At a General Assembly, begun and held in the city of Raleigh, on Monday, the 19th of November, in the year of our Lord 1827, and in the fifty second year of the Independence of the United States of America, it being the first session of this General Assembly; on which day, being the day appointed by law for the meeting thereof,

The returning officers of the several counties certified that the following persons were duly elected to represent the said counties and borough towns in this House, to wit:

Beaufort, William A. Blount, Thomas W. Blackledge.
Bertie, Thomas H. Speller.
Brunswick, Alfred Moore, Jacob Leonard jr.
Buncombe, John Clayton, James Allen.
Burke, David Newland, Joseph Neill.
Cabarrus, Wm. M. Lean, J. C. Barnhardt.
Cumberland, Joseph Hodges, Archibald M'Dearmid.
Currituck, Willoughby D. Barnard, Samuel Salyer.
Davidson, Thomas Hampton, Absalom Williams.
Dutch, Daniel Glisson, Joseph Gillespie.
Franklin, Joel King, Henry J. G. Ruffin.
Graville, John C. Taylor, John Glasgow.
Greene, James Harper, Joseph Ellis.
Guilford, Francis L. Simpson.
Hartford, George E. Spruill.
Hertford, Bridger J. Montgomery, John H. Wheeler.
Hyde, Wallace D. Styron, John B. Jasper.
Jones, O'Brien Cox, Enoch Foy.
Iredell, Wm. Falls, Wm. J. Summers.
Lenoir, William B. Kilpatrick, George Whitfield.
Lincoln, Alex. J. M. Brevard, D. Conrad.
Martin, Gabriel L. Stewart, Jesse Cooper.
Mecklenburg, Joseph Blackwood.
Montgomery, James Allen, James M. Lilly.
Moore, Gideon Seawell, Wm. Wadsworth.
Nash, Frederick Battle, James M. Mann.
New Hanover.
Onslow, Edward Williams, Frederick Foy.
Orange, John Boon, John Stockard.
Pasquotank, John Pool, Wm. J. Hardy.
Perquimans, Elisha Burke, Robert Perry.
Person, Thomas Lawton, Thomas Webb.
Pitt, John Cherry, Marshall Dickinson.
Raudolph, Hugh Walker, John B. Troy.
Richmond, George Thomas, Arch'd McNair.
Robeson, R. C. Rhodes, Malcolm Pureell.
Rockingham, James Burnett, Thomas Settle.
Rowan, Hamilton C. Jones, John Clement.
Rutherford, Daniel Gold, Joseph Green.
Sampson, David Underwood, Thos. Boykin.
Stokes, Jacob Salmon, Elisha Plummer.
Surry, Wm. Douglass, Ephraim Hough.
Tyrrell, D. N. Bateman, Fred'd Daventport.
Wake, Samuel Whitaker, Johnson Bushbee.
Warren, Robert H. Jones, Ransom Walker.
Washington, Wm. A. Bozeman, Amner Vail.
Wayne, Joshua Hastings.
For the town of Halifax, Jesse A. Bynum.
Edenton, James Iredell.
Newbern.
Wilmington, Joseph A. Hill.
Fayetteville, John D. Eccles.
Hillsborough, John Scott.
Salisbury, Charles Fisher.

In pursuance thereto, the following members appeared, and took their seats, the oaths of qualification being administered by Mr. Busbee, one of the Justices of Wake county, to wit: Alfred Moore, Charles D. Donoho, John Clayton, David Newland. Nathaniel G. Smith, Nathan A. Stedman, James Allen, Alexander Little, A. Mitchell, Clement Marshall, John J. Millman, Thomas Dozier, Thomas Tillett, Jo

A quorum, consisting of a majority of the members, being present, Mr. Glisson moved that Mr. Iredell, the member representing the town of Edenton, be appointed Speaker. The question to concur with the motion passed unanimously in the affirmative. Whereupon the Speaker was conducted to the Chair by Mr. Glisson; from whence he made his acknowledgments to the House.

On motion of Mr. Glisson, Pleasant Henderson was appointed Clerk, and Charles Manly, Clerk Assistant.

Mr. Glisson further moved that John Lumsden be appointed Principal Door keeper, and Richard Roberts Assistant Door-keeper, and Mr. Simons moved that the name of Archibald Maulsby be added to the nomination. The question shall John Lumsden be appointed Principal, and Richard Roberts Assistant Door-keeper? was determined in the affirmative.

The House then adjourned until to morrow morning, 10 o'clock.

Tuesday, November 20, 1827.

John Kerr, one of the members of New-Hanover county, appeared, produced his credentials, was qualified and took his seat.

A message from the Senate, by their Clerk Assistant, informing of the organization of that House, having appointed Bartlett Yancey, Esq. Speaker; James W. Clark, Clerk; Samuel F. Patterson, Clerk Assistant; Thomas B. Wheeler and Robert Ray, Door keepers; and of their readiness to proceed to the despatch of public business.

On motion, ordered that a message be sent to the Senate, informing that this House is also organized and ready to join the Senate in the des-
patch of public business, having appointed James Iredell, Speaker; Pleasant Henderson, Clerk; Charles Manly, Clerk Assistant; John Lumsden and Richard Roberts, Door-keepers.

A message from the Senate, by the Clerk Assistant, proposing to raise a joint select committee for the purpose of informing his Excellency the Governor of the organization of the two Houses, and of their readiness to receive such communications as he may think proper to make. The message was concurred in, and the Senate informed by message that Mr. Newland and Mr. Gary form the committee on the part of this House.

On motion of Mr. Glisson, ordered that a message be sent to the Senate, proposing to ballot, at the meeting of the two Houses to morrow morning, for three Engrossing Clerks, and informing that Robert W. Goodman, Wilson B. Hodges, Thomas Dewes, Robert H. Helme, Thomas G. Stone, Edward F. Lilly, William J. Cowan, William E. Troy, John K. Campbell, Henry M. Jasper, James Erwin, John Hill and Calvin Covington are in nomination for the appointments.

On motion of Mr. Jones, of Warren, ordered that a message be sent to the Senate, proposing to raise a select joint committee to prepare and report rules for the government of the intercourse between the two Houses during the session, and informing that Mr. Jones of Warren, Mr. Settle and Mr. Blount form the committee on the part of this House.

On motion.

Resolved, That Mr. Jones, of Warren, Mr. Settle and Mr. Blount, be a committee to prepare and report rules of order for the government of this House; and that, in the interim, the rules of order of the last Session be observed.

On motion of Mr. Fisher.

Resolved, That this House deeply deplore the loss the public has sustained in the death of John Haywood, Esquire, the long tried and faithful Treasurer of the State.

Resolved, as a token of the deep respect we feel, and the great affection and veneration we have for the character and virtues of the deceased, that the members of this House, with the Speaker at their head, attend his funeral in procession at the hour of 3 o'clock this afternoon; and that we wear crape on the left arm during the remainder of the Session.

Resolved, That this House abstain from any further business during this day; and that a committee of five members be appointed, to join a like committee on the part of the Senate, to confer with the family and make suitable arrangements for the procession to the tomb of the deceased.

Resolved, That Mr. Fisher, Mr. Moore, Mr. Scott, Mr. Donoho and Mr. Spruill form the committee on the part of this House.

Mr. Fisher, from the committee of Conference, reported verbally that the committee, according to order, had conferred with the committee on the part of the Senate, and instructed him to move that the House do adjourn until half past 2 o’clock, P. M. The question thereon passed in the affirmative.

Tuesday, Half past 2 o’clock, P. M.

Mr. Donoho, from the committee of Conference, made the following report:

The procession for the interment of the late John Haywood, Public Treasurer of North Carolina, will form in the public square east of the State House, march to the late residence of the deceased, and there join the family, relatives and friends of the deceased; and, in the following order, proceed to the Presbyterian Church, to attend the funeral discourse; then in the same order return to the place of interment.

ORDER OF PROCESSION.
1st. The corpse, with three pall bearers on each side.
2nd. The family and relatives.
3rd. The Reverend Clergy.
4th. His Excellency the Governor and Heads of Departments.
5th. The Judicial Officers of the State.
6th. The Speakers of the Senate and House of Commons.
7th. The Committee of Arrangements.
8th. Members of the Senate and Clerks.
9th. Members of the House of Commons and Clerks,
10th. Officers of the Senate and House of Commons.
11th. Citizens and Strangers.

Resolved, That General Thomas Love, General Alexander Gray and Col. Willis Riddick, of the Senate; and Colonel Joseph Gillespie, Colonel Daniel Glisson and Enoch Foy, of the Commons, be requested to act as pall bearers.

Resolved, That the Rev. Dr. M'Pheeters be requested to attend and perform the funeral obsequies at 3 o'clock this afternoon.

Resolved, That General Beverly Daniel be requested to act as Marshal of the day.

The question to concur with the report passed in the affirmative.

The House then, on motion, adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, NOVEMBER 21, 1827.

Joseph D. White, one of the members of Bertie county; and William E. Shine, one of the members of the county of Halifax, appeared, produced their credentials, were qualified, and took their seats.

Mr. Newland, from the joint committee appointed to wait on his Excellency the Governor, and acquaint him with the organization of the two Houses, and of their readiness to receive such communications as he may be pleased to make, reported that the committee, according to order, had performed that duty, and that the Governor would make a communication to the House this day, at 12 o'clock, in writing. The question to concur with the report passed in the affirmative.

A message from the Senate, by their Clerk Assistant, informing of the assent of that House to ballot this morning for three engrossing Clerks; and informing further, that the names of James H. Johnston and Robert Ransom are added to the nomination; and that Mr. Williams, of Martin, and Mr. M'Millan attend this House as a committee to conduct the Balloting on their part.

On motion, ordered that a message be sent to the Senate, informing that Mr. Marshall and Mr. Busbee attend the Senate as a committee on the part of this House to conduct the Balloting; and that the name of Joshua E. Lumsden is added to the nomination.

A message from the Senate, informing of the assent of that House to raise a joint select committee to prepare and report rules for the government of the intercourse to be observed between the two Houses the present Session; and that Mr. Owen, Mr. Spaight of Craven, and Mr. Pickett form the committee on their part.

The resignation of Alfred Ballard, Lieutenant Colonel of the 6th regiment of the militia; I. Berryman, of the county of Rowan, and William C. Berry, of Buncombe county, justices of the peace, were presented, read and accepted.

Mr. Jones, from the joint select committee appointed to prepare and report rules for the government of the intercourse between the two Houses, made the following report: "That there are now existing permanent joint rules of the two Houses, adopted in the year 1824, which your committee
are of opinion require no amendment;" and recommended the adoption of the following resolution:

Resolved, That the joint rules adopted in the year 1824, as the permanent joint rules for the government of the intercourse between the two Houses, be printed, one copy for each member of the General Assembly; and that they be observed accordingly.

The question to concur with the report and resolution passed in the affirmative.

Mr. Marshall, from the committee appointed to superintend the balloting for three Engrossing Clerks, reported that the committee had, according to order, performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report passed in the affirmative.

On motion, ordered that a message be sent to the Senate, proposing to ballot again immediately for the Engrossing Clerks, and informing that the name of Joshua E. Lumsden is withdrawn from the nomination.

A message from the Senate, informing of the assent of that House to ballot again immediately for the Engrossing Clerks; that Mr. Beasly and Mr. Ramsay form the committee on their part to conduct the balloting; and that the name of Robert Ransom is withdrawn from the nomination.

On motion, ordered that the Senate be informed by message that Mr. Gary and Mr. Lewis form the committee on the part of this House to superintend the balloting for the Engrossing Clerks.

The resignation of William Wilson, justice of the peace for the county of Buncombe, was presented, read and accepted.

Received from his excellency the Governor, by his Private Secretary, Mr. Campbell, the following message:

To the Honorable the General Assembly of North-Carolina:

Gentlemen,—The revolution of another year has given birth to no sensible variation in our political institutions. Under their unimpaired and continued usefulness, you have again assembled together. The general health of our State during this period, and the abundant character of our productions, are blessings flowing from the Author of "every good and perfect gift," which merit our grateful and unfeigned thanks.

This general aspect of prosperity is gloomily chequered with the pecuniary embarrassment, so prevalent in our country. The facility of borrowing money since the establishment of the Banks, an uncontrollable thirst of speculation, (which may be regarded as its natural consequence,) and the depressed state of our staple commodities, are assigned by some, as the causes of this effect. —The peculiar situation of our commerce, which enables the adjoining States to become either the temporary or permanent receptacles of our circulating medium, attended with the vexatious and losing concomitant of its being under the marketable value, and the more recent, though perhaps not less burthensome subject of the Tariff, are causes assigned by others. The want of individual industry and economy have doubtless had an extensive influence. How far any or all of these causes come within Legislative control, and whether, if any, should be applied, are decided by you alone. The alteration of the Tariff, contemplated by the "Woollens Bill," would, from late circumstances, seem to invite peculiar and prompt attention. In opposition to the proposed alteration, a highly respectable portion of the talent, learning and experience of an adjoining State has been exerted. So completely identified are our interests, situation and productions, that what is so interesting to them cannot surely be matter of indifference to us. And the dignity and interest of the State alike require that North-Carolina should not be silent.

To create and sustain within our own State, one or more commercial depots, which, thro' lines of easy, direct and cheap intercommunication, should connect the extremities of the country together; serving to keep the circulating medium, the very life-blood of commerce, in a continual and healthy flow throughout our own body politic—thereby destroying that injurious and unfortunate dependence upon our sister States, (one of the principal causes alluded to above,) has been the ardent wish and anxious desire of every enlightened friend of the State. In the prosecution of this subject, much has been attempted, much has been expended, and but little has hitherto been done. In the conflict between the prejudices naturally flowing from sectional feelings and the correct reason of the case, the energies of
the State have been almost palsied and her attempts rendered comparatively abortive. The want of systematic arrangement, and the failure to select one or more points, combining the greatest variety of interests, upon which the accumulated energies of the State might have been thrown with irresistible effect, has been the source of almost total ruin to our system of Internal Improvements. With the information gained by an experience somewhat dearly purchased, and which must go far to destroy many of the theories previously adopted, we will be enabled to progress more steadily and successfully. So very familiar has this subject become to your honorable body and the public at large, and so frequent has been its discussion, that little remains to be said upon it, in a general view. In another communication, the details of the progress made during the past year, will be presented to you.

Connected with this system, is a subject, in which it is expected every sincere friend of his country will take a deep interest. I refer to the draining and reclaiming of our swamp and marsh lands. This work has already been commenced, in a manner highly creditable to your predecessors. They authorised the Board of Internal Improvements to employ surveyors to make the necessary examination of certain swamps, whose locality was specified, preparatory to the commencement of this important work. Two gentlemen, Mr. Nash, highly recommended by Gov. Clinton for science and skill in his profession, and Mr. Brazier, whose qualifications as a surveyor are well known, have been engaged during the greater part of the past Summer and Fall, in making surveys, drafting plats and collecting the information required. All of which will be communicated to you more at large. It is sincerely desired, that the result of the investigation which you may bestow upon the labours of these gentlemen, may be such as to induce you zealously to prosecute this work. Could these lands generally be reclaimed, the advantages resulting to the farming interest of the State, from the addition of such an immense body of arable lands, would be incalculable. To the benevolent and philanthropic undertaking could be presented so acceptable as one proposing to diminish the quantum of human misery, by removing a fruitful source of disease, and converting a curse into blessing. To the legislator it must be equally manifest, that while he, in this way, prevents the partial denudation of his State, he is at the same time creating the most ample and permanent provision for the education of the poor of the rising generation. Did the subject hold out no other advantage, this of itself would enable it to deep attention and uniting exertion. For, upon the education of the generation now growing up, and those that will come after, depends, in a great measure, the continuance, in their purity, of our happy forms of government. It is at once the source of public and private respectability, the spring of social and individual happiness. Yet, with all the advantages which must incontestably flow from reclaiming the swamp lands and a system of free schools, they are both in danger of failing, from the failure of the provision upon which both were measurably based. In their aid, the last Legislature authorised the Board of Internal Improvements, and the President and Directors of the Literary Fund, respectively, to raise, by way of lottery, $50,000, and allowed them to sell the privilege. After a fair experiment it has been found impossible to procure a purveyor. With you it remains to make such other and more liberal provision, as shall secure the objects so desirable. Whether the practice of some States, of granting exclusive privileges to the purchasers of lotteries sold by such States, by totally prohibiting the sale of tickets in any other lottery, would render the privilege offered for sale, by this State, more valuable, or whether any other system can be resorted to, are subjects which may deservedly claim your attention.

In reference to our Judiciary, I hope to be excused in again calling the attention of the Legislature to the present mode of compensating prosecuting officers. The public interest and the due and impartial administration of justice alike require that the most efficient talents should be secured. This can only be done by offering such compensation as will amply reward the toils and exertions of the officer. To destroy any undue bias, and render the administration of justice in our Courts completely impartial, this compensation should be fixed and certain, and not dependent upon the issue of the trial. It is a subject of great importance, and cannot fail to secure for itself your serious consideration.

By a resolution of the last General Assembly, the Executive was requested to make application to the British Government, for liberty to procure such materials as were in their possession, relating to the colonial history of this State. In compliance with this resolution, I addressed a letter to Mr. Gallatin, through the Hon. H. Clay, who, with promptness and that urbanity for which he is distinguished, immediately attended to it, and had the communication forwarded. Mr. Gallatin gave the application his zealous and efficient support. That it was met with great liberality of feeling on the part of the British authorities, will appear from the following extract, taken from Mr. Gallatin’s letter, and the correspondence and documents herewith transmitted: “I received, in June last, through the department of State, a letter from the Governor of North-Carolina, enclosing a resolution of the General Assembly of that State, and requesting me, in conformity therewith, to apply to the British Government, for leave to procure copies of such documents, in the public offices here, as relate to the colonial history of North Carolina. I found, in every quarter, the most liberal
disposition on that subject. Not only the leave was granted; but the Board of Trade had an index prepared, of all the records that had reference to the Province of North-Carolina, in order that the State might point out those documents of which copies should be wanted, and I now transmit my answer to the Governor, enclosing the index and other papers relative to the subject." In compliance with an act of the last Session, "prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians," Gen. Thomas Love, of Haywood, and Col. C. D. Donoho, of Caswell, were appointed Commissioners, and Matthew Baird, Esq. of Burke, the Principal Surveyor. The appropriation, made by the Legislature, for this purpose, proved insufficient. From this cause and several defects in the law, after these gentlemen had made considerable progress in the discharge of their several duties, it was found necessary to discontinue their operations and await the determination of your honorable body. The correspondence upon this and a collateral subject, together with the advice of the Council of State, who were consulted, are herewith transmitted, and respectfully submitted to your consideration. In compliance with a resolution of the same Session, in reference to the fee simple held by the State in the Tuscarora lands, notice was given in the papers published in this place, that proposals would be received, by the Executive, for the purchase of said right. No proposals have yet been received, either from the lessees of said lands or others. I respectfully refer you to the report of Dr. S. J. Baker, Wm. R. Smith and Wm. Britton, Esqrs. Commissioners appointed by the resolution, to make an appraisement and the survey of the lands, for information on these points.

During the last Summer, the unexpected and lamented death of Col. J. Hawkins, late Comptroller, a faithful and efficient officer, caused me to convene the Council of State, who advised the appointment of Jits. L. Henderson, Esq. of Salisbury. With you it remains to make a permanent appointment.

It has also become my painful duty, to announce to you the death of that excellent and venerable man, John Haywood, Esq. late Treasurer of this State. To attempt to recount his many virtues, would far exceed the limits of this communication. His character was beyond reproach and without a stain—his integrity unquestioned—and his reward, was the unlimited confidence of his fellow-citizens, enjoyed for more than forty years. That North-Carolina had at the head of her Financial Department such an individual, was justly her pride and boast. It remains with you to supply the vacancy, which this melancholy event has occasioned.

The resignations of Justices of the Peace and Militia Officers, are herewith transmitted. In a few days, my constitutional term of service will terminate. Permit me to say, on this occasion, that I shall ever cherish, with lively gratitude, the continued confidence repose in, and the friendly indulgence exercised towards me, on the part of your honorable body; and to express a hope, that it may, in some degree, have been merited by a faithful and conscientious discharge of the Executive duties. If I have failed in aught, it is ascribable to errors of judgment; for I feel assured of having acted with an "eye single" to the welfare and prosperity of the State. That your exertions may be successfully directed to the best interests of our common country, is the sincere wish of,

Gentlemen, yours, with high consideration and respect,

H. G. BURTON.

Executive Department. N. C. 7
21st November, 1827.

On motion of Mr. Newland, ordered that the foregoing message be sent to the Senate, with a proposition that it be printed, one copy for each member.

The House then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, NOVEMBER 22, 1827.

Mr. Gary, from the committee appointed to superintend the ballotings for the Engrossing Clerks, reported that the committee had performed that duty; and that it appeared, on examining the ballots, that Thomas G. Stone had a majority of the whole number, and was duly elected. The question to concur with the report passed in the affirmative.

On motion of Mr. Gary, ordered that a message be sent to the Senate, proposing to ballot immediately for two Engrossing Clerks.

William Julius Alexander, one of the members of Mecklenburg county, appeared, produced his credentials, was qualified, and took his seat.

A message from the Senate, informing of the assent of that House to
ballot this morning for two Engrossing Clerks, and Messrs. Drake and Askew of Bertie attend this House as a committee on their part to conduct the balloting.

A message from the Senate, informing of the assent of that House to the proposition that the Governor's message be printed, one copy for each member.

Mr. Pool, from the committee appointed to superintend the balloting for two Engrossing Clerks, reported that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number.—The question to concur with the report passed in the affirmative.

A message from the Senate, by their Clerk Assistant, proposing that the two Houses ballot immediately for two Engrossing Clerks. The message was concurred in, and the Senate informed thereof by message; and also that Mr. Whitaker and Mr. Stedman compose the committee of superintendence on the part of this House; and that the name of Robert Helm is withdrawn from the nomination.

A message from the Senate, informing that Mr. Shober and Mr. Davenport wait on this House as superintendents on their part of the balloting for two Engrossing Clerks.

A message from the Senate, by their Clerk Assistant, proposing that the two Houses, at their meeting to-morrow morning, ballot for a Treasurer of this State, to supply the vacancy occasioned by the death of John Haywood, Esquire, and informing that John S. Haywood is in nomination for the appointment.

Ordered that a message be sent to the Senate, proposing to refer to a select joint committee of both Houses so much of the Governor's message as relates to the Tuscarora lands, and informing that Messrs. Hill, Stewart, White, Blackledge and Montgomery form the committee on the part of this House.

Mr. Whitaker, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that the committee had performed that duty; and that, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report passed in the affirmative.

Received from the Senate the report of the joint select committee appointed to prepare and report rules for the government of the intercourse between the two Houses; which, being read, was concurred in and returned to the Senate.

Received from the Senate, a message, by their Clerk Assistant, informing that they had appointed a committee of Finance, composed of Messrs. Love of Haywood, Deberry, Vanhook, Bethune, Owen, Spaight of Craven, Wilson of Edgecomb, and Bailey.

Received from his Excellency the Governor, by his Private Secretary, Mr. Campbell, the following communication:

To the honorable the General Assembly of the State of North-Carolina:

GENTLEMEN,—I have the honor herewith to transmit you certain resolutions from the States of Maine and Connecticut on the subject of internal improvement; also a communication from the State of Ohio, on the amendment of the Constitution of the United States.

I have thought it necessary also to communicate a letter from the State of Delaware, requesting an exchange of Laws. The Laws of almost all the States in the Union, both pamphlet and revisals, have been received at this Department for the
use of the State. For the want of adequate provision, we have not been able to re-
ciprocate, except by an exchange of pamphlet Acts. It is a subject which may just-
ly claim the attention of the Legislature.

With high consideration, I have the honor to be your obedient servant.

H. G. BURTON,

On motion, ordered that the foregoing message and documents be laid
on the table until to-morrow.

Mr. Jones, of Warren, from the select committee to whom was referred
the duty of preparing and reporting Rules of Order for the government of
this House, reported that the committee have had the subject under con-
sideration, and recommended to the adoption of the House the following
Rules, to wit:

1. The Speaker shall take the Chair every day, at the hour to which the House
shall have adjourned, and shall immediately call the members to order, and, on the
appearance of a quorum, shall cause the Journal of the preceding day to be read.—
He shall preserve order and decorum, and questions of order shall be decided by
the Speaker without debate, subject to an appeal to the House by any member, in
which case the Speaker may deliver his opinion in preference to any other member.
He shall rise to put a question, but may state it sitting. Questions shall be dis-
ently put in this form, to wit: “As many as are of opinion that (as the question may
be) say Aye;” and after the affirmative voice is expressed, “As many as are of the
contrary opinion, say No.” If the Speaker doubt, or a division be called for, the
House shall divide: those in the affirmative of the question shall rise from their
seats, and afterwards those in the negative. If the Speaker still doubt, or a count
be required, he shall name two members, one from each side, who shall tell the
members in the affirmative, and report their number: after which they shall tell the
members in the negative, and report their number; upon which the Speaker shall
rise and state the decision to the House.

2. In case of any disturbance or disorderly conduct in the gallery or lobby, the
Speaker or Chairman of the committee of the whole shall have power to order the
same to be cleared.

3. In all cases of ballot by the House, the Speaker shall vote. In other cases he
shall not vote, unless the House be equally divided; or unless his vote, if given to
the minority, will make the division equal; and in case of such equal division, the
question shall be lost.

4. When any member is about to speak in debate, or deliver any matter to the
House, he shall rise from his seat, and respectfully address himself to the Speaker.

5. If any member, in speaking, or otherwise shall transgress the rules of the
House, the Speaker shall, or any one member may, call him to order; in which
case the member so called to order, shall immediately take his seat, unless permit-
ted to clear a matter of fact, or to explain; and the House shall, if appealed to, de-
cide on the case, but without debate. If there be no appeal, the decision of the Chair
shall be submitted to. If the decision be in favor of the member called to or-
der, he shall be at liberty to proceed; if otherwise, and the case require it, he shall
be liable to the censure of the House.

6. When two or more members rise at the same time, the Speaker shall name the
member to speak.

7. No member shall speak more than twice on the same question without leave of
the House.

8. Whilst the Speaker is putting any question, or addressing the House, no per-
son shall speak or walk out, or across the House; nor, when a member is speaking,
entertain private discourse, or pass between him and the Chair.

9. No member shall vote on any question, unless within the bar of the House
when the same was stated; and the range of pillars on the north side of the Com-
mons Hall shall be considered the bar of the House.

10. Every member who shall be in the House when the question is stated, shall
give his vote, unless the House, for special reasons, shall excuse him.

11. When the yeas and nays are called for on any question, it shall be on motion
before the question is put, and, if seconded, the question shall be decided by yeas
and nays; and in taking the yeas and nays, or on a call of the House, the names of
the members shall be taken alphabetically.
12. When a motion is made and seconded, it shall be stated by the Speaker; or, if written, it shall be handed to the Chair, and read by the Clerk before debated.
13. Every motion shall be reduced to writing, if the Speaker or any two members desire it.
14. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn before a decision or amendment.
15. When a question is under debate, no motion shall be received but to adjourn, to lie on the table, postpone indefinitely, to postpone to a day certain, to commit or amend: which several motions shall have precedence in the order they stand arranged.
16. A motion to adjourn shall always be in order, except when the House is voting, and shall be decided without debate.
17. Any member may call for a division of the question when the same will admit of it, which shall be determined by the Speaker.
18. A motion for postponement or commitment, until it is decided, shall preclude all amendments of the main question.
19. Every bill shall be introduced by a motion for leave or by an order of the House.
20. Every bill shall receive three several readings in the House previous to its passage; but no public bill shall be twice read on the same day, without special order of the House.
21. No member shall, on motion, be at liberty to withdraw a public bill for amendment; but on suggestion made, that a public bill ought to be amended, it may, on motion, be committed; and every public bill, on motion made and seconded upon its second reading, shall be referred to a committee of the whole House.
22. A bill once rejected, another on the same subject shall not be brought in again this session; but when a question has been determined, either in the affirmative or negative, it shall be in order once only for any member in the majority to move the reconsideration thereof; provided it be done on the same or succeeding day.
23. When the reading of a paper is called for, which has been read in the House, and the same is objected to by any member, it shall be determined by a vote of the House.
24. The unfinished business in which the House was last engaged at the time of their adjournment, shall have the preference in the order of the day; and no motion or other business shall be received without leave of the House.
25. The Speaker shall direct and arrange the orders of the day, until the House shall otherwise order.
26. No member shall be called upon for words of heat spoken in the House, but on the day on which they were spoken; and decency of speech shall be observed, and personal reflections carefully avoided.
27. Any twenty members (including the Speaker) shall be authorised to compel the attendance of absent members.
28. No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or inability to attend.
29. Any member may excuse himself from serving on any committee at the time of his appointment, if he is a member of two standing committees.
30. In the nomination of committees, no member shall nominate more than one person to be of a committee.
31. Select Committees shall consist of five members; and it shall be the duty of the Speaker to name the members who shall compose the committee, except otherwise ordered by the House. The first person named shall be chairman of the committee, and it shall be his duty to cause the members thereof to be convened when necessary.
32. In forming the committee of the whole House, the Speaker shall appoint a Chairman, and leave the Chair.
33. The rules of proceeding in the House shall be observed in the committee of the whole, so far as they are applicable, except in limiting the times of speaking.
34. Whenever the Speaker, from fatigue or other causes, shall have occasion to leave the Chair, he shall name a member who shall discharge the duty thereof during his retirement.
35. The Clerk of the House shall be deemed to continue in office until another is appointed.

36. No standing order shall be rescinded without one day's notice given of the motion thereof.

37. When a bill is introduced to repeal a public law, or any part thereof, the law, or part intended to be repealed, shall be read at each separate reading of the bill.

38. Six standing committees shall be appointed at the commencement of the session, to wit: a committee of Claims, a committee of Propositions and Grievances, a committee of Education, a committee of Agriculture, a committee of Internal Improvement, and a committee of Privileges and Elections.

39. A select standing committee, consisting of seven members, shall be appointed at the commencement of the session by the Speaker, and be denominated "the Committee on the Judiciary."

40. All bills of a public nature, when ready for the second hearing, shall be noted to be read at least one day previous thereto; and then shall be first read for information, and afterwards paragraph by paragraph, and held open for amendment.

The question to concur with the report passed in the affirmative.

In conformity with the 39th Rule for the government of the House, six standing committees were appointed, to wit:


On motion, ordered that a message be sent to the Senate, informing that Messrs. John Pool, Wm. A. Blount, Alfred Moore, John Scott, John B. Troy, Anderson Mitchell, George E. Spruill, John D. Eccles, form the committee of Finance on the part of this House.

The House then adjourned until to morrow morning, 10 o'clock.

Friday, November 23, 1827.

On motion, ordered that a message be sent to the Senate, informing of the disagreement of this House with the proposition of the Senate to ballot this morning for a Public Treasurer, and proposing to ballot for that officer on Monday morning next.

A message from the Senate, proposing to ballot immediately for two Engrossing Clerks. The message was concurred in, and the Senate informed by message that Mr. White and Mr. Stewart form the committee of superintendence of the ballotting on the part of this House.

A message from the Senate, informing that Mr. Ramsay and Mr.
Hawkins form the committee on their part to superintend the balloting for two Engrossing Clerks.

On motion of Mr. Jones, of Warren,

Resolved, That so much of the Governor's message as relates to draining and reclaiming marsh or swamp lands, be referred to the committee on Internal Improvements; that so much of said message as relates to public instruction, be referred to the committee on Education; that so much of said message as relates to the administration of justice, be referred to the committee on the Judiciary; and that the several committees respectively report by bill or otherwise.

On motion of Mr. Fisher,

Resolved, That so much of the said message as relates to a communication from the American Minister at London, be referred to a joint select committee of three members from each House, with instructions to inquire what measures this Legislature should take, consistent with considerations of just policy, towards the publication of a History of North-Carolina; and that they report by bill or otherwise.

On motion of Mr. Newland, ordered that Mr. Newland, Mr. Taylor, Mr. Brevard, Mr. Marshall and Mr. Montgomery form the committee on Divorce and Alimony.

Received from the Senate, a resolution referring so much of the Governor's message as relates to the alteration of the Tariff, contemplated by the Woollen Bill, to a select joint committee; and informing that Messrs. Owen, Pickett, Spaight of Craven, Brodnax, and Speight of Greene, form the committee on their part. The resolution was read and concurred in, and a committee appointed, consisting of Mr. Settle, Mr. Eccles, Mr. Fisher, Mr. W. A. Blount and Mr. Wheeler, to join that appointed by the Senate.

Under direction of the 39th Rule of Order of the House, the Speaker appointed Mr. Jones of Warren, Mr. Morehead, Mr. Settle, Mr. Eccles, Mr. Spruill, Mr. Scott and Mr. Alexander as a committee on the Judiciary.

On motion, Mr. Moore, Mr. Hill and Mr. Donoho were selected by the Chair as members of the Library committee.

Mr. White, from the committee appointed to superintend the balloting for two Engrossing Clerks, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report passed in the affirmative.

A message from the Senate, proposing to ballot immediately for two Engrossing Clerks. The message was concurred in, and the Senate informed by message that Mr. Bateman and Mr. Gilmore attend the Senate as a committee of superintendence of the balloting on the part of this House.

A message from the Senate, proposing to appoint a joint select committee, to be styled the committee of Public Buildings; and informing that Messrs. Speight of Greene, Hinton, Burgin, Vanhook and Love form the committee on their part. The message was concurred in, and the Senate informed that Messrs. Lewis, Glisson, Gary, Bozman and Love form the committee on the part of this House.

A message from the Senate, informing that Mr. Hawkins and Mr. Drake form the committee on their part to conduct the balloting for two Engrossing Clerks.

Mr. M'Dearmid presented the certificate of the County Court of Cumberland, allowing Ann Morrison, a pensioner of the State, forty dollars
for the present year. On motion, ordered that the said certificate be countersigned by the Speaker and sent to the Senate.

A message from the Senate, agreeing to postpone the balloting for a Public Treasurer until Monday next, as proposed by this House; and also to appoint a joint select committee on so much of the Governor's message as relates to the Tuscarora lands; and informing that Messrs. Pickett, Askew of Bertie, Davenport, Harrell and Beasly form the committee on their part.

On motion of Mr. Brevard,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for the final settlement of the accounts of executors and administrators, in such manner as to secure the creditors a just and equal proportion of their debts and demands, according to their respective amounts, out of the assets in the hands of such executors and administrators; and that they report by bill or otherwise.

And on the motion of Mr. Alexander,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the laws, as to subject the assets in the hands of an executor or administrator to attachment.

Mr. Gilmore, from the committee appointed to conduct the balloting for two Engrossing Clerks, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared William J. Cowan had a majority of the whole number, and was duly elected. The question to concur with the report passed in the affirmative.

A message from the Senate, proposing to ballot immediately for one Engrossing Clerk. The message was concurred in, and the Senate informed that Mr. Barnard and Mr. Webb attend the Senate as a committee on the part of this House to superintend the balloting.

A message from the Senate, informing that Mr. Shober and Mr. McEachin attend this House as a committee on their part to superintend the balloting for one Engrossing Clerk.

Mr. Gold presented the petition of John Hardcastle, Esq. and others, of the county of Rutherford, praying that the said Hardcastle be restored to the privileges of a citizen, which were forfeited by a conviction in the Superior Court of said county. Mr. Gold also presented the petition of Charles Lewis, of Rutherford county, on the subject of a public road passing through his land. Mr. Clayton presented the petition of Wm. Fetherston and others, of the county of Buncombe, praying to be authorised to open a cart way to a public mill. These petitions were read, and, on motion, ordered to be referred to the committee of Propositions and Grievances.

Mr. Salmons presented the petition of John Powers; and Mr. Allen, of Buncombe, presented the petition of William Roberts, respectively praying to be divorced from their wives. These petitions were read, and, on motion, referred to the committee on Divorce and Alimony.

Mr. Neill presented the petition of a number of the citizens of Rutherford county, praying to be authorised to alter the direction of a public road, laid out by certain commissioners under the authority of an act passed at the last session of the Legislature; and Mr. Allen, of Buncombe, presented the petition of Thomas Sharp, of said county, praying to be placed on the pension list of the State. These petitions were read, and, on motion, ordered to be referred, the former to the committee on Internal Improvement, the latter to the committee of Claims.
The resignations of Reuben Walton, Lieutenant-Colonel of Cavalry in the 16th Brigade of militia; Samuel Mercer, Colonel of the 2d Regiment of the 1st Brigade of Infantry; John Windsor and Samuel Young, of Rockingham County; Samuel Mercer, of Camden County; Jacob Baldwin, of Ashe County; William R. Reed, of Currituck County; Terrill Wilkins, of the county of Rutherford; William Gryen, of Martin County; William Thomas, of Richmond County; James Harper and J. Speight, of Greene County; J. M. Greenlee, of Burke County; and D. Griffin, of Le Noir County, Justices of the Peace, were read and accepted.

The House then adjourned until to-morrow morning, 10 o'clock.

Saturday, November 24, 1827.

Mr. Barnard, from the committee appointed to superintend the balloting for one Engrossing Clerk, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report passed in the affirmative.

On motion of Mr. Bateman, ordered that a message be sent to the Senate, proposing to ballot immediately for one Engrossing Clerk, and informing that the names of Messrs. Hodges, Jasper, Covington and Lilly are withdrawn from the nomination.

Benjamin Sharp, one of the members of Edgecomb County, appeared, produced his credentials, was qualified, and took his seat.

A message from the Senate, agreeing to ballot immediately for one Engrossing Clerk, and informing that Mr. Burney and Mr. Neill form the committee on their part to conduct the balloting. On motion, ordered that a message be sent to the Senate, informing that Mr. Taylor and Mr. Brevard form the committee on the part of this House to superintend the balloting.

Mr. Moore presented the report of the commissioners appointed under direction of an act of the last session, on the practicability and probable expense of uniting the waters of Lockwoods Folly and the waters of Elizabeth River by a canal. The report was read, and, on motion, referred to the committee on Internal Improvements.

On motion of Mr. Glisson, ordered that a message be sent to the Senate, proposing that a ballot take place on Tuesday next for a Comptroller of the public accounts for the ensuing year, and informing that John L. Henderson, James Legrand, James Grant, David Stone, Ja's Howze, John H. Green and Samuel Smith Downey are in nomination for the appointment.

Mr. Barnett presented the petition of Thomas Searcy, clerk of the Superior Court of Rockingham County, praying for the payment of the costs of a suit instituted in said court by the Adjutant General against General Bethell on behalf of the State. Ordered that the said petition be referred to the committee of Claims.

Mr. Taylor, from the committee appointed to conduct the balloting for one Engrossing Clerk, reported that the committee had performed that duty; and that, on examining the ballots, it appeared Thomas Dewes had a majority of the whole number, and was duly elected. The question to concur with the report passed in the affirmative.

On motion of Mr. Donoho, ordered that a message be sent to the Sen-
ate, proposing to refer to a select joint committee so much of the Governor's message as relates to the Cherokee Lands; and informing that Mr. Donoho, Mr. Allen, of Buncombe, Mr. Allen, of Montgomery, Mr. Jones, of Rowan, and Mr. Bynum form the committee on the part of this House.

On motion of Mr. Montgomery, ordered that a message be sent to the Senate, informing that the name of Ambrose K. Ramsay is added to the nomination for Comptroller.

On motion of Mr. Perry,

Resolved, That the committee on Education be instructed to inquire into the state of the Literary Fund, and report to this House at an early day of the Session.

A message from the Senate, informing of the assent of that House to ballot on Tuesday next for Comptroller, and informing that the name of Thomas Blackwell is added to the nomination.

Mr. Clayton presented the petition of Jane Wilson; and Mr. A. Williams presented the petition of Phebe M'Kaughan, of Guilford county, respectively praying to have property secured to them from the claim or disposition of their husbands. On motion, ordered that these petitions be referred to the committee on Divorce and Alimony.

Mr. White presented the following resolution:

Resolved, That all petitions, memorials and other papers addressed to the House, shall be presented by the Speaker or by a member in his place, a brief statement of the contents thereof shall be verbally made by the introducer, and the petition, memorial or other paper shall not be read, unless so ordered by the House.

The question to concur with the resolution passed in the negative.

On motion of Mr. Montgomery,

Resolved, That all resignations presented to and read in this House shall be considered as accepted without a question from the Chair, unless a question be called for.

Mr. Neil presented the petition of Samuel Patton, of Burke county, and others, praying, for reasons stated in the petition, that the said Patton be permitted to retail spirituous liquors free from tax. The petition was read, and, on motion, ordered to be referred to the committee of Propositions and Grievances.

On motion of Mr. Taylor,

Resolved, That the Speaker of the House assign suitable seats to one or more statenongraphers within the bar of the House.

The resignations of B. Wilkinson, Lieutenant Colonel of the second regiment, and W. R. Bullock, Major of the first regiment of the Edgecombe militia, and R. Pittman, justice of the peace for said county, were presented, read, and accepted.

On motion of Mr. Boykin,

Resolved, That a select committee, to be styled the Military committee, be appointed, and that Messrs. Boykin, Bateman, Sharpe, Hampton and Whitaker form the committee on the part of this House.

The House then, on motion, adjourned until Monday morning, 10 o'clock.

MONDAY, NOVEMBER 26, 1827.

On motion of Mr. Spruill, ordered that Mr. Jones, of Warren, have leave of absence from Saturday last until Saturday next.

On motion, ordered that a message be sent to the Senate, informing that Mr. Mann and Mr. Wheeler wait on the Senate as a committee on the part of this House to superintend theballoting for Public Treasurer, and that the name of James Seawell is added to the nomination.
Received from his Excellency the Governor, by his Private Secretary, Mr. Campbell, the following communication:

To the Honorable the General Assembly of the State of North Carolina.

Gentlemen,—I have the honor herewith to transmit the report of the commissioners appointed under the act of the last Session, which prescribed the mode of surveying and selling the lands acquired from the Cherokee Indians.

With high consideration, your ob't servant,

H. G. BURTON.

Executive Department, 9
Nov. 20, 1827

On motion, ordered that the said communication be referred to the committee on the Cherokee Lands.

A message from the Senate, informing that Mr. Nuttall and Mr. Ramsay attend this House as a committee on their part to superintend the ballotting for Public Treasurer.

Mr. Brittain presented the following resolution:

Resolved, That the Public Treasurer be directed to pay to Joseph Welch and Mark Coleman out of the fund set apart for Internal Improvements the sum of one hundred dollars, paid by them to William Gaston, of Newbern, for defending the suits in the Supreme Court, in which Euchella, Tunoguska, Cherokee Indians, were plaintiffs, and they were defendants.

On motion, ordered that the said resolution be referred to the committee of Claims.

A message from the Senate, informing that the name of Archibald M'Nair is added to the nomination for Comptroller of Public Accounts.

A message from the Senate, informing that they had passed the engrossed bill to prevent the falling of timber in, or otherwise obstructing the run of Carraway creek, in Randolph county, and asking the concurrence of this House. The said bill was, on motion, read the first and second times, and the question, shall the said bill pass its several readings? was determined in the affirmative.

Mr. Bozman presented several depositions in relation to the seat of Abner N. Vail, one of the members returned from the county of Washington in this House. On motion, ordered that the said depositions be referred to the committee of Privileges and Elections.

Received from the Senate the following resolution:

Resolved, That a joint select committee be appointed to inquire into the expediency of amending and consolidating the several acts of the General Assembly respecting the Treasury Department, and that the said committee be instructed to examine the books of the Treasury, the monies in the Treasury Office, and the sums deposited in the different Banks to the credit of the State; and that Messrs. Pickett, Owen, Speight of Greene, Wilson of Edgecomb, and Gray, form the committee on their part.

The said resolution was read and concurred in, and the Senate informed by message, that Messrs. Fisher, Spruill, Alexander, Morehead and White form the committee on the part of this House.

Mr. Mann, from the committee appointed to superintend the ballotting for Public Treasurer for the ensuing year, reported that the committee had performed the duty assigned to them, and on examining the ballots, it appeared a majority of the whole number was in favor of John S. Haywood, who was duly elected. The question to concur with the report passed in the affirmative.

On motion of Mr. Wheeler,

Resolved, That the committee on Internal Improvements be, and they are hereby directed to inquire into the most practicable plan of opening a communication between the Albemarle Sound and the Atlantic Ocean.
On motion of Mr. Jones, of Rowan,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the existing laws on the subject of compensating prosecuting officers as to secure the fees due on the conviction of insolvents.

The bill to prevent the falling timber in or otherwise obstructing the run of Carraway creek, in Randolph county, was read the third time, and the question, shall the said bill pass its third and last reading? passed in the affirmative. Ordered that the said bill be enrolled.

Mr. Barnett presented the petition of John Pilcher, of Rockingham county; Mr. Hardy presented the petition of Olly Graves, of Pasquotank county; Mr. Love presented the petition of Mary Bryant, of Haywood county; Mr. Blackledge presented the petition of Thomas Tuton; and Mr. Newland presented the petition of Hugh Reed, of Burke county, respectively, for reasons stated in their petitions, praying to be divorced. The said petitions were read, and, on motion, ordered to be referred to the committee on Divorce and Alimony.

Mr. Stewart presented the following resolution:

Whereas, much dissatisfaction prevails as regards the unequal operation of the laws now in force regulating the fisheries on the Roanoke and Cashie rivers, and the Albemarle Sound;

Resolved therefore, That this subject be referred to a committee of this House, composed of the members from Halifax, Bertie, Martin, Northampton, Washington, Hertford and Chowan, and that they have leave to report by bill or otherwise.

The question to concur with the said resolution was determined in the affirmative.

The resignation of John W. Roper, Colonel Commandant of the 11th regiment of the 13th brigade of the militia; Thomas Tillet and H. W. Cotter, of Currituck county; Joseph Tripp, of Beaufort county; and Turner Pullen, of Wake county, justices of the peace, were presented, read and accepted.

On motion of Mr. Clayton, ordered that Mr. Allen, of Buncombe, have leave of absence from the services of this House for this day.

The House then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, NOVEMBER 27, 1827.

On motion, ordered that a message be sent to the Senate, informing that Mr. Stewart and Mr. Blackledge form the committee to conduct the ballot for a Comptroller of Public Accounts on the part of this House, that the name of Robert W. Goodman is added to the nomination, and that of Samuel Smith Downey is withdrawn.

On motion of Mr. Cooper,

Resolved, That a select joint committee, consisting of three members on the part of each House, be appointed to inquire and report to this House whether John M'Raie, of the town of Fayetteville, has complied with that part of the resolution of the last General Assembly for a loan of five thousand dollars to the said John M'Raie, to aid him in the publication of a map of the State, requiring him to execute a bond, with good and sufficient security, for the completion of said map under certain conditions.

Resolved, That Messrs. Cooper, Barnett and King form the committee on the part of this House.

A message from the Senate, informing that Mr. Speight of Greene, and Mr. Hinton form the committee on their part to superintend the ballotting for a Comptroller of the Public Accounts.

On motion of Mr. Perry,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending the laws relative to administrators, as to enable them to vent out the lands of their intestates from the death of the intestate until a guardian is appointed to the heirs at law, and further to enable administrators and executors to receive all sums of money in the hands of Clerks and Masters in Equity, arising from the sale of the lands of their testators or intestate by a decree of the Courts of Equity, and to report by bill or otherwise.

Mr. Bemmers moved for leave and presented a bill to authorize the building of a bridge across Neuse river at the place therein mentioned, and for other purposes. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

On motion of Mr. Fuy,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law for the arranging, revising and digesting the whole body of public and statute law of North-Carolina, commencing with the earliest English statute in force in this State, and for the compiling under one head all laws and clauses of laws in force on any one subject, with references to the year when such laws were passed; and that they report by bill or otherwise.

Mr. Stewart, from the committee appointed to superintend the balloting for a Comptroller, reported that the committee had performed that duty; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again for a Comptroller of public accounts. The message was concurred in, a committee appointed, consisting of Mr. Gary and Mr. Hardy to conduct the ballotting on the part of this House, and the name of David Stone withdrawn from the nomination, and the senate informed thereof by message.

On motion of Mr. Bynum,

Resolved, That the committee of Finance be instructed to examine into all disbursements of the public money within the preceding fiscal year, for the purpose of ascertaining whether such disbursements have been made under proper authority; and whether there have been made any improvident or improper disbursements by reason of any misconstruction or defects in the law, which may require legislative interposition; and that they be required to report to this House the result of said inquiry.

A message from the Senate, informing that Mr. Speight, of Greene, and Mr. Hinton form the committee on their part to superintend the balloting for Comptroller.

On motion of Mr. Allen, of Montgomery,

Resolved, That a select committee be appointed to inquire into the expediency and necessity of establishing a medical board in this State, for the purpose of granting licenses to persons hereafter wishing to engage in the practice of medicine; and that the said committee report by bill or otherwise; and that Messrs. Allen of Montgomery, Hardy, Washington and Glasgow form this committee.

Mr. Gary, from the committee appointed to superintend the ballotting for Comptroller, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report, was determined in the affirmative. On motion of Mr. Gary, ordered that a message be sent to the Senate, proposing to ballot again for Comptroller.

On motion of Mr. Brevard,

Resolved, That the committee on Military Affairs inquire into the expediency of so altering the militia laws compelling officers commanding companies to exercise their respective companies three hours on each parade day, to one hour; and that they report by bill or otherwise.

A message from the Senate, informing of the assent of that House to ballot immediately for comptroller, and that Mr. Franklin and Mr. Askew, of Bertie, attend this House as a committee, on their part, to superintend
the balloting. On motion, ordered that the Senate be informed by mes-
sage that Mr. Borden and Mr. Love form the committee on the part of
this House, to superintend the ballot.

Received from his excellency the Governor, by his private Secretary
Mr. Campbell, the following communication:

To the Honorable the General Assembly of the State of North-Carolina,

Gentlemen,—I have the honor herewith to transmit the reports relative to the swamp
lands, communicated to the Board of Internal Improvements by the gentlemen who have
been employed in surveying them.
The Board cannot close their general report before they shall have received their accounts
and vouchers from below Wilmington, and shall have also closed the accounts of the ex-
penditures relative to the swamp lands.

In that general report, they contemplate offering their views to the Legislature as to
what swamps should be selected, on the best mode of draining them, and on other points
intimately connected with this subject.

With high consideration, I have the honor to be your obedient,

H. G. BURTON.

Executive Department, N. C. 27th Nov. 1827.

On motion of Mr. Fisher, ordered that the said message and accom-
panying documents be sent to the Senate, with a message that they be
printed, three copies for each member.

William Watts Jones, one of the members of New Hanover county,
appeared, produced his credentials, was qualified, and took his seat.

On motion of Mr. Taylor,

Resolved, That the committee on Military Affairs be directed to inquire into the
expedience of so amending the present laws, as to reduce the number of petty mus-
ters in each year to one; and for that muster to precede the general muster by a
period not exceeding three months.

Mr. Love, from the committee appointed to conduct the ballot for
Comptroller, reported that the committee had performed the duty assign-
ed to them; and that it appeared, from an examination of the ballots, neith-
er of the candidates had a majority of the whole number. The ques-
tion to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again immediately for
Comptroller. The message was concurred in, and the Senate informed
by message that Mr. Hill of Wilmington and Mr. Scott attend the Senate
as a committee on the part of this House to superintend the ballot.

Abner N. Vail, one of the members of Washington county, appeared,
produced his credentials, was qualified, and took his seat.

A message from the Senate, informing that Mr. Alexander and Mr.
Bailey attend this House as a committee on their part to superintend the
ballot for Comptroller.

On motion of Mr. Fisher,

Resolved, That the committee on Internal Improvements inquire into the expe-
diency of causing a survey to be made, with the view of ascertaining the best line
for a rail road from some point on the Yadkin river above the Narrows to the town
of Fayetteville; and that they report by bill or otherwise.

Mr. Alexander presented the petition of James W. Mills, of Mecklen-
burg county; and Mr. Little, the petition of Winifred Everett, of Anson
county, respectively praying to be divorced. On motion, ordered that
these petitions be referred to the committee on Divorce and Alimony.

Mr. Clayton presented the petition of sundry citizens of the county of
Buncombe, praying for the alteration of one of the lines circumscribing
the limits of the first and second regiments in said county. Mr. Allen, of
Buncombe, presented the petition of sundry citizens of Buncombe county.
and the adjoining counties in this State, and also of sundry citizens of the State of Tennessee, on the subject of keeping open and in repair the road leading from Allen's chartered road, in Tennessee, to Barnett's Station, in this State, &c. These petitions were read, and, on motion, referred, the former to the Military committee, the latter to the committee on Internal Improvements.

Mr. Cox presented the petition of John M'Daniel, of Jones county, praying to be restored to the privileges forfeited in consequence of a conviction of petit larceny. On motion, ordered that said petition be referred to the committee of Propositions and Grievances.

Received from the Senate, a message, that they had passed the engrossed bill, entitled "a bill to restore to credit John Castevens, of Surry county," and asking the concurrence of this House. The said bill was read for the first, second and third readings in this House, and the question shall the said bill pass its several readings was determined in the affirmative. On motion, ordered that the said bill be enrolled.

On motion of Mr. Webb,

Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of amending the law on the subject of Divorce and Alimony, as to give exclusive jurisdiction to the Superior Courts on those subjects.

The bill to authorize the building of a bridge across Neuse river at the place therein mentioned, and for other purposes, was read the second time, and the question, shall the said bill pass its second reading was determined in the affirmative.

Mr. Benners presented a bill to repeal an act of the General Assembly, passed in the year 1816. The said bill was read the first time, and the question, shall the said bill pass was determined in the affirmative.

Mr. Morehead presented a bill to subject bail to costs. The said bill was read, and, on motion of Mr. Gary, ordered to be referred to the committee on the Judiciary.

The resignation of James White, justice of the peace for the county of Sampson, was presented, read and accepted.

On motion of Mr. Spruill, ordered that a message be sent to the Senate, proposing that so much of the Governor's message of the 22nd inst. as relates to the exchange of laws, be referred to the Library committee.

The House then adjourned until to-morrow morning, 10 o'clock.

Wednesday, Nov. 28, 1827.

Mr. Hill, of Wilmington, from the committee appointed to superintend the balloting for Comptroller, reported that the committee had performed that duty; and that, on examining the ballots, it appeared that neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Busbee, ordered that a message be sent to the Senate, proposing to ballot this morning for Comptroller.

A message from the Senate, consenting to ballot for Comptroller this morning, and informing that Mr. Hinton and Mr. Reinhardt attend this House as a committee on their part to conduct the balloting.

On motion, ordered that the Senate be informed by message, that Mr. Busbee and Mr. Leonard form the committee of superintendence of the balloting for Comptroller on the part of this House.

On motion of Mr. Alexander, ordered that a message be sent to the
Senate, proposing to ballot on Monday next for a Brigadier General of the 14th brigade, to supply the vacancy occasioned by the death of Gen. Covington.

Mr. Hardy moved for leave, and presented a bill to establish a poor house in the county of Pasquotank. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Troy, with leave, presented a bill making it the duty of Major Generals to review the second regiment of Randolph militia at their usual muster grounds. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

A message from the Senate, agreeing to the proposition of this House to have printed the communication of the Governor in relation to the swamp and marsh lands, and the accompanying documents.

Mr. Boykin, with leave, presented a bill to compel the officers of Sampson county to hold their respective offices at the Court House. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

A message from the Senate, informing that they had passed the engrossed bill to keep open the Tuckaseegee river, the Tennessee river, and their tributary streams, in the county of Haywood, and asking the concurrence of this House.

Mr. Leonard, from the committee appointed to conduct the balloting for Comptroller, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again immediately for Comptroller. The message was agreed to, and the Senate informed that Mr. Lewis and Mr. Speller form the committee of superintendence on the part of this House.

A message from the Senate, informing that Mr. Brodnax and Mr. Holmes attend this House as a committee on their part to superintend the balloting for Comptroller.

The engrossed bill to keep open the Tuckaseegee river, the Tennessee river, and their tributary streams, in the county of Haywood, was read the first time, and the question shall the said bill pass? was determined in the affirmative.

The bill to authorise the building a bridge across Neuse river, at the place therein mentioned, and for other purposes, was read the third time, and the question shall the said bill pass? was determined in the affirmative. On motion, ordered that the said bill be engrossed and sent to the Senate for concurrence.

The bill to establish a poor house in the county of Pasquotank, was read the second and third times, and the questions shall the said bill pass its several readings? were determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

Received from the Senate, a resolution assigning certain rooms in the State House to the use of the Engrossing Clerks and Door-keepers. The resolution was read and concurred in.

Mr. Allen, of Buncombe, presented the petition of William Justice, of
Buncombe county, praying, for reasons stated in his petition, to be divorced from his wife Esther; and Mr. Donoho presented the petition of Susanna Suddath, of Caswell county, praying to have secured to her such property as she may acquire, free from the claim or disposition of her husband. These petitions were read, and, on motion, referred to the committee on Divorce and Alimony.

Mr. Lewis, from the committee appointed to conduct the balloting for Comptroller, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Lewis, ordered that a message be sent to the Senate, proposing to ballot again immediately for Comptroller.

Mr. Brittain presented the petition of Thomas Brown, of Haywood county, praying to be authorised to erect two gates across a public road passing through his land. On motion, ordered that the said petition be referred to the committee of Propositions and Grievances.

A message from the Senate, consenting to ballot for Comptroller, and informing that Mr. Williams of Martin and Mr. Franklin form the committee on their part to superintend the balloting. On motion, ordered that the Senate be informed by message that Mr. Marshall and Mr. Burke wait on the Senate as superintendents of the balloting on the part of this House.

On motion of Mr. Perry,

Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of aiding, by a grant of money, in the completion of a road from Hertford, in Perquimons county, to the mouth of the Dismal Swamp Canal; and also of a road from Hertford to Elizabeth City; and that they report by bill or otherwise.

On motion of Mr. Hill, of Wilmington,

Resolved, That the committee on Public Buildings be instructed to inquire into the propriety of providing suitable furniture for the Conference Chamber, and of making the necessary repairs in said Chamber; and that they report by resolution, bill or otherwise.

Mr. Marshall, from the committee appointed to conduct the balloting for Comptroller, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again immediately for Comptroller. The message was concurred in, and the Senate informed that Mr. Jones of Rowan and Mr. Montgomery attend the Senate as a committee of superintendence of the balloting on the part of this House.

A message from the Senate, informing that Mr. Sherard and Mr. Salley form the committee on their part to superintend the balloting for Comptroller.

The bill making it the duty of major generals to review the second regiment of Randolph militia at their usual muster ground, was read the second time and passed. On motion, the said bill was read the third time, and the question, shall the said bill pass? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

On motion of Mr. Smith,

Resolved, That the committee on Military Affairs be instructed to inquire into the expediency of so amending the militia laws of this State as to compel the people called Qua-
The bill to compel the officers of Sampson county to hold their respective offices at the court house, was read the second time and passed. On motion, ordered that the said bill be read the third time, and the question, shall the said bill pass? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

The bill to repeal an act of the General Assembly, passed in the year 1816, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.

The resignations of John Wiley, colonel of the regiment of cavalry attached to the 16th brigade; Jesse H. Simmons, colonel commandant of the second regiment of the Halifax militia; David Underwood and Archibald Calquichoughn, of Sampson county; A. Vanhoy, of Stokes county; and Robert B. Davis, of Washington county, justices of the peace, were presented, read and accepted.

Received from the Senate, a message, agreeing to refer that part of the Governor's message of the 22d instant, which relates to the interchange of laws, to the joint select committee on the Public Library; and also agreeing to the proposition of this House to ballot on Monday next for a brigadier general of the 14th brigade, to supply the vacancy occasioned by the death of General Covington.

Received from the Senate, a message, informing of the dissent of that House to appoint a select joint committee of both Houses, to inquire and report whether John McRae, of the town of Fayetteville, has complied with that part of the resolution of the last General Assembly for a loan of five thousand dollars to aid him in the publication of a map of the State, requiring him to execute a bond with good and sufficient security for the completion of said map, under certain conditions, and proposing that the said subject or inquiry be referred to the committee of Finance.

The question to concur with the reference made by the Senate, passed in the affirmative, and the Senate was informed thereof by message.

The House then adjourned until to-morrow morning, 10 o'clock.

Thursday, November 29, 1827.

Mr. Jones, of Rowan, from the committee appointed to superintend the ballots for Comptroller, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report, was determined in the affirmative. On motion of Mr. Cooper, ordered that a message be sent to the Senate, proposing to ballot immediately for Comptroller.

On motion of Mr. Cox,

Resolved, That a select committee, consisting of five members of this House, be appointed, and directed to inquire into the expediency of amending the existing patrol laws of this State; and that they report by bill or otherwise.

Resolved, That Messrs. Cox, Speller, N. G. Smith, Borden and Troy form this committee.

A message from the Senate, informing that Mr. Beasly and Mr. Montgomery attend this House as superintendents on their part of the balloting for Comptroller. On motion, ordered that the Senate be informed by message that Mr. Scott and Mr. Tillett form the committee on the part of this House to superintend the balloting for Comptroller.
Mr. Gold, in pursuance of a petition, presented a bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

On motion of Mr. Bynum,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of providing by law, for a certain number of peremptory challenges in all capital pleas of the State.

Received from the Senate, a resolution, authorising the joint select committee, appointed to examine the accounts of the Treasury, to send for persons and papers, and to use all necessary means to insure a full and fair investigation of the subject to them committed. The resolution was read and concurred in, and returned to the Senate.

Received from the Senate, a resolution for the purpose of raising a select joint committee, to inquire whether this Legislature can consistently permit any part of the territory within the chartered limits of this State, to be erected into a separate State, or part of a State, which will not be amenable to the Constitution and laws of this State, or of the United States. Resolved further, That said committee be instructed to inquire whether the Legislature of this State possess the power to extend its jurisdiction and laws to all persons of whatsoever description, who reside within its chartered limits. The resolution was read, concurred in, and a committee appointed, consisting of Mr. W. W. Jones, Mr. Settle, Mr. Blackledge, Mr. Jones of Warren and Mr. Benners, on the part of this House.

Mr. Scott, from the committee appointed to superintend the balloting for Comptroller, reported that the committee had performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Newland, ordered that a message be sent to the Senate, proposing to ballot again immediately for Comptroller.

A message from the Senate, informing of the consent of that House to ballot immediately for Comptroller, and that Mr. Davenport and Mr. Burney form the committee of superintendence of the balloting on their part.

On motion, ordered that the Senate be informed by message, that Mr. White and Mr. Bozman form the committee to superintend the balloting for Comptroller on the part of this House.

Mr. White, from the committee appointed to superintend the balloting for Comptroller, reported that the committee had performed that duty, and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Jones, of Warren, ordered that a message be sent to the Senate, proposing to ballot again immediately for Comptroller.

A message from the Senate, informing of the assent of that House to ballot immediately for Comptroller.

On motion, ordered that the Senate be informed by message, that Mr. Marshall and Mr. Seawell form the committee to conduct the balloting for Comptroller on the part of this House.
Mr. Gold, with leave, and in pursuance to a petition, presented a bill to alter the names of Lindsey Green Jenkins and Edward Tidwell, orphans, of the county of Rutherford. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. N-ill presented a bill compelling the Sheriff of Burke county to give written summonses to jurors; which was read the first time and passed.

Mr. Marshall, from the committee appointed to conduct the balloting for Comptroller, reported that the committee had performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Gary, ordered that a message be sent to the Senate, proposing to ballot again immediately for Comptroller.

The name of John Green, on the motion of Mr. Stedman, was withdrawn from the nomination for Comptroller.

A message from the Senate, informing of the assent of that House to ballot immediately for Comptroller, and informing that Mr. Shober and Mr. MMillan attend this House as a committee on their part to conduct the balloting.

On motion, ordered that a message be sent to the Senate, informing that Mr. Barnard and Mr. Underwood form the committee of superintendence of the balloting for Comptroller on the part of this House.

A message from the Senate, informing that they had passed the engrossed bill to legitimize Duncan Melvin and others, of the county of Bladen, and asking the concurrence of this House. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

On motion of Mr. Morehead, ordered that a message be sent to the Senate, proposing that the two Houses ballott on Saturday next for a Governor of the State for the ensuing year, and informing that James Iredell and Richard D. Spaight are in nomination for the appointment.

Mr. Boykin, from the Military committee, to whom was referred the petition of Reuben Ballard, and others, of Buncombe county, reported that the committee had had the said petition under consideration, and instructed him to report a bill in conformity with the prayer thereof, entitled "a bill to alter the boundary line between the first and second regiments of Buncombe militia." The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Harper, with leave, presented a bill to amend an act, entitled "An act to establish an Academy in the town of Snow Hill, in the county of Greene," passed in the year 1812, chapter 94; and Mr. Allen, of Buncombe, presented a bill repealing an act, passed in 1819, chapter 790, entitled "An act fixing the sum hereafter to be paid to the State for vacant lands." The said bills were read each for their first readings, and the questions, shall the said bills pass? were determined in the affirmative.

Mr. Barnard, from the committee appointed to superintend the balloting for Comptroller, reported that the committee had performed the duty assigned to them; and that, on examination of the ballots, a majority of the whole number was found to be in favor of James Grant, who was duly
elected. The question to concur with the report was determined in the affirmative.

The resolution directing the committee on Public Buildings to inquire into the propriety of providing suitable furniture for the Conference Chamber, &c. was returned from the Senate, concurred in.

Mr. Settle, with leave, presented a bill to give jurisdiction to the Superior Courts in certain cases. The said bill was read, and, on the motion of Mr. Morehead, referred to the committee on the Judiciary.

The engrossed bill to keep open the Tuckasegee river, the Tennessee river, and their tributary streams, in the county of Haywood, was read the second and third times, and the question, shall the said bill pass its several readings, was determined in the affirmative. Ordered that the said bill be enrolled.

The bill to repeal an act of the General Assembly, passed in the year 1816, was read the third time, and the question, shall the said bill pass? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

Mr. Leonard presented the petition of Jonathan Bryan, of Wilmington; and Mr. Marshall presented the petition of Elizabeth Burgess, respectively praying to be divorced. Ordered that these petitions be referred to the committee on Divorce and Alimony.

Mr. Love presented the petition of sundry citizens of Haywood county, praying for the appropriation of one thousand dollars to open a road; and Mr. Fisher presented the petition of John B. Ogg, of the town of Norfolk, in the State of Virginia, praying that certain certificates in his possession, issued by the commissioners appointed to settle the claims of the officers and soldiers of the line of this State in the war of the revolution, be taken up and paid by the State. These petitions were read, and the former referred to the committee on Internal Improvements, the latter to the committee of Claims.

The resignation of Britton Jones, of Camden county, justice of the peace, was presented, read and accepted.

The House then adjourned until to-morrow morning, 10 o'clock.

---

**Friday, November 30, 1827.**

Mr. Newland, from the committee on Divorce and Alimony, to whom was referred the petition of Phoebe M'Kaughan, of Guilford county, reported that the committee, according to order, had had the said petition under consideration, and instructed him to report a bill in pursuance to the prayer of the petition, entitled "a bill to secure to Phoebe M'Kaughan, of Guilford county, such property as she may hereafter acquire," and to recommend its passage. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

The bill to alter the boundary line between the first and second regiments of Buncombe militia, was read the second and third times, and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

The bill to amend an act, entitled "An act to establish an Academy in the town of Snow Hill, in the county of Greene," passed in the year 1812, chapter 94, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.
Mr. Bynum, from the committee of Claims, to whom was referred the petition of Thomas Scarey, Clerk of the Superior Court of the county of Rockingham, reported that the committee, according to order, had considered the said petition, and instructed him to report a bill in pursuance to the prayer of the petition, entitled "a bill to authorise the Public Treasurer to pay to Thomas Scarey, the costs of a suit wherein the State was plaintiff" and Gen. Wm. Bethell, defendant." The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

The bill repealing an act, passed in 1818, chapter 790, entitled "An act, fixing the sum hereafter to be paid to the State for vacant lands," was read and ordered to be laid on the table.

Received from the Senate, the certificate of the Clerk of Chowan County Court, in favor of Elenor Truelove, allowing her the usual pension of ninety dollars for the present year, countersigned by the Speaker. The said certificate was read, and, on motion, ordered to be countersigned by the Speaker of this House, and returned to the Senate.

The bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened, a public road from Lincolnton to Rutherfordton; also the bill to alter the names of Lindsey Green Jenkins and Edward Tidwell, orphans, of the county of Rutherford; and also the bill compelling the Sheriff of Burke county to give written summons to jurors, were respectively read the second time, and the questions, shall the said bills pass? were determined in the affirmative.

Mr. Eccles presented the certificate of the County Court of Cumberland, in favor of Isabella Campbell, a pensioner of the State, allowing her a pension of forty dollars for the present year. The said certificate was read and ordered to be countersigned by the Speaker, and sent to the Senate for concurrence.

A message from the Senate, informing of the disagreement of that House to the proposition to ballot on Monday next for Governor of the State for the ensuing year; and proposing that the Governor be balloted for on Tuesday next. The proposition was concurred in, and the Senate informed thereof by message.

On motion of Mr. Scott,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing more effectually for the payment of jailors' fees; and that they have leave to report by bill or otherwise.

Mr. Cooper presented the following resolution:

Resolved, That the Clerk of this House be compelled to read all petitions, which accompany bills to legitimate children, without a special order of the House.

The question to concur with the said resolution, was determined in the negative.

A message from the Senate, informing that they had passed an engrossed bill to authorise the County Court of Hyde to order all deeds, bills of sale, divisions of lands and other instruments of writing that have been lost by fire, or otherwise destroyed in the register's office, to be registered anew, and for other purposes, and asking the concurrence of this House. The said bill was read for its first reading, and the question shall the said bill pass its first reading? was determined in the affirmative.

The bill to alter the names of Lindsey Green Jenkins and Edward Tidwell, orphans, of the county of Rutherford; also the bill compelling the
sheriff of Burke county to give written summonses to jurors; also the bill to amend an act, entitled "an act to establish an academy in the town of Snow Hill, in the county of Greene," passed in the year 1812, chapter 94; and also the bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton, were respectively read the third time, and the questions shall the said bills pass? were determined in the affirmative. Ordered that the said bills be engrossed and sent to the Senate for concurrence.

Mr. Leonard, with leave, presented a bill to repeal the several laws of this State relative to the inspection of produce. The said bill was read the first time, and the question shall the said bill pass? was determined in the affirmative.

The bill to secure to Phoebe M'Kaughan, of Guilford county, such property as she may hereafter acquire; and also the bill authorising the Public Treasurer to pay to Thomas Searcy, clerk of the Superior Court of Rockingham county, the costs of a suit wherein the State was plaintiff and General Wm. Bethell defendant, were each read the second time, and the questions shall the said bills pass their second reading? were determined in the affirmative.

Mr. Hill, of the town of Wilmington, from the committee on Internal Improvements, to whom was referred the petition of sundry inhabitants of the county of Buncombe, praying that a road leading from Allen's chartered road, in Tennessee, to Barnett's Station, and from thence to the widow Baird's, near Asheville, in said county, be erected into a turnpike road, reported that the committee, according to order, had had the said petition under consideration, and instructed him to report a bill to carry into effect the prayer of the petition, entitled "a bill to establish a turnpike road in the county of Buncombe." The said bill was read the first time, and the question shall the said bill pass? was determined in the affirmative.

Mr. Hill also made reports from the same committee on the resolution referred to them, directing their inquiries as to the expediency of aiding, by a grant of money, the completion of a road from Hertford, in Perquimons county, to the mouth of the Dismal Swamp Canal; and also of a road from Hertford to Elizabeth City; on the petition of sundry citizens of the Tuckasuga Valley, in the county of Haywood, praying for the appropriation of a thousand dollars, for the purpose of opening a road over the Blue Ridge; and also on the petition of a number of the citizens of Burke, praying for the appropriation of one thousand dollars, to be applied to the opening and improving a road called the South Mountain Ridge Road, leading from the county of Burke to the county of Rutherford, reported that the committee, according to order, had considered the said resolution and petitions, and instructed him to recommend that they be rejected. The question to concur with the report was determined in the affirmative.

The resignation of Oliver W. Holland, Colonel Commandant of the first regiment of the militia of Lincoln county, was presented, read and accepted.

The engrossed bill to legitimate Duncan Melvin and others, of the county of Bladen, was read the second time, and the question shall the
said bill pass? was determined in the negative—yeas 31, nays 94. The yeas and nays called for by Mr. Webb.


The House then adjourned until to-morrow morning, 10 o'clock.

SATURDAY, DECEMBER 1, 1827.

On motion of Mr. Neill, ordered that a message be sent to the Senate, proposing to ballot on Friday next for Brigadier General of the 15th brigade, and informing that Athan A. M'Dowell and Merritt Burgin are in nomination for the appointment.

Mr. Settle, from the committee of Propositions and Grievances, to whom was referred the petitions of M. Featherston and others, of the county of Buncombe, and of John Hardcastle, of Rutherford county, reported that the committee, according to order, had had the said petitions under consideration, and instructed him to report that it is inexpedient to grant the prayers thereof. The question to concur with the report was determined in the affirmative.

Mr. Fisher, with leave, presented a bill concerning the State Bank of North Carolina. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative. By order of the House the said bill was read the second and third times, and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

Mr. Troy, with leave, presented a bill extending the jurisdiction of justices of the peace in criminal cases; Mr. Ellis presented a bill regulating the time and places, when and where the Treasurer shall execute his official bond; and Mr. Boon presented a bill prescribing the time within which deeds and conveyances in trust shall hereafter be recorded and registered. These bills were respectively read, and, on motion, referred to the committee on the Judiciary.

Mr. Allen, of Buncombe, presented the petition of Mary Thompson, praying for permission to emancipate a slave for meritorious services. On motion, ordered that the said petition be referred to the committee on the Judiciary.

Mr. Stewart, with leave, presented a bill to amend an act, entitled "an act to establish an academy at Williamston, in the county of Martin, passed in the year 1816. The said bill was read the first time, and
the question, shall the said bill pass? was determined in the affirmative.

The bill to authorize the Treasurer to pay to Thomas Searcy the costs of a suit wherein the State was plaintiff and General William Bethell defendant, was read the third time, passed, and, on motion, ordered to be engrossed and sent to the Senate for concurrence.

On motion of Mr. Glisson,
Resolved, That all resolutions, the object of which is to draw money out of the Public Treasury, shall be read three times in each branch of this Legislature before they take effect, and shall not be read more than twice on the same day.

Sent to the Senate for concurrence.

On motion of Mr. Glisson, a committee to examine Enrolled Bills was appointed, consisting of Mr. Glisson, Mr. Barnard, Mr. Little and Mr. N. Stedman.

Mr. Barnett, who voted in the majority on the rejection of the bill yesterday to legitimate Duncan Melvin and others, of the county of Bladen, now moved that the House do reconsider that vote. The question thereon passed in the affirmative, and the said bill, on motion, was ordered to lie on the table.

The certificate of the County Court of Warren, in favor of Elizabeth Harris, allowing her a pension of ninety dollars for the present year, received from the Senate, was read, and, on motion, ordered to be countersigned by the Speaker and returned to the Senate.

A message from the Senate, informing that they had passed the engrossed bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this State, and to provide for the deposit and safe keeping of said bonds: and also the engrossed bill, entitled a bill to alter the times of holding the Courts of Pleas and Quarter Sessions of Duplin county, and asking the concurrence of this House.

The engrossed bill to alter the times of holding the Courts of Pleas and Quarter Sessions of Duplin county; and the engrossed bill to increase the penalty of the official bonds of the Clerks of the several Courts of Record in this State, and to provide for the deposit and safe keeping of said bonds, received from the Senate, were read the first time, and the questions, shall the said bills pass? were determined in the affirmative. On motion, ordered that the latter bill be referred to the committee on the Judiciary.

Received from the Senate, a resolution, directing the Secretary of State to issue to the heirs of Jesse Henly, deceased, late of Richmond county, a grant agreeably to a warrant, No. 52, issued by the entry taker of said county, to Abraham Elliot, senr. and transferee by said entry-taker to said Henly, on which a grant has not heretofore issued, in consequence of an irregularity in said transfer. The said resolution was read and concurred in.

The bill to secure to Phoebe M'Kaughan, of Guilford county, such property as she may hereafter acquire, was read the third time, and the question, shall the said bill pass? was determined in the affirmative. On motion, ordered that the said bill be engrossed, and sent to the Senate for concurrence.

Mr. Glisson, in pursuance to a petition, moved for leave, and presented a bill to alter the name of Henry Rogers, of Duplin county, and to legitimate him. The said bill was read for its first, second and third
readings, passed, and, on motion, ordered to be engrossed, and sent to the Senate for concurrence.

The bill to amend an act, entitled "an act to establish an academy at Williamson, in the county of Martin," passed in the year 1816, was read for its second and third readings; and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be engrossed, and sent to the Senate for concurrence.

The bill to establish a Turnpike Road in the county of Buncombe, was read the second time and passed. On motion, ordered that the said bill lie on the table.

Mr. Newland, with leave, presented a bill to alter an act, to amend the fourth section of an act, passed in the year 1804, fixing the time for paying the purchase money into the Treasury on entries of lands. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

A message from the Senate, informing that the name of William Polk is added to the nomination for Governor of this State for the ensuing year; and of the assent of the Senate to ballot on Friday next for Brigadier General of the 15th brigade.

Mr. N. A. Steedman presented the following resolution:
Resolved, That a copy of the numbers over the signature of Carlton, in relation to railroads, be printed, one copy for each member of this General Assembly.

The question to concur with the resolution, was determined in the negative.

Mr. A. Williams presented the following resolution:
Resolved, That a select committee be appointed to inquire into the expediency of repealing the general Ticket law, as respects the election of Electors to vote for President and Vice President of the United States; and that they report by bill or otherwise.

On motion, ordered that the said resolution be laid on the table.

On motion of Mr. Vail.
Resolved, That the Judiciary committee inquire what further provision ought to be made by law, in order to secure to the trustees of the University all such sums of money or other estate which may be recovered by them, by virtue of the laws vesting escheated property in them, for the use and benefit of the University of North-Carolina, and report by bill or otherwise.

Mr. Little presented a bill, granting to the Superior Courts of Anson original and exclusive jurisdiction in all cases where the intervention of a jury is necessary. The said bill was read, and, on motion, ordered to be referred to the Judiciary committee.

The bill to authorise the County Court of Hyde to order all deeds, bills of sale, division of lands and other instruments of writing that have been lost by fire, or otherwise destroyed in the Register's office, to be registered anew, and for other purposes, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.

The resignation of Joshua Mosely, Colonel Commandant of the Lenoir regiment of militia, was presented, read and accepted.

The House then adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 3, 1827.

A message from the Senate, proposing to ballot this morning for a Public Printer, and informing that Lawrence & Lemay are in nomination for the appointment, concurred in, and the Senate informed thereof by message.
Otway Burns, one of the members of Carteret county, appeared, produced his certificate, was qualified and took his seat.

Mr. Benners presented the resignation of John Stanly, the member elected for the town of Newbern. The resignation was read and accepted.

On motion of Mr. Benners, ordered that a writ of Election issue to the Sheriff of Craven county, commanding him to hold an election on Friday the 7th instant, for a member to supply the vacancy aforesaid.

On motion, ordered that a message be sent to the Senate, informing that Mr. Adams and Mr. M'Millan form the committee to superintend the balloting for Brigadier General for the 14th brigade, and that Messrs. Archibald M'Eachin, Reading Anderson, Alfred Dockery and Walter F. Leak are in nomination for the appointment.

On motion, ordered that a message be sent to the Senate, informing that the name of John Stanly is added to the nomination for Governor.

A message from the Senate, proposing to ballot to-morrow for Major General of the 7th division, and informing that Micajah T. Hawkins is nominated for the appointment. The message was disagreed to, and a message ordered to be sent to the Senate, proposing to ballot for that officer on Thursday next.

The bill to establish a Turnpike Road in the county of Buncombe, was read, and, on motion, ordered to be referred to the committee on Internal Improvements.

The engrossed bill to authorise the County Court of Hyde to order all deeds, bills of sale, division of lands and other instruments of writing that have been lost by fire, or otherwise destroyed in the Register's office, to be registered anew, and for other purposes, was read the third time, and the question, shall the said bill pass and be enrolled? was determined in the affirmative.

Mr. Borden, with leave, presented a bill to repeal part of an act of the General Assembly of this State, entitled "An act to prevent the destruction of oysters, and for other purposes," passed in the year 1822. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

On motion of Mr. Frederick Fay,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the laws relative to widows, as to enable them to clear and improve their dowers in lands, when it shall be thought an advantage to themselves and children, and report by bill or otherwise.

Mr. Plummer presented the petition of John Faust, praying to be divorced from his wife. On motion, ordered that the said petition be referred to the committee on Divorce and Alimony.

On motion of Mr. Smith, ordered that a message be sent to the Senate, proposing to raise a select committee, whose duty it shall be to inquire into the expediency of instructing the Board of Internal Improvements to cause a survey to be made from Newbern to Salisbury, on the most direct and practicable route for a rail road, so as to pass through Raleigh; which survey shall be completed by the meeting of, and that report thereof be made to the next General Assembly, with the probable cost and expenditures per mile; the expense of which survey shall be defrayed out of the public funds now set apart for Internal Improvements.

The bill to repeal the several laws of this State, relative to inspection of produce, was read, and, on motion, referred to the committee on the Judiciary.
Mr. Settle, from the committee of Propositions and Grievances, to whom was referred the petition of Thomas Brown and others, of the county of Haywood, reported favorably to the prayer of the petition, recommending the passage of a bill, authorising Thomas Brown, of the county of Haywood, to erect and keep up for one year, two gates across the public road leading from Franklin down the Tennessee river. The said bill was read for its first and second readings, and the questions, shall the said bill pass? were determined in the affirmative.

The resignation of Francis H. Reeder, Colonel Commandant of the first regiment of the Wake militia, was read and accepted.

On motion, ordered that a message be sent to the Senate, proposing to ballot on Saturday next for Brigadier General of the 16th brigade, and informing that the names of Obadiah Falconer, Bedford Brown and Thomas N. Norman, are in nomination for the appointment.

Received from his Excellency the Governor, by his Private Secretary, Mr. Campbell, the following communication:

To the Honorable the General Assembly of the State of North Carolina.

Gentlemen,—I have the honor herewith to transmit you the annual report of the Board of Internal Improvements, accompanied by a statement of the accounts of the Board; a report of Mr. Nash, our Civil Engineer, on certain canal routes between Neuse river and Beaufort harbor; and a report of the superintendent of the works below Wilmington.

I have the honor to be, &c.

H. G. Burton.

The said communication was read, and, on motion of Mr. Gary, ordered to be sent to the Senate, with a proposition that the documents accompanying, be printed, one copy for each Member.

The House then, on motion, adjourned until to-morrow morning, 10 o'clock.

Tuesday, December 4, 1827.

A message from the Senate, informing that Mr. Ward and Mr. Franklin attend this House as a committee on their part to superintend the balloting for Governor.

On motion, ordered that the Senate be informed by message that Mr. Taylor and Mr. Burns form the committee on the part of this House to superintend the balloting for Governor.

The bill to alter the times of holding the Courts of Pleas and Quarter Sessions of Duplin county, was read the second time, and the question, shall the said bill pass? was determined in the negative—yeas 32, nays 89. The yeas and nays called for by Mr. Gillespie.


Mr. Taylor, from the committee appointed to conduct the balloting for Governor of the State for the ensuing year, reported that the committee had performed the duty assigned to them; and that it appeared, on examination of the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

Mr. Moore, from the committee of Privileges and elections, to whom was referred several depositions of sundry citizens of Washington county, tending to establish the fact that Abner N. Vail, one of the members elected to represent the county of Washington, is not constitutionally qualified to represent said county in this House, reported that the committee had, according to order, had the said depositions under consideration, and instructed him to report that Abner N. Vail is constitutionally disqualified for holding a seat as a member of the House of Commons; and that his seat be vacated. The question to concur with the report was determined in the affirmative.

On motion of Mr. Bozman, ordered that a writ of election issue to the county of Washington, commanding the sheriff of said county to hold an election on the 14th day of the present month (December) for the purpose of electing some person, duly qualified to represent said county, to supply the vacancy occasioned by vacating the seat of Abner N. Vail aforesaid.

Mr. Fisher presented the resignation of John S. Haywood, the Treasurer elect, which was read, accepted, and sent to the Senate.

Mr. Boykin, from the Military Committee, to whom was referred the resolution instructing them to inquire into the expediency of so amending the militia laws as to compel the people called Quakers, Moravians, &c. &c. to bear arms or do military duty, reported that the committee had, according to order, had the said resolution under consideration, and instructed him to report a bill to carry its object into effect, entitled "a bill concerning the Quakers, Dunkards, Menonists and Moravians in this State. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of so amending the laws relative to administrators as to enable them to rent out the lands of their intestates from the death of the intestate until a guardian is appointed to the heir at law, reported that the committee, according to order, had considered the said resolution, and instructed him to report that it is not expedient to make any alteration of the law in this respect, and to recommend the rejection of the resolution. The question to concur with the report passed in the affirmative.

Mr. Jones, from the same committee, to whom was referred the bill to grant to the Superior Courts of Anson county original and exclusive jurisdiction in all cases where the intervention of a jury is necessary, reported that the committee, according to order, had had the said bill under consideration, and instructed him to report that it is inexpedient to pass the same. The question to concur with the report was determined in the affirmative.

The House then adjourned until to-morrow morning, 10 o'clock.
A message from the Senate, proposing to ballot for Governor this morning. The message was concurred in, and the Senate informed by message that the name of John Stanly is withdrawn from the nomination, and that Mr. Morehead and Mr. Blackledge wait on the Senate as a committee on the part of this House to superintend the balloting.

On motion of Mr. Alexander,
Resolved, That the committee on the Judiciary be instructed to inquire into the propriety of providing by law for the settlement of the titles of the Indian reserves in the county of Haywood.

Mr. Blount, with leave, presented a bill making it the duty of sheriffs, coroners, and constables to serve all notices required to be given in process at law or in equity. The said bill was read the first time and passed. On motion, ordered that the said bill be referred to the committee on the Judiciary.

A message from the Senate, informing that Mr. Brodnax and Mr. Bailey attend this House as a committee on their part to superintend the balloting for Governor.

On motion of Mr. Blackledge,
Resolved, That a select committee be appointed to inquire into the state of the Literary Fund; and also to inquire whether any bond has been taken from the person entrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund, for the due and faithful performance of his duty.

Resolved, That Messrs. Blackledge, Adams, Lilly, Ruffin and Pool form this committee.

On motion, ordered that a message be sent to the Senate, informing of the disagreement of this House to ballot for Major General of the 7th division at the time proposed by the Senate, and proposing to ballot for that officer on to-morrow.

A message from the Senate, informing that Mr. Burney and Mr. McMillan form the committee to superintend the balloting on their part for Brigadier General of the 14th brigade.

Mr. Blackledge, from the committee appointed to superintend the balloting for Governor, reported that the committee had performed that duty; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again immediately for Governor. The message was concurred in, and the Senate informed that Mr. Hill of Wilmington and Mr. Blount form the committee to superintend the balloting; and further, that the name of William Polk is withdrawn from the nomination.

A message from the Senate, informing that Mr. Shober and Mr. Williams form the balloting committee for Governor on their part.

Mr. Donoho presented the petition of Frances Womack, praying to be divorced from her husband Henry Womack. Ordered that the said petition be referred to the committee on Divorce and Alimony.

Mr. Wilkinson, with leave, presented a bill to alter the name of John M Williams, of Edgecomb county, and to legitimate him. The said bill was read the first time, and the question shall the said bill pass? was determined in the affirmative.

Mr. Blackledge, with leave, presented a bill to vest the election of the Sheriffs in the free men of the county. The said bill was read the first
time, passed, ordered to be printed, and made the order of the day for Saturday next.

On motion of Mr. Cooper, ordered that a message be sent to the Senate, proposing to ballot on Monday next for Public Treasurer, and informing that William Robards, of Granville, and John S. Haywood are in nomination for the appointment.

Mr. Hill, from the committee appointed to superintend the balloting for Governor, reported that the committee had performed that duty; and that it appeared, on examination of the ballots, the majority of the whole number was found to be in favor of James Iredell, who was duly elected — The question to concur with the report was determined in the affirmative.

Mr. M'Millan, from the balloting committee for Brigadier General of the 14th brigade, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot for Public Treasurer on Wednesday next, and informing that William Robards and John S. Haywood are in nomination for the appointment. The question to concur with the message was determined in the affirmative, and the Senate informed thereof by message.

A message from the Senate, proposing to ballot again immediately for Brigadier General of the 14th brigade. The message was concurred in, and the Senate informed by message that Mr. Scott and Mr. Busbee wait on the Senate as a committee to superintend the balloting on the part of this House.

On motion of Mr. Frederick Foy,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of providing by law a mode of proceeding in the impeachment of Justices of the Peace who may be guilty of misbehaviour in office; and that the said committee be also instructed to inquire into the expediency of defining what shall be considered misbehaviour within the meaning of the 33d section of the Constitution of this State; and that they report by bill or otherwise.

Mr. M'Dearmid presented a certificate of the County Court of Cumberland, in favor of Shearwood Fort, allowing him a pension of fifty dollars for the ensuing year. On motion, ordered that the said certificate be countersigned by the Speaker and sent to the Senate.

Mr. Fisher, with leave, presented a bill to compel the issuing of process out of the Courts of this State. The said bill was read, and, on motion, ordered to be referred to the committee on the Judiciary.

On motion of Mr. Fisher,

Resolved, That a select committee be appointed to inquire what encouragement this Legislature, consistent with considerations of correct policy, can extend to the establishment of cotton and woollen manufactories in this State, and that they also inquire what encouragement can be given to the growing of wool in this State; and that they report by bill or otherwise.

Resolved, That Messrs. Fisher, Barnett, Borden, M'Nair and Ball form this committee.

Mr. Newland, from the committee on Divorce and Alimony, to whom was referred the petition of William Justice, of the county of Buncombe, praying to be divorced from his wife Ester, reported that the committee, according to order, had considered the said petition, and instructed him to recommend that the prayer thereof be rejected. The question to concur with the report was determined in the affirmative.
Mr. Newland, from the same committee, to whom was referred the peti-
tion of William Roberts, of Buncombe county, praying to be divorced
from his wife Peggy, reported that the committee had, according to order,
had the said petition under consideration, and instructed him to report
unfavorably to the prayer thereof. The report was read, and, on motion,
ordered to be laid on the table.

Mr. Bynum, from the committee of Claims, to whom was referred the
petition of Thomas Sharpe, praying, for reasons stated in his petition, to
be placed on the pension list of the State, reported that the committee,
according to order, had considered the said petition, and deemed it un-
reasonable, and instructed him to recommend that it be rejected. The
report was read, and, on motion, ordered to be laid on the table.

Received from the Senate, a resolution, directing the joint select com-
mittee appointed to investigate the transactions of the Treasury Depa-
rtment, and to consolidate and amend the laws respecting the same, to take
into their possession all the monies, books and vouchers deposited in the
Treasury Office until the appointment of a Treasurer shall be made. The
said resolution was read, concurred in, and returned to the Senate.

Mr. Newland, from the committee on Divorce and Alimony, to whom
was referred the petition of Jane Wilson, of Buncombe county, reported
a bill to carry into effect the prayer of the petition, entitled a bill to secure
to Jane Wilson, of Buncombe county, such property as she may hereafter
acquire. The said bill was read the first time, and the question shall the
said bill pass? was determined in the affirmative.

Mr. F. Boykin, from the Military committee, to whom was referred the
resolution instructing them to inquire into the expediency of so alter-
ing the militia laws, as to compel officers to muster their companies one
hour instead of three, reported unfavorably to the object of the said reso-
lution, and recommended its rejection. The question to concur with the
report was determined in the affirmative.

Received from the Senate, a message, informing that they had passed
the engrossed bill to authorise the building of a bridge across Neuse river,
at the place therein mentioned, and for other purposes, with an amend-
ment, and asking the concurrence of this House. The amendment was
read and concurred in, and the Senate informed thereof by message.

A message from the Senate, informing of the assent of that House to
ballot to-morrow for a Major General of the 7th division, and informing
that the name of General John Alston is added to the nomination.

Received from the Senate, a resolution empowering the joint select
committee appointed to investigate the accounts of the Treasury Depart-
ment, and to amend and consolidate the laws, to sit during the hours of
business in each day, until they shall have finished the investigation. The
said resolution was read, concurred in, and returned to the Senate.

The resignation of Edward Jones, Solicitor General of the State, was
presented, read and accepted; also the resignations of Thomas Brown,
Lieutenant Colonel of the 42d regiment of militia; and of Abner Smith,
justice of the peace for the county of Ashe, were presented, read and ac-
cepted.

Received from his Excellency the Governor, by his Private Secretary,
Mr. Campbell, the following communication:
To the Honorable the General Assembly of the State of North-Carolina.

Gentlemen,—I have the honor here with to transmit you the report of the Adjutant General of the militia of North Carolina; also several resignations which have been received since the commencement of the Session.

With high consideration, I have the honor to be, &c. &c. H. G. Burton.

Executive Department, N. C. 5th Dec. 1827.

The said communication was read, and, on motion, ordered to be sent to the Senate.

The bill authorising Thomas Brown, of the county of Haywood, to erect and keep up two gates across the public road leading from Franklin down the Tennessee river, was read the third time, and the question, shall the said bill pass? was determined in the affirmative. Ordered that the said bill be engrossed and sent to the Senate for concurrence.

The House then adjourned until to-morrow morning, 10 o'clock.

Thursday, December 6, 1827.

On motion, ordered that the Senate be informed by message, that Mr. McNair and Mr. Gillespie wait on the Senate as a committee on the part of this House to superintend the balloting for Brigadier General of the 14th brigade, and that the name of Redding Anderson is withdrawn from the nomination.

The bill to alter an act, entitled "An act to amend the fourth section of an act, passed in the year 1804, fixing the time for paying purchase money into the Treasury on entries of lands," was read the second time and passed. On motion, ordered that the said bill be read the third time, and the question shall the said bill pass its third reading? was determined in the affirmative. On motion, ordered that the said bill be engrossed and sent to the Senate.

A message from the Senate, informing that Messrs. Beasly and Whitley form the balloting committee on their part for Brigadier General of the 14th brigade.

On motion of Mr. Barnard, ordered that a message be sent to the Senate, proposing to ballot for Public Printer this morning, and informing that Mr. Barnard and Mr. Conrad wait on the Senate as a committee on the part of this House to conduct the balloting.

Mr. Spruill, with leave, presented a bill regulating the time within which demand shall be made of the maker, and notice given to the endorser of a bill, bond or promissory note; and Mr. Nelson presented a bill to annex Dryboro, in the county of Craven, to the town of Newbern. These bills were read the first time and passed, the former referred to the committee on the Judiciary, and the latter laid on the table.

A message from the Senate, informing that Mr. Askew, of Bertie, and Mr. Davenport, attend this House as a committee on their part to superintend the balloting for Public Printer.

On motion, ordered that the Senate be informed by message that Mr. Busbee and Mr. Mann wait on the Senate as a committee on the part of this House to superintend the balloting for Major General of the 7th division, and that the name of Henry Bounti is added to the nomination.

Mr. McNair, from the committee appointed to conduct the balloting for Brigadier General of the 14th brigade, reported that the committee had
performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, informing that Mr. Williams of Martin and Mr. Burney attend this House as a committee on their part to superintend the balloting for Major General of the 7th division.

On motion, ordered that a message be sent to the Senate, proposing to ballot again for Brigadier General of the 14th brigade, and that Mr. Taylor and Mr. Troy form the committee of superintendence on the part of this House.

On motion, ordered that the bill repealing an act, passed in the year 1818, chapter 790, entitled "an act fixing the sum hereafter to be paid to the State for vacant lands," be referred to the committee on the Judiciary.

A message from the Senate, informing that Mr. Beasly and Mr. Ramsay form the balloting committee on their part for Brigadier General of the 14th brigade.

On motion, ordered that a message be sent to the Senate, informing that the name of James Seawell is added to the nomination for Public Treasurer.

Mr. Busbee, from the committee appointed to superintend the balloting for Major General of the 7th division, reported that the committee had performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number; and Mr. Barnard, from the committee appointed to superintend the balloting for Public Printer for the ensuing year, reported that the committee had performed that duty; and that, on examining the ballots, a majority of the whole number was found to be in favor of Lawrence & Lemay, who were duly elected. The questions to concur with the reports were determined in the affirmative.

The Speaker, in consequence of his election to the Chief Magistracy of the State for the ensuing year, and in pursuance of his intimation of yesterday, now resigned his seat and left the Chair. Whereupon, on motion of Mr. Gary, Mr. Settle, one of the members of Rockingham county, was unanimously elected Speaker, and conducted to the Chair.

Mr. Taylor, from the committee appointed to conduct the balloting for Brigadier General of the 14th brigade, reported that the committee had performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion, ordered that a message be sent to the Senate, proposing to ballot again for Brigadier General of the 14th brigade, and informing that the name of Walter Leak is withdrawn from the nomination.

The resignation of James Iredell, the member representing the town of Edenton, of his seat in this House, was presented, read and accepted.

On motion of Mr. Hill, ordered that a writ of election issue to the Sheriff of Chowan county, commanding him to hold an election on Thursday the 13th instant, December, in the town of Edenton, to elect some person to represent said town to supply the vacancy occasioned by the resignation of Mr. Iredell.

A message from the Senate, consenting to ballot for Brigadier Gen-
eral of the 14th brigade, and informing that Mr. Burney and Mr. M'Millan form the balloting committee on their part. On motion, ordered that the Senate be informed by message, that Mr. Hill and Mr. Jones of Rowan attend the Senate as a committee on the part of this House to conduct the balloting.

On motion of Mr. Jones, of Warren,

Resolved, That the Clerk of this House make up the estimates of daily compensation and mileage of Abner X. Vail, late member of this House from the county of Washington, and that Mr. Speaker draw upon the Cashier of the State Bank in this city for such amount; and that the same be debited to the Public Treasurer of this State in the accounts of said bank.

The said resolution was read for its first, second and third readings, and the question, shall the said resolution pass its several readings? was determined in the affirmative.

Mr. Blackwood presented the petitions of Henry Houston and of Robert Robeson, of the county of Mecklenburg; and Mr. Wilder presented the petition of Charles Copeland, of Johnston county, respectively praying to be placed on the pension list. On motion, the said petitions were referred to the committee of Propositions and Grievances.

Mr. Brevard presented the petition of John Davis, praying to be placed on the pension list; and Mr. M'Lean presented the petition of Jerry Carter, praying to be divorced from his wife Polly. These petitions were read, the former referred to the committee of Claims, the latter to the committee on Divorce and Alimony.

A message from the Senate, informing of the assent of that House to the proposition, that so much of the Governor's message as relates to a communication from the American minister at London, relative to documents concerning the Colonial history of North Carolina, be referred to a select joint committee.

Mr. Love presented the following resolution:

Resolved, That a select committee be appointed, whose duty it shall be to inquire into the expediency of repealing so much of the act of 1819, which prohibits the entry of vacant land in the county of Haywood.

The question to concur with the resolution was determined in the negative.

A message from the Senate, informing that in consequence of a rule of that House, directing the number of times resolutions appropriating public money shall be read before they pass, they do not agree with the resolution sent up from this House on that subject.

On motion of Mr. Taylor, ordered that a message be sent to the Senate, proposing to set apart Thursday next for balloting for all officers to fill the vacancies existing in the militia of this State, except such ballottings for a day certain as have been already agreed on between the two Houses.

Mr. Boykin, from the Military committee, to whom was referred a resolution directing them to inquire into the expediency of so amending the present laws as to reduce the number of petty musters, &c. reported that the committee, according to order, had considered the said resolution, and instructed him to report a bill to reduce the number of petty musters to two in the year. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Hill, of Wilmington, from the committee on Internal Improvements, to whom was recommitted the petition of sundry citizens of Buncombe county, praying that a certain road be erected into a turnpike, re-
ported that the committee had, according to order, considered the said petition, and instructed him to report a bill in conformity with the prayer of the petition, entitled a bill to establish a turnpike road in the county of Buncombe. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

A message from the Senate, proposing to ballot on Monday morning next for a Solicitor General of the 4th Judicial Circuit, and informing that John Scott, Romulus M. Saunders and John M. Morehead are in nomination for the appointment. The message was concurred in, and the Senate informed thereof by message.

A message from the Senate, informing that Mr. Baily and Mr. Brodnax form the committee on enrolled bills on their part.

A message from the Senate, informing that they had passed the engrossed bill to appoint commissioners for the town of Asheville, Buncombe county; and also the engrossed bill to repeal an act, passed at the last session of the General Assembly, entitled "An act to establish a poor house in the county of Wayne;" in which they ask the concurrence of this House. The said bills were read each for their first reading, and the questions, shall the said bills pass? were determined in the affirmative.

The resignations of Merritt Burgin, Colonel Commandant of the third regiment of the Burke militia; Cyrus Christian, Major of the 4th regiment of the Granville militia; John Cannon, of Pitt county; David Flannegan and William Pyron, of Mecklenburg county; and Ezekiel Slocum, of Wayne county, justices of the peace, were presented, read and accepted.

On motion of Mr. Morehead, ordered that a message be sent to the Senate, proposing that a joint select committee of two members from each House, be appointed to wait upon the Governor, elect, and inform him of his election to the Chief Magistracy of State for the ensuing year, and to inquire of him when it will be convenient to him to take the oaths of qualification. Ordered that Mr. Morehead and Mr. Blount form this committee.

The House then adjourned until to-morrow morning, 10 o'clock.

Friday, December 7, 1827.

Mr. J. Allen, from the select committee, to whom was referred the resolution directing them to inquire into the necessity of establishing a Medical Board in this State, reported that the committee, according to order, had considered the resolution, and instructed him to report a bill in pursuance to the resolution, to establish a Medical Board, and to regulate the practice of Physic and Surgery in this State. The said bill was read the first time and passed, and, on motion, ordered to be printed with the report, one copy for each member.

Mr. Hill, of Wilmington, from the committee appointed to superintend the balloting for Brigadier General of the 14th brigade, reported that the committee had performed that duty; and that it appeared, on examining the ballots, Alfred Dockery had a majority of the whole number, and was duly elected. The question to concur with the report, was determined in the affirmative.

On motion, ordered that a message be sent to the Senate, proposing to ballot this morning for Major General of the 7th division of the militia.

A message from the Senate, consenting to ballot for Major General, and
informing that Mr. Sherard and Mr. Nuttall form the balloting committee on their part. On motion, ordered that a message be sent to the Senate, informing that Mr. Gary and Mr. Busbee form the balloting committee on the part of this House.

A message from the Senate, consenting to appoint a select joint committee to wait on James Iredell, the Governor elect, to inform him of his election, and to ascertain when it will be convenient to him to take the oaths of office.

A message from the Senate, informing that they had passed the following engrossed bills, and a resolution, to wit: a bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire; a bill to incorporate the Elizabeth City Marine Insurance Company; and a resolution in favor of John J. Bonner, and asking the concurrence of this House.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of Charles Lewis, of the county of Rutherford, reported that the committee had, according to order, considered the said petition, and instructed him to recommend that the said petition be rejected. The question to concur with the report was determined in the affirmative.

Mr. Gary, from the committee appointed to superintend the balloting for Major General of the 7th division of the militia, reported that the committee had performed that duty; and that it appeared, from an examination of the ballots, a majority of the whole number was found to be in favor of Micajah T. Hawkins, who was duly elected. The question to concur with the report was determined in the affirmative.

On motion, ordered that a message be sent to the Senate, informing that Mr. Clayton and Mr. Glasgow attend the Senate as superintendents of the balloting for Brigadier General of the 15th brigade, heretofore agreed on to take place this morning.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: A bill to establish Columbia Academy, on the lands of Joseph John Pippin, in the county of Edgecomb, and to incorporate the trustees thereof; also a bill to secure to Cristiana Crittenden, of Stokes county, such property as she may hereafter acquire; and also a bill to legitimate and alter the name of Mary Ann Eliza Tooley, and asking the concurrence of this House. The said bills were respectively read for their first readings, and the question shall the said bills pass was determined in the affirmative.

A message from the Senate, informing that Mr. Alexander and Mr. Nuttall attend this House as a committee on their part to superintend the balloting for Brigadier General of the 15th brigade.

On motion of Mr. Jones, of Rowan,

Resolved, That a message be sent to the Senate, proposing that a joint select committee, to consist of five members from each House, be appointed, to inquire into the most advisable mode of representing the interest of the State in the Cape Fear Bank at the meeting of the stockholders shortly to be held in Wilmington; and that they be instructed to inquire into the propriety of agreeing to the surrender of the Charter of said Bank, provided such proposal be made at the contemplated meeting; and informing that Messrs. Jones of Rowan, Hill, Eccles, Blackledge and Spruill form the committee on the part of this House.

Mr. Glasgow, from the committee appointed to conduct the balloting for Brigadier General of the 15th brigade, reported that the committee had performed the duty assigned to them; and that it appeared, on ex-
the ballots, Athan A. M'Dowell had a majority of the whole number, and was duly elected. The question to concur with the report was determined in the affirmative.

Mr. Morehead, from the joint select committee appointed to wait on the Hon. James Iredell, the Governor elect, and to inform him of his election to the chief magistracy of the State for the ensuing year, and to ascertain when it will be convenient for him to take the oaths of qualification, reported that the committee had performed the duty assigned to them, and that the Governor elect would, at 12 o'clock to morrow, attend and take the oaths of office.

On motion of Mr. Little,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the laws respecting executors, as that the neglect or refusal of an executor to qualify within five years from the probate of the will, shall amount to a total renunciation of said office.

A message from the Senate, proposing to refer the petition of William Barnett, of Moore county, to a joint select committee. The message was read and disagreed to, and the Senate informed thereof by message.

The bill to appoint commissioners for the town of Asheville, Buncombe county; also the bill to establish a turnpike road in the county of Buncombe; also the bill to repeal an act, passed at the last session of the General Assembly, entitled an act to establish a poor house in the county of Wayne; and also the bill to secure to Jane Wilson, of Buncombe county, wife of James Wilson, such property as she may acquire, were respectively read for their second readings, and the question shall the said bills pass? was determined in the affirmative.

The bill to incorporate the Elizabeth City Marine Insurance Company, was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

The engrossed resolution, received from the Senate, in favor of the heirs of John J. Bonner, was read and ordered to be referred to the committee of Claims.

On motion of Mr. Allen, of Buncombe, ordered that he have leave to withdraw from the files the petition of William Justice, of the county of Buncombe, and the accompanying documents.

Mr. Barnard, with leave, presented a bill to explain an act, passed in the year 1810, chapter 33, entitled "An act authorising Enoch Sawyer to open a road across Pasquotank river and swamp opposite his plantation, and to erect a bridge across Pasquotank river." The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

The certificate of the County Court of Cumberland in favor of Isabella Campbell, allowing her a pension of forty dollars for the present year; and also the certificate of the said court in favor of Sherwood Fort, allowing him a pension of fifty dollars for the ensuing year, were returned to this House from the Senate, countersigned by the Speaker.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of so amending the laws relative to widows as to enable them to clear and improve their dower lands when it may be thought an advantage to herself and children, reported that the committee, according to order, had the said resolution under consideration, and instructed him to report
that an alteration of the law in that respect is not necessary, and to recommend that the said resolution be rejected. The question to concur with the report was determined in the affirmative.

The engrossed bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire, was read, and, on motion, ordered to lie on the table.

The bill to alter the name of John M. Williams, of Edgecomb county, and to legitimate him, was read and ordered to lie on the table.

The resignations of Alfred Dockery, colonel commandant of the first regiment of the Richmond militia; William Allen, colonel commandant of the Greene county militia; Robert Carson, of Iredell county, and William Clark, of Pitt county justices of the peace, were presented, read and accepted.

The certificate of the County Court of Craven county, in favor of John Rhem, allowing him a pension of one hundred dollars; and also the certificate of said Court, allowing Thomas Ewell and Christopher Bexley each a pension of forty dollars for this year, were received from the Senate countersigned by the Speaker. On motion, ordered that the said certificates be countersigned by the Speaker of this House and returned to the Senate.

On motion of Mr. Neill, ordered that he have leave to withdraw from the files the petition of Richard Byrd and others, of Burke county.

The House then adjourned until to-morrow, 10 o'clock.

**Saturday, December 8, 1827.**

On motion, ordered that a message be sent to the Senate, informing that Mr. Taylor and Mr. Webb form the committee on the part of this House to superintend the balloting for brigadier general of the 16th brigade.

On motion of Mr. Blount,

**Resolved**, That a joint select committee, to consist of three members on the part of each House, be raised and instructed to inquire into the expediency of ascertaining what quantity of surplus produce is made in each and every county of this State; in what it consists; to what market or markets it is carried; and what the expense of getting it to market.

**Resolved**, That shall the committee, upon investigation, believe the information important and attainable, that they be requested to submit a plan for its accomplishment to the Legislature for its consideration.

A message from the Senate, informing that Mr. Davenport and Mr. Burney from the balloting committee on their part for Brigadier General of the 16th brigade.

On motion of Mr. Brevard, ordered that Mr. Burns be added to the committee of Divorce and Alimony.

A message from the Senate, informing that they had passed the following engrossing bills, to wit: a bill to divorce John Salyer, of the county of Currituck, from his wife Elizabeth; also a bill to extend the time for registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; in which they ask the concurrence of this House. The said bills were read for their first readings in this House, and the question, shall the said bills pass? was determined in the affirmative.

On motion of Mr. Cox,

**Resolved**, That the Judiciary committee be instructed to inquire into the expediency of amending the existing laws respecting executors and administrators, so as that no assets shall be affected in their hands until said executors or administrators shall have had reasonable time to collect such assets as may arise from the sale of the perishable property of their testators or intestates; and that they report by bill or otherwise.
Mr. Webb, from the committee appointed to conduct the balloting for brigadier general of the 16th brigade, reported that the committee had performed that duty; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion of Mr. Moore, ordered that a message be sent to the Senate, proposing to raise a joint select committee to wait on James Iredell, the Governor elect for the ensuing year, and to conduct him into the Commons Hall, for the purpose of taking the oaths prescribed for his qualification; and informing that Mr. Blount and Mr. Morehead form the committee on the part of this House.

A message from the Senate, proposing to ballot again immediately for Brigadier General of the 16th brigade, and informing that Mr. Brodnax and Mr. Vanhoek form the committee of superintendence of the balloting on their part. The message was concurred in, and the Senate informed that Messrs. Lewis and Lawson form the balloting committee on the part of this House.

Mr. Pool, with leave, presented a bill to legitimate Eliza Baily and Ambrose Baily, children of John and Nancy Baily, of Pasquotank county; and Mr. W. W. Stedman, a bill to authorise the County Court of Gates to appoint a committee of Finance. These bills were read for their first readings, and the question, shall the said bills pass? was determined in the affirmative.

Mr. Lewis, from the balloting committee for Brigadier General of the 16th brigade, reported that the committee had performed the duty assigned to them, and that a majority of the whole number, upon examination, was found to be in favour of Thomas Norman, who was duly elected. The question to concur with the report was determined in the affirmative.

The bill to establish Columbia Academy, on the lands of Joseph John Pippin in the county of Edgecomb, and to incorporate the trustees thereof, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Cooper presented the following resolution:

Resolved, That the Military committee be instructed to inquire into the expediency of requiring the State Printer to furnish and deliver to every Colonel Commandant, and to Lieutenant Colonels within this State, a copy of the Journals of the two Houses of this General Assembly.

The question to concur with the resolution was determined in the negative.

A message from the Senate, informing of the assent of that House to the proposition of this House, to set apart Thursday next for balloting for all militia officers, except such ballotings for a day certain as have been agreed on between the two Houses.

On motion of Mr. Adams,

Resolved, That a joint select committee be appointed to inquire into the expediency of amending the laws on the subject of bastardy.

Resolved, That Mr. Adams, Mr. Mann and Mr. Speller form the committee.

A message from the Senate, consenting to the appointment of a select committee to wait on James Iredell, the Governor elect for the ensuing year, and to conduct him into the Commons Hall for the purpose of taking the oaths of qualification as prescribed by law; and informing that
they had on their part appointed a committee to join the committee appointed by this House, consisting of Mr. Speight of Greene and Mr. Wilson of Edgecomb.

Mr. Burns presented the petition of Julia A. Thompson, of Carteret county, praying to be divorced from her husband Thomas W. Thompson; and Mr. Douglass presented the petition of sundry citizens of Surry county, praying that Elizreth Edwards, of said county, be restored to the privileges of a citizen, forfeited by a conviction in the Court of said county. These petitions were read, the former referred to the committee on Divorce and Alimony, the latter to the committee of Propositions and Grievances.

The resignation of Jesse Barden, justice of the peace for the county of Wayne, was read and accepted.

This day, in pursuance of the report of the committee, James Iredell, the Governor elect for the ensuing year, was conducted into the Commons Hall, the members of the Senate being present, and qualified as Governor of the State for the ensuing year, by taking and subscribing to the oaths prescribed by law for his qualification. The oaths being administered by Justice Busbee, of the county of Wake.

On motion of Mr. Blackledge, ordered that the bill to vest the election of the Sheriffs in this State in the freemen of the county, be made the order of the day for Tuesday next.

The House then adjourned until Monday morning, 10 o'clock.

MONDAY, DECEMBER 10, 1827.

On motion of Mr. Hill, ordered that a message be sent to the Senate, proposing to have printed the report of the Adjutant General, one copy for each member of the Assembly.

William Gaston, the member elected to represent the town of Newbern to supply the vacancy occasioned by the resignation of John Stanly, appeared, produced his credentials, was qualified and took his seat.

On motion, ordered that Mr. Seawell have leave of absence from the service of this House for two days.

On motion of Mr. Jones, of Warren, ordered that Mr. Gaston and Mr. Hill be added to the committee on the Judiciary.

A message from the Senate, informing of their disagreement to the proposition to raise a joint select committee to inquire into the expediency of instructing the Board of Internal Improvement to cause a survey to be made from Newbern to Salisbury on the most direct and practicable route for a rail road, so as to pass through Raleigh: and informing further, that the name of John L. Henderson is added to the nomination for Treasurer.

On motion of Mr. Alexander,

Resolved, That the committee appointed to investigate the business connected with the Treasury department be instructed to inquire into the claim of James Patton on the said department, and report the facts to the Legislature.

A message from the Senate, informing that in conformity with the proposition of this House, they had appointed a committee, consisting of Messrs Speight of Greene, Owen. Spaight of Craven, Ward and Davenport, to join the committee appointed by this House to inquire into the most advisable mode of representing the interest of the State in the Cape Fear Bank at the approaching meeting of the stockholders in the town of Wilmington.
Mr. Moore presented the following resolution:

Resolved, That his Excellency the Governor be requested to employ some suitable person to place the Statue of Washington upon a bed or platform with wheels, and provide all necessary materials for its removal with safety in case of fire.

The question to concur with the resolution was determined in the negative.

A message from the Senate, agreeing to the proposition of this House to have printed the report of the Adjutant General, and proposing that the report be referred to a select joint committee, and on their part to Messrs. Ward, Jones, Owen, Williams of Beaufort and Davidson.

The proposition to refer the report of the Adjutant General to a select joint committee was concurred in, and Messrs. Hill, Brunt, Boykin, Bateman and Ruflin appointed a committee to join the committee appointed by the Senate.

On motion, ordered that a message be sent to the Senate, informing that Mr. Jones of Rowan and Mr. Mann attend the Senate as a committee on the part of this House to superintend the balloting for Solicitor General of the 4th circuit, heretofore agreed on to take place this morning.

A message from the Senate, informing that Mr. Wilson of Edgcomb and Mr. Ramsay attend this House as superintendents of the balloting for Solicitor General on their part.

Mr. Newland, from the committee on Divorce and Alimony, in pursuance to petitions referred to them, reported the following bills, to wit: A bill to divorce Winefred Everett, of Anson county, from her husband John Everett; a bill to divorce Mary Bryant from her husband Eli Bryant; a bill to secure to Susannah Suddath, of Caswell county, such property as she may hereafter acquire; and a bill to divorce Hugh Reed from his wife Susannah Reed. The said bills were respectively read the first time and passed.

A message from the Senate, informing that they do not agree to raise a joint select committee for the purpose of inquiring into the expediency of ascertaining what quantity of surplus produce is made in each and every county of this State, &c. &c.

On motion of Mr. Clayton,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing an act to subject the remainder or reversion in slaves to sale by execution or other process.

Mr. Jones, of Rowan, from the committee appointed to superintend the balloting for Solicitor General, reported that the committee had performed the duty assigned to them; and that, on examination of the ballots, it appeared that a majority of the whole number was in favor of John Scott, who was duly elected. The question to concur with the report was determined in the affirmative.

The bill to secure to Jane Wilson, of Buncombe county, wife of James Wilson, such property as she may hereafter acquire; also the bill to repeal an act, passed at the last session of the General Assembly, entitled "an act to establish a poor house in the county of Wayne;" also the bill to establish Columbia Academy on the lands of Joseph John Pipken, in the county of Edgecomb, and to incorporate the trustees thereof; also the bill to establish a turnpike road in the county of Buncombe; and also the bill to appoint commissioners for the town of Asheville, in Buncombe coun-
ty, were respectively read the third time, passed and ordered to be engrossed.

A message from the Senate, informing that they had passed the engrossed bill to repeal an act, passed in 1813, entitled "an act to regulate the Courts of Pleas and Quarter Sessions of Richmond county;" also the engrossed bill to repeal an act, passed in the year 1824, entitled "an act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick; in which they ask the concurrence of this House.

Mr. Allen, of Buncombe presented the petition of sundry citizens of the counties of Buncombe & Burke, praying that for the better and more convenient administration of justice, a district be established from parts of both counties, in which courts of law shall be held. On motion, ordered that the said petition be referred to Mr. Allen of Buncombe, Mr. Brittain and Mr. Benners.

On motion of Mr. Busbee,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of increasing the tax on all gates erected on public roads.

Mr. Plummer presented the petition of Martha Beasley, of Stokes county, praying to have secured to her such property as she may hereafter acquire from the claim or disposition of her husband Edmund Beasley. Ordered that the said petition be referred to the committee on Divorce and Alimony.

On motion of Mr. Neil,

Resolved, That a committee be appointed to inquire into the propriety of causing to be laid before the next Legislature a report from the trustee of each county in this State, containing the amount paid by each of them from the first day of January, 1827, to the first day of January, 1828, for prosecuting insolvent offenders against the State.

The resignation of Obediah Falkner, colonel commandant of the Person regiment of militia, was read and accepted.

The engrossed bill to repeal an act, passed in 1824, entitled "an act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick," was read the first time and passed.

Mr. Purcell presented a bill to alter the name of Hugh Wright Currie, of Robeson county. The said bill was read the first time and passed.

Mr. Bateman presented a bill to alter the times of holding the Superior Courts in the first judicial circuit. The said bill was read, and, on motion, referred to a select committee, consisting of the members representing the counties in said circuit.

The bill to secure to Christianna Crittenden, of Stokes county, such property as she may hereafter acquire; also the bill to legitimize and alter the name of Mary Ann Eliza Tooly; and also the bill to explain an act, passed in the year 1810, chapter 33. authorising Enoch Sawyer to open a road across Pasquotank river swamp, opposite his plantation, and to erect a bridge across Pasquotank river, were severally read the second time and passed.

A message from the Senate, informing that they had passed the engrossed bill to alter an act, entitled "an act to amend the 4th section of an act, passed in the year 1804, fixing the time for paying purchase money into the Treasury on entries of land," with an amendment; and asking the concurrence of this House. The amendment was read and concurred in, and the Senate informed thereof by message.
Mr. Newland, from the committee on Divorce and Alimony, reported unfavorably on the petition of John Powers, Thomas Tuton, James A. Mills and Jonathan Bryan, recommending their rejection. The report was read and concurred in.

Mr. Newland, also from the same committee, reported unfavorably on the petition of Elizabeth Burgess, recommending its rejection. The report was read and concurred in.

Mr. Bynum, from the committee of Claims, reported favorably on the resolution referred to them in favor of Joseph Welch and Mark Coleman, recommending its passage. The said resolution was read the first time and passed—yeas 69, nays 53. The yeas and nays called for by Mr. Gissin.


The bill to divorce John Sallyer, of the county of Currituck, from his wife Elizabeth; also the bill to legitimate Eliza Bailey and Ambrose Bailey, children of John and Nancy Bailey, of Pasquotank county, were read the second time and rejected.

The bill to repeal an act, passed in the year 1823, entitled "an act to regulate the Courts of Pleas and Quarter Sessions of Richmond county," was read the first time, and, on the motion of Mr. M'Nair, postponed indefinitely.

The bill to repeal part of an act of the General Assembly of this State, entitled "an act to prevent the destruction of oysters, and for other purposes," passed in the year 1822, was read the second time, and, on the motion of Mr. Barnard, postponed indefinitely.

The bill to incorporate the Elizabeth City Marine Insurance Company, was read the second time and passed.

The House then adjourned until to-morrow morning, 10 o'clock.
ty of Carteret; and the engrossed resolution instructing the Comptroller to take inventories of certain property belonging to the State; and also a resolution in favor of John Mellewee, of Mecklenburg county, and asking thereto the concurrence of this House.

The bill to alter the place of holding a battalion muster in Carteret county; and also the bill to secure to Sarah Tilley, of Wilkes county, such property as she may hereafter acquire, were read the first time and passed.

The bill to repeal an act, passed in the year 1824, entitled "an act to authorise the payment of persons summoned to serve as alismen jurors for the county of Brunswick;" also the bill to alter the name of Hugh Wright Currie, of Robeson county, were read the second time and passed.

On motion of Mr. Clement,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of amending the existing law relating to the notice required to be given by executors and administrators, of their qualifications as such; and that they report by bill or otherwise.

Mr. Stewart presented a bill authorising Edward Griffin, sheriff of the county of Martin, to collect arrearages of taxes; and Mr. Burke presented a bill respecting the elections in the county of Perquimons. These bills were read the first time and passed.

Mr. Alexander presented the petition of Robert Bigham, of Mecklenburg county, praying to be divorced from his wife Mary. Ordered that the said petition be referred to the committee on Divorce and Alimony.

The resolution in favor of John Mellewee was read the first time and passed.

The resolution instructing the Comptroller to take inventories of certain property belonging to the State, was read, concurred in, and ordered to be enrolled.

The resignations of Allen Adams and David Daniel, of Johnston county, and Alexander W. Brandon, of Anson county, justices of the peace, were presented, read and accepted.

On motion of Mr. Gary, ordered that a message be sent to the Senate, informing that the name of Hutchins G. Burton is added to the nomination for Public Treasurer.

The House, according to the order of the day, took up the bill to vest the election of the Sheriffs in the freemen of the county; which was read the first time and passed.

On motion of Mr. Blackledge, the House resolved itself into a committee of the Whole on the said bill, Mr. Donoho in the Chair; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Donoho reported that the committee of the Whole, according to order, had the said bill under consideration, and instructed him to report that they had made progress, and to ask leave to sit again on the said bill tomorrow. The question to concur with the report was determined in the affirmative.

Mr. Mitchell presented a bill to authorise the Public Treasurer to pay to John Gamble, late Sheriff of the county of Ashe, the excess of taxes paid by him into the Public Treasury in the year 1826; which was read the first time, passed, and, on motion, referred to the committee of Propositions and Grievances.

Mr. Gary, from the committee of Propositions and Grievances, to
whom was referred the petition of Charles Copeland, of Johnston country, praying to be placed on the pension list, reported that the committee, according to order, had considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

The bill concerning the Quakers, Dunkards, Menonists and Moravians in this State, was read the second time, and, on the motion of Mr. Morehead, postponed indefinitely—yeas 62, nays 51.


A message from the Senate, proposing that the report of the committee appointed to investigate the Treasury department, together with the exhibits accompanying the same, be printed, five copies for each member of the Assembly. The message was concurred in, and the Senate informed thereof by message.

Mr. Gaston presented the memorial of sundry citizens of the towns of Newbern, Washington, Plymouth, Edenton, Murfreesborough, Hertford and Elizabeth City, on the subject of improving the navigation at and about Occacock Inlet. On motion, ordered that the said memorial be referred to Messrs. Gaston, Benners, Blount, Dickson, Foy of Jones, Washington, Ruffin, Barnett, Lewis, Bateman, Wheeler, Pool and Spruill, and that it be printed, one copy for each member of the Assembly.

The House then adjourned until to-morrow morning, 10 o'clock.

WEDNESDAY, DEC. 12, 1837.

On motion of Mr. Brevard, ordered that a message be sent to the Senate, informing that Mr. Brevard and Mr. Morehead attend that House as a committee of superintendence of the balloting for Public Treasurer on the part of this House, agreed on to take place this morning.

On motion of Mr. Fisher,

Resolved, That the committee of Public Buildings be instructed to inquire into the expediency of adopting some method to obtain a supply of water, convenient to the public buildings, by the process of boring or otherwise; and that they report by bill or otherwise.

A message from the Senate, informing that Mr. Franklin and Mr. Bailey attend this House as a committee to superintend the balloting for Public Treasurer on their part.

On motion of Mr. Perry,

Resolved, That the Judiciary committee be instructed to inquire whether any, and if any, what alterations are necessary to be made in the act, passed at the last session of the General Assembly, entitled "an act to prevent the fraudulent trading with slaves, except in the manner therein prescribed," and that they report by bill or otherwise.

Mr. Cooper presented the following resolution:

Resolved, That his Excellency the Governor be requested to procure, for the House of Commons, a suitable clock of Aaron Williard's make, to be placed in this Hall; and that
The said resolution was read, and, on motion, rejected.

On motion of Mr. W. W. Stedman,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of passing a law to prevent the education of slaves; and that they report by bill or otherwise.

The bill to secure to Christiana Crittenden, of Stokes county, such property as she may hereafter acquire; also the bill to repeal an act, passed in the year 1824, entitled an act to authorise the payment of persons summoned to serve as talismen jurors for the county of Brunswick, were read the third time, passed, and ordered to be enrolled.

Mr. Brevard, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

On motion of Mr. Blount, ordered that a message be sent to the Senate, proposing to ballot again immediately for Public Treasurer.

A message from the Senate, informing that they had passed the engrossed bill, entitled a bill to authorise Zachariah Elliott, one of the securities of Henry S. Taylor, late sheriff of Greene county, to collect arrears of taxes, and asking the concurrence of this House.

A message from the Senate, informing of their assent to ballot again immediately for Public Treasurer; and that Mr. Williams of Martin and Mr. M'Millian form the committee of superintendence on their part.

On motion, ordered that the Senate be informed by message that Mr. Blount and Mr. Bozman form the committee to superintend the balloting for Public Treasurer on the part of this House.

Mr. Gary presented a bill to repeal all acts concerning agriculture and family domestic manufactures. The said bill was read the first time, passed, and, on motion of Mr. Gary, referred to the committee on Agriculture.

The bill to authorise Zachariah Elliott, one of the securities of Henry S. Taylor, late sheriff of Greene county, to collect arrears of taxes, was read the first time and passed.

Mr. F. Foy presented a bill prescribing the duty of the committee of Finance; which was read the first time and passed.

Mr. Mooney presented the following resolution:

Resolved, That Joseph Ross be appointed Librarian to the State Library, with a salary of seventy-five dollars per annum.

Resolved, That the said Joseph Ross shall make out and deposite with the Secretary of State, a list, arranged in alphabetical order, of all the books now belonging to the Library, and of such as may hereafter be purchased.

The said resolution was read the first time and passed.

The bill to explain an act, passed in the year 1810, chapter 33, authorising Enoch Sawyer to open a road across Pasquotank river swamp opposite to his plantation, and to erect a bridge across Pasquotank river; also the bill to incorporate the Elizabeth City Marine Insurance Company, were read the third time and passed—the former ordered to be engrossed, and the latter enrolled.

Mr. Blount, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared nei-
ther of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot immediately for Public Treasurer, and informing that Mr. Williams of Martin and Mr. Burney attend this House to conduct the balloting on their part. The message was concurred in, and the Senate informed that Mr. Webb and Mr. Glasgow attend the Senate as a committee on the part of this House to superintend the balloting for Public Treasurer.

On motion of Mr. Salmon,
Resolved, That the committee on Internal Improvements be instructed to inquire into the expediency of revising and consolidating the different acts of Assembly with regard to public roads, with such amendments as may be necessary to change the manner in which such roads are at present kept in repair; and that they report by bill or otherwise.

On motion of Mr. Ruffin,
Resolved, That the committee on the Judiciary be instructed to inquire into the possibility of so altering or amending the laws now in force in this State, as more effectually to prevent slaves from hiring their own time and making their own bargains to labor; and that they report by bill or otherwise.

On motion, ordered that Mr. Washington have leave of absence from the service of this House from yesterday to Monday next.

Mr. Newland presented the petition of Isaac T. Avery, of Burke county, praying for the establishment of a turnpike road; and Mr. Gillespie presented the petition of James Moore, of Duplin county, stating that as a soldier in the war of the revolution, he is entitled to a land warrant; that on application to the proper office, he finds his warrant had been drawn without his privity or consent, and praying for redress. Ordered that these petitions be referred, the former to the committee on Internal Improvement, the latter to the committee of Propositions and Grievances.

Mr. Webb, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot again immediately for Public Treasurer. The message was concurred in, and the Senate informed by message that Mr. Taylor and Mr. Wheeler form the committee of superintendence on the part of this House; and that the name of James Seawell is withdrawn from the nomination.

On motion, ordered that the bill vesting the election of sheriff in the people be made the order of the day for Friday next.

A message from the Senate, informing that Mr. Nuttall and Mr. Ward attend this House as a committee on their part to superintend the balloting for Public Treasurer.

The bill to extend the time of registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; also the bill to authorise the County Courts of Gates and Rowan to appoint a committee of finance, were read the second time and passed.

On motion, ordered that the bill for the more convenient administration of justice within a portion of the counties of Burke and Buncombe; also the bill to reduce the number of petty musters to two in the year, lie on the table.

On motion of Mr. Benners,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of
providing by law that the Clerks of each County Court in this State, shall, within twenty days after such Court shall have laid any county or other tax, publish the rates of the same in some newspaper in his county three different times; or, for want of such newspaper, advertise the same in writing at the court house the first, second and third Courts after such tax shall be laid, and send copies of such notice to the several justices of the peace in his county; and that the several County Courts in this State be empowered to make a proper compensation to said Clerks for their trouble.

Mr. Taylor, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

On motion of Mr. Blackledge, ordered that he have leave to withdraw from the files the petition of Thomas Tuion, with the accompanying documents.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of Thomas Greene and others, of the county of Burke, reported that the committee, according to order, had considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

The bill to legitimate and alter the name of Mary Ann Eliza Tooly; also the bill to alter the name of Hugh Wright Currie, of Robeson county, were read the third time, the former laid on the table, the latter rejected.

Mr. Jones, of Warren, from the Judiciary Committee, to whom was referred the resolution instructing them to inquire into the expediency of so amending the existing law on the subject of compensating prosecuting officers, as to secure the fees due on the conviction of insolvents, reported that the committee, according to order, had considered the said resolution, and instructed him to report that any alteration of the law in respect to the subject matter of the resolution is unnecessary. The report was read and concurred in.

Mr. Cox, from the select committee to whom was referred the subject of inquiring into the propriety of amending the patrol laws, reported that the committee had, according to order, the subject under consideration, and instructed him to report that it is not necessary to make any alteration in said laws. The report was read and concurred in.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred the bill to subject bail to costs, reported that the committee, according to order, had the said bill under consideration, and instructed him to report it with an amendment, and to recommend its passage. The said bill was read the first time, and amended agreeably to the report, and passed.

The resignations of R. Rendall, Colonel Commandant of the 2d regiment of the Montgomery militia, and Isaac Benton, Justice of the Peace for Columbus county, were presented, read and accepted.

The bill to divorce Winifred Everett, of Anson county, from her husband John Everett, was read the second time and rejected—yeas 59—nays 65. The yeas and nays called for by Mr. Glisson.


The House then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, DECEMBER 13, 1827.

On motion of Mr. Smith, ordered that a message be sent to the Senate, proposing to ballot this morning for Public Treasurer.

On motion of Mr. Gary,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so altering or amending the criminal law as to make the breaking and entering out houses, not within the curtilage, and taking goods or property therefrom, felony; and report by bill or otherwise.

Mr. Hampton presented a bill requiring ministers of the gospel and justices of the peace to return marriage licenses to the Clerks of the County Courts, and for other purposes; and Mr. W. W. Stedman presented a bill supplemental to an act for the improvement of the navigation of Perquimons river above Newby's bridge, passed in 1821. The said bills were read the first time, the former passed, and the latter referred to the committee on Internal Improvements.

A message from the Senate, agreeing to ballot this morning for Public Treasurer, and informing that Mr. Ramsay and Mr. Burney attend this House as a committee to conduct the balloting on their part. Ordered that the Senate be informed by message, that Mr. Smith and Mr. King form the committee on the part of this House to superintend the balloting for Public Treasurer.

On motion of Mr. Scott, ordered that a message be sent to the Senate, proposing to ballot on Saturday morning next for a Council of State, and informing that Thomas Kenan, George W. Jeffreys, Gideon Alston, William B. Lockhart, William Blackledge, Archibald M'Byrde, John M'Dowell, Isaac T. Avery, Meshack Franklin and William L. Davidson, are in nomination for the appointments.

On motion of Mr. Nelson,
Resolved, That the committee on the Judiciary inquire into the expediency of so amending the laws on the subject of registering of grants from the State, in the county in which the land lies, as to prevent individuals from being injured by entering lands which have already been patented, but the grant not registered; and also to prevent the State from being defrauded by the loss of taxes on lands so patented.

Mr. Smith, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot again immediately for Public Treasurer. The message was concurred in, and the Senate informed by message, that Mr. Lewis and Mr. White form the committee of superintendence of the balloting for Public Treasurer on the part of this House.
Mr. Hill presented a bill to appropriate $6,232, for the purpose of improving the Cape-Fear river below the town of Wilmington, and for other purposes. The said bill was read the first time, and referred to the committee on Internal Improvements.

A message from the Senate, informing that Mr. Hinton and Mr. Dav- enport attend this House as a committee to superintend the balloting for Public Treasurer on their part.

Mr. Bynum, from the committee of Claims, to whom was referred the petition of John Davis, praying to be placed on the pension list, reported that the committee had, according to order, considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

On motion of Mr. Brevard, ordered that he have leave to withdraw from the files the petition of John Davis.

Mr. Lewis, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed the duty assigned to them; and that it appeared, on an examination of the ballots, neither of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot again immediately for Public Treasurer. The message was concurred in, and the Senate informed by message, that Mr. Glisson and Mr. Hardy attend the Senate as a committee on the part of this House to conduct the balloting.

Mr. Brevard presented the following resolution:

Whereas, by the 19th section of the Constitution of this State, the Governor is empowered to grant pardons and reprieves, except when the prosecution shall be carried on by the General Assembly, or the law shall otherwise direct: Resolved, therefore, That the committee on the Judiciary be directed to inquire how those powers have been generally executed since the formation of the Constitution, and endeavor to ascertain the expediency of legislating on the last clause aforesaid; and that they report by bill or otherwise.

A message from the Senate, informing that Mr. Dobson and Mr. Askew, of Bertie, attend this House as a committee on their part to superintend the balloting for Public Treasurer.

Mr. Morehead, in pursuance to a petition, presented a bill to incorporate the New Garden Library Society. The said bill was read the first time and passed.

Mr. Glisson, from the committee appointed for the purpose of superintending the balloting for Public Treasurer, reported that the Committee had performed the duty assigned to them; and that it appeared, on examining the ballots, neither of the candidates had a majority of the whole number. The report was concurred in.

On motion of Mr. M'Dearmid,

Resolved, That the committee of Internal Improvements be instructed to inquire into the expediency of so amending the existing law, prohibiting the entry of vacant swamp and marsh lands in this State, so as to include those only, which it is probable the State will drain, and report by bill or otherwise.

The bill repealing an act, passed in 1818, chapter 790, entitled "an act fixing the sum hereafter to be paid to the State for vacant lands, was read the second time and rejected—yeas 53, nays 60. The yeas and nays called for by Mr. Jones of Warren.

JOURNAL OF THE HOUSE OF COMMONS.


Mr. Douglass, who voted in the majority yesterday, on the rejection of the bill to divorce Winfred Everett, of Anson county, from her husband John Everett, moved that the House do reconsider that vote. The question thereon was determined in the negative—yeas 51, nays 73.

The yeas and nays called for by Mr. Jones, of Warren.


The resignation of Isaac Winston, Colonel Commandant of the 29th regiment, attached to the 17th brigade of the militia, was presented, read and accepted.

On motion, ordered that the Senate be informed by message, that the name of Alexander Elliott is added to the nomination for Counsellors of State.

The House then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, DECEMBER 14, 1827.

On motion of Mr. Glisson, ordered that a message be sent to the Senate, proposing to ballot this morning for Public Treasurer, and informing that the name of John S. Haywood is withdrawn from the nomination for Treasurer.

On motion of Mr. Jones, of Warren, ordered that a message be sent to the Senate, proposing to ballot to-morrow morning for a Board of Internal Improvements, and informing that Cadwalader Jones, Andrew Joiner, James McKay and Marsden Campbell are nominated for the appointments.

A message from the Senate, informing that Mr. Speight of Greene and Mr. Wilson of Edgecombe attend this House as a committee on their part to superintend the balloting for Public Treasurer; and proposing that the superintendents be directed to wait on the sick members in their chambers to receive their ballots. Ordered that the Senate be informed by mes-
sage, that Mr. Gary and Mr. Glisson attend the Senate as a committee of superintendence of the balloting for Public Treasurer, and of the dissent of this House to the proposition that the superintendents wait on the sick members to receive their ballots.

Received from the Senate, a resolution for the purpose of raising a select joint committee to inquire into the expediency of establishing a penitentiary in connexion with an asylum for idiots and lunatics.

Resolved, That said committee prepare and report the most approved plan, with an estimate of the probable cost, embracing a view of the best system of government for such institution.

Resolved, That the proper information be not within reach of the committee, they submit a plan by which the necessary view of the subject may be obtained, in order to be submitted to a future Legislature.

Resolved, That Messrs. Shearer, Owen, Franklin, Wilson of Edgecomb and Davidson form the committee on the part of this House.

The said resolution was read, concurred in, and a committee appointed to join the committee appointed by the Senate, consisting of Messrs. Morehead, Alexander, Scott, Brevard and Little.

Mr. Gary, from the committee appointed to superintend the balloting for Public Treasurer, reported that the committee had performed that duty; and that, on examining the ballots, a majority of the whole number was found to be in favor of William Robards, who was duly elected. The report was concurred in.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: a bill to divorce Jesse Borden, of Wayne county, from his wife Ann; a bill to amend an act, passed in the year 1810, entitled "an act to amend an act, passed in the year 1809, entitled "an act to amend the several acts heretofore passed relative to the removal of obstructions to the passage of fish up the several rivers within this State," as relates to the Pee Dee and Yadkin rivers; a bill to allow the right of challenge to the State in certain cases; and a bill directing the manner in which roads shall hereafter be established, altered, turned and discontinued in the county of Richmond; and asking the concurrence of this House.

Mr. M'Dearmid presented a bill concerning the committee of Finance and receivers of public monies in the county of Cumberland; Mr. Salmons presented a bill to exempt from certain public duties the keeper of the poor house in the county of Stokes. These bills were read each the first time and passed.

A message from the Senate, informing that they had passed the engrossed bill, entitled "a bill to repeal an act passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincoln ton to Rutherfordton," with an amendment, and asking the concurrence of this House. The said amendment was read, concurred in, and the Senate informed thereof by message; also that they had passed the engrossed bill, entitled "a bill to establish a Turnpike road in the county of Buncombe," with several amendments, and asking the concurrence of this House. The amendments were read, concurred in, and the Senate informed thereof by message.

The bill directing the manner in which roads shall hereafter be established, altered, turned and discontinued in the county of Richmond; also the bill to allow the right of challenge to the State in certain cases; and
the bill to amend an act, passed in the year 1810, entitled "An act to amend an act, passed in the year 1809, entitled 'an act to amend the several acts heretofore passed relative to the removal of obstructions to the passage of fish up the several rivers within this State," as relates to the Pee dee and Yadkin rivers, were respectively read and ordered to lie on the table.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Surry county, in favor of Etheldred Edwards, reported that the committee, according to order, had considered the said petition, and instructed him to report a bill in pursuance of the prayer of the petition, entitled "a bill to restore credit Etheldred Edwards, of Iredell county." The said bill was read the first time and passed.

The bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton, was read, and, on motion, ordered to be laid on the table.

The bill to divorce Jesse Borden, of the county of Wayne, from his wife Ann, was read the first time, and, on motion of Mr. Webb, postponed indefinitely.

Mr. Gillespie presented the petition of a number of the citizens of Duplin county, praying for the repeal of an act of the last General Assembly, altering the sittings of the Courts of said county. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Cooper presented the following resolution:
Resolved, That all bills shall pass the first reading without debate or amendment.

The question to concur with the resolution, was determined in the negative.

The resignations of Alexander W. Brandon, Colonel Commandant of a regiment of Cavalry, composed of the 14th brigade of the second division of the militia; and William D. Freeman, Lieutenant Colonel of the 29th regiment of the militia, were read and accepted.

On motion, ordered that Mr. Ellis have leave of absence from the service of this House for to-morrow.

On motion of Mr. Cox,
Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the existing law, respecting the estates of deceased persons, as that all debts due by an intestate or testator, either by account or assumpsit, shall be considered as of high dignity as a bond, note or liquidated account; and that the assets in the hands of an administrator or executor, shall be subject to the payment of such judgments as shall be first obtained without reference to the dignity of the claims on which said judgments were founded; and that they report by bill or otherwise.

Mr. Ellis presented a bill to authorise the commissioners of the town of Hookerton, in the county of Greene, to sell the pews in the chapel, recently erected in said town; which was read the first time and passed.

On motion of Mr. Hough,
Resolved, That the Judiciary committee be instructed to inquire into the propriety of passing a law to prevent the stopping or obstructing of usual ways to and from public mills; and report by bill or otherwise.

The bill to annex the village of Drysborough, in the county of Craven, to the town of Newbern, was read the second time, amended and passed.

Mr. Taylor, who voted yesterday in the majority on the question of re-
jection of the bill repealing an act, passed in the year 1818, chapter 790, entitled "An act fixing the sum hereafter to be paid to the State for vacant lands," moved that the House reconsider that vote. The question thereon passed in the affirmative. Whereupon, Mr. Webb moved that the further consideration of said bill be postponed until the 15th day of May ensuing. The question thereon passed in the negative. The bill was then put on its passage for its third reading, and rejected—yeas 53, nays 61. The yeas and nays called for by Mr. Perry.


The bill for the more convenient administration of justice within a portion of the counties of Burke and Buncombe, was read the second time. Mr. Stedman moved that the further consideration of the said bill be postponed indefinitely. The question thereon passed in the negative—yeas 57, nays 62.


On motion, ordered that the said bill be laid on the table.

The House proceeded to the order of the day, and resolved itself into a committee of the Whole on the bill to vest the election of the Sheriffs in the free men in the county, Mr. Donoho in the Chair; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Donoho reported that the committee of the Whole, according to order, had had the said bill under consideration, and had made progress therein, and instructed him to ask leave to sit again on said bill on Monday next. The report was concurred in.

The House then adjourned until to-morrow morning, 10 o'clock.

Saturday, December 15, 1827.

Mr. Stephens presented a bill appointing commissioners to run and establish the boundary lines between the counties of Bladen and Columbus. The said bill was read the first time and passed.
A message from the Senate, consenting to ballot this morning for a Council of State for the ensuing year, and informing that the name of Alfred Jones is added to the nomination; and informing that they had passed the engrossed bill to divorce Keziah Sawyer, of the county of Craven, from her husband James Sawyer; also the engrossed resolution relative to the interchange of laws with other States; and asking the concurrence of this House.

The engrossed resolution relative to the interchange of laws with other States, was read the first time and passed.

A message from the Senate, informing that Mr. Owen and Mr. Franklin form on their part the committee to superintend the balloting for a Board of Internal Improvements.

On motion, ordered that the Senate be informed by message that Mr. Hill and Mr. Blount form the committee on the part of this House to superintend the balloting for a Board of Internal Improvements; and that the name of Marsden Campbell is withdrawn from the nomination, and that of Otway Burns added.

On motion, ordered that the Senate be informed by message that Mr. Gary and Mr. Ruffin attend the Senate as a committee to superintend the balloting for Counsellors of State for the ensuing year on the part of this House; and that the name of Elijah Callaway is added to the nomination.

On motion of Mr. Fisher,

Resolved, That William Robards, Treasurer elect, enter on the duties of his office as soon as he gives bond and takes the oath of office now required by law.

A message from the Senate, informing that Messrs. Nuttall and Montgomery attend this House as a committee on their part to superintend the balloting for Counsellors of State.

Mr. Little presented a bill to authorize Absalom Myers, sheriff of Anson county, to collect the arrears of taxes for the years therein mentioned; Mr. Boon presented a bill requiring the public register of Orange county to keep his office at the court house of said county; Mr. A. Williams presented a bill to alter the time of holding the County Court of Pleas and Quarter Sessions in the county of Davidson; Mr. Gillespie presented a bill for the better regulation of the town of Kenansville, in the county of Duplin; and Mr. Fisher presented a bill to limit the appointment of Solicitor General and Solicitors to four years. These bills were severally read the first time and passed.

Mr. Stewart, from the select committee to whom was referred a resolution on the subject of the fisheries on the Roanoke and Cashie rivers and the Albemarle Sound, reported that the committee had considered the said resolution, and instructed him to report a bill, in pursuance to its object, to prevent the obstruction of fish passing up the Roanoke and Cashie rivers and their waters. The said bill was read the first time and passed.

Mr. Eccles, in pursuance to a petition, presented a bill to incorporate the Cotton Plant steam boat Company; which was read the first time and passed.

Mr. Hill, from the committee appointed to superintend the balloting for a Board of Internal Improvements, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared Cadwallader Jones, James M'Kay, and Andrew Jumper had each a majority of the whole number, and were duly elected. The report was concurred in.
The several amendments made in the Senate, in the engrossed bill to repeal an act, passed in the year 1826, appointing commissioners to lay off and cause to be opened a public road from Lincolnton to Rutherfordton, were severally read and concurred in, and the Senate informed by message.

The bill to annex the village of Drysborough, in the county of Craven, to the town of Newbern, was read the third time, amended, passed and ordered to be engrossed and sent to the Senate for concurrence.

Mr. Hill, from the committee on Internal Improvements, reported a bill concerning the entry of lands covered by the waters of lakes Punge, Phelps and Mattamuskeet. The said bill was read the first time and passed.

Mr. Whitaker presented the petition of Titus Jennings Turner, of the county of Wake, praying to be placed on the pension list; Mr. Glasgow presented the petition of Hannah Mitchell, praying to have property secured to her from the claim of her husband and his creditors. These petitions were referred, the former to the committee of Claims, the latter to the committee on Divorce and Alimony.

Mr. Allen, of Montgomery, presented the petition of Rosewell King, of Montgomery county, stating the advantages likely to result to the State, from the raising of sheep, and praying for certain privileges relative there-to. Ordered that the said petition be referred to the select committee.

On motion of Mr. Busbee,

Resolved, That whereas, sundry persons holding military commissions, and residing in the counties of Wake, Franklin and Warren, were ordered by Brigadier General Blount to convene at Nashville, in Nash county, on the 30th of July, 1824, for the purpose of forming a Court Martial to try Col. David Daniel, of the Nash Regiment, on charges and specifications then and there preferred against him.

And whereas, the said officers could not perform said duty without manifest inconvenience and expense: Therefore,

Resolved, That the Public Treasurer be instructed to pay to said officers respectively, the amount of pay, &c. they would have been entitled to receive, had they been called into actual service by the Governor of the State, they first presenting their accounts properly made out and attested on oath of the time actually engaged, and the distance they had to travel in going to, and returning from said Court Martial.

On motion, ordered that the said resolution be referred to the Military committee.

Mr. Gary, from the committee appointed to superintend the balloting for Counsellors of State for the ensuing year, reported that the committee had, according to order, performed that duty; and that it appeared, on examining the ballots, Gideon Alston, William Blackledge, George W. Jeffreys, Meshack Franklin, William B. Lockhart and Isaac T. Avery had each a majority of the whole number, and were duly elected. The report was concurred in.

A message from the Senate, proposing to ballot for one Counsellor of State, and informing that Mr. Hollamon and Mr. Fuller form the ballotting committee on their part.

On motion, ordered that the Senate be informed by message that Mr. Lilly and Mr. Little form the committee on the part of this House to superintend the balloting for one Counsellor of State.

The bill to exempt from certain public duties the keeper of the poor house in the county of Stokes; also the bill to incorporate the New Gar-
The engrossed bill to authorise Zachariah Elliot, one of the securities of Henry S. Taylor, late sheriff of Greene county, to collect arrears of taxes, was read the second and third times, and the question, shall the said bills pass their several readings? was determined in the affirmative. On motion, ordered that the said bills be engrossed and sent to the Senate for concurrence.

The engrossed bill to alter the place of holding a battalion muster in Carteret county, was read the second and third times and amended. The question, shall the said bill pass its second and third readings, as amended? was determined in the affirmative. Ordered that the said bill be sent to the Senate, asking the concurrence of that House to the amendment.

The engrossed bill to divorce Keziah Sawyer, of the county of Craven, from her husband James Sawyer, was read the first time, and the question, shall the said bill pass? was determined in the negative.

The bill to authorise the commissioners of the town of Hookerton, in the county of Greene, to build pews in the chapel recently erected in said town; also the bill to restore to credit Etheldred Edwards, of Iredell county, were read the second time, and the question, shall the said bills pass? was determined in the affirmative.

The bill to amend an act, passed in the year 1810, entitled "an act to amend an act, passed in the year 1809, entitled an act to amend the several acts heretofore passed relative to the removal of obstructions to the passage of fish up the several rivers within the State," as relate to the Pee Dee and Yadkin rivers, was read the first time; and the question, shall the said bill pass its first reading? was determined in the affirmative.

The resignation of Charles Butler, justice of the peace for the county of Sampson, was presented, read and accepted.

The resolution authorising William Robards, the Treasurer elect, to enter upon the duties of his office as soon as he shall have given bond and taken the oath of office prescribed by law, was returned from the Senate concurred in.

The resolution in favor of Joseph Welch and Mark Coleman, was read the second time and passed. On motion, ordered that the said resolution be read the third time. The question, shall the said resolution pass its third reading? was determined in the affirmative—yeas 69, nays 42. The yeas and nays called for by Mr. Underwood.


Those who voted in the negative, are Messrs. Baker, Ball, Barnhardt, Battle, Blackwood, Bown, Bowkin, Burke, Byrnm, Cherry, Cooper, Davenport, Glisson, Harper, Hastings,
Ordered that the said resolution be engrossed and sent to the Senate for
concurrency.

On motion of Mr. Blackledge,

Resolved, That Hardy B. Groom have leave to withdraw from the Public Library;
for the space of twelve months, the work entitled "Lawson's History of North Ca-
rolina," for the purpose of republishing the same, with notes critical and explanat-
ary, upon his leaving a receipt for the same with the Librarian.

Sent to the Senate for concurrence.

The resolution appointing Joseph Ross Librarian to the State Library,
was read the second time, passed, and, on motion, laid on the table.

The House then adjourned until Monday morning next, 10 o'clock.

"MONDAY, DECEMBER 17, 1827.

Mr. Hough presented the petition of sundry citizens of the county of
Surry, on the subject of ascertaining the centre of said county. Ordered
that the said petition be referred to Messrs. Hough, Douglass, Taylor, Simpson and Jones of Rowan.

Mr. Gary, from the committee of Propositions and Grievances, to
whom were referred the petitions of Henry Houston and Robert Robes-
on, of Mecklenburg county, respectively praying to be placed on the
pension list, reported that the committee, according to order, had consi-
dered the said petitions, and instructed him to recommend their rejection.

On motion, ordered that the said report lie on the table.

Mr. Little, from the committee appointed to superintend the balloting
for one Counsellor of State, reported that the committee had performed
that duty; and that, on examining the ballots, it appeared neither of the
candidates had a majority of the whole number. The question to concur
with the report was determined in the affirmative.

Mr. Bynum, from the committee of Claims, to whom was referred the
resolution instructing the Treasurer to pay to the agents of Caleb Spen-
cer, administrator of John Bonner, late of the county of Hyde, the sum
of $156 30, reported that the committee, according to order, had consid-
ered the resolution, and instructed him to recommend that it be passed,
with an amendment raising the sum to $157 25. The question to concur
with the report was determined in the affirmative.

Mr. Wilkinson, with leave, presented a bill to incorporate Mount Mor-
iah Lodge, in the county of Edgecomb. The said bill was read the first
time, and the question, shall the said bill pass? was determined in the af-

Mr. Newland presented the petition of Leonard Hicks, praying for a
pension. Ordered that the said petition be referred to the committee of
Propositions and Grievances.

Mr. Alexander, with leave, presented a bill supplementary to the se-
veral acts now in force for the relief of insolvent debtors. The said bill
was read the first time, and, on motion, referred to the Judiciary commit-
tee.

Mr. Jones, of Warren, from the Judiciary committee, to whom was re-
ferred the bill to repeal the several laws of this State relative to the in-
spection of produce, reported that the committee, according to order,
had had the said bill under consideration, and instructed him to recommend that the said bill be rejected. On motion, ordered that the said report be laid on the table.

Mr. Jones, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of so altering or amending the laws now in force, as more effectually to prevent slaves from hiring their own time and making their own bargains to labour, reported that the committee had, according to order, had the said resolution under consideration, and instructed him to recommend that further legislation upon the subject is unnecessary, and to recommend its rejection. The question to concur with the report was determined in the affirmative.

Mr. Alexander, from the committee appointed to investigate the business connected with the Treasury Department, to whom was referred the resolution instructing them to inquire into the claim of James Patton, reported that the committee had, according to order, had the said resolution under consideration, and instructed him to present a resolution and recommend its passage, authorising the Public Treasurer to pay to James Patton, of Buncombe county, the sum of two hundred and seventy five dollars. The said resolution was read the first time and passed.

Mr. Donoho, from the select committee, to whom was referred so much of the message of his Excellency the Governor, as relates to the Cherokee Lands; and also the message enclosing the report of the commissioners appointed under an act of the last General Assembly of this State, entitled "An act prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians," have, according to order, had the same under consideration, reported that the committee instructed him to present a bill, entitled "a bill to amend an act, passed in the year 1826, entitled 'an act prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians, and for other purposes,' in pursuance thereto. The said bill was read the first time and passed. On motion, ordered that the said bill be printed, one copy for each member of the Assembly.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the expediency of increasing the tax on all gates, erected across public highways, reported that the committee, according to order, had considered the resolution, and instructed him to report a bill to amend the 7th section of the act, entitled "an act to provide a revenue for the payment of the civil list and contingent charges of government, passed in the year 1823," and to recommend its passage. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Blackledge, from the select committee, to whom was referred the resolution directing them to inquire into the state of the Literary Fund; and also to inquire whether any bond had been taken from the person entrusted with the safe keeping of the monies belonging to the President and Directors of the Literary Fund, for the due and faithful performance of his duty, reported that the committee had, according to order, had the subjects referred to them under consideration, and instructed him to report a bill to provide for the safe keeping of the money appropriated to the
Literary Fund, and to recommend its passage. The said bill was read, and, on motion, ordered to be printed, one copy for each member of the Assembly.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a bill, entitled "a bill extending the jurisdiction of justices of the peace in criminal cases," reported that the committee, according to order, had the said bill under consideration, and instructed him to recommend that it be rejected. This bill was read and ordered to lie on the table.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of a number of the citizens of Duplin county, praying for an alteration of the times of sitting of the Courts of Pleas and Quarter Sessions in said county, reported that the committee had, according to order, considered the said petition, and deem the prayer thereof to be reasonable, and instructed him to present a bill to alter the time of holding the Courts of Pleas and Quarter Sessions in the county of Duplin, and to recommend its passage. The said report was read and rejected.

The House, according to the order of the day, resolved itself into a committee of the Whole, Mr. Donoho in the Chair, on the bill to vest the election of the Sheriffs in the freemen of the county; and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Donoho reported that the committee of the Whole had again, according to order, the said bill under consideration, and instructed him to report to the House, that the said bill, with the several amendments made in committee of the Whole, be passed into a law. Mr. Burns moved that the further consideration of said bill be indefinitely postponed, and called for the yeas and nays. The question, shall the said bill be postponed indefinitely? was determined in the affirmative—yeas 63, nays 63. The House being equally divided, the Speaker voted in the affirmative.


The House then adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 18, 1827.

On motion of Mr. Gillespie, ordered that he have leave to withdraw from the files the petition of sundry inhabitants of the county of Duplin. James Bozman, the member elected for the town of Edenton to supply the vacancy in the representation of said town, in consequence of the resignation of James Iredell, appeared, produced his credentials, qualified and took his seat.
Mr. Hill, with leave, presented a bill to amend an act, entitled "an act to amend an act, entitled 'an act laying duties on sales at auctions of merchandise;' Mr. Styrnon presented a bill to compel the Register and Clerk of the County Court of Hyde to keep their respective offices at the court-house in said county; Mr. Marshall presented a bill to repeal the second, third and fourth sections of an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State," so far as relates to the county of Anson. These bills were respectively read the first time, and the question, shall the said bills pass? was determined in the affirmative.

A message from the Senate, proposing to ballot this morning for a Counsellor of State. The message was concurred in, and the Senate informed that Mr. H. C. Jones and Mr. Boykin wait on the Senate as a committee on the part of this House to conduct the balloting; and further that the names of William L. Davidson and Elijah Calloway are withdrawn from the nomination.

A message from the Senate, informing that they had passed the engrossed bill concerning the Public Treasurer; also the engrossed bill to divorce William Holland, of Craven county, from his wife Esther, and asking the concurrence of this House; and informing further that the Senate agree with the amendment made in the engrossed bill to alter the place of holding a battalion muster in Carteret county, and the amendment made in the engrossed resolution in favor of the heirs of John Bonner.

A message from the Senate, informing that Mr. Williams of Martin and Mr. Burney form the committee to conduct the balloting for one Counsellor of State on their part.

A bill for the more convenient administration of justice within a portion of the counties of Burke and Buncombe, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.

A message from the Senate, proposing to ballot on Thursday next for Brigadier General of the 5th brigade, and informing that Louis D. Wilson is nominated for the appointment. The message was concurred in, and the Senate informed that the name of Carter Jones is added to the nomination.

On motion of Mr. Jones, of Warren, ordered that the committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of providing by law for a certain number of peremptory challenges in all capital pleas of the State, be discharged from the consideration of said resolution.

Mr. H. C. Jones, from the committee appointed to superintend the balloting for a Counsellor of State, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, neither of the persons in nomination had a majority of the whole number. The question to concur with the report was determined in the affirmative.

Mr. Jones, of Warren, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the propriety of providing by law for the settlement of the titles of the Indian reserves in the county of Haywood, reported that the committee, according to or-
der, had the said resolution under consideration, and instructed him to report a bill respecting certain reservations claimed by Indians in the lands lately acquired by treaty from the Cherokee nation, and to recommend its passage. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

The bill to increase the penalty of the official bonds of the Clerks of the several Courts of record in this State, and to provide for the deposit and safe keeping said bonds, was read the second time, amended, and the question, shall the said bill, as amended, pass? was determined in the affirmative.

Mr. Scott, with leave, presented a bill to repeal an act, passed in 1826, entitled "an act for the protection of securities," which was read the first time and passed, and, on motion, referred to the Judiciary committee.

On motion of Mr. Cox, ordered that he have leave to withdraw from the files the petition of James Patton.

A message from the Senate, proposing to ballot immediately for a Counsellor of State. The message was concurred in, and the Senate informed that the names of Alfred Jones and Alexander Elliott are withdrawn from the nomination, and that Messrs. Marshall and Brittain form the committee of superintendence of the ballotting.

The engrossed bill concerning the Public Treasurer, was read, and, on motion, ordered to lie on the table and be printed, one copy for each member of the Assembly.

Mr. Morehead, with leave, presented a bill to make provision for widows when they dissent from the wills of their husbands; Mr. Fisher presented a bill to authorise and direct the Sheriff of Rowan county to collect the taxes imposed by the commissioners of the town of Salisbury; Mr. Lewis presented a bill for the more effectual administration of justice in the Court of Pleas and Quarter Sessions for the county of Caswell; Mr. Webb presented a bill to amend an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State for taxation?" Mr. Burns presented a bill to amend the wreck laws of this State, so far as regards the districts in the county of Carteret. These bills were repectively read the first time, and the question, shall the said bills pass? was determined in the affirmative.

A message from the Senate, informing that Messrs. Deberry and M'Dowell form the committee of superintendence of the ballotting for one Counsellor of State for the ensuing year on their part.

On motion of Mr. Stewart,

Resolved, That a select committee be appointed to inquire whether any, and if any, what amendments are expedient or necessary, in the act passed in the year 1826, entitled "an act to prohibit the trading with slaves, except in the manner therein prescribed."

On motion, ordered that the said resolution be referred to Messrs. Stewart, Bynum, Lewis, White and J. Bozman.

Mr. Marshall, from the committee appointed to superintend the ballotting for one Counsellor of State, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, Archibald M'Bryde had a majority of the whole number, and was duly elected. The question to concur with the report was determined in the affirmative.

On motion of Mr. Stockard,
Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of settling by law the priority of lien between executions issued by justices of the peace, so as to fix the lien in favor of the younger executions which have been actually levied.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: A bill to amend the different acts of the General Assembly concerning dower; a bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river; and a bill to appoint a committee of Finance for the county of Surry; and asking the concurrence of this House.

The engrossed bill to amend the different acts of the General Assembly concerning dower; also the engrossed bill to appoint a committee of Finance for the county of Surry; and also the engrossed bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river, were severally read the first time, and the question shall these bills pass was determined in the affirmative.

The bill to extend the time of registering grants and mesne conveyances, powers of attorney, bills of sale and deeds of gift; also the bill to authorise the County Court of Gates to appoint a committee of Finance, were read the third time, and the question shall the said bills pass was determined in the affirmative. Ordered that the former bill be enrolled, and the latter engrossed and sent to the Senate for concurrence.

The engrossed bill to secure to Mary E. Roland, of Robeson county, such property as she may hereafter acquire, was read the first time, and the question shall the said bill pass was determined in the affirmative.

Mr. Smith, with leave, presented a bill to repeal an act, passed in the year 1825, entitled "an act to create a fund for the establishment of common schools. The said bill was read, and, on motion, referred to the committee of Education.

Mr. Love presented the following resolution:

Resolved, That the Public Treasurer pay William Welch fifty-seven dollars on account of being detained by sickness on his way home to his own residence, in Haywood county, from Raleigh, as a member of the General Assembly for the year 1820; and that he be allowed the same in the settlement of his public accounts.

On motion, ordered that the said resolution be referred to the committee of Claims.

Mr. Blackledge presented the petition of Rhoda Bell, of the county of Beaufort; and Mr. Ruffin presented the petition of Susan P. Davis, of Franklin county, respectively praying to be divorced from their husbands. Ordered that the said petitions be referred to the committee on Divorce and Alimony.

Mr. Donoho presented the petition of Sarah Price, praying to have secured to her property, free from the claim of her husband. Ordered that the said petition be referred to the committee on Divorce and Alimony.

The Speaker laid before the House the representation of Mr. Yancy, appointed to represent the State in the State Bank; which was read, and, on motion, ordered to lie on the table and be printed, four copies for each member of the Assembly.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of John M'Daniel, of Jones county, praying to be restored to credit, reported that the committee had, according to order, had the said petition under consideration, and instructed him to
recommend that it be rejected. The question to concur with the report was determined in the affirmative.

The bill to subject bail to costs, and the bill prescribing the duty of the committee of Finance, were read the second time, and the question shall the said bills pass? was determined in the affirmative.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred the bill to allow the right of challenge to the State in certain cases, reported that the committee, according to order, had the said bill under consideration, and instructed him to report the same with an amendment, and to recommend its passage. The said bill was read the second time, and the question shall the said bill pass? was determined in the affirmative.

Received from the Senate a resolution, proposing to raise a select joint committee to examine and settle the accounts of the Clubfoot and Har- low Creek Canal Company, and make report of the same; and informing that Messrs. Fuller, Askew of Hertford, Wilson of Edgecomb, Spaight of Craven, and Davidson, form the committee on their part. The said resolution was read and concurred in, and a committee selected, consisting of Messrs. Burns, Lewis and Benners, to join the committee appointed by the Senate.

On motion of Mr. Perry,

Resolved, That a select joint committee, consisting of five members from each House, be appointed for the purpose of obtaining from the President of the State Bank of North Carolina, a statement of the condition of the said Bank, so far as the State is interested.

Resolved, That Messrs. Perry, Wheeler, Glisson, W. A. Bozman and Hill form the committee of this House.

On motion of Mr. Lewis,

Resolved, That Richard Roberts be directed immediately to procure green baize curtains for the windows of the Clerks' rooms in the third story in the west wing of the State House; and that the Treasurer advance to the said Richard Roberts, the sum necessary to effect the same; which sum he shall be allowed in the settlements of his public accounts.

The said resolution was read for its first, second and third readings, passed, and ordered to be engrossed, and sent to the Senate for concurrence.

On motion of Mr. Jasper,

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the laws now in force, concerning the maintenance of bastard children, as to make the executors and administrators of persons who die before being charged by the mother with being the father of her bastard child, liable to the support of the same, under the same regulations as by law he now is, when charged in his life time.

The resolution in favor of James Patton, of Buncombe county, was read the second time and passed.

The resignation of A. A. Mc'Dowell, Colonel Commandant of the regiment of Cavalry, attached to the 15th Brigade; and the resignation of John Alston, Brigadier General of the 5th brigade, were read and accepted.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a bill, entitled "a bill to compel the issuing of process out of the Courts of this State, reported that the committee, according to order, had considered the said bill, and instructed him to report that there is no necessity of additional legislation on the subject, and to recommend its rejection. The report was concurred in, and the bill reported, read and rejected.
The engrossed bill to divorce William Holland, of Craven county, from his wife Esther, was read the first time and rejected.

The House then adjourned until to-morrow morning, 10 o'clock.

**Wednesday, December 19, 1827.**

Mr. Love, with leave, presented a bill to establish a turnpike road in the county of Haywood. The said bill was read the first time, and the question, shall the said bill pass? was determined in the affirmative.

Mr. Hill, from the committee on Internal Improvements, to whom was referred a resolution instructing them to inquire into the expediency of revising and consolidating the different acts of Assembly with regard to public roads, reported that the committee had, according to order, considered the said resolution, and instructed him to ask that the committee be discharged from the further consideration of the same. The question to concur with the report was determined in the affirmative.

Francis Ward, the member elected from the county of Washington, in place of Abner N. Vail, whose seat was vacated, appeared, produced his credentials, was qualified and took his seat.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: a bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Martin; a bill concerning the sheriff of the county of Brunswick; and a bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage, and asking the concurrence of this House. The engrossed bill concerning the sheriff of Brunswick county; also the bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Martin; and also the bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage, were read the first time, and the question, shall the said bills pass? was determined in the affirmative.

A message from the Senate, informing that they had passed the engrossed bill to incorporate the New Garden Library Society, with sundry amendments, and asking the concurrence of this House. The amendments were read and concurred in, and the Senate informed thereof by message.

The bill for the more convenient administration of justice within a portion of the counties of Burke and Buncombe, was read, and, on motion, referred to the committee.

The bill directing the manner in which roads shall hereafter be established, altered and discontinued in the county of Richmond, was read the second time, and, on motion, ordered to be postponed indefinitely.

Mr. Lewis, from the committee on the public buildings, to whom was referred the resolutions appointing Joseph Ross keeper of the State House, and for other purposes; and likewise the petition of Henry Gorman on the same subject, reported that the committee, according to order, had the subject matter under consideration, and instructed him to report a bill concerning the appointment of a keeper of the State House, and for the preservation of the Statue of Washington, and to recommend its passage. The report was concurred in, and the bill reported was read the first time and passed.

Mr. Gaston, from the select committee to whom was referred the memorial of sundry citizens of Newbern, Washington, Plymouth, Edenton,
Murfreesborough, Elizabeth City and Hertford, reported that the committee had, according to order, had the said memorial under consideration, and instructed him to report a bill to incorporate the Oceanaok Navigation Company, and to recommend its passage. The said bill was read the first time, and the question—shall the said bill pass?—was determined in the affirmative. On motion, ordered that the report and bill be printed, one copy for each member of the Assembly.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a bill regulating the time within which demand shall be made of the maker, and notice given to the endorser of a bill, bond or promissory note, reported that the committee had, according to order, had the said bill under consideration, and instructed him to return the bill, and to recommend its rejection. On motion, ordered that the said report be laid on the table, and be printed with the bill.

Mr. Blount, with leave, presented a bill to establish a work house in the county of Beaufort, and for other purposes; and Mr. Harper presented a bill to incorporate Jerusalem Lodge, in Greene county. The bills were read the first time, and the question, shall the said bills pass?—was determined in the affirmative.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: a bill to add all that part of the second regiment of militia of Burke county lying south of the Catawba river, in said county, to the first regiment; a bill for the relief of persons who have made entries of land with entry takers, or who have had lands surveyed by surveyors, who have not renewed their bonds agreeably to law; a bill to divorce William D. Taylor, of the county of Martin, from his wife Mary; and a bill to secure to Mary E. Rowland, of the county of Robeson, such property as she may hereafter acquire; and asking the concurrence of this House.

Mr. Morehead, in pursuance to a petition, presented a bill to alter the dividing line between the first and second regiments of the militia of Guilford. The said bill was read the first time and passed.

Received from his excellency the Governor, by his private secretary, the following communication:

To the Honorable the General Assembly of the State of North Carolina.

Gentlemen,—I have the honor herewith to transmit you the last annual report of the Board of Directors to the Stockholders of the Roanoke Navigation Company, which has been received since the general report of the Board of Internal Improvement was communicated.

With great consideration, I have the honor to be your obedient servant.

JAMES IREDELL.

Executive Department, N. C. 19th Dec. 1827.

The said communication was read, and, on motion, the reports accompanying the communication ordered to be printed, one copy for each member of the Assembly.

The bill for the relief of persons who have made entries of lands with entry-takers, or who have had lands surveyed by surveyors, who have not renewed their bonds agreeably to law, was read the first time, and the question, shall the said bill pass?—was determined in the affirmative.

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a resolution instructing them to inquire whether any, and if any, what alterations are necessary to be made in the act, passed at the last session of the General Assembly, entitled "an act to prevent the
fraudulent trading with slaves, except in the manner therein prescribed," reported that the committee, according to order, had the resolution before them, and directed him to ask that the committee be discharged from the consideration thereof. The question to concur with the report passed in the affirmative.

The bill to establish a medical board, and to regulate the practice of physic and surgery in this State, was read the second time and amended; and the question, shall the said bill pass? was determined in the affirmative.

The engrossed bill to add all that part of the second regiment of militia of Burke county lying south of the Catawba river, in said county, to the first regiment, was read, and, on motion, laid on the table.

The engrossed bill to divorce William D. Taylor, of Martin county, from his wife Nancy, was read the first time, and the question, shall the said bill pass? was determined in the negative.

The resignations of John Weidon, of the county of Moore, and of Lovitt Bell, of Hyde county, justices of the peace, were presented, read and accepted.

The House then adjourned until to-morrow morning, 10 o'clock.

THURSDAY. DECEMBER 20, 1827.

On motion of Mr. Enoch Fay, ordered that a message be sent to the Senate, proposing to set apart Saturday evening next for the purpose of recommending field officers and justices of the peace.

Mr. Hampton, with leave, presented a bill to incorporate the town of Lexington, in the county of Davidson; Mr. Styron presented a bill to authorise Henry Gibbs, sheriff of Hyde county, to collect arrears of taxes. These bills were read the first time, and the question, shall the said bills pass? was determined in the affirmative.

Mr. Neill, from the committee to whom was referred the resolution requiring them to inquire into the propriety of causing to be laid before the next Legislature a report from the trustee of each county in this State the amount paid by each of them from the first day of January, 1827, to the first day of January, 1828, for prosecuting and punishing insolvent offenders against the State, reported that the committee, according to order, had considered the resolution, and instructed him to report a bill to compel the county trustee of each county to report the expenditures of the county in the prosecution and punishment of insolvent offenders, and to recommend its passage. The said bill was read the first time and passed.

A message from the Senate, informing that they had passed the engrossed bill to amend an act, passed in the year 1777, entitled "an act to establish courts of law, and to regulate the proceedings therein;" and an engrossed resolution for the relief of David Rogers, of Buncombe county; and asking the concurrence of this House.

The bill to authorise Frederick Jones, of Lenoir county, to erect a bridge across Neuse river, was read the second and third times, and amended; and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be sent to the Senate for concurrence.

The engrossed bill to amend an act, passed in the year 1777, entitled
"an act to establish Courts of Law, and regulate the proceedings therein," was read the first time, passed, and ordered to be referred to the committee on the Judiciary.

The engrossed resolution for the relief of David Rodgers, of Buncombe county, was read the first time and passed.

Mr. Hill, from the committee on Internal Improvement, to whom was referred the report of the Board of Internal Improvement; and also so much of the message of his Excellency the Governor, as relates to the draining of swamp lands, reported that the committee had, according to order, considered the subject, and instructed him to report a bill to provide for the draining of Mattamuskeet Lake, and recommend its passage. The said bill was read the first time, passed, and, on motion, ordered to be printed with the report, one copy for each member of the Assembly.

The resignation of Daniel M'Ilver, justice of the peace of Moore county, was presented, read and accepted.

The resolution in favor of James Patton, was read the third time, and the question, whether the said resolution pass, was determined in the affirmative—yeas 63, nays 61. The yeas and nays called for by Mr. Ellis.


On motion, ordered that the said resolution be engrossed and sent to the Senate for concurrence.

A message from the Senate, informing that Mr. M'Neil and Mr. Askew of Bertie attend this House as a committee on their part to superintend the balloting for Brigadier General of the 5th brigade. On motion, ordered that the Senate be informed by a message that Mr. Bateman and Mr. Speller attend the Senate as a committee on the part of this House to conduct the balloting for Brigadier General of the 5th brigade; and that the name of Benjamin Sharpe is added to the nomination.

The House then adjourned until to-morrow morning, 10 o'clock.

Friday, December 21, 1827.

A message from the Senate, agreeing to set apart Saturday evening next for the purpose of recommending field officers and justices of the peace.

Mr. Bateman, from the committee appointed to conduct the balloting for Brigadier General of the 5th brigade, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

On motion, ordered that a message be sent to the Senate, proposing to ballot again immediately for the Brigadier General of the 5th brigade.
A message from the Senate, consenting to ballot immediately for the Brigadier General of the 5th brigade, and informing that Messrs. Speight of Greene and Hinton form the committee of Superintendence of the balloting. On motion, ordered that the Senate be informed by message that Mr. Bozeman and Mr. Burns form the committee of superintendence of the balloting on the part of this House.

Mr. Bynum presented a bill empowering the commissioners of the town of Halifax to sell to Lemuel Long a certain strip of land of the commons of said town. Mr. Harper presented a bill to incorporate the Hookerton Library Company, in the county of Greene. These bills were read each for their first reading and passed.

Mr. Allen, from the select committee to whom was recommitted the bill for the more convenient administration of justice within a portion of the counties of Burke and Buncombe, reported that the committee had, according to order, the said bill under consideration, and instructed him to return the bill with an amendment, and to recommend its passage. On motion, ordered that the said bill be laid on the table and made the order of the day for to-morrow.

Mr. Bozeman, from the committee appointed to superintend the balloting for Brigadier General of the 5th brigade, reported that the committee had performed that duty; and, on examining the ballots, it appeared that Louis D. Wilson had a majority of the whole number, and was duly elected. The question to concur with the report was determined in the affirmative.

A message from the Senate, informing that they had passed the following engrossed bills and resolutions, to wit: A bill to incorporate the N. Carolina Gold Mining Company; a bill to divorce Eliza Dowling from her husband Zacheus Dowling; a bill to secure Priscilla Brasher such property as she may hereafter acquire; a bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands; a bill to compel the public register of Franklin county to keep his office in the town of Louisburg, in said county; and a bill to provide for the final settlement of executors and administrators; also a resolution requiring the Secretary of State to purchase stationary; and a resolution in favor of John W. Hamilton; and asking the concurrence of this House.

The engrossed bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands; also the bill to compel the public register of Franklin county to keep his office in the town of Louisburg, in said county; and a resolution in favor of John W. Hamilton, were severally read the first time, and the question shall the said bills and resolution pass? was determined in the affirmative.

Mr. Jones, of Rowan, presented a bill to authorise the Court of Pleas and Quarter Sessions of the county of Rowan to appoint a committee of Finance. Mr. Green presented a bill to amend the sale law in Rutherford county. Mr. Sharpe presented a bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "An act to revise the militia laws of this State, relative to the infantry," and to repeal the 9th and 10th sections of an act, passed in the year 1813, entitled "an act to amend the militia laws of this State." The said bills were read the first time, and the question, shall the said bills pass? was determined in the affirmative.

The bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands, was read the second time, and the question, shall the said bill pass? was determined in the affirmative.

The bill to provide for the final settlement of executors and administrators; also the bill prescribing the duty of the committee of Finance, were read, and, on motion, ordered to be laid on the table.

A message from the Senate, informing that they do not agree to the amendment made in the engrossed bill to authorize Frederick Jones, of Lenoir county, to erect a bridge across Neuse river. On motion, ordered that the Senate be informed by message, that this House do recede from their amendment to the said bill.

Mr. Bozman presented the following resolution:

Resolved, That the Public Treasurer pay to Joshua Lunsden, the sum of twenty-four dollars for carrying a writ of election to the county of Washington, and the further sum of three dollars for covering a table in the office of the Clerk of this House.

The said resolution was read the first time and passed.

The engrossed bill concerning the Public Treasury, was read the first time and passed.

The bill to subject bail to costs in certain cases, was read the third time, passed, and ordered to be engrossed, and sent to the Senate for concurrence.

The engrossed bill to allow the right of challenge to the State in certain cases, was read the third time, as amended, and the question, shall the said bill pass? was determined in the affirmative. Ordered that the said bill be sent to the Senate, asking the concurrence of that House with the amendment.

On motion of Mr. W. A. Bozman,

Resolved, That the committee on Public Buildings be instructed to inquire what additional furniture may be necessary for the Government House, and the probable cost thereof.

On motion of Mr. Whitaker,

Resolved, That the Public Treasurer be, and he is hereby directed to pay to Henry Gorman, the sum of fourteen dollars and fifty cents, for work done to the State House by said H. Gorman.

The resolution was read and referred to the committee on Public Buildings.

Mr. Roberts presented the petition of sundry inhabitants of the county of Wilkes, praying to have two terms of their Courts altered; and Mr. Barnett presented the petition of Ann Fewell, of the county of Rockingham, praying to be authorised to erect a gate on a public road leading through her plantation. Ordered that the said petitions be referred to the committee on Propositions and Grievances.

The engrossed resolution requiring the Secretary of State to purchase stationary, was read the first time and passed.

Mr. Bateman, from the committee composed of the members of the first Judicial Circuit, to whom was referred the bill to alter the times of holding the Superior Courts in the first Judicial Circuit, reported that the committee had, according to order had the said bill under consideration, and instructed him to return the bill with a recommendation, that it be rejected. The question to concur with the report was determined in the affirmative.
The engrossed bill to secure to Priscilla Brasher, such property as she may hereafter acquire; and also the engrossed bill to divorce Eliza Dowling from her husband Zacharius Dowling, were read the first time and rejected.

The bill to divorce Mary Bryant from her husband Eli Bryant, was read the second time and rejected.

Mr. Hill presented the petition of Henry B. Howard and others, of the town of Wilmington, owners of steam machines, praying, for reasons stated in their petition, to be exempt from paying taxes thereon. Ordered that said petition be referred to Messrs. Hill, Bynum and Spruill.

Mr. N. A. Stedman presented the petition of sundry citizens of Chat-ham county, praying for the passage of a law to prevent the further intro-duction of slaves into this State, under any pretense whatever; and Mr. Morehead presented the petition of sundry citizens of the county of Guilford, on the same subject. These petitions were read and referred to Messrs. N. A. Stedman, Smith, Simpson, Boykin, Jones of Rowan, Fisher, King, Barnett, Hampton, E. Foy, Conrad, Wadsworth and Stewart.

Mr. Jones of Warren, from the committee on the Judiciary, to whom was referred the bill extending the jurisdiction of justices of the peace in criminal cases, reported that the committee had, according to order, the said bill under consideration, and instructed him to return the bill to the House, and to recommend its rejection. The question to concur with the report was determined in the affirmative.

The resignations of Nathan Wright, Major of Cavalry attached to the eighth brigade, and 4th division; I. W. Hereford, Major of the second regi-ment of Rockingham county militia; and R. M. G. Moore, justice of the peace of the county of Hyde, were presented, read and accepted.

The bill to establish a Medical Board, and to regulate the practice of physic and surgery in this State, was read the third time and amended. Mr. Stedman moved that the further consideration of said bill be post-poned indefinitely, and called for the yeas and nays. The question thereon was determined in the negative—yeas 45, nays 72.


The said bill was then put on its passage, and the question, shall the said bill pass was determined in the affirmative—yeas 67, nays 49.

The yeas and nays called for by Mr. Stedman.

Saturday, December 22, 1827.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: A bill to repeal an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde," a bill to amend an act, passed in the year 1824, entitled "an act giving the assent of North Carolina to, and enforcing in this State, certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road;" and a bill concerning the town of Carthage, in the county of Moore, and asking the concurrence of this House.

The engrossed bill concerning the town of Carthage, in the county of Moore; also the bill to amend an act, passed in the year 1824, entitled "an act giving the assent of North-Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road;" and also the bill to repeal an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde," were severally read the first time, and the question, shall the said bills pass? was determined in the affirmative.

Received from the Senate, a resolution for the purpose of appointing, by joint ballot of both Houses, three persons to represent the interest which the State has in the stock of the Bank of Cape Fear, at the meeting of the stockholders of said bank to be held on the first Monday of January, 1828. The said resolution was read, concurred in, and returned to the Senate. The bill prescribing upon what evidence the Public Treasurer shall receive the purchase money for vacant and unappropriated lands, was read the third time; also the bill appointing commissioners to run and establish the boundary lines of Bladen and Columbus counties, was read the second and third times, and the question, shall the said bills pass their several readings? was determined in the affirmative. Ordered that the former be enrolled and the latter engrossed.

Mr. Taylor presented a bill to incorporate the first Presbyterian Church in the town of Oxford; Mr. Sharpe presented a bill making it the duty of Major Generals to review the first regiment of Edgecomb militia at their usual regimental muster ground. These bills were read the first time and passed.

The bill to incorporate the Cotton Plant Steam Boat Company, was read the second and third times, and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be engrossed.
Mr. Gold presented the petition of John Logan and wife, praying, for reasons stated in their petition, to be allowed a sum of money to support them in their old age. Ordered that the said petition be referred to the committee of Propositions and Grievances.

On motion of Mr. Ellis,

Resolved, That this House hold evening sessions from and after this day, for the purpose of disposing of private business.

Mr. N. A. Stedman presented the petition of Benjamin Rhodes, of the county of Chatham, praying that a fine paid by him for not listing his store, be remitted. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Cox presented the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the law as to extend the jurisdiction of a justice of the peace, in all cases of debt, to one hundred dollars, and that they report by bill or otherwise.

The said resolution was read and rejected.

The resignations of Benjamin Sharpe, colonel commandant of the first regiment of Edgecombe county militia, and Jesse Brevard, justice of the peace for Currituck county, were presented, read and accepted.

The House proceeded to the order of the day, and took up the bill to erect out of a part of the counties of Burke and Buncombe a separate and distinct county. The said bill was read the third time, and the question, shall the said bill pass its third reading, was determined in the affirmative—yeas 62, nays 62—the Speaker voting in the affirmative. Yeas and nays called for by Mr. Jones of Warren.


Ordered that the said bill be engrossed and sent to the Senate for concurrence.

The House then adjourned until 3 o'clock, P. M.

Mr. Newland, from the committee to whom was referred the bill to divorce Robert Bigham from his wife Mary, reported that the committee had, according to order, had the said bill under consideration, and instructed him to return it to the House with a recommendation that it be passed into a law. The question to concur with the report was determined in the negative, and the bill reported read and rejected—yeas 33, nays 71. The yeas and nays called for by Mr. Gaston.


The House then adjourned until Monday morning next, 10 o'clock.

MONDAY MORNING, December 24, 1827.

Mr. Hough, from the select committee to whom was referred the petition of sundry citizens of Surry county, reported that the committee had, according to order, the said petition under consideration, and instructed him to report a bill in pursuance of the prayer of the petition, and to recommend its passage. The report was concurred in, and the bill read the first time and passed.

Mr. Byrum presented a bill prescribing the manner in which staves, heading, and shingles shall hereafter be inspected. Mr. Wheeler presented a bill to incorporate the Zion Relief Society of North Carolina. Mr. Boon presented a bill giving the Superior Courts of Law exclusive jurisdiction in all cases of divorce. Mr. Leonard presented a bill to alter the time of holding the Courts of Pleas and Quarter Sessions for the county of Brunswick. Mr. Taylor presented a bill directing what construction shall be given to contingent executory limitations. These bills were respectively read the first time and passed, and the latter referred to the committee on the Judiciary.

Mr. Hill, from the select committee to whom was referred the petition of Henry B. Howard and others, owners of certain steam power mills, reported that the committee had had the said petition under consideration, and instructed him to recommend that it be rejected. The report was read and concurred in.

On motion of Mr. Summers,

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the law as to prevent debtors from conveying their property by mortgage or deed of trust to one or more of their creditors, in preference and to the exclusion of their other creditors, and the monies arising from said sales be equally divided between the creditors in proportion to their several demands.

Mr. Gaston presented a bill to provide for the gradual diminution of the capital stock of the Banks of this State, by the purchase and extinguishment of shares; which was read the first time and passed.

A message from the Senate, informing of the assent of that House to the several amendments made in the engrossed bill to increase the penalty of the official bonds of the Clerks of the several courts of record in this State, and to provide for the deposit and safe keeping of said bonds; and informing further of the dissent of that House to the amendment made in the engrossed bill to allow the right of challenge to the State in certain cases.

On motion, ordered that the Senate be informed by message that this House insist on their amendment made in the engrossed bill to allow the right of challenge in certain cases.

On motion, ordered that the bill to increase the penalty of the official bonds of the Clerks of the several courts of record in this State, and to provide for the deposit and safe keeping said bonds, be enrolled.
On motion of Mr. Newland, 
Resolved, That the Judiciary committee be instructed to inquire into the expediency of revising the fees of Clerks, Sheriffs and all other officers in the State, and report by bill or otherwise.

Mr. Boykin presented a bill to incorporate the trustees of Holly Grove Academy, in Sampson county; and Mr. Jones, of Warren, presented a bill to repeal the 4th section of an act to provide a revenue for the payment of the civil list and contingent charges of government, passed in 1822. These bills were respectively read and passed, and the latter referred to the committee on the Judiciary.

The resolution received from the Senate, predicated on the report of the select joint committee appointed to investigate the Treasury department, recommending the rejection of the conveyances tendered by the representatives and devisees of the late Treasurer, was read and concurred in, and returned to the Senate.

Mr. Alexander presented the following resolution:
It having been represented to the General Assembly of North-Carolina that the Secretary of War of the United States, upon their request, will cause to be made the survey of a route for a rail road passing from Newbern, through Raleigh and the central parts of the western counties of this State:
Resolved therefore by the Senate and House of Commons of the State of North-Carolina, That the Governor be requested to make known to the Secretary of War their desire that such survey may be made as early as may be, consistent with the convenience of the department over which he presides.

Read and ordered to be laid on the table.

Mr. Jones, of Warren, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the expediency of amending the laws now in force concerning the maintenance of bastard children, as to make the executors and administrators who die before being charged by the mother with being the father of the bastard child, etc., reported that the committee had considered the resolution, and instructed him to recommend its rejection. The question to concur with the report was determined in the affirmative.

Mr. Jones, from the same committee, to whom was referred the bill making it the duty of sheriffs, coroners and constables to serve all notices required to be given in proceedings at law or in equity, reported that the committee had considered the said bill, and instructed him to report it to the House with a recommendation that it be passed into a law. The said bill was read the first time and passed.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition from the county of Wilkes, praying for an alteration in the sittings of their County Courts, reported that the committee had considered the petition, and instructed him to recommend its rejection. The question to concur with the report was determined in the affirmative.

Mr. Borden presented a bill to allow the Sheriff of Carteret county, travelling fees when he may be compelled to travel to Occacock or Portsmouth to execute process of any sort. The said bill was read the first time and passed.

Mr. Seawell presented the following resolution:
Whereas, to-morrow being the anniversary of the birth of our Saviour, should be spent in sacred devotion: therefore
Resolved, That when this House adjourns, it adjourn until Wednesday morning 10 o'clock.

The question thereon was determined in the negative.
Mr. Spruill, from the Judiciary committee, to whom was referred sundry resolutions relative to revising, digesting and amending the laws relating to executors and administrators, &c. made a report; which was read, when Mr. Spruill reported a bill for revising, digesting and amending the law relating to executors and administrators; which was read the first time and passed.

Mr. Jones, from the committee on the Judiciary, to whom was referred a bill to give jurisdiction to the Superior Courts in certain cases, reported the bill without amendment, and recommended its rejection. The said bill was read and rejected.

Mr. Bynum, from the committee of Claims, to whom was referred the petition of John B. Ogg, reported that the statutes of limitation barred the payment of the claim, and recommended its rejection. The question to concur with the report was determined in the affirmative.

Mr. Jones, from the Judiciary committee, to whom was referred the petition of Mary Thompson, praying that a certain negro man slave, Isaac, her property, be emancipated, reported that it is impolitic to grant the prayer thereof. The question to concur with the report was determined in the affirmative.

Mr. Jones, from the same committee, to whom was referred the resolution instructing them to inquire into the expediency of providing more equitably for the payment of jailors' fees, reported that the committee had considered the said resolution, and instructed him to recommend that it be rejected. The report was read and concurred in.

Mr. Jones, from the same committee, to whom was referred the resolution instructing them to inquire whether, and what further provision ought to be made by law to secure to the trustees of the University all such sums of money or other estate, which may be recovered by them in virtue of the laws vesting escheated property in them, made a report recommending its rejection. The question to concur with the report was determined in the affirmative.

The bill to appropriate §6,232, for the purpose of improving the Cape Fear river below the town of Wilmington, and for other purposes, was read the second time. Mr. McNair moved that the further consideration of the said bill be postponed indefinitely. The question thereon was determined in the negative—yeas 57, nays 67. The yeas and nays called for by Mr. Boon.


The bill thereon was put upon its passage, and the question, shall the said bill pass its second reading? was determined in the affirmative.

The House then adjourned until 4 o'clock, P. M.

The bill to incorporate Mount Moriah Lodge, in Edgecomb county; also the bill to secure to Sarah Tilly, of Wilkes county, such property as she may hereafter acquire, were read respectively the second and third times, passed, and the former ordered to be engrossed and the latter enrolled.

The bill to authorise Absalom Myers, Sheriff of the county of Anson, to collect the arrears of taxes for the years therein mentioned, was read the second time and rejected.

On motion of Mr. Blackledge, Whereas, it is the duty of all Christians to attend divine worship on all occasions set apart for the celebration of the same, but more especially on the anniversary of the birth of the Saviour of mankind: therefore Resolved, That when the House adjourns, it adjourn until Wednesday morning, 10 o'clock.

The bill for the better regulation of the town of Kenansville, in the county of Duplin, was read the second and third times and amended and passed. Ordered that the said bill be engrossed.

The bill to secure to Mary E. Rowland, of Robeson county, such property as she may hereafter acquire, was read the second and third times, and the question, shall the said bill pass its several readings? was determined in the affirmative. Ordered that the said bill be enrolled.

The bill to secure to Susannah Suddath, such property as she may hereafter acquire, was read the second time and passed—yeas 56, nays 54. The yeas and nays called for by Mr. W. W. Stedman.


The said bill was read the third time, and the question, shall the said bill pass? was determined in the affirmative—yeas 60, nays 52. The yeas and nays called for by Mr. Jones, of Warren.


Those who voted in the negative, are Messrs. Adams, Ball, Barnard, Barnhardt, Battle, Benners, Blackledge, Blount, Brevard, Burke, Busbee, Byrum, Conrad, Cooper, Davenport, Dickinson, Eccles, F. Foy, Gary, Gillespie, Gaston, Harper, Hastings, Hill, Hodges, Jackson, Jasper, R. H. Jones, H. C. Jones, Kerr, Lawson,

Ordered that the said bill be engrossed, and sent to the Senate for concurrence.

The House then adjourned until Wednesday morning, 10 o'clock.

**Wednesday, December 26, 1827.**

Mr. Jones, of Warren, from the committee on the Judiciary, to whom was referred a bill supplemental to the several acts now in force for the relief of insolvent debtors, reported that the committee had, according to order, considered the said bill, and instructed him to recommend that it be passed into a law. The said bill was read the second time and passed.

Mr. Jones, from the same committee, to whom was referred a resolution instructing them to inquire into the manner in which the several Governors of this State have heretofore exercised the power of pardoning and reprieveing, reported that the committee had, according to order, had the said resolution under consideration, and instructed him to recommend to the House that it be rejected. The question to concur with the report was determined in the affirmative.

The bill for the protection of securities, and for other purposes, was read the second time, and, on motion of Mr. Morehead, amended. The question, shall the said bill pass its second reading, as amended? was determined in the affirmative.

Mr. Morehead, from the committee on the Judiciary, to whom was referred the resolution instructing them to inquire into the propriety of establishing a law to prevent the stopping or obstructing the usual ways to public mills; and also the resolution requiring Clerks to advertise the rate of county tax, reported that the committee had, according to order, had the said resolutions under consideration, and instructed him to recommend to the House that they be rejected. The report was read and concurred in.

On motion of Mr. Whitaker,

Resolved, That the Treasurer pay to Matthew J. Coman thirty-four dollars, for carrying a writ of election to the Sheriff of Chowan county.

The said resolution was read the first time and passed.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of Ann Fewell, reported a bill in pursuance to the prayer of the petition, authorising Ann Fewell of the county of Rockingham, to erect a gate across the public road leading through her plantation on Dan river. The said bill was read the first time and passed.

Received from the Senate, a resolution for the purpose of raising a joint select committee of two members from each House, to confer with the representatives, devisees and widow of the late Treasurer of this State, and to make such arrangements with them as may be thought compatible with the public interest. The resolution was read, concurred in, and a committee appointed, consisting of Mr. Alexander and Mr. Gaston, to join the committee appointed by the Senate.

The bill to legitimate Duncan Melvin and others, of the county of Bladen, was read the second time, amended and passed.

Mr. Morehead, from the Judiciary committee, to whom was referred the resolution, instructing them to inquire into the expediency of so amending the law, as to prevent debtors from conveying their property by
mortgage or deed of trust, to one or more of their creditors, &c. and also
the resolution instructing them to inquire into the expediency of settling
by law, the priority of lien between executions issued by justices of the
peace, so as to fix the lien in favor of younger executions which have been
actually levied, reported that the committee had, according to order,
considered the said resolutions, and instructed him to return them to the
House, with a recommendation that they be rejected. The report was
read and concurred in.

Mr. Stewart, from the select committee, to whom was referred the res-
olution instructing them to inquire if any, and if any, what amendments
are expedient or necessary in the act passed in the year 1826, to prohibit
the trading with slaves, except in the manner therein prescribed, report-
ed that the committee had, according to order, had the said resolution
under consideration, and instructed him, as in their opinion no amend-
ment of the law is necessary, to recommend its rejection. The said re-
report was read and concurred in.

Mr. Morehead, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the expediency of passing a law to prevent the educating of slaves, reported that the committee, ac-
cording to order, had considered the resolution, and instructed him to
recommend that it be rejected. The report was read and concurred in.

The bill to incorporate the Occacock Navigation Company, was read
the second time, amended and passed. On motion, the said bill was
read the third time, passed, and ordered to be engrossed and sent to the
Senate.

The bill concerning the Public Treasurer, was read the second time,
amended and passed.

Mr. Montgomery presented a bill concerning the tax to be paid by
persons peddling on certain waters. Mr. Blackledge presented a bill
concerning the registration of grants. These bills were read the first
time and passed.

The bill to amend an act, passed in the year 1826, entitled "an act
prescribing the mode of surveying and selling the lands lately acquired
from the Cherokee Indians, and for other purposes," was read the second
time and passed.

The engrossed bill to provide for the final settlement of executors and
administrators, was read the first time and rejected.

The House then adjourned until 4 o'clock, P. M.

On motion, ordered that Mr. Patterson have leave of absence from the
service of this House, after this day, until the end of the session.

A message from the Senate, informing that they had passed the follow-
ing engrossed bills and resolutions, to wit: A bill to render valid certain
acts of the acting coroner of Stokes county; a bill for the limitation of
writs of error for matters of fact and bills of review; a bill for the relief
of clerks of courts and clerks and masters in equity; a bill to exempt cer-
tain persons in Hyde county from serving on juries; a bill to authorise the
treasurer of public buildings for the county of Craven to convey certain
property to the trustees of the Newbern Academy, and to hold in trust
for said county certain property; a bill to continue in force an act, pass-
ed at the last session of the General Assembly, entitled "an act to revive
and continue in force an act, passed in the year 1824, to alter and amend an act for the relief of such persons as became purchasers of the Cherokee lands sold under the authority of this State; a bill concerning the dockets of the Court of Equity for the county of Columbus; a bill to authorize the wardens of the poor of the county of Mecklenburg to purchase a tract of land, and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county; a bill to appoint additional commissioners for the town of Stantonsburg, in the county of Edgecomb; a bill to authorise Robert Gallaway, jr. to erect a gate across the public road leading from Rockingham court house to the Eagle Falls on Dan river; a bill to repeal the 4th section of an act, passed in the year 1784, entitled "an act to prevent the several species of hunting therein mentioned; also a resolution in favor of Jesse Rogers, of Moore county; also a resolution appointing W. R. Hill Librarian; and also a resolution in favor of William Thompson; and asking the concurrence of this House.

A message from the Senate, informing that they recede from their disagreement with the amendment made by this House in the engrossed bill to allow the right of challenge to the State in certain cases. Ordered that the said bill be enrolled.

The bill to authorize the wardens of the poor for the county of Mecklenburg to purchase a tract of land, and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county; also the bill concerning the dockets of the Court of Equity for the county of Columbus; also the bill to appoint additional commissioners for the town of Stantonsburg, in the county of Edgecomb; also the bill to authorise Robert Gallaway, jr. to erect a gate across the public road leading from Rockingham court house to the Eagle Falls on Dan river; also the bill for the relief of clerks of courts and clerks and masters in equity; also the bill to continue in force an act, passed at the last session of the General Assembly, entitled "an act to revive and continue in force an act, passed in the year 1824, to alter and amend an act for the relief of such persons as became purchasers of the Cherokee lands sold under the authority of this State; also a bill to exempt certain persons in Hyde county from serving on juries; also a bill to render valid certain acts of the acting coroner of Stokes county; also the bill to authorise the treasurer of public buildings of the county of Craven to convey certain property to the trustees of the Newbern Academy, and to receive from said trustees, and hold in trust for said county, certain property, were respectively read the first time and passed.

The resolution in favor of Jesse Rogers, of Moore county, was read the first time and passed.

The bill to repeal the 2d, 3d and 4th sections of an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State for taxation," so far as relates to the county of Anson, was read the second time and passed.

The resolution in favor of William Thompson, was read the first time and passed.

The bill for the limitation of writs of error for matters of fact and bills of review, was read the first time and passed, and, on motion, referred to the Judiciary committee.
The bill requiring the public register of Orange county to keep his office at the court house of said county; also the bill to compel the register and clerk of the County Court of Hyde to keep their respective offices at the court house in said county, were respectively read the second and third times, passed, and ordered to be engrossed.

The bill to establish a work house in the county of Beaufort, and for other purposes, was read and amended, and ordered to be laid on the table.

The bill to authorize and direct the sheriff of Rowan county to collect the taxes imposed by the commissioners of the town of Salisbury; and the resolution in favor of Joshua E. Lumsden, were read the second and third times and passed.

A message from the Senate, informing that they had passed the engrossed bill appointing commissioners to run and establish the boundary line between the counties of Bladen and Columbus, with an amendment, and asking the concurrence of this House. The amendment was read and concurred in, and the Senate informed thereof by message.

The bill to appoint a committee of Finance for the county of Surry; also the bill to amend the sale law in the county of Rutherford; and also the bill to incorporate the Jerusalem Lodge, in Greene county, were respectively read the second and third times, passed and ordered the former to be enrolled, the two latter engrossed.

The bill concerning the Sheriff of Brunswick county, was read the second and third times, passed and ordered to be enrolled.

The bill for the better regulation of the Court of Pleas and Quarter Sessions for the county of Martin; also the bill to alter the time of holding the Courts of Pleas and Quarter Sessions for the county of Brunswick, were read the second and third times, passed and ordered the former to be enrolled, the latter engrossed and sent to the Senate.

The resolution appointing William R. Hill Librarian to the State Library, with a salary of seventy five dollars per annum, was read the first, second and third times, amended and passed. Ordered that the said resolution be sent to the Senate, asking the concurrence of that House to the amendment.

The resignations of Nathan B. Whitfield, Major of the 25th regiment of the Lenoir militia; Richard Stoker, of Richmond county, Thorogood Pate, of Richmond county, and Thomas Nicholson, of Halifax county, justices of the peace, were presented, read and accepted.

The bill to repeal the 4th section of an act, passed in the year 1784, entitled "An act to prevent the several species of hunting therein mentioned," was read the first time and rejected.

A message from the Senate, proposing to ballot immediately for Cavalry officers of the 16th brigade and third division, and informing that Elijah Hester, for Colonel, Samuel Mitchell, Lieutenant Colonel, and James W. Jones, as Major, are nominated for the appointments, and proposing further to ballot immediately thereafter for Brigadier General of the 4th brigade and 7th division, and informing that the names of Thomas A. Allison, William H. Kerr, Francis Young, Abner F. Caldwell, William F. Kelly and John M. Smith are in nomination for the appointment.

The House then adjourned until to-morrow morning, 10 o'clock.
THURSDAY, DECEMBER 27, 1827.

On motion of Mr. Newland, ordered that Mr. Ogg have leave to withdraw from the files, the papers and documents accompanying his petition.

Mr. Hastings presented a bill to amend an act to provide for the paying of jurors in the county of Wayne, passed in the year 1823. Mr. McNair presented a bill authorising the trustees of the Richmond Academy to raise the sum of ten thousand dollars by way of lottery. Mr. Leonard presented a bill granting to the Superior Court of Brunswick original and exclusive jurisdiction in all cases where the intervention of a jury is necessary. Mr. Gary presented a bill to regulate the sale of land and slaves, so far as respects the county of Northampton. These bills were respectively read the first time and passed.

Mr. Conrad presented the petition of sundry citizens of Lincoln county, praying that William Crine, of said county, be released from the payment of a forfeited recognizance. Ordered that the said petition be referred to the committee of Propositions and Grievances.

Mr. Ellis presented a bill to compel the Clerks of the several Courts and Registers to keep their offices at the Court House of their several counties, or within one mile thereof. The said bill was read the first time, passed, and ordered to be referred to the Judiciary committee.

Mr. Boykin, from the Military committee, to whom was referred a resolution authorising the Public Treasurer to pay certain officers for attending a Court Martial, reported that the committee had performed the duty assigned to them, and had instructed him to recommend to the House that the said resolution be rejected. The question to concur with the report, passed in the affirmative.

On motion, ordered that a message be sent to the Senate, proposing to ballot at 4 o'clock this evening for Brigadier General of the 4th brigade and 7th division.

Mr. Lewis, from the committee on Public Buildings, to whom was referred a resolution instructing them to inquire what additional furniture may be necessary for the Government House, and the probable cost thereof, reported that the committee, according to order, had the said resolution under consideration, and instructed him to report to the House a resolution, appropriating three hundred dollars for the object, and to recommend its passage. The report was concurred in, and the resolution reported read the first time and passed.

A message from the Senate, informing of the dissent of that House to the proposition to ballot this evening for Brigadier General of the 7th brigade; and proposing to ballot for that officer immediately. The message was disagreed to, and a proposition sent to the Senate to ballot for the Brigadier General at the meeting of the two houses to-morrow morning.

The bill respecting certain reservations claimed by Indians in the lands lately acquired by treaty from the Cherokee Nation; also the bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "An act to revise the militia laws of this State relative to the infantry," and to repeal the 9th and 10th sections of an act, passed in the year 1815, entitled "An act to amend the militia laws of this State," were read the second time and passed.

A message from the Senate, proposing to ballot to-morrow morning at the meeting of the two Houses for three suitable persons to represent the
interest of the State in the Cape Fear Bank at the approaching general meeting of its Stockholders. The message was concurred in, and the Senate informed thereof by message.

Mr. Brittain presented a bill to establish the county of Macon. The bill was read, when Mr. Bynum moved that it be indefinitely postponed, and called for the yeas and nays. The question thereon was determined in the negative—yeas 61, nays 64.


On motion, ordered that the said bill be laid on the table, until Saturday next.

Mr. Seawell, from the committee on Agriculture, to whom was referred the bill to repeal all acts concerning Agriculture and Family Domestic Manufactures, made a report, which was read, and, on motion, recommitted to the same committee.

The bill requiring ministers of the Gospel and justices of the peace to return marriage licenses to the Clerks of the County Courts, and for other purposes, was read the second time, amended and passed.

The resolution relative to the interchange of laws with other States, was read the second time and passed.

On motion of Mr. Plummer,
Resolved, That the Public Treasurer pay to Giles Johnston twenty-four dollars, for carrying a writ of election to the town of Newbern.

The said resolution was read the first time and passed.

The bill concerning the public Treasurer, was read the third time, amended and passed. Ordered that the said bill be sent to the Senate, asking for the concurrence of that House in the several amendments.

The House then adjourned until 4 o'clock, P. M.

The resolution in favor of John Mulliwee, of Mecklenburg county, was read the second time, and, on motion, laid on the table.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of Leonard Hicks, of Burke county, praying to be placed on the pension list, reported that the committee had considered the said petition, and instructed him to ask that the committee be discharged from the further consideration thereof. The question to concur with the report was determined in the affirmative.

The resolution directing the Public Treasurer to pay to Matthew J. Coman thirty-four dollars for carrying a writ of election to the sheriff of
Chowan county, was read the second and third times, passed and ordered to be engrossed.

The bill to incorporate the town of Lexington, in the county of Davi-son; also the bill to alter the dividing line between the first and second regiments of the militia of Guilford county, were read the second and third times, the latter amended, passed and ordered to be engrossed.

The bill to incorporate Franklin Lodge, No. 94, in the county of Hyde; also the bill to establish Wake Forest Pleasant Grove Academy, in the county of Wake; also the bill to authorise Henry Gibbs, sheriff of Hyde county, to collect arrears of taxes, were respectively read the second and third times, passed and ordered to be engrossed.

The bill for the more convenient administration of justice in the Court of Pleas and Quarter Sessions of the county of Caswell, was read the second time, amended and passed. On motion, ordered that the said bill be laid on the table.

Mr. Glasgow presented the following resolution:

Resolved, That the Judiciary committee be instructed to inquire into the expediency of so amending the present laws on the subject of roads, as to impose on overseers a fine for the exercise of partiality in summoning the hands under their superintendence.

The question to concur with the resolution was determined in the nega-tive.

The resolution for the relief of David Rogers, of Buncombe county, was read and ordered to be laid on the table.

The bill authorising Edward Griffin, sheriff of the county of Martin, to collect arrears of taxes, was read the second time, and, on motion, postponed indefinitely.

The bill to repeal the second, third and fourth sections of an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State for taxation," so far as relates to the county of An-son; also the bill to incorporate the Hookerton Library Company in the county of Greene; also the bill to compel the public register of Franklin county to keep his office in the town of Louisburg, in said county, were respectively read the second and third times, passed, the two former ordered to be engrossed, and the latter enrolled.

The resolution in favor of the heirs of John J. Bonner; also the resolu-tion in favor of John W. Hamilton, were read the second time and passed.

The bill concerning the town of Carthage, in the county of Moore, was read the second and third times, passed and ordered to be enrolled.

The bill to repeal an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde, was read the second time, amended and passed.

The bill to incorporate the first Presbyterian Church in the town of Oxford; also the bill empowering the commissioners of the town of Hali-fax to sell to Lemuel Long a certain strip of land of the commons of said town, were read the second and third times, passed and ordered to be engrossed.

Mr. Neill presented a bill to compel the Superior and County Courts to hear excuses in certain cases. The said bill was read and postponed indefinitely—yeas 48, nays 34. The yeas and nays called for by Mr. Neill.

Those who voted in the affirmative, are Messrs. Allen of Montgomery, Ball, Barnard, Barnhardt, Benners, Blackwood, Burke, Burns, Bynum, Byrum, Cherry, Cooper, Doug-
that the petition of attend Scott Brevard, Boykin, Plummer, DoziL—;* ass, the
The tion. thereof. consideration
there of the prayer was whom Underwood, of Washington. of fourteen Courts ing the bill reported Mr. Hill, dy, a presented the bill for the establishment of Forsythe, for the purpose of holding Courts of Pleas and Quarter Sessions within the same. These bills were read the first time and passed.

The resolution directing the Public Treasurer to pay to Henry Gorman fourteen dollars and fifty cents, was read the second time and passed.

On motion of Mr. Gary, Resolved, That a select committee be appointed to inquire into the expediency of adopting some provision for the establishment of a uniform standard of measure throughout the State; and that they report by bill or otherwise. Resolved, That Messrs. Gary, Jones of Warren and Gaston form the committee.

Mr. N. A. Stedman, from the select committee to whom was referred the petitions of sundry inhabitants of the counties of Guilford and Chat- ham, reported that the committee had, according to order, had the said petitions under consideration, and instructed him to report a bill in pursuance of the prayer thereof, entitled "a bill to prevent the importation of slaves into this State," and to recommend its passage. The said bill was read the first time and passed.

Mr. Fisher presented a bill prescribing the manner in which field officers and general officers shall be recommended to the General Assembly. The said bill was read the first time, passed, and, on motion of Mr. Fisher, referred to the Military Committee.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of James Moore, reported unfavorably to the prayer of the petition, and asked to be discharged from the further consideration thereof. The report was read and concurred in.

A message from the Senate, informing that Mr. Montgomery and Mr. Scott attend this House as a committee on their part to superintend the balloting for Brigadier General of the 7th brigade. On motion, ordered that the Senate be informed by message that Mr. Burns and Mr. Sharpe attend the Senate as a committee on the part of this House to superintend the balloting for Brigadier General of the 7th brigade.

Mr. Bynum, from the committee of Claims, to whom was referred the petition of Titus Jennings Turner, praying to be placed on the pension list, reported unfavorably to the prayer thereof, recommending its rejection. The report was read and concurred in.

Mr. Jones, of Warren, from the Judiciary committee, to whom was referred the bill directing what construction shall be given to contingent
executory limitations reported the bill referred to them, with a recommendation that it be passed into a law. The said bill was read the second time and passed.

Mr. Fisher presented a statement, shewing the expenditures of the State on internal improvements up to the present time, both previous to the organization of the Board of Internal Improvements and since, including stock purchased and paid for by the State in the several navigation companies, turnpike roads and canals. On motion, ordered that the said statement be printed, three copies for each member of the Assembly.

The bill to appropriate 6,252 dollars for the purpose of improving the Cape Fear river below the town of Wilmington, and for other purposes, was read the third time, passed, and ordered to be engrossed.

The bill to reduce the number of petty masters to two in the year, was read the second time. Mr. Cox moved that the further consideration thereof be postponed indefinitely, and called for the yeas and nays. The question thereon was determined in the negative—yeas 53, nays 63.


The bill thereupon was put on its passage, and the question shall the said bill pass was determined in the affirmative—yeas 65, nays 54.


Mr. Burns from the committee appointed to superintend the ballotting for Brigadier General of the 7th brigade, reported that the committee had performed that duty; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The question to concur with the report was determined in the affirmative.

A message from the Senate, proposing to ballot again for Brigadier General of the 7th brigade, and informing that Mr. Hawkins and Mr. Davenport attend this House as a committee on their part to superintend the ballotting. The message was concurred in, and the Senate informed
by message that Mr. Taylor and Mr. Glisson attend the Senate as a committee on the part of this House to superintend the balloting, and informing further that the names of Colonel Kelly and Thomas Allison are withdrawn from the nomination.

Mr. Taylor, from the committee appointed to superintend the balloting for Brigadier General of the 7th brigade, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

The bill to provide for the draining of Matamuskeet lake, was read the second time, amended and passed—yeas 61, nays 57. The yeas and nays called for by Mr. Thomas.


On motion, the resolution directing evening sittings was rescinded.

And the House adjourned until to morrow morning, 10 o'clock.

Saturday, December 29, 1837.

The bill to establish the district of Forsythe for the purpose of holding Courts of Pleas and Quarter Sessions within the same, was read and ordered to be laid on the table.

Mr. Lewis, from the committee of Public Buildings, to whom was referred the resolution instructing them to inquire into the expediency of adopting some method to obtain a supply of water convenient to the public buildings, &c. reported that the committee, according to order, had considered the resolution referred to them, and instructed him to report a resolution to obtain the object, and recommend its passage. The said resolution was read and concurred in.

A message from the Senate, proposing to ballot this morning for Brigadier General of the 7th brigade, and informing that the name of Francis Young is withdrawn from the nomination; and further, that Mr. Nuttall and Mr. M'Millan attend this House as a committee on their part to superintend the balloting. The message was concurred in, and the Senate informed by message that Mr. Burns and Mr. Boon attend the Senate as a committee on the part of this House to superintend the balloting on the part of this House; and further, that the name of Abner L. Caldwell is withdrawn from the nomination.

Mr. Hill, from the committee on Internal Improvements to whom was referred the petition of Isaac T. Avery, reported that the committee, according to order had considered the said petition, and deem it reasonable, and instructed him to report a bill in pursuance to the prayer thereof to establish a Turnpike Road in the county of Burke, and to recommend its passage. The said bill was read the first time and passed.
Mr. Hill, from the same committee, to whom was referred the report of the commissioners appointed at the last session of the Assembly on the practicability of uniting the waters of Lockwoods Folly and Elizabeth river by a canal, and the probable expense of effecting the work, reported that the committee had, according to order, had the said report under consideration, and instructed him to report that it is not necessary at the present session to legislate on the subject, and to ask that the committee be discharged from the further consideration of the subject. The report was read and concurred in.

Mr. Fisher presented a bill to incorporate the North-Carolina institution for the instruction of deaf and dumb. The said bill was read the first time and passed.

Mr. Mitchell presented the petition of John Rose, of Ashe county, praying for the passage of a law for the purpose of restoring him to the privileges of a citizen, which were forfeited by a conviction of petit larceny in the Superior Court of said county. Ordered that the said petition be referred to the committee of Propositions and Grievances.

The resignation of M. T. Hawkins, Colonel of Cavalry of the 17th brigade, was read and accepted.

A message from the Senate, proposing to ballot immediately for Colonel of Cavalry of the 17th brigade, and informing that the name of Gideon Macon Green is in nomination for the appointment. The message was disagreed to, and a message sent to the Senate, proposing to ballot for that officer on Monday morning next, and informing that the name of William Davis is added to the nomination.

The bill to legitimate Duncan Melvin and others, of the county of Bladen, was read the third time, passed and ordered to be enrolled.

Mr. Hill, from the committee on Internal Improvements, to whom was referred the bill supplemental to an act for the improvement of the navigation of Perquimans river above Newby's bridge, passed in 1825, reported that the committee had, according to order, considered the said bill, and instructed him to return the bill to the House with an amendment, and to recommend its passage. The bill was read the first time, amended in conformity with the report, and passed.

Mr. Burns, from the committee appointed to superintend the balloting for Brigadier General of the 7th brigade, reported that the committee had performed the duty assigned to them; and that, on examining the ballots, it appeared that William H. Kerr had a majority of the whole number, and was duly elected. The report was concurred in.

On motion, ordered that Mr. Cox and Mr. Shine have leave of absence after this day, until the end of the session, and Mr. Taylor after this day, until Thursday next.

Mr. Gaston, from the joint select committee, to whom was referred the resolution instructing them to confer with the representatives, devisees and widow of the late Treasurer of this State, reported that the committee had, according to order, conferred with the representatives, devisees and widow of the deceased Treasurer, and instructed him to report the following resolution:

Resolved, That this House doth approve and sanction the report accompanying this resolution, and on its part doth direct the arrangements therein proposed to be carried into effect.

The report and resolution were read and concurred in.
Mr. Borden presented a bill directing the manner in which runaway slaves may be apprehended. The said bill was read the first time and passed, and, on motion, referred to Mr. Borden, Mr. Benners, Mr. Spruill, Mr. Lewis and Mr. White.

The bill to limit the appointment of Solicitor General and Solicitors to four years, was read the second time and passed.

The bill to incorporate the North-Carolina Gold Mining Company, was read the first time, amended and passed.

A message from the Senate, informing that they had passed the following engrossed bills and resolutions, to wit: A bill to amend an act, passed in the year 1823, entitled “an act respecting the reservations of certain Indians in the lands lately acquired by treaty from the Cherokee Indians;” a bill to compel inspectors of fish, naval stores, lumber and all other kinds of produce, to work on roads and perform military duty, so far as regards the county of Carteret; a bill to provide for the payment of jurors of the county of Nash; a bill supplementary to the acts relative to the powers of Courts of Equity in cases of partition; a bill to regulate the payment of the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings; a bill concerning the election of the County Surveyors in the counties of Burke, Rutherford, Buncombe, Wilkes, Ashe and Haywood; a bill concerning the appointment of Clerks of the Superior Courts and Clerks and Masters in Equity; a bill to incorporate the Nashville Male and Female Academies; a bill to alter the place of holding the separate election in that part of the county of New-Hanover called Caintuck; a bill to amend an act, passed at the last session of the General Assembly, entitled “an act to establish a poor house in the county of Pitt;” a bill to authorise John Waddell, of Randolph county, to erect two gates; a bill to provide more effectually for the representation of the stock of the State held in the Bank of Cape-Fear; a resolution relative to procuring iron backs for the fire places in the Senate Chamber and Commons Hall; a resolution in favor of Calvin R. Blackman, Sheriff of Wayne county; and a resolution in favor of the administrator of Thomas Elliott, of Mecklenburg county, and asking the concurrence of this House.

The bill to provide for the payment of jurors of the county of Ashe; also the bill to amend an act, passed in the year 1823, entitled “an act respecting the reservations of certain Indians in the lands lately acquired by treaty from the Cherokee Indians;” also the bill to compel inspectors of fish, naval stores, lumber and all other kind of produce, to work on roads and perform military duty, so far as regards the county of Carteret; also the bill to alter the place of holding the separate election in that part of the county of New Hanover called Caintuck; also the bill supplementary to the acts relative to the power of Courts of Equity in cases of partition; also the bill concerning the appointment of Clerks of the Superior Courts and Clerks and Masters in Equity; also the bill to incorporate the Nashville Male and Female Academies; also the bill concerning the election of County Surveyors in the counties of Burke, Rutherford, Buncombe, Wilkes, Ashe and Haywood; and also the bill to regulate the payment of the salary of the Public Printer, and to pre-
cribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings, were respectively read the first time and passed.

The resolution relative to procuring iron backs for the fire places in the Senate Chamber and Commons Hall; also the resolution in favor of the administrator of Thomas Elliott, of Mecklenburg county; and also the resolution in favor of Calvin R. Blackman, Sheriff of Wayne county, were respectively read the first time and passed.

Received from the Senate, a resolution, instructing the committee of Finance to take charge of all the money in the Treasury office, and that they burn so much of the Treasury notes as they may deem unfit for circulation, &c. The said resolution was read, concurred in, and returned to the Senate.

Mr. Eccles presented the memorial of the President of the Cape-Fear Bank, praying that the tax paid by the bank to the State be repealed or modified. On motion, ordered that the said memorial be referred to a joint select committee, and on the part of this House to Messrs. Eccles, Hill and Alexander. Sent to the Senate for concurrence.

The bill to allow the Sheriff of Carteret county travelling fees when he may be compelled to travel to Occacock or Portsmouth to execute process of any sort; also the bill for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions of the county of Caswell, were read the third time and passed. Ordered that the said bills be engrossed and sent to the Senate for concurrence.

The bill to incorporate the Zion Relief Society of North-Carolina; also the bill to authorise Ann Fewell, of the county of Rockingham, to erect a gate across the public road leading through her plantation on Dan river, were read the second and third times, passed and ordered to be engrossed.

The resolution in favor of William Thompson; also the resolution in favor of Jesse Rogers, of Moore county, were read the second time, the former passed and the latter rejected.

The bill to authorise the wardens of the poor for the county of Mecklenburg to purchase a tract of land and erect such buildings as will be suitable for the comfortable accommodation of the poor of said county, was read the second and third times, passed and ordered to be enrolled.

The bill to establish a Turnpike Road in the county of Haywood; also the bill to incorporate the trustees of Holly Grove Academy, in Sampson county, were read the second and third times, passed and ordered to be engrossed.

The bill to authorise Robert Galloway, junr. to erect a gate across the public road leading from Rockingham court-house to the Eagle Falls on Dan river; also the bill to appoint additional commissioners for the town of Stanotnsburg, in the county of Edgecomb; also the bill to authorise the treasurer of public buildings of the county of Craven to convey certain property to the trustees of the Newbern Academy, and to receive from the said trustees, and hold in trust for said county, certain property, were read the second and third times, passed and ordered to be enrolled.

The bill to regulate the sale of land and slaves, so far as respects the county of Northampton; also the resolution in favor of Giles Johnston, were read the second time and passed.
The bill to authorize the Court of Pleas and Quarter Sessions of the county of Rowan to appoint a committee of Finance, was read the second and third times, passed and ordered to be engrossed.

The bill to establish a work house in the county of Beaufort, and for other purposes, was read the second and third times, and the title amended to read "a bill to explain and amend the several acts of Assembly concerning the poor house in the county of Beaufort." The question, shall the said bill pass its several readings and be engrossed? was determined in the affirmative.

The bill to amend an act to provide for the paying of jurors in the county of Wayne, passed in the year 1823, was read the second and third times, passed and ordered to be engrossed.

Mr. Little presented a bill providing for the appointment of electors to vote for a President and Vice President of the United States. The said bill was read the first time and rejected—yeas 34, nays 91. The yeas and nays called for by Mr. Little.


The bill to establish the county of Macon was read the first time and passed—yeas 69, nays 50. The yeas and nays called for by Mr. Bynum.


The House then adjourned until 4 o'clock, P. M.

A message from the Senate, consenting to ballot at the meeting of the two Houses on Monday for Colonel of Cavalry attached to the 17th brigade.

The bill granting to the Superior Court of the county of Moore origin
and exclusive jurisdiction in all cases where the intervention of a jury is necessary, was read and, on motion, laid on the table.

A message from the Senate, informing that they had passed the engrossed resolution in favor of James Patton, of Buncombe, with an amendment; and asking the concurrence of this House. The amendment was read and concurred in, and the Senate informed thereof by message.

The bill to repeal an act, entitled "an act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde," was read the third time, passed and ordered to be sent to the Senate, asking the concurrence of that House to an amendment.

On motion of Mr. Alexander,
Resolved, That a joint select committee be appointed to inquire what measures this Legislature can adopt, if any, to protect the local banks of this State, and consequently the interest of the State and its citizens, against the destructive operations of the Bank of the United States at Fayetteville; and that they report by bill or otherwise: and on the part of this House, to Messrs. Alexander, Fisher and Bynum.

Sent to the Senate for concurrence.

A message from the Senate, informing of the agreement of that House with the amendment made in the resolution appointing W. R. Hill Librarian. Ordered that the said resolution be enrolled.

The bill authorising the trustees of the Richmond Academy to raise the sum of ten thousand dollars by way of lottery, was read the second time and rejected.

The bill to exempt certain persons in Hyde county from serving on juries; also the bill concerning the dockets of the Court of Equity for the county of Columbus; and also the resolution in favor of Jesse Rogers, of Moore county, were respectively read and postponed indefinitely.

The resignations of P. Ballew, Colonel, and David Newland, Lieutenant Colonel of the second regiment of the Burke militia; and Jesse Hargrave, justice of the peace of the county of Davidson, were read and accepted.

A message from the Senate, informing that they had indefinitely postponed the engrossed bill to establish a medical board and to regulate the practice of physic and surgery in this State.

The House then adjourned until Monday morning next, 10 o'clock.

MONDAY, DECEMBER 31, 1827.

Mr. Spruill presented a bill to incorporate Enfield Lodge, No. 88, in the county of Halifax. Mr. Kilpatrick presented a bill to incorporate St. John's Lodge, in the county of Lenoir. Mr. Mitchell presented a bill prescribing the time for the sale of land and slaves within Ashe county. Mr. Battle presented a bill to compel the County Court of Nash to appoint a committee of Finance. These bill were read the first time and passed.

Mr. Bynum, from the committee of Claims, to whom was referred the resolution authorising the Treasurer to pay William Welch fifty-seven dollars, reported that the committee, according to order, had considered the resolution, and instructed him to recommend that it be rejected. The report was read and concurred in.

On motion of Mr. Stewart,
Resolved, That no bill of a private nature shall be introduced in this House after Tuesday next.

Mr. Blount presented a bill to cede to the United States a point of
marsh on the south side of Neuse river, for the purpose of erecting thereon a lighthouse. Mr. Mitchell presented a bill to encourage the destruction of wolves within Ashe county. These bills were read the first time and passed.

Mr. Spruill, from the Judiciary committee, to whom was referred the resolution instructing them to inquire into the expediency of providing by law for arranging, revising and digesting the whole body of public and statute law of North-Carolina, reported that the committee had considered the said resolution, and instructed him to recommend that it be rejected. The report was read and concurred in.

Mr. Boykin presented a bill for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions for the county of Sampson. The said bill was read the first time and passed.

Received from his Excellency the Governor the following communication:

EXECUTIVE OFFICE, Dec. 31, 1827.

To the Honorable the General Assembly of the State of North-Carolina,

Gentlemen,—In obedience to an act, passed in the year 1798, I have the honor to lay before you the annual report of the Treasurer of the University, made to the Board of Trustees, and exhibiting an account of the receipts and expenditures of that institution for the past year.

The accounts of the Treasurer have been examined by a committee of the Board, and found to be correct.

I have also the honor to state that there are now four vacancies in the Board of Trustees, occasioned by the deaths of John Haywood, Joseph Hawkins and Enoch Sawyer, and by the resignation of Thomas P. Devereux. The resignation of Mr. Devereux is herewith transmitted.

I have the honor to be, with high consideration, your obedient servant.

JAMES IREDELL, Pres't of the Board of Trustees.

On motion, ordered that the said communication be sent to the Senate, with a proposition to ballot to-morrow morning for four Trustees, to fill the vacancies in the Board; and informing that William Robards, Gavin Hogg and Hugh D. Waddle are nominated to fill the vacancies.

On motion, ordered that a message be sent to the Senate, proposing to ballot immediately for Colonel of Cavalry attached to the 17th brigade, and informing that the name of William Davis is added to the nomination; and proposing further, to ballot at the meeting of the two Houses to-morrow for Lieutenant Colonel and Major of Cavalry attached to the 15th brigade.

Mr. Busbee presented the following resolution:

Whereas, when property is sold by execution, many persons claim the same without really having title thereto; and whereas such claim prevents the said property from selling at its proper value:

Resolved, therefore, That the committee on the Judiciary be instructed to inquire into the expediency of so amending the existing law, as to compel the claimant to file an affidavit.

The said resolution was read and concurred in.

Mr. Allen, of Montgomery, presented a bill concerning the committee of Finance of Montgomery county; which was read the first time and passed.

Mr. Adams, from the select committee to whom was referred the resolution directing them to inquire into the expediency of amending the laws on the subject of bastardy, reported that the committee had, according to order, considered the said resolution, and instructed him to recommend that it be rejected. The report was read and concurred in.

Mr. Morehead, from the committee on Education, to whom was refer-
red the bill to repeal an act, passed in the year 1825, entitled "an act to create a fund for the establishment of common schools," reported that the committee had had the said bill under consideration, and instructed him to recommend that the said bill be rejected. The report was read and concurred in.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of John Logan and wife, of Rutherford county, reported that the committee, according to order, had considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

Mr. Gary, from the same committee, to whom was referred the petition of Benjamin Rhodes, of Chatham county, reported unfavorably to the prayer of the petition, recommending its rejection. The report was read and concurred in.

Mr. Seawell, from the committee on Agriculture, to whom was recom-
mitted the bill to repeal all acts concerning agriculture and family do-
mestic manufactures, reported that the committee had, according to or-
der, reconsidered the said bill, and instructed him to recommend the a-
doption of their first report, recommending the passage of the said bill.—
The report was read and disagreed to, and the bill reported read and re-
jected.

The bill to establish the county of Macon, was read the second time,
amended, and passed—yeas 64, nays 60. The yeas and nays called for
by Mr. W. W. Stedman.

Those who voted in the affirmative, are Messrs. Alexander, Allen of Buncombe, Al-
en of Montgomery, Baker, Baruchard, Barnett, Blackwood, Bonn, Borden, Brevard,
Brittain, Burns, Busbee, Clayton, Clement, Conrad, Donoho, Douglas, Eccles, Falls,
Fisher, Glasgow, Gold, Gorden, Green, Gaston, Hampton, Hill, Hodges, Hough, W. W.
Jones, H. C. Jones, Lawson, Lewis, Lilly, Little, Love, Marshall, Mitchell, Moore,
Morehead, M'Dearmid, M'Lean, M'Millan, Newland, Neill, Plummer, Pureell, Rhodes,
Roberts, Salmons, Seawell, Scott, Simpson, Smith, N. A. Stedman, Stockard, Summers,
Thomas, Troy, H. Walker, White, E. Williams, A. Williams—64 yeas.

Those who voted in the negative, are Messrs. Adams, Ball, Barnard, Battle, Bateman,
Benners, Blackledge, Blount, Boykin, W. A. Bozeman. Burke, Byrum, Byron, J. Boz-
man, Cherry, Cooper, Davenport, Dickinson, Dozier, Ellis, E. Foy, F. Foy, Gary, Gil-
lespie, Glisson, Harper, Hardy, Hastings, Jackson, Jasper, R. H. Jones, Kerry, Kilpat-
rick, King, Leonard, Mann, Montgomery, Nelson, Pool, Riddick, Ruffin, Sharpe, Sim-
mons, Speller, Sarvill, W. W. Stedman, Stephens, Stewart, Syron, Tilleit, Underwood,
son—60 nays.

The House then adjourned until 4 o'clock, P. M.

A message from the Senate, informing of the assent of that House to the amendm
ent made in the engrossed bill to legitimize Duncan Melvin and others, of the county of Bladen; and informing further, that they had indefinite
ly postponed the engrossed bill to incorporate the first Presbyterian
Church in the town of Oxford.

On motion, ordered that the bill to legitimize Duncan Melvin and others, of the county of Bladen, be enrolled.

A message from the Senate, agreeing to ballot to-morrow morning for
four trustees of the University of North Carolina, and informing that the name of Emanuel Shober is added to the nomination; also agreeing to ballot to-morrow for Cavalry Officers attached to the 15th brigade, and in-
forming that the name of Benjamin S. Britain is added to the nomination, and proposing to ballot to-morrow for Cavalry Officers attached to the 5th
brigade, and informing that Roderick B. Gary as Colonel Commandant, Solomon Pender as Lieutenant Colonel, and Jesse A. Bynum as Major, are in nomination.

The engrossed bill to compel inspectors of fish, naval stores, lumber, and all other kind of produce, to work on roads and perform military duty, so far as regards the county of Carteret; also the bill to provide for the payment of jurors of the county of Nash; also the bill to alter the place of holding the separate election in that part of the county of New-Hanover called Caintuck; also the bill to render valid, certain acts of the acting Coroner of Stokes county, were respectively read the second and third times, passed and ordered to be enrolled.

A message from the Senate, consenting that the report of the joint select committee on the affairs of the Treasury, be printed as proposed by this House.

The bill to incorporate St. John's Lodge, in the county of Lenoir; also the bill concerning the committee of Finance of Montgomery county; also the bill to incorporate Enfield Lodge, No. 88, in the county of Halifax; also the bill for the more convenient administration of justice in the Courts of Pleas and Quarter Sessions for the county of Sampson; also the bill prescribing the time for the sale of land and slaves in Ashe county, were respectively read the second and third times, passed and ordered to be engrossed.

The bill to incorporate the Nashville Male and Female Academies; also the bill to regulate the sale of land and slaves, so far as respects the county of Northampton, were read the third time and passed, the former ordered to be enrolled, the latter engrossed.

The bill to repeal an act, passed in the year 1826, to appoint commissioners to build a new Court House in Surry, and for other purposes; also the bill to encourage the destruction of wolves within Ashe county; also the bill to compel the County Court of Nash to appoint a committee of Finance, were read the second and third times, passed and ordered to be engrossed.

Mr. Hill presented a bill for the better regulation of the towns of Newbern and Wilmington. The said bill was read the first, second and third times, passed and ordered to be engrossed.

The bill to alter the time of holding the County Court of Pleas and Quarter Sessions in the county of Davidson, was read the second and third times, passed and ordered to be engrossed.

The bill to amend an act, passed at the last Session of the General Assembly, entitled "An act to establish a poor house in the county of Pitt," was read the first and second times and passed.

Mr. Eccles, who voted in the majority on the question of rejection of the resolution in favor of Jesse Rogers, of Moore county, moved that the House do now reconsider that vote. The question thereon was determined in the affirmative.

The bill to authorise John Waddell, of Randolph county, to erect two gates, was read the first, second and third times, passed and ordered to be enrolled.

The bill to provide more effectually for the representation of the Stock of the State, held in the State Bank of North Carolina, was read the first time and passed.
The bill to divorce Hugh Reed from his wife Susanna, was read the second time and rejected.

Mr. Jones, of Rowan, presented a bill giving dower to the widow in all cases in which the husband might have claimed curtesy. The said bill was read the first time and passed.

The House then adjourned until to-morrow morning, 10 o'clock.

**Tuesday, January 1, 1828.**

On motion, ordered that Mr. Rhodes have leave of absence after this day, until the end of the Session.

On motion of Mr. Glisson, ordered that he be discharged from the committee on enrolled bills; and that Mr. Brevard and Mr. Mann be added to that committee.

On motion, ordered that a message be sent to the Senate, informing that the name of Gavin Hogg is withdrawn from the nomination for Trustees of the University; and that those of John J. Daniel, N. J. Drake, John D. Eccles, John C. Taylor, William Julius Alexander and Alfred M. Garling added, and proposing to ballot for the trustees at the meeting of the two Houses to-morrow morning.

Mr. Boon presented a bill concerning the number of justices required in the removal of certain officers. Mr. Little, a bill prescribing the manner in which lands shall hereafter be advertised for sale for taxes in the county of Anson. Mr. Hill, a bill to continue in force an act, passed in the year 1823, entitled "An act directing a Geological and Mineralogical survey to be made of the State of North Carolina." Mr. H. Walker, a bill prescribing the time at which County Trustees for the county of Randolph shall be elected, and make their settlements. These bills, respectively, were read the first time and passed.

On motion, ordered that Mr. Whitfield have leave of absence after this day until the end of the Session.

A message from the Senate, informing that they had passed the engrossed bill to amend an act, passed in the year 1825, entitled "An act for the better regulation of the town of Beaufort;" also the engrossed resolution in favor of Parham Kirk, Sheriff of Montgomery county, and asking the concurrence of this House.

The resolution in favor of Parham Kirk, Sheriff of Montgomery county; also the bill to amend an act, passed in the year 1825, entitled "An act for the better regulation of the town of Beaufort," were read the first time and passed.

Mr. Alexander, from the Judiciary committee, to whom was referred the bill to amend an act, passed in the year 1777, entitled "An act to establish Courts of Law, and regulating proceedings therein," reported the bill with sundry amendments, and recommended its passage. The report was concurred in, and the bill read the second time and passed.

On motion, ordered that Mr. Hastings have leave to withdraw from the files the petition of Jesse Barden.

The resignation of Francis Young, Colonel Commandant of the second regiment of the Iredell militia, was presented, read and accepted.

A message from the Senate, informing that they had passed the engrossed bill to incorporate the Oceawock Navigation Company with several amendments, and asking the concurrence of this House. The amend-
ments were read, the two first concurred in, and the last disagreed to, and the Senate informed thereof by message.

The resolution proposing to raise a joint select committee to inquire what measures this Legislature can adopt, if any, to protect the local Banks of this State, &c. was returned from the Senate, concurred in, and referred, on their part, to Messrs. Shober, M'Eachin and Pickett.

A message from the Senate, informing of the dissent of that House to ballot immediately for Colonel of Cavalry attached to the 17th brigade, and proposing to ballot for that officer on Thursday next.

Mr. Spruill, from the select committee, to whom was referred the bill directing the manner in which runaway slaves may be apprehended, reported that the committee, according to order, had considered the said bill, and instructed him to recommend that it be rejected. The report was concurred in, and the bill read and rejected.

Mr. Gaston presented a bill to amend an act, passed in the year 1715, entitled "An act to appoint public Registers, and to direct the method to be observed in conveying lands, goods and chattels, and for preventing fraudulent deeds and mortgages." The said bill was read the first time and passed.

The resolution in favor of the heirs of John J. Bonner, was read the third time, passed and ordered to be enrolled.

Mr. Brevard presented a bill to extend the provisions of an act, passed in the year 1823, entitled "An act granting further time to perfect titles to lands within this State." Mr. Gaston, a bill to prohibit vice and immorality at, and in the vicinity of the University, and for other purposes. These bills were read the first time and passed.

Mr. Fisher, from the select committee, to whom was referred the resolution on the subject of Cotton and Woollen Manufactory, and on the growing of Wool in the State, made a report, which, on motion, was ordered to be printed, one copy for each member of the Assembly.

On motion, ordered that Enoch Foy have leave of absence after this day until the end of the Session.

On motion, ordered that the bill to repeal an act, entitled "An act concerning the Courts of Pleas and Quarter Sessions for the county of Hyde," be enrolled.

The bill for the protection of securities, and for other purposes; also the bill supplementary to the several acts now in force, for the relief of insolvent debtors, were read the third time, passed and ordered to be engrossed.

A message from the Senate, informing of the assent of that House to ballot to-morrow morning for trustees of the University.

On motion, ordered that a message be sent to the Senate, proposing to ballot immediately for three persons to represent the State in the approaching meeting of the Stockholders in the Cape Fear Bank; and informing for this appointment Isaac Wright, of Bladen, Frederick J. Hill, of Brunswick, are nominated.

The bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "An act to revise the militia laws of this State relative to the infantry," and to repeal the 9th and 10th sections of an act, passed in the year 1815, entitled "An act to amend the militia laws of this State," also the bill respecting certain reservations claimed by Indians
lately acquired by treaty from the Cherokee nation, were read the third time, passed and ordered to be engrossed.

A message from the Senate, consenting to ballot immediately for three persons to represent the interest of the State in the approaching meeting of the Stockholders in the Bank of Cape Fear, and informing that the name of Louis D. Wilson is added to the nomination, and that Mr. Burney and Mr. Askew of Hertford attend this House to superintend the balloting on their part. On motion, ordered that the Senate be informed by message, that Mr. Gary and Mr. Simpson attend the Senate as a committee on the part of this House to superintend the balloting.

The resignation of Calvin R. Blackman, Major of the first regiment of the Wayne county militia, was read and accepted.

On motion of Mr. Wheeler,

Resolved, That the Board of Internal Improvements be authorized to direct the Civil Engineer, when surveying the swamp lands in the eastern section of this State, to examine into the propriety of redeeming the lands of Alosky swamp, by drain or otherwise.

Mr. Hill presented a bill to incorporate the Henrietta Steam Boat Company in the town of Fayetteville; and Mr. Jones, of Rowan, a bill to amend the 6th section of an act, passed in the year 1820, entitled "An act to provide for the payment of the Civil List and contingent charges of government. The said bills were read the first time and passed.

The resolution relative to the interchange of laws with other States, was read the third time, passed and ordered to be enrolled.

The bill to provide for the draining of Mattamuskeet Lake, was read the third time, amended and passed, and ordered to be engrossed—yeas 62, nays 57. The yeas and nays called for by Mr. Jones, of Warren.


The bill to establish the county of Macon, was read the third time and passed—yeas 61, nays 44. The yeas and nays called for by Mr. Ellis.


Ordered that the said bill be engrossed and sent to the Senate for concurrence.

The House then adjourned until 4 o'clock, P. M.

The bill to amend an act, passed in the year 1825, entitled "an act for the better regulation of the town of Beaufort, was read the second and third times, passed and ordered to be engrossed.

Mr. W. Bozman presented a bill to repeal an act, passed in the year 1824, entitled "an act to alter the place of holding general musters in Washington county. The said bill was read the first, second and third times, passed and ordered to be engrossed.

The bill concerning the elections of members of the General Assembly and members of Congress in the county of Washington, was read the second time and rejected.

Mr. Gary, from the committee appointed to superintend the balloting for three persons to represent the interest of the State in the approaching meeting of the Stockholders in the Bank of Cape Fear, reported that the committee had performed the duty assigned to them; and that it appeared, on examining the ballots, Isaac Wright, Frederick J. Hill and Louis D. Wilson had each a majority of the whole number, and were duly elected. The report was concurred in.

Mr. Boykin, from the Military committee, to whom was referred the bill prescribing the manner in which field officers and generals shall hereafter be recommended to the General Assembly, reported that the committee had considered the said bill, and instructed him to return it with an amendment, and to recommend its passage. The report was concurred in, and the bill read the second time and passed.

The bill to amend an act, passed at the last session of the Assembly, entitled "an act to establish a poor house in the county of Pitt," was read the third time, passed and ordered to be enrolled.

The bill prescribing the manner in which lands shall hereafter be advertised for sale for taxes in the county of Anson; also the bill concerning the town of Edenton; also a bill prescribing the time at which county trustees for the county of Randolph shall be elected and make their settlements; also the bill to incorporate the Henrietta Steam Boat Company, in the town of Fayetteville; also the bill making it the duty of major generals to review the first regiment of the Edgecomb militia at their usual regimental muster ground, were respectively read the second and third times, passed and ordered to be engrossed.

The bill concerning the election of county surveyors in the counties of Burke, Rutherford, Buncombe, Wilkes, Ashe and Haywood, was read the second and third times, passed and ordered to be enrolled.

Mr. Eccles presented the petition of sundry inhabitants of the town of Fayetteville, praying for the repeal of the law giving to the commissioners of said town the right of granting licenses to retail spiritous liquors. Ordered that the said petition be referred to the committee of Proposizioni and Grievances.

The bill granting to the Superior Court of the county of Moore original and exclusive jurisdiction in all cases where the intervention of a jury is necessary, was read the second time and postponed indefinitely.

The bill to legitimate and alter the name of Mary Ann Eliza Tooly, was read the third time, passed and ordered to be enrolled.
The resolution in favor of John Mellewee, of Mecklenburg county, was read the third time and rejected—yeas 24, nays 72. The yeas and nays called for by Mr. Jones, of Warren.


The House then adjourned until to-morrow morning, 10 o'clock.

**Wednesday, January 2, 1828.**

On motion, ordered that Mr. Ellis after this day, and Mr. White after to-morrow, have leave of absence until the end of the Session.

The resignations of John Clement, of Rowan county, and James Howze, of Franklin county, justices of the peace, were presented, read and accepted.

Mr. Glisson presented a bill concerning talis jurors; and Mr. M'Nair, a bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to alter an act, entitled 'an act to amend the fourth section of an act passed in the year 1804.'" The said bills were read the first time and passed.

The bill to prevent the obstruction of fish passing up the Roanoke and Cashie rivers and their waters, was read the second and third times, passed and ordered to be engrossed.

The bill supplemental to an act, passed at the present session of the General Assembly, entitled "an act to alter an act, entitled 'an act to amend the fourth section of an act, passed in the year 1804,'" was read the second and third times, passed and ordered to be engrossed.

A message from the Senate, informing that they had passed the following engrossed bills, and a resolution, to wit: a bill to restore to credit Thomas Martin, of Rutherford county; a bill to secure to Jane Becknall, of Ashe county, what property she may hereafter acquire; a bill to authorize the Person Library Company to sell or dispose of the books and property belonging to the said company; also a bill for the better regulation of the Court of Pleas and Quarter Sessions of the county of Robeson; also a bill imposing an additional tax on suits in the Superior Courts of Law and Courts of Equity and Courts of Pleas and Quarter Sessions in the county of Duplin; also a bill to erect an arsenal on the south west of the public square on which the capitol stands; a bill to authorize the securities of Edward Griffin, late sheriff of Martin county, to collect arrears of taxes; also the bill relative to the sale of the estates of infants; also a resolution in favor of Ichabod Wtemore; and also a resolution in favor of John Davis, of Lincoln county; and asking the concurrence of this House.

The bill to secure to Jane Becknall, of Ashe county, what property she
may hereafter acquire; also the bill to authorise the securities of Edward Griffin, late sheriff of Martin county, to collect arrears of taxes; also the bill to erect an arsenal on the south west of the public square on which the capitol stands; also the bill relative to the sale of the estates of infants; also the bill to authorise the Person Library Company to sell or dispose of the books and property belonging to the said company; also the bill for the better regulation of the Courts of Pleas and Quarter Sessions of the county of Robeson, were respectively read the first time and passed.

A message from the Senate, informing of their assent to the amendment made by this House in the engrossed bill to incorporate the North-Carolina Gold Mining Company. Ordered that the said bill be enrolled.

The resolution in favor of Ichabod Wetmore; also the resolution in favor of John Davis, of Lincoln county, were read the first time, the former passed and the latter rejected.

On motion, ordered that a message be sent to the Senate, informing that Mr. Lewis and Mr. Burns attend the Senate as superintendents of the balloting for four trustees of the University on the part of this House.

Received from his Excellency the Governor the following communication:

GENTLEMEN,—I transmit to you the account of Governor Burton, while acting ex-officio as guardian of James Forstie, with the accompanying vouchers. As soon as the account shall have been examined and approved by you, the balance remaining in his hands will be paid over to me, and will be immediately vested in some productive stock according to the directions of the resolution adopted by the General Assembly in the year 1825.

I also enclose the resignations of militia officers and justices of the peace, received since the commencement of the session. The resignation of Jesse Speight, Brigadier General of the second brigade, has been received at this department and accepted. The letter containing the resignation has, through mistake, been destroyed.

I have the honor to be, with the highest respect, your most obedient servant,

JAMES IREDELL.

Executive Office, January 2, 1828.

On motion, ordered that the said message be sent to the Senate.

A message from the Senate, informing that Mr. Ramsay and Mr. Burney form the committee to superintend the balloting on their part for four trustees of the University.

On motion of Mr. Gaston, ordered that a message be sent to the Senate, proposing to ballot to-morrow morning for Brigadier General of the second brigade, to supply the vacancy occasioned by the resignation of Jesse Speight, and informing that the names of John J. Pasteur and Thomas Marshall are in nomination for the appointment.

The bill making it the duty of sheriffs, coroners and constables to serve all notices required to be given in process at law or equity, was read the third time, passed and ordered to be engrossed.

The resolution in favor of William Thompson, was read the third time, passed and ordered to be enrolled.

Mr. Seawell presented a bill concerning the Superior and County Courts of Moore; and Mr. Moore, a bill for the relief of Samuel Carter and Solomon Carter. The said bills were read the first time and passed.

A message from the Senate, proposing that the report of the joint select committee on the resolution relative to the woollen bill, herewith sent, be printed one copy for each member of the General Assembly. The message was concurred in, and returned to the Senate.

Mr. Lewis, from the committee appointed to superintend the balloting
for four trustees of the University of North-Carolina, reported that the committee had performed that duty; and that, on examining the ballots, it appeared William Julius Alexander, William Robards and Nicholas J. Drake had each a majority of the whole number, and were duly elected. The report was concurred in.

The resolution in favor of John W. Hamilton, was read the third time and passed; and the resolution, reconsidered on the motion of Mr. Seawell, in favor of Jesse Rogers, of Moore county, was read the second and third times and passed. Ordered that the said resolutions be enrolled.

The bill directing what construction shall be given to contingent executory limitations, was read the third time, passed and ordered to be engrossed.

The resolution directing the Public Treasurer to pay to Henry Gorman, fourteen dollars and fifty cents; also the resolution in favor of Giles Johnston, were read the third time, passed and ordered to be engrossed.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of sundry citizens of Ashe county, praying that John Rose, of said county, be restored to the privileges of a citizen, reported that the committee had, according to order, considered the petition, and instructed him to recommend to the House that it be rejected. The report was read and concurred in.

The bill to establish a Turnpike Road in the county of Burke, was read the third time, amended, passed and ordered to be engrossed.

The bill to reduce the number of petty musters to two in the year, was read the third time. Mr. Sharpe moved that the further consideration of the bill be postponed indefinitely. The question thereon was determined in the negative—yeas 39, nays 53. The yeas and nays called for by Mr. Sharpe.


The said bill was then put on its passage, and the question, shall the said bill pass its third reading? was determined in the affirmative. Ordered that the said bill be engrossed.

The House then adjourned until 4 o'clock, P. M.

The bill to restore to credit Thomas Martin, of Rutherford county; also the bill imposing an additional tax on suits in the Superior Courts of Law and Equity, and Courts of Pleas and Quarter Sessions, in the county of Duplin, were read each the first time, the former rejected, and the latter postponed indefinitely.

The bill requiring ministers of the gospel and justices of the peace to return marriage licenses to the Clerks of the County Courts, and for other purposes, was read the third time, and, on motion, postponed indefinitely.
The bill to secure to Jane Becknall, of Ashe county, such property as she may hereafter acquire; also the bill to authorise the securities of Edward Griffin, late Sheriff of Martin county, to collect arrears of taxes; also the bill for the better regulation of the Courts of Pleas and Quarter Sessions in the county of Robeson, were read each the second and third times, passed and ordered to be enrolled.

The bill for the relief of Samuel Carter and Solomon Carter; also the bill altering the times of holding the elections in the counties of Warren, Nash and Franklin, were read each the second and third times, passed and ordered to be engrossed.

A message from the Senate, informing of the assent of that House to ballot to-morrow morning for Brigadier General of the 2nd brigade.

The bill prescribing the duty of the committee of Finance, was read the third time, passed and ordered to be engrossed.

The bill to alter the name of John M. Williams, of Edgecomb county, and to legitimate him, was read the second and third times, passed and ordered to be engrossed.

Mr. W. W. Jones presented the petition of Jacob Heartman, of the town of Wilmington, praying that a certain sum of money be repaid to him, which he had expended on works of defence of the town of Wilmington on Clerks Island below the said town, in course of the late war. Ordered that the petition be referred to the committee of Claims.

The resolution for the purpose of raising a select committee to inquire into the expediency of repealing the general ticket law as respects the election of Electors to vote for President and Vice President of the United States, was read, and, on motion, postponed indefinitely.

The resolution appointing Joseph Ross Librarian to the State Library, was read and rejected.

The bill concerning the Superior and County Courts of Moore; also the bill to authorise the Person Library Company to sell or dispose of the books and property belonging to the said company, was read the second time and rejected.

The resolution requesting the Governor to make known to the Secretary of war, the desire of the Legislature of this State that a route of a Rail Road passing from Newbern through Raleigh and the central parts of the western country, be made by a corps of United States' Engineers, was read the first time. Mr. Cooper moved that the further consideration of the said resolution be postponed indefinitely. The question thereon was determined in the negative—yeas 46, nays 58. The yeas and nays called for by Mr. Cooper.


The resolution was again read, and amended on the motion of Mr. Alexander, and put on its passage, and the question, shall the said resolution pass? was determined in the negative—yeas 50, nays 32. The yeas and nays called for by Mr. Lewis.


The House then adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 3, 1828.

On motion of Mr. Gilmore,
Resolved by the General Assembly of the State of North-Carolina, That the Secretary of State be directed to issue to Matthew Bridgen, of the county of Bladen, a grant for one hundred and fifty acres of land, lying in said county, on an entry made by him in the Entry Taker's Office in said county, No. 200, the purchase money for which has already been paid.

On motion, ordered that the said resolution be engrossed and sent to the Senate.

On motion, ordered that Mr. Wilkinson, after this day, and Mr. Speller, Mr. Kilpatrick and Mr. Washington, after to-morrow, have leave of absence until the end of the Session.

A message from the Senate, informing that Mr. Beasly and Mr. Askew attend this House as a committee on their part to superintend the balloting for Brigadier General of the 2d brigade. On motion, ordered that the Senate be informed by message, that Mr. Smith and Mr. Hardy form the committee on the part of this House to superintend the balloting for Brigadier General of the 2d brigade.

On motion, ordered that a message be sent to the Senate, proposing to ballot this morning for one trustee of the University; and informing that the names of J. J. Daniel, John C. Taylor, and Alfred M. Galling are withdrawn from the nomination.

Mr. Moore, from the Library committee, under direction of the committee, submitted the following resolution:
Resolved, That the chamber commonly known by the name of the Conference room be fitted up as a Library chamber under the direction of the Librarian, who shall draw on the Treasurer for the amount of expense attendant thereon, which shall be allowed the Treasurer in the settlement of his accounts.

The said resolution was read the first, second, and third times, passed and ordered to be engrossed.
A message from the Senate, consenting to ballot for a trustee of the University; and informing that Mr. Davenport and Mr. Neill form the committee on their part to superintend the balloting. On motion, ordered that the Senate be informed by message, that Mr. Scott and Mr. Bynum attend that House as a committee to superintend the balloting on the part of this House.

On motion of Mr. Seawell, who voted in the majority on the question of rejection of the resolution directing the Governor to request of the Secretary of War a corps of Engineers may be directed to survey a route for a rail road from Newbern through Raleigh and the central parts of the western counties, the House reconsidered that vote, and ordered the said resolution to be laid on the table.

A message from the Senate, informing that they had passed the following engrossed bills and resolutions, to wit: A bill for the relief of Lewis Bond, late sheriff of Bertie; a bill to alter the name of Sidney Smith Gay and others, of the county of Wake, and to legitimize them; a bill to repeal an act of the Assembly, passed in 1820, entitled "an act directing the County Courts to pay fees to certain officers therein named and in certain cases," so far as respects the county of Randolph; a bill to revive and continue in force certain acts of Assembly therein named; a bill making it the duty of the field officers of the second regiment of Stokes county militia to convene their regiment in the centre of the district; also the engrossed resolution relative to the Public Treasurer; and the resolution in favor of the door-keepers; in which they ask the concurrence of this House.

Mr. Hardy, from the committee appointed to superintend the balloting for Brigadier General of the 2d brigade, reported that the committee had performed that duty; and that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot again immediately for Brigadier General of the 2d brigade. The message was concurred in, and the Senate informed by message that Mr. White and Mr. Gordon form the committee on the part of this House to superintend the balloting.

A message from the Senate, informing that Mr. Love of Richmond and Mr. Askew of Hertford attend this House as a committee on their part to superintend the balloting for the Brigadier General of the 2d brigade. The bill for the relief of Lewis Bond, late sheriff of Bertie; also the bill to alter the name of Sidney Smith Gay and others, of the county of Wake, and to legitimize them; also the bill to repeal an act of the Assembly, passed in the year 1820, entitled "an act directing the County Courts to pay fees to certain officers therein named, and in certain cases," so far as respects the county of Randolph; also the resolution relative to the Public Treasurer, were respectively read the first time and passed.

The resolution in favor of the Door-keepers; also the resolution in favor of Calvin R. Blackman, sheriff of Wayne county, were read the second and third times and passed. Ordered that they be enrolled.

The bill regulating the time within which demand shall be made of the maker, and notice given to the endorser of a bill, bond or promissory note, was read the second time, amended and passed.

The bill to revive and continue in force certain acts of Assembly there-
Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the bill to authorize the Public Treasurer to pay to John Gamble, late sheriff of Ashe county, the excess of taxes paid by him into the public Treasury in the year 1826, reported that the committee had considered the said bill, and instructed him to return it to the House, with a recommendation that it be rejected. The report was read and ordered to lie on the table.

The bill to regulate the payment of the salary of the Public Printer, and to prescribe the manner in which printing shall hereafter be done for the departments of this State, and for the preservation of the public buildings, was read the second and third times, amended and passed. Ordered that the said bill be sent to the Senate by message, asking the concurrence of that House to the amendment.

Mr. Stewart presented a bill to alter the time of the meeting of the General Assembly. The said bill was read the first time and rejected.

The bill making it the duty of the field officers of the second regiment of Stokes county militia to convene their regiment in the centre of the district, was read the first time, and, on the motion of Mr. Salmons, rejected.

Mr. Bynum, from the committee appointed to superintend the balloting for one Trustee of the University, reported that, on examining the ballots, it appeared neither of the candidates had a majority of the whole number. The report was concurred in.

A message from the Senate, proposing to ballot again immediately for one Trustee of the University. The message was concurred in, and the Senate informed by message that Mr. H. C. Jones and Mr. W. W. Stedman attend that House as a committee to superintend the balloting on the part of this House; and informing that the name of John B. Eccles is withdrawn from the nomination.

A message from the Senate, informing that Mr. Ramsay and Mr. Askew of Hertford attend this House as a committee on their part to superintend the balloting for one Trustee of the University.

Mr. White, from the committee appointed to superintend the balloting for Brigadier General of the 2d brigade, reported that the committee had performed that duty; and that it appeared, on examining the ballots, a majority of the whole number was in favor of Thomas Marshall, who was duly elected. The report was concurred in.

Mr. Hill presented a bill to amend an act, passed in the year 1826, entitled "an act concerning the entry of land in this State?" The said bill was read the first time and passed.

A message from the Senate, informing that they had passed the engrossed bill to appropriate six thousand two hundred and thirty-two dollars for the purpose of improving the navigation of the Cape Fear river below the town of Wilmington, and for other purposes; and also the engrossed bill prescribing the manner in which lands hereafter shall be advertised for sale for taxes in the county of Anson, with amendments in each, and asking the concurrence of this House. The amendments were separately read, concurred in, and the Senate informed thereof by message.
Mr. Newland, from the committee on Divorce and Alimony, reported unfavorably on the petitions of John Faust, John Pilcher, Martha Beasly and several others, praying for divorces, recommending their rejection. The report was read and concurred in.

The bill to provide for the gradual diminution of the capital stock of the Banks of this State, by the purchase and extinguishment of shares, was read the second time. Mr. Boon moved that the further consideration of said bill be postponed indefinitely. The question thereon was determined in the affirmative—yeas 72, nays 49. The yeas and nays called for by Mr. W. W. Stedman.


The House then adjourned until 4 o'clock, P. M.

The engrossed bill for the relief of Lewis Bond, late Sheriff of Bertie, was read the second and third times, passed and ordered to be enrolled.

The resolution relative to the Public Treasurer, was read the second and third time, passed and ordered to be enrolled.

The bill to repeal an act of the Assembly, passed in 1820, entitled "an act directing the County Courts to pay fees to certain officers therein named, and in certain cases," so far as respects the county of Randolph; also the bill to amend an act, entitled "an act to amend an act laying duties on sales at auction of merchandise," were read the second and third times, passed and ordered to be engrossed.

The resolution in favor of Ichabod Wetmore, was read the second and third times, passed and ordered to be enrolled.

On motion, ordered that Mr. Borden have leave to withdraw from the files, the petition and documents attendant of Julia Ann Thompson; and that Mr. Gold have leave to withdraw from the files, the petition of Charles Lewis, of Rutherford.

The bill to cede to the United States a point of marsh on the south side of Neuse river, for the purpose of erecting thereon a light-house, was read the second and third times, passed and ordered to be engrossed.

The bill to erect an Arsenal on the south-west of the public square on which the capitol stands, was read the second and third times, and amended and passed. Ordered that the said bill be sent to the Senate, asking the concurrence of that House with the amendment.

Mr. Newland presented the following resolution:

Resolved, That Leonard Hese, of Burke county, be placed on the pension list of this State, and that the Public Treasurer pay him annually the sum of sixty dollars.

Ordered that the resolution be laid on the table.
The resolution in favor of the administrator of Thomas Elliott, a Mecklenburg county, was read the second and third times, passed and ordered to be enrolled.

The bill to alter the name of Sidney Smith Gay and others, of the county of Wake, and to legitimate them, was read the second time and rejected.

Mr. W. W. Stedman, from the committee appointed to superintend the balloting for one trustee of the University, reported that the committee had performed that duty; and that it appeared, on examining the ballots, Emanuel Shoher had a majority of the whole number, and was duly elected. The question to concur with the report was determined in the affirmative.

The bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage, was read the second time, amended and passed, and, on motion, ordered to be laid on the table.

Mr. M'Nair presented a bill to repeal the second, third and fourth sections of an act, passed at the last General Assembly, chapter 50th, entitled "an act concerning the swamp lands and marsh lands in this State, and for other purposes." The said bill was read the first time and rejected.

The bill prescribing the duties of Attornies in certain cases; also the bill to amend the 6th section of an act, passed in the year 1820, entitled "an act to provide for the payment of the civil list and contingent charges of government," were read the second time and rejected.

The bill giving dower to the widow in all cases, in which the husband might have claimed curtesy; also the bill concerning talis jurors, were read the second time, the former rejected, and the latter postponed indefinitely.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of Leonard Hicks, praying to be placed on the pension list, reported unfavorably, recommending its rejection. Mr. Newland then called up the resolution, laid on the table for the purpose of placing the applicant on the pension list; which being read, was, on motion, postponed indefinitely, and the report concurred in.

Mr. Borden presented a bill fixing the pay of the members of the General Assembly; which was read the first time, and on the motion of Mr. Fisher, postponed indefinitely—yeas 94, nays 7. The yeas and nays called for by Mr. Borden.


On motion of Mr. Hardy, ordered that he have leave to withdraw from the files the petition of Olly Greaves, together with the accompanying documents.

The House then adjourned until to-morrow morning, 10 o'clock.
FRIDAY, JANUARY 4, 1828.

On motion, ordered that Mr. King have leave of absence after to-morrow, until the end of the session.

On motion of Mr. Boykin,

Resolved, That the west room on the lower floor of the State House, opposite the Comptroller's office, be appropriated to the use of the Adjutant General as an office for the transacting and safe keeping the documents of that office.

Ordered that the said resolution be engrossed and sent to the Senate for concurrence.

A message from the Senate, informing that they had passed the engrossed resolution in favor of John Duckworth, and asking the concurrence of this House. The said resolution was read the first and second times, passed, and, on motion, ordered to be laid on the table.

A message from the Senate, informing of the agreement of that House with the amendment proposed by this House to the amendment made by the Senate in the engrossed bill to repeal part of an act, to build a new Court House in the county of Surry, and for other purposes, with an additional amendment; and further, of their agreement to the amendment made by this House in the engrossed bill to add all that part of the second regiment of militia of Burke county, lying south of the Catawba river in said county, to the first regiment, with an amendment, and asking the concurrence of this House; and informing further, that they agree to the several amendments made in the engrossed bill to amend an act, passed in the year 1777, entitled "An act to establish Courts of Law, and regulating the proceedings therein."

A message from the Senate, consenting to ballot this morning for Cavalry officers attached to the 15th brigade, and informing that Mr. Nuttall and Mr. Montgomery attend this House as a committee on their part to conduct the balloting. On motion, ordered that the Senate be informed by message, that Mr. Alexander and Mr. Newland attend the Senate, as a committee on the part of this House, to superintend the balloting.

On motion, ordered that Mr. Spruill have leave of absence from the service of this House, after to-morrow, until the end of the Session.

Mr. Bynum, from the committee of Claims, to whom was referred the petition of Jacob Hartman, of the town of Wilmington, reported that the committee had considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

On motion of Mr. W. W. Jones,

Resolved, That the Clerks of the two Houses be directed to make up the estimates of allowance to the members and officers, to include Monday next.

Sent to the Senate for concurrence.

A message from the Senate, proposing to ballot this morning for Cavalry officers attached to the 5th brigade. The message was read and disagreed to, and the Senate informed thereof by message.

Received from the Senate, a resolution directing that the conveyances and powers of attorney from the widow, devisees and executors of the late John Haywood, taken by the Attorney General of this State, be registered and filed in the Treasury Office, &c. The said resolution was read, concurred in, and returned to the Senate.

The resolution in favor of John Duckworth, was read the third time, passed and ordered to be enrolled.

Mr. Gary, from the select committee, to whom was referred a resolu-
tion concerning the standard of measure, reported that the committee had, according to order, the said resolution under consideration, and instructed him to report a bill on the subject in addition to the acts relative to weights and measures, and to recommend its passage. The said bill was read the first, second and third times, passed and ordered to be engrossed.

The bill concerning the tax to be paid by persons peddling in certain waters, was read the first, second and third times, passed and ordered to be engrossed.

Mr. Jones, of Rowan, who voted in the majority on the rejection of the bill to alter the name of Sidney Smith Gay and others, of the county of Wake, and to legitimate them, moved that the House do now reconsider that vote. The question to concur with the motion, was determined in the negative.

On motion, ordered that the bill to amend an act, passed in the year 1777, entitled "An act to establish Courts of Law, and regulate the proceedings therein," be enrolled.

Mr. Gary, from the committee of Propositions and Grievances, to whom was referred the petition of sundry inhabitants of Lincoln county, on behalf of William Cline, reported that the committee had considered the said petition, and instructed him to recommend that it be rejected. The report was read and concurred in.

The bill to amend an act, passed in the year 1826, entitled "An act prescribing the mode of surveying and selling the lands lately acquired from the Cherokee Indians," was read the third time, amended, passed and ordered to be engrossed.

The bill supplemental to an act, for the improvement of the navigation of Perquimons river above Newby's bridge, passed in the year 1826, and for other purposes, was read the second and third times, amended, passed and ordered to be engrossed.

The bill to continue in force an act, passed in the year 1823, entitled "An act directing a Geological and Mineralogical survey to be made of the State of North Carolina," was read the second and third times, passed and ordered to be engrossed.

Mr. Alexander, from the committee appointed to conduct the balloting for Cavalry Officers attached to the 15th brigade, reported that the committee had performed that duty; and that it appeared, on examining the ballots, Benjamin S. Brittain as Colonel, William Mc'Gimsey as Lieutenant Colonel, and Benjamin Richards as Major, had each a majority of the whole number, and were duly elected. The question to concur with the report was determined in the affirmative.

The resolution requesting the Governor of the State to make known to the Secretary of War the desire of this Assembly to have made a survey of a route for a rail road passing from Newbern through Raleigh, and the central parts of the western counties, by a corps of United States' Engineers, was read the third time and amended, and, on motion of Mr. Burns, postponed indefinitely—yeas 64, nays 45. The yeas and nays called for by Mr. W. W. Siedman.

Those who voted in the affirmative, are Messrs. Adams, Baker, Ball, Barnard, Barnhardt, Battle, Barnett, Boon, Boykin, W. A. Bozman, Burke, Burns, Busbee, Bynum, Byrum, Cherry, Cooper, Davenport, Dozier, F. Poy, Gary, Gillespie, Ga-
The House then adjourned until 4 o'clock, P. M.

On motion of Mr. W. W. Jones, ordered that he have leave to withdraw the papers and documents from the files accompanying the petition of William Boylan.

On motion of Mr. Newland, ordered that he have leave to withdraw from the files the papers and documents attending the petition of Hugh Reed and Leonard Hise.

On motion of Mr. Wilder, ordered that he have leave to withdraw the papers accompanying the petition of Charles Copeland; and ordered further, that Mr. Alexander have leave to withdraw from the files the papers accompanying the petition of Henry Houston and Robert Robinson, and John Mulliwe.

The resolution for the relief of David Rogers, of Buncombe county, was read the third time and passed and ordered to be enrolled.

The resignation of Kinchen Q. Adams, justice of the peace for the county of Johnston, was read and accepted.

On motion of Mr. Donoho, ordered that he have leave to withdraw from the files the papers and documents relative to the Cherokee lands.

The bill to amend an act, passed in the year 1810, entitled "an act to amend an act, passed in the year 1809, entitled 'an act to amend the several acts heretofore passed relative to the removal of obstructions to the passage of fish up the several rivers within this State," as relates to the Pee Dee and Yadkin rivers, was read the second time and passed.

The bill to amend the wreck laws of this State, so far as regards the districts in the county of Carteret, was read the second time and rejected.

The bill concerning the appointment of a keeper of the State House, and for the preservation of the Statue of Washington, was read the second and third times, amended, passed and ordered to be engrossed.

The bill to amend an act, passed in the year 1819, entitled "an act prescribing the manner of assessing lands in this State for taxation, was read the second time, and, on motion, indefinitely postponed.

The resolution requiring the Secretary of State to purchase stationary, was read the second and third times, passed and ordered to be enrolled.

On motion of Mr. Morehead, the House reconsidered the vote of rejection of the bill to amend the wreck laws of this State, so far as regards the districts in the county of Carteret. The said bill thereupon was read the second time and rejected.

The bill concerning the entry of lands covered by waters of the lakes of this State, was read the second and third times, passed and ordered to be engrossed.

The House then adjourned until to-morrow morning, 9 o'clock.
SABBATH, JANUARY 5, 1828.

On motion, ordered that Mr. Ball, after this day, have leave of absence from the service of this House until the end of the session.

The bill prescribing the manner in which staves, heading and shingles shall hereafter be inspected; also the bill to prohibit vice and immorality at, and in the vicinity of the University, and for other purposes; also the bill to make provision for widows when they dissent from the wills of their husbands; also the bill to incorporate the North-Carolina institution for the instruction of the deaf and dumb, were read the second and third times and passed; and the bill to limit the appointment of Solicitor General and Solicitors to four years; and the bill making the endorser or endorsers of bonds and promissory notes liable as security or securities, were read the third time and passed. Ordered that the said bills be engrossed and sent to the Senate.

On motion of Mr. Donoho, ordered that a message be sent to the Senate, proposing to ballot for cavalry officers attached to the 16th brigade, and informing that Elijah Hester as Colonel, Samuel Mitchell as Lieutenant Colonel, and James W. Jones as Major, are in nomination.

A message from the Senate, informing that they had passed the following engrossed bills, to wit: A bill to change the time of holding the Supreme Court of this State; also a bill to authorise the commissioners herein named to purchase a site for a new Court House in the county of Bladen, and for other purposes; also a bill concerning the wardens of the poor for the counties of Washington, Randolph and others; and a resolution in favor of Edward Griffin, late Sheriff of Martin county, and asking the concurrence of this House.

The bill to change the time of holding the Supreme Court of this State; also the bill concerning the wardens of the poor for the counties of Washington, Randolph and others; also the bill to authorise the commissioners herein named to purchase a site for a new Court House in the county of Bladen, and for other purposes, were read the first, second and third times, passed and ordered to be enrolled.

The bill for the relief of persons who have made entries of lands with entry takers, or who have had lands surveyed by surveyors who have not renewed their bonds agreeably to law; the bill to amend an act, passed in the year 1824, entitled "An act giving the assent of North Carolina to, and enforcing in this State certain acts of the General Assembly of the State of Tennessee, relating to the Smoky Mountain Turnpike Road;" the bill to compel the county trustee of each county to report the expenditures of the county, in the prosecution and punishment of insolvent offenders; and the bill to amend the different acts of the General Assembly concerning dower, were read the second and third times, passed and ordered to be enrolled.

The resolution appropriating three hundred and fifty dollars, to be laid out in the purchase of furniture for the Government House, was read the second and third times, amended, passed and ordered to be engrossed.

Mr. Busbee presented a resolution allowing Lawrence & Lemay five hundred and ninety-two dollars twenty-four and an half cents, for extra printing by order of the Legislature. The said resolution was read the first, second and third times, passed and ordered to be engrossed.

The bill to amend an act, passed in the year 1715, entitled "an act to
appoint public registers, and to direct the method to be observed in conveying of lands, goods and chattels, and for preventing fraudulent deeds and mortgages;" also the bill to amend an act, passed in the year 1823, entitled "an act respecting the reservations of certain Indians in the lands lately acquired by treaty from the Cherokee Indians," were read the second and third times, passed and ordered to be enrolled.

A message from the Senate, informing that Mr. Nuttall and Mr. Vanhook attend this House as a committee on their part to superintend the balloting for Cavalry Officers attached to the 16th Brigade.

On motion, ordered that the Senate be informed by message, that Mr. Donoho and Mr. Jones of Rowan attend the Senate as a committee on the part of this House to superintend the balloting for the Cavalry Officers.

The bill to continue in force an act, passed at the last General Assembly, entitled "An act to revise and, continue in force an act, passed in the year 1824, to alter and amend an act for the relief of such persons as became purchasers of the Cherokee Lands sold under authority of this State," was read the second and third times, passed and ordered to be enrolled.

A message from the Senate, informing that they had rejected the engrossed bill to repeal in part the 3d section of an act, passed in the year 1806, entitled "An act to revise the militia laws of this State relative to the Infantry;" and to repeal the 9th and 10th sections of an act to amend the militia laws of this State; and the engrossed resolution in relation to the Library room; and informing that they concur in the amendment made by this House in the bill to erect an arsenal on the south west of the public square on which the capitol stands; and also in the amendments made in the bill to regulate the payment of the salary of the public printer, and to prescribe the manner in which printing shall hereafter be done for the Departments of this State, and for the preservation of the public buildings; and also in the amendments made in the bill to repeal the second section of an act, passed in the year 1801, so far as regards salvage.

On motion, ordered that the said bills be enrolled.

The bill limiting attorneys' fees in certain cases, was read the first time, and, on motion, postponed indefinitely.

The bill concerning the registration of grants; also the bill to amend the 7th section of the act, entitled "An act to provide a revenue for the payment of the civil list and contingent charges of government," passed in 1822, were read the second time, the former postponed indefinitely, the latter rejected.

Mr. Jones, of Rowan, from the committee appointed to conduct the balloting for Cavalry Officers attached to the 16th brigade, reported that the committee had performed that duty; and that, on examining the ballots, it appeared Elijah Hester as Colonel, Samuel Mitchell as Lieutenant Colonel, and James W. Jones as Major, had each a majority of the whole number, and were duly elected. The report was concurred in.

The bill giving to the Superior Courts of Law exclusive jurisdiction in all cases of divorce, was read the third time. Mr. Jones, of Warren, moved that the further consideration of the said bill be postponed indefinitely. The question thereon was determined in the negative—yeas 20, nays 83. The yeas and nays called for by Mr. Jones, of Warren.

Those who voted in the affirmative, are Messrs. Brevard, Dickinson, Eccles, Gil-
The said bill was then put on its passage, and the question, shall the said bill pass? was determined in the affirmative—yeas 81, nays 23. The yeas and nays called for by Mr. Blackledge.


The said bill was then put on its passage, and the question, shall the said bill pass? was determined in the affirmative—yeas 81, nays 23. The yeas and nays called for by Mr. Blackledge.


Ordered that the said bill be engrossed and sent to the Senate.

The House then adjourned until 3 o'clock, P. M.

A message from the Senate, informing that they had passed the engrossed bill to empower the overseers of bridges in the county of Craven to make contracts for the repairing or rebuilding of the same, and for other purposes, and asking the concurrence of this House; and insisting on their amendment to the amendment made by the House of Commons in the engrossed bill to repeal part of an act, passed in the year 1826, entitled "an act to build a new court house in the county of Surry, and for other purposes." On motion, the House receded from their amendment in the said bill, and the Senate were informed thereof by message.

The bill to empower the overseers of bridges in the county of Craven to make contracts for the repairing or the rebuilding of the same, and for other purposes, was read the first time and passed.

Received from the Senate, a resolution, approving of the account of Hutchins G. Burton, Governor, as guardian ex-officio of James Forsythe; which was read and concurred in.

A message from the Senate, informing that they had made an amendment in the bill relating to the towns of Newbern and Wilmington, and asking the concurrence of this House. The amendment was read and disagreed to, and the Senate informed thereof by message.

On motion, ordered that Mr. Walker, of Warren, after Monday, have leave of absence from the service of this House until the end of the session.
The bill relative to the sale of the estates of infants; also the resolution in favor of Parham, Kirk, Sheriff of Montgomery county; also the resolution relative to procuring iron backs for the fire places in the Senate Chamber and Commons Hall, were read the second and third times, passed and ordered to be enrolled.

The bill prescribing the manner in which field officers and general officers shall be recommended to the General Assembly; and the bill to extend the provisions of an act, passed in the year 1823, entitled "an act granting further time to perfect titles to lands within this State, were read the second and third times, passed and ordered to be engrossed.

A message from the Senate, informing that they had passed the engrossed bill for the relief of Samuel Carter and Solomon Carter with amendments; and also that they agree to the amendment made by this House in the engrossed bill to revive and continue in force certain acts of Assembly therein named, with an amendment; and asking the concurrence of this House. The amendment was concurred in, and the Senate informed thereof by message.

The bill to amend an act, passed in the year 1810, entitled "an act to amend an act, passed in the year 1809, entitled 'an act to amend the several acts heretofore passed relative to the removal of obstructions to the passage of fish up the several rivers within this State," as relates to the Pee Dee and Yadkin rivers, was read the third time, passed and ordered to be enrolled.

The bill to provide more effectually for the representation of the stock of the State held in the Bank of North-Carolina, was read the second and third times, passed and ordered to be enrolled; also the bill for revising, digesting and amending the law relative to executors and administrators, were read the second and third times, passed and ordered to be engrossed.

The resolution received from the Senate, requesting the Governor to obtain and report to the next Legislature the most approved plan for a Penitentary separately, and in connexion with an asylum for idiots and lunatics, &c. was read and concurred in, and returned to the Senate.

The resolution in relation to the public well, was read the second and third times, passed and ordered to be engrossed.

Mr. Burns presented the following resolution:

Resolved, That the board of Internal Improvements be, and they are hereby authorised from time to time to cause such and so many examinations and surveys to be made as they deem expedient and proper.

The said resolution was read and rejected.

A message from the Senate, informing that they agree to the amend-ments made by this House in the bill for the relief of Clerks of Courts and Clerks and Masters in Equity; and in the bill, entitled "a bill supplemen- tary to the acts relative to the power of Courts of Equity in cases of partition." Ordered that the said bills be enrolled.

A message from the Senate, proposing that the message of his excel-lency the Governor, together with the report of the President and Direc-tors of the Literary Fund, herewith sent, be printed, three copies for each member of the Assembly. The said message was read and concurred in.

The resolution in favor of Edward Griffin, late sheriff of Martin coun-ty, was read the third time and passed—yeas 54, nays 31. The yeas and nays called for by Mr. Brittain.


Ordered that the said resolution be enrolled.

A message from the Senate, informing that they recede from their amendment to the engrossed bill for the better regulation of the towns of Newbern and Wilmington; and informing that they have rejected the bill for the draining of Mattamuskeet Lake; and the resolution concerning the Adjutant General's Office. Ordered that the bill for the better regulation of the towns of Newbern and Wilmington be enrolled.

A message from the Senate, informing that they had passed the engrossed bill regulating the time within which demand shall be made of the maker, and notice given to the endorser of a bill, bond or promissory note, with an amendment. The amendment was concurred in, and the Senate informed thereof by message.

A message from the Senate, informing that they had passed the engrossed bill giving the Superior Courts of Law exclusive jurisdiction in all cases of divorce, with an amendment. The amendment was read and disagreed to, and the Senate informed thereof by message; and also informing that they had passed the engrossed bill to authorise the President and Directors of the Literary Fund to employ a Clerk. The said bill was read the first time and rejected.

The House then adjourned until Monday, 7 o'clock, A. M.

MONDAY, JANUARY 7, 1828.

A message from the Senate, informing that they had rejected the engrossed bill, entitled "A bill for revising, digesting and amending the law relative to executors and administrators;" and postponed indefinitely the bill prescribing the manner in which field officers and general officers shall be recommended to the General Assembly; and informing further, they insist on their amendment to the engrossed bill giving the Superior Courts of Law exclusive jurisdiction in all cases of divorce. The said amendment was read, and the Senate informed by message, that this House do insist on the said amendment.

A message from the Senate, informing that they had passed the engrossed resolution in favor of Lawrence & Lemay, with an amendment, and asking the concurrence of this House. The amendment was read, concurred in, and the Senate informed thereof by message.

A message from the Senate, informing that they had passed the engrossed resolution requiring the Adjutant General to take care of the public arms due from the General Government; and also the engrossed bill concerning the claim of the State on the estate of the late Treasurer and his securities; and asking the concurrence of this House. The said bill was read the first time and rejected; and the resolution read the first, second and third times, passed and ordered to be enrolled.
A message from the Senate, informing that they recede from their amendment to the bill giving the Superior Courts of Law exclusive jurisdiction in all cases of divorce. On motion, ordered that the said bill be enrolled.

Received from the Senate, a resolution constituting the Governor, Secretary of State and the Treasurer a Board to settle the expenses attendant the reception of General Lafayette, and make report to the next Legislature. The resolution was read, concurred in and returned to the Senate.

Received from the Senate, a resolution authorising the Governor to draw on the Public Treasurer for any sum of money as may be necessary for making surveys of the land belonging to the late John Haywood, &c. &c. The said resolution was read, concurred in and returned to the Senate.

Received from the Senate, the report of the committee of Finance on several subjects; which was read, concurred in and returned to the Senate.

The bill to amend an act, passed in the year 1826, entitled "an act concerning the entry of land in this State;" also the bill to empower the overseers of bridges in the county of Craven to make contracts for the repairing or rebuilding of the same, and for other purposes; also the bill to prevent the importation of slaves into this State, were severally read, and, on motion, postponed indefinitely.

The report on the petition of Robert Robinson, of Mecklenburg county; also the report of the committee on Divorce and Alimony on the case of William Roberts, of Buncombe county; also a bill to establish the district of Forsythe for the purpose of holding Courts of Pleas and Quarter Sessions within the same; also the report of the committee on the petition of Henry Houston, of Mecklenburg county; also the report of the committee of Claims on the petition of Thomas Sharpe; also the report of the committee on the Judiciary on the bill to repeal the several laws relative to the inspection of produce, were severally read, and, on motion, ordered to lie on the table without day.

The bill concerning the number of Justices required on the removal of certain officers; also the bill concerning the appointment of Clerks of the Superior Courts and Clerks and Masters in Equity, were read, and, on motion, postponed indefinitely.

The resolution directing the Board of Internal Improvements to cause a survey to be made of a route for a railroad from some point on the Yadkin river above the Narrows to the town of Fayetteville, &c. was read, and, on motion, postponed indefinitely.

The report on the Literary Fund, was read, and, on motion, unanimously rejected.

On motion of Mr. Jones, of Warren, ordered that a message be sent to the Senate, informing of the readiness of this House to adjourn without day.

A message from the Senate, informing of their readiness to adjourn sine die.

Whereupon, on the motion of Mr. Glisson,
Resolved unanimously, That the thanks of this House be presented to the honorable
Thomas Settle, Speaker, for the able, impartial and dignified manner in which he has discharged the duties of the Chair.

The Speaker thereupon made his acknowledgments to the House, and adjourned it without day.

By order.

THOS. SETTLE, S. H. C.

P. Henderson, Cllr.