

THE GENERAL ASSEMBLY.

CALLED SESSION.

SENATE.

Monday, March 15, 1880.

Messrs. Alexander, Alston, Austin, Black, Bledsoe, Brower, Bryan, of Duplin, Bryan, of Pender, Bull, Bynum, Caldwell, Dancy, Davidson, Dillard, Dortch, Eaves, Eppes, Erwin, Everitt, Graham, of Lincoln, Graham, of Montgomery, Harris, Henderson, Hoyle, King, Leach, Matheson, McEachern, Mebane, Merritt, Mitchell, Moye, Nicholson, Ormand, Redwine, Ross, Shackelford, Snow, Stewart, Taylor, Waddell, Ward, Williamson and White—44.

The Clerk read the proclamation of His Excellency the Governor, calling an extra session of the General Assembly. The President then proceeded to address the Senate as follows:

FELLOW SENATORS:—We have been convened in extraordinary session by the proclamation of His Excellency the Governor, to consider a matter of much interest to all of our people—it may be of vital interest to a portion of them. In approaching the consideration of a question like this, we should divest ourselves of anything like personal feeling, or local prejudice, or predilections; and consider it truly, as sons of one common mother, the State of North Carolina. I bespeak your generous support and aid, as you have heretofore given me, in the discharge of the duties of my position. I now declare the Senate ready to proceed with business.

On motion of Mr. Graham, of Lincoln, a message was sent to the House, notifying that body of the readiness of the Senate to proceed to business, and proposing to raise a joint committee, composed of three on the part of the Senate, and five on the part of the House, to wait on the Governor and notify him of the readiness of the General Assembly to receive any communication from him.

A message from the House, notifying the Senate of its readiness to proceed to business, and concurring in the Senate proposition to raise a joint committee to wait upon the Governor, was received.

The President appointed Messrs. Graham, of Lincoln, Dortch, and White as the Senate branch of said committee. Subsequently Mr. Graham, from the committee, reported that they had waited on the Governor, and that His Excellency would immediately forward his communication.

A message was received from the House, transmitting a message from the Governor, with accompanying documents, with a proposition to print 200 copies for the use of the General Assembly, which was read.

On motion of Mr. Leach, the proposition to print was amended by striking out 200 and inserting ten copies for each member of the General Assembly, and the proposition to print was concurred in.

Resolutions were introduced as follows:

By Mr. Leach—Resolution proposing to raise a joint committee, to be composed of nine on the part of the Senate and fifteen on the part of the House, to whom shall be referred all bills, resolutions or amendments, relating to the sale of the Western North Carolina Railroad, or any other road in the State or as to what disposition shall be made of them.

Mr. Dortch said that as he had learned that a similar proposition had passed the House and would be sent to the Senate for concurrence, he thought the Senator's object could be accomplished in that way sooner than by the passage of a similar resolution by the Senate; besides, he could not see any propriety in the appointment of such committees, in giving the House a majority of the committee, when both bodies were of equal legislative power.

A message was received from the House, transmitting a resolution proposing to raise a joint select committee, to be composed of fifteen on the part of the House, to take into consideration all matters pertaining to the sale of the Western North Carolina Railroad.

Mr. Graham of Lincoln, moved that the Senate concur.

Mr. Dortch said that if the Senate should decide on adopting the House proposition, he would move to amend by striking out fifteen on the part of the House and insert ten, so as make the number of committees equal, from each branch of the General Assembly.

Mr. Leach thought there should be no question raised as to the distribution of the committee, as both resolutions were in accordance with precedents, as regards the number from each branch. Yet he liked his resolution best, because it covered the whole ground, and all railroad matters could be referred to that committee without further legislation.

Mr. Everett concurred in the position occupied by Mr. Dortch, and said that he should vote for his amendment.

Mr. Dortch, by leave, withdrew his amendment.

Mr. Graham, of Lincoln, demanded the previous question, in concurring in the proposition of the House, which was ordered, and the House resolution was concurred in.

By Mr. Dortch—A bill providing for the sale of the Western North Carolina Railroad, the North Carolina Railroad, the Atlantic and North Carolina Railroad, and for other purposes, which was placed on the calendar.

By Mr. Dortch—A bill in relation to the Western North Carolina Railroad. Placed on the calendar.

By Mr. Everett—A resolution relating to the public schools of the State. Placed on the calendar.

On motion of Leach, the Senate adjourned until to-morrow, at 12 o'clock.

HOUSE OF REPRESENTATIVES.

The House was called to order at 12 m., by Mr. Speaker Moring.

The roll was called and one hundred and five members answered to their names as follows:

Mr. Speaker—Messrs. Amis, Angier, Ardrey, Armstrong, Atkinson, Barringer, Battle, Bernard, Berry, Bingham, Bird, Bizzell, Blalock, Blocker, Bonner, Boat, Brown, of Mecklenburg, Bruce, Buchan, Burroughs, Cale, Carter, of Buncombe, Carter, of Warren, Carter, of Yancey, Carroll, Carson, Cary, Chadwick, Christmas, Clarke, Click, Cobb, Colwell, Cooke, Council, Covington, Davis, of Catawba, Davis, of Madison, Deans, Dimsdale, Dixon, Dunn, Ellison, English, Etheridge, Ewing, Ferrell, Foard, Forbes, Foster, Fulcher, Gatling, Goldston, Harrison, Henderson, Hewett, Hines, Hobbs, Hoit, Horton, Huffstetler, Jones, Johnson, Lamb, Leach, Leatherwood, Lewis, Lindsay, Lockhart, Lowry, Lutterloh, Mebane, Miller, Moore, McLearn, Newell, Norman, Oliver, Orchard, Osborne, Paxton, Pettipher, Powers, Rawley, Reid, of Macon, Reid, of McDowell, Reynolds, Richardson, of Columbus, Richardson, of Wake, Ritchey, Scott, Smith, Taylor, Turner, Vaughan, Waddell, Wheeler, White, Wimberly, Woodhouse, Wynne, York, Young.

The Speaker caused to be read the proclamation of the Governor, convening the General Assembly in extra session.

Mr. Brooks, declared to be the legally entitled member from Brunswick, at the last regular session, came forward, qualified and took his seat.

On motion of Mr. Vaughan, a message was sent to the Senate, informing that body of the organization of the House, and its readiness to proceed to the dispatch of business.

A message was received from the Senate, informing the House of the organization of that body, and also proposing to raise a joint select committee of five on the part of the House and three on the part of the Senate, to wait on the Governor to inform him of the organization of the General Assembly, and its readiness to receive any communication it may please him to transmit.

On motion of Mr. Cobb, the proposition of the Senate was concurred in, and the Speaker appointed Messrs. Cobb, Covington, Bernard, Jones and Norman, as the House branch of said committee.

Mr. Carter, of Buncombe, offered a resolution raising a joint select committee in relation to the Western North Carolina Railroad, which, after some discussion, upon points of order, passed its several readings and was ordered to be transmitted to the Senate without engrossment.

Messrs. Lewis and Lockhart introduced resolutions in reference to general legislation at this extra session, which were made the special order for Tuesday, 11 a. m.

A message from the Governor, with accompanying documents, was announced.

The message was read and transmitted to the Senate, with a proposition to print three hundred copies.

Mr. Carter, of Buncombe, introduced a bill in relation to the Western North Carolina Railroad, which was placed on the calendar.

Mr. Ellison introduced a resolution to investigate the right of W. C. Etheridge of Bertie, to a seat on the floor. Placed on the calendar.

Mr. Reynolds introduced a resolution to investigate the causes of the non-signing of the school bill, as also did Mr. Turner. Both resolutions were placed on the calendar.

The House adjourned until to-morrow at 10 a. m.

SENATE.

Reported for the "Daily Signal."

Tuesday, March 16th, 1880.

Senate called to order by President Robinson at ten minutes past twelve.

Prayer by Rev. Mr. Black, of the Methodist Church.

Journal of yesterday ordered to be read.

On motion of Senator Mebane, of Caswell, that part of the Journal relative to the call of the Legislature in extra session by the Governor was dispensed with. That part in reference to the proceedings of yesterday was read and approved.

Senators Lyon, of Granville, Holliman, of Northampton, and Waldo, of Martin, not present yesterday, were announced as in their seats this morning.

By Everitt, of Forsythe, a resolution relating to an amendment to the Constitution, which is to allow the Legislature to exempt from taxation capital invested, or that may be invested in manufacturing interests.—Placed on the calendar.

By Davidson, of Buncombe, Bill to amend Chap. 82 Laws of 1879, entitled "An Act to provide for keeping in repair the Public Roads of this State." Placed on the calendar.

By Leach, of Madison, Bill to provide for the sale of the Western North Carolina Railroad to W. J. Best and associates, and for other purposes. Referred

to Joint Select Committee, for the consideration of bills and papers in reference to this subject.

By Mr. Dancy, of Edgecombe: Bill to authorize the Board of Education of Edgecombe county to pay certain school claims. Referred to the Committee on Education.

By Mr. Williamson, of Caswell: Bill to repeal chapter 142, laws of 1879, which purported to abolish private seals, and to provide a short form of deed.

This bill was read at length, and after some discussion was, under suspension of the rules, put upon its second and third readings, and passed.

The Senate branch of the Joint Select Committee, for the consideration of all matters connected with the sale of the Western North Carolina Railroad, was announced as follows: Senators Leach, Davidson, Erwin, Dortch, Everitt, Graham, of Lincoln, Mebane, Bryan, of Pender, White and Graham of Montgomery.

Senate Resolution No. 1, introduced by the Senator from Forsythe yesterday, in relation to an investigation of the reasons of the failure of the school bill, passed at the last session, being signed by the Speakers of both Houses, was taken up and discussed, at considerable length, by Senator Everitt, Davidson, Leach, and President Robinson, Senator Graham of Lincoln, in the chair.

Senator Everitt demanded the ayes and noes; and it passed its second reading, ayes 43, noes 4; and was sent to the Senate without engrossment.

By permission, Senator King introduced a bill to amend section 23, chapter 70, laws of 1879, reducing the license tax on lightning-rod agents, from \$50 to \$15. Placed on calendar.

House Bill No. 16, to repeal chapter 83, laws of 1879, being an act in relation to the public roads in Mecklenburg county, was taken up, and opposed by Senator Alexander, and, upon his motion, was indefinitely postponed.

On motion of Senator Williams, the Senate adjourned to 11 o'clock to-morrow.

HOUSE OF REPRESENTATIVES.

The House met pursuant to adjournment, at 10 o'clock yesterday morning.

Prayer was offered by the Rev. Dr. W. S. Black, pastor of Edenton Street Methodist Church.

Journal of yesterday read and approved.

A petition from Watauga county read and referred to Committee on Finance.

Mr. McCorkle introduced a bill in regard to bastardy cases, which was placed on the calendar.

Mr. Blocker introduced a bill to repeal chap. 8, laws of 1878-'79. Referred to Judiciary Committee.

Mr. Ellison, of Wake, introduced a resolution to suspend the rules and take up the case of Etheridge vs. Robbins. Lost.

Mr. Reynolds, offered a resolution to appoint a committee of inquiry to investigate the reason for not signing the School Bill.

Mr. McCorkle moved to lay on the table.

Mr. Clarke, of Craven, called the ayes and noes. The resolution was lost, ayes 6, noes 93.

Speaker Moring resigned the chair to Mr. Jones, of Caldwell, and asked to be excused from naming the Committee of Inquiry.

Mr. Bernard, of Pitt, spoke on the subject, stating that he believed it was a mere accident, and that all parties concerned wanted an investigation.

Mr. Turner, of Orange, offered an amendment, substituting two from the House and one from the Senate, in place of three from the House and two from the Senate.

Mr. Cobb, of Lincoln, thought it was a crime; and that the perpetrators should have the same privilege as is allowed in a court of law, and that no prejudiced person should be appointed on the committee.

Mr. York, of Wilkes, offered a substitute, that a committee, consisting of three on the part of the House, and two of the Senate, should be appointed. This was finally adopted.

A message from the Governor was then read.

Mr. Ellison moved to reconsider his resolution on the case of Etheridge vs. Robbins. Lost.

Mr. Lockhart, of Anson, offered as a substitute to the matter before the House, that no business be transacted subsequent to the disposal of the Western Railroad business.

Mr. York offered an amendment to the resolution, adding, "and all other business pertaining to State Railroads." The previous question being called, the substitute was lost.

Mr. Atkinson, of Buncombe, spoke at some length, stating that, while he was in favor of an early adjournment, he thought there were some other matters requiring the immediate attention of the House.

Mr. Brown, of Mecklenburg, introduced a bill to repeal the road law, now existing in Mecklenburg, Stokes and Forsythe counties. After some discussion, the bill passed its third reading, under a suspension of the rules.

On motion of Mr. Carter of Yancey H. B. No. 1 (W. N. C. R. R. was read second time, and referred to joint select committee.

Mr. Orchard, introduced a bill in relation to settlement with the Sheriff of Cabarrus. Mr. O. spoke on his resolution which was placed on the calendar.

House bill No. 6 was taken up. This is the school bill offered on Monday by Mr. Turner, entitled "a resolution to investigate the trick and fraud in the School Bill.

Mr. Jones of Calwell moved to return the resolution to Mr. Turner with a reproof from the chair, for language used in said resolution.

Mr. Clarke, of Craven, thought that the House had no right to interfere with the freedom of speech, and that instead of being returned, the resolution should be laid on the table if the consideration of the same was to be dispensed with.

A message from the Senate was here received.

Mr. Cooke, of Franklin, made some remarks on the question, and the matter seems to have here dropped.

REPORT OF COMMITTEES.

Committee on Engrossed Bills—House Bill No. 2 and House Bill No. 17 have been correctly engrossed and sent to the Senate.

Under a suspension of the rules, the ayes and noes were called on second reading of House Bill No. 6, with the following result: Ayes 94; noes 1.

Mr. M. B. Brannan's credentials were then presented, and that gentleman duly sworn.

At 2:30 o'clock, Mr. Lewis, of Nash, moved to adjourn till 10 o'clock this morning. The motion prevailed.

It was then announced that a meeting of the Joint Select Committee on the Railroad question would be held in the Treasurer's office at 3:30 p. m. This committee consists of the following gentlemen:

Senate—Leach, Chairman; Mebane, Dortch, Davidson, Erwin, Everitt, Graham, of Lincoln, Bryan, of Pender, White, and Graham, of Montgomery.

House—Carter, of Buncombe, Brown, of Mecklenburg, Cobb, Covington, Bryson, Lockhart, Richardson, of Colm bus, Clarke, Vaughan, Bernard, Davis, of Madi on, Davis, of Haywood, Ellison and Scott.

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