled.

H. B. 798, S. B. 933, bill to provide for better and additional roads in Buncombe County, passed its third reading—ayes 38, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Blair, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—38.

The Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 1140, S. B. 1016, bill to amend the charter of the

town of Taylorsville, Alexander County, passed its third reading—ayes 40, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Barber, Bennett, Briggs, Brock, Brown, Copeland, Crawford, Emry, Farthing, Green, Holton, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Twitty, Warters, Williams of Cumberland, Williams of Pitt and Wimberly—40.

The bill was ordered enrolled.

H. B. 1171, S. B 1153, bill to authorize the Commissioners of Moore County to levy a special tax, passed its third reading—ayes 37, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Aycock, Banks, Barber, Bennett, Briggs, Brock, Brown, Campbell, Copeland, Crawford, Emry, Green, Hughes, Kerr, King, Leeper, LeGrand, Leinbach, Little, Long, Lucas, Lusk, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Thomas, Toms, Turner of Catawba, Turner of Iredell, Warters, Williams of Cumberland and Wimberly—37.

The bill was ordered enrolled.

S. B. 631, bill for the better accommodation of the traveling public, etc., passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1452, S. B. 1250, bill to incorporate the North Carolina State Firemen's Association, passed its second and third readings, and was ordered enrolled.

Mr. Pou moved to reconsider the vote by which

H. B. 885, S. B. 1156, bill to amend chapter 119, Laws of 1885, and section 3427 of *The Code*, relating to the Board of Directors of the Penitentiary, failed to pass its second reading yesterday.

The motion prevailed.

The question recurred upon the passage of the bill its second reading.

Mr. Pou moved to amend:

"The said board shall have power to fix the salaries and compensation of all officers and employees of the Penitentiary, not to exceed their present salary, and to abolish any offices or positions which they may deem unnecessary."

Adopted.

Mr. Blair moved to amend:

"Strike out the words 'five directors,' and and insert instead thereof 'nine directors'; strike out the words 'five hundred,' and insert the words 'three hundred.'"

Lost.

As amended, the bill passed its second and third readings, and the Senate amendment was sent to the House of Representatives without engrossment.

H. B. 913, S. B. 849, bill to incorporate the Bromine and Arsenic Springs and Baptist Church, in Ashe County, etc., passed its second and third readings, and was ordered enrolled.

H. B. 845, S. B. 770, bill to incorporate the Mount Pleasant Baptist Chapel Church, in Ashe County, passed its second and third readings, and was ordered enrolled.

H. B. 550, S. B. 523, bill to incorporate Mud Creek School House, etc., in Ashe County, passed its second and third readings, and was ordered enrolled.

H. B. 582, S. B. 885, bill to amend section 1321 of *The Code* of North Carolina, relating to the drainage of lowlands, etc., passed its second and third readings, and was ordered enrolled.

H. B. 1101, S. B. 1102, bill to protect the public moneys in the hands of County Treasurers, passed its second and third readings, and was ordered enrolled.

S. B. 864, bill to lay off and establish a public road in Wilkes and Ashe counties, passed its second and third readings, and was sent to the House of Representatives without engrossment.

H. B. 1534, S. B. 1269, bill to abolish the June Term of Buncombe Superior Court, passed its second and third readings, and was ordered enrolled.

H. B. 1533, S. B. 1270, bill to investigate titles to certain oyster grounds in Dare and Hyde counties, passed its second and third readings, and was ordered enrolled.

H. B. 1532, S. B. 1271, bill to incorporate Mt. Zion Baptist Church, in Watauga County, passed its second and third readings, and was ordered enrolled.

H. B. 1030, S. B. 1027, bill to authorize the Treasurer of Randolph County to pay W. F. Tally certain school claims, passed its second and third readings, and was ordered enrolled.

H. B. 1033, S. B. 1109, bill to protect wire fences, passed its second and third readings, and was ordered enrolled.

S. B. 340, bill to enable county officers to bond in surety companies, etc., passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 1134, S. B. 1023, bill to amend chapter 24, Laws of 1887, in regard to what is a lawful fence in Carteret County, passed its second and third readings, and was ordered enrolled.

### SPECIAL ORDER.

The hour for the special order having arrived-

H. B. 1453, S. B. 1243, bill to amend chapter 113, Laws of 1887, making it the duty of the Commissioner of Labor Statistics to inquire into the management of the railroad corporations in this State, was taken up on its second reading, it being the special order for that hour.

Mr. Kerr moved the bill be laid on the table, on which the ayes and noes were ordered, and the motion the bill be laid on the table prevailed—ayes 25, noes 17, as follows:

Those voting in the affirmative were:

Messrs. Banks, Barber, Bennett, Blair, Briggs, Brown, Copeland, Emry, Falkener, Green, Hampton, Holton, Hughes, Kerr, King, Leinbach, Long, Lusk, Means, Rice, Thomas, Turner of Catawba, Warters, White and Wimberly—25.

Those voting in the negative were:

Messrs. Campbell, Farthing, Leeper, LeGrand, Lucas, Moore, Payne, Pou, Reid, Robinson, Sills, Smith, Stubbs, Toms, Turner of Iredell, Williams of Cumberland and Williams of Pitt—17.

### THE CALENDAR

was resumed.

H. B. 1507, S. B. 1273, bill concerning the city of Asheville, on its second reading.

Mr. Lusk moved the bill be referred to the Committee on Judiciary. Lost.

Mr. Lusk moved the bill be laid on the table; on which he asked for the ayes and noes, which were ordered, and the motion that the bill be laid on the table was lost—ayes 17, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Crawford, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Lucas, Lusk, Rice, Thomas, Warters and Wimberly—17.

Those voting in the negative were:

Messrs. Aycock, Bailey, Barber, Briggs, Brock, Campbell, Emry, Farthing, Leeper, LeGrand, Little, Long, Means, Payne, Pou, Turner of Catawba, Turner of Iredell and Williams of Pitt—18.

Mr. Rice moved the bill be indefinitely postponed; on which,

Mr. Thomas asked for the ayes and noes, which were ordered, and the motion was lost—ayes 15, noes 21, as follows:

Those voting in the affirmative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—15.

Those voting in the negative were:

Messrs. Bailey, Barber, Blair, Briggs, Brock, Campbell, Emry, Farthing, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—21.

Mr. Little demanded the previous question; on which,

Mr. Lusk asked for the ayes and noes, which were ordered, and the demand was sustained—ayes 19, noes 16, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Briggs, Campbell, Farthing, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Smith, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Lucas, Lusk, Rice, Thomas, Warters and Wimberly—16.

On the passage of the bill its second reading, Mr. Lusk asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 22, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Briggs, Brock, Campbell, Crawford, Farthing, King, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Smith, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Banks, Brown, Copeland, Falkener, Green, Hamp-

ton, Holton, Hughes, Leinbach, Lucas, Lusk, Rice, Thomas, Warters and Wimberly—15.

Mr. Means moved the rules be suspended and the bill put upon its third reading; on which,

Mr. Rice asked for the ayes and noes, which were ordered, and the motion to suspend the rules was lost (not two-thirds of the Senators voting therefor)—ayes 19, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Bailey, Barber, Bennett, Briggs, Brock, Crawford, King, Leeper, LeGrand, Little, Long, Means, Moore, Payne, Pou, Toms, Turner of Iredell, Williams of Cumberland and Williams of Pitt—19.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Copeland, Falkener, Green, Hampton, Holton, Hughes, Kerr, Leinbach, Lucas, Lusk, Rice, Smith, Thomas, Warters and Wimberly—18.

H. B. 610, S. B. 642, bill to protect owners of land adjacent to and adjoining railroad companies and other corporations, was,

On motion of Mr. Kerr, laid on the table.

H. B. 752, S. B. 677, bill to amend chapter 21, section 2834 of *The Code*, in relation to birds, was,

On motion of Moore, laid on the table.

H. B. 1431, S. B. 1244, bill to authorize the State Treasurer to pay certain claims against the Penitentiary, on its second reading.

Mr. Pou moved to amend:

'The Penitentiary authorities shall not be restricted to the expenditure of the two hundred and twenty thousand dollars (\$220,000) mentioned in the appropriation bill passed heretofore for the support of the Penitentiary, if the necessities of the Penitentiary shall require such additional expenditure: *Provided*, the sum expended in excess of the

<sup>&</sup>quot;Add as an additional section:

sum heretofore appropriated shall be realized from the earnings of the Penitentiary."

The amendment was adopted.

The bill passed its second and third readings, and the Senate amendment was sent to the House of Representatives without engrossment.

S. B. 1277, bill to repeal an act in regard to Davidson County, on its second reading.

Mr. Lucas moved the bill be laid on the table; on which, Mr. Thomas asked the ayes and noes, which were ordered, and the motion to table prevailed—ayes 19, noes 11, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Hughes, Leeper, LeGrand, Leinbach, Little, Lucas, Means, Moore, Pou, Robinson, Smith, Turner of Catawba, Williams of Cumberland and Wimberly—19.

Those voting in the negative were:

Messrs. Brock, Brown, Campbell, Falkener, Green, Kerr, Lusk, Rice, Thomas, Turner of Iredell and Warters—11.

H. B. 1290, S. B. 1095, bill to settle disputes and controversies between adjacent land-owners in respect to boundary lines, on its second reading.

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

H. B. 1463, S. B. 1279, bill to amend section 2191 of *The Code*, was,

On motion of Mr. Payne, laid on the table.

H. B. 1520, S. B. 1265, bill in relation to the removal of the court house from Lillington to Dunn, in Harnett County, passed its second and third readings, and was ordered enrolled.

H. B. 940, S. B. 932, bill to encourage sheep husbandry, on its second reading.

Mr. Lusk moved the bill be laid on the table; on which,

Mr. Payne asked for the ayes and noes, which were ordered, and the motion the bill be tabled prevailed—ayes 20, noes 18, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Brock, Brown, Falkener, Green, Holton, Leinbach, Little, Lucas, Lusk, Pou, Rice, Robinson, Stubbs, Turner of Catawba, Turner of Iredell and Wimberly—20.

Those voting in the negative were:

Messrs. Briggs, Campbell, Crawford, Farthing, Hampton, Hughes, King, Leeper, LeGrand, Moore, Payne, Reid, Thomas, Toms, Warters, White, Williams of Cumberland and Williams of Pitt—18.

H. B. 1344, S. B. 1123, bill in relation to deeds procured by fraud or duress, passed its second reading and was put upon its third reading.

On the passage of the bill its third reading,

Mr. Holton asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 29, noes 10, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Crawford, Emry, Farthing, Leeper, LeGrand, Little, Long, Lucas, Means, Moore, Payne, Pou, Reid, Robinson, Smith, Stubbs, Thomas, Toms, Turner of Catawba, Turner of Iredell, Williams of Cumberland, Williams of Pitt and Wimberly—29.

Those voting in the negative were:

Messrs. Banks, Brown, Campbell, Green, Holton, Kerr, King, Leinbach, Rice and Warters—10.

The bill was ordered enrolled.

H. B. 1491, S. B. 1277, bill to change the name of Big Falls Manufacturing Company, Alamance County, passed its second and third readings, and was ordered enrolled.

H. R. 1537, S. R. 1276, resolution relating to the State Librarian, passed its second and third readings, and was ordered enrolled.

H. B. 1399, S. B. 1275, bill to repeal section 2076 of *The Code*, relating to the liability of the sureties of sheriffs for fines, etc., was,

On motion of Mr. Turner of Iredell, laid on the table.

H. B. 1502, S. B. 1278, bill to amend section 2799 of *The Code*, in regard to fences, passed its second and third readings, and was ordered enrolled.

H. B. 1400, S. B. 1274, bill to settle the boundaries of certain land, was,

On motion of Mr. Green, laid on the table.

## PROTEST.

Mr. Lucas presented the following protest to the passage of

H. B. 581, S. B. 769, bill to authorize the levy and collection of an additional tax for the support of the graded schools in Raleigh Township, in the county of Wake:

"We, the undersigned members of the Committee on Education, representing the minority report in the matter of increase of taxation in the city of Raleigh for the benefit of the public schools, beg leave to respectfully enter our protest against the extravagant taxation provided for in the act authorizing said taxation.

We believe that such taxation at this time is unnecessary, and that it is burdensome and oppressive upon the people of the city of Raleigh. The present fund for the city schools is sufficient, in our judgment, to sustain the public schools, and the present tax, with the amount asked for, is twenty cents beyond the constitutional limit of taxation in this State. (Signed) M. C. TOMS,

W. H. LUCAS, J. S. REID."

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting the following House bills and resolutions without engrossment, which were read the first time and placed on the Calendar:

H. B. 1389, S. B. 1264, bill to incorporate the town of

Clyde, Haywood County;

H. B. 1520, S. B. 1265, bill in relation to the removal of the court-house from Lillington to Dunn, in Harnett County;

H. B. 1534, S. B. 1269, bill to abolish the June term of Buncombe Superior Court;

H. B. 1533, S. B. 1270, bill to investigate title to certain oyster grounds in the counties of Dare and Hyde;

H. B. 1532, S. B. 1271, bill to incorporate Mount Zion Baptist Church, Watauga County;

H. B. 1507, S. B. 1273, bill concerning the city of Asheville;

H. B. 1400, S. B. 1274, bill to settle the boundaries of certain lands;

H. B. 1599, S. B. 1275, bill to repeal section 2036 of *The Code*, in relation to sureties of sheriffs for fines, etc.;

H. R. 1537, S. R. 1276, resolution in relation to the State Library;

H. B. 1491, S. B. 1277, bill to change the name of Big Falls Manutacturing Company, Alamance County;

H. B. 1502, S. B. 1278, bill to amend section 2799 of *The Code*, in regard to fences;

H. B. 1463, S. B. 1279, bill to amend section 2191 of *The Code*, in relation to fertilizers;

H. B. 1275, S. B. 1280, bill requiring the Commissioners of Graham and Macon counties to keep in repair a certain road.

House amendment to

S. B. 1234, H. B. 1508, bill to prevent fishing in Cape Fear River and inlets with wire nets. The amendments were concurred in, and the bill was ordered enrolled.

House amendments to

S. B. 863, H. B. 1490, bill for the relief of soldiers of the late war between the States.

The amendments were concurred in, and the bill ordered enrolled.

House amendments to

S. B. 990, H. B. 1429, bill to incorporate the East Carolina Fish, Oyster, Game and Industrial Association.

The amendments were concurred in and the bill ordered enrolled.

House amendments to

S B. 979, H. B. 1419, bill in relation to the county-seat of Harnett County.

The amendments were concurred in, and the bill ordered enrolled.

House amendments to

S. B. 875, H. B.  $1346\frac{1}{2}$ , bill to amend chapter 170, Laws of 1887.

The amendments were concurred in, and the bill ordered enrolled.

House amendments to

S. B. 988, H. B. 1466, bill to enable the townships of Guilford County to adopt the Mecklenburg road law.

The amendments were concurred in, and the bill ordered enrolled.

A message was received from the House of Representatives, informing the Senate that the House refused to concur in the Senate amendments to

H. B. 1431, S. B. 1244, bill to authorize the State Treasurer to pay certain claims against the Penitentiary, asking a committee of conference thereon, and had appointed as conferees on the part of the House, Messrs. Hoke, Regan and Amis.

The Senate consented to the committee of conference, and the President appointed as conferees on the part of the Senate, Messrs. Pou and Banks.

A message was received from the House of Representatives, announcing as the House branch of the committee to examine the books of the State Treasurer and Auditor, Messrs. Doughton, Lyon and Temple;

And as the House branch of the committee under S. R. 456, H. R. 785, resolution to investigate railroad corporations which refuse or fail to pay taxes in North Carolina, Messrs. Carter, Sutton and Holman.

The President appointed as the Senate branch, Messrs. Kerr and Aycock.

On motion of Mr. Turner of Iredell, the Senate adjourned until 8 o'clock p. m.

## EVENING SESSION.

March 9, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

Mr. Little, from the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 790, H. B. 816, an act for the relief of Ashley T. Hill, of Lenoir County;

H. B. 749, S. B. 709, an act to amend the charter of the town of Durham;

H. B. 1343, S. B. 1146, an act to incorporate the Isbell File and Calendar Company;

H. B. 790, S. B. 768, an act to amend chapter 265 of

the laws of 1887, relative to Kilkenny road law of Tyrrell County;

S. B. 805, H. B. 859, an act to authorize the city of Raleigh to issue bonds to pay and fund its present bonded indebtedness;

H. B. 1338, S. B. 1117, an act to confirm the incorporation and organization of the Greystone Granite and Construction Company;

S. B. 968, H. B. 1052, an act to amend section 3408 of *The Code*, in relation to fishing in Scuppernong River, in Tyrrell County;

H. B. 279, S. B. 1006, an act to provide for criminal statistics;

H. B. 210, S. B. 707, an act to amend chapter 73, acts of 1887, in relation to constructing public roads;

S. B. 1063, H. B. 1202, an act to correct State grant No. 2443, in Swain County;

S. B. 1085, H. B. 1174, an act to authorize the Commissioners of Forsyth County to issue bonds to build a court-house;

S. B. 1003, H. B. 694, an act to incorporate the Carolina Mining, Manufacturing and Improvement Company;

H. B. 690, S. B. 1004, an act to protect fish in the waters of Roanoke River;

S. B. 959, H. B. 1061, an act to amend section 2832 of *The Code*, in relation to hunting deer;

S. B. 951, H. B. 1016, an act to amend the charter of the Raleigh Street Railway Company;

H. B. 635, S. B. 889, an act explanatory of the recent acts for the relief of tax-collectors and their sureties and representatives, passed by the General Assembly of 1889;

S. B. 737, H. B. 1265, an act to amend the charter of the Atlantic and Western Railway Company;

S. B. 785, H. B. 1293, an act authorizing the Board of Commissioners of Person County to sell the land in the town of Roxboro belonging to the county;

- S. B. 1000, H. B. 1308, an act to amend chapter 365, Laws of 1887;
- S. B. 925, H. B. 673, an act to secure better drainage and improvement of the lowlands of Rowan County;
- S. B. 967, H. B. 685, an act to amend an act to incorporate the town of Sanford, in Moore County;
- H. B. 491, S. B. 517, an act to prevent the killing of squirrels in the counties of Martin and Bertie;
- H. B. 526, S. B. 777, an act to protect fish in Elk River and its tributaries, in Mitchell and Watauga counties;
- H. B. 668, S. B. 605, an act to incorporate the Farmers' Alliance Tobacco Manufacturing Company, of Roxboro, North Carolina;
- S. B. 1157, H. B. 1341, an act to incorporate the Asheville Opera House Company;
- H. B. 1321, S. B. 1113, an act to increase school facilities in portions of Rowan and Iredell counties;
- H. B. 1123, S. B. 948, an act to change the spelling of certain words in chapter 179, section 1, laws of 1885;
- S. B. 1114, H. B. 1323, an act to amend the charter of the Chestnut Hill Cemetery Association, at Salisbury, North Carolina;
- H. B. 1401, S. B. 1162, an act to incorporate the Cosmopolitan Club, of Asheville, North Carolina;
- H. B. 312, S. B. 1160, an act to change the name of and incorporate the town of Stovall, formerly known as Sassafras Fork, in Granville County;
- H. B. 389, S. B. 823, an act to amend the charter of the town of Rocky Mount;
- H. B. 921, S. B. 812, an act to punish the making of false returns by school committeemen;
- S. B. 359, H. B. 1312, an act to incorporate the Original Free Will Baptist Conference of the State of North Carolina;
- H. B. 498, S. B. 529, an act to amend section 1050 of *The Code*, in relation to gambling;

S. B. 719, H. B. 1295, an act to amend the charter of the town of Clayton;

S. B. 125, H. B. 465, an act to amend section 741 of *The Code*, in relation to costs;

H. B. 937, S. B. 840, an act concerning the Clerk of the Superior Court of Northampton County;

S. B. 751, H. B. 1377, an act to incorporate Clinton Cemetery Company;

H. B. 1418, S. B. 993, an act to charter the Leasburg and Southern Railroad Company;

H. B. 932, S. B. 832, an act for the relief of the Clerk of the Supsrior Court of Rockingham County;

H. B. 1270, S. B. 1155, an act to prevent discrimination in freights against the Atlantic and North Carolina Railroad;

H. B. 788, S. B. 922, an act to incorporate the Tennessee River Land and Improvement Company, limited;

S. B. 794, H. B. 1497, an act to incorporate the Yadkin Academy;

S. B. 802, H. B. 1415, an act to incorporate the town of Lowell, in Gaston County;

S. B. 726, H. B. 1225, an act to amend chapter 16 of *The Code*, in relation to elections;

H. B. 352, S. B. 471, an act to amend section 2845 of *The Code*, so as to give Vance County the right to elect its Representative.

## INTRODUCTION OF BILLS AND RESOLUTIONS.

By consent,

Mr. Turner of Iredell introduced

S. R. 1282, resolution in favor of S. A. Ashe, postmaster of Raleigh. Placed on the Calendar.

### MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives, transmitting, without engrossment,

H. B. 1549, S. B. 1281, bill to amend section 1953 of *The Code*;

H. R. —, S. R. 1283, resolution in favor of the pages— Which were read the first time and placed on the Calendar.

## THE CALENDAR.

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

H. B. 627, S. B. 550, bill in relation to fees of standardkeepers, passed its second and third readings, and was ordered enrolled.

H. B. 1386, S. B. 1198, bill to establish a public ferry across the Yadkin River, in Yadkin and Forsyth counties, passed its second and third readings, and was ordered enrolled.

H. B. 626, S. B. 614, bill to require surveyors to have their chains tried by standard-keepers, passed its second and third readings, and was ordered enrolled.

H. B. 175, S. B. 716, bill to amend the charter of the Caldwell and Watauga Turnpike Company, and acts amendatory thereto, was,

On motion of Mr. Turner of Iredell, laid on the table.

H. B. 1389, S. B. 1264, bill to incorporate the town of Clyde, in Haywood County, passed its second and third readings, and was ordered enrolled.

H. R. 1434, S. R. 1209, resolution of thanks to Lieutenant Francis Winslow, United States Navy, was adopted and ordered enrolled.

H. B. 883, S. B. 887, bill to improve the health of certain

townships in Davie County, passed its second and third readings, and was ordered enrolled.

H. B. 84, S. B. 816, bill for the benefit of a certain class of debtors, was,

On motion of Mr. Turner of Iredell, laid on the table.

## MESSAGE FROM THE HOUSE OF REPRESENTATIVES.

A message was received from the House of Representatives announcing that the House had adopted the report of the committee of conference upon Senate amendment to

H. B. 1431, S. B. 1244, bill to pay certain claims against the Penitentiary, and transmitting the report to the Senate for concurrence.

The Senate adopted the report, and the bill was ordered enrolled.

### THE CALENDAR

was resumed.

H. B. 1284, S. B. 1170, bill for the better protection of sheep husbandry in Clay County, passed its second and third readings, and was ordered enrolled.

H. B. 899, S. B. 818, bill to protect deer, passeds it second and third readings, and was ordered enrolled.

H. B. 1549, S. B. 1281, bill to amend section 1953 of *The Code*, on its second reading.

On the passage of the bill its second reading,

Mr. Bailey asked for the ayes and noes, which were ordered, and the bill passed its second reading—ayes 20, noes 13, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Campbell, Farthing, Leeper, Leinbach, Little, Long, Robinson, Sills, Smith, Stubbs, Toms, Turner of Catawba, Twitty, Williams of Cumberland and Williams of Pitt—20.

Those voting in the negative were:

Messrs. Banks, Brock, Brown, Emry, Falkener, Holton, Kerr, Lusk, Rice, Thomas, Turner of Iredell, Warters and Wimberly—13.

The bill was put upon its third reading, and passed its third reading.

Mr. Bailey moved to reconsider the vote by which the bill passed its third reading, and moved to lay the motion to reconsider on the table. The latter motion prevailed.

The bill was ordered enrolled.

H. R. 1451, S. R. 1237, resolution to preserve the Governor's mansion, passed its second and third readings, and was ordered enrolled.

H. B. 1436, S. B. 1198, bill to prevent the felling of timber in North Fork Creek, in McDowell County, was,

On motion of Mr. Emry, laid on the table.

H. B. 889, S. B. 1119, bill to prohibit the manufacture and sale of liquor within two miles of Highlands Academy, passed its second and third readings, and was ordered enrolled.

H. B. 824, S. B. 760, bill to amend chapter 291, Laws of 1887, in relation to a road in Jackson and Macon counties, passed its third reading—ayes 29, noes—, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Brock, Brown, Campbell, Copeland, Emry, Farthing, King, Leeper, Leinbach, Little, Long, Lucas, Lusk. Reid, Robinson, Smith, Thomas, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Pitt and Wimberly—29.

The bill was ordered enrolled.

H. B. 1282, S. B. 1012, bill to amend section 4, chapter 340, Laws of 1887, passed its second and third readings, and was ordered enrolled.

H. B. 1325, S. B. 1240, bill to facilitate the conveyance of the right of dower in certain cases, was,

On motion of Mr. Campbell, laid on the table.

H. B. 888, S. B. 883, bill to protect the owners of stock living near Smithfield, passed its second and third readings, and was ordered enrolled.

H. B. 1435, S. B. 1207, bill for the relief of Frances Shearin, widow of Thomas G. Shearin, passed its second and third readings, and was ordered enrolled.

H. B. 1107, S. B. 1036, bill to prohibit the killing of deer in Caldwell County, with dogs, passed its second and third readings, and was ordered enrolled.

H. B. 1112, S. B. 1035, bill to incorporate the Broad Street Baptist Church, in Winston, Forsyth County, passed its second and third readings, and was ordered enrolled.

H. B. 352, S. B. 471, bill to amend section 2845 of *The Code*, so as to give Vance County the right to elect its Representative, on its third reading.

Mr. Kerr moved the bill be postponed indefinitely. Lost. On the passage of the bill its third reading,

Mr. Falkener asked for the ayes and noes, which were ordered, and the bill passed its third reading—ayes 22, noes 15, as follows:

Those voting in the affirmative were:

Messrs. Abbott, Bailey, Barber, Blair, Briggs, Emry, Farthing, King, Leeper, Little, Lucas, Pou, Robinson, Sills, Smith, Toms, Turner of Catawba, Turner of Iredell, Twitty, White, Williams of Cumberland and Williams of Pitt—22.

Those voting in the negative were:

Messrs. Banks, Brock, Brown, Campbell, Copeland, Falkener, Green, Holton, Kerr, Leinbach, Lusk, Rice, Thomas, Warters and Wimberly—15.

The bill was ordered enrolled.

H B. 712, S. B. 1038, an act relating to the laws, reports, etc., received by this State from other States and Territories by exchange, passed its second and third readings, and was ordered enrolled.

H. B. 1193, S. B. 1012, bill to amend chapter 340, section 4, Acts of 1887, was,

On motion of Mr. Campbell, laid on the table.

H. B. 1173, S. B. 1069, bill to correct State grant number 7879, passed its second and third readings, and was ordered enrolled.

S. R. 1282, resolution in favor of S. A. Ashe, postmaster of Raleigh, passed its second and third readings, and was ordered sent to the House of Representatives without engrossment.

H. B. 721, S. B. 835, bill to amend chapter 122, Laws of 1887, relating to Clerks of the Superior Court in certain counties, passed its second and third readings, and was ordered enrolled.

H. B. 544, S. B. 1144, bill to declare John S. Martin a citizen of Sampson County, passed its second and third readings, and was ordered enrolled.

H. R. —, S. R. 1283, resolution in favor of the pages, on its second reading.

Mr. Toms moved to amend:

"Add after the word 'pages' the words 'and messengers."

Adopted.

The resolution passed its second and third readings, and the Senate amendment was ordered sent to the House of Representatives without engrossment.

H. B. 1111, S. B. 1103, bill to prevent the careless handling of fire-arms, passed its second and third readings, and was ordered enrolled.

H. B. 586, S. B 604, bill to require the Secretary of State to put numbers on State grants, passed its second and third readings, and was ordered enrolled.

H. B. 843, S. B. 762, bill concerning county prisoners, was, On motion of Mr. Turner of Iredell, laid on the table.

H. B. 359, S. B. 702, bill to amend section 732 of *The Code*, as to collection of jury tax in certain cases, was,

On motion of Mr. Campbell, laid on the table.

H. B. 531, S. B. 549, bill to authorize sheriffs to administer oaths in certain cases, on its second reading.

Mr. Campbell moved the bill be laid on the table, on which the ayes and noes were ordered, and the motion was lost—ayes 7, noes 25, as follows:

Those voting in the affirmative were:

Messrs. Brock, Campbell, Kerr, King, Rice, Turner of Iredell and Wimberly—7.

Those voting in the negative were:

Messrs. Abbott, Bailey, Banks, Barber, Bennett, Blair, Briggs, Brown, Copeland, Hampton, Holton, Leeper, Little, Lucas, Lusk, Pou, Sills, Thomas, Toms, Turner of Catawba, Twitty, White, Williams of Cumberland and Williams of Pitt—25.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 560, S. B. 524, bill to repeal section 3049 of *The Code*, in regard to the sale of wood in incorporated towns, passed its second and third readings, and was ordered enrolled.

H. B. 1065, S. B. 1042, bill to amend chapter 67, Laws of 1887, was,

On motion of Mr. Kerr, laid on the table.

H. B. 474, S. B. 643, bill for the protection of schools and colleges, on its second reading.

Mr. Emry moved the bill be laid on the table. Lost.

Mr. Little moved to amend:

"This act shall only apply to Bingham School."

Lost.

The bill passed its second and third readings, and was ordered enrolled.

H. B. 178, S. B. 1007, bill to define felony, was,

On motion of Mr. Emry, laid on the table.

H. B. 449, S. B. 519, bill to amend sections 148 and 163 of *The Code*, relating to persons under disability, was,

On motion of Mr. Lusk, laid on the table.

H. B. 958, S. B. 809, bill to protect from overflow the lands of Clark's Creek, in Lincoln County, passed its second and third readings, and was ordered enrolled.

H. B. 612, S. B. 954, bill to repeal chapter 135, Private Laws of 1885, relating to the town of Scuffleton, was,

On motion of Mr. Campbell, laid on the table.

H. B. 1089, S. B. 949, bill for the benefit of Thomas B. Bridges, was,

On motion of Mr. Campbell, laid on the table.

H. B. 429, S. B. 472, bill to amend section 677 of *The Code*, was,

On motion of Mr. Emry, laid on the table.

H. B. 1165, S. B. 1078, bill to amend section 4, chapter 80, Private Laws of 1879, in relation to cotton-weighers of Goldsboro, was,

On motion of Mr. Little, laid on the table.

H. B. 830, S. B. 831, bill to incorporate Auburn Male and Female Academy, and Auburn Farmers' Alliance No. 41, in Wake County, passed its second and third readings, and was ordered enrolled.

H. B. 791, S. B. 698, bill to amend chapter 212, Laws of 1885, was,

On motion of Mr. Little, laid on the table.

### EXECUTIVE SESSION.

On motion of Mr. Little, the Senate went into Executive Session.

The Senate in Executive Session having adjourned, the doors were opened and the Senate was called to order.

Mr. Kerr moved to reconsider the vote by which S. B. 1183, H. B. 1469, bill to amend the charter of Newbern, passed its third reading. The motion prevailed.

Further consideration of the bill was postponed.

By consent,

Mr. Stubbs offered the following (Mr. Kerr in the chair):

"Resolved, that the thanks of the Senate be tendered Lieutenant-Governor Holt, the presiding officer of this body, for his very impartial rulings, his courteous bearing and kindly demeanor to the members; and we recognize in him a presiding officer of excellent administrative ability, and faithfulness to duty."

Messrs. Stubbs, Lusk, Turner of Iredell, Leinbach, Holton and Lucas, addressed the Senate in support of the resolution.

Mr. Leinbach moved the resolution be adopted by a rising vote.

On motion of Mr. Turner of Iredell, the further consideration of the resolution was postponed until the closing hour of the Senate on Monday.

On motion of Mr. Little, the Senate adjourned until Monday morning at 10 o'clock.

# FIFTY-SECOND DAY.

SENATE CHAMBER, March 11, 1889.

The Senate met pursuant to adjournment, Lieutenant-Governor Holt in the chair.

The Journal of Saturday was approved.

The President announced that Messrs. Leeper, Leinbach and Pou were added to the Committee on Enrolled Bills.

Mr. Little, for the Committee on Enrolled Bills, reported as correctly enrolled the following bills and resolutions, which were duly ratified and sent to the office of Secretary of State:

S. B. 863, H. B. 1490, an act for the relief of certain soldiers of the late war;

S. B. 671, H. B. 1528, an act to amend section 2234, Vol. II, of The Code;

S. B. 1199, H. B. 1440, an act to amend the stock law of Wayne County;

S. B. 1224, H. B. 1247, an act to incorporate the town of Macon, in Warren County;

H. B. 1493, S. B. 1247, an act to prohibit the sale of liquors in certain localities;

H. B. 1327, S. B. 1222, an act to protect fish in Pamlico County;

S. B. 389, H. B. 877, an act to repeal chapter 73 of the Laws of 1887, and to amend section 2110 of *The Code*;

S. B. 1106, H. B. 727, an act in reference to fishing in Pamlico County;

H. B. 1398, S. B. 1161, an act to incorporate Steele's Business College, Raleigh, N. C.;

H. B. 1402, S. B. 1192, an act to incorporate the town of Wade, in Cumberland County;

H. B. 1390, S. B. 1206, an act to amend chapter 172, Laws of 1860-'61, extending the corporate limits of Morehead City;

H. B. 1272, S. B. 1126, an act to incorporate the town of Osgood, in the county of Chatham;

S. B. 877, H. B. 1379, an act to provide for the drainage of Myers' Creek, in Guilford County;

H. B. 951, S. B. 834, an act to incorporate the Fayetteville Savings Bank;

S. B. 295, H. B. 1475, an act for the relief of D. Congdon; H. B. 1278, S. B. 1130, an act to incorporate the town of Rowland, in the county of Robeson, N. C.;

- S. B. 830, H. B. 995, an act to correct certain grants from the State;
- H. B. 944, S. B. 892, an act to incorporate the N. C. Jersey Cattle Club;
- H. B. 1213, S. B. 1061, an act to incorporate Dobson Lodge, No. 402, A. F. & A. M.;
- H. B. 489, S. B. 465, an act to extend the time of working the roads in New Lake neighborhood, Tyrrell County;
- S. B. 1254, H. B. 452, an act to incorporate the Farmers Bank, of Goldsboro, N. C.;
- H. B 1274, S. B. 1227, an act to incorporate the town of Bakersville, in the county of Mitchell;
- H. B. 1111, S. B. 1103, an act making it a misdemeanor to handle fire-arms in certain ways;
- S. B. 1207, H. B. 1435, an act for the relief of Frances Shearin, widow of Thos. Shearin;
- H. B. 531, S. B. 549, an act to authorize Sheriffs to administer oaths in certain cases;
- H. B. 1173, S. B. 1069, an act to correct the State grant No. 7879;
  - H. B. 899, S. B. 818, an act to protect deer;
- H. B. 883, S. B. 827, an act to amend chapter 418, Laws of 1887;
- S. B. 788, H. B. 1378, an act to amend sections 604 and 605 of *The Code*;
- H. B. 1282, S. B. 1112, an act repealing certain laws of 1883-'85, pertaining to the alternative system of working the roads in Forsyth County;
- H. B. 712, S. B. 1038, an act relating to the laws, reports, etc., received by this State from other States and Territories by exchange;
- H. B. 824, S. B. 160, an act to amend chapter 291, Laws of 1887, in relation to a road in Jackson and Macon counties;
- H. B. 1113, S. B. 1227, an act to amend chapter 130 of the Private Laws of 1885, entitled an act to incorporate the town of Elk Park, in Mitchell County;

H. B. 721, S. B. 835, an act to amend chapter 122, Laws of 1887;

H. B. 1133, S. B. 1075, an act to amend chapter 83, Laws of 1884-'85, it being an act amending the charter of Wake Forest College;

H. B. 1107, S. B. 1036, an act to prohibit the chasing or killing of deer in Caldwell County;

H. B. 1205, S. B. 1018, an act to incorporate the Albemarle Academy, Stanly County, N. C.;

H. B. 913, S. B. 849, an act to incorporate the Bromine and Arsenic Springs, and Baptist Church, in Ashe County;

H. B. 541, S. B. 1101, an act to amend chapter 309 of Laws of 1885, in relation to reprinting and sale of certain volumes of Supreme Court Reports;

S. B. 978, H. B. 1371, an act to incorporate the Roxboro Land and Loan Company;

H. B. 1171, S. B. 1153, an act to authorize the Commissioners of Moore County to levy a special tax;

H. B. 885, S. B. 1156, an act to amend chapter 119, Laws of 1885, and amend section 3427 of *The Code*, in regard to the Board of Directors of the Penitentiary;

H. B. 474, S. B. 643, an act for the protection of schools and colleges;

H. B. 586, S. B. 604, an act to require the Secretary of State to place in State grants the number of the tract granted;

S. B. 417, H. B. 1485, an act to amend chapter 24, Vol. I, of *The Code*;

S. B. 946, H. B. 1458, an act to charter High Point Female College;

S. B. 753, H. B. 1372, an act to incorporate the Winstead Manufacturing Company;

H. B. 949, S. B. 1120, an act to incorporate the Battery Park Hotel and Improvement Company;

H. B. 1249, S. B. 1060, an act to authorize the payment of school orders of Miss Maud Folger out of the school fund of Surry County;

- H. B. 855, S. B. 1245, an act to prohibit the manufacture and sale of spirituous liquors in certain localities;
- S. B. 631, H. B. 1139, an act for the better accommodation of the traveling public at railroad eating-houses;
- S. B. 1054, H. B. 1551, an act to establish high-water signals;
- H. B. 1532, S. B. 1271, an act to incorporate the Mount Zion Baptist Church, in Watauga County;
  - H. B. 1033, S. B. 1109, an act to protect wire fences;
- H. B. 1452, S. B. 1250, an act to incorporate the North Carolina State Firemen's Association;
- S. B. 839, H. B. 856, an act to amend sections 3383 and 83 of *The Code*;
- S. B. 847, H. B. 863, an act to authorize the Board of Education of Haywood County to order the payment of a certain school claim;
- H. B. 1128, S. B. 1100, an act to allow standard-keepers to remove the weights and measures, stamps and brands, from the court-house;
- H. B. 1184, S. B. 1056, an act to restrict the corporate limits of the town of Old Fort, McDowell County;
- H. B. 1212, S. B. 1107, an act to incorporate Dobson Lodge, No. 117, I. O. O. F.;
- S. B. 1284, H. B. 1508, an act to prevent fishing with wire nets in the waters of Cape Fear River below Wilmington;
- H. B. 590, S. B. 706, an act to work the public roads of Mitchell County by taxation;
- H. B. 1177, S. B. 1068, an act to amend the charter of the Atlanta, Franklin and Knoxville Short Line Railroad Company;
- H. B. 1337, S. B. 1116, an act explanatory of the recent act of this General Assembly, entitled "an act for the relief of D. H. West";
- S. B. 861, H. B. 1296, an act to appoint a cotton-weigher for the town of Matthews, Mecklenburg County;

H. B. 1102, S. B. 1058, an act to authorize the town of Newton to issue new bonds on its indebtedness;

S. B. 1180, H. B. 1476, an act to establish Barnesville as the voting precinct in Sterling Mill Township, in Robeson County;

S. B. 1249, H. B. 1448, an act to incorporate the Asheville and Craggy Mountain Railway Company;

H. B. 1256, S. B. 1218, an act to incorporate the Northeastern Railway Company;

H. B. 1221, S. B. 1151, an act to amend the charter of Kernersville;

S. B. 793, H. B. 1454, an act to enlarge the jurisdiction of Justices of the Peace;

H. B. 1245, S. B. 1197, an act to protect the public roads in Gates and Bertie counties from injury by log-haulers;

H. B. 1506, S. B. 1238, an act to incorporate the Hayesville Male and Female College, in Clay County;

S. B. 1459, H. B. 1210, an act to amend the charter of Newbern:

H. B. 1059, S. B. 1030, an act supplemental to an act in relation to the removal of the court-house from Lillington to Dunn, in Harnett County;

S. B. 630, H. B. 1264, an act to incorporate the Tarboro Land and Trust Company;

S. B. 988, H. B. 1466, an act to enable the townships of Guilford County to adopt the Mecklenburg road law;

H. B. 1241, S. B. 1171, an act to incorporate the Danville, Mebane and Southern Railroad Company;

H. B. 1412, S. B. 976, an act to authorize the Board of Commissioners of the town of Concord to issue bonds;

S. B. 821, H. B. 245, an act to amend section 2102 and 2116 of *The Code*, in relation to dower and year's allowance;

H. B. 1140, S. B. 1016, an act to amend the charter of the town of Taylorsville;

H. B. 421, S. B. 1099, an act to drain certain swamp lands in Cumberland County, N. C.;

- S. B. 581, H. B. 1263, an act to amend section 316 of The Code;
- S. B. 1011, H. B. 1201, an act to amend section 2120 of *The Code*, relating to the better maintenance of orphan children;
- S. B. 903, H. B. 1501, an act to incorporate the Goldsboro Air-Line Railroad Company;
- S. B. 717, H. B. 1349, an act to amend the charter of the town of Hendersonville, N. C.;
- S. B. 79, H. B. 1419, an act in relation to the county-seat of Harnett county;
- S. B. 599, H. B. 1369, an act to amend the charter of the town of Wilkesboro;
- H. B. 310, S. B. 506, an act to amend the public school law;
- H. B. 1108, S. B. 1204, an act in relation to the Superior Court of Wake County;
- S. B. 132, H. B. 461, an act to amend chapter 355, Laws of 1887, in regard to working convicts on the public roads;
- H. B. 550, S. B. 523, an act to incorporate Mud Creek School-House, Apple Grove and Maple Spring Baptist Churches, in Ashe County;
- H. B. 1346, S. B. 1224, an act to provide for the assessment of property for the collection of taxes;
- H. B. 1030, S. B. 1037, an act to authorize the Treasurer of Randolph County to pay W. F. Tally certain school claims;
- H. B. 1431, S. B. 1244, an act to authorize the State Treasurer to pay certain claims against the Penitentiary;
- H. B. 1119, S. B. 1084, an act to incorporate the town of Blowing Rock, in the county of Watauga;
- H. B. 1460, S. B. 1201, an act to incorporate the Elizabeth City Land, Improvement and Banking Company;
- H. B. 906, S. B. 813, an act to increase the powers of the Commissioners of Iredell County;

S. B. 652, H. B. 1468, an act to authorize the Board of Directors of the N. C. State Penitentiary to hire convicts to the Eastern Carolina Land and Railway Company;

H. B. 1114, S. B. 1024, an act to amend chapter 134, Laws

of 1885, relating to roads and highways;

H. B. 989, S. B. 838, an act to correct a grant to certain lands in Burke County;

H. B. 104, S. B. 618, an act to incorporate the West Asheville Improvement Company;

H. B. 936, S. B. 888, an act for the better drainage of swamp lands in Wayne County;

S. B. 957, H. B. 1021, an act to incorporate the town of Argo, in the county of Nash;

S. B. 961, H. B. 1020, an act to require the owners of real estate along the waters of Buffalo Creek, in Cleveland County, to clear out the channels of said creek;

S. B. 882, H. B. 1479, an act to amend the charter of the town of Wilson, N. C.;

H. B. 747, S. B. 1125, an act to incorporate the town of Buford, Haywood County;

H. B. 559, S. B. 560, an act to amend chapter 266, Laws of 1881, relative to the protection of the agricultural interests in Perquimans County;

S. B. 919, H. B. 945, an act to authorize the Commissioners of Burke County to issue bonds;

H. B. 1438, S. B. 1211, an act to incorporate the Goldsboro Lumber Company;

H. B. 1364, S. B. 1213, an act to incorporate the Franklinton Military and Classical Institute;

S. B. 308, H. B. 1309, an act to amend section 1864 of The Code;

H. B. 400, S. B. 1509, an act to incorporate the Hiawassee Land and Improvement Company;

S. B. 996, H. B. 1428, an act to make appropriation for the Insane Asylums; H. B. 865, S. B. 819, an act to incorporate the Louisburg Male Academy;

H. B. 1250, S. B. 1115, an act to incorporate Fayetteville Street Railway Company;

H. B. 1195, S. B. 1025, an act for the relief of Thomas White, Treasurer of the town of Louisburg;

H. B. 803, S. B. 1031, an act to incorporate the Winston and Salem Street Railway Company;

H. B. 1182, S. B. 1015, an act for the relief of L. W. Brewer, Sheriff of Chatham County;

H. B. 1135, S. B. 1143, an act to repeal chapter 394, Laws of 1887, relating to special tax in Haywood County—to provide for an additional special tax;

S. B. 199, H. B. 772, an act to amend chapter 39 of The Code;

S. B. 650, H. B. 1510, an act to incorporate the Murphy Iron Company;

S. B. 926, H. B. 929, an act to incorporate the town of Dillsboro, in Jackson County;

H. B. 957, S. B. 1040, an act to aid the Penitentiary to become self-sustaining;

H. B. 1105, S. B. 1154, an act to relieve certain farmers in Richmond County from the stock law;

H. B. 269, S. B. 724, an act for the relief of Dempsey Spruill;

H. B. 76, S. B. 895, an act to prohibit trusts in the State of North Carolina, and to provide for the punishment of persons connected with them;

S. B. 901, H. B. 1500, an act to amend chapter 215 of the Laws of 1887, and sections 3113 and 3114 of *The Code*;

H. B. 958, S. B. 809, an act to protect from overflow the lands of Lincoln County;

H. B. 845, S. B. 770, an act to incorporate Mount Pleasant Baptist Chapel Church, in Ashe County;

S. B. 1091, H. B. 1495, an act to incorporate the town of Hallsboro, in Columbus County;

H. B. 798, S. B. 933, an act to provide for better and additional public roads in the county of Buncombe;

H. B. 1383, S. B. 1165, an act to amend section 2288 of *The Code*;

H. B. 1134, S. B. 1023, an act to amend chapter 24, Acts of 1887;

H. B. 482, S. B. 1196, an act to incorporate the town of China Grove, in Rowan County;

H. B. 582, S. B. 885, an act to amend section 1321 of *The Code*;

S. B. 1096, H. B. 1068, an act to change the time of November Term of the Superior Court of Harnett County;

H. B. 192, S. B. 755, an act to repeal chapter 257, Laws of 1887, concerning Superior Court of Pitt County;

S. B. 875, H. B.  $1346\frac{1}{2}$ , an act to amend chapter 170, Laws of 1887;

H. B. 1356, S. B. 1219, an act to clear out Cypress Creek, in Bladen County;

S. B. 952, H. B. 928, an act to authorize the Board of Education of Jackson County to pay school claim;

H. B. 1127, S. B. 1042, an act to raise revenue;

H. B. 1132, S. B. 1079, an act to protect the private oyster beds or grounds of the State;

H. B. 1492, S. B. 1229, an act to amend the charter of the town of Washington;

H. B. 1461, S. B. 1193, an act to repeal chapter 168, Laws of 1876–'77;

H. B. 1215, S. B. 1216, an act to incorporate the Asheville Loan, Construction and Improvement Company;

S. B. 797, H. B. 1301, an act to amend chapter 345, Laws of 1887;

S. B. 1123, H. B. 1344, an act in relation to deeds procured by fraud or duress;

H. B. 1592, S. B. 1278, an act to modify section 2799 of *The Code*, so as to constitute four feet a lawful fence in the county of Buncombe;

H. B. 491, S. B. 1277, an act to change the name of Big Falls Manufacturing Company;

H. B. 1121, S. B. 1215, an act to authorize the working of convicts by the Commissioners of Robeson County;

H. B. 1549, S. B. 1281, an act to amend section 1953 of *The Code*;

H. B. 569, S. B. 522, an act to make the Register of Deeds of Cleveland County the Standard-Keeper;

H. B. 661, S. B. 552, an act to amend chapter 313 of the Laws of 1879;

H. B. 1125, S. B. 1066, an act to correct certain land grants in Swain County;

H. B. 882, S. B. 810, an act to amend chapter 315, Laws 1887, relating to the protection of fish;

H. B. 1142, S. B. 1140, an act to allow the township of Mount Airy, in Surry County, to fund its outstanding bonds;

H. B. 1181, S. B. 1086, an act to amend an act entitled an act to incorporate the town of Marion, in the county of McDowell;

H. B. 1141, S. B. 1094, an act to amend chapter 31, section 2, of the Laws of 1887;

S. B. 1092, H. B. 1499, an act to incorporate the town of Four Oaks, in Johnston County;

H. B. 952, S. B. 804, an act to incorporate the Bank of Carthage;

H. B. 950, S. B. 930, an act to amend the laws of Fayette-ville;

H. B. 1425, S. B. 1208, an act concerning the county line between the counties of Buncombe and Haywood;

S. B. 1225, H. B. 1516, an act to amend chapter 100, Private Laws of 1883;

H. B. 560, S. B. 524, an act to repeal section 3049 of *The Code*, in regard to selling wood in incorporated towns;

H. B. 832, S. B. 829, an act to prevent the felling of trees in Beaver Creek, in the county of Jones;

H. B. 1283, S. B. 1159, an act to incorporate the Randolph Southern Railway Company;

H. B. 1118, S. B. 1082, an act to incorporate the Trustees of McElrath's Chapel African M. E. Church and Camp-Ground, in the county of Burke;

H. B. 833, S. B. 828, an act to prohibit the placing of fishtraps or set-nets in Beaver Creek, Jones County;

H. B. 1410, S. B. 1090, an act to amend sections 3840 and 3841 of *The Code*, so as to abolish the office of Standard-Keeper for Halifax County;

H. B. 565, S. B. 515, an act to protect fish in the waters and tributaries of Tranter's Creek, in the county of Martin;

H. B. 627, S. B. 550, an act in relation to fees of standard-keepers;

H. B. 1389, S. B. 1264, an act to incorporate the town of Clyde, in Haywood County;

H. B. 1223, S. B. 1148, an act to authorize the Commissioners of Harnett County to fund and pay a certain debt of said county;

H. B. 888, S. B. 883, an act to protect stock owners living near Smithfield;

H. B. 1112, S. B. 1035, an act to incorporate Broad Street Baptist Church, in the town of Winston;

H. B. 626, S. B. 614, an act requiring surveyors to have their chains tried by standard keepers;

H. B. 1167, S. B. 1166, an act to re-enact, consolidate and amend an act to incorporate the town of Dunn, and the act amendatory thereof;

H. B. 889, S B. 1119, an act to prohibit the manufacture and sale of intoxicating liquors within four miles of Highlands Academy;

S. B. 1194, H. B. 1386, an act to establish a public ferry across the Yadkin River, in Yadkin and Forsyth counties;

H. B. 1284, S. B. 1170, an act for the protection of sheep husbandry in Clay County; H. B. 740, S. B. 774, an act to prohibit non residents from dredging oysters in this State;

H. B. 987, S. B. 814, an act to amend the charter of the town of Windsor;

H. B. 1273, S. B. 1223, an act to amend section 3409 of *The Code* of North Carolina;

H. B. 564, S. B. 615, an act to authorize service of criminal process by the sheriffs and constables of Bertie and Martin counties in certain cases;

H. B. 1128, S. B. 1288, an act to authorize the Commissioners of the town of Mount Airy to issue bonds;

H. B 1158, S. B. 1088, an act to allow the Commissioners of Wake County to issue bonds;

H. B. 1210, S. B. 1129, an act to incorporate the Medoc Railroad Company;

H. B. 1464, S. B. 1189, an act to prohibit the sale of spirituous liquors within certain localities;

S. B. 495, H. B. 1351, an act to revise and consolidate the charter of the town of Tarboro;

S. B. 992, H. B. 1481, an act concerning the Norfolk Southern Railroad Company;

H. B. 1062, S. B. 1064, an act to correct land grant No. 7382, in Swain County, issued to J. C. Reagan, assignee;

H. B. 1218, S. B. 1017, an act to enable the city of Wilmington to encourage manufacturing in that city;

H. B. 1280, S. B. 1111, an act to repeal section 4 of the charter of the town of Highlands;

H. B. 1253, S. B. 1439, an act to amend chapter 168, Laws of 1887;

H. B. 1176, S. B. 1167, an act to amend the charter of the Rabun Gap Short Line Railway Company;

S. B. 1255, H. B. 1524, an act in relation to the election of Justices of the Peace;

S. B. 1257, H. B. 1529, an act to amend chapter 153 of the Laws of 1883, in regard to Alexander County;

- H. B. 823, S. B. 833, an act to facilitate the trial of certain actions;
- S. B. 1173, H. B. 1498, an act to amend section 2197 of *The Code*, and chapters 355, Laws of 1885, and 269, Laws of 1887;
- H. B. 829, S. B. 807, an act providing an alternative method of constructing and keeping in repair the public roads of Raleigh Township, Wake County;
- H. B. 1429, S. B. 990, an act to incorporate the East Carolina Fish, Oyster, Game and Industrial Association;
- S. B. 1181, H. B. 1473, an act to amend chapter 265, Acts of 1883;
- S. B. 1270, H. B. 1533, an act to investigate titles to certain oyster grounds in Dare and Hyde counties;
- H. B. 1179, S. B. 1097, an act to amend the law in relation to the crime of burglary;
- H. B. 1534, S. B. 1269, an act to abolish the June Term of Buncombe Superior Court;
- S. B. 908, H. B. 738, an act to amend chapter 12, Laws of 1883, incorporating Germantown, in Stokes County;
- H. B. 1101, S. B. 1102, an act to protect the public moneys in the hands of county treasurers;
- H. B. 441, S. B. 527, an act to amend the charter of the town of Morganton;
- H. B. 1198, S. B. 1104, an act prescribing the duties and directing the manner of appointing port wardens for the port of Wilmington;
- H. B. 830, S. B. 831, an act to incorporate Auburn Male and Female Academy, and Auburn Farmers' Alliance No. 41, of Wake County;
- H. B 544, S. B. 1144, an act to make John S. Martin a citizen of Sampson County;
- H. B. 862, S. B. 836, an act to repeal that part of chapter 47, section 1, Laws of 1887, so far as relates to the headwaters of the French Broad River above Brevard, in Transylvania County;

S. B. 947, H. B. 858, an act to amend the charter of the city of Raleigh;

H. B. 904, S. B. 1013, an act to incorporate the Henderson Electric Light, Water Works and Power Company;

S. B. 982, H. B. 825, an act to incorporate the town of Lucama, in the county of Wilson;

H. B. 555, S. B. 458, an act allowing judgments of decrees of the Circuit and District Courts of the United States within this State to be docketed on the judgment dockets of the Superior Courts of the State;

S. B. 912, H. B. 948, an act to incorporate the National Christian Congress;

H. B. 869, S. B. 1037, an act regulating the manner of trial of certain actions;

H. B. 1106, S. B. 1220, an act to amend section 1285 of *The Code*, adding another cause for divorce;

H. B. 450, S. B. 528, an act to amend section 565, relating to appeals from Justices of the Peace;

H. B. 686, S. B. 844, an act in relation to obtaining advances by false pretences;

H. B. 657, S. B. 1141, an act incorporating the Eastern Band of Cherokee Indians;

H. B. 1357, S. B. 1203, an act for the County Commissioners to reimburse certain townships for school funds;

S. B. 668, H. B. 1518, an act to amend section 3308, Vol. II, of *The Code*;

H. B. 561, S. B. 1214, an act to incorporate the North Carolina Land and Lumber Company;

H. B. 1196, S. B. 1168, an act to enable the Commissioners of the town of Louisburg to erect or purchase a building for public purposes;

H. B. 1126½, S. B. 1145, an act to incorporate Cherryville, in Gaston County;

H. B. 986, S. B. 1039, an act to provide for the condemnation of land for sites for ferry-houses;

H. B. 1001, S. B. 853, an act to amend section 3685 of *The Code*, relating to church property;

H. B. 615, S. B. 781, an act to change the line between the counties of Davidson and Forsyth;

H. B. 636, S. B. 780, an act to incorporate the town of Cumberland, in Cumberland County;

S. B. 900, H. B. 1336, an act to incorporate the Maxton and Northwestern Railroad Company;

S. B. 1138, H. B. 1455, an act to amend chapter 206 of the Laws of 1885;

H. B. 1240, S. B. 1118, an act to appoint a cotton-weigher for the town of LaGrange;

S. B. 1136, H. B. 1530, an act to require banks incorporated in North Carolina to make stated reports to the State Treasurer;

S. B. 902, H. B. 480, an act to incorporate Bonair College;

S. B. 1133, H. B. 1465, an act to incorporate the Winston Railroad and Lumber Company;

S. B. 244, H. B. 1467, an act to incorporate the Alleghany Construction Company;

S. B. 1182, H. B. 1474, an act to sell Leaksville Male Academy;

S. B. 1190, H. B. 1360, an act to amend the charter of the city of Greensboro;

S. B. 722, H. B. 1421, an act to incorporate the Methodist Protestant Church (white), at Vaughan Station, Warren County;

S. B. 987, H. B. 478, an act to create a Board of Health in the town of Laurinburg;

S. B. 1205, H. B. 1110, an act to grant certain power to Board of County Commissioners of Wake County;

S. B. 1248, H. B. 1447, an act to amend chapter 397 of the Laws of 1887, relative to graded schools in Asheville;

S. B. 1217, H. B. 1393, an act to protect the water supply of Greensboro;

- S. B. 962, H. B. 1057, an act to amend chapter 57, Laws of 1885, in reference to the schools of the Croatan Indians, in Richmond County;
- S. B. 936, H. B. 1353, an act to amend chapter 330, Laws of 1887, entitled an act to incorporate the Raker City and Greensboro Railroad Company, and for other purposes;
- S. B. 1252, H. B. 1446, an act to amend section 2776, chapter 17, of *The Code*, so as to authorize the Secretary of State to correct State grants;
- S. B. 1242, H. B. 1407, an act to amend section 1493 of *The Code*, in relation to lands devised to be sold by executors;
- S. B. 1251, H. B. 1450, an act to establish a public ferry across the Yadkin River, in Surry County;
- S. B. 1176, H. B. 1482, an act to amend chapter 105, Laws of 1885;
- S. B. 989, H. B. 1422, an act to incorporate Bennett College, at Greensboro, N. C.;
- S. B. 801, H. B. 1347, an act to incorporate the town of Mount Holly, in Gaston County;
- S. B. 1248, H. B. 1142, an act to submit to the qualified voters of Waynesville Township, Haywood County, the question of prohibition or no prohibition of spirituous, vinous and malt liquors within the corporate limits of said town;
- S. B. 1014, H. B. 1100, an act to amend the charter of the city of Asheville;
- S. B. 1202, H. B. 1443, an act to repeal all laws prohibiting the sale of liquors relating to the town of Point Caswell, Pender County;
- S. B. 340, H. B. 1538, an act to enable county officers to bond in surety companies;
- S. B. 1055, H. B. 1471, an act to amend chapter 154 of Laws of 1883;
  - S. B. 396, H. B. 388, an act to amend section 2184 of The

Code, in relation to the appointment of the chairman ex officio of the Board of Agriculture of this State;

- S. B. 1195, H. B. 323, an act to incorporate the town of Earl, in the county of Cleveland;
- S. B. 1200, H. B. 1442, an act in relation to drawing jurors in Rowan County;
- S. B. 1266, H. B. 1550, an act supplemental to an act to incorporate the town of Hallsboro, in Columbus County;
- S. B. 950, H. B. 1055, an act to regulate deposits of trust funds;
- S. B. 763, H. B. 853, an act to authorize the Commissioners of Catawba County to use stock-law funds;
- S. B. 1112, H. B. 1322, an act to incorporate the Trustees of Piedmont Literary and Industrial College, at Salisbury;
- S. B. 817, H. B. 726, an act to incorporate the Southport Land and Improvement Company;
- S. B. 1059, H. B. 1206, an act for the relief of Milton Mc-Neill, Clerk of Superior Court of Wilkes County;
- S. B. 1177, H. B. 1483, an act supplemental to an act of General Assembly of 1889, in reference to election of cottonweighers of Salisbury and Charlotte;
- S. B. 789, H. B. 1472, an act to authorize the running and marking the State lines between this State and the States of Virginia, Georgia, Tennessee and South Carolina;
- S. B. 808, H. B. 760, an act to provide for an alternative method of constructing and keeping in repair the public roads of this State;
- S. B. 1083, H. B. 1161, an act to amend section 1799 of *The Code*, in regard to advancement of money and supplies, etc.;
- S. B. 893, H. B. 842, an act to authorize the Junaluskee Lodge, No. 145, A. F. and A. M., to sell the Female Academy in the town of Franklin, in Macon County;
- S. B. 1098, H. B. 834, an act for the relief of Daniel G. McLellan, of Cumberland County;

- S. B. 783, H. B. 800, an act to authorize the Commissioners of Hyde County to levy a special tax;
- S. B. 1169, H. B. 1178, an act to amend chapter 50, Private Laws of 1885, entitled an act to incorporate the North Carolina Baptist Orphan Association, and to change the name thereof to Baptist;
- S. B. 929, H. B. 935, an act to authorize Macon and Swain counties to subscribe capital stock to railroad companies;
- S. B. 1164, H. B. 1363, an act to incorporate the Asheville Fast Line and Suburban Railroad Company;
- S. B. 964, H. B. 992, an act to renew and amend the public road crossing the Blue Ridge at Mulberry Gap;
- S. B. 956, H. B. 1072, an act to allow D. C. Mangum, Clerk of the Superior Court of Durham County, to be absent from his office on Monday, the 11th, and Monday, 18th of March, 1889;
- S. B. 647, H. B. 578, an act to abolish the white normal schools of the State and to provide for the holding of county institutes throughout the State;
- S. B. 859, H. B. 1470, an act to amend section 3606 of *The Code*;
- S. B. 756, H. B. 1420, an act to supplement the public school in District No. 4, Guilford County, North Carolina, with a special tax;
- H. B. 1334, S. B. 1158, an act to incorporate the Africo-American Presbyterian Publishing Company;
- H. B. 778, S. B. 720, an act to amend section 15, chapter 97, Private Laws of 1873-'74;
- S. B. 1074, H. B. 1097, an act to exempt Township No. 12 (Roanoke), in Warren County, from the operation of chapter 107, Laws of 1885, etc.
- S. B. 269, H. B. 732, an act to regulate and limit the amount of indebtedness to be contracted for special purposes by counties, cities, towns and townships;
- S. B. 1052, H. B. 1411, an act to incorporate the Robson Mining and Manufacturing Company;

- S. B. 718, H. B. 1306, an act to improve the turnpike roads of Johnston County;
- S. B. 745, H. B. 1417, an act to amend chapter 52 of the Laws of 1876-'77, being an act to incorporate the town of Gastonia, in Gaston County;
- H. B. 1191, S. B. 1034, an act to authorize and allow the Commissioners of Carteret County to regulate the sale of spirituous liquors;
- H. B. 1067, S. B. 1108, an act to incorporate Sulphur Springs Baptist Church, Alexander County;
- H. B. 954, S. B. 920, an act to regulate the working of public roads in Chowan County;
- H. B. 1345, S. B. 1163, an act to incorporate the Craggy Mountain Turnpike Company;
- S. B. 938, H. B. 1430, an act to amend chapter 57, Private Laws of 1874-'75, etc.;
- H. B. 894, S. B. 852, an act to amend the charter of the town of Hickory;
- H. R. 385, S. R. 376, resolution of instruction to the State Printer;
  - H. R. 711, S. R. 825, resolution in favor of Fred. Keuster;
- S. R. 1231, H. R. 1526, resolution in favor of Latta & Myatt;
- H. R. 1220, S. R. 1010, resolution to authorize the destruction of certain bonds which have been redeemed by the State;
- S. R. 1230, H. R. 1527, resolution in favor of A. Williams & Co.;
- H. R. 1207, S. R. 1434, resolution of thanks to Francis Winslow, United States Navy;
- S. R. 1226, H. R. 1513, resolution relative to retaining *The Code* and Laws of 1885-'87;
- H. R. 1451, S. R. 1237, resolution to preserve the Governor's mansion;
- S. R. 1191, H. R. 1433, resolution in favor of W. P. Whittington and T. B. Bailey;

S. R. —, H. R. 1336, resolution in favor of pages and special messengers;

S. R. 1236, H. R. 1521, resolution concerning captions;

S. R. 1282, H. R. 1550, resolution in favor of S. A. Ashe;

H. R. 1368, S. R. 1239, resolution of instruction to our Senators and Representatives in Congress;

S. R. 1232, H. R. 1512, resolution concerning the Governor's mansion;

S. R. 1276, H. R. 1536, resolution in relation to the State Library;

H. R. 1915, S. R. 917, resolution in reference to the Brick-Yard farm;

H. B. 1059, S. B. 1030, an act to prevent the killing of deer, during the breeding season, in Bertie County;

H. B. 1064, S. B. 1028, an act to correct land grant number 227, in Swain County;

S. B. 164, H. B. 1366, an act to amend the charter of the town of Murphy, in Cherokee County;

H. B. 828, S. B. 1122, an act to abolish the Inferior Court and to establish the Criminal Court of Buncombe County;

S. B. 923, H. B. 695, an act to amend the Laws of 1883, relating to the drainage of South Fork Creek;

H. B. 802, S. B. 778, an act to repeal chapter 15, Laws of 1885, relating to the drainage of the streams of Forsyth County.

By unanimous consent,

H. B. 802, S. B. 778, bill to repeal chapter 15, Laws of 1885, relative to drainage of streams in Forsyth County, was taken up, passed its second and third readings, and was ordered enrolled.

H. B. 695, S. B. 923, bill to amend the Laws of 1883, relative to the drainage of South Fork Creek, was taken up, passed its second and third readings, and was ordered enrolled.

On motion of Mr. Blair,

H. B. 175, S. B. 716, bill to amend the charter of the

Caldwell and Watauga Turnpike Company, and acts amendatory thereto, was taken from the table and placed upon the Calendar.

The bill was taken up for consideration.

Mr. Farthing moved to amend:

"Strike out section 1.

"Strike out the last three lines of section 4, and insert the following: 'Hereafter collect tolls at the following rates for passing over said road: For a man and horse, eight cents; for loose horses and mules, five cents each; for cattle, two cents each; for hogs and sheep, one cent each; for sixhorse wagons, forty cents; for five horse wagons, thirty-five cents; for tour-horse wagons, thirty cents; for two and three-horse wagons, twenty cents each; for one-horse wagons, fifteen cents each, and rates for other vehicles as now allowed by law."

The amendment was adopted.

The bill passed its second and third readings, and the Senate amendment was sent to the House of Representatives without engrossment.

Mr. Lusk offered a protest to the passage of

S. B. 726, H. B. —, bill to amend chapter 16 of *The Code*, in regard to elections.

Mr. Pou made the point of order that the paper-writing presented by Mr. Lusk referred to a bill which had passed the Senate, but not to the bill which had become a law, and was, therefore, out of order.

The President ruled that Mr. Lusk having at the time given notice of protest, was now entitled to offer one; but the paper-writing presented was discourteous and unparliamentary in tone and language, and could not be admitted.

Mr. Lusk withdrew the paper.

Mr. Holton presented the following protest to the passage of the bill, which was ordered spread upon the Journal:

"I desire to enter my protest against the passage of S. B. 726, bill to amend chapter 16 of *The Code*, in regard to elections, which passed the Senate on the 23d day of February.

The manifest injustice of the operations of the election laws, if amended as proposed by this bill, impels me, in behalf of the voters of the State, to record my reasons for opposing the bill.

This bill proposes to close the registration books on the second Saturday before the election. The present law allows the registration to be kept open until and including the first Saturday before the election, and in certain cases registration may be made on the day of election.

Our voters have, for many years, been accustomed to the registration law as it now exists, and a change, such as is proposed, by curtailing the time instead of enlarging it, must result in deceiving and misleading thousands of voters who are not so situated as to become informed of and familiar with the new change.

Section 2 of the said bill provides that no registration shall be valid unless it specifies the age, occupation, place of birth and place of residence of the elector, as well as the township or county from whence the elector has removed, in the event of removal. It must be admitted that owing to former conditions, the age and place of birth of many voters cannot be given. No man can swear, of his own knowledge, when and where he was born. At best, it is but heresay, and can furnish no evidence. And in thousands of cases it may happen that an elector proposing to register may not be able to produce proof of age and place of birth and therefore be excluded from the right to vote. This is certainly an attempt, through legal forms, to abridge the rights of the citizen, and deprive him of the privilege of voting.

The present mode of purging the registration books of non-voters has been found effectual, and cannot be complained of by the Democratic party. It seems to have answered all necessary purposes in depriving many Republicans of their legal rights at the ballot-box. To add to this the power that the Registrar shall erase names as proposed in section 4 of this bill, adds a facility for fraud that should not be tolerated by fair and discreet legislators.

I protest against the proposition to leave to the discretion of the Board of County Commissioners the political complexion of the Judges of Election. The present law divides judges equally between the opposing political parties. This is fair and just, and only operates unjustly where illiterate and ignorant men are selected as judges, with the view of securing undue advantage or furnishing means of fraudulent action.

This bill makes an extraordinary change in the manner of voting, which is copied after the South Carolina law, which is monstrous in its details.

It is proposed to place the ballot-boxes so that their positions may be changed at the will of the judges of election, and deceive and confuse the voters. Also, that the elector shall deposit his ballot in each separate box without any indication or instruction from the judges as to which is the proper box, unless the judges see fit to give such information. Illiterate voters may thus easily be deprived of their votes, because any ballot put in the wrong box will be thrown out, and not be counted.

I protest earnestly against the proposed plan of having an enclosure for the ballot boxes, which shall be entered by the voter, unaccompanied by any friend whom he may see fit to choose. The result of this change will inevitably lead the voter who is unable to read to deposit his ballot by guessing at the proper box, and thus place such voter so that he may deposit his ballot in the wrong box, and thereby lose his vote.

Finally, I enter my protest against the passage of this bill because I regard it as an encroachment upon the dearest rights and the liberties of the people, and will result in providing election machinery which, in the hands of unscrupulous men, will be used to defraud voters at elections, and put men in office against the will of the people. It is a departure from time-honored usages and a final step toward destroying what should be the most important bulwark of the rights of the people and a sure protection to their liberties—the ballot-box.

(Signed)

A. S. HOLTON, Senator 24th District."

### PROTEST.

Mr. Falkener offered the following protest to the passage of S. B. 726, bill to amend chapter 16 of *The Code*, in regard to the election law:

"I do most solemnly protest against the passage of the election law passed by this body, because I believe it will operate against my race and deprive them of the God-given rights which are guaranteed them by the Constitution of the United States, and ought to be held sacred, and will deprive the Eastern counties of their legal representatives.

(Signed) H. H. FALKENER, Senator 19th District."

The resolution of thanks to Lieutenant-Governor Holt, submitted by Mr. Stubbs Saturday, was taken up.

Mr. Stubbs arose, and, presenting Lieutenant-Governor Holt a handsome gold-headed cane, a testimonial from Senators, said:

"Mr. President and Senators: 'Into each life some rain must fall,' is a sentiment dictated, no doubt, by the bleeding hearts of the world; and though the shadows may often fall athwart the pathway, though the lowering clouds may hover over our heads, portentous of the threatening

storm, and the merry songsters may refuse to carol forth their matin roundelays, it is only under such circumstances that we can fully appreciate such an utterance. That my sojourn here has been pleasant, none can gainsay; acquaintances have been formed, friendships have grown up that only the Great Disintegrator of Events can efface, and I am inclined to appropriate the idea so beautifully expressed in Byron's 'Don Juan,' when he says:

'Tis sweet to hear
At midnight on the blue and moonlit deep,
The song and oar of Adria's gondolier;
'Tis sweet to listen as the night winds creep,
'Tis sweet to view the rainbow, based on ocean, span the sky;
But sweeter than this, than these, than all,
Is true and unselfish friendship.'

I feel it to-day in all its intensity and force, and for the first time in my life I am placed under such peculiar circumstances that I can realize the grandeur and sublimity of the thought so beautifully expressed by the poet when he says:

## 'Parting is such sweet sorrow,'

But we shall meet again, a prediction based upon an abiding faith, similar, it may be, to the one which prompts the swine to look up when the acorns cease to fall, nevertheless, one that admits of no doubt.

When I came in this chamber this morning, Mr. President, I noticed many vacant chairs. Familiar faces that had heretofore greeted my entrance were conspicuous by absence, and I was sad and gloomy. I was reflecting upon the fact that soon we were to part, when, suddenly, what a metamorphosis! A deputation of my fellow-Senators delegated me to perform a delicate, yet pleasant duty—that of presenting, on behalf of the Senators, to our beloved presiding officer, a slight token of their great appreciation, and high esteem in which he is held by every member of this

body. The rushing torrent has ceased; only the pattering rain drops, 'falling as light and soft as the flakes of the feathered snow,' are now beating upon me; and, as in the palmiest days of the 'Seven Hilled City,' it was the proudest boast of its sons, 'I, too, am a Roman citizen,' so it will ever be the proudest thought of my life, that I, as an humble factor in the Legislature of 1889, am accorded the great privilege of tendering to you, Mr. President, this cane, with the hope that in the succeeding years which may come upon you, when the frosts of life's winter weather shall have silvered your head, and the cares and responsibilities of life shall have grown thicker and thicker around you, may you lean upon this cane for support, and remember the pleasant associations connected therewith.

Now, to you, sir (addressing Mr. Pou, who occupied the chair), to you, Mr. President, and to my fellow-Senators, each and all, I bid a short and affectionate farewell, with the sincere hope that we may meet again some time on the island of the 'Sweet Bye-and-Bye,' in the River Time."

Mr. Lusk, in support of the resolution, said:

"Mr. President: For sixty-two successive days the sound of the presiding officer's gavel has called this Senate to order, while for an equal number of times the servants of the Most High and Living God have invoked the blessings of Divine Providence upon us; and now, for the last time, that simple talisman has sounded forth its call to "order," and in a few brief minutes will fall for its last time in our hearing, and that sound will be the knell of the last meeting of this body, and the session of 1889 will pass into history. We will soon be released from the cares of the great charge committed to our trust and keeping by the sovereign people at the ballot-box last November, to return home to our constituents to answer at the bar of public opinion for the manner in which we have guarded that sacred trust. I

have no doubt that each individual Senator believes that he has honestly and faithfully discharged his whole duty to those who commissioned him to guard their rights and liberties, and that you are buoyant with high hopes and fond anticipations that upon your return you will receive the just plaudits of a satisfied constituency.

In the midst of this pleasing anticipation we should remember that our duty is not yet fully discharged. I to turn my back on this Senate Chamber without leaving behind me some testimonial commendatory of our presiding officer, I would be unfaithful to the trust reposed in me. And it would be no excuse for me to give as a reason for withholding my commendation from a deserving and meritorious officer that he was of different political opinions to myself. Aside from being the representative of the whole people, such is not my personal convictions of duty, while I am pleased to say that the most ultra Republican in the District which I have the honor to represent would feel humiliated if I, on such pretext, were to withhold the merited encomiums to which a faithful official is justly entitled. Coming into this Senate in a hopeless minority, determined to fight to the death every move of the majority affecting the future of my party, and to take advantage of every rent in the helmet of my opponents, I expected to find the presiding officer biased in favor of the majority. Now that the session is closed, and I'look back over the field of battle and recount the many fierce struggles between the contending factions, I fail to remember a single instance where the umpire of the list held in favor of the one to the prejudice of the other. In supporting the pending resolution, I but voice the sentiments of my heart when I add that the holdings of the presiding officer have been impartial and, so far as I am able to judge, correct. His bearing toward each individual Senator has been universally kind and courteous, while his rulings evince no mean statesmanship and ability. And now the session of 1889 is about to close forever, and while it is unpleasant to part from friends, even when we know the separation is but temporary, it is doubly sad to say "good bye" for the last time to those with whom we have been pleasantly associated for so long a season. In all human probability, many of us will meet no more. Some have no further desire to take upon themselves the cares of State, while others see richer and more inviting fields of labor opening up before them, while others now here, before the gavel calls this body to order again, may be summoned to their final account. But it matters not where our lot may be cast, or what fate may have in store for us, so long as memory lasts and life endures, there will always linger around the recollection of the session of 1889 one kind thought for our generous, kind, courteous and noble-hearted presiding officer, Thomas M. Holt."

### Mr. Banks, in support of the resolution, said:

"Amidst our trials and sorrows here, There is much to love and much to fear: The grand old State for which we met Will appreciate, and ne'er forget, That each one here, with all his might, Did earnestly strive to make all things right. The laws enacted, and put to the test, Constituents will try, and take the best. Some we sanctioned with a vote, While others we hated. I want to note: Each one his burdens should ever bear, Regardless of party—the State's welfare. In all our relations since first we met, Time will pass upon, but never forget. Passion and malice can never last-They linger awhile, but die with the past; But pleasing thoughts entwine the mind, Never forgotten by all mankind. The President's rulings were always fair-A decisive vote in every pair. Our esteem he has won since we met: We part with him in sore regret.

The Clerks, so kind! We, too, must part,
And Doorkeepers and Pages—near our hearts.
With a heart full of kindness for each of you,
I tender an affectionate and sincere adieu.
Let us all clasp hands and part in love,
Hoping to meet in a land above."

Mr. Copeland, in support of the resolution, said:

"Mr. President and Brother Senators: I can say of a truth, I love every one of you, from the President down to the pages. A mother once told her child that when people felt deeply they said nothing. The child thought for a moment and said: 'I suppose it is because they can't think of anything good enough to say.' Mr. President and Senators, I have felt deeply to day that it is a great responsibility to represent even a small part of the good Old North State, and I am sure I cannot think of anything good enough to say to you for your kindness to me. But I am proud to say that we all belong to the same old State. It is the same old State which our fathers loved. When we return to our homes, and wherever our lots may be cast, we should, and I believe will, do all in our power for the good of our country and people. And when we are done with the things of time, I trust we will meet in that bright world above, where there is no night and no parting.

I hope the resolution will pass unanimously."

Mr. Barber, in support of the resolution, said:

"Mr. President: I do not rise for the purpose of making a speech, but simply to endorse most sincerely what has been so well said by the Senators who have preceded me, to urge the adoption of the resolution, and move that the remarks of Senators thereon be entered upon the Journal. No man in this Senate is more attached to our presiding officer than myself. I say, that of all the able, learned and

illustrious men who have presided over legislative bodies in North Carolina, Lieutenant-Governor Holt is the equal of any; and I do not think I go too far in saying that he is the fairest man who ever presided over either body of this Assembly."

Messrs. Thomas, Lucas, Blair, Kerr and King spoke in support of the resolution.

Before putting the question upon the adoption of the resolution,

Mr. Pou (occupying the chair) said:

"Fellow-Senators: Before this vote is taken I wish to add my voice to those expressions of good feeling and friendship which have been so feelingly and eloquently expressed here to-day. To me the acquaintance with you, one and all, has been of the most pleasant nature, and I can truthfully say that the past sixty days have been among the most pleasant of my life. I leave the Senate of 1889 with feelings of the sincerest friendship towards every one of its members and officers. My feelings of gratitude toward our presiding officer are of the warmest kind, for I believe my relations with him have been different from those of any member, as I, alone of all this Senate, began legislative life in the House of 1885, of which Colonel Holt was Speaker. When I look back to that session, and recall all the kindness, consideration and friendship which Colonel Holt showed toward me, and when I recall the fact that the same friendship has existed between us until this day, when I remember the friendship and impartiality of all his rulings, I feel that he has a double claim on my friendship and gratitude,"

The resolution was adopted, every Senator present rising and voting therefor.

Mr. Green offered the following:

"Resolved, That the thanks of the Senate are due and are hereby tendered to Robert M. Furman, Principal Clerk of this Senate, for the efficient, impartial and faithful manner in which he has discharged the duties of his office; and as a mark of our respect and high appreciation of said services, desire that this resolution be spread upon the Journal."

Mr. Little moved the resolution be adopted by a rising vote, and the resolution was adopted, every Senator present rising and voting therefor.

Mr. Stubbs offered the following:

"Resolved, That the thanks of the Senate be tendered our worthy and esteemed Reading Clerk, Mr. Nicholson, with the assurance that our association has been of the dearest kind, and with the hope that in future years he may still increase in public favor and esteem."

Mr. Lucas moved the resolution be adopted by a rising vote, and the resolution was adopted, every Senator present rising and voting therefor.

The President presented the following petition from ladies of Raleigh:

To the Honorable the General Assembly of North Carolina:

We, the undersigned ladies, citizens of Raleigh, having heard and seen how the Sabbath day is desecrated by the members and officers of the General Assembly by hard and constant work, and believing this is contrary to the Bible and repugnant to our Christian civilization, and believing further that our law-makers should be examples for good and not for evil; therefore, we would respectfully petition that your honorable body take such steps as you may deem wise and proper in order that the Sabbath day may hence-

forth be kept holy and considered a day for rest, and not a day for work. And your petitioners, as in duty bound, will ever pray.

(Signed)

Mrs. E. E. MOFFITT, Mrs. E. G. READE, Mrs. C. S. Jackson, Mrs. W. N. H. SMITH, Mrs. G. C. BAGLEY, Mrs. W. H. PACE, Mrs. W. H. BAGLEY, Mrs. C. K. LEE, Mrs. R. T. GRAY, Mrs. WALTER CLARK, Mrs. W. T. TUCKER, Mrs. R. C. STRONG, Miss Fannie Green, Miss Addie Bain, Miss LENA W. PARTIN. Miss Mamie Birdsong.

A message was received from the House of Representatives, informing the Senate that, upon the return of the messenger, the House would adjourn without day.

The following message was sent to the House of Representatives:

"Mr. Speaker: It is ordered a message be sent to the House of Representatives, informing your honorable body that, upon the return of the messenger, the Senate would adjourn without day. May God save the State."

Lieutenant-Governor Holt, having resumed the chair, addressed the Senate as follows:

"Senators: I receive this cane with great pleasure. I have scarcely words to express my gratification at this manifestation of respect and confidence on the part of my friends of the Senate.

The approving consciousness of an honest effort to perform the duties of any position, either public or private, is of itself a rich reward; but when that effort is appreciated by a body so intelligent and patriotic as this, and manifested in a manner so graceful and gratifying, it is an event

calculated to excite the liveliest emotions and the most grateful recollections.

The value of an occasion like this is always to be prized and estimated by its pleasant memories and interesting associations. These memories and these associations, with the approving consciousness of a well-meant purpose in the performance of duty, are truly rich rewards that may well excite our determined zeal.

Before declaring the Senate adjourned, I desire to express to each and every member of the body my sincere thanks for the kind and courteous manner with which they have treated me in the discharge of my official duties, which have been made comparatively easy by your uniform support and sympathy. I have tried to discharge my duties in an impartial manner, and in my rulings to do justice and to rule according to law has been my aim, and I can truthfully say that neither party nor personal preference has had any influence over me whatever in the exercise of the powers conferred upon me by virtue of the position I hold. That I am a pronounced Democrat cannot be denied, and, from a political standpoint, I am glad that my party has a majority in this body, but as presiding officer I knew no party, but on all occasions recognized the fact that I was President of the Senate, and not of the Democratic part of it only; and I feel more than gratified-yea, rejoiced-that the minority party have recognized this fact and have expressed their satisfaction of the manner in which I have discharged my duties in language more complimentary than I deserve. assure you that my personal and official relations with every member of the Senate are, and have been, pleasant and agreeable. Nothing has disturbed our harmony, and nothing shall destroy our pleasant remembrances. While, of course, there have been differences of opinion on many subjects, some of them of very great public importance, I am glad to say your deliberations have been characterized with harmony, and I believe each Senator acted as he thought best for the interest of those whom he represented.

It is not in the province of man to be perfect. Some things may have been done amiss, and some of importance omitted, yet, I believe the earnest endeavors of all were to do for the best interests of our beloved commonwealth. And now our work is done, and we are about to separate, never, possibly, to meet again. I wish each and every one of you a safe return to your respective homes, and a long life of peace, prosperity and happiness, and in parting I hope the rich inheritance of political freedom, constitutional liberty, religious tolerance, bequeathed us by our forefathers, may be transmitted to our posterity.

May the Great Sovereign Ruler of the world bless you with His choicest blessings, in your various avocations of life, and at the end bring you to Himself.

I now declare the Senate adjourned without day."

THOS. M. HOLT,

Lieutenant-Governor and President of the Senate.
ROBERT M. FURMAN,
Principal Clerk.

# APPENDIX.

# ABSTRACT OF VOTES

Cast at an election held for Governor and State Officers on Tuesday, November 6th, 1888, in the State of North Carolina.

11	John Moody.	T
ATTORNEY GENERAL.	John W. Woody.	252 1111 1
	Thomas P. Devereux.	2515-1-1-515-1-5-1-5-1-5-1-5-1-5-1-5-1-5
	Theodore F. Davidson.	1,12,2,2,2,2,2,2,2,2,2,2,2,2,2,2,2,2,2,
IIC N.	Robert T. Bonner.	252 252 253 254 250 258 258 258 258 258 258 258 258 258 258
SUP'T PUBLIC	James B. Mason.	1,14,1,16,16,16,16,16,16,16,16,16,16,16,16,1
SUP'T	Sidney M. Finger.	1, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2, 2,
	James M. Winstead.	852 1111 105 108 108 118 118 118 118 118 118
AUDITOR.	Charles F. McKesson.	250 1,516 1,484 1,484 1,824 1,386 1,386 1,386 1,158 1,15
AU	George W. Sanderlin.	1,736 1,
l di	Hugh W. Dixon.	282 282 284 277 277 277 277 277 277 277 277 277 27
TREASURER	Gustavus A. Bingham.	1,514 1,524 1,4845 1,4845 1,6866 1,3866 1,1827
TRE	Donald W. Bain.	1,742 950 950 950 1,302 1,506
1	H. W. Hines.	
OF	Franklin S. Blair.	252 282 283 1177 177 1888 1888 1888 1888 1888 188
SECRETARY STATE.	George W. Stanton.	1,516 9.752 9.752 1,4835 1,0865 1,0865 1,1825 1,1825 1,1825 1,1825 1,1825 1,183
	William L. Saunders.	2,282 9,850 1,382 1,382 1,382 1,387 1,587 1,587 1,588
E.	Moses Hammond.	251 1 1 1 1 2 2 8 8 8 8 8 8 1 1 1 1 1 1 1 1
LIEUTENANT GOVERNOR.	Jeter C. Pritchard.	1,394 1,055 1,165
LIED	Thomas M. Holt.	2,282 2,282 2,282 1,140 1,180
	E. Kerr.	
	S. B. Alexander.	188   188
TOR.	William T. Walker.	
OVERNOR	Oliver H. Dockery.	1,517 1,517 1,739 1,739 1,739 1,1365
9	Daniel G. Fowle.	11.1 14.2 14.2 14.2 14.2 14.2 14.2 14.2
	COUNTIES.	Alamance Alexander Alleghany Anson Ashor. Beaufor. Bertie Britie Bladen. Brunswick Buncombe Buncombe Burke. Caldwell Candwell Carteret Catteret Conwell Conwell Chowan Cleveyee

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	John Moody.	11	1.1	1 1	1	1	: :	1	1 1	1	: :		1 1	; ;	1	:::
ATTORNEY GENERAL.	John W. Woody.	64	306	o 4	36	16	22	13	17	15		- F	7.		018	38
	Тротая Р. Devereux.	1,292	2,225	1,676	2,049	1,266	1,611	816	1,579	410	368	1 0992	4,820	1.015	996	1,509
SUP'T PUBLIC A'	Theodore F. Davidson.	1,377	2,174	1,718	2,396	2,737	2,377	966	1,665	506	472	2,040	4,751	8028 8028	897	2,782
	Robert T. Bonner.	65.05	302	e 4	36	20 20	101	13	11	12		20	-89	17	018	38
	James B. Mason.	1,292	2,328	1,676	2,049	1,264	1,610	816	1,579	410	898	1 0992	4,917	1.015	996	1,259
TREASURER. AUDITOR. SUP'T	Sidney M. Finger.	1,377	2,174	1,718	2,397	2,738	2,376	866	1,665	505	472	2,040	4,762	549 806	897	2,135
	James M. Winstead.	64	302	2. 4	36	17	101	133	17.4	15	-	311	75	11	07	38
	Charles F. McKesson.	1,292	2,328	1,676	2,049	1,267	1,630	816	1,552	410	999 365	992	4,920	875	965	2,22,1 1,505,1
	George W. Sanderlin.	1,377	2,173	1,718	2,397	2,738	2,377	1,000	1,666	505	475	2,040	4,761	549 806	897	2,155
	Hugh W. Dixon.	64	302	5	36	16	101	E5.	17.4	15		123	70,	=	101	38
	Gustavus A. Bingham.	1,291	2,326	1,676	2,449	1,285	1,611	816	1,552	410	368	1 092	4,916	875	996	2,2,1 5,52,0 8,10,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0,0 1,0 1
TRE	Donald W. Bain.	1,378	2,176	9,898	2,397	2,719	2,397	1,000	1,440	505	407	2,040	4,770	541	897	2,784
	H. W. Hines.	131	1 1	!"	1 1		1 1	1	1 1	1	1 :	1	1 1	1		111
SECRETARY OF STATE.	Franklin S. Blair.	64	308	00 6	38	12	12	13	47	15	1	<u>S</u> 1	75		101	88
	George W. Stanton.	1,292	2,328	1,676	2,049	1,267	1,004	816	1,552	410	368	993	4,917	875	963	2,568 2,251 1,502
LIEUTENANT SECH GOVERNOR.	William L. Saunders,	1,377	2,173	1,718	2,396	2,737	2,376	1,000	1,668	505	472	2,040	4,762			2,781 1,706 2,155
	Moses Hammond,	64	303		36	40	201	113	17	15		8,	72	-	.23	988
	Jeter C. Pritchard.	1,291	2.326	1,682	2,051	1,267	1,004		1,329		368		4,924	-		2,559 2,252 1,515
LIE	Thomas M. Holt.	1,376	2.132	1,716	2,395	2,734	2,377	997	1,447	505	929 174	2,038	4,736	549 808	868	2,785 1,706 3,152
GOVERNOR,	E. Kerr.		: :	1	1 1	1	1 1		1 1	1		;	1 1	:	1	1 1 1
	William T. Walker. S. B. Alexander.	100	308	12	36	840	12	21	17	15	-2	24	95	1=	27	188
	302[0M il troilliM		-						595	0	367		_			
	Онует Н. Dockery.	1,293	62	1,684	2,101	त् त्	1,0	200	4,10	কা	ñ ñ	-	1		5	2,561
9	Daniel G. Fowle.	1,375	2,171	1,711	2,395	2,73	2,370	966	1,457	505	472	2,040	4,618	245 708	888	2,781 1,706 2,159
	COUNTIES.	Person.	Randolph	Richmond	Rockingham	Rowan	Sampson	Stanly	Surry	Swain	Turnell	Union	Wake	Warren	Watauga	Wayne Wilkes

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	We, the undersigned, President of the Senate and Speaker of the House of Representatives, do hereby certify that the above is a correct abstract of the return of the votes cast for officers of the Executive Department, at an election held on the 6th day of November, A. D.1888, as provided by law, as compared by us in the presence of the two Houses of the General Assembly in convention assembled on this the 15th day of January, A. D. 1889.
dkin ncey Total.	We, trrects, r, A. L
Ya	co be

A. LEAZAR, Speaker of the House of Representatives. CHARLES M. STEDMAN, President of the Senate. (Signed)

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