Wilmington Journal.

WILMINGTON, N. C.

FRIDAY. MARCH 5, 1875.

GOVERNOR VANCE DECLARES FOR CONVENTION.

The following telegraphic correspondence, to which we have only time to make brief reference this morning, explains itself. As we said yesterday, the time for action has come. The Legislature ought no longer to delay:

WILMINGTON, N. C., 3d March, 1875.

To Gov. Z. B. Vance, Charlotte, N. C.

We understand that you have declared in favor of Convention. Is it true, and are we at liberty to publish the fact by authority.

ENGELHARD & SAUNDERS.

CHARLOTTE, N. C., 3rd March, 1875.

To Messrs. Engelhard & Saunders, Wilmington, N. C.

I am in favor of Convention in view of recent action of Congress.

Z. B. VANCE.

There is no man in North Carolina who has a stronger hold upon the affections of her people than ZEBULON B. VANCE, nor one whose accession to any cause could prove more valuable. It is with great pleasure therefore that we publish the fact that he favors the call of a Convention. Nor are we surprised at the position MR. VANCE takes in regard to this matter. The "recent action of Congress" has indeed been such as to demonstrate beyond a doubt the necessity of a Convention. The question is no longer, if ever it was, one of mere expediency. It is now one of right and duty. And when duty calls VANCE never fails to respond.

THE CIVIL RIGHTS BILL.

This iniquitous measure designed by a Radical Congress to enforce negro equality upon the Southern people, has at last passed both Houses of Congress and been signed by the President. It is therefore the law of the land—in form at least. Whether its provisions will ever be enforced will depend upon what construction the Courts may place upon the words "appropriate legislation" in the recent amendments to the Federal Constitution. If the Courts shall hold that a bill to force negroes and whites to eat together at the same table is "appropriate legislation" to enforce the equality of all men before the law, then—why then the trouble will have just begun.

Many persons seem to regard this bill as directed at and personally affecting only hotel-keepers and railroad and steamboat owners, but such is not the case. It has a far wider scope than this, as it seeks to punish not only hotel-keepers and railroad and steamboat owners who refuse accommodations to negroes against its provisions, but it seeks also and equally to punish all who shall "aid or incite such denial." This is simply an attempt, a bald barefaced attempt at wholesale intimidation, an infamous attempt to shut the mouths of men throughout the South, an attempt not only to force negro equality upon us, but to make us submit to it in silence.

With such a law and with such a Judge as BOND to execute it, the people of the South may look for trouble, but not so great that patience and courage cannot overcome it. But patience and courage will be needed. If like cowards, we yield in silent submission to the oppressive measures of the scoundrels who seek to force us into loathsome equality with the negro, we shall be indeed worthy of our fate, no matter how degrading it may be.

The following in the text of the bill as it passed Congress:

Whereas, It is essential to just government that we recognize the equality of all men before the law, and hold it is the duty of the Government in its dealings with the people to mete out equal and exact justice to all of whatever nativity, race, color or persuasion, religious or political; and it being the proper object of legislation to enact fundamental principles into law; therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled. Section 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodation, advantages, facilities and privileges of inns, public conveyances (on land or water), theatres and other places of public amusement, subject only to the conditions and limitations established by law, and applicable alike to citizens of every race or color, regardless of any previous condition of servitude.

Sec. 2. That any person who shall violate the foregoing section, by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any accommodations, advantages, facilities and privileges in said section enumerated; or by aiding or inciting such denial, shall, for every such offence forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action of debt with full costs, and shall also, for every such offence, be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than $500 nor more than $1,000, or shall be imprisoned not less than thirty days nor more than one year, provided that all persons may elect to sue for the penalty aforesaid or to proceed under their rights at common law and by State statutes, and having so elected to proceed in the one mode or the other their right to proceed in the other jurisdiction shall be barred, but this proviso shall not apply to criminal proceedings, either under this act or the criminal law of any State; and provided further, that a judgment for the penalty, in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively.

Sec. 3. That the District and Circuit Courts of the United States shall have, exclusively of the Court of the several States, cognizance of all crimes and offences against and violations of the provisions of this act, and actions for the penalty given by the preceding section may be prosecuted in the Territorial, District or Circuit Courts of the United States wherever the defendant may be found without regard to the other party, and the District Attorneys, Marshals and Deputy Marshals of the United States and Commissioners appointed by the Circuit and Territorial Courts of the United States with powers of arresting and imprisoning or bailing offenders against the laws of the United States are hereby specially authorized and required to institute proceedings against every person who shall violate the provisions of this act, and cause him to be arrested and imprisoned or bailed, as the case may be, for trial before such Court of the United States or Territorial Court as by law has cognizance of the offense, except in respect of the right of action accruieg to the person aggrieved, and such District Attorneys shall cause such proceedings to be prosecuted to their termination, as in other cases: provided that nothing contained in the section shall be construed to deny or defeat any right of civil action accruing to any person, whether by this act or otherwise; and any District Attorney who shall willfully fail to institute and prosecute the proceedings herein required, shall for every such offence, forfeit and pay the sum of $500 to the person aggrieved thereby, to be recovered by an action of debt, with full costs, and shall, on conviction thereof, be deemed guilty of a misdemeanor, and be fined not less than $1,000, nor more thon $5,000; and provided further, that a judgment for the penalty, in favor of the party aggrieved, against any such District Attorney, or a judgment upon an indictment against any such District Attorney, shall be a bar to either prosecution respectively.

Sec. 4. That no citizen possessing all other qualifications which are, or may be prescribed by law, shall be disqualified for service as grand or petit juror in any Court of the United States, or of any State, on account of race, color or previous condition of servitude; and any officer or other person charged with any duty in the selection or summoning of jurors, who shall exclude or fail to summon any citizen for the cause aforesaid, shall, on conviction thereof, be deemed guilty of a misdemeanor and be fined not more than $5,000.

Sec. 5. That all cases arising under the provisions of this act, in the Courts of the United States, shall be reviewable by the Supreme Court of the United States without regard to the sum in controversy, under the same provisions and regulations as are now provided by law for the review of other causes in said Court.

THE FORCE BILL—GRANT'S DEFEAT.

The dawn of a brighter day is at hand. The Grant programme for a third term is a failure. That programme was by force, fraud and patronage to secure the entire Southern delegation to the Convention next year. With this solid Southern vote in his favor, Grant needed only to get forty-six votes from the North to secure the nomination for the third term and to furnish these, it is said, Conkling, of New York, and Butler and Boutwell, of Massachusetts, had taken the contract. In this way Grant was to be forced upon the Radicals of the North by the Carpet-baggers of the South.

But independent of this, there is a growing feeling favorable to Grant, growing out of the disorganized demoralized condition of the Radical party. For months it has been more and more apparent every day that in any free and fair election the defeat of the Radical party in the next Presidential campaign, was a certainty, and it being equally certain that Grant would use the power and patronage of the Government to prevent a free and fair election for the benefit of no one else to the same extent that he would for his own benefit that portion of the Radical party that prefers partizan success before all things else, have been slowly but surely coming to the conclusion that they were reduced to the necessity of choosing between Grant and a Democrat for the next Presidency; and, unfortunately, there are many, very many members of that party with whom the Democrat would be second choice if they had to choose between him and the devil.

The programme then for Grant's nomination for the third term promises success, and this accomplished it was thought that like causes would produce like results and secure his election—in other words that controlling by force, fraud and patronage the entire Southern electoral votes he would need only fifty-six Northern votes which he might easily get by purchase in one shape or another. To this end the Force Bill was introduced into Congress to provide the machinery for the manipulation of the Southern States.

But "the best laid schemes of men and mice oft gang aglee," and Grant's scheme has proven no exception to this rule. In the first place that bill has not passed in any shape, and it is doubtful whether it ever will pass; in the next place it has been already so shorn of its power for evil that in its present shape it will by no means answer the purpose for which it was intended, and for the reason that it was so amended before passing the House of Representatives that it gives the President the power to suspend the writ of *Habeas Corpus* only in the States of Alabama, Arkansas, Louisiana and Mississippi, leaving the other Southern States free to vote as they may wish. And this being so and Virginia, West Virginia, North Carolina, Georgia, and Tennessee being sure to vote against Grant, he will be obliged, if he would be elected, to make their loss good by getting an additional number of Northern electoral votes equal to that cast by the above named Southern States. This it is manifest to every one, can not be done.

It is apparent therefore, we think, that the defeat of the Force bill in its original shape, was the death blow to the National Radical Party, for without the entire Southern electoral vote being cast for him Grant cannot be elected. Everything, however, depends upon the people of the States of the South; if they stand up and do their duty the country will be saved from the ruin that is now impending over it; if not, the blame will be their own.

If Grant can not suspend the writ of *Habeas Corpus* in North Carolina it will be pure cowardice on the part of her sons if the electoral vote of the State shall be cast for him. The day for fear has passed. Hope and courage should now animate the breast of every man.

It may seem strange to some, but it is nevertheless true, that the preservation of the Federal Government, or rather its restoration to its constitutional functions, depends upon the wisdom and the courage of the men who for four years fought the hardest fight ever known against the Federal Flag. But so it is, were it not for those very men in the South whom their northern brethren have so delighted to stigmatize as "rebels" and "traitors", in less than twelve months there would not linger in America a vestige of constitutional liberty.

Let us take courage then and resolve, every man of us, to do our whole duty.

THE UNIVERSITY.

We sincerely trust the Legislature will maturely consider the bill now pending before it in regard to the University.

The purpose of the bill is simply to provide for the restoration of the fund arising from the sale of the land scrip donated to the State of North Carolina by the Federal Government for the purpose of establishing schools for the promotion of learning necessary for those engaged in agriculture and the mechanic arts. The State bound herself in the most solemn manner, to keep the principal of that fund intact by making good any loss that might occur, and to appropriate the interest arising therefrom to educational purposes, or to return the whole to the Federal Government. The only question then for the Legislature to consider is whether the fund shall be made good to the University or whether it shall be returned to the Federal Government.

Suppose it be returned to the Federal government, what then? The people must be taxed to raise the entire principal of the fund amounting to $135,000; the revival of the University will be deferred until some indefinite day in the far off future and the youth of the State who desire to acquire such useful learning as may fit them to engage intelligently and therefore profitably in agriculture or in the mechanic arts will be deprived of the opportunity. Are gentlemen of the Legislature prepared to assume so grave a responsibility? Will they undertake to say that there is no need for a University in North Carolina, that the facilities for acquiring an education in North Carolina are already equal to the wants of the people or that education ouyht to be confined to those who are able to defray the cost from their own private means? Does the State owe nothing to her poorer children in this matter?

Suppose the bill now pending becomes a law, what then? The State will give to the University its certificate of indebtedness for one hundred and twenty-five thousand dollars, bearing six per cent. interest. With the amount thus accruing from the interest, the Trustees will be able to establish the department devoted to agriculture and the mechanic arts as early as July next, and this will lead to the speedy establishment of all the other departments that a first class University of the present day ought to consist of. If we are correctly informed, it is the purpose of the present Board of Trustees not to re-establish a mere college at Chapel Hill, but to found an University that shall be one indeed as well as one in name, one worthy of the age and of the State in which we live. To this grand consummation the bill now before the Legislature opens the way.

Nor will the time be unredeemed before that happy day, but instruction in the various branches of learning necessary and useful to those engaged in agriculture and the mechanic arts will at once begin, and this will be the starting point. And this is as it should be. If the State has but little to give to the cause of education we are content, quite content, that her mite should be given to advance the cause of agriculture and the mechanic arts. The intelligence of those engaged in these pursuits in any country determines its prosperity. We are content, therefore, that the department of the University first to be revived shall have for its chief object the increase of that intelligence in North Carolina.

CONVENTION ONCE MORE.

Is it not about time for the Legislature to take some action in regard to the Convention? What need is there for further delay? Surely it cannot be that it is further discussion that is desired? If gentlemen are ever to know their own minds it would seem that they ought to be able to do so, upon this subject after a seven month's discussion of it. Not knowing one's mind is a privelege of ladies, not of legislators. What need then, is there, for further delay? The Civil Rights bill has passed Congress and has been signed by the President. The Force bill has been made impotent and harmless as to North Carolina. Grant cannot now suspend the writ of *Habeas Corpus* in North Carolina, let the Convention do what it may. And to his honor be it said we believe there is no reason to think His Excellency Governor Brogden will in any contingency call upon the President for Federal troops to intimidate our people. Why then should there be any further delay? In less than forty-eight hours the present Radical Congress will be dead and deep buried beneath the huge pile of its own infamy, beyond the power of resurrection to reach it. To morrow at high twelve the present Congress dies—dies amid the jeers and scoffs and execrations of all good men, North, South, East and West. What then, are we afraid of? Are we children, to be scared by ghosts, by shadows, by spectres? The road is now clear; let us press forward and do the duty that lies before us. There has been delay enough, there has been temporizing enough. Let us now act.

Is the Democratic party in favor of redeeming the pledges it has made to the people for the last seven years that at the first opportunity relief should be given from the burdens of the Canby Constitution? If so let it appear upon the record. Come to the book gentlemen.

SENATOR MERRIMON.

The Richmond *Dispatch* says that "Mr. MERRIMON, of North Carolina, distinguished himself as an able debater and a sound lawyer" during the discussion on Morton's bill regulating the manner of counting the electoral votes for President and Vice President.

Senator MERRIMON is doing credit not only to himself but to his State.

In the New York Marine Court, recently, Judge Joachimsen, in the case of Polweter vs. the Central Sleeping Car Company, decided that the company is bound to have care that a passenger is protected in his person and in the property about his person during his sleep. The company sells a passenger something more than the use of a mattress, etc., they sell the protection of a conductor and porters, and by this latter act indicate their responsibility to keep away depredators upon the person and property of the passengers.

HOW THE CIVIL RIGHTS BILL PASSED THE SENATE.

By way of explanation of the manner in which the friends of the Civil Rights bill were enabled to pass it through the Senate, we publish the following account of the proceedings had in that body on Thursday last:

Mr. Edmunds—I have this proposition to make to gentlemen of the other side: that we will adjourn whenever it now suits their convenience, after the matters upon the table are cleared off, and that general debate shall terminate on this bill on Saturday next at 2 o'clock in the afternoon; any amendments proposed are to be disposed of on a five minutes' debate on each side; then thirty minutes to be allowed to the Senator in charge to close the debate, and then the bill to be finally disposed of without further debate; *no other measure to be interposed outside of the morning hour while this bill is under consideration.* I ask unanimous consent that there may be an understanding of this character.

Mr. Logan—I ask the Senator if in his proposition he means that the five minutes' debate on amendments shall continue after 2 o'clock on Saturday?

Mr. Edmunds—If amendments shall be offered.

Mr. Logan—Why not allow amendments to be offered during the time between now and then?

Mr. Edmunds—Any amendment may be offered, but it might happen that there would be no opportunity before.

Mr. Logan—By a five-minutes' debate on amendments we might be kept here a week.

Mr. Edmunds—I do not think there is any danger of that.

Mr. Logan—I do not like that at all.

The agreement was made, but on Friday some Republicans desired to violate it. Now, learn how well the agreement operated. In the Senate on Friday—

Mr. Morton—I should like to know about that agreement. I understood it meant this: that a vote should be taken as early as 2 o'clock to-morrow, provided the debate lasted that long; but if nobody wants to speak, are we not entitled to have a vote at once and have the matter out of the way? I suppose that is the spirit of the agreement.

Mr. Merrimon—The understanding was that the vote would not be taken earlier than 2 o'clock to-morrow.

Mr. Morton—If persons want to speak that long.

Mr. Merrimon—And further, that this side of the House were to have to-day to debate the bill at their pleasure, all day and all night if they pleased, and that at all events the vote would not be taken until 2 o'clock to-morrow.

Mr. Alcorn—If there is no person to debate it now, I move that the vote be taken.

Mr. Edmunds, (Republican)—That, I think, would certainly be in violation of the understanding. I suppose we all appreciate how it is. The gentlemen on the other side have a stock of very good speeches; they are applicable to this subject, and they may be applicable to other subjects which may come before us. They have it in their power, of course, to expend them upon this bill if no time was fixed, and could have talked it into next week if they liked, and felt to be their duty to do so. Not knowing how long they wish to speak—but they of course acting for themselves—we agreed that no vote should be taken until to-morrow at 2 o'clock. Now, if they do not wish to occupy the time and are unwilling to modify the understanding so as to vote now, I certainly feel bound by the engagement. *We lose nothing but the inability to go on and do business*, arising from the fact they stand by the letter of the contract. The gentlemen upon the other side insisted upon having this much time for debate, and as I understand the agreement it so reads: "No vote shall be taken"—not even on an amendment, because Senators, knowing there was to be no vote, would wish to do something else—"until to-morrow at 2 o'clock." and "*no business is to interpose except by general consent*," so the gentlemen on the other side could not have any just right to say that the time which they wished to occupy in speaking had been taken away from them.

I am disposed to stand by the agreement.

So that on Thursday, when the Senators did not know but the Force bill would reach them that day, the Democrats got an agreement made that no Force bill and no other business should come up before Saturday afternoon without their consent.

THE BEAST AND HIS BAD LUCK.

The Beast has had bad luck recently.

MCLEAN, of Texas, went for him, telling him he was a murderer.

JOHN YOUNG BROWN, of Kentucky, told him he was pusillanimous in war, inhuman in peace, forbidding in morals, and infamous in politics.

BLAINE, of Maine, no longer ago than Saturday night, told him he was "damned scoundrel."

And now comes POLAND, of Vermont, an elegant old gentleman of the old school, who wears a blue swallow-tail coat, with brass buttons, and in language strong but less elegant than his dress tells the Beast that he is a "damned liar."

Here is what POLAND said:

The Washington correspondent of the *Tribune* gives a *verbatim* report of a colloquy between General Butler and Judge POLAND during the Wednesday night session of the House of Representatives. Butler had impudently said to POLAND that he did not believe that the latter had any desire or intention to bring up his Arkansas resolution. The conversation then proceeded in this fashion:

Judge Poland—You have no right to say that. What evidence have you?

General Butler—None, perhaps; but I believe it.

Judge Poland—I don't believe that you believe what you say you believe.

General Butler—I do believe it.

Judge Poland—I believe that you are a damned liar.

General Butler—My courage, sir, has never been impeached. I am quite able to resent an insult like that. You had better be careful.

Judge Poland—I don't think that I have much courage, but I have quite enough for the occasion. Not much is needed.

Pusillanimous, inhuman, infamous, murderer, damned scoundrel, damned liar, and——*Spoons!*

Recent explorations show that the great Australian trees exceed in height, though not in circumference, the giants of California. A fallen tree in the recesses of Dandenong, Victoria, was measured not long since, and found to be 420 feet long; another on the Black Spur, ten miles from Healesville, measured 480 feet. The highest trees on the Sierra Nevada, Cal., yet discovered, reach only 450 feet, the average size being from 300 to 400 feet in height, and from 24 to 34 feet in diameter.

THE FORCE BILL that passed the House on Saturday was carried, by the outgoing Radical members. The test vote was on the main question, which was 157 yeas to 105 nays.

Of the 157 votes in favor of ordering the main question, 103 were cast by the men whose terms had expired, and all of whom—with the exception of 17 from the South, who may seek a re-election this year—have been rejected by their constituents. It was, says the Baltimore *Gazette*, their legacy of revenge. All the Massachusetts delegation voted for the bill except Peirce and Dawes. The latter, true to his pledge, voted against it. Garfield, as usual professed to oppose it, and then, with a number of other Radicals, dodged the vote. The number of dodgers and absentees was 30—not enough indeed to change the result; but it was a cowardly act nevertheless, and will be remembered against them hereafter. This fact we now put on record: Only 54 Republicans re-elected to the next Congress voted for the bill; 103 votes were cast by men who had no longer any constituencies behind them.

The Civil Rights bill also passed the Senate on Saturday as it came from the House. So we go. *Facilis decensus.* We leave these desperate conspirators against the peace of the country to complete the quotation.

From the Charlotte Observer.

The Western North Carolina Railroad.

Though we have been censured for urging action upon the Legislature, we must nevertheless call upon our own members to work.

Why does the Legislature so long hesitate or fail to adopt some plan of completing this railroad, and of giving the State the benefit of at least one line across the mountains, and of giving us of the East easy access to the Mississippi Valley.

Virginia has not been satisfied with *one* line across *her* Blue Ridge and Allegheny mountains, but has now two great railroad lines crossing her mountains, more difficult to pass than ours, by which the Seaboard and Western Waters are connected.

Why, in view of all that has been done by others, and when so much remains to be done by us, does North Carolina hesitate to allow, aye, assist any reliable corporation or individual that may be willing to undertake it—to build the railroad named at the head of this article, across the mountains connecting our tide water with the Ohio and Mississippi?

Can we find such a party? We reply yes; and one that is entirely reliable and responsible.

We know there is such a party; and we say to the present Legislature if you let this golden oppportunity pass without enlisting this party in our cause, the cause of the State, a responsibility will rest upon you that you can never recover from.

Why, we say again does the General Assembly hesitate to make such a proposition as can be accepted to complete this line?

It is well known to the public hereabouts, that the Carolina Central Railway Company is ready and willing to undertake the competion of this line, and if we may judge the future by the past, that company will build it in the shortest time possible.

Take in proof of what we say—the time they occupied in building their line from Wadesboro to this city—fifty-two miles through some of the most rugged and rocky counties in the East. "Boggan's Cut," "Davis Cut," and two dozen other rocky hills of smaller dimensions where rocks formed the entire material, rock cuts for three-quarters of a mile, averaging twenty feet in depth. This work was commenced July, 1873, and the last rail was laid the 15th of December, 1874; work never was stopped for a day—though the panic or stringent money pressure was upon them nearly the whole time in September, 1873.

Such an example as this, is worth remembering when we want to cross our mountains by an iron road! Who can beat it!

Gentlemen of the Legislature, if you can find any corporation or individual to compare with this energy and this determination, let us see. This Company has a most efficient working organization, and a very wealthy gentleman to supply the means. Hence, we say, make any reasonable arrangement you can with them to finish your Western North Carolina Railroad.

Give them the convict labor free—they paying all expenses—give them liberal laws under which to operate, and our word for it within two years, you will see a connection from all the East, to Wolf Creek, thence to the entire West!

What else can you do? By this you begin at once to develop the West and increase your means to raise money by taxation to pay your debt. Is this nothing?

"Consolidation" is probably dead and buried. What other visionary scheme do you want to try? Our suggestions offer reasonable, if not certain measures of success. Try it, gentlemen legislators! Lay aside jealousies of Wilmington and Charlotte and go ahead.

From the Milwaukee Sentinel.

LAMAR AS PORTRAYED BY A POLITICAL FOE.

In point of ability and sterling qualities of character, L. Q. C. Lamar, of Mississippi, is probably the ablest man of the extreme Democratic or Southern wing. He is of marked qualities of character, and leaves the impression of being anything but an ordinary man. He is peculiar both in look and manner, and one looks at him several times before really making up his mind in any way. He is broad-shouldered and of sturdy build a little below the medium height, and gives evidence of power, tenacity and firmness of character. His face is closely shaven, wearing no beard, and his hair is of a fine brown silky color, and falls perfectly straight to his shoulders. He is reticent and unpretentious, seldom giving expression to his opinions unless asked, and never obtrusive or the slightest egotistical in manner. He has evidently been hurt or toned down by his political experiences before or during the war, being at that time one of the most rabid, fire-eating and determined of the slave-holding South, and as a member of Congress at that time, savage and desperate in an extreme degree. But the fate of "the institution" and the severe experiences and trials of the South everywhere, in consequence of their determination to uphold and continue it, has had its subduing or chastening effect upon him, and he is no longer the man of fire, fury and will, overbalancing all reason, sense or justice, but is in every respect, at least in appearance, *the gentle, quiet, firm and uncompromising Statesman, and is really reflecting more credit upon the extreme Southern locality, from which he came, than any other member.* We trust he will not be displaced by any less steady hand, or made to give way to one less skilled in legislation, or to one less inclined to deal out even-handed justice to all parties. He is a close reasoner, and an easy and an earnest advocate.

From the standpoint of ability and downright earnestness of character, *Mr. Lamar stands first on the Democratic side*, and would without doubt have been selected as leader, had he possessed less pride, and been more facile and politic in his course, and an easier subject for political trickery and tricksters.

Condensed from the Raleigh News

NORTH CAROLINA LEGISLATURE.

SENATE.

SIXTY-EIGHTH DAY.

FRIDAY NIGHT'S PROCEEDINGS.

The following bills passed their third readings:

Bill to relieve the counties of the State from the payment of the costs and expenses in criminal prosecutions.

Bill appointing a Commissioner of Health of the city of Wilmington; (a petiton was read from the physicians of the city of Wilmington praying for the appointment;) the same to be left to the corporate authorities.

Bill for the relief of disabled soldiers.

Bill incorporating the Wilmington and Coast Turnpike Company.

FEBRUARY 28th, 1875.

BILLS PASSED THIRD READINGS.

Bill to incorporate the Bank of Raleigh, the stock to be paid for in specie or national carrancy, and all bank notes issued by said bank shall be redeemed in national currancy; said bank may organize when $25,000 is subscribed and paid in and five directors are elected.

Bill concerning evidence in cases of fraud in cases where the State is concerned.

Bill amending the charter of the Western Railroad from Fayetteville to Greenboro, so as to open books of subscription.

Bill requiring notice to be posted 30 days in any locality before application shall be made for prohibition of liquor.

Bill repealing certain part of chap. 137, laws of 1865-'74. Refers to Episcopal Church at Summerville, Brunswick county.

Bill in relation to charters of cities and towns. Prevents any corporate authority from expending the funds of said corporation to prevent the carrying out of any act of this General Assembly.

Bill incorporating the North State Transportation Company. Authorizes the organization of a Steam Navigation Company for the transportation of passengers, &c., on the sounds and rivers of North Carolina and elsewhere.

Bill making an appropriation to the Insane Asylum for 1875 and 1876 came up as the special order. Appropriates $65,000 for the carrying on of the institution, and $5,000 for necessary improvements, per annum. Passed its third reading.

Supplemental bill postponing the operations of the usury bill was postponed and made the special order for Wednesday next.

Bill to extend the time of back loans, in regard to the usury bill, was indefinitely postponed.

A motion was made to reconsider the vote by which Mr. Graham's bill concerning evidence in cases of fraud where the State is concerned, passed third reading, but did not prevail by a vote of 21 to 9. This bill provides that in cases where fraud upon the State is charged it shall not be a sufficient cause to excuse any one from imparting any evidence or information legally required of him because he came into the possession of such evidence or information by his position as counsel or attorney before the consummation of such fraud, providing it shall not be competent to introduce any admissions thus made on trial of any person making the same in any Court of Justice.

HOUSE OF REPRESENTATIVES.

By Mr. Tate, a bill to prevent the sale of the State stock, and to protect the States' interest in said road, &c. Referred.

By Mr. McRae, a bill to amend chap. 62, Battle's Revisal, in relation to the jurisdiction of Justices of the Peace. Referred.

By Mr. Smith, of Anson, a bill to incorporate the vestry of Calvary Church, of Wadesboro, Anson county.

By Mr. Munden, a bill requiring Insurance Companies to make deposits. Referred.

House bill concering banking institutions in this State, passed its readings.

The special order for 12 o'clock was the election of Trustees for the University to supply the vacancies of those whose terms will expire in November, and also the vacancy occasioned by the death of C. B. Saunders of Johnston county.

Messrs. Walker, of Richmond, and Wheeler, were appointed tellers to conduct the election.

The ballot being large the tellers were given till Monday morning to report the result.

SENATE.

SIXTY-NINTH DAY.

MARCH 1st, 1875.

Mr. Busbee, a resolution instructing the Committee on Internal Improvements to report a bill providing by taxation or otherwise for the protection of the State's interest in the North Carolina Railroad and the Western N. C. R. R. Adopted.

THE USURY QUESTION.

Mr. Williamson introduced a bill to construe the true meaning of the 6th section or ratifying clause of the Usury bill, which bill has passed both houses. The said section leaves a doubt as to the time the said bill shall go into effect within 30 days.

On motion, the rules were suspended and the bill considered and warmly discussed at some length by Messrs. French, Linney, Busbee, Williamson, Mills, Cooke, Standiford and Selby.

Mr. Busbee moved an amendment that the bill do not go into effect until January 1st, 1877.

Mr. Cooke moved an amendment that the bill go into effect on the 1st of November, 1875.

Mr. French moved to postpone the whole question until to-morrow, 12 o'clock, in order that the amendment of Mr. LeGrand to postpone until 1st of January, 1876, (the special order for that day,) could be considered at the same time. Lost by a vote of 14 to 22.

Mr. Busbee's motion was lost by a vote of 8 to 27.

Mr. Cooke's motion to postpone the operations of the bill until 1st of November, 1875, was lost by the following vote: Ayes, 18, nays, 19.

The motion of Mr. Williamson then passed its second reading by a vote of 45 to 10, and being put on its third reading Mr. Cooke moved that the bill do not go into effect until the 15th of October, 1875.

Mr. Waring hoped this amendment would be adopted, as large sections of the State would be greatly damaged by the immediate operations of this bill, and he desired that the people might be given time to get ready for its workings—that arrangements already made for this year may be carried out.

Mr. Williamson wanted the bill to go into effect at once. It was the moneyed interests that wanted this law postponed, and he was not willing to concede anything to this class.

Mr. Cooke thought it extremely essential that his amendment should prevail. The bill going into effect at present would work disastrously in the cotton sections of the State, arrangements having already been made for the present year between the planters, the merchants, the bankers and the capitalists, and these planters should be allowed time to make some preparations for the future.

Mr. Parish advocated the bill going into effect in 30 days. The country had already been impoverished by the enormous rates of interest charged.—All parties borrowing money at such ruinous rates would break, and the sooner the better for the general welfare of the State.

The amendment of Mr. Cooke was adopted by the following vote: Ayes 20; nays 17.

The bill thus amended then passed its third reading by a vote of 21 to 16.

HOUSE OF REPRESENTATIVES.

By Mr. Richardson, a petition from citizens of Columbus county asking a prohibitory liquor law within two miles of Mt. Zion Baptist Church in said county.

By Mr. McRae, a resolution in regard to the Philadelphia Centennial.

By Mr. Pinnix, a bill in relation to costs in State cases.

By the same, a bill to require clerks of the Superior Court and Registers of Deeds to make Indexes. Referred.

By Mr. Walker, of Richmond, a bill to extend the time of transferring cases. Referred.

House bill to amend the incorporation act for the town of Fayetteville passed its readings.

House bill to punish for the destruction of grain, &c., secured in shocks out-doors, passed its readings.

House bill to amend the general railway laws of North Carolina taken up and referred to Committee on Internal Improvements, and ordered to be printed.

House bill in relation to estrays, providing for the appointment of rangers in the various counties, passed its readings.

At 12 o'clock the House went into committee of the whole on the consideration of the machinery act. The bill was taken up and discussed by sections. At the hour of adjournment not more than half of the bill had been perfected.

SENATE.

SIXTY-NINTH DAY.

MONDAY NIGHT'S PROCEEDINGS.

Senate bill, prohibiting tenants or croppers selling any quantities of cotton less than one bale, except on the written consent of the landlord or land-owners, was indefinitely postponed.

Senate bill, relating to the jurisdiction of Justices of the Peace, was indefinitely postponed.

Senate bill, to enforce the performance of contracts, was indefinitely postponed.

MARCH 2d, 1875.

Mr. Cantwell, a bill to charter Fifth Ward Bucket Company, Wilmington. Referred.

Mr. Cantwell, a bill to protect and encourage domestic manufactures and mining, with memorial. Referred.

Mr. Standford, a bill for ganging of casks and barrels of spirits turpentine. Referred.

Mr. Cantwell, a resolution of instruction to the Public Treasurer concerning deposits. Rules suspended, and resolution considered. The resolution authorizes the Public Treasurer to make deposits of public money in the banks of the State.

Mr. Cantwell stated that the resolution was drawn up by a gentleman of eminent ability and purity and well known to this Senate. He referred to Mr. Wm. A. Wright, of Wilmington.

Several amendments were offered; when, on motion of Mr. French, the resolutions with amendments were referred to the Finance Committee and ordered to be printed.

Mr. Cashwell's bill providing for the payment by the counties of fifty cents for the killing of each crow was considered.

Pending discussion, the hour for the special order arrived, being the Swamp Land Bill.

The bill provides for the reclaiming of the swamp lands of New Hanover, Onslow and other counties, some 500,000 acres of land being embraced in these swamps—one-half of the same, in alternative sections, to be given the New River Canal Company for reclaiming the same. The Board of Commissioners and an appointed Board to protect the State's interest.

Messrs. French, Standford, Selby, Stickney, Hargrave, Peebles and Cashwell favored the proposition. The lands at present were worth little or nothing to the State, when, if reclaimed, they would be of great value.

Messrs. Linney and Williamson opposed, claiming that the State should not thus sacrifice her property.

The bill passed its second reading by a vote of 26 to 18.

The bill was then put on its third reading and passed with the following result: Ayes 24, nays 17.

Mr. Kerr, in explaining his vote, pronounced the affair the biggest fraud ever perpetrated upon the State.

HOUSE OF REPRESENTATIVES.

By Mr. Walker, of Richmond, a bill to incorporate the Atlantic Iron and Steel Company. Referred.

By Mr. Walker, of Richmond, a bill in relation to lunatic claims.

House bill to incorporate the Bank of Wilmington passed its third reading.

House bill requiring the Bible to be read in public schools was indefinitely postponed.

The bill in relation to the purchase of the Western North Carolina Railroad by the State came up as the special order for 12 o'clock on its third reading.

Mr. Tate took the floor in advocacy of the bill as amended, on its second reading, and after detailing a history of the various complications of the affairs of the Road, urged its passage as the only feasible plan of saving the State's interest in this great work, etc.

Mr. Chandler offered a substitute for the bill, the Senate bill with slight changes and urged its adoption.

To this substitute Mr. Staples offered a number of amendments.

Mr. Tate characterized the substitute as an act to squeeze out of the State its interest in this road and offered an amendment to his bill providing for the protection of the stockholders of this road in Burke county, stating that the citizens of Burke county and Burke county itself had paid one-fourth of the money for building this road, and therefore should have some showing for the money expended, &c.

Mr. McRae opposed the substitute and amendments, and favored the original bill introduced by Mr. Tate.

Mr. Gudger desired to sleep on the remarks of Mr McRae, and at 2½ o'clock Mr. Gudger moved to adjourn till 10 o'clock to-morrow.

A bill has been introduced in the Kansas Legislature, providing for an appropriation of $200,000 for the immediate relief of the sufferers from the grasshopper devastation in that State. It is stated at Topeka that several persons have died of starvation while the Legislature has been discussing measures for their relief.

Soldiers of the garrision at Marseilles are having a mania for suicides. The commander has issued a general order for all soldiers who take their own lives to be buried with disgrace in the night time, as guilty of an act of cowardice.

Arsene Houssaye tells us that the women are furious at the obscur lighting of the new Grand Opera House at Paris. They say they can only be half seen in the twilight, and that the flashing of their diamonds is barely perceptible. And yet any other hall, says Houssaye, would be illuminated sufficiently by the diamonds scattered helter-skelter over the opera. Madame Cassin exhibits $4,000,000 worth, Madame Musark $5,000,000 Madame de Pavia $6,000,000.

BY TELEGRAPH.

HEADQUARTERS.

THE FORCE BILL PASSED THE HOUSE.

BROUGHT UP IN THE SENATE.

THE DEMOCRATS DETERMINED IT SHALL NOT GO TO THE PRESIDENT.

GRANT SIGNS THE CIVIL RIGHTS INFAMY.

THE FINANCE BILL IN THE SENATE.

THE FORCE BILL READ A SECOND TIME.

TAX-BILL PASSED IN THE HOUSE.

THE PRESIDENT OF THE UNITED STATES AS A LOBBYIST.

CIVIL RIGHTS AT ALEXANDRIA.

WASHINGTON, D. C., March 1—Noon—HOUSE—The Force bill was passed shortly after mid-night on Saturday. It was so amended as to limit the President's right to suspend the writ of *habeas corpus* to Alabama, Mississippi, Louisiana and Arkansas, and to expire at the end of two years. Yeas 135, nays 114.

Before the last vote was taken on the passage of the bill, Young, of Georgia, said he desired the country to know one fact, and that was that out of the 40 Democratic Representatives from the States to be effected by the Provisions of this bill, not one of them has been allowed a word in discussion upon its merits, but on the contrary the gentleman in charge of it has thought proper to deny time to any of the representatives from the Southern States who intended to oppose the bill except a few minutes to two or three of them.

It may be stated that the Democratic Senators are determined that the caucus force bill which has passed the House shall not be allowed to reach the President. Concessions, they say, are over.

The President has signed the Civil Rights Bill.

SENATE—The Force bill was received from the House of Representatives and read a first time by title. Thurman, Bayard and others objected to its second reading and it remains on the Vice-Presidents table until to-morrow. Its second reading will throw it over another day. It will come up on the direct issue on Wednesday and the session closes Thursday at noon. The Democrats are all determined that the bill shall not reach the President.

HOUSE—A motion to suspend the rules and adopt the resolutions reported by the Louisiana Committee was defeated by a vote of yeas, 154; nays 85, not two thirds in the affirmative.

A similar motion to bring the resolutions to a vote directly and separately was carried by a vote of ayes, 172; nays, 85. Stephens, of Georgia, being the only Democrat voting aye.

The resolution recommending the restoration to the Louisiana House of Representatives of the persons wrongfully deprived of their seats was then adopted without a division, and the resolution recognizing Kellogg as Governor, until the end of his term, was adopted by a party vote.

The Secretary has called in five millions of five twenty bonds, the interest on which ceases January 1st proximo.

The Conference Committee on the Legislative, Executive and Judicial Appropriation bill, was agreed to.

Debt Statement—increase during the month, 6¼ million; Cash in Treasury—coin 75¾ millions; currency, 11¼ million.

SENATE—Citizens of Dakota petition that the Black Hills reservation be opened to the people of the Territories.

Bill making Pascagoula, Mississippi, a port of delivery. Passed.

Bill to secure further security for navigation on the Mississippi river. Passed.

Bill bridging the Arkansas river at Pine Bluffs. Passed.

Efforts to get up a steamboat bill failed.

The Tax bill was resumed.

Chandler gave notice that he would call up the Steamboat bill to-night.

Morrill addressed the Senate on the Tax bill, which he reported without amendment, and hoped that no amendment would be pressed, as a single one would endanger the bill.

The estimated increase of revenue on tobacco is four millions; from molasses, seven and half millions; from cigars, two millions; from whisky, twelve millions.

HOUSE—Messrs. Lowdes, Pierce, Sener and Smith, of Virginia, voted against recognizing Kellogg as Governor of Louisiana.

Appropriation bills were resumed.

Both Houses are in session to-night.

The Committee of the Diocese of Virginia declines to give its consents to the election of Dr. DeCovan as Bishop of Illinois.

WASHINGTON, March 2—Noon—SENATE—The amendment to tax tea and coffee 10 cents per pound was lost—yeas 6; nays 56.

Mr. Johnson's amendment, excepting tobacco already manufactured from the operation of the increased tax, was adopted by a vote of 28 to 26.

Mr. Jones then moved to lay the bill on the table, which was carried by a vote of 30 to 29.

Adjourned at 12:30 A. M.

The force bill was read in the Senate a second time by title, but objection was made to its third reading and it was laid over, no motion being made to refer it to any committee.

The House, at 3:45 A. M., passed the sundry civil appropriation bill, having been in session up until from 7½ o'clock P. M., and then adjourned.

To-day the House had before it the tax-bill for the District of Columbia, and passed it, fixing the rate of taxation at 1½ per cent on real and on personal property, and abolishing the representation of the District by a delegate in Congress.

WASHINGTON, March 2—Night—A full Cabinet met at noon and adjourned at 1 o'clock, when they went to the Capitol in a body and made personal appeals in behalf of a tariff.

The Star says: The President, with several members of the Cabinet, including Secretaries Bristow and Robeson and Attorney-General Williams, were at the Capitol to-day, and while there had a conference with the leading Representatives and Senators relative to the tax-bill laid on the table yesterday. The President and members of the Cabinet present urged the imperative necessity of taking the bill from the table and passing it, and it is understood that an effort in that direction would be made.

C. H. Belvin has been nominated as Pension Agent at Raleigh, N. C.

Lorenzo Thomas, for a long time Adjutant General, is dead.

HOUSE—The bill regulating the tax for the District of Columbia passed. The tax is 1½ per cent. Church property, actually used for church purposes, is exempt.

Mr. Hoar, of Massachusetts, from the Select Committee to inquire whether the privileges of the House had been violated by the arrest of Whitelaw Reed, a witness before a Committee of the House at the instance of Alex. R. Shephard, submitted a report and recommended the passage of a bill declaring witnesses before either branch of Congress, or a Committee thereof, not subject to the service of any civil process or any claim or cause of action arising prior to such appearance while coming to Washington, while in such attendance or until after a reasonable time to return. The rules were suspended and the bill passed by a vote of 131 to 33.

The credentials of Maxey, from Texas, were presented.

SENATE—Logan called up the bill to equalize bounties. It was passed by the casting vote of Vice-President Wilson. It was claimed during the discussion that it takes not less than thirty nor more than one hundred millions from the Treasury.

The River and Harbor bill was reported without amendment or recommendation. Calendar.

The Senate is in session to-night on the tax bill which was taken from the table.

WASHINGTON, March 3—Noon—The Tariff and Tax bill passed the Senate after mid-night, without amendment, by a vote of 30 to 29. It goes to the President to-day for his signature.

The Bounty bill goes to the House for its concurrence. It was amended so as to allow the Government to borrow money to meet the wants of the bill. There is another amendment that soldiers shall not be charged with bounties paid them by States, which it is claimed will swell the drain on the treasury tremendously.

The Senate has been engaged on the Sundry Civil Appropriation bill all the morning.

In the House the Conference report on the Postoffice Appropriation bill has been presented and agreed to. It contains a partial restoration of the franking privilege as to the Congressional Record and other public documents, up to next December, and permanently as to seeds and agricultural reports.

The Deficiency bill is under consideration, and there is a tremendous pressure of business and consequently great disorder and confusion in the House.

WASHINGTON, March 3.—Night—The Comptroller of Currency has called upon the National Banks for a report of their condition at the close of business on the 1st inst.

A canvass was made in the Senate this morning as to the feeling of that body with reference to proceeding with what is known as the "force bill." The result was that a majority of the Senate was opposed to taking it up until all the appropriation bills are disposed of, and indeed, so solicitous were the Senators to go on with the latter bills that they requested Mr. Morrill to report the Sundry Civil Appropriation bill, and waived the usual reading of the Journal. It is very doubtful now whether the force bill will ever be called up.

The Senate has been engaged all day in the discussion of the Sundry Civil Appropriation bill.

In the House the Deficiency Bill was passed at a quarter past 4 o'clock.

A resolution of thanks to Blaine as Speaker was offered by Potter, of New York, and unanimously adopted.

A motion to suspend the rules and pass the bills for the admission of Colorado and New Mexico as States was defeated by a vote of yeas 164 to nays 84, not two-thirds in the affirmative. It was almost a party vote.

The President has nominated Henry R Pease, now U. S. Senator from Mississippi, to be Postmaster at Vicksburg.

SENATE—The Senate has been engaged all day on the Sundry Civil Appropriation Bill, and a large number of amendments were agreed to and the bill passed.

The River and Harbor Appropriation Bill was then taken up and a number of amendments reported by the Committee on Transportation Routes. Agreed to.

Important to County Officers.

Mr. Pinnix, of Davidson, a few days since introduced a very important bill to the House of Representatives, which passed its several readings in that body Friday without a dissenting voice. It will doubtless pass the Senate with a like unanimity. It provides for the safe keeping and rigid accounting for the funds of the several counties in the State. Sheriffs, Treasurers, Clerks of the Superior Courts, Registers of Deeds and all county officers into whose hands any moneys may come by virtue or under color of this office, are required to make an annual report, under oath or verified, signed and addressed to the Chairman of the Board of County Commissioners, giving an itemized and detailed statement of all moneys that have come into their hands, from whom received, the date received and the amounts in detail. Also how disbursed, the time, amount and to whom paid and on what account, &c. The reports are to be made on the first Monday in September in each and every year. If they fail to do so the County Commissioners are required to begin suit on their bonds at once. When the reports are passed upon the Chairman endorses on it "approved", the date of approval and signs it. The Register is then to register it in a book entitled "Record of Official Reports," furnished to him by the Secretary of State, index it in the book, mark on the back of it the date when registered, the page of the book on which it is registered and sign his name and file it in his office. If any reports be made which the Commissioners disapprove, they shall compel a proper report to be made in the same manner as if no report had been made.

It will be observed that by the provisions of this important bill every safeguard is thrown around the finances of the several counties. Any tax payer or other person who desires to know the conditions of the finances of the county or wishes to see whether any officer has properly discharged his duties, can examine the "Record of Official Reports" and by aid of the index soon find the report recorded, or he can find the original on file.

Ral. News.

A Relic of the Mexican War.

We call the attention of the *News & Courier*, and other South Carolina papers, to the item below, which has been sent to us by an officer of the U. S. Artillery, (who served with the Captain James Stuart named), in all the actions except Cerro Gordo:

At the station house may be seen what remains of an elegant army sword, which was presented to Captain James Stuart, U. S. A., who commanded a company of mounted riflemen in Oregon during the early Indian wars, and who did gallant service in the war with Mexico. These facts are evident from the engraving on the scabbard of the sword, which reads as follows: "South Carolina. In memory of the gallant conduct and generous devotion of Captain James Stuart, regiment of mounted riflemen, U. S. A. Reckless of danger, unharmed he shared the victories of Cerro Gordo, Churubusco, Molino, Chapultepec, Mexico, to fall by savage treachery in far distant Oregon." The scabbard of the sword is heavily gold plated, and elaborately engraved with battle scenes in Mexico.—*Marysville (Cal.) Appeal.*

Below is an extract from the letter: "I cut the enclosed slip from the Sacramento *Record* of the 3rd of February, 1875. The officer mentioned was killed in Phil Kearney's fight with the Rogue River Indians in Oregon. He died June 18th, 1851. Probably the sword was left in Oregon and forgotten, for the mounted riflemen were moved east that year.

"Capt. Stuart's father was, I understood, on the Charleston *Courier*, about 1845, and his family are probably living in the neighborhood of Charleston, S. C. If the slip were republished in the Wilmington and Charleston papers it might enable his relatives to recover the sword."

We hope the press will aid the commendable effort of this officer by giving the notice circulation.