Wilmington Journal.

WILMINGTON, N. C.:

FRIDAY, JANUARY 24, 1873.

THE DAILY JOURNAL, the oldest daily paper in North Carolina, and the only thirty-two column daily in the State, is published every morning, except Monday, at EIGHT DOLLARS a year; FOUR DOLLARS six months; SEVENTY-FIVE cents per month for shorter periods. Served by Carriers in the city at SEVENTY-FIVE cents per month, or TWO DOLLARS and TWENTY-FIVE cents per quarter.

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Address,

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Wilmington, N. C.

EDITORIAL NOTES.

California is producing 400 pounds of castor oil to the acre.

Key West, Fla., sends its mail matter to Tampa, in the same State, by way of New York.

Luther's translation of the Bible is said to have had a circulation thus far of 361,000,000 copies.

In Wisconsin, where the gallows has been abolished some years, there were only two sentences for murder in 1872.

The present has been the worst hunting season known in England for years, on account of the incessant rain that has prevailed.

It is stated that numbers of the old Garibaldian volunteers are leaving Italy for Spain to join the Republicans in that country.

Great Britain has 112 daily newspapers, 14 published in London, 64 in the provinces, 11 in Scotland, 20 in Ireland, 2 in Wales, and 1 in the Channel Islands.

The number of emigrants who left Bremen for the United States last year was eighty thousand. Emigration from Hamburg during the same time reached fifty-nine thousand.

By a recent cable dispatch, received from Milan, Italy, we learn that Father Ryan is dangerously ill in that city. He is stated to be so low that three doctors are in constant attendance and no visitors are permitted to see him.

The Southern Claims Commission is abolished on March 3, 1873, by the law creating it. The proposition will go before Congress soon to extend its power for four years longer. The Commission has passed upon three hundred claims, and has one thousand five hundred claims still on file.

What becomes of the honest men has long been a puzzle in Massachusetts, but it now seems probable that, when one is detected, they send him to Norwich. A great many curious stories are told of the honesty of the people of Norwich. One of them found a horse shoe the other day and advertised it.

Recently an individual was arrested in Philadelphia as the proprietor of a "panel house," at ten o'clock at night, was examined the next morning at seven, indicted the same day by the grand jury at noon, tried at half-past one, found guilty at five, and was immediately sentenced to two years imprisonment.

The opium eaters have at last a quarterly magazine. Its title is "Theriaka: A Magazine devoted to the Interest of Opium Eaters," and is issued at Laporte, Indiana. The last number has alarming articles on "Opium Eating in Schools," and on "Opium—the Sheet Anchor of the Medical Profession." Out of the 560,000 pounds of opium exported from Smyrna in one year the United States took 280,000.

There are deficiencies in what is called at Washington the "Department of Justice," and Attorney-General Williams asks for an appropriation of $300,000 to cover them. Year before last the expenses of this department were $959,567.35; last year the appropriation was $3,200,000, and even this fell short. But year before last Grant did not have to be re-elected. "Department of Justice," indeed! Money can't cover its deficiencies.

Too much wheat, it seems, was raised in California last summer. There are not enough storehouses there to hold the crop or ships enough coming to San Francisco to carry away the surplus. Many thousands of bushels remain unthrashed in the fields, and although freights are double the rates of the previous year, a hundred ships at least could be filled up with the wheat now stored in San Francisco. Truly the Golden Horn is a horn of plenty.

Crime appears still to move in a mysterious way in New York. One day last week an unknown man suddenly made his appearance in a concert saloon, shot the proprietor, Charles Christy, and then quietly made his escape from the premises. It is clear that the roughs have not yet made up their minds that Stokes or anybody else is to be hung, and therefore they continue to "ply their vocation," in view of the gross and culpable laxity which has heretofore marked the execution of the laws in the great metropolis.

On Ohio editor speaks of one who has been a persevering contributor to the office waste-basket for years past.

EDITORIAL CORRESPONDENCE.

RALEIGH, Jan. 20, 1873.

MY DEAR JOURNAL:—As your readers already know, the Legislature has reassembled. A quorum was present in each House on the first day, and the regular business was at once taken up and proceeded with. In a few days, doubtless, the result of the study and deliberations and consultations of the members of the various committees upon the great leading legislative questions now before the General Assembly will be made apparent.

There was quite a little excitement and ringing of fire bells, &c., here on Friday night, caused by a burning chimney in the Capitol Building. There was no damage done, however, and the matter would not be worth mentioning but for a good thing some sleepy-headed man got off in connection with it. The aforesaid man, when waked and asked to go to the Capitol and help put out the fire, refused flatly, saying, as he turned over for another snooze, "Confound it, let me alone. It is nothing in the world but Caldwell and Kemp Battle trying to smoke out old man McIver." When it is remembered that this came right upon the heels of Mr. McIver's refusal to vacate his office, which is in the Capitol Building, on the demand of Mr. Battle, the joke will be appreciated.

It will be remembered that the seat of Mabson, a sitting colored Representative from Edgecombe county, has been contested. On Saturday the committee on Privileges and Elections reported adversely to his claim. The turning point in this case was about as follows: Mabson was a citizen of Edgecombe at some time during the year 1871; about December in that year he went to Beaufort county, and there taught school for two terms of four months each; prior to the August election, held in the year 1871, upon the Convention question, he was duly registered in Beaufort county, after taking the oaths required by law. On election day he voted in Beaufort county.

To rebut this evidence, going to show a change of domicil, Mabson made affidavit that it was never his intention to abandon his domicil in Edgecombe; that he was only temporarily sojourning in Beaufort; that he had left his effects in Tarboro', &c.; and that he registered and voted under a misapprehension of the law and of his rights in the premises, &c. The committee were of opinion that about the best evidence that could be given of domicil was the act of taking the oaths required by law of a citizen of a county prior to his registration in that county, the act of registration and the act of voting. It would, indeed, be a curious thing if a man should be allowed to make out his title to a seat in the Legislature by proving that he took a solemn oath contrary to law, and that he registered and voted unlawfully! If the report of the committee shall be concurred in, a new election will be ordered.

Governor Caldwell has sent in another characteristic message—characteristic at least in its cool, unblushing impudence and wonderful insolence. The Governor does not hesitate to lecture the Legislature as if its members were a parcel of truant, idle school boys, and he was their pedagogue.—How Senators and Representatives can submit to such treatment, is one of the many strange things daily witnessed in these strange times. However that may be, on Saturday Governor Caldwell sent a message to the Senate calling the attention of the Legislature to the fact that his recommendations in regard to the State debt had not been heeded thus far, and telling them that he did not approve of the "do nothing policy!" Failing to have his wishes complied with when put in the shape of suggestions, His Excellency, the doughty Governor of North Carolina, goes a bow-shot further, and impudently presumes to send to the Legislature a regular bill formally drawn up and entitled "An act to restore the credit of the State!"

What the next step of this mighty Governor will be, no sane or sensible man will venture to predict. It may be safely asserted, we think, that never before, at least since colonial days, did any Governor of North Carolina have the assurance to attempt, officially, to present to the Legislature for its action, a bill formally drawn up. The Governor is not a member of the Legislature, and has not a shadow even of a right, to introduce a bill. The attempt thus to influence their action is a palpable and flagrant abuse of his constitutional right to "recommend to their consideration such measures as he shall deem expedient."

It is one thing for a Governor to recommend measures to the consideration of the Legislature; it is another and quite a different thing for him to usurp the legislative function and prepare and introduce bills.

It is possible, however, that we may do injustice to Governor Caldwell in supposing he is conscious of being so habitually insolent in his official intercourse with the Legislative branch of the government; it may be that his conduct proceeds from ignorance rather than from willful insolence. Indeed, so many of his acts proceed so manifestly from ignorance of the Constitution and laws of the State that many charitably disposed people attribute thereto, also, the tenor and tone as well as much of the matter of his messages. That a man who is a graduate of the University, a lawyer by profession and practice, a legislator of much experience, and for the third year Governor of the State, should not see the impropriety and illegality of sending, officially, a bill to the Legislature, seems almost incredible. Yet this spectacle was witnessed on Saturday last. The theory of our government is that the Executive, Judicial and Legislative Branches are equal and co-ordinate. The practice, under Caldwell's *regime*, is quite different.

A good thing happened in the House on Saturday. By a rule of that body it is required that the daily sessions shall be opened with prayer, and on that day, somehow or other, it fell to the lot of a colored brother to invoke the morning blessing. He was earnest and he was eloquent, and went straight to the point. He thanked Heaven that Congress had so much sense and that the House had got so much sense. Mounting higher and higher, he wound up a grand peroration with an exhortation to Heaven to show "mercy to all people, without regard to age or sex, race, color or previous condition of servitude!" We rather think this may be aptly described as a truly loyal prayer.

On yesterday Mr. Kames, the smaller of the two Pennsylvania lobyists who were so successful in passing the New York, Norfolk and Charleston Railroad bill in such hot haste just before the recess, put in a second appearance. His colleague, Mr. Smith, he of ponderous paunch, better known, it is said, in Philadelphia, as "Slushy Smith," is kept at home by sickness, so that for the present at least, the State of North Carolina is deprived of the inestimable blessing of his lovely countenance. It is sad to think that we shall be obliged to content ourselves with little Kames. It is due to Mr. Kames, however, to say that if he is small, that he is quite a lively little joker and is fully able to take care of himself even if poor "Slushy" is sick. Mr. Kames has, I believe, three other bills before the Legislature; one is to incorporate a Telegraph company; another to incorporate an Express company, and the third, to incorprrate a "Construction company." These are companion pieces, it is said, to the New York, Norfolk and Charleston Railway. Whether these bills will be urged as Eastern measures, essentially necessary to the development of Eastern Carolina, remains to be seen. Some of our friends here do not seem to feel quite easy in their consciences about the manner in which Wilmington was treated about the New York, Norfolk and Charleston Rail Road. Possibly some of them think that to pass a bill as an "Eastern measure" that injures Wilmington is something very near akin to, if not worse than "playing Hamlet with the part of Hamlet omitted." S.

GOV. CALDWELL'S IMPUDENCE.

Unless Governor Caldwell is utterly wanting in sensibility, the dignified, but for all that none the less stinging and withering, rebuke from the venerable Senator from Orange, will bring him to his senses and teach him that he cannot transcend the bounds of official propriety with impunity in his intercourse with the Legislature.

It will be remembered by our readers that on Saturday last Governor Caldwell so far forgot himself as to send a message to the Legislature impudently lecturing the members for the course they had thought proper to pursue, and audaciously sending them a bill for their action, already drawn up. The message and bill were referred to the Joint Select Committee on the State Debt and Liabilities. On Tuesday the Committee, through its Chairman, Mr. NORWOOD, made a report, which will be found in the Legislative proceedings elsewhere. We have seldom seen impertinence punished more effectually. It is needless to say that the Senate concurred in the request of the Committee to be discharged from the consideration of the message and bill. We presume they will now go under the table, rather than upon it.

WHAT "CREDIT MOBILIER" MEANS.

A correspondent, says the Chicago *Tribune*, asks the meaning of the words "Credit Mobilier." (Several Congressmen have asked the same question.) We presume he wishes to be informed concerning the original derivation and the use of the term. We will endeavor to explain it. The "Credit Foncier" has long been the title in France for associations that advance money on landed or *immovable* securities. The "Credit Mobilier" was the name given to a powerful corporation, organized in France in 1852, for advancing money on *movable* property. The name was adopted evidently with the purpose of affording a ready definition of the object of the association. The "Societe Generale de Credit Mobilier" became a great and profitable enterprise. It had special privileges under its charter. It assisted materially in the construction of railways and the promotion of mining schemes. Among other enterprises in which it was notably interested were the Government loan on account of the Russian war, the Grand Central Railway Company, and the General Omnibus Company of Paris. At one time it advanced two hundred and fifty million francs, and at another time three hundred and eighty-five million francs, to the French Government. Its business was so great in 1855 that it declared a dividend of forty per cent. on its capital. While it was manifestly the means of doing much good in France, it eventually failed.

The introduction of the terms "Credit Foncier" and "Credit Mobilier" into America is due to Mr. George Francis Train. He established a "Credit Foncier" with Omaha lands, which he hawked about the country some years ago. He gave the name "Credit Mobilier of America" to a corporation with universal privileges, which was organized in Pennsylvania. It was appropriated by Messrs. Oakes Ames, Durant & Co., to serve as the party of the third part in the famous "triplicate agreement," by which the managers of the Union Pacific Railroad let out the contract for building the road, in payment for which they modestly took the road itself, all the United States bonds, all the first mortgage bonds, all the United States lands, etc., at a profit of over one thousand per cent., on an entirely fictious capital. This transaction was literally a Credit on Movables,—the United States Government furnishing the credit and the money, and Messrs. Oakes Ames, Durant & Co., taking the movables—that is, the securities and the profits.

The cable brings us news of the proposed visit to the principal countries of Europe of the Shah of Persia. This announcement is significant when taken in connection with the late rumor that vital changes are to be made in the foreign policy of Persia. Important consequences in the management of Eastern affairs are likely to follow this unprecedented action on the part of the Persian ruler, and it is hoped they will be more satisfactory than those which have been the legitimate results of the policy of the Persian government for the past half century.

A merchant advertised for a clerk "who could bear confinement," and received an answer from one who had been seven years in jail.

THROUGH AND LOCAL RAILROAD FREIGHTS.

The introduction, by a Senator, before the recess of the Legislature, of a bill to require the Railroads of this State to make no distinction in charges for the transportation of Local and Through Freights, has given rise to some discussion in the newspapers of the State, and believing its passage would not only be fatal to the building of new railroads, but also injurious to our city as a commercial centre and shipping port, we hope that it will not pass.

We believe this subject is misunderstood by the public, and they are too apt to lay at the door of "Through Freights" all the complaints, and they are many, which they find cause to make against Railroad corporations. And many suppose that their own road is the only one which gives a supposed preference to distant shippers. As there is no road in this country, which has connections with other lines of transportation, either railroad or steamship, which does not adopt a tariff of "Through Freights," to a greater or less degree, we therefore conclude that the system has the universal endorsement of all railroad managers, and we are forced to the opinion that its abuse, rather than its legitimate effects, is the real source of much well-grounded complaint.

As we understand the difference, Local Freight is that which passes over one road, or part of a road, and Through Freight that which passes over two or more roads. Thus the North Carolina freighter has the benefit of a through rate over all the railroad and steamship lines from New York, Philadelphia, and Baltimore, until his freight reaches the railroad upon which he resides, upon which he is compelled to pay local rates. And the same rule holds good upon the produce he ships from home. And, indeed, he gets the benefit of through rates whether he sells at his nearest market-town or in the Northern city, for the home purchaser gives more for his cotton, naval stores or wheat, because he can ship them North cheaper than if local rates had to be paid on all lines of transportation until they reached their final destination.

Then why this distinction between local and through rates?

First: It arises from the general principle that the longer the distance freight is transported the less per mile it costs the company. Any other rule might amount to a prohibition for long distances, and would work great hardships to those remote from market.

Second: Every railroad company claims the right to fix such a local tariff of charges for freight and passengers as shall maintain its line, modified as far as practicable by what may be realized from such "through freight" as it may be able, by lower rates, to obtain.

Let us apply these distinctions, not theoretically, but practically. The Wilmington and Weldon Railroad and the North Carolina Railroad enter into an agreement to make a tariff of charges on produce from all places on the latter road to Wilmington, as well as for return goods.

Take the article of wheat, largely produced on the line of the former road. The managers of the North Carolina Railroad say to those of the Wilmington and Weldon Railroad that they must have their local rates upon wheat from Salisbury, Lexington and High Point, and also upon salt and molasses which our merchants send to these points. They hold that this is their freight exclusively, upon which they must sustain their road.

If, then, the managers of the Wilmington and Weldon Railroad would not transport that wheat from Goldsboro' to Wilmington any cheaper than it did the wheat of the Wayne county producer, the wheat would go to Norfolk, Richmond or Charleston, all of which are competing points. Or if the law prohibited these through rates then the producer in the interior would be beggared while his more favored rival would grow rich.

But the Wilmington and Weldon Railroad does take the wheat or salt and molasses at two-thirds or one-half of its local rates to Goldsboro', and thus secures the trade for its line and for our merchants. They are benefitted. And who is injured? Not the Wayne county producer, for he gets his wheat to market and receives his merchandise in return for one-half what the Davidson county producer does, and he is that much better off. Nay; he gets cheaper rates because of this new business which is thrown upon his home road, by which its receipts are increased.

We are speaking now of what has actually happened in the past. And what in the future for our port?

Take the Air Line Railroad, being built from Charlotte to Atlanta. For many miles southwest of Charlotte, Wilmington will be the nearest sea port, and the natural outlet and inlet for all heavy goods for the vast section of country to be opened by the completion of that road. If the Wilmington, Charlotte and Rutherford Railroad cannot take advantage of "Through Rates" to bring to this city produce beyond Charlotte, and return groceries, then we will be as much shut off from that country as if there was no railroad connection with it. Charleston and Savannah would get not only their legitimate proportion, but the surplus which legislation would drive from us.

But we do object to the abuses of this "Through Freight" business, and the public have a right to complain when local interests are neglected for the advancement of distant shippers.

We condemn the gambling operations of the four great Trunk Lines out of New York and Philadelphia, where the game is to break down and compel the withdrawal of some of the parties to a ruinous competition.

We condemn railroad corporations which neglect local for through business. The through freight should be considered only as surplus, and not preferred business. The local demands should be supplied first, at a fair and reasonable rate, and the through business should be made to benefit the local shipper, and not work to his injury.

We are not disposed to discuss the legal effect of the proposed legislation upon charters granted before the adoption of the present Constitution, but content ourselves with noticing the effect upon new railroad enterprises.—How much, for instance, would the charters granted for the two lines of railroad from Charleston to Norfolk, or others now pending in the Legislature be worth if this requirement should be incorporated? The charters would not be worth the paper upon which they would be enrolled.

If we can only get at and prevent the abuse of the system of "Through and Local Freight," good can be done. But it would be injurious to producer and stockholder and to commerce to break down all distinction between them.

The following extract from the report of the Chief Engineer and General Superintendent of the Wilmington & Weldon Railroad, in 1866 and 1867, upon this subject will, we think, add great weight to what we have said:

EXTRACT FROM ANNUAL REPORT OF COL. FREMONT, GEN. SUP'T WILMINGTON & WELDON R. R., for 1866.

To discriminate in making freight charges has been long and well established.

No Railway can be well and justly managed when that principle is not observed.

Suppose the horizontal system to be adopted and all goods paid the same rates per ton per mile for long or short distances, the cost of hauling and handling being the same, and the rate being such that short distances were simply remunerative, the charges for the longest distances would be excessive—amounting to a prohibition. Carry the principle out as we may, for one, two, or three thousand miles, and we could not enjoy the products or manufactures of other countries.

It has been thought best, therefore, to equalize the burdens of transportation, and of maintaining our great Railway lines by charging less and less as the distances traveled become greater and greater: thus while the resident near the market towns pay more per mile than those residing at the greatest distance, yet the cost of transportation thus distributed is not oppressive upon either, and it enables the Railways to be maintained, as they are, for the mutual benefit of stockholders and people. This is precisely the principle that regulates the local tariff of freights for this and most other Railways.

The distances charged for are the same, reckoned either from Wilmington or Weldon, hence the citizens that receive their goods and forward their produce at Halifax, Enfield, Battleboro', Rocky Mount and Wilson, have no more cause of complaint than those who receive and deliver theirs at North East, Rocky Point, Burgaw, South Washington, Teachey's, Magnolia and Warsaw. All are charged by the same table of distances.

If the complaint is made that the rates are too high in one case, they are equally so in both. The real point of difficulty seems to be that Weldon is not the market town, but that it is sixty or eighty miles distant from that point, while Wilmington is at the southern terminus.

As to high rates, all we can say is they are not so high in proportion to the cost of operating, or the value of property transported, as they were in 1861, nor do the receipts net as much, by a large percentage, as they did then.

The committee of stockholders appointed to examine this report made the following endorsement:

The question of through freights we have fully considered and approved and can add nothing to the able argument of the Chief Engineer and Superintendent, Col. S. L. Fremont, in its behalf, to which arguments, in his report, we respectfully call the attention of all the stockholders and others interested in this matter.

A. A. McKOY.
T. S. KENAN,
JOS. A. ENGELHARD.

EXTRACT FROM THE ANNUAL REPORT OF COL. FREMONT, GENERAL SUPERINTENDENT WILMINGTON & WELDON R. R. FOR 1867.—WAY FREIGHT.

This subject, as connected with our through business, requires a few words of remark. There seems to be an impression with some of our home patrons that local or way freights should be charged as low as the lowest through rates, on the ground that our people should be treated as well as those at a distance. To this abstract principle no one can object. The true cause of complaint on this subject, however, is that those who built and must sustain the road, (the non-subscribers have no reason to complain), lose sight of their own interest. Would any people, having completed a great work like this, shut out its benefits to all the world but themselves, their neighbors and immediate friends, because others living at a great distance could not afford to use it; and pay the same rate per mile that they (the owners) find it necessary to charge themselves and their neighbors to maintain the road and pay an income upon their investment? Surely not. And yet this is precisely the case presented. We cannot get the distant business unless we carry it as low as it can go by other company routes. Shall we refuse to take it because of that fact, and run our cars, half loaded with local business only, when we can fill them at less rates as additional business? We think not. All we can add to the receipts from such sources is nearly all profit, and helps to reduce the the local rates, and thus benefit the local patrons. In other words, will the local patrons maintain the line alone, or receive the assistance of outsiders at such rates as they are willing to pay?

From the Charlotte Home.

Reasons Why We Want the Fence Law.

1st—Because it will save timber.

2d—Because it will save thousands of dollars that the land-holder pays out for making, hauling rails and building fences.

3d—Because it will lay open to cultivation thousands of acres of the best land in the State, now occupied by fences and briars.

4th—Because it will improve the land, by keeping the stock off the wood-land and giving more time for making manure and redeeming waste land.

5th—Because it will improve the stock. For the owner will keep his own stock instead of his peighbor's.

6th—Because it will increase the value of labor. For the employer can afford to pay the laborer higher wages for composting than for keeping up unnecessary fences.

7th—Because it will make the poor man rich and the rich man richer.—The one can furnish the land and the other enclose it for the pasturage of both. Then the tables of all will groan under the heavy burden of the sweetest meats—such as gladdened the hearts of many of Bragg's followers when they feasted on Kentucky Berkshires, which were skinned in the twilight and boiled with white oak acorns, instead of the razor back and hornless scrubs, of which it takes two or three to make a respectable shadow when ready for the butcher. R.

P. S.—Is it just that one man should be compelled to destroy his timber and be at an enormous expense to protect himself against the ravages of a few little grunters of his neighbor?

Cabarrus county, N. C.

The weather at Christmas in the east of England was as mild that the blackbirds were singing their love songs, and roses, violets, pansies, laburnums and other flowers were in full bloom.

It appears from the official return of the late census taken at Vienna that the population of that city is 911,271. The number of houses is 17,992, and 511 more are in course of construction.

Condensed from the Raleigh Sentinel.

LEGISLATURE OF NORTH CAROLINA.

SENATE.

SATURDAY, Jan. 18.

Mr. Cunningham presented a series of resolutions adopted by the Commissioners of Warren county, in reference to the proposed new county of Gilliam. Referred without being read.

A message was received from the Governor announcing that in consequence of the failure of the Legislature to act upon his suggestion on the subject of the State debt, as contained in his annual message, and in view of the vital importance of the subject, and he being no advocate of the "do nothing policy," and being unwilling to partake of the responsibilities attending that policy, and concluding that the Legislature does not concur in the views expressed in the annual message, he presents another scheme in the shape of a *bill*, which however, he does not think perfect, &c., &c.

Mr. Merrimon moved the message and accompanying bill be referred, without being printed, to the Committee on State debt. Adopted.

By leave, Mr. Powell introduced a bill to amend the charter of the Cape Fear Iron and Steel Company. Referred.

SPECIAL ORDER.

The bill to incorporate the "Middle and North Carolina Railway"—the special order—was put upon its passage. The bill proposes a railway from Beaufort harbor to Memphis, Tenn. The bill is of usual length and pooposes to give to the Company large powers.

Mr. Ellis, of Columbus, moved the further consideration of the bill be postponed till Monday week at 12 m.

The motion to postpone was withdrawn, the amendments of the Committee adopted, and the bill passed its second reading, and was made special order for Friday next at 11 o'clock, and ordered to be printed.

Mr. Powell, by leave, introduced a resolution requesting and instructing our Representatives and Senators in Congress to urge the passage of the educational bill now pending in Congress.

HOUSE OF REPRESENTATIVES.

SATURDAY, Jan. 18, 1873.

Mr. Darden, of Perquimans, introduced a resolution requesting our Senators and Representatives in Congress to use their influence to endeavor to prevent the breaking of plighted faith with Indians by the general government.

Mr. Marler, of Yadkin, a resolution to cause to be printed and distributed an act to pay the expenses of idiots and lunatics incurred by counties. Referred to committee on Propositions and Grievances.

On motion of Mr. Cook the rules were suspended to take up a resolution requesting our members in Congress to use their influence to have our government to observe its plighted faith with the Indians.

After considerable discussion a resolution to postpone indefinitely passed. Ayes 56; nays 51.

Mr. McNeill, a bill in regard to deseents. Referred.

Mr. Bennett, a bill incorporating the Wilmington Trust and Savings Bank Company. The bill was postponed until Wednesday at 12 o'clock.

A message was received from the Governor, transmitting a report from the Board of Education, in relation to the sale of swamp lands. Laid on the table till Monday.

Mr. Johnston submitted a report from the Committee on Privileges and Elections. The report stated that Mabson, colored, was not a lawful resident of Edgecombe at the time of his election to the House of Representatives, and that a new election should be had to fill the vacancy.

Mr. Gorman moved to print and make special order for Thursday next. The motion to make special order prevailed, but the motion to print was lost.

Mr. Gorman, a bill repealing the usury laws.

Williamson, colored, a bill to be entitled an act to regulate municipal elections.

SENATE.

MONDAY, Jan. 20, 1873.

PETITIONS, &c.

Mr. Stilley presented the petition of citizens of Beaufort county, praying for the establishment of a new county, to be called "Cove," out of the south-western portion of Beaufort county.

Mr. Hill, a petition of citizens of Brunswick, praying for the incorporation of Shallotte Church, in that county.

Mr. Ellis, of Columbus, a memorial of citizens of Bladen county, in favor of a change in the dividing line between Bladen and Columbus.

Also, by Mr. Ellis, of Columbus, a petition of citizens of Robeson, asking the General Assembly to pay to Mr. Jas. McQueen the reward offered by the State for killing the outlaw Boss Strong, the evidence of the killing accompanying the petition.

Mr. McCauley, a petition of citizens of Union county, praying for the passage of an act to incorporate Mount Prospect Camp Ground, and for authority to the county commissioners to make the necessary by-laws to suppress disorders in said camp ground.

All of which were appropriately referred.

Mr. Welch introduced a bill to provide for the biennial election of the officers of the General Assembly and to prescribe their duties. Referred.

Mr. Troy, a bill to authorize the Western Railroad Company to issue bonds.

Mr. Cramer, a bill to amend the act providing for a cheap chattel mortgage. Referred.

Mr. McCabe, a bill to authorize the sheriff of Edgecombe to collect arrears of taxes. Referred.

Mr. McCauley, a bill in relation to the fees of Registers of Deeds and Justices of the Peace. Referred.

Mr. Merrimon, a resolution to adjourn without day on Monday, 17th of February, at 6 a. m. Lies over under the rules.

The resolution urging our Senators and Representatives in Congress to use their efforts in passing the Educational bill now pending in Congress, was adopted.

On motion of Mr. Cunningham, the rules were suspended and the bill in relation to townships was put upon its passage.

Mr. Cunningham explained the object of the bill to be to provide for appeals from Township Boards of Trustees to Boards of County Commissioners, thence to the Superior Court. As the law now stood Township Boards had power to lay out new and close old roads without their action being reviewed except by County Boards. The bill proposed to restore the right of appeal to a judge for review and from his decision to the Supreme Court. Great hardship was complained of under the operation of the law at present.

The bill passed its second and third readings.

THE "NORTH CAROLINA CONSTRUCTION COMPANY."

On motion of Mr. Grandy, the rules were suspended and the bill to incorporate the "North Carolina Construction Company" was put upon its passage.

Mr. Grandy urged the passage of the bill, which he explained to be to facilitate the construction of the New York, Norfolk and Charleston Railroad, a charter for which had been granted by the present Legislature before the Christmas recess.

Mr. Dunham moved the bill be indefinately postponed. He regarded it as strange that if the object simply was to facilitate the building of this road, nothing had been said of its necessity at the time the railroad charter was granted. The present bill asked for extraordinary powers for an unnamelled corporation—powers to enable them to make from a plan to a railroad. Never before had any such powers been asked for or granted.

Mr. Grandy thought Mr. Dunham should have specified his objections, that the bill might be amended if necessary. The committee having the bill in charge had recommended it, with an amendment which the friends of the measure were bound to accept. He called upon Mr. Dunham to specify his objections.

Mr. Dunham was opposed to the bill *in toto*—there was not a feature in it that could meet with his approval. He wished to know why the projectors of the scheme had not incorporated the provisions of this bill in the original charter? This bill was on the calendar while the railroad charter was before the Senate. The bill was too general in its character; the projectors should specifically state what they want.

Mr. Murphy could not see the terrible dangers of the bill. The company merely claimed the right to build the road in its own way and the Legislature should not force it into measures. He professed to know the objects of the bill. Old methods of doing business were passing away. The "Construction Companies" were a new alliance, used in the Northern States, and even in our neighboring State, Virginia. The objection seemed to be more to the name than otherwise.

Mr. Merrimon said these great corporations were not alarming merely to the people of this State, but to the Congress of the United States, who were devising means to check their growing power. He objected to the bill on account of the indefinite powers it sought—powers, extending even to the establishment of banks, &c. The danger was that ere long they would control the legislation of the State and of the country.

Mr. Respass reminded Mr. Merrimon that the amendment of the committee restricted the company to the building of the road.

Mr. Merrimon thought the amendment did no such thing. The proposed charter gave unlimited powers, including that of issuing certificates of indebtedness, and to issue judgments. He would not give his support to the bill till its purposes were definitely defined.

Mr. Flemming said the power of issuing judgment should be stricken from the bill. The charter, however, to build the road had been granted. Parties were coming to build the road, and it seemed nothing but right that they should be permitted to become incorporated to protect themselves and their capital. It was proposed to establish minor corporations under the grand corporation.

Mr. Dunham did not think this company could be incorporated under the general act, if he understood its provisions. He charged bad faith in its projectors in not advising the Senate of their purposes whilst the railroad charter was under consideration. He charged bad faith in another respect. He was assured on the authority of a Senator, that when the railroad bill was up its friends gave repeated assurances that it was not their purpose to ask for subscriptions from counties, whereas the present bill asked for power to receive such subscriptions.—He repeated that in the first instance the Senate should have been advised of all the powers sought for.

Mr. Murphy did not so understand the projectors of the bill. He had repeatedly heard them declare that they wanted every dollar that could be raised in the State.

Mr. Grandy denied that there had been any bad faith on the part of the friends of the bill. Both bills were before the Senate at the same time. He repeated that the present bill was merely in furtherance of the building of the railroad. He thought there should be no objection to it as it proposed to bring into the State from five to ten million of dollars.

Mr. Norwood objected to the bill as being a leap in the dark, when light might have been thrown upon it. The bill was a distinct measure, it not having been reported or acted upon in conjunction with the railroad bill or having been introduced as a supplement to that bill. In passing the railroad bill, the Senate had been told that the projectors had an abundance of means to complete the work. After the passage of that bill, then comes in the present bill to put into the hands of the company the *means* of building the road. He considered it very doubtful whether the bill would have passed had this condition of affairs been understood at the time. He was not informed at the time the privilege of building this road was granted that the company had not the means of completing it. As to building the road being the real purpose of the bill, Mr. Norwood had his doubts. He asked Senators to read the bill and they would not find a word pointing in that direction; and but for the amendment of the Committee, no connection whatever could be traced between them. The bill before the Senate simply asked power to do anything, at any time and in any place within the limits of the State. The amedments of the Committee had to define its object somewhat by providing that the powers sought should be "necessary to the construction of the road." But another section of the bill gave the Company power to make, create and issue bonds, mortgages, judgments, certificates of indebtedness and all other papers—for what? asked Mr. Norwood; not as "necessary to construct the New York, Norfolk & Charleston Railroad," but as "necessary to its (the company's) business!" Mr. Norwood stigmatized the bill as a "huge, mis-shaped, blind monster." It almost, said he, enables the company to constitute themselves a a court of justice. They claimed the power to issue judgments and even to issue certificates of their own indebtedness. He was opposed to any such bill. He had come to that pass when he had given up all hope of North Carolina having any State pride, and he would now go for her material prosperity, supporting any measure to that end.

Mr. Troy called the previous question. The call was sustained, and the amendment of the committee was adopted.

The question then recurred on the passage of the bill on its second reading, and the bill failed to pass by a vote of 24 to 14, as follows:

Those who voted in the affirmative were:

Messrs. Cramer, Flemming, Grandy, Gudger, Harris, Hoffman, Hyman, Long, McCotter, Murphy, Respass, Seymour, Smith and Welch—14.

Those who voted in the negative were:

Messrs. Allen, Barnhardt, Cowles, Cunningham, Davis, Dunham, Ellis, of Columbus, Horton, Mabson, McCabe, McCauley, Merrimon, Miller, Morehead, of Guilford, Murray, Nicholson, Norwood, Powell, Scott, Stafford, Troy, Walker, Waring and Worth—24.

Mr. Allen moved to reconsider the vote rejecting this bill with a view to its being re-referred for amendment. Adopted and the reference so ordered.

A message was received from the House transmitting a message from the Governor, accompanied by the report of Alex. McIver, Superintendent of Public Instruction, on the sale of Durant's Island. Referred to the committee on education.

Harris, col., called up the engrossed bill to punish enticers of minors from their parents or guardians, &c., beyond the State, or from one part of the State to another, without the consent of said parents, &c.

The bill, by consent, passed its second reading and was referred to the judiciary committee.

HOUSE OF REPRESENTATIVES.

MONDAY, Jan. 20, 1873.

Mr. Gudger, a petition protesting against any interference with the sale of the Western North Carolina Railroad. Referred.

Mr. Avery, of Bladen, a petition praying the passage of a law prohibiting the sale of spirituous liquors within the limits of Abbottsburg, N. C.

Mr. Badger moved that the joint committee appointed to investigate the sale of the Western North Carolina Railroad be requested to report what progress they have made in the investigation.

Mr. Bennett, from the committee, stated that the committee had examined Gen. T. L. Clingman, N. W. Woodfin, and a number of others, and would submit a report in two hours to the House.

Mr. Badger, a bill to amend the law in regard to proceedings in bastardy cases. Referred.

Mr. Carson, a bill to prohibit the sale of liquor on the Sabbath. Referred.

Mr. Gwyther, a bill to repeal the act in relation to quarantine regulations in Wilmington harbor, North Carolina. Referred.

Mr. Haynes, a bill to establish the new county of Bragg.

Mr. Dula, a bill to prevent speculation in county claims. Referred.

The rules were suspended, and House bill to allow the Carolina Narrow Gauge Railroad Company to consolidate with the Chester and Lenoir Narrow Gauge Railroad Company of South Carolina, was taken up and passed its third reading.

Under a suspension of the rules the bill to incorporate the Farmers' Loan Bank, Wilmington, N. C., was taken up and passed its second reading.

The bill came up on its third reading, and was, on motion of Mr. McGehee, postponed till to-morrow at 12 m.

SENATE.

TUESDAY, Jan. 21, 1873.

Mr. Norwood, from the committee on the State debt and liabilities, in response to the Governor's message and bill on that subject, reported as follows:

"The joint select committee on the State debt and liabilities, to whom was referred the message and draft of a bill on that subject from the Governor, have had the same under consideration.

"The committee believe they apprehend the importance of the subject of the State debt, which has been committed to their charge, in its various repects and bearings, and they indulge the hope that they may in due time be able to recommend such a course with regard to it as may best promote the public interests.

"The appreciation by the committee of the immense importance of the subject induces them to refrain from the reflections upon the communication of the Governor which to some it may seem to provoke.

"The committee respectfully ask to be discharged from the further consideration of the said communication.

NORWOOD, Chairman."

Mr. Norwood, from the Committee on Agriculture, reported a bill for the improvement of the Agriculture of the State, which was made the special order for Tuesday next.

Mr. Stilley introduced a bill to lay off a new county by the name of Core, out of a portion of Beaufort county.

Also a bill supplement to a bill to lay off the proposed new county of Core. Both referred.

Mr. Allen introduced a bill for amnesty and pardon. Referred.

On motion of Mr. Flemming, the rules were suspended and the bill to amend chap. 71, laws of 1871-72, was put upon its passage. [The bill provides that the magistrates of the several counties may meet on the first Monday of January, of each and every year, or failing a meeting at that time, then on the first Monday of February, for the election of three discreet persons as a finance committee.

Mr. Grandy offered an additional section providing that the compensation of said finance committee be left to the discretion of the county commissioners. Adopted.

Mr. Flemming, an amendment repealing that provision of the law requiring county commissioners to make publication of the financial condition of the several counties, and confining