At a General Assembly of the State of North Carolina, begun and held in the City of Raleigh, on Monday, the eighteenth day of November, Anno Domini one thousand eight hundred and fifty, and the seventy-fifth year of the Independence of the United States of America—being the day appointed by law for the meeting of the General Assembly—the following members of the House of Commons appeared, exhibited their credentials, and were qualified according to law, viz:

Ashe—Alex. B. McMillan.
Beaufort—Jesse R. Stubbs, Wm. H. Tripp.
Bertie—Joseph B. Cherry, Patrick H. Winston.
Bladen—Thomas D. McDowell.
Brunswick—John H. Hill.
Buncombe—James Sharp, Marcus Erwin.
Cabarrus—Joseph W. Scott, John Shumock.
Caldwell—John Hayes.
Cameron—Cal'eb Barco.
Carteret—Jennings Pigott.
Caswell—David S. Johnson, Samuel P. Hill.
Chatham—Daniel Hackney, R. C. Cotton, G. M. Brazier.
Cherokee—George W. Hayes.
Chowan—William E. Bond.
Cleaveland—G. G. Holland.
Columbus—John A. Maulsby.
Craven—George S. Stevenson, Alonzo T. Jerkins.
Cumberland—James C. Dobbin, Geo. W. Pegram.
Currituck—Samuel B. Jarvis.
Davidson—James M. Leach, Alfred G. Foster.
Davie—Stephen Doullitt.
Duplin—Isaac B. Kelly, N. P. Mathis.
Edgecombe—Joshua Barnes, Kenneth Thigpen.
Franklin—Wm. K. Martin, Josiah Bridgers.
Gates—Mills H. Eure.
Greene—
Granville—Wm. R. Wiggins, Lewis Parham, James S. Amiss.
Guilford—David F. Caldwell, Peter Adams, C. H. Wiley.
Halifax—Wm. B. Pope, Dudley C. Clanton.
Henderson—Henry T. Farmer.
Hertford—Kenneth Rayner.
Hyde—Erasmus H. Saunderson.
Johnston—L. B. Sanders, A. J. Leach.
Jones—
Lenoir—William Sutton.
Lincoln—Franklin D. Reinhardt, Richd. Rankin, Samuel N. Stowe,
Henderson Sherrill.
Macon—David W. Siler.
Martin—William L. Mizell.
Mecklenburg—John K. Harrison, E. C. Davidson, James J. Williams.
Moore—Samuel J. Person.
Montgomery—Zebedee Russell.
Nash—Ford Taylor.
New Hanover—John D. Powers, William Hill.
Northampton—David A. Barnes.
Onslow—Edward W. Fonville.
Orange—Cad. Jones, Jr., Daniel A. Montgomery, Bartlett Durham,
George Patterson.
Pasquotank—
Perquimans—Thomas Wilson.
Person—C. S. Winstead.
Randolph—Jesse Thornburg, J. M. A. Drake.
Richmond—Walter L. Steele.
Rockingham—Thomas Ruffin, Jr., Horatio Kallum.
Rutherford—Jesse B. Sloan, Calvin J. Webb.
Sampson—Amos Herring, John L. Boykin.
Stanly—Francis Locke.
Surry—James Sheek, Jos. Cockerham, J. R. McLean:
Tyrrell—Joseph Mc Cleese.
Washington—Uriah W. Swanner.
Wayne—C. H. Brogden, John V. Sherrard.
Yancy—Samuel Fleming.

A quorum consisting of the whole number of members, being present, Mr. R. M. Saunders nominated Hon. James C. Dobbin of Cumberland for Speaker; and on motion of Mr. D. A. Barnes the name of Hon. Kenneth Rayner was added to the nomination: and the House proceeded to vote, under the superintendence of Messrs. J. M. Leach and L. B. Sanders:

FOR MR. DOBBIN.


FOR MR. RAYNER.


FOR MR. C. JONES.

Mr. Dobbin—1.

Mr. Dobbin having received a majority of the whole number of votes given, was declared duly elected Speaker; and
thereupon, being conducted to the chair by Messrs. R. M. Saunders and D. A. Barnes, he made his acknowledgements to the House in an appropriate address.

Mr. Steele submitted the following Resolution:

Resolved, That Perrin Busbee of Wake, be appointed Principal, and James R. Dodge, of Surry, Assistant Clerk of the House of Commons.

Mr. Wilson moved to amend the Resolution by striking out the name of Jas. R. Dodge, and inserting in lieu thereof, the name of Thomas B. Bailey; whereupon Mr. Avery moved that the Resolution be indefinitely postponed. This motion was determined in the negative: Yeas 39, nays 76.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question then recurring upon the amendment proposed by Mr. Wilson, Mr. J. M. Leach called for a division of the question, and the same being first put on striking out, was carried in the affirmative: Yeas 59, nays 55.
Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House agreed to strike out; and the question being on the insertion of the name of Thomas B. Bailey, passed in the affirmative.

The question then recurring on the passage of the resolution, as amended, was also determined in the affirmative: Yeas 63, nays 50.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


On motion of Mr. Jones, the House then adjourned until to-morrow morning, 10 o'clock.

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TUESDAY, NOV. 19.

On motion of Mr. Eaton,

Ordered, That the Rules of the House of Commons of the last session be adopted for the temporary government of the House.

Mr. Eaton also moved that a Committee of five be appointed to prepare and report Rules for the government of the House; which was agreed to, and Messrs. Eaton, C. Jones, R. M. Saunders, Rayner and Steele, were named as said Committee.

The House now, on motion of Mr. Jones, proceeded to the election of a Principal Door-keeper; Mr. Bryson, of Haywood, being nominated by Mr. Avery, William R. Lovell, of Surry, by Mr. Cherry, and Mr. Moody, of ——, by Mr. McDowell. The vote was as follows:

FOR MR. BRYSON:

Messrs. Speaker, Avery, Bond, Boykin, Bridgers, A. H. Caldwell, Cockerham, Davidson, Dickinson, Durham, Eaton, Erwin, Flemming,

FOR MR. LOVELL:


FOR MR. MOODY:


Neither of the candidates having received a majority of the whole number of votes cast, there was no election.

On motion of Mr. Martin, the House proceeded again forthwith to vote for Principal Door-keeper, as follows;

FOR MR. BRYSON:


FOR MR. LOVELL:

FOR MR. MOODY:

Messrs. J. Barnes, Bridgers, Campbell, Plynt, Kelly, A. J. Leach, Mathis, Maulsby, McDowell, Steel, Swanner, Taylor, Thigpen, Thornton and Williams—15.

Mr. Bryson, having received a majority of the whole number of votes given, was declared duly elected Principal Door-keeper.

Received from the Senate a message, informing of the organization of that body, by the appointment of Hon. Weld N. Edwards, Speaker; John Hill, Principal Clerk; George E. B. Singeltary, Assistant Clerk; James Page, Door-keeper, and Patrick McGowan, Assistant Door-keeper.

Also, a message, transmitting a communication from the Secretary of State, stating that Thomas J. Lemay, Esq., of Raleigh, had contracted with that Department for the Public Printing.

On motion of Mr. Wilson, the House then proceeded to the election of Assistant Door-keeper; Mr. Flemming having nominated Mr. Webster, of Chatham, and Mr. Webb having nominated Mr. Best. The vote was as follows:

FOR MR. WEBSTER:


FOR MR. BEST:

Messrs. Adams, Anis, Barco, D. Barnes, Bogle, A. Caldwell, Campbell, Poind, A. G. Foster, A. M. Foster, J. Hayes, Jerkins, Kelly, J. M.
Mr. Webster, having received a majority of the votes given, was duly elected Assistant Door-keeper of the House of Commons.

On motion of Mr. Martin,

Ordered, That a message be sent to the Senate, informing them of the organization of this House, and of its readiness to proceed to the dispatch of the public business.

On motion of Mr. Sherard,

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee, of two on the part of each House, to wait upon his Excellency the Governor, and inform him of the organization of the two Houses, and their readiness to receive any communication he might have to make to them.

Mr. J. M. Leach offered the following resolution:

Resolved, That the members of the House of Commons now proceed to draw for seats, in the same manner adopted in the Congress of the United States and other legislative bodies.

Which, on motion of Mr. Brogden, was ordered to lie on the table.

Received from the Senate a message, concurring in the proposition to raise a Joint Select Committee, of two on the part of each House, to wait upon his Excellency the Governor, and informing that Messrs. Cameron and Gilmer form their branch of said Committee.

The Committee appointed on the part of the House were Messrs. Sherard and J. M. Leach, and the Senate informed thereof by message.
Also, a message from the Senate, transmitting a resolution in favor of Green Hill, and asking the concurrence of this House therein.

The said resolution was read the first time and passed, and, on motion of Mr. Rayner, the rule was suspended, and it was read the second and third times and passed.

Mr. Ruffin presented a resolution in favor of James R. Dodge, Esq.; which was read the first time, and on motion of Mr. Stevenson, the rule being suspended, was put on its second and third readings and passed.

Mr. Leach, on behalf of the Committee appointed to wait upon his Excellency the Governor, reported, verbally, that the Committee had performed the duty assigned them, and that his Excellency designed sending in to the two Houses a communication to-morrow, at 12 o'clock.

On motion, the House then adjourned.

Wednesday, Nov. 20.

Mr. Benj. F. Williams, member elect from Greene county, and Mr. F. G. Simmons, member elect from Jones, appeared, produced their credentials, were qualified, and took their seats.

Mr. G. W. Hayes presented a Resolution in favor of William R. Lovell, which was read and adopted.

On motion of Mr. Wilson,

Ordered, That a message be sent to the Senate, propo-
...sing to go forthwith into the election of an Engrossing Clerk.

Received from the Senate, a message agreeing to the proposition to go into said election, and informing that Messrs. Bower and T. R. Caldwell, form their branch of the Committee to superintend the election.

Messrs. Wilson and A. H. Caldwell were appointed the Committee on behalf of the House, and the Senate informed thereof by message.

The House then proceeded to vote as follows. Messrs. R. K. Bryan, J. I. Thomas and John L. Graham having been put in nomination for the appointment.

**FOR MR. BRYAN:**


**FOR MR. THOMAS:**


**FOR MR. GRAHAM:**


Mr. Eaton, from the Committee appointed yesterday, to prepare rules for the government of the House during the present session, reported the following:

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TOUCHING THE DUTY OF THE SPEAKER.

1. He shall take the Chair every day precisely at the hour to which the House, on the preceding day, shall have adjourned; shall immediately call the members to order, and on the appearance of a quorum, cause the Journal of the preceding day to be read.

2. He shall preserve decorum and order; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member; on which appeal, no member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may state it sitting.

4. Questions shall be distinctly put in this form, viz: "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 a 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, the Speaker shall name two members, one from each side of the question, to tell the members in the affirmative; which being reported, he shall then name two others, one from each side of the question, to tell those in the negative; which being also reported, he shall rise and state the decision to the House.

5. The Speaker shall examine and correct the Journal be-
fore it is read. He shall have a general direction of the Hall. He shall have a right to name any member to perform the duties of the Chair; but such substitution shall not extend beyond an adjournment, except in case of sickness.

6. All Committees shall be appointed by the Speaker, unless specially directed by the House.

7. In all elections, 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: in case of such equal division, the question shall be lost.

8. The Speaker shall arrange the orders of the day, unless the House shall otherwise direct.

9. All acts, Addresses and Joint Resolutions, shall be signed by the Speaker; and all writs, warrants and subpoenas, issued by order of the House, shall be under his hand and seal, attested by the Clerk.

10. In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole) shall have power to order the same to be cleared.

11. No person shall be permitted to come within the bar of the House, unless by the invitation of the Speaker, or some member of the House; and the range of pillars in front of the Speaker's Chair, shall be considered the bar of the House.

12. Stenographers, wishing to take down debates, may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect their object, as shall not interfere with the convenience of the House.
ORDER OF THE BUSINESS OF THE DAY.

13. The unfinished business in which the House was engaged at the last preceding adjournment, shall have the preference in the Orders of the Day; and no motion or any other business shall be received without special leave of the House, until the former is disposed of. All elections by the House, shall be viva voce, unless there be but one nominee, in which case, appointments may be made on motion; and on such elections the roll shall be called a second time for absentees before the result is announced.

OF DECORUM AND DEBATES.

14. 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.

15. When the Speaker shall call a member to order, he shall sit down; as also he shall when called to order by another member, unless the Speaker decide the point of order in his favor. By leave of the House, the member called to order may clear a matter of fact or explain, but shall not proceed in debate so long as the decision stands, but by permission of the House. Any member may appeal from the decision of the Chair; and if, upon the appeal, the decision be in favor of the member called to order, he may proceed. If otherwise, he shall not, except by leave of the House; and if the case, in the judgment of the House, require it, he shall be liable to its censure.

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

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

18. Whilst the Speaker is putting any question or address-
ing the House, no person shall speak, stand up, or walk out or across the House; nor, when a member is speaking, entertain private discourse, stand up, or pass between him and the Chair.

19. No member shall vote on any question touching his right to a seat in the House, or on the passage of any private bill or resolution in the event of which he is immediately and directly interested, or in the case where he was not present when the question was put by the Speaker. Upon a division and count of the House on any question, no member without the bar shall be counted.

20. 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.

21. 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 aloud by the Clerk, before debated.

22. Every motion shall be reduced to writing, if the Speaker or any two members desire it.

23. After a motion is stated by the Speaker, or read by the Clerk, it shall be deemed to be in the possession of the House, but may be withdrawn before a decision or amendment, except in case of a motion to reconsider; which motion, when made by a member, shall be deemed and taken to be in possession of the House, and shall not be withdrawn without leave of the House.

24. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or amend; which several motions shall have precedence in the order they stand arranged; and no motion to lay on the table, to
postpone indefinitely, to postpone to a day certain, to commit or amend, being decided, shall be again allowed on the same day, and at the same stage of the bill or proposition.

25. A motion to adjourn shall always be in order, except when the House is voting, or some member speaking, and shall be decided without debate.

26. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

27. Any member may call for a division of the question, when the same will admit of it; which shall be determined by the Speaker.

28. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof, on the same or succeeding day.

29. 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.

30. 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 verbally be made by the introducer; and shall not be debated or decided on the day of their being first read, unless when the House shall direct otherwise, but shall lie on the table, to be taken up in the order they were read.

31. No bill, petition, memorial, or other papers that may be introduced, shall be taken out of the possession of the House or sent to the Senate, until the time for reconsideration shall have elapsed.

32. When the yeas and nays are called for on any ques-
tion, 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.

33. No member shall be called upon for words spoken in the House but on the day they were spoken. Decency of speech shall be observed, and personal reflections carefully avoided.

34. Any twenty members, including the Speaker, shall be authorized to compel the attendance of absent members.

35. 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.

36. 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.

37. If any member shall be necessarily absent on any temporary business of the House, when the vote is taken on any question, upon entering the House, he shall be permitted, on motion, to vote.

38. No standing rule or order shall be rescinded, altered, or suspended, without one day's notice given of the motion thereof; and to sustain such motion, two-thirds of the House shall be required.

39. The members of the House shall uncover their heads upon entering the Hall whilst the House is in session, and shall continue so uncovered during their continuance in the Hall.

40. Upon motion of any member, there shall be a call of
the House, a majority of the members present assenting thereto, and upon a call of the House, the names of the members shall be called over by the Clerk, and the absentees noted; after which, the names of the absentees shall again be called over. The doors shall then be closed, and those for whom no excuse or sufficient excuses are made, may, by order of those present, if fifteen in number, be taken into custody as they appear, or may be sent for and taken into custody wherever to be found, by special messengers appointed for that purpose.

COMMITTEES.

41. Six Standing Committees shall be appointed at the commencement of the session, viz: A Committee on Claims; a Committee on Propositions and Grievances; a Committee on Education; a Committee on Agriculture; a Committee on Internal Improvements; and a Committee on Privileges and Elections. Each of said Committees shall consist of eleven members, one from each Electoral District, to be appointed by the members from the counties composing said district. In addition to the above Standing Committees, the Speaker shall appoint another, two members from each Judicial Circuit, to be denominated the Committee on Private Bills.

42. A Select Standing Committee, consisting of eleven members, shall be appointed at the commencement of the session, by the Speaker, and be denominated "the Committee on the Judiciary."

43. Select Committees shall consist of five members. It shall be the duty of the person first named on any Committee, to cause the members of the Committee to convene when necessary, and when so convened, they shall appoint some one of their number chairman.
44. In forming a Committee of the whole House, the Speaker shall leave his chair, and a chairman to preside in Committee shall be appointed by the Speaker.

45. Upon bills committed to a Committee of the whole House, the bill shall be first read throughout, by the Clerk, and then again read and debated by sections, leaving the preamble to be last considered; the body of the bill shall not be defaced or interlined; but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by sections, before a question on its passage be taken.

46. All questions, whether in Committee or in the House, shall be propounded in the order in which they were moved, except that in filling up blanks, the largest sum and longest time shall be first put.

47. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, except the rule limiting the time of speaking.

48. In a committee of the whole House, a motion that the committee rise, shall always be in order, except when a member is speaking, and shall be decided without debate.

OF BILLS, RESOLUTIONS, &c.

49. Every bill shall be introduced by motion for leave or by order of the House on the report of a committee.

50. Every bill shall receive three several readings in the House previous to its passage; and the Speaker shall give notice at each, whether it be its first, second or third. The first reading of a bill shall be for information, and if opposi-
tion be made to it, the question shall be, "Shall this bill be rejected?" if no opposition be made, or if the question to reject be negatived, the bill shall go to its second reading without a question.

51. Upon the second reading of the bill, the Speaker shall state it as ready for commitment or amendment.

52. All bills shall be dispatched in order as they were introduced, unless when the House shall direct otherwise: but no public bill shall be twice read on the same day, without the concurrence of two thirds of the members present.

53. All resolutions which may grant money out of the Treasury, or such as shall be of a public nature shall be treated in all respects in a similar manner with public bills.

54. 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 the second reading of the repealing bill; and shall not be read at any other reading of the said repealing bill, unless required by one-third of the House.

55. When a bill has been once rejected, no other of the same purport shall be introduced again during the session.

56. The Clerk of the House shall be deemed to continue in office until another is appointed.

JAMES C. DOBBIN,
Speaker of the House of Commons.

By order.

PERRIN BUSBEE, Clerk.

The foregoing Rules were read, and, on motion of Mr. Eaton, ordered to be printed.

Mr. Wilson, from the Committee appointed to superintend
the election of Engrossing Clerk, reported that Mr. Bryan had received 76 votes, Mr. Thomas 57, and Mr. Graham 27; and none of the candidates having a majority of the whole number of votes given, there was no election; in which report the House concurred.

Received a message from the Senate, proposing to vote again for an Engrossing Clerk; which was agreed to, and the Senate informed thereof, and that Messrs. Steele and McLean were the Committee on behalf of this House to superintend the election.

Received from the Senate a message, announcing that Messrs. Collins and Kelly form their branch of said Committee.

The House then voted as follows, the name of Mr. Graham having been withdrawn from nomination.

FOR MR. BRYAN:


FOR MR. THOMAS:


On motion of Mr. Love, the House then took a recess of half an hour, for the purpose of appointing Standing Com-
committees, under the Rules of the House; and the following Committees were reported:


On Education.—Messrs. L. B. Sanders, S. P. Hill, Love, A. G. Foster, Davidson, Steele, Walton, Pegram, D. A. Barnes, Blow and Clanton.

On Agriculture.—Messrs. Bond, Thornburg, McMillan, Maultsby, Dunlap, Douthitt, Sloan, Parham, Simmons and Swanner.

On Internal Improvements.—Messrs. Avery, Mizell, Jenkins, Montgomery, Flemming, J. M. Leach, Scott, Powers, Cotton, Rayner and Pope.


Mr. Steele, from the Committee appointed to superintend the election of an Engrossing Clerk, reported to the House that neither of the candidates had received a majority of the whole number of votes given, and there was no election; which report was concurred in.

Received from the Senate a message, proposing to vote again for Engrossing Clerk, and informing that the name of Mr. A. W. Burton was added to the nominations heretofore made.

On Mr. Wilson's motion, the message was laid upon the table.

Received from his Excellency, Governor Charles Manly, through the hands of his Private Secretary, A. J. Terrell.
Esq., the following communication, which was read, on motion of Mr. R. M. Saunders, and ordered to be sent to the Senate, with a proposition to print ten copies for each member of the General Assembly:—

GOVERNOR MANLY'S MESSAGE.

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

The constitutional assemblage of the Representatives of Freemen, to enact laws, to provide for their equal and just administration, and to promote the general welfare of a people, is an act of high sovereignty; presents an occasion of the deepest interest to all classes of the people; and suggests to every Department of the Government the solemn duty of returning our sincere thanks to the Great Governor of the Universe for continuing to us, as a State, those bountiful gifts of His Providence, health and peace and plenty.

Since the last meeting of the General Assembly, our country has passed through a fiery ordeal of conflicting passions and sectional interests, resulting from the acquisition of vast regions of distant Territory, causing just alarm to the friends of the Union and of free government throughout the Earth. During this perilous conflict in our National Councils, and amidst the agitation of the people of some of the States around us, North Carolina has remained a silent, but not an unmoved nor listless spectator.

Ardently devoted to the perpetuity of our Union, to the Constitution "as it is," and at the same time knowing and daring to maintain and defend her rights, granted or guaranteed by this National Compact, no State rejoiced with more unalloyed satisfaction at the amicable settlement of this distracting controversy. The late adjustment, by Congress, of these difficulties, was a proud triumph of patriotism and compromise over fanaticism and the spirit of disunion; and exhibited to the world the possession, by our people, of
that noble public virtue and devotion to country, the true
test of the inestimable value they place upon the Union, and
the sure harbinger of the stability of our Government.

This adjustment, and the acts by which it has been con-
summated, are now, however, met with violent denunciation
and opposition, among some of our brethren North and
South.

While at the North disorganizers and fanatics are confed-
erating together to nullify and obstruct the execution of the
laws of the land, certain Southern politicians are zealously
engaged in concocting plans and associations, which, howev-
er designed, may lead to to a dismemberment of the Union.
Extreme factionists and agitators, exerting for their own self-
fish ends, sinister influence upon the public mind, have al-
ways existed in our Government, and will so continue, while
a popular form of government exists among us. Their ma-
chinations have hitherto yielded to the force of reason and
enlightened patriotism.

The spirit of disunion, heretofore confined to some partic-
ular section of the country, is now, however, acquiring an
expansion and strength that demand the combined counter-
action of the sons of freedom and friends of the Union through-
out the land. In this parricidal strife, let us take neither lot
nor part. Let us hold fast to the Union of the States. The
last to come into the holy alliance of the old thirteen, let us
be the last to leave it. The footprints of Washington and
his matchless compeers, may be followed without doubtfulness
or wavering. It is union which gives us all we are or
hope to be. It is the key-arch of our liberty and national
greatness; and I claim the privilege of my official station,
solemnly to invoke the people of North Carolina, and their
Representatives, to beware how they hold communion with
cabal or Convention to sap and overthrow it.

But let us not be misunderstood. Let it not be supposed
that our deep and abiding devotion to the Union, is such as
to render us insensible to the just appreciation of our rights,
or callous to the stain of dishonor. As a southern portion
of the Union, we have rights which are ours by the Constitution; ours by compromise, and by the supreme laws which govern us. These will never be surrendered. We take our stand in the ranks of southern destiny. We have been assured by patriotic statesmen of the North, that, in the free States, the masses of the people are sound upon the question of negro-slavery, and are opposed to disturbing the institution as it exists: That the spirit of abolitionism is confined to a body of fanatics contemptible for numbers or respectability. As they value the union of these States, let them see to it. Let these patriot masses now rise up in their strength and put down the treason and rebellion which are expanding and rioting in their midst. We offer no menace, but let the staid and sober sense of our people and the calmness which they have ever maintained amidst abortive efforts at agitation, be to patriots every where a solemn warning, trumpet-tongued, when North Carolina does summon to the rescue, that the Union is in danger! What a spectacle! A sacred alliance, nay more than that, a Constitutional National Union of a noble people in peril of being dismembered and broken up by gangs of runaway negroes, and their crazy allies!! How humiliating the contemplation!!!

I forbear to enter into any particular discussion of the various measures adopted as the basis of this adjustment by Congress, at its late session, to vindicate them from objections taken in different sections of the country to one or more of them. This were by no means a difficult task; but would seem scarcely appropriate to the purposes and character of an Executive State Message; and would swell this communication to an inconvenient size. I refer to the subject at all, only, because a high sense of duty seems, in the existing state of affairs, to require it at my hands; and having thus briefly done it, I submit the subject to your calm, dispassionate and patriotic consideration, with the expression of my deliberate opinion, that our highest interest and true duty, require of us a willing and hearty support of the adjustment, as it is, in all its parts; yielding, for the sake of the Union
and of the Constitution, such objections as we may have to particular measures, while we insist upon the faithful execution of such as may be most acceptable and necessary to us, from those parts of the Union which may conceive them to be objectionable. Thus will North Carolina set a noble example worthy of her spirit of patriotic moderation; an example of that true principle of mutual deference of the various parts of the Union, towards the interests, wishes and views of the others, in which our National Government originated, and by which it must be maintained, if maintained at all. Let us then support, for the sake of the Union, the whole adjustment; and while we demand this of others, show that we understand, and mean to fulfil, that duty ourselves.

Since your last adjournment, too, our country has passed through another eventful scene, witnessed nowhere else, and justly awakening the astonishment of the nations of the Old World.

OUR PRESIDENT HAS DIED!

Without tumult or public commotion, a successor takes his place; clothes himself with the panoply of Executive authority; assumes the control of the Army and the Navy, and the still mightier engine of political power, Executive patronage; while no voice, among twenty millions of freemen, breathes even the whisper of dissent! Although this successor had been designated amidst fierce and ardent opposition, yet a majority at the ballot box had so decreed it; and the supremacy of that arbitration is acknowledged and acquiesced in by all sections and by all parties.

Many subjects of paramount importance to the State, will claim your attention during the present session.

The duties of the Executive of North Carolina have, by cumulative acts of the General Assembly, become so multifarious and heterogeneous, that any reference to them must, of necessity, be succinct and desultory. In giving, through you, to the people of the State, an account of the manner in
which they have been discharged, I shall, at the same time, take a rapid review of the general condition of our State affairs; and shall, with the utmost candor and becoming respect, make such suggestions as in my judgment shall be worthy the calm consideration of the Legislative Department of our Government.

AMENDMENT OF THE CONSTITUTION.

It is not to be denied that a large, respectable and intelligent portion of the State are strongly inclined to alter the Constitution.

When this topic was started a short while ago, the desire of a change in the Government went no further than a single alteration of the Constitution, to wit, to enlarge the personal right of suffrage, so as to allow all white freemen of the State to vote for Senators, with or without freeholds.

I need not inform you how much and how rapidly this demand for reform has enlarged. It already embraces a change in the basis of representation in the General Assembly; a change in the mode of electing the State officers; and an entire revolution of our Judiciary system, and of the principles upon which it has stood from the beginning of free government in North Carolina.

Whether a majority of the people are discontented with the Constitution as it is, and therefore really desire to alter it in any or all of these important respects, I cannot undertake to say; though that is the question which, in my judgment, ought to be settled and ascertained antecedent to any Legislative enactments for altering the organic law of the State. A certain mode of determining the point would be to pass a law at once for taking the sense of the voters upon the question of Change or no change. You will then know what public opinion is; but until something of that kind shall have been done, any action that is intended to be based upon the popular will must rest upon conjecture. This act may be passed by a majority of the Assembly. If the result of the popular vote should show either indifference or hes-
tility to the change, none ought to be attempted by the General Assembly. If, on the other hand, it should exhibit a very decided popular feeling in favor of the alterations, or any of them, the moral effect of this popular vote might suffice to procure from our Legislature the requisite constitutional sanction to any desirable reform. You are better able than I. am to foresee whether the large majorities of three-fifths of this Assembly, and two-thirds of another are likely to concur in propositions of the kind without a previous vote of the people. No one, I presume, is anxious to force upon the people an alteration of their Constitution, without some convincing proof of their desire for it. Every intelligent mind must perceive that it is the interest of the State and a duty of patriotism to have the question settled and put to rest one way or the other. Until it shall be done, there will be political agitation and sectional discord. These will bring forth a multiplication of new propositions for altering the Constitution, and the people of North Carolina may be thrown into that perilous situation wherein the "desire of change pretendeth the reformation," instead of that safe condition, wherein "reformation only draweth on a change."

It may be, however, that a constitutional majority of three-fifths of the Assembly, coming as you do directly among your constituents, know already the will of a majority of the people upon this subject. If public opinion be decidedly favorable to immediate action, and you feel convinced, without any previous vote of the people, that this demand for altering the Constitution is the demand of a majority of the people, then, of course, the necessity for an act to take the sense of the people will be superseded; and it is believed you ought to act directly and at once upon the question, but according to the Constitution.

The Constitution has clothed you with power to respond to a known demand of the people for constitutional reform, either by calling a Convention of the people at once, or by enacting specific amendments, and submitting them, first, to the review and decision of your immediate successors in
1852, and after that, to the voters of the State, at the polls in 1853.

There are several interesting questions which will present themselves to your consideration upon this view of the subject. I shall refer to them briefly, not with any design to forestall the judgment of others, nor for the mere purpose of putting forward in advance of your action my interpretation of the Constitution; but because your action will probably form a precedent in the future course of the State; and the consequences of a mistake might be very injurious to the Republic. Therefore, I would desire to have nothing done without careful investigation and calm deliberation. This is all I aim at.

The Constitution of 1835, we know, was framed and adopted upon principles of compromise. It was intended to adjust, upon equitable grounds, a sectional dispute and conflicting political opinions, which had distracted our State Councils for many years; and good faith requires an honest adherence to its true meaning, until it shall have been repealed or altered by the sovereign authority of the State, according to the compromise in our amended Constitution.

Now, if it should be the pleasure of this Assembly, three-fifths of all the members concurring, to call a Convention of the people, a slight examination of the 1st section of the 4th article of the Amendments will be sufficient to raise this question: Can the General Assembly impose any limits or restrictions upon a Convention called by them, under this article? Is the power to call a Convention by the General Assembly, confined to the single office of calling it, or, can the same Legislature limit and confine the powers of the Convention in the Act for calling it? As there are conflicting opinions upon this subject out of the Assembly, it is probable they will exist in it. I do not think that this article necessarily excludes the right of calling a limited Convention by the concurrence of two-thirds of the General Assembly, provided the Act for calling the Convention contains a limitation upon its powers, with proper sanctions, and
the same shall be ratified by the People, by a vote to be taken before their delegates shall be chosen, under the sanctions of a law enacted for the purpose. In such case, it seems to me, that the limit prescribed by the act would be imposed, not by the General Assembly, but by the constitutional sovereign authority of the State. Otherwise it cannot be doubted that a Convention called by the General Assembly, two-thirds concurring, would be clothed with unlimited discretion over the Constitution. The General Assembly has power to call a Convention into being, but no power of themselves to prescribe a limit to its authority. I hazard little in saying that the people of North Carolina have not hitherto exhibited a strong desire for such an experiment as this upon their Government; and, therefore, it behooves their Representatives to look well to the mode they adopt for introducing reforms into the Constitution.

If it should be the pleasure of this Assembly to avoid the instrumentality of a Convention altogether, you can, of yourselves, initiate an alteration of the Constitution, in virtue of the 2d section of 4th article of amendments to the Constitution of 1835. To effect a reform by this mode of proceeding, it will be requisite that the alterations proposed shall be sanctioned by a majority of three-fifths of all the members of your body; that the same shall be sanctioned by two-thirds of the members of the Assembly of 1852; and afterwards confirmed by a majority of the people voting at the polls. Confessedly our Constitution has thus been hedged in against hasty or frequent changes, and there will be no little difficulty in procuring an alteration of it. Ought not this consideration to operate powerfully upon the minds of those who sincerely desire "free suffrage," to prevent, if they can, its association with other propositions for amendments? Would it be either wise or proper to unite into one bill several and distinct propositions? If more than one, how many separate questions of the kind will you combine? The precedent to be set now, will probably determine the future practice, and may it not be asked whether it will be
fair dealing to combine two or more propositions into one act, and so compel the people to vote against what they desire, or else to vote for what they do not approve? It is, therefore, commended to your serious consideration, whether each alteration of the Constitution, when proposed, ought not to be presented by itself—uncoupled with an associate to do it harm, or an ally to help it through. It has been intimated by enlightened men of our State, that according to the true spirit and meaning of the Constitution, the power of the General Assembly to adopt specific amendments, is confined to the case of a *single amendment*; that it would be a violation of the 2nd section of the 4th article, for the Assembly to pass an act embracing in it more than one alteration of the Constitution. If this be so, the duty of acting upon each proposed alteration separately, and of enabling your successors, and, afterwards, the people, to do the same, is imperative.

The opinions which I have thus hinted at, upon this important subject, might be enforced and illustrated by many considerations which I have not introduced into this communication. I content myself with what has been said, believing as I do, that the Executive of North Carolina is properly excluded by the Constitution from the duty of taking part in altering the Organic Law. What has been said is barely intended to awaken your vigilance and to arrest public attention to the manner, rather than to discuss the matter of Constitutional reform. In my opinion, the manner of dealing with this subject is vastly important, and will prove to be much more than a question of mere form.

In connexion with this subject, let me be indulged in a suggestion relating to the constitutional period for the installation of the Governor.

The Governor of this State is elected by the People biennially in August; but he does not go into Office before the 1st January succeeding. If the General Assembly met on the 1st of January, there would be nothing objectionable in this. But that body, chosen by the People *at the same time*
they elect the Governor, meet in November, and have nearly completed their session before the Governor comes into office. Moreover, the Governor goes out of office on the 1st day of January, but his successor is elected in August preceding, and therefore the Executive of North Carolina is never called upon to express his opinions or to communicate the policy of his administration, until he has been either re-elected or superseded by the choice of a competitor. This is not right, and it ought to be rectified. Whenever a Governor shall be willing to conceal his policy and avoid the just responsibility of his station, he may be thus enabled to do so. This is unjust to the people. When he shall be ready and willing to develop his plans of administration, there is but little opportunity afforded for it under the existing state of things; and if he shall be a candidate for re-election, his enemies and traducers can pervert and misrepresent him to his constituents, without his being allowed a legitimate occasion to expose falsehood by a reference to his declared and published opinions. This is not just to the chief Executive of the State. Besides, there is a plain absurdity in this; that where the people change both their Executive and their Representatives at the same election in August, the one does not go into office until the others have nearly closed their session; and the two never consult together for the interest of the State. Contrary to the theory of our government, the Governor, whose first election might have been intended to ensure the commendation of an important measure of State policy, has no fair opportunity to enforce it upon the Legislature, and his term of office may expire without his slightest participation in the matter. This might be remedied by an act altering the time prescribed by law for the meeting of the General Assembly. It is respectfully submitted to your consideration, as a topic worthy of your notice. It is a political evil that ought to be corrected in some way.

REORGANIZATION OF PUBLIC OFFICES.

A thorough reform and reorganization of the several State
Departments is a subject that can be no longer postponed without detriment to the public service.

The office of the Secretary of State is a mere land office. Almost the sole duty of its head is to issue grants and to certify copies, except the occasional employments of making contracts for printing and distributing the laws, and for the purchase of stationery and firewood. In other States, he is made, what is greatly needed here, the head of a Bureau of Statistics, and is required to collect from all parts of the State information upon various subjects essential to wise and wholesome legislation.

The Public Treasurer, instead of being the keeper of the public money, to receive and to pay it out on vouchers first audited and allowed, is left to assume the responsibility of determining the validity of all claims on the Treasury which may be presented; while the office of Comptroller of public accounts, instead of being what its name imports, the office where claims upon the State are audited and allowed, and so certified to the Treasurer, is simply a depository for the Treasurer's vouchers and for a copy of his books.

It must be obvious to every one that a remodelling and reform is necessary in these departments. And I can make the suggestion with the greater freedom, and without just impeachment of motive, as my official intercourse with the incumbents has been in all instances of the most kind and unreserved character, and is now soon to terminate.

FINANCE AND STATE DEBTS.

Invested as you are with the preservation of the faith and the honor of the State, it will be your first great duty to examine carefully her financial condition. To learn her liabilities and her means, and to make promptly and boldly such provisions as, while it may develop and increase her resources and afford aid and succor to the various industrial pursuits of her citizens, will at the same time establish her on a sure foundation to meet without let or hindrance the payment of her debts and the maintenance of her credit.
The reports of the Public Treasurer and Comptroller will, in due time, be laid before you, giving in detail the receipts and disbursements at the Treasury for the two preceding fiscal years. By these it will be seen that the receipts under the amended revenue laws for the year just closed, exclusive of the trust funds belonging to the Board of Literature and Lunatic Asylum: and the sums raised by loans, amount to about $135,000; showing an increase, over the average annual amount received under the old system, of about $52,000.

The ordinary expenses of the State, may with sufficient precision for the present purpose, be stated to average $75,000 per annum; and thus the present revenue basis may be estimated to produce an annual excess of receipts over the ordinary necessary disbursements, to be applied annually to the extinguishment of the State debts and liabilities, of $60,000.

The present indebtedness and liabilities of the State may be stated to be,

1. By a guaranty of Bonds of the Raleigh and Gaston Railroad, the interest of which is payable semi-annually, and the principal after 1st January, 1860, $500,000
2. Do. Do. interest payable semi-annually, and principal, by instalments of $30,000, on 1st January, 1851, 1852, 1853, and the residue 1st January, 1854, $106,500
3. Balance due the Literary Fund for that amount, used by the Public Treasurer from time to time, interest payable annually, principal at the pleasure of the Government, $118,192
4. Bonds of the Public Treasurer, given to the President and Directors of the Literary Fund, for like amount transferred to the Public Treasury; interest payable annually, principal at the pleasure of the Government, $40,360
5. State Bonds issued by Public Treasurer to pay the Banks, &c., by resolution of the last Assembly; interest payable semi-annually, principal after 10 years, $200,000
6. By endorsement of Wilmington and Raleigh Railroad Bonds, by act of 1848, interest payable semi annually, principal by instalments of $50,000 on 1st January, 1859, 1860, 1861, 1862, 1863, $250,000
7. Stock in Fayetteville and Western Plank Road; interest payable semi annually, principal after 20 years, $120,000
8. Stock in Deep River and Cape Fear Navigation Company; interest semi-annually, principal to be provided for, 80,000

9. For amount appropriated by act of 1848 for improving Neuse and Tar River; interest payable semi-annually, principal to be provided for, 65,000

10. For Stock in the "North Carolina Rail Road" by act of 1848; one fourth of which is to be paid when the work shall be commenced, and the remaining three-fourths in equal instalments, at intervals of six months thereafter; interest payable semi-annually, principal after thirty years, 2,000,000

11. For money borrowed from the Bank of Cape Fear, 40,000

Thus it appears that the liabilities of the State, already existing or authorized, amount, in principal money, to $3,520,052. And there will be required to pay the interest on this sum, with one instalment of principal before stated for the year 1851, the sum of $149,000. And in like manner for the year 1852, $207,000. In this calculation of interest, the State's liability on the Wilmington and Raleigh Rail Road bonds is not included; for as that Company have heretofore paid promptly the interest on their bonds, their improved condition is a safe guaranty that they will continue to do so. This calculation is predicated upon the assumption, that the State will be called upon for the first instalment of her stock-subscription to the "North Carolina Railroad" in the beginning of the ensuing year, and for the other instalments at intervals of six months, as allowed by the charter. And upon the further assumption, also, that the residue of the State's subscription for stock in the Fayetteville and Western Plank Road Company, in the Cape Fear and Deep River Navigation Company, and the appropriations for Neuse and Tar Rivers will be called for at an early day.

But we have seen that the surplus in the Treasury, after the payment of the regular demands, will be $60,000; while the increased demand upon it for the year 1851, will be $149,000; and for the year 1852, $207,000; and, of course, that the State will require for the year 1851, over the above the whole amount that may be raised by the present revenue
basis, the sum of $89,000; and for 1852, the sum of $147,000:

Or, it may be stated thus:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount required to pay State's liabilities and interest for 1851,</td>
<td>$149,000</td>
</tr>
<tr>
<td>Add ordinary expenses for 1851,</td>
<td>75,000</td>
</tr>
<tr>
<td>Deduct probable receipts at the Treasury according to present revenue laws</td>
<td>$135,000</td>
</tr>
<tr>
<td>Deficit to be provided for 1851,</td>
<td>89,000</td>
</tr>
<tr>
<td>In like manner it may be shown that the deficit for 1852 will be</td>
<td>$147,000</td>
</tr>
</tbody>
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These results will be changed, to some extent, in favor of the Treasury balances, by the coming in of the deferred taxes imposed on sundry articles in the 7th section of the revenue act of the last session.

But no provision has yet been made for raising the money for the payment of the residue of the State's stock subscription to the Deep River and Cape Fear Navigation Company, of $60,000, and this amount must be added to the wants of the Treasury.

To meet these demands, which can now be neither avoided nor postponed without public dishonor, provision must be made by the General Assembly now in session. In addition to this requisition for interest, prompt steps should be taken for the establishing of a sinking fund for the gradual extinguishment of the principal of the State's debt, to avoid the insupportable pressure upon the people, if it be postponed till the principal shall fall due. The most urgent inquiry, however, at present, is, how are the semi-annual instalments of interest to be met? By creating new loans and borrowing money—thus increasing the debt by compounding principal and interest every six months? If the demand upon the Treasury were fortuitous and not likely to be repeated, such a plan might, with some, be allowable. But here is a
sum which must be raised for many consecutive years, and until some return shall be yielded from the profits of our public works. It is too plain for comment, that the temporizing policy of borrowing money to pay interest will be disastrous to the State, will impair her credit, and may reduce her, sooner or later, to the ignominious and dishonest condition of repudiation.

An absorbing crisis has arrived in the financial affairs of the State, which requires the energetic exercise of all the caution, wisdom, and patriotism of the Representatives of the people.

I have felt it to be my indispensable duty to lay this important subject thus plainly before you. On you, and you alone, rests the task and responsibility of providing the ways and means for paying the debts, sustaining the faith and credit of the State, and for preserving un tarnished her character for plain dealing and honesty.

COMMON SCHOOLS.

In this age of intellectual advancement, in the middle of the 19th century, and to this enlightened body, it would be a waste of words to press upon your attention, or to offer arguments to prove the value of a wise and liberal system of popular education. It is the sheet-anchor and basis of Republican Liberty. Deeply impressed with this truth, the framers of our Government engrafted it in our Constitution as a solemn injunction upon the people's Representatives, that "Schools should be established for the convenient instruction of youth, with such salaries to the masters as might enable them to instruct at low prices."

This provision in our fundamental law, from various causes, but chiefly from the want of means, remained for nearly half a century dormant and unheeded.

In the year 1825, a law was passed upon the subject for the first time; a fund was created, a Board established to invest and manage it, and after a successful accumulation of its proceeds, an act was passed in the year 1840, establishing
a system of Common Schools, and directing an annual distribution to be made among the people of the net annual income of this Fund.

I call your attention to the fact that, by the law of 1825, this fund was set apart for the education of the youth of the State, and a Legislative pledge was therein given to the public, that the annual income "should be divided out among the counties in proportion to the free white population of each."

In the year 1840, when the system was put into operation, this division was ordered to be made among the counties, not in proportion to their white, but federal population. By this process, those counties in the State containing a sparse white population, and but few white children to educate, yet containing many slaves and free negroes, receive the larger portion of this public bounty; while those counties having a large white population and many children to educate, yet having few slaves and free negroes, receive the smaller share. This arrangement I hold to be wrong.

This common Fund having been provided and designed for the education, not of the rich, nor of the poor, exclusively, but for all the white children of the State alike, ought, in my judgment, to be divided equally amongst them, whether their residence happens to be, or not to be in a community holding slaves and free negroes.

It should be borne in mind that the capital from which this annual income proceeds was not raised by taxes on Federal population, but from other sources of public revenue. The argument, therefore, that this distribution should be made among the people according to federal numbers, because it was derived from them on that basis of taxation, is without foundation.

As to the argument that a portion of the capital was received from the General Government in her distribution among the States of the surplus revenue, and that should North Carolina be called upon to refund the money, it would be raised by taxing Federal population, it is a sufficient an-
swear, that at this late day, no man seriously entertains the opinion that the States will ever be called on to refund that money. And, moreover, it must be borne in mind that that portion of this surplus revenue which constitutes a part of our Literary Fund, was invested in the stocks of the Bank of the State and of Cape Fear, and if a return of it shall become indispensable, that it can be readily effected by a transfer or sale of the stock, and not by the imposition of taxes of any sort.

But I shall not detain you with an argument of this question.

The rule adopted by the distribution Act of 1840, carries on its face a violation of the spirit and object of the injunction of the Constitution: is a breach of the public faith given by the Legislature of 1825: is at variance with the rule in other Southern States; divides the fund not according to the public necessity, but the wealth of the people, and is in itself unequal and unjust.

I recommend therefore a change, by law, of the basis of distribution of the Common School Fund: That henceforth the same shall be divided among the Counties in proportion to their number of white people or white children, and not in proportion to the federal computation of white people and slaves and free negroes combined.

But this system is deficient, not only in its organization, but in accountability, uniformity and its general management.

For a period of ten years, about $90,000 have been placed annually in the hands of the various school committees of the State; a sum larger than the whole amount of the State’s Revenue paid into the Public Treasury during that period. This large sum, forming an aggregate of nearly a million of dollars, has within this brief period been spent, and yet no adequate provision has been made, much less enforced, for even informing the people or their representatives what has become of it, or how it has been spent.

The President and Directors of the Literary Fund, in oth-
dience to an act of the last session of the General Assembly, compiled and published, and caused to be circulated throughout the State, six thousand copies of a pamphlet containing an abstract of the School laws, together with an appendix of precedents and appropriate forms of returns.

In this, it will be seen that the Chairman of the Board of Superintendents in each county is required, within fifteen days of the first day of November in each year, to report in writing to the President and Directors of the Literary Fund a copy of his school account, audited and settled by the committee of Finance or the Clerk of the County Court of his county, together with the number of children in his county, the number taught in the schools the preceding year, and the length of time the schools have been kept up. Yet this duty has been performed by only seven Superintendents throughout the whole State; and I am altogether unable to give you the information required on these points, or to make satisfactory exhibit of the disposition which has been made of these large sums of money. It should be made an indispensable pre-requisite to the payment to any county of its quota, in future, that the Chairman of the Board of Superintendents should file with the Literary Board a copy of all his accounts, audited and passed upon, together with his report of statistics as required by law; and the Public Treasurer should be prohibited from paying out the money without a certificate from the Board that this rule had been complied with. At present there is no specific mode pointed out, nor is it made the duty of any particular person, to compel the receivers of this fund in the several counties to settle their accounts. Those who choose to do so, submit them to the committees of Finance or County Court Clerks; while those who fail to do so, escape forfeiture or censure. It may be safely stated that thousands of dollars remain from year to year in the hands of the Superintendents; and if a rigid settlement were enforced, the public would be astounded at the aggregate sum thus withheld from its legitimate destination.

The whole fund annually distributed, although large, is
yet inadequate to the public exigency. According to the provisions of the existing law, the several County Courts may, in their discretion, levy a tax, as other taxes are levied for county purposes, not less than one half the amount annually received from the Literary Fund. Were this provision compulsory, or carried out in good faith in all the counties, the fund would be so augmented as to increase the number of Schools, and also the length of time they might be kept up. But it is believed that there is no uniform rule upon this subject. Some of the counties, with commendable spirit, levy a fair tax; others levy a very small one, while very many of the counties levy no tax at all.

Hence it results that in those counties dependent solely on the Literary Fund, the sum they receive, when subdivided among a large number of School districts, is so small for each that many of the districts have no Schools at all, and derive no benefit from the provision.

It is believed, that in many parts of the State public attention has not been sufficiently awakened to the great importance and blessings of the limited and partial instruction even, to the rising generation, which may be obtained in these Schools.

Our people do not take hold of the subject with that energy and spirit essential to its success. A general listlessness prevails. Those that can afford it, send their children elsewhere to school, while the poorer class keep theirs at home to work. Throughout the State, you see everywhere on the highways school houses deserted, the doors broken from their hinges, and the grass growing in the yard. Why is this? Besides those already alluded to, one prominent cause, doubtless, is the difficulty of procuring proper teachers, qualified by education and good morals to direct the young. Our men prefer, for the most part, more active employment. Let female teachers then be patronized and employed. They would be satisfied with smaller compensation, while their soft and gentle manners, purer morals, greater tact in instructing young children, and taming the
wild and stubborn, fit them in a peculiar degree for this office.

In some of the counties, I am happy to be able to say, that their schools are well managed and are accomplishing, with marked effect, the beneficent results aimed at by the law; and it is to be hoped that such is the case in others. But there is no official information upon the subject, and what I design to say is, that the very want of this information demonstrates the absolute necessity of some radical amendment. This necessity suggests the expediency of creating a new officer in the Government, to take the general charge of this whole business, in accordance with the practice in other States, and with the earnest and repeated recommendation of my predecessors.

This officer might be designated the Minister of Public Instruction, or the General Superintendent of Common Schools. It should be made his duty to examine all the public schools in the State, ascertain the length of time each district school is kept up, the number and qualification of Teachers, the mode of instruction; to direct the arrangement of school houses, and procuring proper school books, the settlement and arrangement of the financial department; and he should be required to make a report to the Legislature upon all these matters, with such observations as experience might suggest, upon the general condition and efficiency of our system, and the most practicable means of improving it. The duties of such an officer would be laborious, and the salary should be such as would command the most eminent qualifications, and engage undivided attention.

His compensation might be charged upon the Literary Fund, and not drawn from the general treasury; and it would be returned to that fund in ten-fold value, by imparting healthfulness, and vigor, and efficiency to the system.

The last General Assembly seems to have been fully aware of the necessity of some general supervision; but while they declined to authorize the appointment of one general supervisor at a reasonable salary, they authorized each
County Court to appoint one for each county, at a salary of $250 each, with the power given to the Courts to lay a tax to pay it.

In my judgment it is much better to have one general superintendent, competent and responsible, at an expense of $2,500, paid out of the Literary Fund, than to have seventy-nine superintendents dispersed through the State, without concert or union of design and action, at an aggregate expense of $19,700 per annum, drawn, too, from the pockets of the people by taxation.

Our common school system, then, regarded either in the light of the patriotic and noble purposes intended to be accomplished by it, or considered with reference to the proper direction and fair disbursement of so large a sum of public money, requires thorough revision and amendment.

Having been a member of the Literary Board from its first organization, and having bestowed some attention upon this subject, I feel, in conclusion, fully warranted in recommending, as the most effectual means of attaining the ends referred to, the appointment of a general superintendent of common schools for the State.

The President and Directors of the Literary Fund will, in due time, submit a report, showing in detail the state and condition of this Fund, and the proceedings of the Board on other subjects committed to their management.

INTERNAL IMPROVEMENT.

The Internal Improvement of the condition of the State, has been so repeatedly and earnestly pressed upon the Legislature within the past twelve years, by my predecessors in office, that nothing new can be superadded. The people are now demanding some relief for the exigency of their wants, good market towns within our own borders, and the means of cheap transportation to reach them.

The day has passed by for writing essays on the importance of Rail Roads, and Plank Roads, and navigable Rivers. The practical results in other States around us, offer their
accumulated testimony of the increased wealth and enterprise which they confer upon the people, and will expose to just ridicule and contempt a State that will continue to shut her eyes upon the light of experience, and fold her arms in apathy and sloth, when her very existence demands patriotic, energetic and enlightened action.

The public works now in progress in North Carolina, exhibit the fruits of an awakened sensibility, and point with unerring certainty and force to the prosecution and completion of others not yet commenced.

The extension of the North Carolina Rail Road East and West, connecting it, on the one hand, with the commerce of the Atlantic Ocean, and, on the other, with that great current and stream of intercommunication in a high degree forming the ligaments and arteries of the National Union, must occupy a prominent position in any scheme promising to ennoble and improve the State.

Other works, more sectional in their character, will readily present themselves to the favorable consideration of those more immediately interested in them. To what extent it will be prudent at this time to embark in new works of internal improvement, until ample means shall have been provided for the faithful and energetic completion of those already authorized and undertaken, it is not for me to say.

RALEIGH AND GASTON RAIL ROAD.

The Raleigh and Gaston Rail Road being now the property of the State, will claim that attention which is due to it, as well from the consideration of its convenience and value to a large portion of the State as on account of the deep pecuniary interest which is attached to it as the State's property.

The superstructure of the road, both of iron and wood, is in a very dilapidated condition, and extensive repairs are absolutely indispensable to its further use. The commissioners to whose care the Legislature committed it, have, with watchful diligence and with the efficient aid of the
President and the other officers of the Road, kept it up; and by curtailing expenses, reducing salaries and enforcing the strictest economy in all its departments, have been able to continue its operations without making it a charge upon the State. Its receipts for the year 1849, have been equal to about $62,150, and for the year 1850, $68,055, the whole of which has been consumed in the ordinary current expenses, and in the purchase of new iron and repairs.

To enable you to understand the true state and situation of this property, and to legislate intelligibly upon the subject, the Board of Commissioners employed Maj. S. M. Fox, an Engineer of skill and experience, to examine the whole line of the road and its appurtenances, the grading, the super-structure, the Bridges, Depots, Engines, &c., &c., and to make a report thereon. This will present a more reliable and satisfactory account of it than could be given by the Board of Commissioners, or the officers of the Board, or by any Committee of the General Assembly. This report will be laid before you in a short time, together with a report of the President of the road, and the proceedings of the Board of Commissioners for the two years last past.

STATE'S CLAIM ON UNITED STATES.

In accordance with a resolution adopted by the last General Assembly, relating to the State's claim against the General Government, for money advanced, and transportation furnished to the North Carolina volunteers in the recent war with Mexico, at an early day after the adjournment of the Assembly, I procured from the Comptroller's Office the vouchers and papers pertaining to the claim, and caused them to be presented to the War Department at Washington, for the payment of the principal and interest, according to the provisions of the Act of Congress upon that subject.—This claim of the State amounts, in principal money, to $9,467 73.

In the month of April ensuing, I was notified by the second auditor, that the sum of $85 25 had been allowed and
would be paid upon proper application, while the residue of the claim had been rejected. Whereupon, I addressed a letter to the Secretary of War, desiring to know the grounds of this decision and to learn whether it were in my power to remove the objections. His reply terminated our correspondence upon the subject, and at an early day after the commencement of the late session of Congress, I addressed a circular letter to each of our Senators and Representatives, calling their attention to the matter, and inviting their cooperation in having payment of the claim provided for by an act of Congress. A bill was accordingly introduced in the Senate by Hon. Mr. Badger; it was passed by that body and sent to the House of Representatives, where it remained, without any final action had upon it, until the termination of the session.

During the pendency of the bill before the House of Representatives, I was again notified by the 2nd auditor, that the additional sum of $100 had been allowed at his office. No steps have been taken to place these paltry sums in the Treasury. No valid reason can be shown why this claim of North Carolina should be rejected, while similar claims from other States have been freely allowed and paid.

WESTERN TURNPIKE AND CHEROKEE LANDS.

An act was passed at your last session, "to provide for a Turnpike Road from Salisbury, West, to the line of the State of Georgia." By this act, it was made the duty of the Governor to appoint a competent and experienced Engineer and three Commissioners to survey and locate said Road; and upon the report of the Engineer and commissioners being presented to the Governor, it was made "his duty further to appoint one of said Commissioners, or other suitable person to act as Agent of the State to contract for, and superintend the making of said Road."

The demand in the neighboring States, for men of science and practical skill in civil engineering, for their various
public works of Internal Improvement, was such, that I met with some difficulty and delay in procuring the services of a suitable Engineer for the work in question. Major S. Moylan Fox at length presented himself, and being satisfied entirely of his skill and fitness, I appointed him Engineer, and Messrs. Andrew H. Shuford, of Catawba; Joseph J. Erwin, of Rutherford; and George W. Hayes, of Cherokee county, Commissioners under the act. Subsequently, Joseph J. Erwin resigned, and I appointed E. D. Austin, of Rowan, to supply the vacancy. The extent of the reconnoisances and the number of experimental lines necessary to be run to determine the most eligible route for a Road traversing a succession of mountains, which had unavoidably to be crossed, required greater labor and consumed more time, than was anticipated. Since the completion of the survey, the Engineer and his assistants have been engaged in making such a map, profile and description of the Road, as would be indispensable to the State's Agent charged with letting out and superintending its construction.

This has delayed the report of the Engineer and Commissioners, and no agent to contract for and superintend the work has been appointed.

In a few days I shall make you a special communication, transmitting a topographical chart of the Turnpike, together with a copy of the report of these functionaries, showing the cost of their work and the expenses of the party in detail; and suggesting some alterations in the law which are believed to be needful.

At present, I call the attention of the Legislature to an important inquiry connected with this subject. Among the funds appropriated and pledged for the making of this Road, are all the debts now due the State for the sales of the Cherokee lands.

It will be remembered that at the time when those sales were made, a spirit of adventure and speculation, which pervaded the United States, had been awakened with many in the purchase of these lands; while others, stimulated with
the desire to retain their humble dwellings and improvements, entered also into the competition of bidders, and that the land sold, in some instances, for ten-fold—in all, for prices far beyond its value. While the public domain of the State had been granted under the entry laws, at five cents per acre to others, these have been sold at from three to thirty dollars per acre.

Impressed with a knowledge of these facts, the Legislature has from time to time granted indulgence in the collection of these debts. In the year 1844, an act was passed establishing a Board of Auditors to inquire and make report as to solvent and insolvent purchasers, and allowing those who were found to be unable to pay, to surrender their lands to the State; directing their bonds to be cancelled and delivered up, although the sureties in said bonds might be good. By virtue of this act, a large amount of these bonds were returned to the purchasers, and they were released from their contracts. In the year 1846, another act was passed for the relief of the same class of debtors, by which they were allowed the right of pre-emption of said lands at the fair cash valuation, assessed by the said Board of Auditors.

Why this discrimination between purchasers? If the principal debtors, who were unable to pay the price originally agreed upon, were released, together with their sureties, and were allowed to repurchase the same land at the new assessment, why should those who are solvent be held to a hard bargain and be compelled to pay more confessedly than the land is worth; be forced to pay the whole of the purchase money, and in many cases be rendered bankrupt by the operation?

In my judgment it is the true policy of the State not to oppress any of her citizens, nor coerce them to the fulfilment of an ill-judged or ruinous speculation. Establish then a new board of auditors, who shall assess the fair cash valuation of the residue of the lands, and all purchasers to retain them at that valuation and be relieved from the excess.

By this course you will secure the speedy settlement of
this protracted indebtedness, and long vexed subject; grant fair and honest relief to an oppressed but patriotic people, and attach good citizens to the State; while by the contrary exacting process, you ruin many and compel others, in order to save something from the general wreck, to abandon their homes; to quit the State, and leave nothing at last for the satisfaction of their indebtedness, but the intrinsic value of the land itself.

I commend this subject to the generous and equitable consideration of the Legislature.

In the original sales, all of the Cherokee lands not estimated to be worth twenty cents per acre, were not surveyed and offered for sale; and there remains in addition, according to the reports of the State's agents, a large quantity of these lands the property of the State not subject to the entry laws, and for the disposal of which no provision has been made.

All of these lands having, by the act of the last session, been appropriated to the construction of this Turnpike Road, provision should be made at once for the bringing of the whole of them, surveyed and unsurveyed, into market, that their value may be realized and made available for the purposes declared by the act.

FAYETTEVILLE AND WESTERN PLANK ROAD.

By an act of the last session of the General Assembly, chapter 89, entitled an act to incorporate the Fayetteville and Western Plank Road Company, the Public Treasurer was required to subscribe, in the name and on behalf of the State, for three-fifths of the capital stock of said Company, amounting to the sum of $120,000; and to enable the State to pay her said subscription, the Treasurer was required, from time to time, as the money should be called for, to issue Bonds, under the great seal of the State, signed by the Governor and countersigned by the Treasurer, and to convert them into cash. In obedience to the requirement of this statute, bonds to the amount of $50,000, to the 1st No-
November, instant, have been issued, and the proceeds applied as directed, leaving an amount of $70,000 to be hereafter issued, in the manner and on the terms stipulated therein. This subject will be again referred to in the Report of the Board of Internal Improvement, which will be presented at an early day.

CAPE FEAR AND DEEP RIVER NAVIGATION COMPANY.

In obedience to another act of the last session, chapter 92, requiring the Governor of the State, upon certain terms, conditions, and limitations therein expressed, to subscribe, in the name and on behalf of the State, for $80,000 of the stock of the Cape Fear and Deep River Navigation Company, I have made a subscription on the books of said Company, for the first instalment of $40,000, and the Public Treasurer has paid over to the Company the sum of $20,000, as provided for by the Act.

These Companies are progressing in their enterprizes with great vigor and success, and the residue of the State's subscription may be expected to be called for in a short time.

DEATH OF MEMBERS.

Having received official notice of the death of John Exum, the Senator elected in August last for the county of Wayne, and of James Tomlinson, one of the members of the House of Commons for the county of Johnston, I have issued writs of election to the Sheriffs of those counties respectively, to open the polls at the different precincts in said counties, to hold elections to supply these vacancies, according to law.

STANDARD MEASURES.

Standard Measures for the new counties and for Chatham, (to supply a loss from fire,) have been procured and transmitted, in pursuance of the act of the last session of the General Assembly.
CLUB FOOT AND HARLOW CREEK CANAL.

In obedience to the Resolution of the last session, requesting the Governor to cause a conveyance to be made by the Clerk and Master in Equity for Wake county to the President and Directors of the Board of Internal Improvement, for the use of the State, of all the property in and appendant to the Club Foot and Harlow's Creek Canal, which was purchased in by the Public Treasurer at the sale made by virtue of a decree of the Court of Equity of said county, the said deed of conveyance has been duly executed and filed among the valuable papers of said Board.

NAG'S HEAD.

The construction of a Ship Channel at or near Nag's Head, between Albemarle Sound and the ocean, is of vast importance to the agricultural interests of a large section of North Carolina, and important also to general Commerce.

It is a work justly appertaining to and eminently deserving the attention of the General Government, and should be pressed upon the attention of Congress with a pertinacity and zeal that should command success.

Surely it cannot be that the General Government will pass over unheeded forever the urgent demand of a State, not asking charity or private bounty, but the execution of a work so essential to the general welfare of the Country.

REvised Statutes.

I recommend a new Revival of the Statute Laws of the State.

The last edition has been appropriated, and no new copies of the work can be obtained.

The Public Officers and Magistrates of the new counties cannot be supplied. It has now been 14 years since the laws were revised—many changes have been made and new laws passed within that period. The Statute Laws of the State should be revised by a body of competent Commissioners.
their defects pointed out, amendments suggested, the new acts collated and arranged under their appropriate heads, and the work placed in such intelligible and convenient form, that the laws can be readily referred to and understood by the people.

GEOLOGICAL AND MINERALOGICAL SURVEY.

I hope I shall be pardoned for pressing upon the attention of the Legislature the oft reiterated recommendation of making provision for a geological and mineralogical survey of the State. The cause of agriculture, of science and the arts demands that this shall be no longer postponed. The sagacity of our statesmen thirty years ago foresaw its advantages, and North Carolina was the very first State in the Union that took up this subject—a small appropriation was made, and the Professors of our University, at different periods, are the only persons who have entered this interesting field.

With the limited means at their command, during the short intervals of College vacations, enough only has been done to indicate the value and extent of what has been left undone.

HISTORICAL DOCUMENTS.

A Resolution was passed at the last session authorizing the Governor to procure from the public offices in London, such Documents relating to the Colonial and Revolutionary history of North Carolina, as might be found worthy of preservation. To accomplish this in the most satisfactory manner, I tendered to the President of our University, Hon. D. L. Swain, the appointment and agency contemplated in the Resolution. He manifested an anxious desire to carry out the object proposed, if it could be done by any reasonable devotion of time and attention not incompatible with his paramount engagements. He deemed it necessary, however, before going abroad, to ascertain what portion of the documentary information desired, might be obtained at home.
Considerable, and not unsuccessful, attention has been devoted to domestic research, and the materials thus obtained will be preserved for the use of our future historian. The agent informs me that he has acquired such knowledge of the sources which exist in our own country as will enable him to examine with proper intelligence the archives of the Mother Country; and that he will very cheerfully enter upon the duty at an early day, if such shall be the pleasure of the General Assembly.

WASHINGTON MONUMENT.

In the summer of 1849, while the various States of our Union were contributing blocks of marble and granite to represent them in the National Monument now being erected in memory of Washington by the People of the United States, it occurred to me that I would be rendering an acceptable service to the People of the State, and be acting in anticipation of your wishes, to take proper steps to have the State of North Carolina also represented in this filial token of respect to "the Father of his country."

It was my design to procure a block of native white marble, and cause it to be embellished with the name of the State and her Coat of Arms, and send it on to Washington City, to take its appropriate place in the inside stairway of the Obelisk. Upon making my wishes known, a patriotic association of gentlemen in Lincoln County claimed to enjoy the pleasure and privilege of furnishing a block from the Lincoln quarry, and their offer was accepted. In consequence of some failures in quarrying out a block of suitable dimensions, and much delay in procuring the means of transportation to this place, after it was ready, it did not reach here until a short time past. The meeting of the Legislature being near at hand, I deemed it more decorous to await your pleasure and action in the premises.

No appropriation having been made for expenditures on such account, a portion of the expense necessarily incurred has been paid by me, and I am personally responsible for the
residue. The vouchers are ready for your inspection. The block is now at the Railroad Depot, and it will afford me pleasure to receive your directions to have it forwarded to its place of destination.

FOREIGN COMMUNICATIONS.

In the File marked A, accompanying this message, are sundry communications which it becomes my duty to lay before you.

1. From Secretary of State of the United States, desiring to be furnished with copies of our Acts of Assembly from the year 1840 to the present time, and asking that provision be made for future supply.

2. From the State of Florida, desiring to be supplied with the Reports of our Supreme Court prior to 1845.

3. From the Central authority of the Royal Commissioners, relating to the admission of the production of American Art and industry at the Industrial Exhibition to be held at London in May, 1851.

4. From Mississippi, relating to granting Bounty Lands to the Officers and Soldiers of the War of 1812.

5. From an American Association for advancement of science, relating to a Geological Survey of the Country.

6. From Vermont, on a Bureau of Agriculture.

7. From South Carolina, on the Nashville Convention.

8. Do Do. On the principles of "Wilmot Proviso."

9. From New Hampshire, Virginia, Maryland, Georgia, Connecticut, Mississippi, Missouri and Florida, on Slavery and fugitive slaves.

10. From A. Vattemare, the Agent of the State in Paris, on the subject of International, Literary and Scientific Exchanges.

The package marked B, contains the resignation of Justices of the Peace, tendered to this Department since the last session.

My Letter Book is ready for your inspection, and will, on request, be laid before you by my Private Secretary.
Possessing no power under our Constitution to originate or participate in the framing of our laws, I nevertheless duly appreciate the responsibility and anxiety of your position; and will, with great cheerfulness and to the utmost of my ability, co-operate with the General Assembly in promoting the best interests, the happiness and the honor of the State, and in upholding the integrity and nationality of our glorious Union.

CHARLES MANLY.

EXECUTIVE DEPARTMENT OF N. C.;
Raleigh, Nov. 18, 1850.

Thomas J. Person, member elect from the county of Northampton, appeared, produced his credentials, was qualified, and took his seat.

Mr. S. J. Person offered the following Resolution:

Resolved, That a Committee of three be appointed who shall examine the internal arrangements of this Hall, and report such alterations and improvements as may be necessary for the health and comfort of the members of this House.

Which was read and adopted, and the Speaker announced Messrs. S. J. Person, Avery and J. H. Hill, the Committee under the Resolution.

Received from the Senate, a message proposing to raise a Joint Select Committee of three on behalf of that body and five on the part of the House, to prepare and report rules for the government of the intercourse between the two Houses, which was agreed to, and Messrs. Eaton, S. J. Person, Stevenson, Cherry and D. A. Barnes, were appointed the Committee on behalf of the House.

On motion of Mr. Wilson, the message from the Senate proposing to vote again for Engrossing Clerk, was now taken up, and the same being concurred in by the House, Messrs. S. P. Hill and Campbell were appointed the Com-
mittee for the House to superintend the election, and the Senate informed thereof by message.

Received from the Senate a message, informing that Messrs. Bynum and Bunting compose their branch of said Committee, and that the Senate would vote immediately on the return of the messenger.

The House voted as follows:

FOR MR. BRYAN:

FOR MR. THOMAS:

FOR MR. BURTON:

On motion of Mr. Avery, the House then adjourned to to-morrow morning 11 o'clock.
Mr. R. M. Saunders offered the following Resolutions, which were read and adopted:

1. Resolved, That so much of the Governor's Message as relates to the amendment of the Constitution, and to the installation of the Governor, be referred to a Select Committee.

2. That so much of said message as relates to the organization of Public Offices, be referred to a Select Committee.

3. That so much of said message as relates to finance and the State debts, and to the State's claim on the United States, be referred to the Committee on Finance.

4. That so much of said message as relates to Common Schools, and the distribution of the School Fund; the Geological and Mineralogical Survey, and Historical Documents, be referred to the Committee on Education.

5. That so much of said message as relates to Internal Improvements; to the Gaston and Raleigh Rail Road; to the Western Turnpike; to the Fayetteville and Western Plank Road; to the Cape Fear and Deep River Navigation Company; to the Club Foot and Harlow Creek Canal, and to Nagshead, be referred to the Committee on Internal Improvements.

6. That so much of said message as relates to the Revised Statutes be referred to the Committee on the Judiciary.

7. That so much of said message as relates to the Washington Monument be referred to the Committee on Finance.

8. That so much of said message as relates to the communications from the Secretary of State of the United States, and from the State of Florida be referred to the Committee on the Judiciary; That the communication from the Central authority of the Royal Commissioners and from the
State of Vermont be referred to the Committee on Agriculture; That the communication from the American Association for the advancement of science and from A. Vattemare, Agent &c. be referred to the Committee on Education.

Mr. Saunders also moved the following resolution, which was read and adopted:

Resolved, That a message be sent to the Senate proposing to create a Joint Select Committee, consisting of eleven members on the part of the House and six on the part of the Senate, to whom shall be referred so much of the message of his Excellency the Governor, as relates to the question of negro slavery, and also the communications from the Governors of South Carolina, New Hampshire, Virginia, &c., and that they be authorized to report by resolution or otherwise.

Received from the Senate a message, transmitting the following Resolutions, and asking the concurrence of this House therein:

Resolved by the Senate and House of Commons, That the present Legislature have heard, with deep sensibility, of the death of Richard Dobbs Spaight, one of the Governors of the State of North Carolina, and the last under her old Constitution.

Resolved, That in testimony of our respect for one who has filled the highest position of Chief Magistrate of this Commonwealth, we will now adjourn.

Resolved, That a copy of these Resolutions, signed by the Speakers of the Senate and House of Commons, be forwarded to the family of the late Governor Spaight, as a testimony of our sympathy in their affliction.

The foregoing Resolutions were unanimously adopted.

On motion of Mr. Winston,

Ordered, That the hour of meeting of this House shall
hereafter be 10 o'clock, unless otherwise provided for at the time of adjournment.

And the House then adjourned.

FRIDAY, Nov. 22.

The Speaker announced the following members as composing the Committee on the Judiciary, viz: Messrs. R. M. Saunders, Eatou, D. A. Barnes, Avery, Winston, Jones, Johnston, J. H. Hill, Cherry, A. H. Caldwell and J. M. Leach.

And the following members as composing the Committee on Private Bills, viz: Messrs. Wilson, L. B. Sanders, T. J. Person, Johnston, McCleese, Hackney, McDowell, Maultsby, Sheek, Scott, Love, Farmer, Brogden and Pigott.

Mr. McDowell introduced a bill to repeal the tax on droves of Horses, Mules and Hogs; which passed its first reading, and, on his motion, was referred to the Committee on Finance.

Mr. Pigott introduced a bill to relieve sailing vessels from the tax imposed on them by the act of 1848-49, entitled an act to increase the Revenue of the State; which was read the first time and passed, and, on his motion, referred to the Committee on Finance.

On motion of Mr. D. F. Caldwell,

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee to consist of nine persons, six from the House and three from the Senate, to be styled the "Committee on Revenue," whose duty it shall be to take
into consideration the present Revenue Laws of the State, and that they report by bill or otherwise, whether the said laws need any revision or amendment.

A message from the Senate, informing that Messrs. Lane, Joyner and Cameron, form their branch of the Committee on Joint Rules.

Mr. Eaton introduced a bill concerning the official bonds of Sheriffs, Coroners and Constables; which was read the first time, and, on his motion, referred to the Committee on the Judiciary.

On motion of Mr. G. W. Hayes, it was ordered that a message be sent to the Senate proposing to raise a Joint Select Committee of five from each House on so much of the Governor's message as relates to the Cherokee lands, both sold and unsold; and also the debts owing for Cherokee lands; and that they report by bill or otherwise.

Mr. Erwin introduced a bill to secure the more faithful observance of the Constitution of the United States; to assert the rights of the Southern States to a fair share in all the benefits of the Government; to encourage domestic industry, and direct trade with foreign nations; And Mr. Love a bill calling a convention to amend the Constitution of the State; which were severally read the first time and passed, and ordered to be printed and laid on the table.

Mr. Webb introduced a bill to repeal the 8th section of an act of the General Assembly of North Carolina passed at the session of 1848-‘9, entitled an act to increase the Revenue of the State; which was read the first time, and referred, on his motion, to the Committee on Finance.

Mr. Campbell, from the Joint Committee appointed to superintend the election of an Engrossing Clerk, reported that
Mr. Bryan had received 70 votes, Mr. Thomas 48, and Mr. Burton 37; but that neither of the candidates having received a majority of the whole number of votes given, there was no election.

The report was concurred in.

On motion of Mr. Flemming, a message was sent to the Senate, proposing to vote again forthwith for an Engrossing Clerk.

A message was received from the Senate, agreeing to the said proposition, and informing that Messrs. Davidson and Cannady form their branch of the Committee to superintend the election.

Messrs. Winston and Flemming were appointed the Committee for this purpose on the part of the House; and the House proceeded to vote as follows:

FOR MR. BRYAN:


FOR MR. THOMAS:


FOR MR. BURTON:


FOR MR. GRAHAM:

Mr. Winston, from the Committee appointed to superintend the election of Engrossing Clerk, reported that Mr. Bryan had received 71 votes, Mr. Thomas 45 votes, Mr. Burton 35, and Mr. Graham 11; and that neither of the candidates having received a majority of the whole number of votes given, there was no election; in which report the House concurred.

On motion of Mr. D. F. Caldwell,

Ordered, That a message be sent to the Senate, proposing to vote again forthwith for Engrossing Clerk.

A message from the Senate, agreeing to the proposition, and stating that Messrs. Rogers and Willey constitute their branch of the Committee to superintend the election.

The Committee for this purpose on behalf of the House, were Messrs. Pope and D. F. Caldwell, and the Senate informed thereof by message; whereupon, the House voted as follows:

FOR MR. BRYAN:

FOR MR. THOMAS:

FOR MR. GRAHAM:
The Speaker announced that Messrs. McLean, Ruffin, Stevenson, Foster, of Davidson, and Blow, as the Select Committee on the Amendment of the Constitution and Installation of Governor.

Mr. S. J. Person, from the Joint Select Committee, appointed to prepare Joint Rules for the government of the intercourse between the two Houses, reported the following:

JOINT RULES OF ORDER:

1. Each House shall perfect and finally act on all Bills, Resolutions, and Orders, before the same shall be communicated to the other for its concurrence; and if amended in the House to which it is transmitted, it shall be communicated to the House in which it originated, asking the concurrence of that House in the amendment.

2. In any case of amendment of a Bill, Resolution, or Order, agreed to in one House and disagreed to in the other, if either House shall request a conference and appoint a Committee for that purpose, and the other House shall also appoint a Committee to confer; each Committee shall consist of an equal number, and they shall meet and state to each other the reasons of their respective Houses for and against the amendment, and confer freely thereon, and make a report in writing to their respective Houses, of the result of their conference.

3. Messages from one House to the other shall be sent by the Assistant Clerk of each House, unless otherwise ordered.

4. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent, by the door-keeper, and shall be respectfully delivered to the chair by the person by whom it may be sent.
5. After a bill shall have passed the House in which it originated, it shall be under the signature of the Clerk, and engrossed under his direction and inspection, before it shall be communicated to the other House.

6. After a bill shall have passed both Houses, it shall be duly enrolled on suitable paper by the Engrossing Clerks, before it shall be presented for ratification.

7. When bills are enrolled, they shall be carefully examined by a Joint Committee of two from the Senate and four from the House of Commons, appointed at the meetings of the two Houses each Monday morning, as a Committee for that purpose, for one week, whose duty it shall be to compare the enrolled with the engrossed bills, as passed in the two Houses, and to correct any errors that may be discovered in the enrolled bills, and make their report of the said bills to the House.

8. After examination and report, each bill shall be ratified and signed in the respective Houses, first by the Speaker of the House of Commons, and then by the Speaker of the Senate.

9. All orders, resolutions, and votes of the House shall be examined, engrossed, and signed in the same manner as bills.

10. When a bill or resolution, which shall have passed in one House, is rejected in the other, notice thereof shall be given to the House in which the same may have passed.

11. The Committee in each House shall, in all cases, make a statement of facts on which their report is founded; which statement, with all other papers on which any bill or resolution shall be formed, shall be transmitted to the other House.
12. The Committee of Finance shall be Joint, consisting of eight members of each House. The Library Committee shall be a Joint Standing Committee, consisting of three members from each House, appointed by the Speakers thereof respectively.

13. In all Joint Committees, the member first named on the Committee, on the part of the House proposing to raise such Committee, shall convene the same, and, when met, they shall choose their chairman.

14. Either House may make a reference to any Joint Committee, and all reports shall be made to the House ordering such a reference.

15. When either House shall order any paper or document to be printed, it shall be printed in octavo form, on good paper, and with fair type, and shall be distributed in the following manner: one copy thereof to each member of the General Assembly, one copy to the Clerks of each House, for the use thereof, and ten copies shall be deposited in the Public Library.

16. All elections requiring a joint vote, shall be _viva voce_, and a Select Committee of two members in each House shall be appointed to superintend the same in their respective Houses. After the vote shall have been taken, said Select Committee shall confer together, and report the result of such election to their respective Houses.

17. That the foregoing rules shall be permanent Joint Rules of the Legislature of North Carolina, until altered or amended.

The foregoing rules were read and adopted:

_Ordered_, on Mr. D. A. Barnes' motion, that a message be sent to the Senate proposing that the Joint Rules of Order,
the Rules of the Senate, and of the House, together with the Constitution of the United States and of the State, be printed in pamphlet form, one copy for each member.

Received from the Senate a message, concurring in the proposition to print the Rules, &c., in pamphlet form.

Also, a message from the Senate, proposing to amend the 15th article of the Joint Rules, by adding thereto, "and the Public Librarian be required to have them neatly bound;" which was concurred in, and the Senate thereof informed.

Mr. Steele presented a bill to incorporate Falling Creek Lodge, No. 29, I. O. O. F., in the town of Rockingham, Richmond county; which passed its first reading, and, on his motion, was referred to the Committee on Private Bills.

Mr. Pope, from the Committee appointed to superintend the election of Engrossing Clerk, reported that Mr. Bryan had received 92 votes, Mr. Thomas 32 votes, Mr Burton 35 votes, and Mr. Graham 5 votes; and that 83 being a majority of all the votes given, Mr. Bryan was duly elected; in which report the House concurred.

On motion of Mr. McDowell, the House then adjourned.

Saturday, Nov. 23.

The Speaker announced Messrs. S. J. Person, Thornton, Gordon, Waugh, Steele, Adams, Jerkins and Winstead, as composing the House branch of the Joint Standing Committee on Finance.

Also, Messrs. J. J. Williams, Mizell and Wiley the House
branch of the Joint Standing Committee on the Library: and Messrs. Dickinson, Flemming, J. Barnes, Dargan and Campbell the House branch of the Joint Select Committee on the re-organization of public affairs.

Mr. A. M. Foster presented a resolution in favor of H. T. Dyer, Sheriff of Wilkes county; which was read first time and passed, and referred, on Mr. Bogle’s motion, to the Committee on Claims.

Mr. Blow, a bill to incorporate the Greenville and Raleigh Plank Road Company, which was read the first time and passed, and, on his motion, referred to the Committee on Internal Improvements.

Mr. Cherry a bill to repeal an act of the General Assembly of the State of North Carolina, passed at its session of 1846–7, entitled an act to amend an act passed in 1827, entitled an act to prevent the obstruction of fish passing up the Roanoke and Cashie Rivers and their waters; also, a bill to incorporate the Trustees of Colerain Female Academy, in the County of Bertie; and a bill to incorporate Oriental Lodge, No. 24, of the Independent Order of Odd Fellows at Colerain, Bertie County; which were severally read first time and passed, and on his motion, referred to the Committee on Private Bills.

Mr. Cherry also introduced a bill to incorporate the Trustees of Windsor Male Academy, which, on his motion, was referred to the Committee on Education.

Mr. Foard presented a bill to repeal an act passed in 1846–7, entitled an act to provide for opening and clearing out certain Creeks in the Counties of Iredell and Rowan; which on his motion, was referred to the Committee on Private Bills.
Mr. Eaton, a bill concerning Original Attachments, and also a bill concerning Stills; which were severally read the first time and passed, and, on his motion referred to the Committee on the Judiciary.

Mr. Wiley presented a bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes; which was, on his motion, referred to the Committee on Education, and on motion by Mr. Hayes, ordered to be printed.

Mr. L. B. Sanders presented a bill explanatory of an act entitled an act, to increase the Revenue of the State; which was read the first time and passed, and, on his motion, referred to the Committee on Finance.

Mr. Maultsby introduced a bill to quiet the title to land and slaves; and, also a bill concerning overseers of public Roads.

Mr. Stubbs, a bill to repeal the 1st and 2nd sections of an act of the General Assembly of 1848-49, chapter 56, entitled an act concerning the President and Directors of the Literary Fund; and,

Mr. Sharp a bill to restore Jury trials to the County Courts of Buncombe county; which were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Wiggins presented the following Resolution:

Resolved, That a Select Committee consisting of nine members of this House, one from each Congressional District, be appointed by the Chair, to take into consideration the condition of the free negro population of this State, and the subject of their removal from, or continuance in the State; and that said Committee have leave to report by bill or otherwise.
Which being read, Mr. R. M. Saunders moved to amend by striking out all after the word Resolved, and substituting the following:

That the Committee on the Judiciary enquire into the most eligible plan for the speedy removal of free persons of color from this State, and for their better government whilst they shall remain within the same, and report accordingly. Which amendment was adopted, and the resolution as amended was agreed to.

Received from the Senate a message proposing to go into the election of Secretary of State at 12 o'clock M., this day, and informing that Wm. Hill, Esq., is in nomination for the office; which was read and agreed to, and the Senate informed thereof by message.

Mr. R. M. Saunders moved the following resolutions, which were adopted:

That the Select Committee on the amendment of the Constitution inquire into the expediency of making the following amendments:

1. To abolish the freehold qualification of voters for the Senate.
2. To give the people the right of electing the Superior Court Judges, and of changing the tenure of their office for a term not less than seven years.
3. To give to the people the right of electing Justices of the Peace, and for a term not less than four years.
4. To restrict the General Assembly in all appropriations of the public money, when the sum shall exceed one hundred thousand dollars, or where the faith of the State shall be pledge, unless by the vote of two thirds of each branch of the Legislature, or by the vote of the majority of two successive Legislatures; and that the Committee report a bill for the earliest constitutional mode of carrying these amendments into effect with the approbation of the people.
Mr. Webb introduced a bill to amend an act of the General Assembly of 1848-'49, entitled an act to amend an act on the subject of Common Schools; which passed its first reading, and, on his motion, was referred to the Committee on Education.

On motion of Mr. Martin,

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee of seven, five on the part of the House, and two on the part of the Senate, whose duty it shall be to take into consideration the Raleigh and Gaston Rail Road, and report what, in their opinion, would be the best policy for the State of North Carolina to pursue in relation to said Road.

On motion of Mr. Steele,

Resolved, That the Committee on amendments to the Constitution be instructed to inquire into the expediency of an amendment, so as to change the mode of appointing Justices of the Peace; and

Resolved, That the Committee on Education be instructed to inquire into the expediency of an amendment to the law on the subject of Common Schools, so as to have annual, instead of semi-annual dividends of the School Fund; and report by bill or otherwise.

Mr. Flemming moved the following Resolution:

Resolved, That the Committee to whom is referred the subject of amendments to the Constitution, be instructed to inquire into the expediency of permitting the people at the polls in August next to decide whether or not they will call a Convention to amend the Constitution; and that they report by bill or otherwise.

Which was adopted by the following vote: Yeas 105, nays 12.
Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Received from the Senate a message, informing that Messrs. Joyner and Jones constitute their branch of the Committee to superintend the election of Secretary of State.

And the hour for the execution of the joint order having now arrived, the House proceeded to vote for Secretary of State; Messrs. Pigott and Stevenson being the Committee to superintend the election on the part of the House.

FOR MR. HILL:

FOR MR. DICKSON:
Messrs. Fonville, Mathis and Thigpen—3.

FOR MR. Y. PATTERSON:
Mr. Bridgers—1.

Received from the Senate a message, concurring in the proposition of this House, to create a Joint Select Committee, consisting of eleven members on the part of this House, and six on the part of the Senate, to whom shall be referred so much of the Governor's Message as relates to the question of negro slavery, and also sundry communications from the Governors of South Carolina, New Hampshire, Virginia, &c., and informing that Messrs. Clarke, Shepard, Caldwell, of Mecklenburg; Woodfin, Joyner and Cameron form the Committee on the part of that body.

The Speaker announced Messrs. R. M. Saunders, Rayner, Avery, L. B. Sanders, J. H. Hill, Stowe, J. M. Leach, Blow, Erwin, S. P. Hill and S. J. Person, as the Committee on the part of this House on the subject.

Mr. Avery presented a resolution in favor of Joseph C. Newland, late Clerk of the County Court of Caldwell; which passed its first reading, and was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. S. P. Hill moved that the House do now adjourn: upon which question the yeas and nays were demanded by Mr. Walton, and the vote was 52 in the affirmative, and 63 in the negative.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to adjourn.

On motion of Mr. Winston,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law on the subject of Common Schools, as to give the Boards of Superintendents the power in their discretion, of lending out the funds in their hands.

Mr. Pigott, from the Committee appointed to superintend the election of Secretary of State, reported that William Hill, Esq., of Wake county, had received a majority of the whole number of votes given, and was duly elected; in which report the House concurred.

Mr. Walton moved a Resolution that a message be sent to the Senate, proposing to go forthwith into an election for State Treasurer, and informing that body that Charles L. Hinton, Esq., was in nomination for the office; which, on motion of Mr. Waugh, was ordered to lie on the table.
Mr. Hayes moved an adjournment, and the question thereon was decided in the affirmative: Yeas 77, nays 39.

Mr. Walton demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House adjourned accordingly until Monday morning 10 o'clock.

MONDAY, Nov. 25.

On motion of Mr. Pigott,

Resolved, That Drury King, keeper of the Capitol, be and he is hereby authorized to occupy the Committee room No. 3, until otherwise directed.
Mr. Mizell presented the following resolution:

Resolved, That the 2nd clause of the 3rd section of the first article of the amended Constitution, ratified by the people on the first Monday in November, 1835, shall be specifically so amended as prescribed in 2nd clause of the 1st section of the 4th article of said amended Constitution, that all free white men of the age of twenty-one years, who have been inhabitants of any one district within the State, twelve months immediately preceding the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the Senate for the district in which he resides.

Which being read, was on his motion, ordered to be printed and laid upon the table.

Mr. Bogle presented a resolution in favor of Ann Patterson; and Mr. McDowell a resolution in favor James G. Dickson; which were severally read the first time and passed, and referred to the Committee on Claims.

Mr. Douthit presented the following resolution:

Resolved, That the Committee of Finance be instructed to inquire into the expediency of increasing the tax on drovers, who may bring any horses, mules or hogs into this State from any other State for sale, and that said Committee report by bill or otherwise.

Which was read, on motion of Mr. Love, and laid upon the table.

Mr. Maultsby presented a memorial from the Wilmington and Manchester Railroad Company, praying the passage of an act subscribing on the part of the State five hundred thousand dollars to the capital stock of their Company on certain conditions; which, on motion of Mr. J. M. Leach, was referred to the Committee on Internal Improvements.

On motion of Mr. Walton,
Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of extending the North Carolina Rail Road east from Goldsboro', via Newbern, to Beaufort, and west from Salisbury, by the most practicable route, to the Tennessee line; and report at an early day, by bill or otherwise.

Mr. Steele introduced a bill to incorporate Rockingham Division, No. 32, Sons of Temperance, located at Rockingham, Richmond county; and,

Mr. W. McNeill, a bill for the better application of the Common School Fund; which were severally read the first time and passed, and the former referred to the Committee on Private bills, and the latter to the Committee on Propositions and Grievances.

Mr. McLean introduced a bill to lay off and establish a new county by the name of Yadkin; which was read the first time, and, on his motion referred to the Committee on Propositions and Grievances.

Mr. Stevenson presented a pension certificate on behalf of John Rhem, of the county of Craven; which, on his motion, was ordered to be countersigned by the Speaker and sent to the Senate.

Received from the Senate a message, transmitting the Pension certificates of Thos. Gardiner, Wm. Sasser, Thos. Ewell and Alex'r. Taylor; which were read and ordered to be countersigned by the Speaker of the House.

Mr. G. W. Hayes offered the following Resolution:

Resolved, That all bills and resolutions of a public nature that may hereafter be presented to this House for its consideration, be printed; which was read and adopted.

On motion of Mr. Marshall,
Ordered, That the Door-keeper be directed to cause the Flag of the State to be hoisted, each day, over the Capitol, during the time the General Assembly may be in session.

Mr. Dargan presented a bill to repeal the Common School law, which was read, and, on motion of Mr. Pigott, rejected.

Mr. Pegram introduced a bill to incorporate the Fayetteville and Central Plank Road Company, which was read the first time, and, on his motion referred to the Committee on Internal Improvements, and on motion of Mr. Stevenson, ordered to be printed.

The Speaker laid before the House a communication from the Treasurer of the State, which, on motion of Mr. Scott, was ordered to be sent to the Senate, with a proposition to print sixty copies in addition to the usual number.

Mr. Blow presented the following Preamble and Resolution:

Whereas, the series of acts passed at the last session of Congress, and known as the Compromise, although they did not meet our approbation fully, have become the law of the land, and as such ought to be obeyed: And whereas, the Fugitive Slave Law was all that was gained by the South in return for the surrender of important rights; therefore,

Resolved, That, should said law be repealed, or essentially modified by Congress, or not enforced by the national Executive, or nullified and made inoperative by the people of the North, we will be in favor of a dissolution of the Union.

Which were read the first time and passed, and, on Mr. Blow's motion, referred to the Joint Select Committee on Slavery.

On motion of Mr. Rayner,
Resolved, That the Committee on the Judiciary be instructed to inquire, and report to this House, by bill, resolution, or otherwise, whether the Bank of Fayetteville, in issuing bills of the denomination of one dollar and two dollars, has not acted in contravention of its charter and the general law of the State.

On motion of Mr. R. M. Saunders,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of thirteen, seven on the part of the House and six on the part of the Senate, to inquire into the propriety of having an appropriate inscription on the block of marble which is designed for the Washington monument; and,

Ordered, That the Committee of Finance, to whom was heretofore referred this subject as a part of the Governor's Message, be discharged from its consideration.

On motion of Mr. G. W. Hayes, the House now reconsidered the vote of this morning, by which was adopted the resolution offered by Mr. Pigott, permitting Drury King, Keeper of the Capitol, to occupy Committee Room, No. 3; and the same was, on motion of Mr. Avery, ordered to lie on the table.

Mr. S P. Hill presented a bill to increase the Revenue of the State, and to amend an act passed in 1848, entitled an act to increase the Revenue of the State; which was read the first time and passed, and, on his motion, referred to the Committee on Finance.

Mr. Flemming, a bill to amend the charter of the Yancey and McDowell Turnpike Company; which was read the first time and passed, and, on his motion, referred to the Committee on Internal Improvements, and ordered to be printed.

Mr. Webb, a resolution in relation to the Common School
Fund, in the hands of the former Sheriff of Polk county; which was read the first time and passed, and, on motion of Mr. Brogden, referred to the Committee on Claims.

On motion of Mr. Steele,

Resolved, That the Committee on Finance, be instructed to inquire into the expediency of reporting a bill declaring the meaning of the term "safely secured," in the first section of an act passed at the session of 1848-49, entitled an act to increase the Revenue of the State.

A motion was made by Mr. Avery that the House reconsider the vote by which the Resolution offered by Mr. G. W. Hayes, ordering that all public bills and resolutions be printed, was adopted this morning; which motion was carried, and, on his motion, the said resolution was now ordered to lie on the table.

Received from the Senate a message, stating that Messrs. Bunting, Washington and Barringer form their branch of the Joint Standing Committee on the Library.

Also, a message stating that Messrs. Bower, Lillington, Gilmer, Watson, Lane, Hester, Speight and Drake form their branch of the Joint Committee on Finance.

Also, a message informing that they have laid upon the table the message from this House, proposing to raise a Joint Select Committee of nine, six on the part of the House and three on the part of the Senate, to be styled the "Committee on Revenue," and whose duty it shall be to take into consideration the Revenue Laws of the State, and report, &c.

And also, laid upon their table the message herefore sent from this House, proposing to raise a Joint Select Committee of seven, five from the House and two from the Senate,
to take into consideration the Raleigh and Gaston Railroad.

Also, a message from the Senate, agreeing to the proposition to raise a Joint Select Committee on Cherokee lands, and informing that Messrs. Thomas, Bower, Woodfin, Jones and Bond, form the Committee on their part.

Mr. Wilson presented the following resolution:

Resolved, That a message be sent to the Senate, proposing to go into the election of Comptroller of State, on Wednesday next, at 12 o'clock, and of Public Treasurer on Thursday next, at the same hour.

Which was read and, on motion of Mr. McLean, laid on the table.

Mr. Martin moved that the Committee on Internal Improvements be discharged from the consideration of the subject of the Raleigh and Gaston Railroad; which was disagreed to.

On motion of Mr. Cherry,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill so as to declare the meaning in that clause of the bill to increase the Revenue of the State, passed at the session of 1848-49, in relation to the listing bonds by guardians belonging to their wards.

On Mr. Webb's motion, it was ordered that the bill introduced by him on Saturday last, to amend an act of 1848-49, entitled an act to amend an act on the subject of Common Schools, be printed.

On motion of Mr. Jones, the bill offered on Friday last, by Mr. Erwin, to secure the more faithful observance of the Constitution of the United States; to assert the rights of the
Southern States to a fair share in all the benefits of the Government, and to encourage domestic industry, &c., was taken up and referred to the Joint Select Committee on Slavery.

On motion of Mr. Jones, the House then adjourned until to-morrow morning, 10 o'clock.

Tuesday, Nov. 26.

The Speaker announced the following members as composing the Committee, on behalf of this House, on so much of the Governor's message as relates to Cherokee lands, viz: Messrs. Flemming, Swanner, G. W. Hayes, McMillan and Mizell.

On motion of Mr. Martin,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of enacting a law, making all Deeds of Trust hereafter to be executed, null and void, to all intents and purposes, so far as creditors are concerned, unless they provide for the payment of all the debts of the bargainor pro rata, and without any distinction or preference whatever; and that said Committee report by bill or otherwise.

On motion of Mr. Pope,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the 4th section of 12th chapter of Revised Statutes, on the subject of "Bastard Children," so that the examination of the woman shall no longer be prima facie evidence, but shall stand as any other evidence; and that they report by bill or otherwise.
Mr. Stevenson introduced a bill to extend the right of appeal; and,
Mr. S. P. Hill a bill to incorporate the Milton Savings Bank; which were severally read the first time and passed, and ordered to be printed and laid upon the table.

Mr. Flemming introduced a bill to repeal the law redistricting the State in 1846-47; which was read the first time and passed; whereupon, Mr. Flemming moved that the said bill be made the special order for Wednesday fortnight; which was not carried.

Mr. G. W. Hayes introduced a bill to prohibit obstructions to cart-ways in Cherokee county; which was read the first time and passed, and, on his motion, referred to the Committee on Private Bills.

The Speaker laid before the House a communication from His Excellency, the Governor, transmitting a Report from the Engineer and Commissioners appointed to locate the Turnpike Road from Salisbury west to the Georgia line, together with charts, vouchers of expenses, &c; which were, on motion of Mr. Rayner, ordered to sent to the Senate with a proposition to print.

Mr. Rayner presented a resolution directing the Public Treasurer to procure information in regard to certain taxable property, under the act of 1848-49; which was read the first time and passed, and thereupon, on motion of Mr. Rayner, two-thirds of the House concurring, the resolution was passed its second and third readings, and ordered to engrossment.

Mr. McNeill introduced a bill to repeal an act entitled an act to give exclusive jurisdiction of Pleas to the Superior Courts of Robeson; which was read the first time and pass-
Mr. Powers, a bill to amend an act entitled an act to authorize the inspection of provisions, passed in the years 1848-49, chapter 43; which was read the first time and passed, and, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Gordon, a bill to amend an act, passed at the session of 1840-'41, entitled an act for the establishment and better regulation of Common Schools; which was read the first time and passed, and, on his motion, was ordered to be printed and laid on the table.

Mr. D. F. Caldwell introduced a bill for the abolition of public executions; which was read the first time and passed, and, on his motion, was referred to the Committee on the Judiciary.

On motion of Mr. Erwin,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of altering and amending the criminal law, so that petty cases of assault and battery may be brought within the jurisdiction of Justices of the Peace, and that they be further instructed to prepare a bill which shall make the prosecutor in all such cases responsible for the costs, in case there should be no conviction, and further that said Committee be instructed to inquire into the expediency of compelling the prosecutors in all cases, except in cases of felony, perjury, conspiracy and malicious mischief, to mark his name upon the bill of indictment.

Mr. Sherrard introduced a bill to repeal the act passed at the session of the General Assembly of 1848-49, entitled an act to incorporate the North Carolina Rail Road Company; which being read, a motion was made by Mr. Steele, that the same be rejected.
Pending which motion, after debate, Mr. Love moved that the House adjourn; which was not agreed to.

The question being on Mr. Steele's motion, "Shall the bill be rejected?" was decided in the affirmative: Yeas 105, nays 10.

Mr. Sherrard demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

On motion of Mr. B. F. Williams, the House then adjourned until to-morrow morning, 10 o'clock.
Wednesday, Nov. 27.

On motion of Mr. Avery, the House proceeded to reconsider the vote of yesterday, by which was referred a resolution, presented by Mr. Erwin, instructing the Judiciary Committee to inquire into the expediency of amending the criminal law, so as to give jurisdiction of petty cases of assault and battery to Justices of the Peace, &c.; and thereupon, by consent of the House, Mr. Erwin withdrew the said resolution.

Mr. Wilson presented a resolution for furnishing the Engrossing Clerk’s room; which was read the first time and passed, and, two-thirds of the House concurring, was, on Mr. Wilson’s motion, put on its second reading and passed.

Received from the Senate a message, disagreeing to the proposition to raise a Joint Select Committee to be styled the “Committee on Revenue;” also, disagreeing to the proposition to raise a Joint Select Committee on the Raleigh and Gaston Railroad.

A message from the Senate of yesterday’s date, proposing to go into an election forthwith for Solicitor of the Fifth Judicial Circuit, was read, and, on motion of Mr. McDowell, laid on the table; and thereupon, on motion of Mr. McDowell, a message was sent to the Senate, proposing to go into said election at half past 11 o’clock this day. The name of Robert Strange, Esq., was put in nomination by Mr. McDowell, and the name of Th. S. Ashe, Esq., by Mr. J. H. Hill, for the appointment.

Mr. J. H. Hill introduced a bill to amend the 75th chapter, 6th section of the act of 1846, relating to the tax on slaves; which was read the first time, and, on his motion, referred to the Committee on Finance.
Mr. S. J. Person, from the Select Committee appointed to examine the internal arrangements of the Hall of the House, and report what alterations and improvements are necessary for the health and comfort of the members, submitted a report in writing, recommending sundry alterations and improvements; which was read, and, on motion of Mr. Rayner, the subject was recommitted to the Committee with instructions to report a resolution in accordance with said report.

On motion of Mr. McLean,

Ordered, That a message be sent to the Senate, proposing to go into the election of Solicitor for the Fourth Judicial Circuit at the hour of 12 o'clock, M. this day; and he thereupon nominated for the office, Cad. Jones, Jr.

On motion of Mr. A. M. Foster, the name of John Pindexter was added to the nomination.

Mr. Winston introduced a bill prescribing the punishment of manslaughter committed by slaves; and,

Mr. A. Caldwell a bill to amend an act entitled an act to amend and consolidate the several acts heretofore passed in favor of poor debtors; which were severally read the first time and referred to the Committee on the Judiciary.

Mr. Bogle presented a memorial, praying the passage of a law altering the dividing line between Wilkes and Alexander counties, so as to attach a part of the former to the latter county; and,

Mr. Holland a petition from sundry citizens of Gaston county, praying the passage of a law attaching a portion of said county to the county of Cleveland; which were severally, on motion by the introducers, referred to the Committee on Propositions and Grievances.

Mr. G. W. Hayes introduced a bill to incorporate the town
of Murphy, in the county of Cherokee; which was read the first time and passed, and, on his motion, referred to the Committee on Private Bills.

Mr. Bridgers presented the following resolutions:

Resolved, That we, the Representatives of the freemen of the State of North Carolina, believe it inexpedient, at the present time, to build the North Carolina Railroad, which was chartered by the Legislature of 1848-49.

Resolved, therefore, That the President and Directors of said Railroad be requested to inform the individual stockholders of said Railroad thereof.

Resolved, That we believe that the majority of the freemen of the State of North Carolina are opposed to building said Railroad at the present time.

Resolved, That the stockholders in the said North Carolina Railroad Company be respectfully requested to surrender their charter to the present General Assembly, on or before the first day of January next.

Which were read the first time, and, on motion of Mr. Wilson, laid on the table and ordered to be printed.

Received from the Senate a message, agreeing to the proposition to go into the election of a Solicitor for the Fifth Judicial Circuit at half past 11 o'clock; and also agreeing to go into the election of a Solicitor for the Fourth Circuit at 12 o'clock this day; and informing that Messrs. Cameron and Haughton form the Committee on their behalf to superintend the first, and Messrs. Berry and Lane their Committee to superintend the last election.

Mr. Eaton, from the Committee on the Judiciary, to whom was referred the bill concerning the official bonds of Sheriffs, Coroners and Constables, reported the same with an amendment to the Preamble, and recommended its passage. The amendment was adopted, and the bill read a second time;
whereupon, on motion by R. M. Saunders, the bill as amended, with the report, was ordered to be printed and laid on the table.

On motion of Mr. Sherrard,

Ordered, That a message be sent to the Senate, proposing to go into an election for Solicitor of the Second Judicial Circuit, at half past 12 o'clock this day.

On his motion, the name of Mr. Geo. S. Stevenson, and on motion of Mr. Cherry, the name of Mr. John S. Hawks, were put in nomination for the appointment.

On motion of Mr. Drake,

Resolved, That a message be sent to the Senate proposing to raise a Joint Select Committee, consisting of six on the part of the House, and three on the part of the Senate, whose duty it shall be to inquire into the expediency of either amending and revising the Militia law of the State, or abolishing the same altogether; and that they report by bill or otherwise.

Mr. Love introduced a resolution in favor of Jesse R. Siler; which was read the first time and passed, and referred, on his motion, to the Committee on Cherokee lands.

Mr. G. W. Hayes, a memorial from sundry citizens of Cherokee county, praying the passage of an act for the relief of certain purchasers of Cherokee lands; which was referred to the same Committee.

Mr. Waugh introduced a bill giving a name to the county town of Forsythe county, and for other purposes; which was read the first time and passed, and, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Sheek, the proceedings of the Justices of the Peace of Surry county, directing a vote of the people of said county, for and against a division of the same, together with the
Sheriff's certificate of the result, &c.; which, on his motion, was referred to the same Committee.

Mr. Marshall, a petition from sundry citizens of Forsythe county, praying the passage of an act giving to the new county site of Forsythe county a suitable and permanent name, different from that of Salem; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Drake introduced a bill relating to the advertising of lands to be sold for taxes; and

Mr. S. P. Hill, a bill to amend the 12th chapter of the Revised Statutes, concerning Bastard Children;

Which were read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Cherry presented a resolution authorizing a loan of the Literary Fund to the Chowan Female Institute; which was read the first time and passed.

Received from the Senate a message, concurring in the proposition to go into an election of Solicitor for the Second Judicial Circuit, at half-past 12 o'clock, and informing that Messrs. Washington and Nixon compose their branch of the Committee to superintend the same.

The hour of half-past 11 having now arrived, at which, by the joint order of this morning, the two Houses were to go into an election for Solicitor of the Fifth Judicial Circuit, Messrs. J. H. Hill and McDowell were appointed the Committee to superintend the same, on behalf of the House; and the House thereupon voted as follows:

**FOR MR. STRANGE:**

Messrs. Speaker, Avery, J. Barnes, Bond, Boykin, Bridgers, Brogdon, Cockerham, Dickinson, Durham, Eaton, Flemming, Flynt, Fonville,
FOR MR. ASHE:


On motion of Mr. Avery,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of establishing one or more Judicial Circuits in this State, and report by bill or otherwise.

Mr. Sharp presented a memorial from sundry citizens of Buncombe county, praying the passage of a law restoring Jury trials to the County Courts of that county; which, on his motion, was referred to the Judiciary Committee.

Mr. Adams introduced a bill to incorporate Buena Vista Lodge, No. 21, Independent Order of Odd Fellows, located at Greensboro, in the county of Guilford; which was read the first time and passed, and referred to the Committee on Private Bills.

Mr. Sloan, a bill, accompanied by a memorial, to lay off a public road over the Blue Ridge, at Jude's Gap; which was read the first time and passed, and, on his motion, referred to the Committee on Propositions and Grievances.
Mr. Brogden, from the Committee on Claims, reported favorably the resolution in favor of H. T. Dyer, Sheriff of Wilkes county; which was read the second time and passed.

Mr. Brogden, from the same Committee, also reported unfavorably the resolution in favor of Ann Patterson, and the same was thereupon read the second time and rejected.

The hour having now arrived at which, by joint order of the two Houses, they were to go into the election of Solicitor for the Fourth Judicial Circuit, Messrs. McLean and A. G. Foster were named the Committee to superintend the election on behalf of the House, and the Senate informed thereof by message; and the House, thereupon, voted as follows:

FOR MR. JONES:

FOR MR. POINDEXTER:

FOR MR. GRAVES:
Messrs. Campbell and Davidson— 2.

Mr. Bond presented a resolution in favor of the Clerk of
the County Court of Chowan; which was read the first time and passed, and, on his motion, referred to the Committee on Claims.

Received from the Senate a message, agreeing to the proposition to raise a Joint Select Committee, to consider of the propriety of having an appropriate inscription made on the Block of Marble designed for the Washington Monument, and stating that Messrs. Cameron, Hoke, Joyner, Bower, Shepard and Gilmer, form their branch of said Committee.

Messrs. Jones, D. Barnes, Rayner Reinhardt, Wiley, R. M. Saunders and Eaton, were appointed the Committee for this purpose, on behalf of the House.

A message from the Senate, agreeing to the proposition to print the message and documents from his Excellency, the Governor, concerning the Turnpike Road from Salisbury west, and also to print the report of the Treasurer.

Mr. W. McNeill introduced a bill for the relief and benefit of Clerks of the County Court;
Also, a bill to incorporate Lumberton Division, No. 44, of the Sons of Temperance; and,
A bill to incorporate Robeson Institute, located in the County of Robeson; which were severally read the first time and passed, the two latter of which were referred to the Committee on Private Bills, and the former to the Committee on the Judiciary.

Mr. McDowell, from the Committee appointed to superintend the election of a Solicitor for the Fifth Judicial Circuit, reported that the whole number of votes given were 167, of which number, Mr. Strange received 91, and Mr. Ashe 76; and that Mr. Strange having received a majority, was duly elected; in which report the House concurred.
Mr. McLean, from the Committee appointed to superintend the election of Solicitor for the Fourth Judicial Circuit, reported that the whole number of votes cast was 163, of which number Mr. Jones received 92, Mr. Poindexter 68, Mr. Graves 2, Mr. Kerr 1; and that Mr. Jones having received a majority of the whole number, was duly elected. The report was concurred in.

Mr. Bogle presented a certificate from the Clerk of the Court of Alexander county, on behalf of Ann Patterson, for a Pension; which was ordered to be countersigned by the Speaker and sent to the Senate.

Mr. Steele introduced a bill to amend an act passed at the session of 1848-49, entitled an act to increase the Revenue of the State; which was read the first time and passed, and referred to the Committee on Finance.

On motion of Mr. Flemming,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of altering the time of holding the Superior Court of the county of McDowell.

The hour having now arrived at which, by the joint order of the two Houses, they were to go into the election of a Solicitor for the Second Judicial Circuit, Messrs. Sherrard and Cherry were appointed the Committee to superintend the same on the part of the House, and the Senate were informed thereof.

The House thereupon voted as follows:

FOR MR. STEVENSON:

For Mr. Hawks:


For Mr. Rodman:

Mr. Blow—1.

On motion of Mr. Bridgers, the House then adjourned until to-morrow morning, 10 o'clock.
8. Agriculture.
9. Education.
10. Library.
4. Reports from Select Committees.
5. Bills on third reading.
The orders of the day to be taken up at 12 o'clock; and, if none, the unfinished business.

Mr. Wilson, from the Committee on Private Bills, to whom was referred the bill to incorporate the town of Murphy, in the county of Cherokee, reported the same back to the House and recommended its passage; and the bill was read a second time and passed.

Mr. Cherry moved to take up and consider the resolution introduced by him yesterday, authorizing a loan by the Literary Board to the Chowan Female Institute; which was disagreed to.

Mr. Saunders, from the Committee on the Judiciary, to whom was referred the bill concerning Stills, reported the same back to the House and recommended its rejection; and the bill was read a second time and rejected.

Mr. Saunders, from the same Committee, also reported unfavorably the bill concerning Overseers of the Public Roads; and the same was read the second time, and, on motion of Mr. Martin, indefinitely postponed.

On motion of Mr. Wilson,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of three on the part of each House to designate the time and manner of comparing and counting the votes cast for Governor at the last August election.
Mr. G. Hayes presented a resolution authorizing a loan of two thousand dollars to the Trustees of Mount Pleasant Academy, in the county of Cherokee; which was read the first time and passed, and referred to the Committee on Education.

Mr. Love introduced a bill to repeal an act of the General Assembly of 1848-49, ratified January 27, 1849, entitled an act to repeal a part of an act of the Legislature of 1844-45, chapter 14; which was read the first time and passed, and, on his motion, referred to the Committee on Private Bills.

Mr. Cherry, from the Committee appointed to superintend the election of Solicitor for the Second Judicial Circuit, reported that the whole number of votes given was 166; of which number Mr. Stevenson received 89, Mr. Hawks 73, Mr. Dortch 1 and Mr. Rodman 1; and that Mr. Stevenson having received a majority of the whole number, was duly elected.

In which report the House concurred.

Mr. Pigott presented a bill to repeal in part an act passed at the session of the General Assembly 1846-47, entitled an act to increase the Revenue of the State, chapter 77; which was read the first time, and, on his motion, referred to the Joint Standing Committee on Finance.

Mr. Adams introduced a bill concerning the Justices of the County Courts;

Mr. Tripp, a bill to prevent free persons of color from owning or carrying fire arms; and,

Mr. Drake, a bill giving the election of Clerks and Masters in Equity to the people; which were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Walton presented the following resolutions, which
passed their first reading, and were referred to the Committee on Slavery.

Resolved, That the State of North Carolina, moved by conservative principles and ardent devotion to the Union, which has ever characterized her, acquiesces in the adjustment made by Congress, commonly known as the Compromise Act.

2. Resolved, That while she thus acquiesces, she at the same time does most solemnly declare, that in the event the law for the recovery of fugitive slaves be unheeded by the non-slaveholding States, or repealed or modified by Congress, North Carolina will adopt the most stringent and violent measures, compatible with the Constitution of the Federal Government, and her own reserved rights, as one of the sovereign States, with a view to coerce the maddened and fanatical population of the Northern States into a just appreciation of the rights guaranteed to the Southern States under the Federal compact, and to the withdrawal of all opposition either direct or indirect to the execution of the laws made in accordance with the same.

3. Resolved, That the Governor be, and he is hereby required to convene the Legislature, whenever, in his opinion, the contingency happens deprecated in the second resolution.

4. Resolved, That the Governor be requested to transmit a copy of these resolutions to the Governors of the other States of the Union, with a request to lay them before their respective Legislatures.

Mr. Rayner introduced a bill concerning a Convention to amend the Constitution of the State of North Carolina; which was read the first time and passed, and ordered, on his motion, to be printed and laid upon the table.

Mr. Saunders, from the Committee on the Judiciary, to whom was referred the bill to abolish Public Executions, and also the bill prescribing the punishment of Manslaughter, committed by slaves, reported the same back to the
House, with a recommendation that they be rejected; and the said bills were severally read the second time and rejected.

On motion of Mr. Webb,

Resolved, That the Committee on Internal Improvements be requested to look into the expediency of amending the first section of an act entitled an act to provide for a Turnpike Road from Salisbury west to the line of the State of Georgia, passed at the session of 1848-49, so as to amend the same, by inserting, in lieu of "Salisbury," "Asheville," west to the line of the State of Georgia.

On motion of Mr. S. J. Person,

Resolved, That the Committee on Finance be instructed to inquire into the expediency of a general revision and the embodiment of the Revenue Laws of this State, with such amendments as they shall think proper, and that they report by bill or otherwise.

On motion of Mr. Bogle,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law with regard to Sheriffs' returns on all original final process, as to absolve them from all amercements, unless said amercements are moved for at the term when the process is made returnable; and that the said Committee report by bill or otherwise.

On motion of Mr. Scott,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law as to compel Executors and Administrators to pay all debts of equal dignity, due by testators and intestates, according to the principle of pro rata distribution.
Mr. W. Hill presented a resolution directing the Secretary of State to have published a hundred copies of the muster roll of volunteers of the war of 1812; which was read the first time and passed.

Mr. Dargan, a resolution in favor of Tilman A. Vestal; which passed its first reading, and, on his motion, was referred to the Committee on Claims.

A message was received from the Senate, disagreeing to the proposition to raise a Joint Select Committee of three on the part of that body and six on the part of the House, to inquire into the expediency of amending and revising or abolishing altogether the militia laws of the State.

Mr. Mizell presented the following resolution:

Resolved, That an amendment to the Constitution ought to provide that the General Assembly shall not in any manner create any debt or debts, liability or liabilities, which shall singly or in the aggregate exceed the sum of $100,000, except in case of war, to repel invasion or suppress insurrection; nor shall the credit of the State be in any manner given or loaned to or in aid of any individual associations or corporations, unless the same shall be authorized by some law for some single object or work to be distinctly specified therein, which law shall provide ways and means exclusive of loans for the payment of the interest of such debt or liability; as it falls due, and also to pay and discharge the principal of such debt or liability within fifteen years from the time of the contracting thereof, and shall be irrepealable until the principal and interest thereof shall be paid and discharged; but no such law shall take effect until it shall have been passed by a majority of all the votes in each and both Houses of the General Assembly at the next regular session thereof; and all monies raised by authority of such law shall be applied only to the specific object therein stated or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each Judicial District; if one is published therein throughout the State for three months preceding the next election of members of the
General Assembly; Provided, nevertheless, that the General Assembly may at any time after the approval of such law, if no debt shall have been contracted, in pursuance thereof, repeal the same, and may at any time, by law, forbid the contracting of any further debt or liability under such law, but the tax imposed by such act in proportion to the debt or liability which may have been contracted in pursuance of such law, shall remain in force and be irrepealable and be collected until the proceeds thereof shall have made the provision necessary to pay and discharge the interest and principal of the debt or liability contracted as herein before specified.

Which resolution was read the first time and passed, and, on motion of Mr. Mizell, ordered to be printed and laid upon the table.

A motion was made, by Mr. D. A. Barnes, that the House do now take up and consider the resolution offered by Mr. Cherry, authorizing a loan to the Chowan Female Institute; which was agreed to, and, on his motion, the same was now referred to the Committee on Education.

Mr. Brogden, from the Committee on Claims, to whom was referred the resolution offered by Mr. Webb, authorizing the chairman of the Board of Superintendents of Common Schools, of Rutherford county, to collect from the former Sheriff of Polk county certain monies due Rutherford county, reported, as a substitute therefor, a bill, entitled a bill to amend the 14th section of chap. 19 of an act passed at the session of 1848-49, concerning the late county of Polk; which was read the first time and passed.

Mr. Dunlap introduced a bill to incorporate Cedar Hill Division, No. 16, of the Sons of Temperance, in Anson county; which was read the first time and passed, and referred, on his motion, to the Committee on Private Bills.

Mr. Wilson presented a resolution, appropriating the sum of sixteen dollars for furnishing the Engrossing Clerks'
rooms; which was read the first time and passed, and, on his motion, two-thirds of the House concurring, the same was read the second and third times and passed, and ordered to be engrossed.

Mr. Sheek presented a memorial praying the passage of an act attaching a part of the county of Surry to the county of Forsythe; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Love moved to take up the bill introduced by him on 22d inst., calling a Convention to amend the Constitution of the State, and make it the special order for Tuesday next; whereupon, Mr. Stevenson called for a division of the question, and the question being first on taking up said bill, was disagreed to.

The resolution in favor of H. T. Dyer was read the third time and passed, and ordered to be engrossed.

On motion of Mr. Avery, the bill presented by Mr. Stevenson, extending the right of appeal, was taken up, and referred to the Committee on the Judiciary.

On motion of Mr. Mizell, the resolution heretofore introduced by him touching the repeal of 2d clause of 3d section of amended Constitution, as prescribed in 2d clause of 1st section of 4th article, was also taken up and referred to the Select Committee on the Amendments of the Constitution.

Mr. Brogden introduced a bill to authorize the Clerks of the Courts of Pleas and Quarter Sessions, to take the Probate of Deeds of Conveyance, &c.; which was read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. Steele,
Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee on Military Affairs, to consist of nine on the part of the House and six from the Senate.

On motion of Mr. Wilson, the House then adjourned until to-morrow morning, 10 o'clock.

Friday, Nov. 29.

A message was received from the Senate, agreeing to the proposition to raise a Joint Select Committee on Military Affairs, and informing that Messrs. Clarke, Bynum, Caldwell, of Mecklenburg, Rogers and Pender, form their part of the said Committee.

On the part of the House, the Committee appointed were Messrs. T. J. Person, J. Barnes, Tripp, Siler, Johnston, Harrison, Brogden, Davidson and Scott.

Also, a message from the Senate, agreeing to raise a Joint Select Committee to designate the time and manner of counting and comparing the votes cast for Governor at the late August Election, and stating that Messrs. Bower, Joyner and Wooten constitute their branch of the Committee.

Messrs. Thornton, Montgomery and Steele form the Committee for this purpose on behalf of the House.

Mr. A. H. Caldwell presented a memorial from the officers of the 3rd Regiment of the North Carolina Militia, and also a memorial from the officers of the 64th, praying the passage of an act repealing the act of 1848-49, so far as the same ex-
empts from militia duty persons over thirty-five years of age.

Mr. Eaton introduced a bill concerning Depositions; which was read the first time, and, on his motion, referred to the Committee on the Judiciary.

Mr. Love offered the following Resolution:

Resolved, That the Committee on Military Affairs be instructed to enquire into the expediency of abolishing our entire Militia system.

Which was read and disagreed to.

Mr. Martin presented a resolution in favor of the Engrossing Clerks; which was read the first time, and, on his motion, two-thirds of the House concurring, the same was read the second and third times, passed, and ordered to be engrossed.

On motion of Mr. A. M. Foster,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of making compensation, by law, to such Justices of the Peace as may hereafter be appointed by the County Courts of their respective counties, to take a list of the taxable property of said counties, and that they report by bill or otherwise.

On motion of Mr. R. M. Saunders,

Resolved, That the Committee on Internal Improvements inquire into the expediency of repairing or disposing of the Raleigh and Gaston Railroad, and, to this end, that they consider,

1. Whether it be most expedient that the State should repair the same, at its own expense, retaining the entire interest.
2. That a new Company should be chartered, with a capital of seven hundred and fifty thousand dollars, the present interest of the State to form one-third; one-third, or more, to be taken by private individuals, and the State to take whatever may remain, or so much thereof as may be necessary for placing the Road in proper order.

3. That the Governor contract for the disposing of the interest of the State to the best advantage; Provided he shall not take less than a valuation to be fixed by such competent Engineer as he may select for that purpose.

Ordered, That the foregoing resolutions be printed.

Mr. R. M. Saunders introduced a bill to incorporate Raleigh Chapter, No. 10, of Royal Arch Masons, in the city of Raleigh; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Drake, a bill making it the duty of the Clerks of the Superior Courts to take bond in case of issuing writs of recordari; which was read the first time, passed, and referred, on his motion, to the Committee on the Judiciary.

On motion of Mr. McCleese,

Ordered, That the Door-keepers of the House of Commons be required to place lights at the gates of the Capitol Square, every night during the session of the Legislature.

On motion of Mr. Steele,

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 repeal that portion of the same, which exempts persons who have attained the age of thirty-five years from military duty; and that they report by bill or otherwise.

Mr. Brogden presented the following resolutions:
Resolved, That this Government is one of limited powers, and that by the Constitution of the United States, Congress has no jurisdiction, whatever, over the subject of slavery in the several States of the Confederacy.

Resolved, That the abolition of the slave trade in the District of Columbia, the petitions for the abolition of slavery in the said District and in the Territories of the United States, and against the removal of slaves from one State to another, are a part of a plan of operations set on foot to affect the institution of slavery in the several States, and thus indirectly destroy that institution within their limits.

Resolved, That Congress has no right to do that indirectly which it cannot do directly, and that the agitation of the subject of slavery in Congress, as a means for excluding it from the common territories of the United States, and with the view of disturbing or overthrowing that institution in the several States, is against the true spirit and meaning of the Constitution, an infringement of the rights of the States affected, and a breach of the public faith upon which they entered into the Confederation.

Resolved, That the Constitution of the United States rests on the broad principle of equality among the members of this Confederacy, and that Congress, in the exercise of its acknowledged powers, has no right to discriminate between the institutions of one portion of the States and another, with a view of abolishing one and promoting the other.

Resolved, That all attempts on the part of Congress to abolish slavery in the District of Columbia or the Territories, or to prohibit the removal of slaves from one portion of the Confederacy to another, with the views aforesaid, are in violation of the Constitution, destructive of the fundamental principle on which the Union of the States rests, and beyond the jurisdiction of Congress.

Resolved, That Congress has no power under the Constitution to interfere with or control the domestic institutions of the several States, and that such States are the sole and proper judges of every thing appertaining to their own affairs, not prohibited by the Constitution; that all efforts of the abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take injudicious steps in relation thereto, are calculated to lead to the most alarming
and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

Resolved, That the law passed at the last session of Congress, known as the Fugitive Slave Law, is in accordance with the spirit and letter of the Constitution of the United States, and its repeal by Congress will be deemed a just cause for North Carolina to secede from the Confederacy.

Resolved, That our Senators in Congress be, and they are hereby instructed, and our Representatives requested, to carry into effect the principles set forth in the foregoing resolutions.

Resolved, That the Governor of this State be requested to forward a copy of these resolutions to each of our Senators in Congress, with a request that they lay them before the Senate of the United States.

The foregoing resolutions were read the first time, passed, and, on Mr. Brogden's motion, were referred to the Joint Select Committee on Slavery.

Mr. Ruffin introduced a bill to appoint Commissioners for the town of Wentworth; which was read the first time and passed, and, on his motion, referred to the Committee on Private Bills.

On motion of Mr. Siler,

Resolved, That the Committee on Military Affairs be directed to inquire into the expediency of suspending the present system of Militia trainings in the State; of providing a law under which said trainings may be resumed, and the Militia called out when occasion requires, and of encouraging volunteer companies, by exempting members of such companies from other public duties.

Mr. Brogden introduced a bill limiting the right of prose-
Execution for assaults and batteries to the persons on whom the assaults and batteries are committed; which passed its first reading, and, on his motion, referred to the Committee on the Judiciary.

Mr. Russell presented a resolution in favor of Aaron H. Sanders, Sheriff of Montgomery county; which was read the first time and passed, and referred to the Committee on Claims.

Mr. Mizell offered a resolution instructing the Judiciary Committee to inquire into the expediency of making sundry amendments to the laws concerning Executors and Administrators; which was read and adopted.

On motion of Mr. Campbell,

Ordered, That a Committee of three be appointed to inquire why the Rules of the House have not been printed and laid upon the desks of members, according to the order of the House.

Mr. Steele, from the Committee on Education, to whom was referred the bill to incorporate the Windsor Male Academy, in the county of Bertie, reported the same back to the House, with an amendment, to wit, to insert after the word "same," in the fifth line of section 2d, the words "that shall not be inconsistent with the State or Federal Constitution;" which amendment was adopted and the bill read a second time and passed.

Mr. Steele, from the same Committee, to whom was referred the bill to amend an act of the General Assembly of 1848-49, entitled an act to amend an act on the subject of Common Schools, reported the same back to the House, with a recommendation that it do not pass.

Whereupon, the bill was read a second time, amended, on
motion of Mr. J. M. Leach, by adding to the 2nd section, the words, "and that they enter on the discharge of their duties the first Monday in November following." And after debate, on motion of Mr. Stevenson, was recommitted to the same Committee.

Mr. Steele, from the same Committee, to whom it was referred, to inquire into the expediency of so amending the law on the subject of Common Schools, as to provide for annual instead of semi-annual dividends of the School Fund, reported adversely thereon, and asked to be discharged from the further consideration of the subject.

In which report the House concurred.

Mr. Rayner, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Greenville and Raleigh Plank Road Company, reported the same back to the House, and recommended its passage; and thereupon the bill, being read a second time, on motion of Mr. Rayner, was amended, by adding to the 15th section the words, "which toll so to be collected, shall be so regulated that the profits shall not exceed twenty-five per cent. on the capital of said Company in any one year."

On motion of Mr. Rayner, the bill was further amended, by striking out the words "ninety-nine," in the last section, and inserting, in lieu thereof, "twenty-five."

Mr. Taylor moved further to amend, by inserting, after section 20, the following, as a distinct section:

"Be it further enacted, That the stockholders in said Company shall be held responsible, in their individual or private capacity, for all debts, contracts, and liabilities of the said company."

Which was rejected: Yeas 35, nays 73.

Mr. Taylor demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected, and the question being on the passage of the bill as amended on its second reading, was determined in the affirmative.

On motion of Mr. Flemming, the House then adjourned until to-morrow morning, 10 o'clock.

Saturday, Nov. 30.

Mr. Steele asked for and obtained leave of absence from the House for Mr. Barnes, of Northampton, for four days from and after Monday next.

Mr. J. Hayes presented a petition from sundry citizens of Caldwell county, praying the appointment of James E. Bar-
Mr. Davidson introduced a bill to amend the Militia laws of the State of North Carolina; which was read the first time and passed, and, on his motion, was referred to the Joint Select Committee on Military Affairs.

Mr. Erwin, a bill requiring the Prosecutor to pay the costs in certain cases, and giving a discretionary power to Grand Juries in certain cases; which was read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. A. G. Foster,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so altering the law as to require the several Clerks of the Superior Courts of law in this State to withhold from the Judges thereof, their certificates, until all the cases which are ready for trial or can be tried during the term, have been tried.

Mr. J. Hayes introduced a bill to appoint tax collectors for the State of North Carolina; which was read the first time and passed, and, on motion of Mr. Sloan, was ordered to be printed and laid upon the table.

On motion of Mr. Cherry,

Resolved, That the Committee on Internal Improvements be instructed to inquire into the expediency of allowing the Stockholders to mortgage the Raleigh and Gaston Rail Road for the purpose of rebuilding the same.

2. When the Stock shall have been taken and the said Rail Road shall have been put in good and complete repair, by being laid down with heavy T'iron, upon good, new and substantial material, where necessary; then the State and individual Stockholders shall be joint owners of said Road.
3. When the stock shall have been subscribed, and the said Railroad shall have been completed as aforesaid, to inquire into the expediency of releasing the stockholders from all obligations which they are now under to the State of North Carolina; and that they report by bill or otherwise.

Mr. Pegram introduced a bill to incorporate the Raleigh and Summerville Plank Road Company; which was read the first time and passed.

Mr. Pegram thereupon moved that the bill be printed and laid on the table, which was disagreed to; and then, on his motion, it was referred to the Committee on Internal Improvements.

Mr. R. M Saunders, from the Committee on the Judiciary, to whom was referred the bill to restore jury trials to the County Court of Buncombe, reported the same back to the House, with an amendment, by way of substitute for the bill. The amendment was adopted, and the bill, as amended, passed its second reading.

Mr. Saunders, from the same Committee, to whom was referred the bill concerning original attachments, reported the same, with an amendment, to wit: To strike out the 2d section thereof, and add, as a substitute therefor, a proviso to the first section; which was agreed to, and the bill, as then amended, was read the second time and passed.

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the bill, with a memorial on the subject, to lay off and establish a public road over the Blue Ridge at Jude's Gap, reported the same back to the House, with a recommendation against its passage; which was read a second time, and, on motion of Mr. Sloan, ordered to lie on the table.

Mr. Jones, from the same Committee, to whom was referred the bill, with the accompanying memorial, to give a name
to the county town of Forsythe, and for other purposes, reported the same back to the House, with an amendment, to wit, to add a new section as section 4; which was agreed to, and the bill, as amended, passed its second reading.

Mr. Jones, from the same Committee, to whom was referred a memorial to attach a portion of Gaston to Cleaveland county, reported adversely to the prayer of the petitioners, and asked to be discharged from the further consideration of the subject; which report was concurred in.

Mr. Rayner, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Fayetteville and Centre Plank Road Company, reported the same back to the House, and recommended its passage. The bill was read a second time, amended, on motion of Mr. Rayner, by inserting after the word "branches," in the 6th line of the 15th section, the words, "which toll so to be collected, shall be so regulated that the profits shall not exceed 25 per cent. on the capital of said Company in any one year;" and also amended by striking out the words "ninety-nine," in the last section and inserting instead thereof, "twenty-five;" and as thus amended, passed its second reading.

Mr. Wilson, from the Committee on Private Bills, to whom was referred the bill to incorporate Lumberton Division, No. 44, of the Sons of Temperance; also, the bill to repeal an act of the General Assembly of 1848-49, ratified January 27th, 1849, entitled an act to repeal a part of an act of the Legislature of 1844-45, chapter 14; and also, the bill to incorporate Oriental Lodge, No. 24, of the Independent Order of Odd Fellows, at Colerain, Bertie county, reported the same back to the House, with a recommendation that they severally pass.

The said bills were severally read the second time and passed.
Mr. Johnston, from the same Committee, to whom was referred the bill to incorporate Robeson Institute, located in the county of Robeson, and the bill to incorporate Buena Vista Lodge, No. 24, of the Independent Order of Odd Fellows, located in Greensboro', in the county of Guilford, reported the same back to the House, and recommended their passage.

Said bills were severally read the second time and passed.

Mr. Pigott, from the same Committee, reported favorably the bill to incorporate the Trustees of Colerain Female Academy, in the county of Bertie, with an amendment, to wit, to insert after the word "law," in the 14th line of 1st section, the words, "or Equity."

The amendment was agreed to, and the bill, as amended, passed its second reading.

A message was received from the Senate, calling the attention of the House to an error and omission in the printing of the 7th article of Joint Rules: on which no order was taken.

Mr. Adams, with leave, introduced a bill to incorporate Greensboro' Division, No. 6, Sons of Temperance, located in Greensboro'; which was read the first time, and referred to the Committee on Private Bills.

Mr. Cherry, with leave, presented the following Preamble and Resolution:

WHEREAS, There are many and conflicting opinions in regard to the aggressions of the Northern fanatics upon the rights of the South:

Resolved, therefore, That we will have the Fugitive Slave Law or fight.

Which was read the first time, and, on motion of Mr. Cherry, was made the special order of the day for Tuesday, 24th December.
On motion of Mr. Bridgers, the resolutions introduced by him, concerning the North Carolina Central Railroad, were taken up and made the special order of the day for Tuesday, 10th December next.

A message was received from the Senate, proposing to raise a Joint Select Committee, of five on the part of the House and three from the Senate, to ascertain and report the present condition of the Institution for the education of the Deaf and Dumb; which was read and concurred in.

The bill to incorporate the Greenville and Raleigh Plank Road Company, was read the third time, amended, on Mr. Dickinson's motion, by inserting, after the word "through," in 19th line of 16th section, the words "or pass or drive round said place," and passed, and ordered to be engrossed.

Mr. Gordon, on leave, introduced a bill to facilitate the collection of the Public Revenue, and to economize the mode thereof; which was read the first time and passed, and referred, on his motion, to the Committee on Finance.

On motion of Mr. Rayner,

**Resolved,** That the use of the Commons Hall be granted for the purpose of an address to be delivered by Gen. Harlee, of South Carolina, to the members of the two Houses, and such of the citizens as are disposed to attend, on the merits of the Wilmington and Manchester Rail Road, and the cause of Internal Improvements generally, at 7 o'clock this evening.

On motion of Mr. Avery,

**Resolved,** That the North Carolina Bible Society be allowed to use and occupy the Hall of the House of Commons on Monday evening next.
Mr. Erwin moved a reconsideration of the vote of this morning, by which a Resolution offered by Mr. Cherry, touching the Fugitive Slave Law, was made the special order for 24th December next; which was carried, and, on motion of Mr. Avery, the same was referred to the Joint Select Committee on Slavery.

On motion of Mr. S. P. Hill, the bill to incorporate the Milton Savings Bank, was taken up, and made the special order for Monday next.

The House then, on motion of Mr. Cherry, adjourned till Monday morning, 10 o'clock.

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**Monday, Dec. 2.**

The Committee on behalf of this House on Enrolled Bills for the present week, are Messrs. Ruffin, Waugh, Cherry and Scott.

Mr. Waugh presented a memorial from certain citizens of Forsythe county, praying a repeal of the act of 1848-'49, to open and improve the Road from Salathiel Stone's old place, in Forsythe county, to the Virginia line, in Ashe county, so far as the county of Forsythe is concerned, viz: So that said road may commence at Glenn's Ford in Surry county, instead of Stone's old place, in Forsythe; which, on motion of Mr. Waugh, was referred to the Committee on Internal Improvements.

Mr. Hayes, of Cherokee, presented a memorial from S. P. Tipton, accompanied by the certificate of sundry persons of
Cherokee county, praying the Legislature to refund to him the amount of expenses incurred by him in the erection of tomb-stones, and enclosing the graves of volunteers who died at Saltillo, in the late war with Mexico; which was read and, on his motion, referred to the Committee on Claims.

Mr. Williams, of Mecklenburg, a memorial of the officers of 69th Regiment of North Carolina Militia, praying the passage of a law making sundry amendments to the Militia laws of the State now in force; which was referred to the Committee on Military Affairs.

Mr. Ruffin, a memorial from sundry citizens of Rockingham, praying the passage of an act incorporating the town of Madison, in the county of Rockingham; which, on his motion, was referred to the Committee on Private Bills.

Mr. Sheek presented the resignation of A. Mathis, Esq., a Justice of the Peace for Surry county; which was read and accepted, and ordered to be sent to the Senate.

Mr. Flemming presented a memorial from Stephen McMahon, and sundry other citizens of Yancey county, praying the passage of an act restoring to the said Stephen McMahon the benefits and privileges of a free citizen, as he enjoyed the same previous to his conviction for felony in 1844, which was referred to the Committee on Propositions and Grievances.

Messrs. Avery, W. Hill, Montgomery, Jerkins and Moultonby, were announced as the House branch of the Joint Select Committee on the Institution for the Deaf and Dumb.

Mr. Kallum introduced a bill to prevent more effectually the corruption of the slave population; which was read the first time and passed, and referred to the Committee on the Judiciary.
On motion of Mr. Kelly,

Resolved, That the Committee on Finance be requested to inquire into the expediency of increasing the tax upon all pedlars, and, if not at variance with the Constitution, to require all persons who are not native-born citizens of North Carolina, to pay more than those who are.

Mr. Person, of Northampton, introduced a bill to incorporate the Garysburg and Oconeechee Plank Road Company; which was read the first time and passed, and was, on his motion, referred to the Committee on Internal Improvements.

The Speaker laid before the House a communication from the Board of Directors for the Institution for the Deaf and Dumb; which, on Mr. Brogden's motion, was ordered to be sent to the Senate, with a proposition to refer the same to the Joint Select Committee on the subject.

Mr. Dargan presented the following resolutions, which passed their first reading, and were referred to the Joint Select Committee on Slavery:

Whereas, The State of North Carolina, during the agitation of the slavery question in the last Congress of the United States, calmly awaited the action of the Federal Government, hoping that the Compromise Bill would settle this dangerous question satisfactorily; both to the Northern and Southern States; but finding that the Fugitive Slave Act has met with open hostility and resistance on the part of the North, Be it therefore

1. Resolved, That if the Fugitive Slave Act is not enforced in good faith, we consider it a violation of the Federal compact, and will consider ourselves absolved from further allegiance to the Union.

2. Resolved, That we hold allegiance and protection to be reciprocal duties; and that whenever a Government becomes so corrupt or inefficient as not to protect the property
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or liberty of the citizens, that the Government itself is dissolved.

3. Resolved, That if the Fugitive Slave Act is repealed at this or any subsequent session of Congress, the State of North Carolina will secede from the Union.

Mr. Barco presented a bill to regulate the fishing with Seines in North River, in the counties of Camden and Currituck; which was read the first time and passed, and, on Mr. Wilson's motion, referred to the Committee on Private Bills.

Mr. Cherry, a bill to exempt from execution a certain portion of the land of every citizen of the State of North Carolina; which passed its first reading, and, on Mr. Flemming's motion, was ordered to be printed.

Mr. Leach, of Davidson, presented the following resolution:

Resolved, That should Congress repeal the Fugitive Slave Act, passed at its last session, or essentially modify it; or should any non-slaveholding State, by legislative enactment or otherwise, render its provisions inoperative, it shall be the duty of the Governor to convene the Legislature, to take such steps in the premises as, in their wisdom, may be deemed best for the defence of North Carolina, the security of her property, and the maintenance of her rights as a sovereign State.

Which resolution was read the first time, passed, and referred to the Joint Select Committee on the subject.

A message from the Senate, informing that Messrs. Lillington and Speight form their branch of the Committee on Enrolled bills for the present week.

Mr. Flemming introduced a bill calling a Convention to
amend the Constitution; which was read the first time and passed; whereupon, Mr. McLean moved that the same be referred to the Select Committee on amendments to the Constitution.

Pending which motion, after debate, the Speaker announced as the special order for this day, the bill heretofore presented by Mr. Hill, of Caswell, to incorporate the Milton Savings Bank, which was now taken up, and, on motion of Mr. Hill, referred to the Committee on the Judiciary.

The House then resumed the consideration of the motion of Mr. McLean, to refer the bill introduced by Mr. Flemming to the Committee on amendments to the Constitution, and the question thereon was determined in the affirmative: Yeas 70, nays 45.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the reference was ordered.
The Speaker laid before the House a message from the Governor, transmitting the biennial Report of the President and Directors of the Literary Fund; which, on motion of Mr. S. J. Person, was ordered to be sent to the Senate, with a proposition to print, and refer the same to the Joint Select Committee on Finance.

A motion was now made, by Mr. Avery, that the House take up the bill heretofore introduced by Mr. Love, calling a Convention to amend the constitution of the State of North Carolina, and refer the same to the Committee on Amendments of the Constitution.

Pending the consideration whereof, Mr. Love moved an adjournment, which was carried.

Tuesday, Dec. 3.

Received from the Senate a message, transmitting the following engrossed bills and resolution, in which they ask the concurrence of this House, to wit:

A bill to incorporate the Cape Fear Bridge Company;
A bill to incorporate the Fayetteville and Southern Plank Road Company; and
A resolution for the relief of Francis J. Prentiss and others;
Which were severally read the first time and passed.

Mr. Sharp presented the memorial of sundry citizens of the county of Buncombe, praying the passage of a law restoring to Robert Rogers all the benefits and privileges of a free citizen, as he enjoyed the same previous to his convic-
tion for felony some few years past; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Leach, of Johnston, presented a memorial from sundry citizens of Johnston county, also from Beaufort and Wake counties, protesting against the passage of any acts for the incorporation of Religious or Moral Reform Societies, and especially the Sons of Temperance; which were, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Steele introduced a bill to incorporate the Grand Division of the Sons of Temperance of the State of North Carolina;

Mr. Stowe, a bill to incorporate Mountain Lodge, No. 19, of the Independent Order of Odd Fellows; and,

Mr. W. McNeill, a bill to incorporate the town of Lumberton, in the county of Robeson; which were severally read the first time and passed, and referred to the Committee on Private Bills.

Mr. Jones introduced a bill declaring that the offence of exciting slaves to insurrection, shall not be bailable, and for other purposes; which was read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. Bogle,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of extending the jurisdiction of Justices of the Peace on Promissory Notes, not to exceed one thousand dollars; and that they report by bill or otherwise.

On motion of Mr. Caldwell, of Guilford,

Resolved, That the Committee on Education be instructed
to inquire into the propriety of so altering and amending the Common School law, as to require the Sheriffs to collect and pay over all monies due to the Superintendents of Common Schools, on or before the first Monday in October, in each year, that being the time the proceeds of the Literary Fund are divided among the counties of this State:

Also, of altering and amending the 11th, 14th, and 17th sections of said law, so as to make but one of the same:

Also, of so amending the 6th chapter, passed in 1846, as to specify a time for the Committee of Examination to meet; and of limiting the time which the certificates they may give shall run:

Also, of altering the first and second sections of the law passed in 1848-49, so as to require the Board of Superintendents to meet on the first Thursday in September, so as not to interfere with the operation of the Schools, as the present arrangement does.

Mr. Flynt introduced a bill giving a name to the county town of Stokes, and for other purposes; which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Avery introduced a bill to amend the 3d section of the act entitled an act concerning the militia of the State; and also to exempt the volunteers and regular soldiers who were in actual service during the late war with Mexico, from the performance of militia duty; which were severally read the first time and passed, and referred to the Committee on Military Affairs.

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the bill to lay off and establish a new county by the name of Yadkin, together with the certificate of the vote and proceedings had by the people of Surry county on the subject, reported the same back to the House and recommended its passage. The bill was read a second time, whereupon Mr. D. F.
Caldwell moved to amend the same by striking out the name "Yadkin," wherein it occurs in the bill, and inserting in lieu thereof, "Harnett;" which motion did not prevail.

And the question on the passage of the bill on its second reading, was determined in the affirmative: Yeas 89, nays 24.

Mr. Gordon demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Jones moved that the bill be now put upon its third reading; which motion, two-thirds not concurring to dispense with the rule, was disagreed to.

Mr. Steele, from the Committee on Education, reported favorably the resolution which was referred to that Committee, authorizing a loan of two thousand to the Trustees of Mount Pleasant Academy, in the county of Cherokee, with an amendment, to wit: To add to the resolution the words, "and the interest accruing thereon, to be paid semi-annual-
ly;" which amendment was agreed to and the resolution, as amended, passed its second reading.

Mr. Steele, from the same Committee, to whom was referred the resolution to authorize the President and Directors of the Literary Fund to loan $3,000 to the Chowan Female Institute, reported the same back to the House, with an amendment, and recommended its passage.

The amendment was agreed to, and the resolution was then further amended on motion of Mr. Brogden, by adding the words, "and when the President and Directors of the Literary Fund shall have on hand that amount of money uninvested and not required for the purpose of Common Schools;" and as thus amended, passed its second reading: Yeas 68, nays 43.

Mr. Stowe demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House now resumed the unfinished business of yesterday, being Mr. Avery's motion to take up the bill hereto-
fore introduced by Mr. Love, calling a Convention to amend the Constitution of the State, and refer the same to the Committee on the Amendments of the Constitution; the question on which proposition passed in the affirmative: Yeas 70, nays 41.

Mr. Campbell demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion of Mr. Avery, the bill heretofore introduced by Mr. Rayner, concerning a Convention to amend the Constitution of the State, was also taken up and referred to the same Committee.

A message was received from the Senate, informing that Messrs. Washington, Cameron and Watson form their branch of the Joint Select Committee on the Institution for the Deaf and Dumb.

The following bills were read the third time and passed, and ordered to be engrossed, to wit:
A bill concerning original attachments;

A bill to incorporate the Trustees of Colerain Female Academy;

A bill to incorporate Oriental Lodge, No. 24, of Independent Order of Odd Fellows, at Colerain, Bertie county;

A bill to incorporate the Trustees of Windsor Male Academy, in the county of Bertie; and,

A bill to incorporate the Fayetteville and Centre Plank Road Company.

The bill to restore Jury trials to the County Court of Buncombe, was also read the third time and passed; whereupon, on motion of Mr. Eaton, the title thereof was amended so as to read, "a bill concerning Jury trials in the county of Buncombe;" and the same was ordered to be engrossed.

On motion of Mr. Stevenson, the bill concerning the official bonds of Sheriffs, Coroners and Constables, was taken up, and read a second time, and thereupon the same was amended, on motion of Mr. Eaton, by striking out the preamble thereof, and passed.

Received from his Excellency, the Governor, a message transmitting the report of the Commissioners charged with the supervision of the officers of the Raleigh and Gaston Rail Road; which, on motion of Mr. Rayner, was ordered to be sent to the Senate with a proposition to print.

On motion of Mr. Person, of Moore,

Ordered, That the order of this House, agreed to the 21st ult., that the hour of meeting should be 10 o'clock, be rescinded, and that hereafter the hour of meeting of the House shall be 11 o'clock, unless otherwise provided at the time of adjournment.
On motion of Mr. Flemming, the House then adjourned until to-morrow morning, 11 o'clock.


Wednesday, Dec. 4.

Mr. Winstead presented a memorial from sundry citizens of Person county, protesting against the passage of any acts incorporating Religious or Moral Reform Societies, and especially of the Order of the Sons of Temperance.

Mr. Winstead moved a reference of the same to the Committee on Propositions and Grievances, which was disagreed to, and the memorial was ordered to lie on the table.

Mr. Caldwell, of Guilford, presented a memorial from sundry citizens of Guilford county, praying amendments to the existing Revenue Laws of the State, so as to afford protection and encouragement to the mechanic arts within this State, by laying suitable taxes upon the merchants or vendors of articles the manufacture of other States, which may come in competition with mechanical labor in this State; which, on motion of Mr. Caldwell, was referred to the Joint Select Committee on Finance.

Mr. Avery introduced a bill to provide relief for purchasers of Cherokee lands at the sale of 1834, and to secure a portion of the debts due the State; which was read the first time and passed and referred to the Joint Select Committee on Cherokee Lands.

Mr. Erwin introduced a bill to incorporate a Company in the county of Buncombe, to be called the "New Bridge Com-
pany;” which was read the first time and passed, and referred, on his motion, to the Committee on Private Bills.

On motion of Mr. Wiley,

Resolved, That the Joint Committee on the Library be instructed to examine in the office of Secretary of State the manuscript Journals of the Colonial Legislatures of North Carolina, and also the Journals of the Provincial Congress and of the Councils of Safety, organized and held during the years of 1775 and 1776; and that they report upon the expediency and probable cost of printing one hundred copies of each.

Mr. J. J. Williams presented a resolution in favor of Darling Rushing, Sheriff of Union county; which passed its first reading, and was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Wilson introduced a bill to provide for the appointment of Superintendents of Common Schools, and for other purposes; which was read the first time and passed, and, on his motion, referred to the Committee on Education, and ordered to be printed.

Mr. Douthitt introduced a bill to amend the 8th section of an act entitled an act to increase the revenue of the State, passed in 1848-49; which was read the first time and passed, and referred, on his motion, to the Committee on Finance.

A message was received from the Senate, agreeing to print, and refer to the Joint Select Committee on Finance, the message and documents received from his Excellency, the Governor, containing the biennial report of the President and Directors of the Literary Fund; and also agreeing to refer the communication from the Board of Directors of the
Institution for the Deaf and Dumb, to the Joint Select Committee on the subject.

Also, a message, proposing to go into an election of Controller of State, to-morrow, at 12 o'clock.

Mr. Stowe moved that the same be laid on the table; which was not agreed to: and the question being on agreeing to the proposition of the Senate, was also determined in the negative.

On motion of Mr. Stowe, it was then

Ordered, That a message be sent to the Senate, proposing to go into said election at 1 o'clock, this day.

Mr. Stowe nominated for the office William J. Clarke, Esq., and Mr. Scott nominated William F. Collins, Esq.

Mr. Adams introduced a bill to incorporate Logan Lodge, No. 121, of Ancient York Masons, at Jamestown, Guilford county; which was read the first time and passed, and referred to the Committee on Private bills.

Mr. A. J. Leach presented a resolution in favor of James A. Tunnell, late Sheriff of Johnston county; which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Love presented a resolution providing a safe depository for the maps and documents relating to public surveys and Internal Improvements of the State, and for other purposes; which was read the first time and passed, and referred to the Committee on Internal Improvements.

On motion of Mr. Drake,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of amending the law
on the dignity of debts of deceased persons, so as to make all 
bona fide debts due from the estate of any deceased person, 
whether open accounts, bonds or judgments, of equal dignity; 
and that they report by bill or otherwise.

Mr. J. Barnes introduced a bill, accompanied by a memo-
rial, to lay off and establish a county by the name of Wilson, 
which was read the first time and passed, and referred to the 
Committee on Propositions and Grievances.

On motion of Mr. Boykin,

Resolved, That the Committee on Finance inquire into 
the expediency of changing the time of property listed for 
taxation, from 1st of April, as now required by law, to the 
1st of July, and report by bill or otherwise.

Mr. Wiggins introduced a bill to incorporate the Granville 
Plank Road Company; which was read the first time and 
passed, and referred to the Committee on Internal Improve-
ments.

A message was received from the Senate, disagreeing to 
the proposition to go into an election of Comptroller of State 
to-day at one o'clock.

Also, a message agreeing to the proposition to print the 
message from his Excellency, the Governor, with the report 
of Commissioners charged with the supervision of the affairs 
of the Raleigh and Gaston Rail Road.

Mr. Amis presented the following Resolutions, which 
were read the first time and passed, and, on his motion, re-
flected to the Joint Select Committee on the subject:

1. Resolved, That the Constitutional oath prescribed to 
members of Congress, faithfully to observe the Constitution, 
requires them to enact whatever laws may be necessary to
secure the full, perfect and speedy attainment of all the provisions of the Constitution, and that any failure to do so is a violation of the Constitution and in derogation of their solemn oath.

2. Resolved, That the law known as the Fugitive Slave Law, passed by Congress at its last session, or some other equally efficient, is necessary to secure the full, perfect, and speedy execution of one of the most important provisions of the Constitution; and that Congress, in enacting said law, acted in pursuance of the plainest requirements of Constitutional duty.

3. Resolved, That all efforts to repeal said law, or in any way to hinder, or defeat or delay the delivery of persons held to service or labor in any State, under the laws thereof, upon claim of the party to whom such service or labor may be due, are flagrant violations of the Constitution; and that those who engage in such efforts manifest not only a heedless indifference to constitutional duty, but a deep and unrelenting hostility to the Constitution and Union.

4. Resolved, That it is the duty of those who love the Union and desire its preservation, to co-operate against those who thus manifest a disposition to destroy it, and compel them to submit to the Constitution and the laws passed in accordance therewith, or take measures to drive them from the Union.

5. Resolved, therefore, in order to ascertain who they are that thus meditate the destruction of our government, against whom every lover of his country should unite in defence of the Constitution, our Northern brethren be, and they are hereby requested, fully and fairly to meet the questions herein referred to, and by Convention or Legislative action, to declare unequivocally for or against the Union and the Constitution in all its parts, and with all its requirements.

6. Resolved, That any unreasonable delay on the part of any State to take its position will be considered as a determination to treat with indignity the just complaints of a grossly wronged people; and that we shall feel warranted in shaping our course accordingly.

7. Resolved, That our brethren of the Southern States are earnestly requested to unite with us in the position we.
have taken, of union and co-operation against the enemies of Union.

8. Resolved, That his Excellency, the Governor, be requested to transmit forthwith to the Governors of the several States of the Union a copy of the foregoing Resolutions, with a request that they submit them without delay to the Legislatures of their respective States, if in session, or if the Legislature be not in session, to place them with all convenient dispatch before the people.

Mr. Winstead introduced a bill to exempt overseers of public roads from performing Military duty; which was read the first time and passed, and, on motion of Mr. Johnston, referred to the Committee on the Judiciary.

Mr. S. J. Person, from the Joint Select Committee on Finance, to whom was referred the bill to repeal in part an act of the General Assembly of 1846-47, entitled an act to increase the Revenue of the State, chapter 77, page 139, reported the same back to the House with a recommendation against its passage.

The bill was read the second time, and, on motion of Mr. Pigott, laid on the table.

Mr. Wilson, from the Committee on Private Bills, reported favorably the bill to incorporate Mountain Lodge, No. 19, of the Independent Order of Odd Fellows; and also the bill to incorporate Falling Creek Lodge, No. 29, of the Independent Order of Odd Fellows, in the town of Rockingham, Richmond county; which were severally read the second time and passed.

Mr. Wilson, from the same Committee, to whom was referred the bill to repeal an act passed at the session of 1846-7, entitled an act to amend an act passed in 1827, entitled an act to prevent the obstruction of Fish passing up the Roanoke and Cashie Rivers and their waters, reported the same back to the House, and recommended its rejection.
Mr. T. J. Person moved that the bill be laid upon the table, which was not agreed to; and it was thereupon read the second time and rejected.

Mr. Pigott moved that the House do now adjourn, which was disagreed to.

Mr. Pigott, from the Committee of on Private Bills, to whom was referred the bill to incorporate Cedar Hill Division, No. 16, Sons of Temperance, in Anson County, reported the same favorably to the House, and recommended its passage. The bill was then read the second time, whereupon,

Mr. Pope moved to amend by adding to the first section, the words:

*Provided, That the right to alter, modify or repeal this act, is hereby reserved to the Legislature.*

Pending the question on this amendment, after debate, the House, on Mr. Steele's motion, adjourned.

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**Thursday, Dec. 5.**

Mr. Stubbs presented a memorial from sundry citizens of Beaufort county, praying the passage of an act imposing a tax on colored mechanics; and also imposing a tax on free negroes, to be applied to the purpose of colonizing them in Liberia; which was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Jerkins presented a memorial from citizens of the town of Newbern, praying an amendment of the laws con-
cerning salvage and commissions on wrecked property, so that instead of being allowed to charge a per centage for saving said property, the commissioners of wrecks may have a compensation *per diem*, for services rendered by them; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Harrison introduced a bill to amend an act, entitled an act to authorize the County Court of Mecklenburg to pay over certain funds to the County Court of Union; which was read the first time and passed, and referred to the Committee on Private Bills.

Mr. Pigott moved that the House do now take up and consider the bill to repeal an act of the General Assembly of 1846-47, entitled an act to increase the Revenue of the State, chapter 77; which motion did not prevail.

Mr. Stevenson moved a reconsideration of the vote of this morning, by which the memorial presented by Mr. Stubbs was referred to the Committee on Propositions and Grievances; which was agreed to, and, on Mr. Stevenson's motion, the same was now referred to the Committee on the Judiciary.

Mr. S. J. Person, from the Select Committee appointed to examine the internal arrangement of the Hall of the House of Commons, and report such alterations and improvements as are necessary and proper, submitted a report in writing, recommending sundry alterations and improvements, accompanied by resolutions providing therefor, which were read the first time and passed; and thereupon, on motion of Mr. Avery, the rule being dispensed with by a concurrence of two-thirds of the House, the resolutions were read the second and third times and passed, and ordered to be engrossed, with the report, and sent to the Senate for their concurrence.

Mr. Person, also from the same Committee reported the following resolution, which was read and adopted:
Resolved, That a Committee of three be appointed to inquire what the duties of the Superintendant of Public Buildings are, and report to this House, if those duties are prescribed, and if they have not been prescribed, that they report such duties as the protection and preservation of the public buildings require, with a sufficient salary to have them properly discharged.

Mr. Jerkins introduced a bill to regulate the pay of jurors and witnesses in the County of Craven, which was read the first time and passed, and referred to the Committee on the Judiciary.

Received from the Senate a message, proposing to go into the election of Comptroller of State at 12 o'clock this day; which was read and agreed to, and the Senate informed thereof by message.

And that Messrs. Scott and Stowe form the House branch of the Committee to superintend the election.

Mr. L. B Sanders introduced a bill to extend the jurisdiction of Justices of the Peace in certain cases; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Wiley presented the following Resolution, which was read the first time and passed, and referred to the Joint Committee on the Library:

Resolved, That James F. Taylor, State Librarian, be instructed to subscribe for a leading commercial Newspaper, in each of the following cities, to wit: Boston, New York, Baltimore, Cincinnati, New Orleans, St. Louis and San Francisco, and that the said Librarian be instructed to preserve carefully the said Newspapers and have them regularly bound.

On motion of Mr. J. J. Williams,

Resolved, That the Committee on the Library be instruc-
Mr. Mizell introduced a bill to repeal the first and third sections of an act, entitled an act concerning the Swamp Lands, passed by the General Assembly of 1842-'3, and to quiet the title to Swamp Lands in this State; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Drake introduced a bill relating to Mills, which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Flemming presented a resolution authorizing the Governor to furnish the Clerk and Master of Yancey County with a seal of office; which was read first time and passed.

Mr. Thornton, from the Joint Select Committee heretofore appointed to prescribe the time and manner of counting and comparing the votes cast for Governor at the late August elections, submitted the following report:

"The Committee appointed to fix the time and manner of counting and comparing the votes for Governor at the last August election, have performed that duty and respectfully report: That the two Houses of the General Assembly shall convene in the Hall of the House of Commons on Monday the 9th instant, at 12 o'clock; that one member shall be appointed on the part of the Senate, and two on the part of the House of Commons, to make a list of the votes given for the Governor of the State of North Carolina, as they shall be declared by the Speaker of the Senate, who shall announce to the two Houses assembled as aforesaid, the state of the vote and the person elected, if it appears that a choice has been made agreeably to the Constitution of the State; which
annunciation shall be deemed a sufficient declaration of the person elected, and, together with the list of votes, shall be entered on the Journals of the two Houses."

Which was read and adopted, and ordered to be sent to the Senate for their concurrence.

Received from the Senate a message, informing that Messrs. Berry and Arendell form their branch of the Committee to superintend the election of Comptroller.

And the hour having now arrived at which the two Houses were, by the joint order, to go into said election, the House proceeded to vote as follows:

FOR MR. CLARKE:

FOR MR. COLLINS:

FOR MR. DARGAN:
Mr. Erwin—1.

FOR MR. ANDERSON:
Mr. Swanner—1.

FOR MR. NIXON:
Mr. Sherrard—1.
Mr. McLean, from the Select Committee on Amendments of the Constitution, to whom were referred, on the 23d ult., certain Resolutions of inquiry, presented by Mr. R. M. Saunders, and also a Resolution presented by Mr. Steele, reported the same back to the House, and asked, on behalf of a majority of said Committee, to be discharged from the consideration of the subjects thereby referred

Pending the consideration whereof, the Speaker announced the unfinished business of yesterday, as the order for this hour, being the amendment offered by Mr. Pope to the bill to incorporate Cedar Hill Division, of Sons of Temperance; which, on motion of Mr. Avery, was ordered to lie on the table.

Mr. McLean, by unanimous consent, had leave to withdraw the said report, and thereupon, on behalf of a majority of the Committee on Amendments of the Constitution, to whom was referred a Resolution instructing them to inquire into the expediency of abolishing the freehold qualification for electors for the Senate, reported a bill entitled a bill to amend the Constitution of the State of North Carolina; which was read the first time and passed, and, on motion of Mr. Avery, ordered to be printed, and made the special order of the day for Monday next.

Mr. McLean, on behalf of a majority of said Committee, to whom were also referred the bill introduced by Mr. Love, "calling a Convention to amend the Constitution of the State of North Carolina," and the bill introduced by Mr. Rayner, "concerning a Convention to amend the Constitution of the State of North Carolina" and also the bill introduced by Mr. Flemming, "calling a Convention to amend the Constitution," reported the same severally back to the House, and recommended that they do not pass.

The said bills were severally read the second time; the
Mr. A. G. Foster, from the said Committee, submitted a minority report accompanied by a bill entitled a bill concerning a Convention to amend the Constitution of the State of North Carolina, which was read the first time and passed, and ordered to be printed, together with the report, and laid upon the table.

Mr. D. F. Caldwell moved a reconsideration of the vote by which the bill reported from the majority of the said Committee, was made the special order for Monday next, which was agreed to, and on his motion, the same was made the order of the day for Wednesday next.

Mr. Stowe, from the Committee appointed to superintend the election of Comptroller of State, reported that the whole number of votes given was 163, of which number Mr. Clarke received 87, Mr. Collins 73, Mr. Dargan 1, Mr. Anderson 1, and Mr. Nixon 1; and that Mr. Clarke having a majority of the whole number of votes, was duly elected.

The report was concurred in.

Mr. Scott, from the Committee on Private Bills, reported favorably the bill to incorporate the Grand Division of the Sons of Temperance of the State of North Carolina; which was read the second time; whereupon, Mr. Jones moved to lay the same upon the table. The motion was not carried; and the question then being on the passage of the bill, its second reading, was decided in the affirmative—yeas 76, nays 33.

Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are:

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Those who voted in the negative, are:


Mr. Scott, from the same Committee, reported favorably the bill to incorporate Greensboro' Division, No. 6, of Sons of Temperance, located at Greensboro'; which was read the second time, and pending the consideration thereof,

On motion of Mr. Avery, the House then adjourned until to-morrow morning, 10 o'clock.

FRIDAY, DEC. 6.

Mr. George D. Pool, member elect from the county of Pasquotank, appeared, and was qualified, according to law.

The Speaker laid before the House a communication from the President of the Bank of Cape Fear, and also from the President of the Bank of Fayetteville, transmitting statements of the condition of their institutions, respectively;
which, on motion of Mr. Marshall, was ordered to be sent to
the Senate, with a proposition to print.

Mr. Avery presented the resignation of B. Burgin, Esq.,
a Justice of the Peace for McDowell county; which was
read and ordered to be transmitted to the Senate.

Mr. G. W. Hayes presented a memorial from sundry citi-
zens of the county of Cherokee, praying the Legislature to
adopt some measures for the removal of the Cherokee Indi-
ans from this State; which, on motion of Mr. Avery, was
ordered to be sent to the Senate, with a proposition to raise
a Joint Select Committee of two on the part of that body
and three from the House, to whom the subject shall be re-
ferred.

On motion of Mr. J. Barnes,

Resolved, That the Committee on the Judiciary be in-
structed to inquire into the expediency of making it discre-
tionary with the County Courts to pay the Wardens of the
Poor; and that they report by bill or otherwise.

On motion of Mr. Pigott, the House now proceeded to
take up and consider the bill introduced by him to repeal in
part an act of Assembly of 1846-47, entitled an act to in-
crease the Public Revenue, chapter 77; whereupon, Mr. D.
F. Caldwell moved that the bill be indefinitely postponed,
and the question thereon was decided in the affirmative:
Yea 61, nays 53.

Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Amis, Avery, Bogle, Brazier, A. Caldwell, D. Cald-
well, Campbell, Dargan, Davidson, Dickinson, Douthitt, Drake, Dunlap,
Eaton, Erwin, Farmer, Flynt, Foard, Fonville, A. M. Foster, Gordon,
Hackney, Harrison, J. Hill, W. Hill, Jones, Kelly, J. M. Leach, Locke,
Love, Marshall, Mathis, McLean, McMillan, Mizell, Newsom, Parham,
Those who voted in the negative, are:


So the bill was indefinitely postponed.

The House now resumed the unfinished business of yesterday, to wit: The bill to incorporate Greensboro' Division, No. 6, of the Sons of Temperance.

Mr. Avery moved to lay the bill on the table, which was disagreed to.

Mr. Jones moved to amend the bill, by striking out the words, "State or Federal Constitution," in the last line of 1st section, and insert in lieu thereof, "laws and Constitution of this State and of the United States;" which was carried.

Mr. Jones then moved further to amend by adding a new section, as section 2nd, as follows:

"Be it further enacted, That it shall be lawful for the General Assembly, at any time hereafter, to alter, or modify or repeal this act."

And the question thereon, was decided in the negative: Yeas 40, nays 71.

Mr. Jones demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected; and the question then recurring on the passage of the bill as amended, on its second reading, was decided in the affirmative: Yeas 86, nays 27.

Mr. Johnston demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Rayner, from the Committee on Internal Improvements, with leave reported favorably the bill to incorporate the Raleigh and Summerville Plank Road Company, which was read the second time, amended on his motion and passed.

Mr. Rayner, with leave, introduced a bill to confirm the union of the Seaboard and Roanoke Railroad and the Roanoke Railroad Companies, and for other purposes; which was read the first time and passed, and referred to the Committee on Internal Improvements.

Mr. Flemming, from the Joint Select Committee to whom was referred so much of the Governor's message, as relates to the Western Turnpike Road and Cherokee lands, and also the bill for the relief of purchasers of Cherokee lands, with leave, reported a bill entitled a bill to provide relief for purchasers of Cherokee lands, secure debts due to the State, and authorize the sale of lands surrendered to the State, under the acts of 1844-'5 and 1846-'7; which was read the first time and passed, and, on his motion, ordered to be printed, together with the report, and laid upon the table.

And then, on motion of Mr. B. F. Williams, the House adjourned.

Saturday, Dec. 7.

The Speaker laid before the House a communication from the Public Treasurer, transmitting statements of condition
of the Bank of the State, the Merchant's Bank of Newbern, and the Bank of Fayetteville; which, on motion by Mr. Martin, was ordered to be sent to the Senate with a proposition to print.

Mr. Wilson presented a resolution in favor of Samuel B. Dozier (accompanied by a petition from Jonathan B. Lindsay and certificate of B. T. Simmons, Clerk of Court of Currituck County); which was read first time, and passed, and referred to the Committee on Claims.

Mr. Flemming presented a memorial from sundry citizens of Yancy County, praying the passage of an Act for making certain improvements on the Road leading from Ashville, by way of Burnsville, to the Indian Grave Gap; which was referred to the Committee on Propositions and Grievances.

Mr. S. P. Hill presented the Resignation of Win. H. Abernathy Esq., a Justice of the Peace for the County of Caswell; Mr. Waugh, the resignation of Daniel Reial Esq., as Justice of the Peace for Forsythe County; Mr. Sharp, the resignation of James Sharp Esq., as Justice for Buncombe County; and Mr. Barnes the resignations of Larry Dow and L. D. Farmer Esqs., Justices of the Peace for Edgcombe County; which were severally read and accepted, and ordered to be sent to the Senate.

Mr. Avery introduced a bill to amend the constitution of North Carolina, so as to provide for the election of Judges by the people; and also a bill to amend the constitution of North Carolina so as to provide for the election of Justices of the Peace by the people; which were severally read the first time and passed and ordered to be printed, and referred, on his motion, to the Select Committee on Amendments to the Constitution.

Mr. Ruffin introduced a bill for the incorporation of the
town of Madison in the County of Rockingham; which was read the first time and passed, and referred, on his motion, to the Committee on Private Bills.

Mr. Jones introduced a bill concerning bills of indictment; which was read the first time and passed, and referred, on his motion, to the Committee on the Judiciary.

On motion of Mr. Steele,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, consisting of three members on the part of the Senate, and five on the part of the House, to whom shall be referred the Report of President and Directors of the Literary Fund, transmitted to the General Assembly on the 2nd inst., and proposing further, that the joint order of reference of this report to Committee on Finance be rescinded.

On motion of Mr. Dargan,

Resolved, That the following Telegraphic despatch contained in the Daily Register of this date, to-wit:

"The Legislature of Vermont has passed resolutions, refusing all obedience to the Fugitive Slave Law"—

Be referred to the Joint Select Committee on Negro Slavery.

On motion of Mr. Erwin,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of limiting the term of office of Sheriffs in this State, so that the same incumbent shall not hold the office for more than six years in succession, and that said Committee be requested to report by bill or otherwise.

Mr. Tripp presented the following resolution, which was read and disagreed to.
Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the laws of this State concerning elections, and the time when the Legislature of this State shall meet in session, that hereafter all elections for members of the General Assembly, members of Congress, Clerks, Sheriffs, &c., shall be held on the first Thursday in November instead of the first Thursday in August, as now provided for by law; and that the Legislature shall hereafter meet on the fourth Monday in December instead of the third Monday in November, as now provided for; which election and meeting of the Legislature shall be held under the same rules, regulations and restrictions as are now existing by law in the State; and report by bill or otherwise.

Mr. A. H. Caldwell introduced a bill concerning Insolvent Debtors; which was read the first time and passed, and referred, on his motion, to the Committee on the Judiciary.

Mr. Cherry presented the following preamble and resolutions, which were read the first time and passed, and referred to the Committee on Internal Improvements, to-wit:

Whereas, in the various systems of Internal Improvements, which have been recommended for the development of the vast agricultural and commercial resources of the State of North Carolina, none are better calculated to advance their important interests than direct communication between the waters of the Albemarle Sound and the Atlantic Ocean, by the reopening of the "Old Roanoke Inlet;" and whereas, not only the commerce of a large, wealthy and highly respectable portion of the people of this State, but of the United States, is deeply interested in the reopening of said Inlet,

Be it therefore Resolved by the General Assembly of the State of North Carolina, That our Senators and Representatives in Congress be requested to use their best exertions to procure an appropriation by Congress at its present session, to commence this great national work.

Resolved, That a copy of this resolution be transmitted to each of our Senators and Representatives in Congress.
Mr. Rayner introduced a bill to prevent the fraudulent conveyance of property, and for other purposes; which was read the first time and passed, and ordered to be printed, and referred to the committee on the Judiciary.

A message was received from the Senate, concurring in the report of the Joint Select Committee, prescribing the time and manner of counting and comparing the votes cast for Governor at the last election, and informing that Mr. Courts was appointed teller on behalf of the Senate for that purpose.

Messrs. Thornton and Steele were appointed the tellers on the part of this House, and the Senate informed thereof by message.

Mr. D. A. Barnes introduced a bill to facilitate the collection of rents; which passed its first reading, and was, on his motion, referred to the Committee on the Judiciary.

On motion of Mr. Rayner, the order of reference heretofore made of the bill to regulate the fishing with seins in North River, in the counties of Camden and Currituck, to the Committee on Private Bills, was rescinded.

Mr. Stubbs presented a bill to incorporate Ocean Wave Division of the Sons of Temperance, in the town of Washington; which passed its first reading, and was, on his motion referred to the Committee on Private Bills.

On motion of Mr. Rayner,

Ordered, That the bill introduced by him yesterday to confirm the union of the Seaboard and Roanoke, and the Roanoke Rail Companies, be printed.

Received from the Senate a message, agreeing to print the
reports received from the Presidents of the Banks of Cape Fear and Fayetteville; and also agreeing to refer the memorial of sundry citizens of Cherokee County, praying the removal of the Cherokee Indians to a Joint Select Committee, and informing that Messrs. Thomas and Caldwell of Burke, form their branch of said Committee.

On the part of this House, the Committee consists of Messrs. Flemming, Dickinson and G. W. Hayes.

The Speaker announced Messrs. Jones, D. A. Barnes and Swanner, as composing the Select Committee on the subject of the duties and pay of Superintendent of Public Buildings.

Mr. L. B. Sanders, for reasons stated by him, asked to be discharged from further serving on the Committee on Private Bills.

The request was granted, and Mr. A. J. Leach was thereupon appointed in his stead.

Mr. Martin introduced a bill extending the powers of the Commissioners of the town of Franklinton; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Eaton, from the Committee on the Judiciary, to whom was referred a resolution instructing them to inquire into the expediency of so altering the law, as to require the Clerks of the Superior Courts to withhold from the Judges thereof their certificates, until all the cases which are ready for trial, or can be tried, have been tried, and also a resolution instructing them to inquire into the expediency of extending the jurisdiction of Justices of the Peace on promissory notes, not to exceed one thousand dollars, made an adverse report thereon, and asked to be discharged from the consideration of these subjects respectively.
The reports were concurred in, and the Committee discharged.

Mr Eaton, from the same Committee, reported adversely the bill limiting the right of prosecution for assaults and batteries, to the person on whom the assaults and batteries are committed; which bill being read the second time, Mr. Erwin moved to lay the bill on the table. This motion did not prevail; and thereupon, on motion of Mr. S. P. Hill, the bill was indefinitely postponed: Yeas 92, nays 17.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was indefinitely postponed.

Mr. Eaton, from the same Committee, to whom was referred the bill to repeal the 1st and 2nd sections of an act of the General Assembly, entitled an act concerning the President and Directors of the Literary Fund, reported the same, with an amendment, and recommended its passage.
The amendment was adopted and the bill, as amended, passed its second reading.

Mr. Eaton, from the same Committee, to whom was referred the bill concerning Depositions, reported the same without amendment, and recommended its passage.

The said bill was accordingly read the second time and passed.

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the bill relating to Mills, reported the same with a recommendation against its passage.

The said bill was accordingly read the second time and rejected.

Mr. Jones, from the same Committee, reported favorably the bill giving a name to the county town of Stokes, and also the resolution in favor of Joseph C. Newland, late Clerk of the County Court of Caldwell. The same were severally read the second time and passed.

Mr. Jones, from the same Committee, to whom was referred the resolution in favor of James A. Tunnell, late Sheriff of Johnston, and also the resolution in favor of Darling Rushing, Sheriff of Union county, reported the same back to the House, with a recommendation that they be severally laid on the table.

The said resolutions were read a second time and ordered to lie on the table.

Mr. Jones, from the same Committee, to whom were referred sundry memorials protesting against the incorporation of Religious or Moral Reform Societies, reported the same back to the House, and asked to be discharged from their further consideration.

The report was concurred in; and thereupon, on motion by Mr. Jones, the said memorials were referred to the Committee on Private Bills.
Mr. Steele, from the Committee on Education, reported favorably the bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes.

The said bill was read the second time, and on Mr. D. A. Barnes' motion, made the special order of the day for Thursday next.

Mr. McCleese, from the Committee on Private Bills, reported favorably the bill to incorporate Rockingham Division, No. 32, of Sons of Temperance, located at Rockingham, Richmond County.

The bill was read a second time, amended, on motion of Mr. Eaton, by inserting immediately after the word, "Constitution" in the first section, the words, "and laws," and passed.

Mr. Webb called up the bill to amend the 14th sec. of ch. 19th, of an act passed at the session of the General Assembly of 1848-49, concerning the late County of Polk, &c.; which was read the second time and passed, and, on his motion, the rule being dispensed with, the same was read the third time and passed, and ordered to engrossment.

On motion of Mr. D. F. Caldwell, the House proceeded to take up and consider the bill to lay off and establish a new County by the name of Yadkin.

The said bill was read the third time, whereupon

Mr. Dargan moved that the House do now adjourn; which motion was disagreed to.

And the question being upon the passage of the said bill, on its third and last reading, was decided in the affirmative: Yeas 69, nays 20.

Those who voted in the affirmative, are:

Messrs. Adams, Amis, Avery, J. Barnes, Bond, Brogden, D. Caldwell, Clanton, Cockerham, Cotton, Dickinson, Douthitt, Dargan, Davidson

Those who voted in the negative, are:


So the bill was ordered to engrossment.

On motion of Mr. Flemming, the House then adjourned until Monday morning, 11 o'clock.

Monday, Dec. 9.

Messrs. Winston, Durham, Drake, and Sherrill, were appointed the Committee, on behalf of this House, on Enrolled Bills, for the present week.

Mr. D. A. Barnes presented a memorial from sundry citizens of Northampton county, praying the passage of an act emancipating James Langford; which was, on his motion, referred to the Committee on Propositions and Grievances.

Mr. J. M. Leach presented the following resolution:

Whereas, The Representatives of the people of North Carolina, now in Legislature assembled, utterly mistrusting the patriotism of extreme ultra men and ambitious politi-
clians, both North and South, and determined, as they have a right, to prepare the State for that revolution and resistance into which their contrivance may drive us: And whereas, it would be an idle and ridiculous bravado to assert the right of secession, or a determination to dissolve the Union, without indicating, by proper and needful preparation, a distinct and certain purpose to carry it out, on the happening of some distinct and certain contingency: And whereas, such withdrawal from, or resistance to, the Union may, and probably will, be succeeded by a civil war, the issue or end whereof no one can foresee, and in the progress of which each State may have to rely for protection, against all the rest of the world, chiefly on its own means and powers: And whereas, it would be unwise and impolitic in the extreme—a cruel and treasonable misconduct in the Representatives—to hasten the event which would produce this war, without informing the people, and preparing their minds for the approaching danger, and making efforts to raise the means of defence commensurate with the danger, and proportional to the spirit and determination of the Representatives now, as aforesaid, in Legislature assembled: And whereas, the State has now no surplus revenue—no arms or munitions of war—no army or navy—with an extended frontier and sea-coast almost entirely unprotected: Therefore,

Resolved, That the Committee on Negro Slavery be instructed to inquire and report as to the expediency of passing an act, so increasing the taxes on land and polls, as to raise a fund sufficient to enable the State to defend her rights—to meet any exigency or emergency that may happen—and to maintain any position she may have to assume, through her Representatives.

The said preamble and resolution having been read, Mr. Dargan moved that the consideration thereof be indefinitely postponed: whereupon,

Mr. Jones moved that they be laid upon the table.

Pending this motion, and before the vote was taken thereon,

The Speaker announced that the hour had arrived, according to the joint order of the two Houses, to examine and
compare the returns of the votes for Governor, at the last August election; and, accordingly,

A message was sent to the Senate, informing that body of the readiness of this House to receive them for this purpose, and that Messrs. Thornton and Steele were appointed the Tellers on the part of this House.

The two Houses, thereupon, assembled in General Convention, in the Hall of the House of Commons. Mr. Speaker Edwards being conducted to the Chair, made the following announcement:

_Gentlemen of the Senate, and of the House of Commons:

The two Houses of the General Assembly being now convened, I will proceed, according to the requirements of the law, to open and publish the returns of the election for Governor, held the first Thursday of August last: I will commence with the counties alphabetically.

And then the Clerks of the two Houses, in the presence of the tellers, proceeded to examine the returns of the Sheriffs of the several counties, and to declare the number of votes given in the same, as follows:

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<th>For C. Manly</th>
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|               | 45,080        | 42,337       |

Whereupon, Mr. Speaker Edwards, as President of the Convention, made a declaration of the result as follows:

_Gentlemen of the Senate,
and of the House of Commons:_

The tellers appointed by the two Houses to compare the returns and make a list of the votes given at the late election for Governor in this State, report that David S. Reid received 45,080, being the highest number of votes given to any per-
son, and that Charles Manly received 42,337. No objection being made to the report, I declare David S. Reid duly elected Governor of the State of North Carolina, for two years from the first of January next.

The Senators having then withdrawn, the Speaker of the House resumed his Chair; whereupon, the House resumed the reconsideration of the motion of Mr. Jones, to lay the Preamble and Resolution offered by Mr. J. M. Leach, upon the table.

And, the question upon this motion was decided in the affirmative: Yeas 82, nays 20.

Mr. J. M. Leach demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Ruffin, from the Committee on Amendments to the Constitution, to whom was referred the bill to amend the Constitution of North Carolina, so as to provide for the election of Judges by the people, reported the same back with a recommendation against its passage.

The said bill was read the second time, and, on motion of Mr. Stevenson, laid upon the table.
Mr. McLean, from the same Committee, reported unfavorably the bill which had been referred to them, to amend the Constitution of North Carolina, so as to provide for the election of Justices of the Peace by the people.

Before the second reading of said bill, Mr. Webb moved an adjournment, which was disagreed to.

And the bill being then read a second time, Mr. Walton moved to amend the same by adding the following as a new section there, viz:

"Be it further enacted, (three fifths of the number of each House concurring,) That the first clause of the 1st section of the 1st article of the amended Constitution of this State, be amended and altered by striking out all after the words, "twenty years thereafter," in the seventh line thereof, so as to read as follows: "according to their federal population; that is according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons: Provided, That no County shall be divided in the formation of a Senatorial District; and, when there are one or more districts having an excess of population above the ratio, to form a Senatorial District adjoining a County or Counties deficient in such ratio, the excess or excesses aforesaid shall be added to the population of the County or Counties deficient; and, if with such addition the County or Counties receiving it shall have the required ratio of population, such county or counties each shall constitute a Senatorial District."

Ordered, on motion of Mr. Avery, that the bill and amendments be laid upon the table.

Mr. D. A. Barnes, with leave, introduced a bill to amend an act entitled an act to make real estate assets, passed at the
session of 1846 47; which was read the first time, and, on his motion, referred to the Committee on the Judiciary.

On motion of Mr. Steele, the House then adjourned.

Tuesday, Dec. 10.

Mr. Stowe presented the resignation of Beunet Smith, Esq. Justice of the Peace for Gaston County; Mr. Barco, the resignation of W. W. Sanderlin, Esq., a Justice of the Peace for Camden County; and Mr. Winston, the resignation of Jonas Cook, Esq. a Justice of the Peace for Franklin County; which were severally read and accepted, and ordered to be sent to the Senate.

Mr. Johnston presented the Biennial Report of General Robert W. Haywood, Adjutant General of the State; which was, on his motion, ordered to be sent to the Senate with a proposition to print.

Mr. Erwin presented the following Resolution, which was read the first time and passed:

Be it Resolved by the General Assembly of the State of North Carolina, That it is the policy of this State to extend the North Carolina Rail Road west from Salisbury to the Tennessee line, and east from Goldsboro' to Newkern or Beaufort; and that charters for this purpose should be granted to Companies on the same terms as those heretofore granted to the North Carolina Rail Road Company.

Mr. Eaton presented a bill for the more effectual prosecution of accessories before the fact to felonies;

Mr. Powers, a bill to amend section 76, chap. 111, of Re-
vised Statutes, entitled an act concerning slaves and free persons of color; and,

Mr. Stubbs, a bill declaratory of the meaning of the 10th section of 67th chap. Revised Statutes, and to amend an act entitled an act concerning Swamp Lands; which bills were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Love introduced a bill, accompanied by a memorial from sundry citizens of Haywood and Macon Counties, to establish a new County by the name of Jackson; and Mr. Tripp, a bill concerning a Pententiary in this State; which were severally read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Stevenson, from a minority of the Committee on Amendments to the Constitution, by unanimous consent, submitted a report in writing, favorable to the passage of the bill, which had been referred to them, to amend the Constitution of the State, so as to provide for the election of Judges by people; and it was

Ordered, on motion of Mr. R. M. Saunders, that the report be printed and laid on the table.

On motion of Mr. Cherry;

Resolved, That the Committee on Education be instructed to inquire into the expediency of repealing the 31st sec. of the law of Executors and Administrators, Revised Statutes, giving all escheated property to the University of the State, so as to give said property to the Literary Board, for purposes of Common School Education; and that they report by bill or otherwise.

Mr. Powers presented the following Resolution, which was read and adopted:
Whereas, The free persons of color are rapidly on the increase in this State, and are justly regarded as a great evil, corrupting, by precept and example, our slaves, and instigating them to acts of theft and subordination, greatly injurious to private, as well as public, interest; and whereas, it is deemed necessary and proper, that some mode should be adopted for the gradual removal of said free persons of color, beyond the limits of the State. Therefore,

Resolved, That the Committee on Amendments to the Constitution be instructed to inquire into the expediency of amending the Constitution, so as to authorize the County Courts in this State to lay an annual tax of ten dollars per capita, on each and every free person of color over the age of twenty-one years, and under the age of fifty years; and that said tax, when collected, shall be applied to the purpose of removing said free persons of color from the State; and that said Committee be authorized to report by bill or otherwise.

Mr. Farmer introduced a bill to repeal an act entitled an act to amend an act to incorporate the Hickory Nut Turnpike Company, passed at the session of 1848-49; which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Flemming presented the following Preamble and Resolutions:

"Equality of rights is nature's plan;
And so follow nature, the march of man."

Whereas, We, the Representatives of the people of North Carolina, in General Assembly convened, recognize and fully appreciate the necessity which drove our Revolutionary fathers to resist the unjust, unequal, and oppressive Colonial system under which they suffered, from exactions that were unjust, impositions that were oppressive, and laws that were tyrannical in their operation, and calculated to degrade and enslave the subjects upon whom they operated; that we fully endorse their action, although it led to revolution, in opposing laws passed by a parliament in which they were neither heard nor represented, and controlled by a power
foregin to their interest, and inimical to their prosperity. Therefore,

1. *Be it Resolved*, That a frequent recurrence to fundamen-
tal principles, is absolutely necessary to preserve the blessings of liberty

2. *Resolved*, That all political power is vested in, and
derived from, the people only.

3. *Resolved*, That we recognize, in all American citizens,
certain unalienable rights, among which, are life, liberty and
the pursuit of happiness, and that no man or set of men are
entitled to exclusive privileges.

4. *Resolved*, That it is only when placed upon terms of
equality with his fellow, that man begins to feel that he is free; it is then that the soul of independence is enkindled
at the intellectual pile, and the heart inflamed with conscious
greatness; that man, by contemplating the immortality of
his Creator, spurns the tyrant's rod, and casts the fetters that
would enslave him, at the feet of his oppressor.

5. *Resolved*, That under a Government like ours, all
white men are, and of right ought to be, free, equal and in-
dependent, and that all measures contravening this principle,
are both unwise and impolitic in this enlightened age.

6. *Resolved*, That a majority of the free white people of
this State ought to have the sole and exclusive right to reg-
ulate and control their internal government and domestic
policy.

7. *Resolved*, That whereas the freemen of this State are
all equally bound to bear arms in her common defence, that
they should also be equally invested with power to provide
means to sustain said arms, when necessarily employed in
such defence.

8. *Resolved*, That all systems of government and laws,
in which the public voice is not fairly reflected, and by
which a minority controls the rights or wields the destiny of
the whole, savor of aristocracy, and tends to despotism;
and is alike contrary to the spirit of our institutions and the
genius of our people.

9. *Resolved*, As the result of the foregoing political
ions, that every free white man in North Carolina is equally entitled to be heard and represented in said State, and that we, as the representatives of such freemen, will use all constitutional, lawful and honorable means to produce so desirable a result.

The foregoing Resolutions were read the first time and passed; and, on motion of Mr. Walton, ordered to be printed and to lie on the table.

Mr. R. M. Saunders, from the Joint Select Committee on the subject of Negro Slavery, to whom that portion of the Governor's Message touching Federal relations, was referred, reported the following Preamble and Resolutions, as embodying the views of a majority of said Committee, on the various matters which had been referred to them:

Whereas, the people of North Carolina have ever cherished a lively and cordial attachment to the Union of the States, and entertain the most sincere desire for its preservation, and whilst, in the opinion of this General Assembly, the slaveholding States have suffered great wrong by some of the measures enacted at the last session of Congress, called the Compromise Acts; yet as these measures have become the laws of the land, it is the duty of the South to acquiesce so long as they shall be adhered to, and so long as Congress shall abstain from the adoption of any other measures touching the institution of slavery, calculated either to endanger its security, or to destroy the guarantees of the Constitution.

Be it, therefore,

1. Resolved, That the Fugitive Slave Act, passed by Congress at its last session, is in strict accordance with the provisions and requirements of the Constitution of the United States, and if carried into execution in good faith, is calculated to give security to slave property; and any failure on the part of the Federal Executive to enforce, or any attempt on the part of the Judicial Authorities of the free States to obstruct, its execution, would not only constitute just cause of complaint on the part of the South, but would be such a gross dereliction of duty as could not fail to weaken those ties which bind together the States of the Union.
2. Resolved, That the abolition of slavery in the District of Columbia, the interdiction of the slave trade between the States, the refusal to admit any new State into the Union because of its recognition of the institution of slavery, the total repeal of the Fugitive Slave Act, or its modification so as essentially to impair its force and efficiency, would, in the opinion of this General Assembly, amount to such a clear, deliberate and palpable breach of good faith and flagrant abuse of power, as to demand of the freemen of North Carolina the most determined resistance, and justify them in uniting with the other slaveholding States, to uphold and maintain their just and violated rights.

3. Resolved, That whenever all or any one of the acts mentioned in the foregoing resolutions, shall have been passed by the Congress of the United States, the Governor of this State be, and he is hereby required to convene the General Assembly at such time as he in his wisdom shall deem fit, in order to take into consideration the solemn duties which we owe to ourselves as freemen, and of our then existing relations with the Federal Government; and whereas, it would be both proper and expedient to restrict all trading intercourse with the non-slaveholding States, so long as there shall exist a well-grounded apprehension, either as to the repeal of the Fugitive Slave Act, or its non-execution, and as there now exist just grounds for such apprehensions,

Be it therefore Resolved, That it is expedient to impose an ad valorem tax upon all articles of merchandise of the growth, manufacture or product of the non-slaveholding States, which shall be brought into, or offered for sale within this State, from and after the first day of August next: Provided, however, the Governor shall be authorized and required, by and with the advice of the Council of State, to suspend the execution of such law until the meeting of the next General Assembly, if it shall satisfactorily appear that the Fugitive Slave Act hath been faithfully executed.

The foregoing resolutions were read the first time and passed, and, on motion of Mr. Saunders, referred to a Committee of the Whole House, and made the special order of the day for Monday next, and ordered to be printed.

Mr. R. M. Saunders, under the instructions from said
Committee, reported back to the House, the various resolutions of like import with the foregoing, which had been referred to them, and asked to be discharged from the further consideration of the same.

The Committee were accordingly discharged, and, on his motion, the said resolutions were severally ordered to lie upon the table.

Mr. Rayner, a member of said Committee, presented the following preamble and resolutions, and gave notice that he would propose the same as a substitute for those foregoing, reported from the Committee:

Whereas, the continued agitation of the various questions connected with the subject of Negro Slavery, is fraught with the most serious and portentous consequences; and, whereas, the people of the slaveholding States, feeling deeply impressed with a sense of what are their rights, and determined to maintain and defend those rights, by all constitutional and lawful means; and whereas, the union of these States, which was designed by its founders and adopted by the people of the respective States, in order to establish justice, ensure domestic tranquillity, and secure the blessings of liberty to them, and to us their posterity, should be sustained and protected until time and experience have proven it to be utterly incompetent to the answering of these great purposes; and whereas, in case it should become necessary for the slaveholding States to resort to a redress of their grievances, growing out of Northern interference with their domestic institutions, that object can be much more effectually attained by unanimity and concert of action, than by local legislation or irresponsible conventions; therefore,

1. Resolved, That the institution of slavery, as it exists in the Southern States, is a subject with which the people of the North have neither the constitutional power nor the moral right to interfere, either directly or indirectly, either by legislative enactment or social organization; and that all such interference should be resisted, as an unwarranted assault upon our rights.

2. Resolved, That the territorial lands of the United States, whether purchased by the common treasure, or conquered
by the common arms, ought to be free to the common enterprise, and open to the common emigration of all sections alike; that any discrimination by Congress, which shall proscribe the owners of any species of property peculiar to any section, would be subversive of that justice and domestic tranquility, and those blessings of liberty, which the Constitution was designed to establish, ensure, and secure; and that any amendment of the territorial bills passed at the last session of Congress, which shall make such discrimination, would authorize and demand of the slaveholding States, measures of retaliatory as hereafter suggested.

3. Resolved, That the owners of slaves in the District of Columbia hold that kind of property under the guaranty of the Constitution, which declares that "no person shall be deprived of life, liberty, or property, without due process of law;" and that those who remove slaves from one slaveholding State to another, for the purpose of sale or settlement, are entitled, under the Constitution, to all the rights and privileges of slave-owners in the States where they may happen to be: That the abolition of slavery in said District of Columbia would further involve a gross breach of faith towards one of the slaveholding States: That such abolition in said District, or such interdiction of the removal of slaves from one slaveholding State to another, could be regarded in no other light than as a blow aimed at slavery in the States: That the passage of either of these measures by Congress could not fail to exert a most injurious influence on the institution of slavery throughout the South, and would authorize and require of the slaveholding States those retaliatory measures hereinafter suggested.

6. Resolved, That the series of Acts passed at the last session of Congress, constituting what is generally termed "The Compromise," viz: the Act establishing a Territorial Government for Utah—the Act for the adjustment of the Texas boundary, and the establishing the Territorial Government of New Mexico—the Act providing for the surrender of Fugitive Slaves, and the Act abolishing the Slave Trade in the District of Columbia—having become the law of the land, are obligatory on all sections, States, communities, and persons, and ought to be obeyed; and the Executive is bound, by the most solemn obligations, to see that they are enforced, should any resistance be made to their execution.
5. Resolved, That the people of the slaveholding States yielded much in some of the measures of that "Compromise," for the sake of conciliation and peace, with scarcely a remunerating benefit in the passage of the Act for the surrender of Fugitive Slaves: That the repeal of said Fugitive Slave Law would be a manifest breach of faith on the part of Congress, to which the South can not, ought not, and will not quietly submit; and that, in case of such repeal, the retaliatory measures, on the part of the slaveholding States, hereinafter suggested, would be authorized and demanded by the occasion.

6. Resolved, That any system of organized opposition to the execution of the said Fugitive Slave Law, in the non-slaveholding States, either by Legislative enactment, by police regulations, by lawless violence, or by overawing demonstrations of physical force, the result of which shall be to render this law practically inoperative, will also justify and require of the slaveholding States those retaliatory measures hereinafter suggested.

7. Resolved, That North Carolina entertains the most sincere and abiding attachment to the Union of these States; that we will maintain and defend the Union, and sustain the constituted authorities of the Government, as long as the same can be done consistently with the preservation of our liberties, and the enjoyment of those rights and privileges which the Union was designed to secure and the Government to protect: That it behooves the Southern States to resort to any mode of redress, not incompatible with the Constitution, before they should contemplate the alternative of disunion; and that, if disunion must come, they should so act as to throw the responsibility on those who are disposed wantonly to insult us and to invade our rights.

8. Resolved, That in case Congress should hereafter so alter the laws of the last session, establishing Territorial Governments, as to apply to them the principles of the Wilmot proviso, or should repeal the law providing for the surrender of Fugitive Slaves, or so change that law as to render it ineffectual for the accomplishment of the purposes designed by it, or should pass any law for the abolition of the institution of slavery in the District of Columbia, or interdicting the removal of slaves from one State to another—it will then be the duty of the slaveholding States to send
delegates, to be appointed under the authority of law, to a Convention, the business and authority of which Convention shall be to devise and recommend to the said slaveholding States, respectively, such retaliatory measures, not inconsistent with the Constitution, as may be demanded by the exigencies of the occasion, and with a view to the obtaining that unanimity and concert of action, without which all attempts at redress will be in vain.

9. **Resolved**, That it be, and hereby is recommended to the respective slaveholding States of the Union, to provide by law for the assembling of their Legislatures, for the purpose of regulating under the authority of law, the appointment of delegates to said Convention in case of such change by Congress of the territorial bills of the last session, or of the repeal or modification of the Fugitive Slave Law as before suggested, or of the abolition of slavery in the District of Columbia, or the interdiction of the removal of slaves from one State to another; and in case of the necessity of holding such Convention, each State should be entitled to the same number of delegates as it will be entitled to electoral votes for President and Vice President of the United States, under the census just taken; manner of appointing said delegates to be regulated by law in each State as the Legislature thereof may provide; a majority of the delegates appointed to said Convention to constitute a quorum; the manner of voting to be regulated by the Convention itself, and that it shall be the duty of said Convention, when assembled, to devise and recommend a series of retaliatory measures, not violative of the Constitution of the United States, to the Legislatures of the slaveholding States for their adoption.

10. **Resolved**, That the following propositions, among others, be submitted to the notice of the slaveholding States, as proper for the consideration of the said Convention, in case its assemblage should be necessary, under either of the contingencies before suggested, viz:

The passage of a law (preceded by an amendment of the State Constitution, when necessary) providing for reducing to a state of slavery, all the free negroes in their respective limits, in case they do not leave the State within a certain prescribed period; and the further permanent provision of disallowing freedom to any colored person within the fourth degree.
The imposing a personal tax, either specific or ad valorem, by the State Legislatures on all persons who sell goods, wares or merchandise, either the manufacture or growth of, or purchased in a non-slaveholding State.

The granting of bounties by the respective States to manufacturing capital and industry, and the exemption of the same from taxation.

The imposition of a ne exeat tax of so much per cent. on all monies expended in the non-slaveholding States, whether for purposes of travel or of pleasure, the education of youth, and all purchases made in the same, whether in person or by order; and such other retaliatory measures, the details of all which to be regulated by law, not inconsistent with the Constitution of the United States, as may be deemed advisable.

11. Resolved, That in case a majority of the slaveholding States, shall, through their respective Legislatures, respond favorably to these propositions, then, in case of any change by Congress of the territorial laws of the last session, which shall apply the principles of the Wilmot Proviso, or of the repeal or modification, so as to render it incompetent for the purposes designed, of the Fugitive Slave Law of the last session, or of such resistance generally to the execution of said Fugitive Slave Law in the non-slaveholding States, as shall render it practically inoperative, or of the abolition of slavery by Congress in the District of Columbia, or of the interdiction of the removal of slaves from one State to another, the Governor of this State be, and he is hereby requested to convene the Legislature of this State by proclamation, for the purpose of providing, by law, for the appointment of delegates to represent this State in said proposed Convention of the non-slaveholding States, and of taking such further steps in the premises as may be thought meet and proper for the occasion.

12. Resolved, That whilst we are not to be understood as herein expressing any opinion in regard to the policy of a Tariff for protection, or of the influence of such a system upon the interests of the Southern States, or as to the course which should be pursued by Southern members of Congress upon this subject; did the causes of our complaint not exist, or should they be hereafter removed; yet as the non-slaveholding States are so much more deeply interested in such
protection than the slaveholding States can now be, we therefore think that the Senators and Representatives in Congress from the slaveholding States should firmly oppose all increase of duties on foreign importations, as long as public opinion in the North shall tolerate fanatics in their resistance or invasion of the Fugitive Slave Law, and the interference by agitators with our domestic affairs.

13. Resolved, That the Governor of this State be requested to transmit duly certified copies of these resolutions to each of our Senators and Representatives in the Congress of the United States; and that they be requested to lay them before their respective bodies, and also a copy to the Governor of each and every State in the Union, with a request that they be laid before their respective Legislatures.

The foregoing resolutions were read the first time and passed, and, on motion of Mr. Rayner, ordered to be printed and laid on the table.

Mr. S. P. Hill, a member of said Committee, submitted the following resolutions, and gave notice that he would offer them as a substitute for those reported from the Committee; which resolutions were read the first time and passed, and ordered to be printed, and made the special order of the day for Monday next.

Resolved, That the repeal or modification of the Fugitive Slave Law, by the Representatives and Senators from the non-slaveholding States, or if it be rendered inoperative by the constituted authorities of the Northern States, will be conclusive evidence to the people of this State, that the aforesaid States desire and intend a dissolution of the Union, and therefore, under such circumstances, the people of this State will not hesitate to gratify them.

Resolved, That whenever there is a repeal or modification of the Fugitive Slave Law, so as to weaken and destroy its force and efficiency, by the Senators and Representatives of the non-slaveholding States, or whenever it is rendered inoperative by the constituted authorities of the aforesaid States, the Governor of this State is hereby authorized and
required to convene the Legislature of this State, at the earliest moment after the happening of either of the aforesaid events, in order to take into consideration the ways and means by which the happiness of the people of North Carolina is to be advanced, their property protected, and their liberties preserved.

Resolved, That the Governor of this State is hereby requested to forward a copy of these Resolutions to the Governor of each State in the Union, with a request that they be submitted to the Legislatures of said States, and also that a copy be sent to our Senators and Representatives in Congress, with the request that they lay them before their respective bodies.

The House now proceeded to the consideration of the special order, the same being the Resolutions presented by Mr. Bridgers, on the 27th ult., concerning the North Carolina Rail Road.

The said Resolutions having been read the second time, Mr. Pope moved to amend the same by striking out all after the first word, "Resolved," and inserting as a substitute for the series, the following:

"That without saying any thing in regard to the propriety or impropriety of the passage of the North Carolina Central Rail Road Bill, by the last Legislature, yet as we are of opinion that circumstances have intervened since the passage of said Bill, of which it is our right and our duty to speak; and which render it the true policy and interest both of the State of North Carolina and the Stockholders, that said charter should be abandoned on both sides;"

Resolved, That the present agitated and alarming condition of the United States renders it difficult, improbable, and much to be deplored, if not impossible, for North Carolina to borrow two millions of dollars on a credit of thirty years.

Resolved, That in our opinion, the advance in the value of labor for the last two years has been such that the cost of building said Road is greatly increased.

Resolved, That in our opinion a large majority of the
people of the State are so dissatisfied with the said Road, that not only will dissension and distrust be likely to arise between the State and the Stockholders, but that no further aid from the State will be granted to extend the said Road in length, to build branches to it, or to complete it, should the two millions of dollars be insufficient.

Resolved, That a Joint Select Committee consisting of five on the part of the House and four on the part of Senate, be appointed (the Senate concurring) whose duty it shall be to propose to said Rail Road Company at their next meeting, to abandon said charter, on the terms that said Company shall return to each stockholder the amount paid in by him or her, and that the State of North Carolina shall pay all reasonable expenditures incurred in regard to said Road.

Resolved, That in adopting the foregoing Resolutions, we regard ourselves in the light only of a partner to a contract, and in no other light is the proposition to be made to said Company.

Mr. Jones moved that the Resolutions be laid on the table, and the question on this motion was decided in the negative: Yeas 31, nays 84.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the motion to lay on the table was disagreed to.

A motion was then made by McLean, that the said resolutions be indefinitely postponed; pending the consideration thereof, after some time spent in debate, on motion of Mr. Stevenson, the House took a recess till half past 3 o'clock.

**Half past 3 O'clock.**

The House now resumed the consideration of the unfinished business at the last adjournment, being the motion of Mr. McLean, to postpone indefinitely the resolutions, offered by Mr. Bridgers, and the amendment thereto moved by Mr. Pope.

After some time spent in debate thereupon, on motion of Mr. Webb, the House adjourned till to-morrow morning 10 o'clock.

**Wednesday, Dec. 11.**

Received from the Senate a message informing that Messrs. G. W. Caldwell and Barnard form their branch of the Committee on Enrolled Bills for the present week.
Also, a message agreeing to rescind the Joint Order, by which the report of the President and Directors of the Literary Fund, transmitted to the General Assembly on the 2nd instant, was referred to the Committee on Finance; and Disagreeing to the proposition to raise a Joint Select Committee to whom the subject shall be referred.

Also, a message transmitting the following Engrossed Bills, and asking the concurrence of the House therein, viz:

A bill to amend the 7th section of the 5th chapter of Revised Statutes, in relation to Apprentices;
A bill to incorporate Fulton Lodge, No. 99, of Ancient York Masons, in the town of Salisbury;
A bill to amend an act passed at the session of 1830-31, entitled an act to establish the town of Gatesville, in the County of Gates, and to incorporate the same, and for other purposes;
A bill to incorporate the Murfreesboro' Joint Stock Building Company; and
A bill authorizing the Seaboard and Roanoke Rail Road Company to issue bonds;
Which several bills were read the first time and passed.

On motion of Mr. D. A. Barnes, the last named bill—two-thirds of the House concurring—was read the second time and passed.

Mr. S. P. Hill presented a memorial from sundry citizens, praying an amendment of the law relating to the sale of lands for taxes, so as to require Sheriffs to advertise the same in the paper or papers nearest the location of the land to be sold; which, on his motion, was referred to the Committee on the Judiciary.

Mr. A. J Leach presented the resignation of Richardson O'Neal, Esq., a Magistrate for the county of Johnston, which was read and accepted, and ordered to be sent to the Senate.
Mr. Jones moved the following resolution, which was agreed to:

**Whereas,** Peyton P. Moore and Richardson Nicholls, Justices of the Peace for the County of Orange, were appointed by the Senate at its last session Commissioners to take Depositions in the contested election of the sitting member from said County, which Commissioners employed a Clerk,

*Resolved,* That the Committee on Claims be instructed to ascertain the number of days said Commissioners and Clerk were engaged in the service, to the end that they may be allowed just compensation for the same; and that said Committee report by bill or otherwise.

Mr. Eaton introduced a bill, founded on a memorial, to incorporate Cold Stream Division, No. 30, Sons of Temperance; and

A bill to incorporate Muchuena Lodge, No. 22, of the Independent Order of Odd Fellows, in the town of Warren*

Which were severally read the first time and passed, and referred to the Committee on Private Bills.

Mr. McMillan introduced a bill to improve the public road from the town of Jefferson to the village of Gap Civil; and

Mr. Bogle, a bill to lay off and establish a new county by the name of Williams;

Which were severally read the first time and passed.

Mr. Flemming introduced a bill to amend an act passed at the session of 1848-49, constructing a Turnpike Road from Salisbury to the Georgia line in Cherokee County; and

Mr. Walton, a bill to incorporate the Piedmont Plank Road Company, and to repeal part of an act of the General Assembly of 1848-49, chapter 90;

Which bills were severally read the first time and passed,
and referred to the Joint Select Committee on Cherokee Lands.

Mr. Avery, from the Joint Select Committee on Slavery, to whom was referred the portion of the Governor's Message concerning Federal Relations, and also sundry Resolutions thereupon, submitted a report in writing, signed by Messrs. Henry T. Clarke, Wm. B. Shepard, G. W. Caldwell, W. W. Avery, Samuel J. Person, Samuel N. Stowe, Marcus Erwin and Wm. J. Blow, members of said Committee; which said report was accompanied by the following Resolutions:

Resolved, That the Constitution of the United States is a compact between sovereign and independent States, and all the powers not therein delegated are reserved to the States respectively: That among the attributes of sovereignty retained by the several States, is that of watching over the Federal Government, and protecting their citizens against unconstitutional abuse on the one hand, and securing to them, on the other, a strict fulfilment of the obligations imposed by the Constitution upon the General Government.

Resolved, That the people of North Carolina, as an organized political community, have a right to secede or withdraw from the Union, whenever a majority of the people, in Convention assembled, shall decide a withdrawal necessary to protect their property or persons from unconstitutional and oppressive legislation by the General Government, or whenever, by the failure of the General Government to fulfil her constitutional obligations, the people of the State may deem such step necessary, in order to secure the enjoyment of the rights, privileges, and protection, guaranteed to them by the Constitution of the United States; and, in such an emergency, a majority of the people of North Carolina, acting through the organized authorities of the State, would be entitled to the sole and undivided allegiance of her citizens.

The said resolutions were read the first time and passed, and, on Mr. Avery's motion, were ordered to be printed, to-
gether with the accompanying report, and referred to the Committee of the Whole House, and made the special order for Monday next.

The House now proceeded to take up the special order of the day, being the bill (reported by Mr. McLean, from the Committee on Amendments of the Constitution,) to amend the Constitution of North Carolina; whereupon, on motion of Mr. Flemming, the same was postponed to Friday next, and made the special order for that day.

The House now resumed the consideration of the unfinished business at the last adjournment, to wit: Mr. McLean's motion to postpone indefinitely the resolutions concerning the North Carolina Railroad Company.

Mr. Pope, by consent, withdrew the amendment offered by him yesterday, and thereupon gave notice of his intention to offer an amendment, by way of substitute for the resolution; which was read by the Clerk.

After debate on the resolutions, the House, on motion of Mr. Blow, took a recess until 3 o'clock.

Three o'clock, P. M.

The House resumed the consideration of the unfinished business of the morning, and after discussion, and without taking the vote thereon, on motion of Mr. Flemming, adjourned to to-morrow morning, 10 o'clock.
Thursday, Dec. 12.

Received from the Senate a message, informing that they have passed the engrossed bill from this House, to incorporate the Greenville and Raleigh Plank Road Company, with the following amendments:

In line 18, of section 16, to insert the word "fraudulently" after the word "shall."
To strike out the word "hurt" wherever it occurs; and in section 21, to strike out "twenty-five" and insert "Fifty."

Which amendments were severally concurred in.

Mr. Steele asked and obtained leave of absence for himself and Mr. Jerkins, for satisfactory reasons stated by him, from the service of the House this day.

Mr. Kallum presented a memorial from sundry citizens of Rochingham county, praying the passage of an act to open the river Mayo, so as to admit the passage of fish up the same.

Mr. Bond, the petition of Sarah Avery, accompanied by the certificate of the Clerk of Chowan county, applying for a pension.
The first named petition was referred to the Committee on Propositions and Grievances, and the last to the Committee on Claims.

Mr. S. P. Hill introduced a bill touching the duty of Sheriffs in regard to the sale of land for taxes; which was read the first time and passed, and, on his motion, referred to the Committee on the Judiciary.

Mr. Durham introduced a bill to incorporate Samaritan
Lodge, No. 31, of the Independent Order of Odd Fellows, in the town of Chapel Hill, Orange county;

Mr. Pegram, a bill to provide for the opening and clearing out Upper Little River, in Cumberland county, and to prevent obstructions to the free navigation of the same;

Also, a bill to incorporate Lafayette Division, No. 2, of the Sons of Temperance, in the town of Fayetteville;

Which bills were severally read the first time and passed, and referred to the Committee on Private Bills.

Mr. Gordon introduced a bill to incorporate the Yadkin Navigation Company; which was read the first time and passed, referred, on his motion, to the Committee on Internal Improvements, and ordered to be printed.

On motion of Mr. Wilson,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, consisting of two members on the part of each House, whose duty it shall be to inform the Hon. David S. Reid of his election as Governor of the State of North Carolina, and to know of him at what time it will suit him to appear before the General Assembly to take the oaths of office; and that said Committee make report thereof.

Mr. Foard submitted the following resolution, as an amendment of the Rules of the House; which, by the rules, lies over one day.

Resolved, That hereafter no member be allowed to speak upon any subject to exceed thirty minutes, without the consent of the House.

Mr. Pigott introduced a bill to repeal an act passed at the session of 1844-45, entitled an act to attach that portion of the County of Carteret, known as Ocracoke, to the County of Hyde; which, on his motion, was referred to the Committee on Propositions and Grievances.
Mr. Flemming introduced a bill granting pre-emption rights to actual settlers on Cherokee lands; which was read the first time and passed.

Mr. Flemming moved a reference of the bill to the Committee on the Judiciary.

Mr. G. W. Hayes, thereupon, moved to amend the motion, by referring the bill to the Joint Select Committee on Cherokee Lands, &c.

The amendment to the amendment was disagreed to, and the question recurring on Mr. Flemming’s motion, it was agreed to, and the reference ordered accordingly.

On motion of Mr. Steele,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of increasing or altering the punishment for trading with slaves; and that they report by bill or otherwise.

Mr. Stevenson presented the following resolution, which passed its first reading, and was referred to the Committee on Internal Improvements.

Resolved, That our Senators and Representatives in Congress, be, and are hereby, requested to procure a hydrographic survey of those waters lying between Pamlico Sound and Beaufort Harbor, known as Core Sound, with a view of having the channels of said Sound deepened by dredging or otherwise.

Resolved, That a copy of these resolutions be transmitted to our Senators and Representatives in Congress.

Mr. G. W. Hayes presented a bill more effectually to suppress gaming with cards; which was read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. Ruffin,

Resolved, That the Committee on the Judiciary be in-
structed to inquire whether or not under the Revenue Act of the session of 1848-49, United States Stocks are taxable.

On motion of Mr. McLean, the bill to lay off and establish a new county by the name of Williams, was taken up, and referred to the Committee on Propositions and Grievances.

Mr. Pigott introduced a bill to require purchasers to pay the inspection fees on Turpentine; which was read the first time and passed.

Mr. Flemming moved a reconsideration of the vote of yesterday, by which the bill presented by him to amend an act passed at the session of 1848-49, constructing a Turnpike Road from Salisbury to the Georgia line, in Cherokee county, was referred to the Joint Select Committee on Cherokee Lands, &c.; which motion was ordered to lie on the table.

Mr. Wiggins introduced a bill to incorporate Tuscarora Lodge, No. 122, of Ancient York Masons; and,

Mr. Amis, a bill to incorporate the Oxford Division of the Sons of Temperance; which bills were severally read the first time and passed, and referred to the Committee on Education.

Mr. G. W. Hayes called up the bill to appoint Tax collectors for the State of North Carolina, which, on his motion, was now referred to the Committee on Finance.

The Speaker announced, as the special order for the day, the bill to appoint a Superintendent of Common Schools for the State of North Carolina, which, on motion of Mr. Flemming, was postponed and made the special order of the day for Saturday next.

The House proceeded to the consideration of the unfinished business at the last adjournment, viz: the motion of Mr.
McLean to postpone indefinitely the resolutions offered by Mr. Bridgers, concerning the North Carolina Central Railroad Company.

The question on this motion was decided in the affirmative: Yeas 80, nays 36.

Mr. Sherrard demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the Resolutions were indefinitely postponed.

On motion of Mr. Steele, the House then adjourned.

Friday, Dec. 13.

Received from the Senate a message agreeing to the proposition to print the report of the Adjutant General of the State; and
Also, agreeing to raise a Joint Select Committee to inform Hon. David S. Reid of his election as Governor, and know of him when it will suit his convenience to take the oaths of office before the General Assembly; and informing that Messrs. Bower and Joyner form the Committee for this purpose on behalf of that body.

The Committee on behalf of this House, consists of Messrs. Wilson and J. M. Leach.

A message from the Senate transmitting the following Engrossed Bills and Resolutions, viz:

A bill concerning the duties of Sheriffs;
A bill to incorporate the Charlotte and Taylorsville Plank Road Company; and
A resolution in favor of John H. Wheeler;
Which were severally read the first time and passed.

Also, a message informing that they have passed the Engrossed Bill from this House, concerning jury trials in the county of Buncombe, with an amendment, to-wit: to add as new sections the following:

"Be it further enacted, That all appeals from Justices of the Peace, now pending in the Superior Court of Buncombe county, and all appeals that have or may hereafter be granted to the Superior Court of said county, shall be transmitted to the County Court of said county, and there stand for trial as they would, if they had been taken in the first instance to the County Court.

"Be it further enacted, That it shall be the duty of the Clerk of the Superior Court of Buncombe county, before the first day of March, 1851, to transmit to the County Court all the original papers connected with any and every appeal from a Justice of the Peace in said Court, together with a transcript of record including every order made in the cause,
which shall form part of the record of the County Court, and the said County Court shall possess all the jurisdiction over such cause, that is given to County Courts in cases of appeal from Justices of the Peace.

"Be it further enacted, That all witnesses who are now summoned to attend the Superior Courts in any of said cases, shall attend the County Courts under the same rules and subject to the same penalties for non-attendance, that witnesses are subject to who are summoned to attend the Superior Courts.

"Be it further enacted, That it shall be competent for the Clerk of the County Court to issue any subpoenas required in any cause that may be transmitted to said Court under this bill, at any time after the papers and records of such cause are delivered to him by the Clerk of said Superior Court."

The bill, with the said amendments, on motion of Mr. Avery, was ordered to lie on the table.

Mr. Powers presented a memorial from the officers of 30th Regiment of the North Carolina Militia, praying a revision of the Militia laws of the State; which, on his motion, was referred to the Joint Select Committee on Military Affairs.

Mr. A. H. Caldwell presented a memorial from sundry citizens of Rowan county, praying the passage of an act offering a premium for crow scalps.
Ordered to lie on the table.

Mr. G. W. Hayes moved the following Resolution, which was read and adopted:

Resolved, That the Committee on Claims be instructed to examine the claim of Mark Coleman, Joseph Sherrill and
Mary Shuler, (widow of George Shuler, deceased,) against the State of North Carolina; and that they report by bill or otherwise.

On motion of Mr. Foard, the Resolution offered by him yesterday to amend the Rules, was now taken up, and the same was disagreed to.

Mr. A. H. Caldwell introduced a bill to incorporate the Salisbury and Taylorsville Plank Road Company; which was read the first time and passed, and referred, on his motion, to the Committee on Internal Improvements.

Mr. Pigott introduced a bill to exempt canoes and nets from execution in certain cases; which was read the first time and passed, and referred to the Judiciary Committee.

Mr. Pigott presented the resignation of John L. Boykin, Esq., a Justice of the Peace for the county of Sampson; which was accepted, and ordered to be sent to the Senate.

On motion of Mr. Rayner,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the law on the subject, as to provide that the tax now required to be paid on the erection of gates by private individuals across public roads, shall hereafter be paid into the Treasury of the county in which such gate may be, instead of the Treasury of the State, as now required by law.

Mr. J. J. Williams introduced a bill to repeal the 8th section of 77th chapter of act of 1848-49, entitled an act to increase the Revenue of the State;

Mr. Webb, a bill to repeal a portion of an act entitled an act to provide for a Turnpike Road from Salisbury west to the line of the State of Georgia, chapter 90 of Statutes of 1848-49; which were severally read the first time and passed.
The first named bill was, on Mr. Williams' motion, referred to the Joint Select Committee on Finance, and the latter bill, on Mr. Walton's motion, to the Committee on Internal Improvements.

Mr. Flemming moved a reconsideration of the vote by which the House yesterday ordered a reference of the bill to incorporate Piedmont Plank Road Company to the Committee on Cherokee lands, &c. The motion prevailed, and the bill was, on his motion, referred to the Committee on Internal Improvements.

Mr. Flemming also called up the motion, made by him yesterday and laid on the table, to reconsider the vote by which the House, on the day before, referred to the Committee on Cherokee lands, &c., the bill to amend an act passed at the session of 1848-49, constructing a Turnpike Road from Salisbury west to the Georgia line.

The House agreed to reconsider; and the said bill was now, on his motion, referred to the Committee on Internal Improvements.

Mr. Farmer introduced a bill to incorporate Sileco Division, No. 181, of the Sons of Temperance; and

Mr. Fonville, a bill to incorporate Lafayette Lodge, No. 80, in the county of Onslow;

Which bills severally passed their first reading, and were referred to the Committee on Private Bills.

Mr. G. W. Hayes called up the bill to provide relief for the purchasers of Cherokee lands, &c.; which, on his motion, was made the special order of the day for Thursday next.

Received from his Excellency the Governor, by the hands of his Private Secretary, A. J. Terrell, Esq., a message transmitting the report of the President and Directors of the
Board of Internal Improvement; which, on motion of Mr. Brogden, was ordered to be sent to the Senate, with a proposition to print.

The House now proceeded to the consideration of the special order of the day, to-wit: the bill to amend the Constitution of North Carolina, reported by Mr. McLean, from the Committee on Amendments to the Constitution.

Mr. Flemming moved that the consideration thereof be postponed, and that the bill be made the special order of the day for Monday next.

The motion was disagreed to, and the bill being read the second time,

Mr. Rayner moved to amend the same by striking out all after the first word, "whereas," and inserting as a substitute therefor, the bill presented by him on the 28th ultimo, and printed.

The said bill is in the following words:

Whereas, it is strenuously insisted on by many of the citizens of this State, that the provision in the Constitution, requiring a freehold qualification to entitle persons to vote for members of the Senate in the General Assembly, operates as a heavy grievance upon a large portion if not a majority of the freemen of the State; and whereas, it is contended, by many, that a majority of the freemen of the State demand a change in the Constitution, so as to extend the right of voting for members of the Senate to all who are entitled to vote for members of the House of Commons; and whereas, the General Assembly believe, that if this be a grievance to be remedied, measures should first be adopted providing for ascertaining the will of their constituents preparatory to a change of the Constitution: therefore,

§ 1. Be it enacted by the General Assembly of the State
of North Carolina, and it is hereby enacted by the authori-
ty of the same, (two-thirds of the members of each House
concurring,) That the Court of Pleas and Quarter Sessions,
of each and every county in the State, at the first term that
shall be held after the first day of January eighteen hundred
and fifty-one, shall appoint two inspectors to superintend the
polls to be opened at each and every election precinct in said
counties, for ascertaining by ballot, the will of the freemen
of North Carolina, relative to the meeting of a State Con-
vention. And if any court or courts shall fail to make such
appointments, or if any inspector so appointed shall fail to act;
it shall be the duty of the Sheriff, or the person acting as his
deputy for the occasion, with the advice of one Justice of
the Peace, or, if no Justice be present, with the advice of
three freeholders, to appoint an inspector or inspectors, in the
place of him or them, who failed to act, which inspectors,
when duly sworn by some Justice of the Peace, or freehold-
er, to perform the duties of the place with fidelity, shall have
the same authority as if appointed by the court.

§ 2. Be it further enacted, That it shall be the duty of
the Sheriffs of the respective counties in this State to open
polls at the usual election precincts in said counties, on the
first Thursday in May 1851, when and where all persons
qualified by the Constitution to vote for members of the House
of Commons, may vote for or against a State Convention—
those who may wish a Convention, voting, with a printed
or written ticket, "Convention," and those who do not want
a Convention, voting, in the same way, "No Convention,"
or "Against Convention."

§ 3. Be it further enacted, That it shall be the duty of
the Sheriffs to make duplicate statements of the polls in their
respective counties, sworn to before the clerk of the county
court; one copy of which shall be deposited in the clerk's of-
face, and the other transmitted to the Governor of the State,
at Raleigh, immediately after the election.
§ 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the Sheriffs, to compare, in the presence of the Secretary of State, Public Treasurer and Comptroller, the number of votes for and against a Convention; and if it shall appear that a majority of the votes polled in the State are in favor of a Convention, he shall forthwith publish a proclamation of the fact in such newspapers as he may think proper; and he shall issue a writ of election to the Sheriff of each and every county in the State, requiring him to open polls for the election of delegates to the Convention, at the same places, and under the same rules, as prescribed for holding other State elections; said polls to be opened and elections held on the first Thursday in August next.

§ 5. Be it further enacted, That the same persons who were appointed to hold the polls in taking the vote on convention, on the preceding first Thursday in May, shall hold them for the election of Delegates: Provided, That if any such inspectors shall fail to attend or act, the Sheriffs and their deputies shall supply their places in the manner herein-before pointed out in reference to the question of "Convention" or "no Convention."

§ 6. Be it further enacted, That the several County Courts shall allow the Sheriffs the same compensation for holding the aforesaid election on the first Thursday in May, that they usually allow for holding other State elections. And if any Sheriff or other officer appointed to hold said elections either on the aforesaid first Thursday in May or August, shall fail to comply with the requisitions of this act, he shall be liable to a fine of one thousand dollars, recoverable before any competent jurisdiction, to the use of the county whose officer he is, and it shall be the duty of the county Solicitors to prosecute such suits.

§ 7. Be it further enacted, That all persons qualified to vote
for members of the House of Commons, under the present Constitution, shall be entitled to vote for members to said Convention; and all free white men, of the age of twenty-one years, who shall have been resident in the State one year previous to, and shall continue to be so resident at the time of the election, shall be eligible to a seat in said Convention.

§ 8. Be it further enacted, That each county in the State shall be entitled to elect the same number of delegates to said Convention that said county is entitled to members in the House of Commons, and no more: Provided, that those counties, which, in consequence of division since the last apportionment, now vote together for any given number of members in the House of Commons, shall vote in the same way for delegates to said Convention.

§ 9. Be it further enacted, That if any vacancy shall occur in any county delegation by death or otherwise, the Governor shall forthwith issue a writ to supply the vacancy. And the delegates elected shall convene in or near the city of Raleigh on the third Monday in September next; and provided that a quorum does not attend, on that day, the delegates may adjourn, from day to day, until a quorum be present; and a majority of delegates elected shall constitute a quorum to do business.

§ 10. Be it further enacted, That no delegate elected shall be permitted to take his seat in Convention, until he shall have taken and subscribed the following oath or affirmation: "I, A. B., do solemnly swear (or affirm, as the case may be) that I will not either directly or indirectly evade or disregard the duties enjoined or the limits fixed to this Convention by the people of North Carolina as set forth in the act of the General Assembly, passed at the session of 1850-51, entitled an act concerning a Convention to amend the Constitution of the State of North Carolina, which act was ratified by the people—so help me God."
§ 11. Be it further enacted, That the Public Treasurer be, and he is hereby authorized, to pay, upon the warrant of the Governor, such sums of money as may be necessary for the contingent charges of the Convention, and also to pay each member of the Convention one dollar and fifty-cents per day, during his attendance thereon, and five cents for every mile he may travel to and from the Convention.

§ 12. Be it further enacted, That it shall be the duty of the Governor, immediately after the ratification of this act, to transmit a copy to each County Court Clerk in the State, and to cause it to be published in the newspapers of the State.

§ 13. Be it further enacted, That the following proposition shall be submitted to the people for their assent or dissent to the same; the former of which shall be understood as expressed by the votes for "Convention," and the latter by the votes "no Convention," or "against Convention," at the time and in the mode herein before provided, viz: that the said Convention, when a quorum of the delegates who shall be elected, are assembled, shall frame and devise an amendment to the Constitution of this State, so as to provide, that all persons entitled to vote for members of the House of Commons, shall also be entitled to vote for members of the Senate in the General Assembly; and that said Convention shall not make any other alteration or amendment of the Constitution whatever.

§ 14. Be it further enacted, That if a majority of the votes at the election first directed to be held by this act, shall be found "for Convention," it shall be considered and understood that the people, by their vote as aforesaid, have conferred on the delegates to said Convention, the power and authority to make the alteration and amendment in the existing Constitution of the State, in the particular herein enumerated, but in no other.
§ 15. Be it further enacted, That the said Convention, after having adopted an amendment to the Constitution in the said particular, shall have power and authority to prescribe the mode for the final ratification of the same by the people of the State; and to prescribe all necessary ordinances and regulations for the purpose of giving full operation and effect to the Constitution as thus altered and amended.

Mr. A. G. Foster moved to amend the proposed amendment of Mr. Rayner, by striking out all after the first word thereof, and inserting as a substitute therefor, the bill reported by him from the minority of the Committee on Amendments to the Constitution, on the 5th instant.

Which bill is in the following words:

§ 1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Court of Pleas and Quarter Sessions of each and every county in the State, at the first term that shall be held after the last day of March, one thousand eight hundred and fifty-one, shall appoint two inspectors to superintend the polls to be opened at each and every election precinct in said counties, for ascertaining, by ballot, the will of the freemen of North Carolina, relative to the meeting of a State Convention: and if any court or courts shall fail to make such appointments, or if any inspector so appointed shall fail to act, it shall be the duty of the Sheriff, or the person acting as his deputy on such occasion, with the advice of one Justice of the Peace, or, if none present, with the advice of two freeholders, to appoint an inspector or inspectors in the place of him or them who failed to act; which inspectors, when duly sworn, by some Justice of the Peace or freeholder, to perform the duties of the place with fidelity, shall have the same authority as if appointed by the court.
§ 2. Be it further enacted, That it shall be the duty of the Sheriffs of the respective counties in this State to open polls at the several election precincts in said counties, on the first Thursday in August next, when and where all persons qualified by the Constitution to vote for members of the House of Commons, may vote for or against a State Convention; those who wish a Convention, voting with a written or printed ticket, "Convention," and those who do not want a Convention, voting in the same way "No Convention."

§ 3. Be it further enacted, That it shall be the duty of the Sheriffs to make duplicate statements of the polls in their respective counties, sworn to before the Clerk of the County Court, one copy of which shall be deposited in said Clerk's office, and the other transmitted to the Governor of the State, at Raleigh, within twenty days after the election.

§ 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of Sheriffs, in the presence of the Secretary of State, Public Treasurer, and Comptroller, to compare the number of votes for and against a Convention; and if it shall appear that a majority of the votes polled are in favor of it, he shall forthwith publish a proclamation of the fact in such newspapers as he may think proper, and he shall issue a writ of election to every Sheriff of the State, requiring him to open polls for the election of delegates in the Convention, at the same places, on the first Thursday in October next, under the same rules and regulation as prescribed for holding other State elections.

§ 5 Be it further enacted, That the same persons who were appointed to hold the polls, in taking the vote on Convention, shall hold them for the election of Delegates: Provided, That if any of said inspectors shall fail to attend or act, the Sheriffs and their deputies shall supply their places in the manner herein before pointed out.
§ 6. Be it further enacted, That the several County Courts shall allow the Sheriffs the same compensation for holding the last named election for delegates usually allowed for holding other State elections; and if any Sheriff or other officer appointed to hold said elections, shall fail to comply with the requisitions of this act, he shall be liable to a fine of one thousand dollars, recoverable before any competent jurisdiction, to the use of the county whose officer he is, in an action of debt, in the name of the State; and it shall be the duty of the Solicitors to prosecute such suits.

§ 7. Be it further enacted, That all persons qualified to vote for members of the House of Commons under the present Constitution, shall be entitled to vote for members to said Convention; and all free white men of the age of twenty-one years, who shall have been resident in the State one year previous to, and shall continue to be so resident at the time of election, shall be eligible to a seat in said Convention.

§ 8. Be it further enacted, That each county in this State shall be entitled to select the same number of delegates to said Convention, that said county is entitled to members of the House of Commons in the General Assembly, and no more.

§ 9. Be it further enacted, That if any vacancy shall occur in any county delegation by death or otherwise, the Governor shall forthwith issue a writ to supply the vacancy. And the delegates shall convene in the Capitol in the city of Raleigh, or near thereto, on the third Monday in November next; and provided that a quorum does not attend, on that day, the delegates may adjourn from day to day until a quorum is present; and a majority of delegates elected shall constitute a quorum to do business.

§ 10. Be it further enacted, That the Public Treasurer
be, and he is hereby authorized to pay, upon the warrant of the Governor, such sums of money as may be necessary for the contingent charges of the Convention, and also to pay each member one dollar and fifty cents per day during his attendance thereon, and five cents for every mile he may travel to and from the Convention.

§ 11. Be it further enacted, That it shall be the duty of the Governor, immediately after the ratification of this act, to transmit a copy to each County Court Clerk in this State, and to cause it to be published until the meeting of the Convention in the newspapers of the State.

§ 12. Be it further enacted, That the said Convention, after having adopted amendments or alterations to the Constitution, shall prescribe the mode for the ratification of the same by the people, and shall prescribe all necessary ordinances and regulations for the purpose of giving full operation and effect to the Constitution as altered and amended.

After debate, the consideration of said bill and amendments was, by consent, postponed for the present, for the purpose of enabling the Committee to make reports; when,

Mr. D. A. Barnes, from the Committee on the Judiciary, to whom was referred the bill to amend an act entitled an act to make Real Estate Assets, passed at the session of 1846-47, reported the same, with an amendment, and recommended its passage.

The amendment was agreed to, and the bill, as amended, passed its second reading.

Mr. Eaton, from the same Committee, to whom was referred the bill giving the election of Clerks and Masters in Equity to the people, made an adverse report thereon.

The bill was read the second time, and, on motion of Mr. Eaton, ordered to be printed together with the report, and to lie on the table.
Mr. R. M. Saunders, from the Committee on the Judiciary, to whom was referred the bill to exempt overseers of public roads from performing military duty, reported the same back to the House, and asked, on behalf of said Committee, to be discharged from the further consideration thereof.

The Committee were discharged, and, on motion of Mr. Saunders, the bill was then referred to the Joint Select Committee on Military Affairs.

Mr. Saunders, from the same Committee, reported adversely the bill requiring the Prosecutor to pay the costs in certain cases, and giving a discretionary power to the Grand Juries in certain cases; which bill was read the second time, and, on motion of Mr. Erwin, ordered to be printed and laid upon the table.

Mr. Saunders, from the same Committee, to whom the bills were referred, also, reported adversely the bill to prevent free persons of color from owning and carrying fire arms, and the bill for the relief and benefit of clerks of the County Court; which were severally read the second time and rejected.

Mr. Saunders, from the same Committee, reported favorably the bill extending the powers of the Commissioners of the town of Franklinton.

The bill was read the second time and passed; and, on motion of Mr. Saunders—two-thirds of the House concurring—the same was read the third time and passed, and ordered to be engrossed.

Mr. Saunders, with leave, submitted the following resolution, which was read and adopted:

Resolved, That a Select Committee be appointed, to whom shall be referred so much of the Governor's message as re-
lates to the subject of the Raleigh and Gaston Railroad, and other matters relative thereto.

1. That the Committee be authorized to open negotiations with the old stockholders, as to their liabilities to the State, and for which suits are now pending in Wake Superior Court.

2. That they further inquire as to the expediency of disposing of the said Road to said stockholders or to such other persons as may be disposed to contract for the same.

3. That they further inquire as to the expediency of reorganizing said Company, with a capital of seven hundred thousand dollars, one moiety of which shall be owned by the State, estimating her present interest at three hundred and fifty thousand dollars—the other part to be taken, in whole or in part, by the old stockholders, on condition that the State shall release from their present liabilities all such as shall subscribe an amount equal to what they may have held in the old Company.

4. That the sum of three hundred and fifty thousand dollars, thus subscribed, shall be expended in putting said Road in complete order with heavy T iron, or iron equally good, and that within a reasonable time; and that the Committee report by bill or otherwise.

Mr. D. A. Barnes, from the Committee on the Judiciary, reported favorably the bill which had been referred to them, to facilitate the collection of rents, with an amendment, to wit: to add to the first section the words, "provided however, that nothing in this act shall be construed to extend to parol leases of more than three years."

The amendment was agreed to, and the bill, as amended, passed its second reading.

Mr. Brogden, from the Committee on Claims, reported favorably and without amendment, the Resolution in favor of Aaron H. Sanders, Sheriff of Montgomery County; and also the Resolution for the relief of the Clerk of the County Court of Chowan; which were severally read the second time and passed.
Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the memorial of certain citizens of Buncombe, praying the passage of an act restoring to credit Robert Rogers of said County, and also a memorial praying the passage of a similar act on behalf of Stephen McMahon, of Yancey County, made an adverse report in writing thereon, and asked to be discharged from the further consideration these subjects.

The report was concurred in; and the Committee discharged.

Mr. Jones, from the same Committee, to whom was referred the bill to amend an act entitled an act to authorize the inspection of provisions, passed at the session of 1848-49, chapter 43, reported the same with the following amendment, to wit: to insert as section 4th:

"That it shall be the duty of the several inspectors appointed, or who may hereafter be appointed, according to the provisions of the act herein-before recited, to brand every barrel, half barrel or keg, every hogshead, box, firken, bale or bundle of provisions or forage, which he may inspect:"

The amendment was adopted, and the bill, as amended, passed its second reading.

On motion, the House then adjourned.

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The Speaker announced Messrs. R. M. Saunders, Amis, Martin, Montgomery, and Cherry, as composing the Select Committee on the Raleigh and Gaston Railroad.

Mr. Erwin presented a memorial from sundry citizens of
Buncombe county, praying the repeal of the tax imposed on Horse and Hog Drivers, by the act of 1848-49, entitled an act to increase the Revenue of the State;

Also, a memorial from certain citizens of the corporate limits of Asheville, praying certain amendments to the act of last session, incorporating the town of Asheville;

The first named of which memorials was referred to the Committee on Finance, and the latter to the Committee on Private Bills.

Mr. Cherry called up the bill introduced by him on the 2d instant, to exempt from executions a certain portion of the land of every citizen of the State of North Carolina; and, on his motion, the same was referred to the Committee on the Judiciary.

Mr. Gordon presented a memorial from certain citizens of the county of Wilkes, praying the establishment of a new county, out of portions of Wilkes, Iredell, and Surry, to be called Williams;

Also, the petition of Nathan Gambill and Sedilla Gambill, of the same county, praying the passage of an act legalizing the marriage of the petitioners;

Which were referred, the first to the Committee on Propositions and Grievances, and the latter to the Committee on the Judiciary.

Mr. A. G. Foster presented a memorial from citizens of the county of Davidson, praying certain alterations and improvements of a Public Load, leading from Lexington to Mocksville; and

Mr. A. M. Foster, a memorial from citizens of the county of Wilkes, praying the establishment of a Public Road in said county;

Which were severally referred to the Committee on Propositions and Grievances.
Mr. Eaton introduced a bill to incorporate the Roanoke Valley Railroad Company; which was read the first time and passed, and referred to the Committee on Internal Improvements.

On motion of Mr. D. A. Barnes, the House agreed now to take up and consider the bill from the Senate, authorizing the Seaboard and Roanoke Railroad Company to issue bonds. The said bill being read the third time,

Mr. Rayner moved to amend the same, by inserting, as section 3, the following:

"Be it further enacted, That the Public Treasurer of this State be, and he is hereby authorized and directed to surrender and transfer to the Seaboard and Roanoke Railroad Company, the mortgage now held by the State on the Weldon Toll Bridge, on condition that the said Roanoke Railroad Company shall, at the time of such surrender and transfer, issue to the Public Treasurer, for and on behalf of the State, the bonds of the said Company, bearing interest at the rate of not less than six per cent. per annum, for the amount covered by said mortgage and interest thereon, to the time of such surrender and transfer."

The amendment was agreed to, and the bill, as amended, passed its third reading, and was ordered to be sent to the Senate for concurrence in said amendment.

Mr. R. M. Saunders called up the engrossed bill to incorporate the Fayetteville and Southern Plank Road Company, which having been read the second time,

Mr. Boykin moved to amend by adding to the 14th section thereof, "except changing the public road as aforesaid shall make the construction of a bridge or bridges necessary; then and in that case, it shall be the duty of said Plank Road Company, to keep in repair said bridge or bridges, the construction of which became necessary by changing public road aforesaid."
The amendment was adopted, and the bill passed its second reading.

The said bill was subsequently called up, on Mr. Rayner's motion, and referred to the Committee on Internal Improvements.

A motion was now made by Mr. Avery, to reconsider the vote by which the House had just passed its third reading, the bill authorizing the Seaboard and Roanoke Railroad Company to issue bonds; which motion prevailing, he moved to amend the bill by adding to the 3rd section thereof, (inserted on Mr. Rayner's motion) the words: "Said bonds to be payable in equal instalments, at the end of two and four years, and the interest to be paid semi-annually."

The amendment was agreed to, and the bill, as thus amended, again passed its third reading, and was ordered to be sent to the Senate, asking their concurrence in the said amendment.

The House now proceeded to the consideration of the special order, to wit: The bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes.

The bill having been read a second time, Mr. Walton moved the following amendment, to be added as a new section:

"Be it further enacted, That the General Superintendent shall not be entitled to receive the amount provided in 12th section of this act, but upon the certificate of the President and Directors of the Literary Fund, setting forth that said General Superintendent has faithfully discharged the duties made incumbent upon him by the preceding sections of this act."

Which was read and adopted.

Mr. Erwin moved further to amend the bill, by adding a new section as follows:
"Be it further enacted, That so much of the Common School law as provides for the distribution of the Common School Fund, according to the Federal population be repealed, and that hereafter that fund shall be distributed according to the number of white children, between the ages of five and eighteen years, in each county."

Mr. Avery moved that the bill, with the amendment, be laid upon the table; which was disagreed to, and,

Pending the consideration of the said amendment, after debate, the House, on motion of Mr. Jones, adjourned to Monday morning, 10 o'clock.

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Monday, Dec. 16.

The Committee on Enrolled Bills for the present week are, Messrs. Patterson, Dunlap, Hill, of Brunswick, and McDowell.

Ordered, That the Senate be informed thereof.

Mr. T. J. Person presented a memorial from sundry citizens of Bertie county, praying a repeal of the act of 1846-47, redistricting the State; which, on his motion, was referred to the Committee on the Judiciary.

Mr. W. McNeill, a memorial from citizens of the town of Lumberton, in Robeson county, protesting against the passage of any act incorporating said town, which, on his motion, was referred to the Committee on Private Bills.

Mr. Pool presented a bill for the better organization of the Court of Pleas and Quarter Sessions for the county of Pasquotank; which was read the first time, and, on his motion, referred to the Committee on Private Bills.

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Mr. Montgomery, a bill to incorporate the town of Graham, in the county of Alamance; which was read the first time, and, on his motion, referred to the same Committee.

Mr. Brogden presented the following Resolutions:

Whereas, an untarnished reputation, based upon strict integrity and a right adherence to good faith in all our public transactions, is not only of inestimable importance, but indispensably necessary to the well-being, prosperity and happiness of our common country; and whereas, we have hitherto preserved inviolate our private faith, and cherished with enthusiasm our unblemished honor, regarding it as a precious heritage from noble sires, earned by the toil, purchased by the blood, and endeared to us by the sufferings of the patriots of the Revolution; and whereas, it is not only highly dishonorable, but directly conflicting with every principle of justice and morality, for any State, nation or people to repudiate or disown obligations contracted in good faith, and with mutual concurrence, because such contracting power is not legally responsible or such obligation may not be legally enforced; and whereas, in a portion of our Union, doctrines have been promulgated tending to degrade the national honor, destroy the national credit, and debase the national character, unjustly involving in a common odium the other portions of this Union, and causing our name to be a by-word and a reproach throughout the civilized world: and whereas, in the absence of any authoritative declaration, a belief may prevail that these odious doctrines meet with a silent, if not general approbation throughout our confederation, thereby tarnishing by implication, our country's fair fame, and rendering it not only expedient, but highly necessary and proper that the voice of the people in their primary assemblies, and in their Legislative halls shall be universally, fully and unequivocally expressed; therefore,

1. Resolved, by the General Assembly of the State of North Carolina, That we heartily deprecate, indignantly repel, and utterly condemn the doctrine of repudiation of State debts, and desire now and for all time, distinctly and unequivocally to declare that North Carolina not only disavows any and all participation in such sentiments, but will
not suffer the moral sense of her people to be outraged by her avowal in part of our Union, by any portion of its citizens, without an expression of her open, thorough, and decided condemnation.

2. Resolved, That we should be recreant to every virtuous principle and honest impulse, and faithless to all moral obligations, did we hesitate to take a firm and unwavering stand, and exert the utmost energies of our State and people in vindication of the probity and the untarnished reputation transmitted by our fathers; which form the groundwork of that just pride and veneration, with which their honored names are associated and a broad basis of national integrity, which all should delight to emulate and defend.

3. Resolved, That the public credit is one of the vital principles, and a mainspring of national prosperity, and indissolubly associated, as it is, with an unimpeachable character for strict honesty, must be greatly impaired, if not utterly destroyed, by any disregard of this indispensable requisite in the formation of national, as well as individual, good character.

4. Resolved, That the same laws of retributive justice govern nations as individuals, and that no country or people can swerve with impunity from the straight forward path of uprightness and integrity; when the quick sense of honor becomes blunted, and the shame of merited reproach is unfelt or unheeded, the public morals will deteriorate, and public virtue decline, and, in their downward course, bear with them national respectability and national worth, and finally whelm the work and pride of ages in irretrievable ruin.

5. Resolved, That it is our earnest hope and belief that the doctrine of repudiation will never obtain any permanent foothold on the soil of our Union, and we are proud to assert that our people are, and ever have been, firm in their adherence to all the maxims of probity, unwavering in their acknowledgement of all the exactions of good faith, honorable in the discharge of all the obligations which mutual contracts impose, or the conventional usages of society imply, and proudly sensitive to the aspersions of national disgrace.

6. Resolved, That considerations, above and distinct from party, reaching far beyond our day and generation, and intimately affecting, as we sacredly believe, the future char-
acter, varied interests, and permanent prosperity of our beloved country, solemnly impel us to speak fearlessly and unhesitatingly on this subject; and in a spirit of patriotism which should look beyond State limits, we reprobate all violations of good faith, and we declare our firm and united determination to preserve, unmarred, the honor and reputation of our common country.

The foregoing Resolutions were read the first time and passed.

The Speaker resumed the call of Committees, commencing where he left off on Saturday last; whereupon,

Mr. Rayner, from the Committee on Internal Improvements, reported favorably the bill to incorporate the Granville Plank Road Company. The said bill having been read a second time, was, on motion of Mr. Rayner, amended, by adding, at the end of 10th section, the following:

"Provided, That the toll so to be collected, shall be so regulated that the profits shall not exceed 25 per cent. on the capital of the said Company, in any one year."

And, as thus amended, passed its second reading.

Mr. Rayner, from the same Committee, reported favorably the bill to incorporate Garysburg and Oconeechee Plank Road Company; which being read the second time, Mr. Rayner offered an amendment to the 15th section thereof, of similar import, with the foregoing amendment, and the same was agreed to.

On motion of Mr. Rayner, the bill was further amended by inserting as a new section after the 17th section, the following, which was also read and adopted:

§ 18. Be it further enacted, That whenever in the construction of said Road, it may be necessary to cross or in-
tersect any established Road or way, it shall be the duty of
the Board of Directors so to construct the said Plank Road
across such public road or way, as not to impede the
passage or transportation of persons or property along the
same."

On motion of Mr. T. J. Person, the bill was thereupon
further amended by inserting the following as new sections,
to-wit:

§ 14. **Be further enacted, That if at any time hereafter
the said Plank Road or any branch thereof, shall cease to
be used by said Company, for the purposes and in the man-
ner hereinbefore mentioned, for the space of five consecutive
years, then, and in that case, the land or lands seized and
possessed by said Company, shall revert to the original own-
er or owners, their heirs and assigns, who shall have the
same right to said lands, of which he, she or they were seized
and possessed at the time of the passage of this act.

§ 15. **Be it further enacted, That the said Plank Road
Company shall commence the construction of said Road with-
in five years from the ratification of this act, and shall com-
plete the same within five years from the commencement
thereof; and, if failing to do so, they shall forfeit this char-

And the bill, with the said several foregoing amendments,
passed its second reading.

Mr. Rayner, from the same Committee, reported favora-
ibly the bill to amend the charter of the Yancey and Mc-
Dowell Turnpike Company; which bill being read the sec-
ond time, Mr. Rayner moved the following amendment, as a
new section, to-wit, as section 14:

"**Be it further enacted, That the provision of the act of
Assembly of 1848-49, incorporating the Yancey and McDowell Turnpike Company, which grants to said Company on the conditions therein named, three thousand dollars from the proceeds of the sales of the State lands, be and the same is hereby repealed."

The amendment was agreed to, and thereupon, on motion of Mr. Powers, the bill was further amended by striking out the word, "three" in 6th line of 8th section, and inserting therefor the word, "six," and thus amended, passed its second reading.

Mr. J. M Leach, from the same Committee, to whom a memorial on the subject was referred, reported a bill to repeal so much of an act entitled an act to open and improve the road from Salathiel Stone's old place, in Forsythe county, to the Virginia line, near the mouth of Wilson, in Ashe county, as applies to the county of Forsythe; which bill passed its first reading.

Mr. Wilson, from the Committee on Private Bills, reported favorably and without amendment, the bill to appoint Commissioners for the town of Wentworth; and the bill to incorporate Muchuena Lodge, No. 20, of the Independent Order of Odd Fellows in the town of Warrenton; which were severally read the second time and passed.

Mr. Wilson, from the same Committee, reported the bill to incorporate Logan Lodge, No. 121, of Ancient York Masons, located at Jamestown in Guilford county, with an amendment, to-wit: to strike out all after the word, "inconsistent," in the 1st section, and insert, "with the laws and Constitution of this State, nor the United States;" which amendment was agreed to.

On motion of Mr. Eaton, the bill was further amended by adding the following to the said section:
"Provided, nevertheless, That said corporation shall not hold any more real estate than may be required for the convenient transaction of its business."

And as thus amended, the bill passed its second reading.

Mr. Wilson, from the same Committee, reported favorably the bill to incorporate Lafayette Division, No. 2, Sons of Temperance in the town of Fayetteville; which bill was read the second time, amended on motion of Mr. Eaton, by adding to the first section a proviso of similar import with the foregoing, and passed.

Mr. Wilson, from the same Committee, to whom was referred the bill to provide for the opening and clearing out Upper Little River in Cumberland county, and to prevent obstructions to the free navigation of the same, reported the same back to the House, and asked to be discharged from the further consideration thereof. The request was granted; and,

On motion of Mr. Wilson, it was Ordered, That said bill be referred to the Committee on Internal Improvements.

Mr. Caldwell, of Guilford, from the same Committee, reported favorably the bill to incorporate Ocean Wave Division, No. 60, of the Sons of Temperance, in the town of Washington; which being read the second time, was, on motion of Mr. McCleese, amended by striking out all after the word "inconsistent," in the first section, and inserting "with the Constitution and laws of the State or of the United States;" and,

Also, on Mr. Eaton's motion, amended by adding to said section a proviso, similar to those added to the two foregoing bills on his motion; and as thus amended, the bill passed its second reading.

Mr. J. J. Williams, from the Joint Select Committee on the Library, to whom the subject was by resolution referred,
reported a bill entitled, a bill to repeal the act providing for the system of International Scientific and Literary Exchanges between the State of North Carolina and France; which bill was read the first time and passed.

Mr. Person, of Moore, from the Joint Select Committee on Finance, reported adversely the bill which had been referred to them, to increase the Revenue of the State and to amend the act of 1848-49, entitled an act to increase the Revenue of the State.

The said bill having been read the second time, Mr. Stevenson moved that the consideration thereof be indefinitely postponed; which motion not prevailing, on motion of Mr. Johnston, the bill was laid upon the table.

Mr. Person, from the same Committee, also, reported adversely the bill explanatory of an act entitled an act to increase the revenue of the State; which was read the second time and rejected.

Mr. Person, from the same Committee, reported adversely the bill to repeal the tax on droves of Horses, Mules and Hogs.

The said bill was read the second time, and pending debate thereupon,

The Speaker announced the special order of the day, to-wit: the resolutions reported from the Joint Select Committee on Slavery, by Mr. R. M. Saunders, on the 10th instant; whereupon, Mr. Barnes of Northampton, moved that the consideration thereof be postponed, and the resolutions be made the order of the day for Monday next.

Mr. Rayner moved to amend this motion by striking out "Monday," and inserting in lieu thereof, "Thursday;" which latter motion was disagreed to; and the question recurring on the motion of Mr. Barnes, it passed in the affirmative.
Received from his Excellency, the Governor, by the hands of A. J. Terrell, Esq., his Private Secretary, a message transmitting, on behalf of the Board of Internal Improvements, the Report of Col. W. B. Thompson, Chief Engineer, upon the extension of the Cape Fear and Deep River Slack-water Navigation Company to the Yadkin, &c.

And also, a message transmitting the Report of Major S. Moylan Fox, on the condition of the Raleigh and Gaston Rail Road, prepared by order of the Board of Internal Improvements; which, on motion of Mr. Brogden, were severally ordered to be sent to the Senate with a proposition to print.

On motion of Mr. Barnes, of Northampton, the House now resumed the consideration of the unfinished business at the last adjournment, to wit: The amendment offered by Mr. Erwin, to the bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes; pending the consideration whereof,

Mr. Avery moved that the House adjourn till to-morrow morning, 10 o'clock; which was disagreed to.

Mr. Avery then moved to amend the amendment proposed by Mr. Erwin, by striking out all after the enacting words of the same, and inserting, as a substitute therefor, the following:

"That so much of the act passed in the year 1840-41, as provides that the School Fund shall be distributed among the several counties in this State, according to Federal population, be, and the same is hereby repealed; and that hereafter the proceeds of the fund, set apart for purposes of Education in this State, and known or designated as the School Fund, be distributed among the several counties in this State, according to their free white population in each county, and that the Literary Board shall determine the number of free white inhabitants in each county, by reference to the census.
returns made next before the time appointed for each semi-
annual distribution of said Fund."

Pending whereof, Mr. Eaton, with leave, withdrew his pro-
posed amendment; whereupon,
Mr. Leach, of Davidson, moved an adjournment to to-
morrow morning, 10 o'clock; which motion was not agreed to.

The same motion was subsequently renewed by Mr. Cam-
pbell, and again disagreed to.

And the question then being upon the foregoing amend-
ment proposed by Mr. Avery, to be added as a new section to the bill; it was decided in the negative: Yeas 38, nays 77.

Mr. Sloan demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Amis, Barco, D. Barnes, J. Barnes, Blow, Bond, Boykin, Brazier, Bridgers, Brogden, Cherry, Clanton, Cotton, Dargan, Davidson, Dickinson, Dunlap, Durham, Eaton, Eure, Foyville, Hackney, Harrison, Herring, J. Hill, S. Hill, W. Hill, Jarvis, Jerkins, Johnston, Jones, Kal-
lum, Kelly, A. J. Leach, Martin, Mathis, McDowell, McCleese, N. Mc-

A motion was now made, by Mr. Steele, that the House adjourn until to-morrow morning, 10 o'clock, which was not carried; and, thereupon,
Mr. Erwin moved that the bill be indefinitely postponed; the question on which motion was decided in the affirmative: Yeas 77, nays 38.

Mr. Wiley demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was indefinitely postponed.

And, on motion of Mr. Flemming, the House then adjourned until to-morrow morning, 10 o’clock.

Tuesday, Dec. 17.

Mr. Avery presented a memorial from certain citizens of Burke county, praying the passage of an act authorizing the County Court of said county to appoint a tax Collector there-
for; which was referred to the Joint Select Committee on Finance;

Also, a memorial and counter-memorial from citizens of said county, praying the repeal of the act of 1848-49, abolishing Jury trials in the County Courts thereof; and

Also, a memorial from citizens of the same county, praying the passage of a law appointing a sale-day on the 1st Monday of each and every month, at the Court House in Morganton; which were severally referred to the Committee on the Judiciary.

Also, a memorial from sundry citizens of the counties of McDowell and Yancy, praying the establishment of a public Road from Marion the county town of McDowell, to the Turnpike line; which was referred to the Committee on Internal Improvements.

Mr. Waugh presented the petition of certain citizens of the county of Stokes, praying the passage of an act attaching a portion of said county to the county of Forsythe; which was referred to the Committee on Propositions and Grievances.

Mr. A. G. Foster presented the Petition of sundry citizens of Davidson county, praying a repeal of the act of 1848-49, exempting from military duty all persons over thirty-five years of age; which was referred to the Joint Select Committee on Military Affairs.

Mr. Erwin presented a petition from sundry citizens of Buncombe county, praying the appointment of Martin Whitemore as a Justice of the Peace for said county; which was referred to the Committee on Propositions and Grievances.

Mr. Wilson presented a bill, accompanied by a memorial, to prevent, during a part of each week, fishing with seines, near the mouth of the River emptying into Albemarle Sound,
and for other purposes; which bill was read the first time and passed, and referred to the Committee on Propositions and Grievances.

Ordered, on motion of Mr. Cherry, that said bill be printed.

Mr. Bond presented a counter-memorial, together with a printed letter from Jos. B. Skinner, Esq., protesting against the provision of the first section of said bill, to-wit: that “it shall not be lawful for any person to lay out or suffer to remain out any scene within a mile of the mouth of any river (either up said River, or in the Sound opposite the mouth thereof) between sunset on Saturday and 12 o’clock Sunday next;” which, on his motion, was referred to the same Committee.

Mr. Leach, of Davidson, introduced a bill to improve the Deep River and Yadkin River, and to connect the two Rivers by means of a Portage Rail Road; which was read the first time and passed; and, on motion of Mr. Leach, ordered to be printed and laid upon the table.

Mr. Stubbs introduced a bill to repeal an act of the General Assembly of 1848-49, chapter 93, entitled an act to amend an act passed at the last session of the General Assembly, entitled an act to provide for the apprehension of runaway slaves in the Great Dismal Swamp, and for other purposes; and,

Mr. Tripp, a bill for the further regulation of the inspection of Tar sold in this State.

Which bills were severally read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. Avery,

Resolved, That the use of the Hall of the House of Commons be granted to Wm. D. Cooke, Esq., Superintendent of
the Institution for the Deaf and Dumb, on Monday evening next, for the purpose of enabling him to make an exhibition before the members of the Legislature of the progress made by him in the instruction of the pupils under his charge.

On motion of Mr. Caldwell, of Rowan,

Resolved, That the Joint Select Committee on Military Affairs, inquire into the expediency of permitting the third Regiment of the North Carolina volunteers, the use of four hundred muskets and one 24 pounder cannon, upon bond and good security being given for their safe keeping and re-delivery.

Mr. Wilson submitted the following Resolution, which was read and adopted:

Whereas, By the present law, the election of certain County officers, to wit: Solicitor, Register, Coroners, Surveyor, Entry-taker, &c., being unelected at different terms of the County Courts is very inconvenient and frequently delayed for want of a majority of the Magistrates, particularly in those counties which have adopted the special Court system;

Be it Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the laws at present in force as to provide for said elections to be held at the first County Court which may take place after the first day of January, that being the Court at which a majority of the Magistrates are compelled to be present for the purpose of laying the public taxes; and that said Committee report by bill or otherwise.

Mr. Williams, of Mecklenburg, introduced a bill to authorize the County Courts in the several counties in this State, to allow compensation to Justices of the Peace, who may be appointed to settle the accounts of Executors, Administrators and Guardians, and other services; which was read the first time and passed, and referred to the Committee on the Judiciary.
Mr. Montgomery introduced a bill to incorporate the Trustees of the Graham Institute, a Seminary of learning, to be established in or near the town of Graham in the County of Alamance; which was read the first time and passed, and referred to the Committee on Private Bills.

Mr. Barnes of Northampton presented a resolution in favor of Henry Spivey, late Sheriff of Northampton county; which was read the first time, and referred to the Committee on Claims.

Mr. S. J. Person, from the Joint Select Committee on Finance, submitted the following report:

The Committee on Finance have examined the accounts and vouchers of the Treasurer of the State, and report that they are correct, except as to the sum of $90, improperly paid to Hon. John M. Dick, for holding a special term of the Superior Court of Guilford county, in September, 1850; which would leave the balance on hand in cash on the 1st November, 1850, $109,114 90, instead of $109,024 90, as reported by the Treasurer.

The Committee have also compared the Treasurer's books with the books of the Bank, and find that there was deposited in the Bank of Cape Fear on the 1st November, 1850, $65,228 71, a larger sum by $243, than reported by the Treasurer; and in the Bank of the State, $43,802 65, a sum larger by $58 50, than reported by the Treasurer; but the committee are satisfied that this difference results from the fact that some drafts of the Treasurer drawn upon these banks before the 1st November, 1850, had not been presented for payment up to that day.

The Committee further report that they find that $11,308 32, have been paid by the Treasurer upon the warrants of his Excellency, Gov. Manly, on account of the Salisbury and Western Turnpike Road, and your Committee think
that the said warrants were issued and paid without authority of law. The act incorporating that Company appropriates only the proceeds of the Cherokee lands to that work, and, in the opinion of the Committee, there was no authority to pay money on account of that Road, except such as the bonds, judgments and future sales of the Cherokee lands shall yield.

And your Committee are not only of opinion that there was no authority of law to pay the sum, but that the charges made, and the amount of money expended for the survey of that road, are enormous.

Your Committee ask leave to make a further report in relation to this subject.

S. J. PERSON, Chairman.

Ordered, That the foregoing report be sent to the Senate, with a proposition to print.

Mr. Winston moved a reconsideration of the vote by which the House yesterday ordered the Resolutions on Slavery, reported from the Joint Select Committee, to be made the special order for Monday next.

Mr. Avery moved to lay said motion on the table; which was carried.

Mr. S. J. Person moved a reconsideration of the vote by which the House yesterday agreed to postpone indefinitely the bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes; and further moved that said motion be laid upon the table.

The latter motion was disagreed to; and the question recurring on the proposition to reconsider, was also determined in the negative.

Mr. R. M. Saunders, with leave, presented a resolution in favor of Willis Gregory; which was read the first time and passed.
The Speaker announced as the order at this time the unfinished business, to wit: the bill to amend the Constitution of North Carolina, and the amendments pending thereto; which, on motion of Mr. Avery, were postponed, and made the special order for to-morrow at 12 o'clock.

The House now resumed the consideration of the bill, on its second reading, to repeal the tax on droves of Horses, Mules, and Hogs; and, on motion of Mr. Rayner, it was ordered to lie on the table.

Mr. S. J. Person, from the Joint Select Committee on Finance, reported adversely the following bills, which had been referred to that Committee, to wit:

The bill to repeal the 8th section of the act of the General Assembly of North Carolina, passed at the session of 1848-49, entitled an act to increase the Revenue of the State;

The bill entitled a bill to amend the Revenue Act of 1848-49;

The bill to repeal 8th section of the 77th chapter of the act of 1848-49, entitled an act to increase the Revenue of the State; and

The bill to relieve sailing vessels from the tax imposed on them by the act of 1848-49, entitled an act to increase the revenue of the State;

Which bills were severally read the second time, and, on motion of Mr. Rayner, laid upon the table.

Mr. Person, from the same Committee, to whom was referred a resolution to inquire into the expediency of increasing the tax on all Pedlars, and, if not at variance with the Constitution, to require all persons not native born citizens of the State to pay more than those who are, made an adverse report thereon, and asked to be discharged from its further consideration.
The report was concurred in, and the Committee discharged accordingly.

Mr. Person, from the same Committee, reported adversely on the memorial from citizens of Buncombe county, praying a repeal of that portion of the act of 1848-49 which imposes a tax on Horse and Hog Drivers, and asked to be discharged from the further consideration of the same.

The report was concurred in.

Mr. R. M. Saunders, from the Committee on the Judiciary, reported adversely on the Resolution instructing said Committee to inquire into the expediency of altering or increasing the punishment for trading with slaves;

Also, on the Resolution instructing said Committee to inquire into the expediency of so amending the law as to compel Executors and Administrators to pay all debts of equal dignity, pro rata;

Also, on the Resolution instructing said Committee to inquire into the expediency of making compensation by law, to such Justices as may be appointed to take the list of taxable property;

Also, on the Resolution instructing them to inquire into the expediency of making it discretionary with the County Courts to pay the Wardens of the Poor;

Also, on the Resolution instructing them to inquire into the expediency of providing, by law, that all deeds of trust shall hereafter be void as to creditors, unless they secure the payment of the debts of the bargainor, pro rata, and without distinction or reference;

Also, on the Resolution instructing them to inquire into the expediency of amending the law on the dignity of debts of deceased persons, so as to make all bona fide debts due from the estate of said deceased, whether of open accounts, bonds or judgments, of equal dignity;

Also, on the Resolution instructing them to inquire into the expediency of so amending the law in regard to Sheriffs
returns on original and final process as to absolve them from amercements, unless said amercements are moved for at the time when process is made returnable;

Also, on the Resolution instructing them to inquire into the expediency of limiting the term of office of Sheriffs, so that the same incumbent shall not hold the office for more than six years in succession; and,

Also, on the Resolution instructing them to inquire into the expediency of amendments suggested to the law on the subject of Executors and Administrators.

The several reports upon the foregoing Resolutions were concurred in, and the Committee discharged from the further consideration thereof respectively.

Mr. Saunders, from the same Committee, to whom was referred the bill concerning Justices of the County Courts, reported the same back with a recommendation that it be rejected.

The said bill was read the second time, and on motion of Mr. Saunders, ordered to lie on the table.

Mr. Brogden, from the Committee on Claims, to whom was referred a Resolution in favor of Tilman A. Vestal, made an adverse report thereon; and the said Resolution was read the second time and rejected.

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred a memorial from citizens of the county of Northampton, praying the passage of an act emancipating James Langford, made an unfavorable report thereon.

The said memorial was read, and on motion of Mr. Barnes, laid upon the table.

On motion of Mr. Steele, the House then adjourned.
WEDNESDAY, Dec. 18.

Mr. R. M. Saunders presented the petition of Candis Henry praying permission to build a new house on one of the public lots of the city of Raleigh, now occupied by her; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Martin presented a memorial from Wm. F. Hilliard, of Franklin county, praying the Legislature to allow and settle certain accounts due him by the Raleigh and Gaston Railroad Company, which was referred, on his motion, to the Committee on Claims.

Mr. Patterson presented a memorial from sundry citizens of Alamance and Chatham counties, praying the passage of an act giving the Judges of the Superior Courts, discretionary power in certain cases, to sentence convicts to labor on the public works of the State, or public roads, which was read, and, on his motion, referred to the Committee on the Judiciary.

On motion of Mr. R. M. Saunders,

Resolved, That the Committee on the Judiciary inquire into the expediency of permitting members of the North Carolina Mutual Life Insurance Company to be witnesses in all cases in which they shall not be parties of record.

Mr Pegram introduced a bill, accompanied by a memorial, to lay off and establish a new county by the name of Madison; which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

And Mr. Rollins, a counter-memorial on the same subject, which was referred to the same Committee.
On motion of Mr. Kelly,

Resolved, That hereafter, when the House adjourns, it shall be to meet at 10 o'clock, unless otherwise ordered.

On motion of Mr. Person, of Moore,

Ordered, That a message be sent to the Senate proposing to go into the election of Public Treasurer, to-morrow at half-past 11 o'clock.

Mr. Stubbs presented a bill in respect to the payment of the original panel of jurors for the county of Beaufort; which was read the first time and passed, and referred to the Committee on Private Bills.

Mr. R. M. Saunders presented a resolution in favor of W. H. Whitson, accompanied by certificates of the Clerks of Orange and Wake Courts; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Walton presented a resolution in favor of M. W. Kincaid, late Sheriff of Burke county; which was read the first time and passed, and referred to the Committee on Claims.

Mr. Steele introduced a bill to assist the Fayetteville and Centre Plank Road Company; and,

Mr. Boykin, a bill supplemental to several Plank Road Charters passed, and that hereafter shall be passed at the present session of the General Assembly;

Which were severally read the first time and passed, and referred to the Committee on Internal Improvements.

Mr. Dargan introduced a bill to prevent the selling of Spirituous Liquors to slaves; and,

Mr. Brogden, a bill to prevent the taking of unlawful toll or fare on Railroads and Steamboats;
Which were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Herring introduced a bill to incorporate the Trustees of Clinton Female Institute, in the county of Sampson; and, Mr. Bond a bill to incorporate the Albemarle Fire Engine Company, in the town of Edenton;

Which bills were severally read the first time and passed, and referred to the Committee on Private Bills.

On motion of Mr. Hill, of Caswell,

Resolved, That the Committee on the Judiciary be instructed to report a bill authorizing the Attorney-General to commence suits in either the Court of Law or Equity of Wake county, to compel all those Superintendents and Chairmen who have not accounted for the School money in their hands, to account for the same.

On motion of Mr. Wiley,

Resolved, That the Committee on Negro Slavery be instructed to inquire into the expediency and cost of transporting the free negro population of this State to the State of Vermont.

Mr. Scott introduced a bill to repeal the 2d section of 82d chapter, and 81st section of 84th chapter of Revised Statutes; which passed its first reading, and, on motion of Mr. Caldwell, of Rowan, was referred to the Committee on Finance.

The Speaker now resumed the call of Committees, yesterday unfinished; when

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the bill to establish a new county by the name of Jackson, reported the same back,
with an amendment, to wit: to strike out all after the enacting clause, and insert the substitute accompanying the report, viz:

"That all that part of the counties of Haywood and Macon included within the following bounds, to wit: Beginning on the extreme height of the Scott's Creek Mountain, where the State's road crosses; thence with the top of that mountain which divides the waters of Pigeon River from the waters of Tuckasege River to the line that divides the States of North and South Carolina; thence with a line to be run from said line to the top of Fodderstack Mountain, so as to include William Barnes' plantation within the new county; thence with the top of said mountain to the Whiteside Mountain; thence to the top of the Cowwee Mountain; thence with the top of the Cowwee Mountain to where the State's road crosses it, which divides the waters of the Tuckasege River from the waters of the Tennessee River, to the top of the mountain at the head of the Alarka Creek; thence along the top of said mountain and the ridge that divides the waters of Alarka Creek from those of Tuckasege River to the Tuckasege River, opposite the mouth of Forney's Creek; thence with the top of the first ridge below said Creek to the top of the Smoky Mountain on the Tennessee line, and top of said mountain to where the Oconolufita Turnpike Road crosses it; thence with the top of said mountain to the Bald Mountain that divides the waters of Oconolufita from the waters of the Cattaloocla Creeks; thence along the dividing ridge to where the Soco and Jonathan's Creek Road crosses; thence on the top of the Balsam mountain that divides the waters of Richland Creek from the waters of Tuckasege River to the beginning at the State's Road, be, and the same is hereby erected into a separate and distinct county, by the name of Jackson, with all the rights, privileges and immunities that other counties in the State have and enjoy."
The foregoing amendment was read and adopted, and the
question being on the passage of the bill as amended its sec-
ond reading,
Mr. Brogden moved that it be laid on the table. This
motion was disagreed to, and pending debate on the bill,
The Speaker announced the special order, to-wit: the bill
to amend the Constitution of North Carolina, the question
being on the amendment proposed by Mr. Foster to the
amendment offered by Mr. Rayner, as a substitute for said
bill.

Mr. Barnes, of Northampton, moved that the consideration
of the bill and amendments be postponed to to-morrow 12
o'clock.

Mr. Stevenson moved to amend the motion by making
them the special order for 3 o'clock this afternoon; and after
debate thereon, Mr. Barnes withdrew his motion, and the
consideration of the bill was, on Mr. Stevenson's motion,
postponed, and made the special order for the hour of three
o'clock, P. M., this day.

Mr. Rayner, with leave, from the Committee on Internal
Improvements, to whom was referred the engrossed bill from
the Senate, to incorporate the Fayetteville and Southern
Plank Road Company, reported the same favorably to the
House. The said bill being read the third time, Mr. Rayner
moved to amend the 10th section thereof, by adding thereto
the following:

"Provided, That the toll collected shall be so regulated
that the profits shall not exceed twenty-five per cent. on the
capital of said Company, in any one year;"

Which amendment was agreed to, and the bill thereupon
passed its third reading, and was ordered to be sent to the
Senate for their concurrence in the amendment.

On motion of Mr. Love, the House then took a recess
until 3 o'clock, P. M.
Three o'clock, P. M.

Received from the Senate a message agreeing to the proposition to go into an election for Public Treasurer, to-morrow at half-past 11 o'clock, and informing that Messrs. Bunting and Haughton, form their branch of the Committee to superintend the same.

Also, a message agreeing to print the message from his Excellency the Governor, and the report of Maj. S. Moylan Fox, on the condition of the Raleigh and Gaston Railroad; and also, the message with the report of Col. W. B. Thompson, Chief Engineer upon the extension of the Cape Fear and Deep River Slackwater Navigation, &c.

Also, a message agreeing to print the report of the Joint Select Committee on the accounts of the Public Treasurer.

The House now proceeded to the consideration of the special orders: The question being upon the amendment moved by Mr. Foster, to-wit: to strike out all after the first word of the amendment proposed by Mr. Rayner, and insert the bill introduced by him on 5th instant, and printed.

Mr. Person, of Moore, called for a division of the question, and moved that the question be first put on striking out; which motion prevailed, and the division was ordered.

Mr. Waugh moved a call of the House, which motion was carried; and the Clerk thereupon commenced calling the roll, but before the same was gone through with, A motion was made by Mr. Barnes of Edgecombe, that further proceedings in the call be dispensed with; which was agreed to.

Mr. Foster, after debate, withdrew his proposed amend-
ment; and thereupon, Mr. Barnes of Northampton, moved that the consideration of the bill and amendment be postponed and made the special order for to-morrow at 12 o'clock. The motion was disagreed to, and thereupon,

Mr. Love moved to amend the amendment offered by Mr. Rayner, by striking out all after the first word thereof, and inserting in lieu thereof a bill, being of the same import and words as the amendment offered by Mr. Foster; which amendment he subsequently withdrew.

Mr. Flemming then moved to amend the amendment offered by Mr. Rayner, by striking out all after the first word thereof, and inserting in lieu thereof the first six sections of the bill introduced by him the 2nd instant, and printed; calling a Convention to amend the Constitution; which amendment also, he subsequently withdrew; whereupon,

Mr. Avery moved to postpone the further consideration of the subject until to-morrow, and that the same be made the special order for the hour of 12 o'clock, and five minutes of that day; pending whereof,

Mr. Pope moved an adjournment till to-morrow morning 10 o'clock, but subsequently withdrew the motion, and thereupon, Mr. Avery withdrew his said proposition to postpone.

Mr. Foster then renewed his motion to amend as originally made by him; and pending the question thereon,

On motion of Mr. Pope, the House adjourned.
THURSDAY, Dec. 19.

Received from the Senate a message, transmitting the following engrossed bills, and asking the concurrence of this House therein, viz:

A bill to authorize the building of a Toll Bridge over Dan River, in Caswell county, near Milton, and to incorporate a Company for that purpose;

A bill to incorporate the Home Guards, a volunteer corps of Infantry of the line, in the county of Pasquotank; and,

A bill to incorporate the Ashville and Greenville Plank Road Company.

The said bills were severally read the first time and passed, and the last named bill, on motion of Mr. Avery, referred to the Committee on Internal Improvements.

Also, a message informing that they have passed the Engrossed Bill from this House to lay off and establish a new county by the name of Yadkin, with amendments, and asking the concurrence of this House therein, to-wit: to strike out the second section, and to add to first section the following:

"Provided, A majority of the free white men entitled to vote for members of the House of Commons in the present county of Surry, shall vote for the same, the sites for the new Court Houses being first fixed on at or near the centre of the new counties, the manner and time in which such votes shall be taken, and the sites for said Court Houses fixed on to be prescribed by a supplemental bill to be passed at this General Assembly."

Which said amendment was concurred in, and ordered that the Senate be acquainted thereof.

Mr. Davidson presented a memorial from citizens of Meck-
lenburg and adjoining counties, and members of Western Medical Society, praying the establishment of a Medical Board, to examine all persons desiring to practice medicine within the limits of North Carolina; which, on his motion, was ordered to be sent to the Senate, with a proposition to raise a Joint Select Committee of two from that body and three on the part of this House, to whom the same shall be referred.

Mr. A. M. Foster presented a certificate signed by E. K. Welsh, Judge Advocate of a Court-Martial of a division of the 75th Regiment, ordered by the proper board of officers thereof, and praying a confirmation of the same by the Legislature; which was, on his motion, referred to the Committee on Military Affairs.

Mr. Jones introduced a bill to improve Haw River, which was read first time and passed, and, on his motion, referred to the Committee on Internal Improvements.

Mr. Sloan introduced a bill concerning Clerks and Clerks and Masters in Equity; which was read the first time, passed, and referred to the Committee on the Judiciary.

The Speaker announced that the hour had now arrived at which, by the joint order of yesterday, the two Houses were to go into an election for Public Treasurer; whereupon,

Mr. Wilson moved a call of the House; which motion was disagreed to.

Mr. Steele thereupon nominated Charles L. Hinton, Esq., of Wake, and Mr. Person, of Moore, nominated Daniel W. Courts, Esq., of Rockingham, for the said office; whereof the Senate were informed by message, and that Messrs. Ruffin and Adams were the Committee on behalf of this House to superintend the election.
The House thereupon voted as follows:

FOR MR. COURTS:

FOR MR. HINTON:

FOR MR. G. W. CALDWELL:
Messrs. Flemming and Sharp—2.

FOR MR. McMILLAN:
Mr. Douthitt—1.

Mr. Avery introduced a bill to incorporate the North Carolina and Tennessee Rail Road Company; which was read the first time, passed, ordered to be printed, and referred to the Committee on Internal Improvements.

Mr. Adams, from the Committee appointed to superintend the election of Treasurer, reported that the whole number of votes given were 163, of which number Mr. Courts received 81 and Mr. Hinton 79; and that neither of the candidates having a majority, there was no election.

In which report the House concurred.

A message was received from the Senate, proposing to go forthwith into another vote for Public Treasurer, which was agreed to; and Messrs. Bond and Clanton were appointed.
the Committee on the part of this House, to superintend the election; of which, the Senate was informed by message.

On motion of Mr. Martin,

Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the Common School law, as to require the Committee-men of the several school districts in this State to report on or before the first Monday in January in each and every year, the number and names of the white children in their districts over five and under twenty-one years of age, and also the number and names of all the scholars, who have received instruction at their schools during the preceding year; the time each scholar attended the same; the length of time the school has been kept up; the name of the Teacher and the amount paid, and also such other facts relating to their schools as they may deem expedient; and also, to inquire into the expediency of requiring the Chairman of the Board of Superintendents to make a report of the condition of the schools of his county, together with an account of the receipts and disbursements of all the monies coming into his hands after having been passed upon by the Committee of Finance of his county, or in case there be no such Committee, by the Clerk of the County Court with their or his certificate of its correctness, if found correct, within the last ten days of each year to the President and Directors of the Literary Fund, or such officer as may be appointed for that purpose.

Mr. Newsom presented the resignation of Bennet Bunn, Esq., a Justice of the Peace for the county of Wake; which was read and accepted, and ordered to be sent to the Senate.

Received from the Senate a message informing that Messrs. Hoke and Kelly form the Committee on their part to superintend the election of Public Treasurer, and that the Senate will vote on the return of their messenger.

The House thereupon voted as follows:
FOR MR. COURTS:


FOR MR. HINTON:


FOR MR. G. W. CALDWELL:

Mr. Flemming—1.

The bill to provide relief for the purchasers of Cherokee lands, &c., reported from the Joint Select Committee on the subject, which had been made the special order for to-day, was now taken up, and, on motion of Mr. G. W. Hayes, it was ordered to lie upon the table.

Mr. Bond, from the Committee appointed to superintend the election of Public Treasurer, reported that the whole number of votes cast was 162; of which Mr. Courts received 84, Mr. Hinton 77, and Scattering 1, and that Mr. Courts having a majority of the whole number, was duly elected. In which report the House concurred.

On motion of Mr. Erwin, the House took up the bill requiring the prosecutor to pay the costs in certain cases, and giving a discretionary power to Grand Juries in certain cases; and on his motion, the same was postponed, and made the special order for Saturday next.
The House now proceeded to the consideration of the un-
finished business of yesterday, to-wit: the bill to amend the
Constitution of North Carolina, the question being on the
amendment offered by Mr. Foster to the amendment of Mr.
Rayner; and after some time spent in debate thereon.

On motion of Mr. R. M. Saunders, the House took a re-
cess until half past 3 o'clock.

H A L F P A S T 3 O ' C L O C K.

The House resumed the consideration of the unfinished
business at the last adjournment, and pending the discussion
thereof,

On motion of Mr. D. F. Caldwell, the House then ad-
journed until to-morrow morning, 10 o'clock.

F R I D A Y, Dec. 20.

The Speaker laid before the House a communication from
Hon. J. M. Morehead, President of the North Carolina Rail
Road Company, in regard to the progress and prospects of
said Road; which was ordered to be sent to the Senate with
a proposition to print.

Received from the Senate a message, transmitting the fol-
lowing Resolutions which have passed that body, and asking
the concurrence therein of this House;
Resolved, That a message be sent to the House of Commons, proposing to raise a Joint Select Committee to consist of the members of the Committees on Education of the Senate and House of Commons, to whom all bills, resolutions and communications on the subject of Common Schools shall be referred.

Resolved, That the said Joint Select Committee be instructed to examine the whole system of Common Schools by such lights as can be obtained in the city of Raleigh, the situation and amount of the Literary Fund, now unaccounted for in the hands of officers of the School laws, or of private individuals; and to report at as early a day as practicable, a plan for the collection of monies due the Literary Fund, for the more efficient and better organization of the system of Common Schools, and for the more safe and economical and beneficial application of the proceeds of the School Fund to the purpose for which said Fund was originally designed.

The foregoing propositions were concurred in.

Also, a message from the Senate, informing that they have passed the engrossed bill to incorporate the Fayetteville and Centre Plank Road Company, with an amendment to wit: to strike out the words "twenty-five," in the 20th section and insert therefor the word "fifty;" in which they ask the concurrence of the House.

The amendment was agreed to, and the Senate acquainted thereof by message.

Mr. Pool introduced a bill providing for keeping a record of Marriages in this State; which was read the first time and passed, and referred to the Committee on the Judiciary.

The bill to facilitate the collection of rents, on its third reading, was taken up, on motion of Mr. Barnes, of Northampton, and ordered to be printed.

Mr. Davidson presented a resolution directing the Adjutant General to procure, from the War Department, copies of the muster rolls of troops from this State, who have serv-
ed in various wars, and making an appropriation to defray the expenses thereof; which was read the first time and passed, and referred to the Joint Select Committee on Military Affairs.

Mr. McMillan introduced a bill to open and improve the road from the Virginia line, via Gap Civil, and by the Douglas Gap, in the Blue Ridge, to intersect the State Road near Judesville, in Surry county; and,

Mr. Bogle, a bill to appoint Commissioners to view and lay off a public road from the town of Taylorsville, in the county of Alexander, to Aquilla Payne's, in Caldwell county, and for the purpose of improving the same; which bills were severally read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Kelly introduced a bill to extend the limits of the town of Kenansville, in the county of Duplin; which passed its first reading, and was referred to the Committee on Private Bills.

Mr. Avery introduced a resolution in favor of Alexander Duckworth, Sheriff of Burke county; which passed its first reading, and, on his motion, was referred to the Committee on Propositions and Grievances;

Also, another resolution of the same title, which was referred to the Committee on Claims.

On motion of Mr. Swanner,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending the laws at present in force, as to compel the Clerks of the County Courts to open books for a record of Marriages; and also to consider the propriety of making it the duty of any and all persons who may solemnize the rights of matrimony, to return to the Clerk of the County Courts the original license, with a certificate endorsed thereon, specifying the date at which the parties mentioned in the license were united in wedlock; that they report bill or otherwise.
Mr. McDowell introduced a bill concerning the return of civil process before Magistrates in the county of Bladen; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Rayner introduced a bill concerning the Raleigh and Gaston Railroad, which was read the first time and passed, and referred to the Select Committee on the subject, and ordered to be printed.

Mr. Leach presented to the House a communication from R. W. Haywood, Adjutant General, transmitting a letter addressed to that officer by D. G. McRae, keeper of the Public Arms at the Arsenal at Fayetteville, and suggesting the importance of making suitable provision by law for the better security and protection of the arms and munitions of War belonging to the State at that place; which was read and ordered to be sent to the Senate with a proposition to refer the same to the Joint Select Committee on Military Affairs.

On motion of Mr. Caldwell, of Guilford,

Resolved, That the Committee on Education be instructed to inquire into the expediency of so amending the School law, as to authorize the Literary Board to withhold the monies due to each county in this State until there has been laid before them satisfactory evidence that the county has levied and collected at least as much taxes from their citizens, for the support of Common Schools in their county as they are entitled to receive from said Board.

Mr. Rayner, from the Committee on Internal Improvements, to whom was referred the Resolution providing a safe depository for the maps and documents relating to public surveys and Internal Improvements of the State, and for other purposes, reported the same with an amendment, to-wit: to strike out all after the first word, "Resolved," and insert as follows:

"That in order to preserve the maps, charts, documents
and other material, which have been or may hereafter be made with reference to any work of public improvement in this State, the room in the west wing of the Capital, known as Committee Room, No. 3, be appropriated and set apart as a permanent Bureau of Engineering; and the same is hereby directed to be fitted up under the superintendence of the Clerks of the two Houses with the register tables, closets and other fixtures, and that hereafter all companies incorporated for said purpose of Internal Improvements be required to furnish to this Bureau for the use of the General Assembly, and for public affairs of the State, a correct map and profile of their contemplated improvement, drawn to a uniform horizontal scale of four hundred feet to an inch; and that all such and other documents of like character as may be furnished the State, shall be deposited for safe keeping in said room, under the charge of the State Librarian or State Engineer, should there hereafter be one appointed; and the expense of so fitting up said room, to an amount not exceeding twenty-five dollars, be defrayed from the Public Treasury.

The said amendment was read and adopted, and the resolution as amended passed its second and third readings and was ordered to be engrossed.

Mr. Rayner, from the same Committee, to whom was referred a memorial from sundry citizens of Wilkes county praying the establishment of a public road in said county, reported the same unfavorably; and asked to be discharged from the further consideration thereof.

Ordered, on motion of Mr. Gordon, that the memorial and report lie upon the table.

Mr. Rayner, from the same Committee, reported favorably the bill to incorporate the Salisbury and Taylorsville Plank Road Company. The same was put upon its second reading; whereupon,
Mr. Rayner moved an amendment, to-wit: to add to the 10th section the words:

"Provided however, That the toll shall be so regulated that the profits shall not exceed twenty-five per cent, on the capital of said Company in any one year."

And also, to amend by adding to 14th section as follows:

"Provided however, That previous to making any such change, the said Company shall make and prepare a road equally good, with the portion of the road proposed to be substituted; but nothing herein contained shall be so construed as to make it incumbent on the Company to keep in repair the portion of any road which they may have changed as aforesaid."

The which said amendments were severally adopted, and the bill so amended, passed its second reading.

Mr. Steele, from the Committee on Education, reported adversely the bill introduced by Mr. Wilson to provide for the appointment of Superintendents of Common Schools, and also, the bill to amend an act of the General Assembly of 1848-49, entitled an act to amend an act on the subject of Common Schools.

The first of which bills was laid on the table, on Mr. Wilson's motion, and the latter laid on the table, on motion of Mr. Webb.

Mr. Steele, from the same Committee, also reported adversely the bill for the better application of the Common School Fund; which was read the second time, and, on motion of Mr. W. McNeill, ordered to be printed and laid on the table.

Mr. Jones, from the Committee on Propositions and Griev-
ances, to whom was referred the bill to lay off and establish a county by the name of Wilson, reported the same, with a recommendation against its passage.

Ordered, on motion of Mr. Jones, that the bill lie upon the table.

Mr. Jones, from the same Committee, also reported adversely the bill concerning a Penitentiary; which, on motion of Mr. Rayner, was laid upon the table.

Also, reported adversely the bill to repeal an act of the session of 1844-45, entitled an act to attach that portion of the county of Carteret known as Ocracoke, to the county of Hyde; which, on motion of Mr. Mizell, was laid upon the table.

Mr. Jones, from the same Committee, reported favorably the bill to repeal an act entitled an act to amend an act to incorporate the Hickory Nut Turnpike Company, passed at the session of the General Assembly of 1848-49; which was read the second time and passed.

Mr. Jones, from the same Committee, reported a memorial from citizens of Yancy county, praying certain alterations and improvements in the Public Road leading from Asheville, by way of Burnsville, to the Indian Grave Gap, &c., made an adverse report thereon, and asked to be discharged from its further consideration.

The report was concurred in and the Committee discharged.

Mr. Person, of Moore, from the Joint Select Committee on Finance, to whom was referred a memorial from certain citizens of Guilford county, praying the passage of an act imposing a tax upon merchants or venders of articles of Northern manufacture, which come in competition with mechanical labor in this State, made an adverse report
thereon, and asked to be discharged from the further consideration of the same.

The memorial and report were, on motion of Mr. Caldwell, laid upon the table.

Mr. Person, from the same Committee, reported unfavorably the bill to amend the 6th section of 75th chapter of the act of 1846, relating to the taxation on slaves; which bill was read the second time, and, on motion of Mr. Stevenson, indefinitely postponed.

The House now resumed the consideration of the unfinished business of yesterday afternoon, and, pending debate thereon,

On motion of Mr. Love, the House then took a recess until half-past 3 o'clock.

Half past 3 O'clock.

The House again resumed the consideration of the unfinished business of this morning, and, after some time spent in debate thereon,

On motion of Mr. Flemming, the House adjourned until to-morrow morning, 10 o'clock.
Saturday, Dec. 21.

Mr. Siler presented a memorial from sundry citizens of Macon county, praying the passage of an act for the relief of John Young, a purchaser of land sold by the State, in the year 1836; which was, on his motion, referred to the Committee on Cherokee Lands, &c.

Mr. Wilson presented a certificate of the Clerk of the Court of Perquimons county, on behalf of Priscilla Jordan, whose petition accompanied the same, for the allowance of a pension; which, on his motion, was referred to the Committee on Claims.

Mr. Ruffin presented a memorial from certain citizens of Rockingham county, praying the passage of an act declaring the River Dan, from the town of Madison to the Stokes line, a good and sufficient substitute for a lawful fence; which, on his motion, was referred to the Committee on Proposals and Grievances.

Mr. Gordon presented sundry memorials from citizens resident within the 75th Regiment of the North Carolina Militia, protesting against a division of said Regiment, as lately made by a Court-Martial thereof; and praying the Legislature not to sanction and confirm the same; which, on his motion, was referred to the Joint Select Committee on Military Affairs.

Mr. R. M Saunders submitted the following Resolution which was read, and on his motion, laid on the table:

"It shall be in the power of the House, on motion by the vote of a majority, to terminate all debate on any question which may be pending, and to fix the hour when the vote shall be taken on the main question, and any amendment
which may be proposed; and no further debate shall be in order, unless it be for explanation on an amendment, which shall not exceed five minutes."

On motion of Mr. Scott,

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency and propriety of a general revision and consolidation of the public laws of North Carolina, and that they report to this House the result of such alterations.

Mr. Caldwell, of Guilford, introduced a bill to incorporate a Mutual Insurance Company in the town of Greensboro'; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Barnes of Northampton, introduced a bill to amend an act entitled an act to protect the interest of lessors passed at the session of 1840-41; which was read the first time and passed, and referred to the Committee on the Judiciary.

On motion of Mr. McCleese,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of making the act of harboring or concealing Apprentices, whether white or colored, an indictable offence, and that they report by bill or otherwise.

Mr. Sharp introduced a bill to improve the administration of justice; which was read the first time and passed, and ordered to be printed and laid on the table.

Mr. A. M. Foster introduced a bill regulating the fees of Clerks and Masters in this State, and for other purposes; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Barnes of Northampton, asked for, and obtained leave
of absence for Mr. Farmer, for ten days, from and after Monday next.

Mr. Person of Northampton, asked for, and obtained leave of absence from the service of the House, for Mr. Thigpen, for six days, from and after Monday next.

Mr. Barnes of Northampton, also asked for and obtained leave of absence for Mr. Barnes of Edgecombe, for three days, from and after Monday next;

Mr. Stevenson for Mr. Simmons, for five days, from and after said day; and,

Mr. Saunders for Mr. Person of Northampton, for eight days, from and after said day.

Mr. Erwin called up the bill requiring the prosecutor to pay the cost in certain cases, and giving a discretionary power to Grand Jurors in certain cases; which had been made the special order for this day, and the same was now, on his motion, postponed to the 2nd January next, and made the order for that day.

Mr. Saunders, from the Committee on the Judiciary, to whom was referred the bill to incorporate the Milton Saving Institution, reported the same with an amendment, to-wit: to strike out all after the enacting clause, and insert the substitute reported by the Committee.

The said amendment was agreed to, and the bill being read the second time, was on motion of Mr. Person, of Moore, ordered to be printed as amended, and laid on the table.

On motion of Mr. Steele,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of reporting a bill making it obligatory upon all Banks in this State, to redeem their notes wherever they may be presented, without reference to the peculiar place at which they may be made payable.
Mr. Cherry asked for and obtained leave of absence for Mr. Hill, of New Hanover, for eight days, from and after Thursday next.

The House now resumed the consideration of the unfinished business of yesterday, and after some time spent in debate,

On motion of Mr. Foster, of Davidson, the House adjourned till 3 o'clock.

THREE O'CLOCK, P. M.

The House again resumed the unfinished business of this morning; pending whereof, and before a vote was taken thereon,

Mr. Person, of Northampton, moved that the same be postponed, and made the special order of the day for Thursday next.

Mr. Rayner moved to amend the motion by striking out the word "Thursday," and inserting "Monday;" which was carried, and the bill and amendments were accordingly made the special order of the day for Monday, 30th December.

On motion of Mr. Jones, the House took up the Resolutions on Slavery, reported from the Joint Select Committee on the subject; and the same was now, on motion of Mr. Rayner, ordered to lie upon the table.

Mr. Stubbs asked and obtained leave of absence from the
service of this House, for six days from and after Tuesday next, for Mr. Tripp.

On motion, the House then adjourned till Monday morning, 10 o'clock.

**Monday, Dec. 23.**

The Committee on Enrolled Bills for the present week, are Messrs. Foster, of Wilkes, Stowe, Bogle and Flynt.

Received from the Senate a message, agreeing to the proposition to raise a Joint Select Committee of two on the part of the Senate and three on the part of this House, on the memorial from Mecklenburg county, praying the establishment of a Medical Board, and informing that Messrs. Cameron and Malloy form the said Committee on their part.

The Committee on the part of this House, are Messrs. Blow, Durham and J. J. Williams, and the Senate were informed thereof by message.

Mr. Siler presented a memorial from sundry citizens of Macon county, praying the passage of an act abolishing Jury trials in the County Courts of said county; which, on his motion, was referred to the Committee on the Judiciary.

Mr. Gordon, a memorial from sundry citizens of the county of Wilkes, praying the establishment of a Public Road, from Church's Store, in said county, crossing the Blue Ridge at Lewis' Fork Gap; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Steele asked for and obtained leave of absence from
the services of the House, for Mr. Wm. McNeill, for five days, from and after to-morrow.

Mr. Stevenson, for Mr. Clanton, for six days, from and after to-day.

Mr. Erwin, for Mr. Cherry, for six days, from and after to-day; and

Mr. Steele, for Mr. Hill, of Brunswick, for four days, from and after this day.

On motion of Mr. Scott,

Ordered, That a message be sent to the Senate, proposing to set apart the afternoon of Tuesday, for the appointment of Justices of the Peace.

Mr. Foster, of Wilkes, introduced a bill to open and improve the State Road from Wilksboro', by Boon, in Watauga, to the Tenessee line; which passed its first reading, and was referred, on his motion, to the Committee on Internal Improvements.

Mr. Eaton introduced a bill to allow the State to challenge Jurors; which passed the first reading, and was referred to the Committee on the Judiciary.

Mr. Wilson submitted the following Resolution, which was read and adopted:

Whereas, The Water Mills in the North-eastern part of the State are rapidly decreasing in number, and the streams on which they are located will, in a few years, be useless for milling purposes; and whereas, their places are being supplied by Steam Mills, for the regulation of which there is no law now in force; therefore,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of passing such a law for their regulation as may seem fair and proper; and report by bill or otherwise,
Mr. Pool introduced a bill to incorporate Talula Encampment, No. 8, of the Independent Order of Odd Fellows, in the town of Elizabeth City;

Also, a bill to incorporate Pasquotank Division, No. 21, of the Sons of Temperance, of Elizabeth City;

Which bills were severelly read the first time, passed, and referred to the Committee on Private Bills.

Mr. Saunders, from the same Committee on the Judiciary, to whom were referred certain memorials, praying a change of the law relative to the advertisement of land for taxes, reported a bill entitled a bill to amend the 51st section of the act entitled an act to provide for the collection and management of the revenue of the State, Rev. Stat. chap. 102; which was read the first time and passed.

Mr. Saunders, from the same Committee, to whom the bill on the foregoing subject, touching the duty of Sheriffs in regard to the sale of land for taxes, reported the same back unfavorably; and the same was read the second time, and on his motion, ordered to lie on the table.

Mr. Stevenson, from the same Committee, reported favorably, and without amendment, the bill to regulate the pay of jurors and witnesses in the county of Craven; which was read the second time and passed.

Mr. Eaton, from the same Committee, to whom was referred the bill to prevent more effectually the corruption of the slave population, reported the same with the following amendments, to-wit: first to strike out the words, "or free persons of color or mixed blood," in the 6th and 7th lines of section 1st, and secondly, to strike out the words, "whether for a stake or not," in the 10th line of said section, and insert "whether for money, liquor or property or not;" and thirdly, to strike out the second section, which is as follows:

"That this act shall be in force from and after its ratification;"
The which amendments were severally adopted, and the said bill, as amended, passed its second reading.

Mr. Eaton, from the same Committee, reported adversely the bill to extend the Jurisdiction of Justices of the Peace in certain cases, and the said bill was accordingly read the second time and rejected.

Mr. Brogden, from the Committee on Claims, to whom was referred a resolution instructing them to inquire into the claims of Mark Coleman, and others, against the State, reported the same back, and asked to be discharged from the consideration thereof; which was granted, and thereupon, on his motion, the said resolution was referred to the Committee on the Judiciary.

A message from the Senate, agreeing to set apart to-morrow afternoon, to the business of appointing Justices of the Peace.

Mr. Rayner, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Roanoke Valley Rail Road Company, reported the same back to the House, with sundry amendments, to wit: To strike out the 37th, 41st, 42nd and 43d sections of the bill.

Which said amendments were agreed to.

Mr. Eaton moved further to amend by striking out the word "forever," in the 10th line of 24th section; which was carried; and also to amend by striking out 28th and 35th sections; which was agreed to.

The question now being on the passage of the bill on its second reading, as amended, after debate,

Mr. Stevenson moved that the further consideration thereof be indefinitely postponed; whereupon,

Mr. Steele moved that the bill, as amended, be printed
and laid upon the table; which latter motion was carried; and,

On motion of Mr. Avery, the House then adjourned until to-morrow morning, 10 o'clock.

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Tuesday, Dec. 24.

Mr. Steele asked for and obtained leave of absence from the service of this House, for Mr. Thornton and Mr. Eaton, for four days from and after to-morrow;

Mr. Sanders for Mr. Leach, of Johnston, for four days from and after to-morrow;

Mr. Cotton for Mr. Hackney, for three days from and after to-morrow; also, for Mr. Brazier for two days from and after to-morrow; and,

Mr. Wiggins for Mr. Amis, for four days from and after to-morrow.

On motion of Mr. Steele,

Ordered, That a message be sent to the Senate proposing that when the two Houses next adjourn, they shall adjourn to meet on Thursday morning.

Mr. Brogden introduced a bill to authorize Solicitors of the County and Superior Courts to administer oaths in certain cases, which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. McLean introduced a bill supplemental to an act passed by the General Assembly, entitled an act to lay off and establish a new county by the name of Yadkin; which was read the first time and passed.
Mr. R. M. Saunders introduced a bill to authorize the investment of trust funds in the bonds or certificates of the State; and,

Mr. Pool, a bill to incorporate Pasquonaux Lodge, No. 103, of Ancient York Masons, of the town of Elizabeth City;

Which severally passed the first reading, and the latter bill was referred to the Committee on Private Bills.

Mr. Dargan, with leave, presented a memorial from sundry citizens of Union county, praying the passage of an act making trespasses on lands indictable; which was, on his motion, referred to the Judiciary Committee.

On motion of Mr. Stubbs,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of so amending an act passed at the session of 1848-49, entitled an act to provide for the settlement of estates in the hands of executors and administrators, and for the relief of the same as to allow executors and administrators to file their petitions although two years may have elapsed from the time of their qualification.

On motion of Mr. Erwin,

Resolved, That the Judiciary Committee be instructed to inquire whether the act authorizing the Justices of the Peace of the respective counties of this State to levy a tax for school purposes, is not inconsistent with the Constitution of North Carolina.

On motion of Mr. Waugh,

Ordered, That a message be sent to the Senate proposing to rescind the joint order of the two Houses agreeing to set apart this afternoon for the appointment of Justices of the Peace.
Mr. Marshall, with leave, presented a memorial from citizens of Forsythe county, praying the passage of an act dividing the said county into two distinct Regiments; which, on his motion, was referred to the Committee on Military Affairs.

Mr. Barnes of Northampton, introduced a bill to emancipate James Langford, a slave; which was read the first time and passed, and

Mr. McDowell a bill to regulate the pay of witnesses in the county of Bladen; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Wiggins introduced a resolution in favor of William Hicks of Granville county; which was read the first time and passed, and referred to the Committee on Claims.

Mr. Bond a bill to incorporate the Rising Sun Division, No. 144, of the Sons of Temperance, in the town of Edenton; which was read the first time and passed, and referred to the Committee on Private Bills.

The Speaker laid before the House the resignation of Jno. R. Herndon, Esq., a Justice of the Peace for Granville county; and,

Mr. Sanders of Johnston, the resignation of Joseph Hare, Esq., of said county; which were severally read and accepted, and ordered to be transmitted to the Senate.

Received from the Senate a message transmitting the following engrossed bills and resolutions, and asking the concurrence of this House therein, viz:

A bill to incorporate the Tennessee River Railroad Company in the county of Macon;
A bill concerning corporations;
A bill in relation to the execution of criminal process;
A bill to incorporate the Hamilton Female Academy in the county of Martin;
A bill to incorporate Theophilus Division, No. 57, of the Sons of Temperance, in the town of Murfreesboro';
A bill to incorporate Hanks Lodge, No. 128, of Ancient York free and accepted Masons;
A bill to incorporate the Ringgold Guards;
A bill to incorporate Marratock Division, No. 88, of the Sons of Temperance;
A bill to incorporate Independent Division, No. 31, of the Sons of Temperance;
A bill to incorporate Tuscarora Lodge, No. 22, I. O. O. F. in Kinston;
A bill to incorporate Esperanza Lodge, No. 28, of the Independent Order of Odd Fellows;
A bill to incorporate Connoho Lodge, No. 131, in the town of Hamilton;
A bill to restore jury trials to the county Courts of Rutherford, Henderson, and Cleaveland;
A bill to enlarge the powers of Commissioners of the town of Wilmington;
A bill to provide for a Geological and Agricultural survey of the State;
A resolution in favor of Jason Sherrill; and,
A resolution in favor of Susannah Fox;
Which said bills and resolutions were severally read the first time and passed.

On motion of Mr. Rayner, the first of the said foregoing bills, and on motion of Mr. Barnes of Northampton, the second of said bills were referred to the Committee on Internal Improvements.

Received from the Senate a message, agreeing to rescind the joint order of yesterday, agreeing to go into the appointment of Justices of the Peace this afternoon.
The House now proceeded to the consideration of the special order, to wit: The bill to lay off and establish a new county by the name of Jackson; the said bill being read the second time,

Mr. Steele moved to amend by adding the following to the first section:

"Provided That upon a fair census to be judged by the next General Assembly, of the number of inhabitants in said county of Jackson, it shall appear that there is a federal population equal to the one hundred and twentieth part of the federal population of this State."

Mr. Rayner moved that the bill and amendment do lie upon the table; which was not carried.

And the question then recurring on the amendment proposed by Mr. Steele, the same was rejected.

The question now being upon the passage of the bill on its second reading, it was decided in the affirmative: Yeas 58, nays 29.

Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the bill passed its second reading.

Mr. Wiley presented the resignation of John Ligon, Esq., a Justice of the Peace for Wake county; which was read and accepted, and ordered to be sent to the Senate.

On motion of Mr. Hayes, of Cherokee, the bill to provide relief for purchasers of Cherokee lands, &c., was now taken up, and made the special order of the day for Friday next.

On motion of Mr. Drake, the bill giving the election of Clerks and Masters in equity to the people, was also taken up and made the special order of the day for Saturday next.

Mr. Erwin called up the bill concerning Jury trials in the county of Buncombe; and the question being on agreeing to the amendment proposed by the Senate, the same was concurred in, and ordered that the Clerk acquaint the Senate therewith.

The House then adjourned till Thursday morning 10 o'clock.


The Journal of Tuesday having been read,

Mr. Scott introduced a bill to incorporate the town of Concord, in Cabarrus county; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. R. M. Saunders, from the Joint Select Committee to which was referred so much of the Governor's message as
relates to the Block of Marble intended for the Washington monument, submitted the following report:

That the Committee have examined with care the very interesting documents which have been laid before them, and are proud in having it in their power to say they establish, beyond all question, the highly important fact, that American Independence was first proclaimed in the county of Mecklenburg; and though, at one time, it may have been a subject of controversy, yet, since the publication of the evidence in relation to it by the Governor, under the direction of the General Assembly of 1830, other evidence has been obtained, which places the fact beyond all doubt.

The Committee are gratified in saying, the discovery by Dr. Joseph Johnston, of Charleston, S. C., in 1847, of the South Carolina Gazette and Country Journal, of the 13th June, 1775, and the discovery, by the Hon. George Bancroft, of a duplicate number of the same newspaper, in the State Paper office, in London, containing the extraordinary Resolutions by the people in Charlotte town, Mecklenburg county, as communicated to the President of the United States in 1848, and by him presented to the Governor of the State, leave no longer any doubt on the subject.

These facts will hereafter find their way into the history of the country, which shall attempt to trace the origin of the American Revolution, and the Committee cannot withhold the expression of the grateful sense they entertain of the liberality which prompted the efforts of those gentlemen, citizens of other States, to search out and communicate the evidence which has been spread before the public on the subject.

The Committee do not hesitate to recommend that the inscription in commemoration of this great event shall be placed on the Block of Marble, which has been forwarded to this city by the patriotic citizens of Lincoln county, for the purpose of being sent to Washington, in order to form a part of the monument, now in progress of erection, to the
Father of his Country; and, with this view, they propose for adoption the Resolutions herewith reported:

1. Resolved, That his Excellency, the Governor, cause to be transmitted the Block of Marble presented by the patriotic citizens of Lincoln county, for the Washington monument, and that he cause to be made on it the following inscription, together with the coat of arms of the State:

   "NORTH CAROLINA
   DECLARATION OF INDEPENDENCE,
   MECKLENBURG,
   MAY, 1775."

2. Resolved, That the Governor draw his warrant on the Treasurer of the State for such sum of money as may cover the expenses for freight, and for carrying into effect the foregoing Resolutions, and that the Treasurer be authorized to pay the same.

The said Resolutions were read the first time and passed, and, on motion of Mr. Saunders, the rules were suspended, and the same were put on their second and third reading, passed, and ordered to be engrossed.

Mr. Wilson, from the Joint Select Committee appointed to inform Hon. David S. Reid of his election as Governor, and know of him when it will suit his convenience to take the oaths of office before the General Assembly, reported verbally, that the Committee had discharged said duty, and that Governor Reid would appear before the two Houses and take the oaths of his office, at 12 o'clock 1st January next.

On motion of Mr. Wilson, it was then

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee, consisting of four on the part of each House, whose duty it shall be to make suitable arrangements for the reception of his Excellency, David S.
Reid, on the first day of January next, to take the oaths of office.

Mr. Avery introduced a bill to appoint Commissioners to view and lay off a road from the town of Marion, in McDowell county, to the top of Iron Mountain, in the county of Yancey; and,

Mr. Caldwell of Guilford a bill to incorporate Florence Division, of the Sons of Temperance, No. 13, in the county of Guilford;

Which bills severally passed the first reading. The first was referred to the Committee on Internal Improvements, and the latter to the Committee on Private Bills.

Mr. Kallum presented a memorial from citizens of Rockingham county, on behalf of Joe, a slave, emancipated by the Will of Jarret Bowling, praying the passage of an act by which said Joe may be permitted to remain in the State; which was referred to the Committee on Propositions and Grievances;

Mr. Swanner presented a memorial from sundry citizens of Washington county, protesting against the incorporation of Religious and Moral Reform Societies; which was referred to the Committee on Private Bills.

The following bills and resolutions were read the third time and passed, and ordered to be engrossed:

The bill to incorporate the town of Murphy, in the county of Cherokee;

The bill to incorporate Robeson Institution, located in the county of Robeson;

The bill to incorporate Buena Vista Lodge, No. 21, I. O. O. F., located in Greensboro' in Guilford county;

The bill concerning official bonds of Sheriffs, Coroners, and Constables;

The bill to incorporate Greensboro' Division of the Sons of Temperance, located in Greensboro';
The bill to incorporate Mountain Lodge, No. 19, of the Independent Order of Odd Fellows;

The bill to incorporate Rockingham Division, No. 32, Sons of Temperance, located at Rockingham, Richmond county;

The bill to incorporate Falling Creek Lodge, No. 29, Independent Order of Odd Fellows, in the town of Rockingham, Richmond county;

The bill to incorporate the Grand Division of the Sons of Temperance of the State of North Carolina;

The bill to incorporate the Raleigh and Summerville Plank Road Company;

The bill concerning Depositions;

The bill to repeal the 1st and 2nd sections of an act of the General Assembly, entitled an act concerning the President and Directors of the Literary Fund;

The bill giving a name to the county town of Stokes county, and for other purposes;

The resolution in favor of Joseph C. Newland, late Clerk of the County Court of Caldwell;

The bill to amend an act entitled an act, to make real estate assets, passed at the session of 1846-47;

The bill giving a name to the county town of Forsythe county, and for other purposes;

The bill to amend an act entitled an act, to authorize the inspection of provisions passed in the year 1848-49;

The resolution in favor of Aaron H. Sanders;

The resolution for the relief of the Clerk of the County Court of Chowan;

The bill to prevent more effectually the corruption of the slave population;

The bill to regulate the pay of Jurors and Witnesses in the county of Craven;

The bill to repeal an act entitled an act to amend an act, to incorporate the Hickory Nut Turnpike Company, passed at the session of the General Assembly of 1848-49;
The bill to incorporate the Salisbury and Taylorsville Plank Road Company;

The bill to incorporate Ocean Wave Division, No. 60, of the Sons of Temperance, in the town of Washington;

The bill to incorporate Lafayette Division, of the S. of T., in the town of Fayetteville;

The bill to incorporate Logan Lodge, No. 121, of Ancient York Masons, at Jamestown, Guilford county;

The bill to incorporate Muchuena Lodge, No. 20, of the Independent Order of Odd Fellows, in the town of Warren; 

The bill to incorporate the Garysburg and Oconeechee Plank Road Company;

The bill to amend the Charter of the Yancy and McDowell Turnpike Company; and

The bill to appoint Commissioners for the town of Wentworth.

Mr. McKay presented a Resolution in favor of Christiana Sipe, widow of James Sipe; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Avery a Resolution in favor of John N. Curtis, late Sheriff of McDowell county, and the sureties on his official bonds, for the years 1844-'45-'46-'47-'48; which was read the first time and passed, and referred to the Committee on Propositions and Grievances.

The bill to incorporate Lumberton Division, No. 44, of the Sons of Temperance, which was read the third time and on motion of Mr. D. A. Barnes, ordered to lie on the table.

The bill to repeal an act of the General Assembly of 1848-'9, ratified 27th January, 1849, entitled an act to repeal a part of an act of the Legislature of 1844-'5, chap. 14th, was put upon its third reading, amended on motion of Mr. Love, by striking out the word "County" in the last line,
and inserting instead thereof the word "Counties," and by adding the words "and Macon" to the first section, and as thus amended passed and was ordered to engrossment.

The House now proceeded to consider the Resolution authorizing a loan of two thousand dollars to the Trustees of Mt. Pleasant Academy, in Cherokee county; which resolution was put upon its third reading and passed: Yeas 54, nays 22.

Mr. Mathis demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Rayner moved a reconsideration of the vote, by which said resolution was passed, which was carried; and he thereupon moved to amend the same by adding to the first section the following:

"Provided, The Literary Board may have any money on hand, not already invested or likely to be called for for Common School purposes;"

Which amendment prevailed, and the resolution again passed its third reading, and was ordered to be engrossed.

The bill to incorporate the Granville Plank Road Company was read the third time; whereupon,
Mr. Wiley moved to amend the same, by striking out the proviso to the 10th section, which is as follows:

"Provided, That the toll so to be collected shall be so regulated that the profits shall not exceed 25 per cent. on the capital of said Company in any one year;"

This motion was disagreed to, and the bill passed its third reading and ordered to be engrossed.

Mr. Pigott moved that the House now take up and consider the bill, on its second reading, to repeal an act passed at the session of 1844-45, entitled an act to attach that portion of Carteret county known as Ocracoke to the county of Hyde; which motion was disagreed to.

Mr. Avery called up the bill to incorporate Cedar Hill Division of the Sons of Temperance in Anson county; and the question being on the amendment proposed by Mr. Pope on 5th instant, the same was now withdrawn by him, and the bill passed second reading.

The resolution to authorize the President and Directors of the Literary Fund to loan $3000 to the Chowan Female Institute, was read the third time, and the question, shall the resolution pass its third reading? was decided in the affirmative: Yeas 55, nays 15.

Mr. Sherrard demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Ordered, That said resolution be engrossed.

The House now proceeded to the consideration of the bill to lay off and establish a new county by the name of Jackson. The said bill having been read the third time,

Mr. Barnes of Northampton, moved that it be laid on the table; whereupon,

Mr. Rayner moved an adjournment, which was disagreed to; and the question recurring on the motion to lay on the table, it also was determined in the negative.

The motion to adjourn was renewed by Mr. Powers, and again disagreed to; whereupon,

The question was taken on the passage of the said bill its third reading, and decided in the affirmative: Yeas 43, nays 26.

Mr. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the bill passed its third reading and ordered to be engrossed.

On motion of Mr. Rayner, the House then adjourned.

FRIDAY, Dec. 27.

Mr. Locke presented the petition of sundry citizens of the county of Stanly, praying the emancipation of Daniel, a slave, which, on motion by Mr. Scott, was referred to the Committee on Propositions and Grievances.

Mr. Flemming a memorial from sundry citizens of Yancy county, praying a repeal of the act abolishing jury trials in the county Courts of said county; which was referred to the Committee on the Judiciary.

Mr. Avery a memorial from citizens of Rutherford and Cleaveland counties, praying the establishment of a new county out of portions of said two counties; and,

Messrs. Webb and Sloan counter petitions on the same subject, from citizens of Rutherford county; which were severally referred to the Committee on Propositions and Grievances.

Mr. Swanner presented a memorial from the citizens of Washington county, protesting against the passage of any acts incorporating Religious or Moral Reform Societies; which, on his motion, was referred to the Committee on Private Bills.

On Mr. Sloan's motion the bill from the Senate to restore jury trials to the County Courts of Rutherford, Henderson,
and Cleaveland, was taken up, and referred to Committee on the Judiciary.

Mr. Sloan now presented a petition from citizens of Rutherford, praying the passage of the said bill, which was referred to said Committee.

On motion by Mr. Sharp, the bill introduced by him on 21st instant, to improve the administration of justice, was now taken up and referred to the Committee on the Judiciary.

Mr. Barnes of Northampton, introduced a bill to amend the 119th section of 31st chapter of Revised Statutes, entitled Courts, County, and Superior; which was read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Pope introduced a bill to amend the 4th section of 12th chapter of Revised Statutes concerning bastard children; which was read first time and passed.

On motion of Mr. Pool, it was

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of exempting the Justices of the Peace in and for the several counties of this State from serving as Jurors in the Superior Courts of their respective counties; and that they report by bill or otherwise.

On motion of Mr. Saunderson,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of altering the County and Superior Courts of Hyde county, so as to give the County Courts the right of sitting the three first days of the week and the Superior Court the three last days of the term.

Mr. Person, of Moore, from the Joint Select Committee on
Finance, reported unfavorably the bill to appoint Tax collectors for the State of North Carolina; which was now read the second time, and, on motion of Webb, ordered to lie on the table.

Mr. Person, from the same Committee, also reported adversely the bill to repeal the 2nd section of 82nd chap. and 81st section of 34th chap. of Revised Statutes.
The said bill was read the second time and rejected: Yeas 7, nays 71.

Mr. Caldwell, of Rowan, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

Mr. Person, from the said Committee, to whom was referred the memorial from citizens of Burke county, praying the passage of an act authorizing the County Court of that county to appoint a Tax collector;

And to whom was referred also a resolution instructing them to inquire into the expediency of changing the time of possession of property listed for taxation, from 1st of April to 1st of July, made adverse reports thereon, and asked to be
discharged from the further consideration of the subjects respectively.

The reports were concurred in and the Committee discharged.

Mr. Person, from the same Committee, reported favorably the bill to facilitate the collection of the public Revenue and encourage the mode thereof; which bill was read the second time, passed, and, on motion of Mr. Person, ordered to be printed and laid on the table.

Mr. Wilson, from the Committee on Private Bills, to whom the following bills were referred, reported the same favorably to the House, and they were accordingly read the second time and passed, viz:

The bill to incorporate the Albemarle Fire Engine Company in the town of Edenton;

The bill to extend the limits of the town of Kenansville, in the county of Duplin;

The bill to incorporate the Trustees of the Graham Institute, a Seminary of learning to be established in or near the town of Graham, in the county of Alamance;

The bill to incorporate Pasquonaux Lodge, No. 103, Ancient York Masons, of the town of Elizabeth City;

The bill to incorporate Pasquotank Division, No. 21, of the Sons of Temperance of Elizabeth City;

The bill to incorporate the Rising Sun Division of the Sons of Temperance No. 144, in the town of Edenton;

The bill to incorporate Telula Encampmant, No. 8, of the Independent Order of Odd Fellows of the town of Elizabeth City;

The bill for the incorporation of the town of Madison, in the county of Rockingham; and

The bill to incorporate Raleigh Chapter, No. 10, of Royal Arch Masons, in the city of Raleigh.
Received from his Excellency the Governor a message, transmitting the report of the Treasurer of the University, and informing that there are two vacancies to be filled in the Board of Trustees thereof.

Also, a message transmitting sundry resignations of Justices of the Peace received at the Executive Department during the present session of the General Assembly.

Ordered, on motion of Mr. Brogden, that the same be sent to the Senate with a proposition to print said report.

Mr. Johnston, from the Committee on Private Bills, reported favorably and without amendment, the bill to incorporate Cold Stream Division, No. 30, of the Sons of Temperance; and also, the bill to incorporate the town of Graham, in the county of Alamance; which were severally read the second time and passed.

Mr. Maultsby, from the same Committee, reported favorably and without amendment, the bill to incorporate Samaria \n
Mr. Johnston, from the Committee on Private Bills, re- litan Lodge, No. 31, I. O. O. F., in the town of Chapel Hill, Orange county; and the bill to incorporate Sileco Division, No. 131, of the Sons of Temperance; which were severally read the second time and passed.

Mr. Maultsby, from the same Committee, reported favorably and without amendment, the bill to incorporate Samaria\ntan Lodge, No. 31, I. O. O. F., in the town of Chapel Hill, Orange county; and the bill to incorporate Sileco Division, No. 131, of the Sons of Temperance; which were severally read the second time and passed.

Mr. Wilson, with leave, introduced a bill to incorporate the Albemarle and Currituck Canal Company; which passed the first reading, and ordered to be printed, and referred to the Committee on Internal Improvements.

The Speaker laid before the House a communication from the Public Treasurer, furnishing informing in regard to certain taxable property under the act of 1848-49, in obedience to a resolution of this General Assembly.

Ordered, on motion of Mr. Brogden, that the said communication be sent to the Senate with a proposition to print.
Received from the Senate a message agreeing to the proposition to raise a Joint Select Committee of four from each House, to make suitable arrangements for the Installation of Governor on the 1st January, proximo; and informing that Messrs. Bower, Joyner, Woodfin and G. W. Caldwell form their part of said Committee.

Messrs. Wilson, Steele, Scott and Gordon were appointed on behalf of the House, and the Senate informed thereof.

Mr. Scott, from the Committee on Private Bills, reported favorably and without amendment, the bill to incorporate the town of Concord, in the county of Cabarrus; which was read the second time and passed.

Mr. Rayner, from the Committee on Internal Improvements, to which was referred the bill to incorporate the Asheville and Taylorsville Plank Road Company, reported the same without amendment. The said bill was read the second time and passed.

The House now proceeded to the consideration of the special order, to-wit: the bill to provide relief for the purchasers of Cherokee Lands, &c.; which having been read, after debate, Mr. Winston moved that the further consideration thereof be postponed until Friday next; and pending which motion,

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

Saturday, Dec. 28.

Received from the Senate a message transmitting the following engrossed bill, viz:
A bill to extend the time of perfecting titles to lands heretofore entered; which was read the first time and passed, and, on motion of Mr. Love—two-thirds concurring—the same was read the second and third time, and ordered to be enrolled.

Also, a message transmitting an engrossed resolution in relation to Nags' Head; which was read first time and passed.

Mr. Sheek presented a memorial from sundry citizens of the county of Surry, protesting against the establishment of the new county of Williams;

Mr. Foster, of Wilkes, a memorial from citizens of Wilkes county, praying the establishment of a new county to be called ———, and proposing certain boundaries therefor; and,

Mr. Kelly, a petition from sundry citizens of Duplin county, praying the Legislature to make some provision of law for the removal of free persons of color from the State.

Which said memorials were respectively referred to the Committee on Propositions and Grievances.

Mr. Flemming, a petition from citizens of Yancey county, praying the passage of an act restoring Jury trials to the County Courts of said county, which was referred to the Committee on the Judiciary.

Mr. Caldwell, of Rowan, a petition from sundry citizens of said county, praying the passage of an act authorizing and directing the Trustees of Salisbury Female Academy to sell certain corporate property contributed by said petitioners and others, and distribute the proceeds of sale among the contributors on certain terms and conditions; which was ordered to lie on the table.

Mr. Leach, of Davidson, presented a memorial from sundry citizens of said county, praying a change of the division line between Forsythe and that county, attaching a part of
the latter to the former; which was also ordered to lie on the table.

Mr. Montgomery offered the following resolution:

Resolved, That from and after to-day, the House of Commons will hold afternoon sessions, to commence each day at 3 o'clock, and that a recess shall be taken each day at 2 o'clock.

Mr. Russell moved to amend by striking out the words "to-day," and inserting "Wednesday next," and further by striking out "two" and inserting "half past one."

Mr. Leach, of Davidson, moved to amend the said amendment by striking out the word "next," immediately after the word "Wednesday," and inserting "week;" whereupon,

Mr. Wilson moved to lay the Resolution and amendments on the table; and the question thereon, was decided in the affirmative: Yeas 40, nays 38.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

On motion of Mr. Webb,

Ordered, That a message be sent to the Senate, proposing that the two Houses set apart Saturday, 4th January, to go into the appointment of Justices of the Peace.

Mr. Barnes, of Northampton, introduced a bill to extend the time for registering Grants, Mesne Conveyances, Powers of Attorney, Bills of Sale, and Deeds of Gift; which was read the first time and passed.

On motion of Mr. Swanner,

Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of a revision of the laws of the State, and more especially of consolidating all the acts in relation to the Revenue; and that they report by bill or otherwise.

On motion of Mr. Sharp,

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of extending the jurisdiction of Justices of the Peace over all cases of minor importance of trespasses and damages; and that they report by bill or otherwise.

Mr. Rayner introduced a bill more effectually to provide against the circulation of seditious publications, and attempts to excite a spirit of insurrection among the slave population of the State;

Also, a bill more effectually to provide against trading with slaves;

Which were severally read the first time and passed.

Mr. Love introduced a bill to amend an act passed at the session of 1840-41, entitled an act to distribute the proceeds of the Literary Fund among the several counties in this
State; which was read the first time and passed, and referred, under the joint order, to the Joint Select Committee, composed of the Committees on Education on the part of both Houses.

Mr. Flemming introduced a bill to provide for the sale of Cherokee lands; which was read the first time, passed, and referred to the Select Committee on the subject.

Mr. McDowell, from the Committee on Private Bills, reported favorably and without amendment the bill to incorporate the Oxford Division of the Sons of Temperance.

Read second time and passed.

Mr. Wiley, from the Joint Select Committee on the Library, to whom was referred a resolution instructing them to inquire into the expediency and probable cost of printing certain colonial documents and journals, submitted a written report thereon, accompanied by resolutions providing for the publication of the colonial records of the State; which were read the first time, passed, and ordered to be printed together with the report and laid on the table.

Mr. Wiley also, under instructions of said Committee, introduced a bill to vest in the Governor of the State, for the benefit of the Literary Fund, the copy right of certain books; which passed its first reading, and was referred to the Committee on Education.

A motion was made by Mr. Webb, that the House do now take up and consider the bill introduced by him on 23d ult., to amend an act of the General Assembly of 1848-49, entitled an act to amend an act on the subject of Common Schools; which motion was disagreed to.

Mr. Steele moved a reconsideration of the vote by which the House yesterday rejected the bill to repeal the 2nd sec-
tion of the 82d chapter and the 81st section of 34th chapter of the Revised Statutes; which motion did not prevail.

Mr. Avery moved that the House do now take up and consider the unfinished business at the last adjournment, to-wit: the bill to provide relief for purchasers of Cherokee Lands, &c. The motion was carried; and the question being, on motion of Mr. Winston, to postpone the consideration of the subject until Friday next, it was determined in the negative.

Mr. Kelly then moved that the further consideration thereof be postponed, and that it be made the special order of the day for Monday next, 11 o'clock; which proposition was also disagreed to.

The question then being on the passage of the bill its second reading, after debate,

The Speaker announced, at 12 o'clock, the special order for this day, to-wit: the bill giving the election of Clerks and Masters in Equity to the people; whereupon, on motion of Mr. Love, the said bill was ordered to lie upon the table.

The House then resumed the consideration of the said bill to provide relief to purchasers of Cherokee lands, &c.; when,

Mr. Flemming moved to amend the same by adding a new section, as follows:

"Be it further enacted, That the benefits of this act shall extend to those who have already paid, and that their money be refunded."

Mr. Walton moved to amend said amendment, by striking out all after the enacting clause thereof and inserting,
"That in all cases when it shall appear to the satisfaction of the agent of said State, for the collection of Cherokee bonds, that the original purchaser of Cherokee land, or his legal representatives have paid any amount beyond the valuation of said land, fixed by the Board of valuation, appointed under this act, the said agent shall give to said original purchaser or his legal representatives, a certificate for the amount so overpaid, by which he or his legal representatives shall be entitled to an equivalent in those lands that have been heretofore surrendered, (and not taken up,) at the price fixed by the agents appointed under the act of 1846-47: Provided nevertheless, That the benefit of this act shall not extend to those persons, being out of the county, who have sold or transferred their lands, but shall only apply to those persons, their heirs or devisees, who have not sold or transferred their interest in said lands."

This amendment was rejected; and the question recurring on the motion of Mr. Flemming to amend, it was also disagreeed to.

Mr. Rayner then moved to amend the bill by adding an additional section as follows:

"Be it further enacted, That the provisions of this act shall be applied to those only who now are, and have been for twelve months before the passage of this act actual resident settlers on those lands, and to no other person or persons whatsoever; and if any person in said county of Cherokee, shall own more than one tract of land in said county, the provisions of this act shall extend to that tract only, on which such persons may live, and to no other: Provided however, That when any resident settler shall have purchased two or more tracts of land adjoining, the same shall be deemed and held as one tract."

The said amendment was adopted, and thereupon,
Mr. Rayner moved further to amend by striking out the words, "one-half" in the 22d line of the 2d section, and inserting in lieu thereof, "two-thirds;" which was also agreed to.

Mr. Rayner moved further to amend by adding as an additional section, the following:

"Be it further enacted, That the provisions of this act shall not extend to any lands that may have been sold by the original purchasers, or their legal representatives;"

Pending the consideration whereof, after debate,

On motion of Mr. Webb, the House adjourned till Monday morning 10 o'clock.

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Monday, Dec. 30.

Messrs. Powers, Walton, Rankin and Simmons, form the Committee on enrolled bills, on behalf of this House for the present week.

Received from the Senate a message transmitting the following engrossed bills and resolutions, in which they ask the concurrence of this House, viz:

A bill to incorporate Holly Spring Lodge, No. 115, of Ancient York Masons, in the county of Wake;

A bill to amend the 88th chapter of the Revised Statutes;

A bill to amend an act passed the last session of the General Assembly, entitled an act to incorporate Antioch Academy in the county of Robeson;

A bill to repeal the act of the General Assembly of 1848-49
providing for the support of a system of International Literary and Scientific Exchanges;

A bill to incorporate Cool Spring Tent, No. 263, of Independent Order of Rechabites in the town of Fayetteville;

A bill to incorporate the Trustees of Topsail Academy;

A bill to incorporate Windsor Female Academy, in the county of Bertie;

A bill to incorporate Franklinsville Academy, in the town of Franklinsville, Randolph county;

A bill to incorporate Keystone Chapter, No. 19, in the town of Plymounth;

A bill to appoint Commissioners for the town of James-town, in the county of Martin;

A bill for the better regulation of the village of Chapel Hill; and,

A resolution for the relief of the estate of John Reddick, deceased, late Clerk of the County Court of Gates.

Which said bills and resolutions were respectively read the first time and passed.

Received also by said message the following engrossed bills, which were read the first time, passed, and, on motion of Mr. Eaton, referred to the Committee on the Judiciary, to wit:

A bill to give the benefit of repeal to criminals, except in capital cases;

A bill to revive so much of the Revised Statutes, chapter 34, sections 1st, 2d, 7th and 32d, as may have been repealed by the act of 1846, entitled an act to protect houses and in-closures from wilful injury, and to repeal so much of said act of 1846, as has been or might be construed to repeal or modify the said sections or any of them;

A bill to incorporate a Bank in the town of Washington, in the county of Beaufort;

A bill to incorporate the Mechanics Saving Society of Weldon;
A bill to amend the 51st section of the 102d chapter of the Revised Statutes.

Also, a bill to encourage the investment of capital for mining and manufacturing purposes; which, on motion of Mr. D. Barnes, was referred to the said Committee.

Mr. Marshall presented a memorial, praying the passage of an act dividing the county of Forsythe into two distinct Regiments of Militia; which was, on his motion, referred to the Joint Select Committee on Military Affairs.

Mr. Sharp presented a memorial from certain citizens of Buncombe county, representing that a large number of their fellow citizens are grievously injured in their property on account of the action of the State in regard to what is known as the speculation land claims, and praying that some act may be passed to refund to actual losers, under the operation of these acts, the money expended and lost by them; which was referred to the Committee on Claims.

Mr. Webb presented a memorial from citizens of the county of Rutherford, protesting against the re-establishment of Polk county; which was referred to the Committee on Propositions and Grievances.

Mr. Holland presented a memorial from certain citizens of Cleaveland, praying the passage of an act allowing the people of said county to elect one Deputy Sheriff, and also of an act providing that all Sheriffs' and Constables' receipts shall be null and void, at the end of three years; which was referred to the Committee on the Judiciary.

Mr. Love, a memorial from sundry citizens of the county of Davidson, praying the passage of an act attaching a certain portion of said county to the county of Forsythe; which was ordered to lie upon the table.
Mr. Walton presented a certificate from Wm. S. Sudderth, Esq., Clerk of Burke County Court, and of Wm. F. Collins, Esq., Comptroller, in regard to a claim of the Sheriff of said county, against the State on account of taxes overpaid by him into the Public Treasury; which was referred to the Committee on Claims.

Mr. Gordon introduced a bill, founded on a memorial, to lay off and establish a new county by the name of Blue Ridge; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Sloan introduced a bill accompanied by a petition, to incorporate the Sons of Temperance of the Division No. 50, in the town of Rutherfordton, in Rutherford county; which passed its first reading and was referred to the Committee on Private Bills.

Mr. Barnes, of Northampton, introduced a bill allowing decrees of the Court of Equity, in certain cases, to transfer legal titles; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Hayes, of Caldwell, introduced a bill to incorporate the town of Lenoir, in Caldwell county; which passed the first reading, and was referred to the Committee on Private Bills.

Mr. Caldwell, of Rowan, a bill concerning the Salisbury Female Academy; which was read the first time, passed, and referred to the Committee on Education.

Mr. Brazier, a bill to pay Tales Jurors in the county of Chatham; and,

Mr. Sharp a bill to lay off and establish a new county by the name of——— ; which were severally read the first time and passed.
Mr. Jones, from the Committee on Propositions and Grievances, reported unfavorably the bill to lay off and establish a new county by the name of Williams.

Mr. Bogle moved a recommittal of the bill to said Committee with a view to have certain memorials to go before them; which motion was not carried.

And the question being upon the passage of the bill on its second reading, it was decided in the negative: Yeas 19, nays 80.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

The Speaker announced the special order of the day, to wit: the bill to amend the Constitution of North Carolina, when,

On motion of Mr. Hayes of Cherokee, the same was postponed for the present, and

The House now resumed the consideration of the unfin-
ished business of Saturday, being the bill to provide relief for the purchasers of Cherokee lands; and the question being on the amendment then offered by Mr. Rayner, Mr. Rayner withdrew the said amendment; and moved a reconsideration of the votes by which on Saturday last the House adopted two amendments then submitted by him. The said votes were respectively reconsidered by the House, and Mr. Rayner now withdrew the amendments.

A motion was made by Mr. Flemming to amend the bill by striking out of the first section of the same, the following words occurring between the 4th and 8th lines thereof, viz: "the County Court of Cherokee, a majority of the Justices of the Peace being present shall appoint a suitable person residing in said county;" and also, to strike out the words, "two others" in the next following line, and insert instead thereof the words, "three persons," so as to make the reading be, "that the Governor of the State shall appoint three persons," &c.

Which amendments were agreed to.

Mr. Walton moved to amend the bill by adding a new section, to wit: of the same import and words as the amendment, by him, offered on Saturday, and then rejected.

And the question thereon, was now again decided in the negative: Yeas 35, nays 65.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
And the question then recurring on the passage of the bill on its second reading, it was decided in the negative: Yeas 50, nays 51.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

A motion was made by Mr. Winston, that the House do reconsider the vote by which was just rejected the said bill, and he moved that this motion be laid upon the table; which latter motion was carried.

The House now proceeded to the consideration of the special order, viz: The bill to amend the Constitution of North Carolina, the question being on amendments offered
by Mr. Foster, to the amendment offered by Mr. Rayner; after debate,
Mr. Steele moved to postpone the further consideration of the subject until half past 3 o'clock, this afternoon.

Mr. Jones moved to amend by postponing to 6 o'clock this evening; which was disagreed to.
Mr. Steele thereupon withdrew his motion to postpone; when the proposition was renewed by Mr. Stevenson, and carried.

On motion of Mr. Erwin, the vote ordering a reference of the memorial presented by Mr. Sharp, to the Committee on Claims, was rescinded, and the same was, on his motion, referred to the Committee on Propositions and Grievances.

On motion of Mr. R. M. Saunders, the resolutions reported from the Joint Select Committee on Slavery, were taken up, and made the special order for Thursday next.

On motion of Mr. Pigott, the House then took a recess until half past 3 o'clock.

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**Half past 3 O'clock.**

Mr. Waugh, with leave, presented the following Resolution:

Resolved, That all debate on the report of the Committee on Amendments to the Constitution and amendments to said report shall cease on to-morrow at 4 o'clock.
Ordered to lie on the table for the present.

The House now resumed the consideration of the unfin-
ished business of this morning, to wit: The bill and amendments to amend the Constitution of North Carolina; pending which, after debate,

Mr. Person, of Moore, moved an adjournment, but withdrew it, when,

Mr. R. M. Saunders, with leave, presented the following Resolution:

Resolved, That all debate on the different propositions for the amendment of the Constitution, shall close to-morrow at 4 o'clock, P. M., when the House will proceed to vote on the main question and on the different amendments, provided any member proposing an amendment, may be allowed five minutes for explanation and no longer.

Pending the consideration of which,

Mr. Love moved an adjournment, and the question thereon was decided in the negative: Yeas 34, nays 53.

Mr. R. M. Saunders demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

The motion to adjourn was subsequently renewed by Mr. Leach, of Davidson, and the question thereon was decided in the negative: Yeas 39, nays 47.

Mr. R. M. Saunders demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House again refused to adjourn.

Mr. Love moved a call of the House; and thereupon,

Mr. Ruffin moved that the said motion do lie upon the table; and the question on this latter motion passed in the affirmative, yeas 57, nays 29.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the motion for a call of the House was laid on the table.

Mr. Leach of Davidson, again renewed the motion to adjourn till to-morrow morning 10 o'clock, and the question on this motion was decided in the negative: Years 42, nays 45.

Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Scott now moved to lay the resolution on the table, and the question on this motion was determined in the negative: Yeas 44, nays 46.

Mr. R. M. Saunders demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to lay the resolution on the table.

Mr. Webb moved that the House adjourn until to-morrow morning 10 o'clock, and the question thereon was now decided in the affirmative: Yeas 50, nays 39.

Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


And the House accordingly adjourned until to-morrow morning 10 o'clock.
Mr. Wilson, with leave, from the Joint Select Committee appointed to make suitable arrangements for the Inauguration of the Governor, submitted the following report:

The Joint Select Committee, appointed to make arrangements for the Inauguration of the Governor elect, ask leave to make the following report:

That the Speaker of the two Houses will occupy the place at the Speaker's table in the Commons Hall, and that the Governor elect, and Ex-Governor will occupy the place at the Clerks' table. The Chief Justice and Judges of the Supreme Court will occupy the seat in front of the Clerks' table, and the Committee of arrangements immediately in front of the Judges of the Supreme Court. The members of the Senate will sit on the right of the Speaker's Chair in the Commons Hall, which will be set apart for that purpose; and after the Governor elect shall have taken and subscribed the oaths of office in the presence of the members of both branches of the General Assembly, the Speaker of the Senate will retire to the Senate Chamber, and thereupon, the Governor, Judges and Committee of arrangements will first retire, and the Speaker of the Senate will retire at the head of the members of the Senate.

The said report was concurred in, and on Mr. Scott's motion, ordered to be sent to the Senate, with the request that they will concur therein.

Received from the Senate a message, transmitting the following Engrossed Bills and Resolutions, and asking the concurrence of this House therein, to wit:

A bill to emancipate Lucy, a slave, and her child Laura, which was read the first time, and on motion of Mr. Martin, referred to the Committee on Propositions and Grievances;
A bill to amend the 64th chapter Revised Statutes, and better to provide for the widows of intestates in certain cases; which was read the first time, and on motion of Mr. Martin, referred to the Committee on the Judiciary;

A bill to make a road between Rutman’s Creek and Mattamuskeet Lake, which was read the first time, passed, and on motion of Mr. Hill, of Brunswick, referred to the Committee on Education;

A bill authorizing the Commissioners of Smithfield to sell town Commons;

A bill to prevent the sale of spirituous liquors within a certain distance of Antioch Academy, in the county of Robeson;

A bill to prevent the sale of spirituous liquors within a certain distance of the Carolina Female College, in the county of Anson;

A bill to incorporate Pasquonaux Lodge of Free and Accepted Masons, in the town of Elizabeth City, Pasquotank county;

A bill concerning selling spirituous liquors near Newby’s Bridge Academy; and,

A resolution in favor of Jacob Siler;

Which said bills and resolutions were respectively read the first time and passed.

Mr. Erwin presented a memorial from sundry citizens of Buncombe county, representing that a very large number of their fellow citizens are grievously injured in their property on account of the action of the State in regard to what is known as the speculation land claims, and praying that some provision of law be made to refund to actual losers under the operation of them the money expended in cash by them; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Fonville presented a memorial from citizens of the county of Onslow, praying the passage of a law chartering a
Bank to be located at Jacksonville, and to be called the Bank of Onslow, with a capital of $300,000; the stockholders to be responsible by pledging real estate on certain conditions, &c.; which, on his motion, was referred to the Joint Select Committee on Finance.

Mr. Martin presented the petition of Elizabeth Fuller, of the county of Franklin, (with sundry certificates) praying some compensation on account of injuries received in travelling on the Raleigh and Gaston Road; which, on his motion, was referred to the Committee on the Judiciary.

On motion of Mr. Wilson,

Resolved, That a message be sent to the Senate proposing to go into an election on Monday next, at 11 o'clock, for Councillors of State.

Mr. Drake introduced a bill to alter and amend an act passed by the General Assembly at the session of 1848-49, entitled an act to incorporate the Fayetteville and Western Plank Road Company; which was read the first time, and referred to the Committee on Internal Improvements.

Mr. Stevenson introduced a bill regulating the emancipation of slaves by last will and testament; and,

Mr. Barnes of Northampton, a bill to incorporate the Jackson Savings Institution in Northampton county; which were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. Webb introduced the following resolution, which was read and on his motion, ordered to lie upon the table:

Resolved, by the House of Commons, the Senate concurring, That this General Assembly will adjourn sine die on the 13th day of January next.
Mr. Caldwell of Rowan, a resolution on behalf of the Board of Superintendents of Common Schools for Rowan and Edgecombe counties; which passed the first reading, and was referred to the Committee on Education.

Received from the Senate a message disagreeing to accept the resignation of John Ligon, Esq., a Justice of the Peace for Wake county.

On motion of Mr. Rayner, the House proceeded to take up and consider the bill with the pending amendments thereto, to amend the Constitution of North Carolina, which was the unfinished business of yesterday. Pending debate, thereon,

By consent, the Speaker announced a message from the Senate, transmitting the following resolution, in which they ask the concurrence of this House.

Resolved, That a message be sent to the House of Commons proposing that the General Assembly adjourn on the 13th of January next."

Which being read, Mr. Rayner moved that it be laid on the table; and pending the question thereon,

On motion of Mr. Flemming, the House took a recess till half past 3 o'clock.

Half past Three O'clock.

On motion of Mr. Flemming the House now resumed the consideration of the unfinished business of the morning, to wit: The bill to amend the Constitution of North Carolina, with the amendments pending.
Mr. Chery moved a call of the House, which motion prevailed; and the roll being twice called the following named members did not answer to the call: Messrs. Amis, Campbell, Clanton, Dargan, Farmer, W. Hill, Holland, J. M. Leach and T. Person. The doors were then closed, and excuses were offered for each of said absentees, when further proceedings in the calls were, on motion of Mr. Jones, dispensed with.

Mr. Foster now withdrew the amendments heretofore offered by him to the amendment of Mr. Rayner; and thereupon,

Mr. Hackney moved to amend the said amendment proposed by Mr. Rayner, by striking out all after the words, “are assembled,” in the 8th line of 13th section, and inserting: “Shall consider of, and in their discretion propose, the following amendments to the Constitution, or any of them, to wit: So as 1st to provide that all persons entitled to vote for members of the House of Commons, shall also be entitled to vote for members of the Senate in the General Assembly; 2nd, to provide for the election, for a limited term of years, of the Judges of the Supreme Court, Secretary of State, Public Treasurer, Comptroller of Public Accounts, and Justices of the Peace by the qualified voters for members of the House of Commons; 3rd, to provide for the election of Judges of the Superior Courts, Attorney General and State Solicitors by the qualified voters for members of the House of Commons within the respective Judicial Circuits, and their location within said Circuits; and that said Convention shall not make any other alteration or amendment of the Constitution whatever.”

Mr. Avery called for a division of the question, and moved that the question be first taken on striking out; which was ordered, and the question thereon, was decided in the negative: Yeas 54, nays 60.
Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to strike out.

The question now recurring on the amendment heretofore offered by Mr. Rayner, as a substitute for the bill reported from the Committee by Mr. McLean,

Mr. Person of Moore called a division of the question, and, on his motion, the vote was first taken on striking out, and resulted, yeas 46, nays 68.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House again refused to strike out.

Mr. Foster renewed his motion to amend by striking out all of the original bill after the enacting clause, and inserting as a substitute therefor, the same amendment as originally offered by him to the proposed amendment of Mr. Rayner; whereupon,

Mr. Person, of Moore, again called for a division of the question, and the same was ordered accordingly; and the question being first taken on striking out, it was decided in the negative: Yeas 44, nays 70.

Mr. Sherrard demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House again refused to strike out.

Mr. Flemming now moved to amend the bill by inserting as new sections 3d, 4th, 5th, 6th, 7th and 8th, the following:

§ 3. Be it further enacted, That it shall be the duty of the Governor of this State, and he is hereby directed to issue his proclamation on or before the first day of April next, directed to the Sheriffs and Coroners of their respective counties throughout the State, directing and commanding them to open polls at the general precincts in each county on the first Thursday in August next, (it being the usual time of electing members of Congress,) for the purpose of ascertaining the sense of the people of this State, upon the propriety of holding a Convention.

§ 4. Be it further enacted, That it shall be the duty of the several County Courts to appoint Judges to hold said election, and take the sense of the people upon this subject, at their usual time of appointing Judges to hold their congressional elections; and upon the failure of any of the Courts to make such appointment it shall be the duty of the Sheriff or Coroner, as the case may be to appoint two freeholders to hold the same; and for failure of any Sheriff or Coroner to comply with this act he shall incur a penalty of one hundred dollars.

§ 5. Be it further enacted, That under the provisions of this act all persons desiring to vote, and who are now by law entitled to vote for members of the most numerous branch of the General Assembly, shall be entitled to vote in said election; and that all persons voting shall cast in a pa-
per or parchment, upon which shall be written or printed, "Convention" or "No Convention," and nothing more.

§ 6. Be further enacted, That the Judges of the several election precincts shall return to the Clerks of their respective counties, under seal, a full and entire statement of the number of votes cast, with the names of the persons, carefully distinguishing the number voting, "Convention" from those voting, "No Convention," and under the same restriction they are now required by law, and return the vote for Governor; said returns to be opened and compared at the respective Court Houses, in each county on the day after said election, between the hours of ten and four o'clock, by the Clerk in the presence of the Sheriff, and a full statement thereof delivered to the Sheriff by said Clerk, under seal of office.

§ 7. Be it further enacted, That within ten days from the day of said election, it shall be the duty of the Sheriff or Coroner as the case may be, to whom such certificate has been issued by the Clerk, to make return thereof to the Secretary of State, under the same rules and regulations, that are now required by law, to make return in the election of Governor.

§ 8. Be it further enacted, That it shall be the duty of the Secretary of State, in the presence of the Governor, on or before the first day of September next, to open and compare all the returns, and to deliver to the Governor, under the seal of the State, a certificate of the entire result of said vote, and shall it be made to appear from such certificate that a majority of the whole number of votes cast shall be in favor of Convention, then and in that case it shall be the duty of the Governor to issue his proclamation to that effect.

The question on which amendment was decided in the negative: Yeas 48, nays 66.
Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected.

Mr. Steele then moved to amend the amendment, by inserting the following, as section 2d:

§ 2. Be it further enacted, That the 33d section of the Constitution, ratified at Halifax, on the 18th day of December, 1776, be amended so as to read, “that the Justices of the Peace within the respective counties of this State shall be appointed by the people, in such manner and hold their appointments for such time as the General Assembly may determine.”

The question on which amendment was also decided in the negative: Yeas 50, nays 64.

Mr. Steele demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Wiley then moved to amend the bill by striking out all after the first words of the Preamble, and inserting as a substitute the following:

§ 1. Be it enacted, &c., That the Courts of Pleas and Quarter Sessions of each and every county in this State at the first term that shall be held after the first day of March, A. D. 1851, shall appoint two inspectors to superintend the polls, to be opened at each and every election precinct in said counties, for ascertaining, by ballot, the will of the free men of North Carolina, relative to the propriety or necessity of calling a Convention to amend and alter the Constitution of this State, the delegates to which to be elected on the basis on which members of the House of Commons are now elected; and if any Court or Courts shall fail to make such appointments, or if any inspector so appointed shall fail to act, it shall be the duty of the Sheriff or the person acting as his deputy, or any Justice of the Peace or freeholder present on such occasion, to appoint an inspector or inspectors in the place of him or them who fail to act; which inspect-
ors being duly sworn by some Justice of the Peace, or freeholder, to perform the duties of the place with fidelity, shall have the same authority as if appointed by the Court.

§ 2. Be it further enacted, That it shall be the duty of the Sheriff of the several counties of this State to open polls at the election precincts in said counties on the first Thursday in August, A. D. 1851, when and where all persons qualified by the Constitution to vote for members of the House of Commons, may vote for or against a State Convention; that those who wish a Convention shall vote on a written or printed ticket "Constitution," and those who do not want a Convention shall vote in the same way with "No Convention" or "against Convention," on their tickets.

§ 3. Be it further enacted, That it shall be the duty of the Sheriffs to make duplicate statements of the polls in their respective counties, sworn to before the Clerk of the County Court, a copy of which shall be deposited in said Clerk's office, and the other transmitted to the Governor of the State at Raleigh, within thirty days after said election; and if any Sheriff or other officer appointed to hold said elections, shall fail to comply with the requisitions of this act, he shall be liable to a fine of one thousand dollars, recoverable in the County or Superior Courts, to the use of the County whose officer he is, in an action of debt in the name of the State; and it shall be the duty of the County Solicitors to prosecute such suits.

§ 4. And be it further enacted, That it shall be the duty of the Governor of the State to communicate to the next General Assembly the results of said elections, in order that said Assembly may certainly know, whether the freemen of North Carolina wish to have the Constitution amended, and are willing to trust the said Constitution in the hands of delegates elected by themselves on the aforesaid Federal basis,
and for the sole purpose of amending or altering the said instrument.

Mr. Avery called for a division of the question, and the question having been accordingly ordered to be first taken on striking out, it was decided in the negative: Yeas 48, nays 65.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to strike out, and the amendment was lost.

Mr. Barnes moved an adjournment until to-morrow morning, 10 o'clock, and the question on his motion was decided in the negative: Yeas 27, nays 86.

Mr. Pigott demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to adjourn.

Mr. Flemming again moved to amend the bill by adding the following as a new section, to wit:

"Be it further enacted, That in addition to equal suffrage, all men are entitled to be fairly represented and their votes counted as well as given."

The question on which amendment, was decided in the negative: Yeas 37, nays 67.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Avery, Barco, D. Barnes, J. Barnes, Blow, Bond, Boykin,

So the amendment was rejected.

Mr. Walton submitted the following amendment to be added as a new section, to wit:

"Be it further enacted, That the property qualification required under the Constitution by which persons are made eligible to a seat in either House of the General Assembly, be, and the same is hereby, abolished."

Which having been read,

Mr. Hill, of Caswell, moved an adjournment, and the question on this motion was decided in the negative: Yeas 36, nays 73.

Mr. R. M. Saunders demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

The vote was then taken on the amendment offered by Mr. Walton, and resulted: Yeas 30, nays 74.

Mr. Walton demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected.

Mr. Leach, of Davidson, now moved to amend the bill by adding a new section thereto, as follows:

"And be it further enacted, (three-fifths of the Senate and House of Commons concurring,) That the Constitution shall be so amended, as to provide hereafter for the election of the Judges of the Supreme and Superior Court, the Secretary of State, Treasurer and Comptroller by the qualified voters of the House of Commons of North Carolina."

And the question thereon, was decided in the negative: Yeas 30; nays 77.
Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So this amendment was also rejected.

And the question now recurring upon the passage of the bill on its second reading, it was decided in the affirmative: Yeas 89, nays 24.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill passed, by a vote of three-fifths, its second reading.

And then, on motion of Mr. Flemming, the House adjourned.

**Wednesday, January 1, 1851.**

Mr. Flemming called up the engrossed resolution, on its second reading, in favor of Jacob Siler; which, on his motion, was referred to the Committee on Propositions and Grievances.

On motion of Mr. Flemming, the House proceeded to consider the Resolution on its second reading, authorizing the Governor to furnish the Clerk and Master of Yancey county with a seal.

On motion of Mr. Sloan, the resolution was amended by inserting, after "Yancy," the county of "Rutherford;" and further amended, on motion of Mr. Bogle, by inserting the county of "Alexander," and modified so as to read "counties," &c.; and thus amended, passed second and third times, and was ordered to be engrossed.

*Ordered, That the title of the resolution be amended so as to read "counties of Yancey, Rutherford and Alexander with seals of office."*
Mr. Sheek presented a memorial from sundry citizens of Surry county; praying the Legislature to repeal an act of the last Assembly, laying off and establishing a public road from Salathiel Stone's in Forsythe county by Tyre Glen's, &c., to the mouth of Wilson River; which, on his motion, was referred to the Committee on Propositions and Grievances.

Mr. Marshall a bill, accompanied by a memorial from citizens of the town of Salem, to prevent the peddling of spirituous liquors in the streets of Salem; and,

Mr. McMillan a bill, accompanied by a memorial from citizens of Ashe county, to lay off and establish a new county by the name of New River; which severally passed their first reading, and were, on motions by the introducers, referred to the Committee on Propositions and Grievances.

Mr. Holland presented a memorial from certain citizens of the county of Cleaveland, praying the passage of a law, providing "that all landholders having tenants on their land who keep disorderly houses, shall be bound to pay all costs of indictment, and the poll tax of said tenants; and that no Committeeman of Common Schools shall be allowed to board a teacher whilst teaching school;" which, on his motion, was referred to the Committee on the Judiciary.

Mr. McKay presented a memorial from certain citizens of Iredell county, praying the repeal of the act of 1848-49, making all the militia of Iredell county on the north side of the South Yadkin River constitute and belong to the 89th Regiment.

On motion of Mr. McKay,

Resolved, That a message be sent to the Senate, proposing to add all the practicing Physicians of both branches of the Legislature, to the Committee appointed to take into consideration the propriety of establishing a Medical Board in North Carolina.
Mr. Jones submitted the following resolution, which was read and adopted:

Whereas, at the last session of the General Assembly, the seat of the Senator, John Berry, elected from the 30th Senatorial District in the State, was contested; and a commission was ordered by the Senate to issue to P. M. Moore, and Richard Nicholls, Esquires, authorizing and empowering the parties to take the depositions of all persons offered on either side:

Whereas, the Senate, after considering the whole case, solemnly declared the said John Berry duly elected; and whereas the said Berry necessarily and unavoidably, under said commission, issued by the Senate, incurred and paid expenses for the mileage and attendance of witnesses, to show that he was fairly and duly elected: Therefore be it,

Resolved, That the Committee on the Judiciary be instructed to inquire, credit, settle and report the amount of legal expenditures incurred and paid for the attendance of witnesses in the execution of said commission; and whether the same ought to be paid by the State; and that the Committee have leave to report by bill or otherwise.

The Speaker now proceeded to call the Committee; when

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred the petition of Candis Henry, praying permission to build a house on a public lot in the city of Raleigh now occupied by her;

And, to whom was also referred a memorial from citizens of Montgomery county, praying the emancipation of Daniel, a slave;

And, to whom was also referred a memorial from citizens of Rockingham county, praying the emancipation of Joe, a slave; reported the same back adversely, and asked to be discharged from the further consideration of the subjects, respectively.

The reports were concurred in, and the Committee discharged.
Mr. Jones, from the same Committee, reported unfavourably the bill to lay off and establish a new county by the name of Madison; which was now read the second time and rejected.

Mr. Jones, from the same Committee, reported favorably the bill to lay off and open a road from Church's Store, in the county of Wilkes, to William Phillips', in the county of Ashe; which was accordingly read the second time and passed.

Mr. Jones, from the same Committee, also reported adversely the bill to annex a part of Wilkes to the county of Alexander; which was read the second time, and on motion of Mr. Bogle, ordered to lie on the table.

Mr. Rayner introduced a bill to provide for the more thorough administration of the law in relation to Common Schools; which was read the first time and passed.

*Ordered; on motion of Mr. Scott, that said bill be printed.*

Mr. Sharp called up the bill introduced by him on yesterday, to lay off and establish a new county by the name of ———; which was now, on his motion, referred to the Committee on Propositions and Grievances.

Mr. Winston called up the motion submitted by him on 30th inst, and then laid on the table, to reconsider the vote by which was rejected the bill to provide relief for the purchasers of Cherokee lands, &c.

The motion to reconsider prevailed; and the question now being on the passage of the bill on its second reading, it was decided in the affirmative: Yeas 56, nays 37.

Mr. Sloan demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


A motion was made by Mr. Sheek, that the Rules be suspended, and the said bill put upon its third reading; which was not carried.

Mr. Durham introduced a bill, accompanied by a memorial from citizens of Orange and Alamance counties, concerning the Militia of said counties; which passed the first reading, and, on his motion, was referred to the Joint Select Committee on Military Affairs.

Mr. Ruffin, a bill to amend the 1st section of 48th chapter of the Revised Statutes, entitled an act concerning fences; and,

Mr. McDowell, a bill relating to inspectors of Turpentine; which were severally read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Stevenson called up the Engrossed Resolution for the relief of Francis J. Prentiss and others; which passed its second and third readings, and was ordered to be enrolled.

Mr. Montgomery introduced a bill to establish the dividing line between the counties of Orange and Alamance; and
Mr. Siler a resolution in favor of Clark Guy; which were respectively read the first time and passed.

The hour having now arrived at which, by the joint order of the two Houses, they were to proceed to the Inauguration of the Governor elect, a message was sent to the Senate, informing that body of the readiness of the House of Commons to receive them for this purpose, in the Hall of the House.

The Senate thereupon appeared in the Commons Hall, and were received by the members of the House, standing and uncovered.

The Speaker of the Senate took his seat with the Speaker of the House, at the Speaker's desk; the Senators took their seats on the right of the Speaker's Chair, according to the arrangements heretofore made.

And then, David S. Reid, Esq., Governor elect, attended by the Judges of the Supreme Court, and the Committee of Arrangements, waited upon the Convention of the two Houses, and took and subscribed the oaths of office, prescribed by law for the qualification of the Governor of the State; the oaths having been administered by the Hon. Chief Justice Ruffin; after which the Governor delivered an appropriate address to the members of the Convention. And thereupon, he, attended by the Committee of Arrangements, having retired, the Speaker of the Senate announced that the Senators would repair to their Chamber, which was accordingly done.

The Senate having retired, on motion of Mr. Bridgers,

The House adjourned till to-morrow morning 10 o'clock.
Thursday, Jan. 2.

On motion of Mr. Barnes, of Northampton, the bill to incorporate Lumberton Division, No. 44, of the Sons of Temperance, was taken up, read the third time, passed, and ordered to be engrossed.

Mr. Steele presented a memorial from sundry citizens of the county of Richmond, praying the establishment of a Plank Road from Fayetteville in the direction of Centre, and thence to Concord, and asking a subscription therefor of two-fifths or three-fifths on the part of the State; which, on his motion, was referred to the Committee on Internal Improvements.

Mr. Love presented the following Resolutions, accompanied by sundry memorials from the counties of Haywood, Macon and Cherokee:

*Whereas*, A remnant of the Cherokee tribe of Indians remained in the counties of Haywood, Macon and Cherokee, at the time of the removal of the body of their nation in the year 1838, to the country assigned them by the General Government, west of the Mississippi, and a portion of those who went home returned and are remaining in said counties, and a portion of the Catawba Indians from South Carolina have taken up their abode with said Cherokees, amounting in all to about twelve hundred or more, and that said Indians have founded settlements in portions of each of said counties among the white population, greatly to the annoyance of the latter; and whereas these Indians have no government or form of government, or powers to make or enforce laws for themselves, and are without law or government, and are not qualified to become citizens and understand and obey the laws of the land, and are occasionally committing outrages upon the citizens of said counties, and murdering each other, greatly to the terror and disturbance of the good citizens adjacent to their settlements; and whereas it is greatly to the interest of this remnant of the Chero-
joke nation that they should join their brethren in the west; therefore, be it

Resolved by the General Assembly and State of North Carolina, That it is the duty of the General Government to remove said Indians to the homes provided for them in the west, and that our Senators and Representatives in Congress be requested to urge upon the Federal Government, the necessity of adopting the most efficient measures to secure their removal.

Resolved, That a copy of the foregoing resolutions be forwarded to each of our Senators and Representatives in Congress.

The foregoing resolutions passed the first reading, and on Mr. Love's motion, were referred to the Joint Select Committee heretofore raised on this subject.

On motion of Mr. Cherry,

Resolved, That the Judiciary Committee be instructed to inquire into the expediency of amending the law granting license to retail spirituous liquors, so as to make all retailers take an oath, that they will not sell nor permit any person in their employment to sell spirituous liquors to any slave or free negro.

Mr. Thigpen introduced a bill to repeal the 5th section of the Revised Statutes, chapter 82; and

Mr. Eaton, a bill authorizing the Justices of the Court of Pleas and Quarter Sessions of the county of Warren, to sell certain property belonging to said county;

Which were severally read the first time and passed, and the former referred to the Committee on the Judiciary.

On motion of Mr. Winston, the House now proceeded to take up and consider the engrossed resolution from the Senate in relation to Nag's Head. The said resolutions were read the second time, when,
Mr. Person of Moore, moved to amend the same by adding to the last resolution of the series, the following: "Provided, the same can be done by Congress in the exercise of its constitutional powers;" which motion was lost.

And the question now being on the passage of the resolution its second reading, it was decided in the affirmative: Yeas 78, nays 27.

Mr. Williams, of Mecklenburg, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Avery, J. Barnes, Boykin, Brazier, Bridgers, Brogden, Cocke, ham, Cotton, Durham, Flynt, Herring, Holland, A. Leach, Mathis, McDowell, Montgomery, Newsom, Patterson, S. Person, Rankin, Sheek, Sherrard, Stowe, Sutton, Thigpen, Waugh and J. Williams—27.

So the Resolutions passed their second reading.

Mr. Pigott called up the bill upon its second reading, to repeal an act passed at the session of 1844-45, entitled an act to attach that portion of the county of Carteret, known as Ocracoke, to the county of Hyde.

The same was read the second time and passed.

Mr. Erwin presented the following Resolutions, which were read the first time and passed:
Whereas, The Southern States of this Union have, since
the formation of the Federal Government, fostered and nou-
rished the manufacturing and mining interests of the non-
slaveholding States, by voting to impose high taxes upon
importations from foreign countries, which might come in
competition with the productions of the labor and industry
of the aforesaid non-slaveholding States; and whereas, these
acts of generosity and self-sacrifice have been unappreciated
at the North, and the people of that section shew a dispo-
sition to make unceasing attacks upon our institutions and
property. Therefore,

Resolved, That the State of North Carolina feels herself
under no further obligation by the votes of her representa-
tives in Congress or otherwise, to protect the home industry
of the non-slaveholding States.

Resolved, That if our own industry needs protection, it
can be better effected by State than by Congressional Leg-
islation.

Resolved, That the present tariff is high enough to afford
sufficient revenue to carry on an economically administered
government, and ought not to be increased.

Resolved, That the foregoing Resolutions be transmitted
to our members in both branches of Congress, with a re-
quest that they lay them before their respective Houses,
and with the further request that they vote against any
change in the present tariff laws which may have the effect
to protect or encourage the manufacturing or mining inter-
ests of the free States, or which may have the effect to in-
crease the costs to the Southern consumers of any of the
products of foreign countries.

On motion of Mr. Erwin, the bill requiring the Prosecu-
tor to pay the costs in certain cases, and giving a discretion-
ary power to Grand Juries in certain cases, which had been
made the special order for this day, was taken up and made
the special order for Monday next.

The House now proceeded to the consideration of the spe-
cial order, to wit: the Resolutions on Slavery, reported from
the Joint Select Committee on the subject; when,
On motion of Mr. R. M. Saunders, the House resolved itself into the Committee of the Whole, on the said resolutions; Mr. Jones in the Chair. After some time spent therein, the Committee rose, the Speaker resumed the Chair, and the Chairman reported that the Committee had come to no resolution on the subject before it, and asked leave to sit again; which was granted.

On motion of Mr. Saunders, the House then took a recess until half past 3 o'clock.

HALF PAST 3 O'CLOCK.

Mr. Bond presented the proceedings and resolutions of a meeting of the citizens of Chowan county, on the various questions at issue between the Northern and Southern States; which, on his motion, were ordered to lie upon the table.

Mr. Flemming presented the following resolution; which was read first time and passed.

Resolved, That should the Fugitive Slave Law be either repealed or modified by Congress, so as to prejudice the South, or the Executive of the United States refuse to enforce it, or should Congress repeal or abolish slavery in the District of Columbia, then, in that case, it shall be the duty of the Governor of this State to convene the Legislature, to consult upon the mode and manner of redress.

On motion of Mr. R. M. Saunders, the House now resolved itself into Committee of the Whole on the Slavery resolutions; Mr. Jones in the Chair. After some time spent therein, the Committee rose, and the Speaker resumed the Chair. Mr. Jones reported progress and asked leave to sit again. Leave was granted.
The House now resumed the consideration of the unfinished business of Tuesday, to wit: the resolution from the Senate, proposing that the General Assembly adjourn sine die on the 13th instant. The question being on the motion of Mr. Flemming, to lay the resolution on the table; which motion was carried.

On motion of Mr. Love, the House now proceeded to take up and consider, on its second reading, the bill giving the election of Clerks and Masters in Equity to the people; when,

Mr. Drake moved to amend the same by inserting, immediately after the words "1850," in the 4th line of the 2nd section, the words "that the election held either for members of Congress or members of the General Assembly of this State, in each and every year, in which the term of any and every of the several Clerks and Masters in Equity in this State shall expire;" pending whereof,

Mr. Drake moved that the bill and amendment be laid on the table. This motion was disagreed to; and thereupon, Mr. Love moved that the same be recommitted to the Committee on the Judiciary.

Mr. Scott moved that the further consideration of the bill and amendment be indefinitely postponed; which was not carried. And the question recurring on the motion of Mr. Love, they were recommitted to the Committee on the Judiciary.

Mr. Erwin moved to reconsider the vote by which, this morning, the bill requiring the Prosecutor to pay the costs in certain cases, &c., was made the special order of the day for Monday next, and that the House do now proceed to consider said bill; which motion was disagreed to.

Mr. Scott moved to take up the Resolution offered by Mr.
Montgomery on 28th ult., and then laid on the table, to hold afternoon sessions—the House taking a recess at 2 o'clock; which motion was negatived.

A motion was made by Mr. Avery, that the bill to amend the Constitution of the State of North Carolina, so as to give the election of Justices of the Peace to the people, be now taken up and made the special order for Tuesday next; which motion was disagreed to.

The following bills were read the third time and passed, and ordered to be engrossed:

A bill to extend the limits of the town of Kenansville, in the county of Duplin;
A bill to incorporate the town of Concord, in the county of Cabarrus;
A bill to incorporate the Graham Institute, a Seminary of learning to be established in or near the town of Graham in the county of Alamance;
A bill for the incorporation of the town of Madison in the county of Rockingham;
A bill to incorporate the town of Graham in the county of Alamance; and,
A bill to incorporate Cold Stream Division No. 30, of the Sons of Temperance.

The following bills were also read the third time, amended on motion of Mr. Eaton, by adding to the first sections thereof respectively the words: "Provided, That said corporation shall hold no more real estate than may be required for the convenient transaction of its business;" and as thus amended, passed and were ordered to engrossment, viz:

A bill to incorporate the Oxford Division of the Sons of Temperance;
A bill to incorporate Talula Encampment, No. 8, of the Independent Order of Odd Fellows, of the town of Elizabeth City;

A bill to incorporate Cedar Hill Division, No. 16, of the Sons of Temperance, in Anson county;

A bill to incorporate Pasquotank Division, No. 21, of the Sons of Temperance of Elizabeth City; and

A bill to incorporate the Rising Sun Division, No. 144, of the Sons of Temperance, in the town of Edenton.

Mr. Love moved that the House do now take up and consider, upon its third reading, the bill to amend the Constitution of North Carolina; which motion was disagreed to.

The following bills were also read the third time, amended on motion of Mr. Jones, by adding to the first sections thereof, respectively, a proviso of similar import, with the foregoing, adopted on Mr. Eaton's motion, and as thus amended, passed, and were ordered to be engrossed, viz:

A bill to incorporate Pasquonaux Lodge, No. 103, of Ancient York Masons, of the town of Elizabeth City;

A bill to incorporate Raleigh Chapter, No. 10, of Royal Arch Masons, in the city of Raleigh;

A bill to incorporate Sileco Division, No. 131, of the Sons of Temperance; and,

A bill to incorporate Samaritan Lodge, No. 31, of the Independent Order of Odd Fellows, in the town of Chapel Hill.

The bill to incorporate the Albemarle Fire Engine Company, in the town of Edenton, was also read the third time, and, on motion of Mr. Bond, ordered to lie on the table.

The bill to amend the Constitution of North Carolina was now taken up, when

Mr. McLean moved that the House do adjourn till to-
morrow morning, 10 o'clock; and the question thereon was decided in the affirmative: Yeas 65, nays 30.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


And the House accordingly adjourned until to-morrow morning, 10 o'clock.

Friday, Jan. 3.

Mr. R. M. Saunders presented a memorial from Dabney Cosby and John W. Cosby, Esqrs., Contractors for the building of the School for the Deaf and Dumb, concerning their contract with the Literary Board for said building, and praying the interposition of the Legislature on their behalf, in the premises; and also

A resolution appointing Commissioners to settle the said
matters of difference between the Messrs. Cosby and the Literary Board; which was read the first time and passed.

Mr. Locke introduced a bill to authorize James S. Turner to build a Toll Bridge across Rocky River in Stanly county;
Mr. Powers, a bill to incorporate Old North State Tent, No. 97, Independent Order of Rechabites, and a bill to incorporate Hanover Division, No. 45, of the Sons of Temperance, in the town of Wilmington; and
Mr. Newsom, a bill to incorporate the Neuse River Manufacturing Company, at the Great Falls in Wake county;
Which bills were severally read the first time and passed, and referred to the Committee on Private Bills.

Mr. Davidson introduced a bill to incorporate the Western Plank Road Company; which was read the first time and passed, and referred to the Committee on Internal Improvements.

Mr. Hayes, of Cherokee, a bill authorizing the transfer of books, bonds, &c., from the Treasurer's office to the agent of the State for the Cherokee land bonds; which was read first time and passed, and referred to the Committee on the Judiciary.

Mr. Hayes, of Caldwell, a resolution in favor of Elijah S. Moore, late Sheriff of Caldwell county; and a resolution in favor of William A. Ballew, administrator of Washington S. Ballew, dec'd, late Sheriff of Caldwell county; and,
Mr. Holland, a bill concerning the county Trustee of the county of Cleaveland; which were severally read first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Stevenson, a bill to incorporate Neuse River Navigation Company;
Mr. Rayner, a bill to amend an act passed at the session of
1848-49, entitled an act to incorporate the Western and Fayetteville Plank Road Company; and

Mr. Patterson, a bill concerning the distribution of the School Fund in the county of Alamance.

Which bills were severally read the first time and passed, and the first named bill was referred to the Committee on Internal Improvements.

Mr. Amis, with leave, presented the memorial of W. W. White, Esq., of Granville county, accompanied by certificates, praying the Legislature to allow him certain accounts due by contract with the former President of the Raleigh and Gaston Road; which, on his motion, was referred to the Committee on Claims.

Mr. Foster, of Wilkes, introduced a bill founded on a memorial, to lay off and establish a new county by the name of Howard, to be formed of parts of the counties of Wilkes and Caldwell; which was read the first time and referred to the Committee on Propositions and Grievances.

On motion of Mr. Holland,

Resolved, That the Committee on the Judiciary be requested to inquire into the expediency of amending the present laws concerning lands belonging to the estates of deceased persons, so that said lands may be sold without incurring such great expenses in the Courts of Equity.

Mr. Leach, of Johnston, called up the Resolution in favor of James A. Tunnell, late Sheriff of Johnston county, and the same was now, on his motion, referred to the Committee on Claims.

Mr. Pigott introduced a bill to vest in the President and Directors of the Literary Fund, all property that shall hereafter escheat to the State; which was read the first time, passed, and referred to the Committee on the Judiciary.
On motion of Mr. Person, of Moore, the House proceeded to consider the bill, on its second reading, to incorporate the Milton Savings Institution; which was now read the second time and passed.

Mr. R. M. Saunders, from the Committee on the Judiciary, to whom was referred the bill making it the duty of Clerks of the Superior Courts to take bonds in case of issuing writs of recordari, reported the same, with an amendment, to wit: to strike out all after the enacting-clause, and insert the substitute following:

§ 1. That hereafter it shall be lawful for Clerks of the Superior Courts, whenever they may issue writs of Certiorari, and writs of Recordari, to take bonds from the person or persons in whose favor the said writs may be issued; provided, nevertheless, that nothing herein contained, shall prevent bonds from being also taken in such cases by the officers who are now authorized to take the same.

§ 2. Be it further enacted, That this act shall be in force from and after its ratification.

Which said amendment was adopted, and, thus amended, the bill passed its second reading.

Mr. Saunders, from the same Committee, reported favorably the engrossed bill to restore jury trials to the County Courts of Rutherford, Henderson and Cleaveland. The said bill having been read the second time,

Mr. Holland moved to amend the same by striking out the word, "Cleaveland" wherever it occurs in the bill; pending which amendment,

On motion of Mr. Webb, the bill was laid upon the table.

Mr. Saunders, from the same Committee, reported favora-
bly without amendment, the engrossed bill to revive so much of the Revised Statutes, chapter 34th, sections 1st, 2nd, 7th, 32d, as may have been repealed by the act of 1846, entitled an act to protect houses and enclosures from wilful injury, and to repeal so much of said act of 1846, as has been or might be construed to repeal or modify the said sections or any of them; which said bill was accordingly read the second time and passed.

Mr. Jones, from the Committee on Propositions and Grievances, reported favorably the bill to prevent, during a part of each week, fishing with seins near the mouth of the rivers emptying into Albemarle Sound, and for other purposes; the bill having been read the second time, when

Mr. Bond moved to amend the same by striking out the first section; pending which motion,

On motion of Mr. Wilson, the bill was laid upon the table.

On Motion of Mr. Steele, the House now again resolved itself into Committee of the Whole on the Slavery Resolutions, Mr. Jones in the Chair; and after some time spent therein, the Speaker resumed the Chair, and the Chairman reported that the Committee had had, according to the order of the House, the Resolutions on Slavery under consideration, and had come to no conclusion thereon.

Ordered, That the Committee have leave to sit again.

On motion of Mr. Walton, the House now took a recess until half past 3 o'clock.
The Speaker having now resumed the call of Committees,

Mr. Rayner, from the Committee on Internal Improvements, reported favorably, and without amendment, the bill to appoint commissioners to view and lay off a Road from the town of Marion, in McDowell county, to the top of the Iron Mountain in the county of Yancyl which bill was read the second time and passed.

Mr. Scott moved the following Resolution:

Resolved by the House of Commons, the Senate concurring therein, That this General Assembly adjourn sine die on the 20th instant;

Which, on motion of Mr. Erwin, was ordered to lie on the table.

On motion of Mr. Erwin, the House proceeded to take up and consider the Resolutions introduced by him yesterday, in relation to the encouragement of home industry, and requesting our members of both Houses of Congress to vote against any increase of tariff duties. By unanimous consent, Mr. Erwin modified the preamble so as to read "assisted in fostering and encouraging," &c.

The said resolutions were then read the second time; when,

Mr. Caldwell, of Guilford, moved to amend the same by striking out all after the first word of the series, and inserting as follows:

Resolved, That whilst we are not to be understood as herein expressing any opinion in regard to the policy of a Tariff of protection, or of the influence of such a system up-
on the interest of the Southern States, or as to the course which should be pursued by Southern members of Congress upon this subject, did the causes of our complaints not exist, or should they be hereafter removed, yet, as the non-slaveholding States are so much more deeply interested in such protection than the slaveholding States can now be, we therefore think that the Senators and Representatives in Congress from the slaveholding States should firmly oppose all increase of duties on foreign importations, as long as public opinion in the North shall tolerate fanatics in their resistance or evasion of the fugitive slave law, and the interference, by agitation, with our domestic affairs.

Mr. Avery called for a division of the question, and moved that the question be first taken on striking out; which was ordered; but before the vote was taken thereon,

Mr. Davidson moved an adjournment, and the question on this motion was determined in the negative: Yeas 10, nays 96.

Mr. Foster, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to adjourn.
The question then recurring on the amendment offered by Mr. Caldwell, the House refused to strike out by the following vote: Yeas 32, nays 72.

Mr. Marshall demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question now being on the passage of the resolutions their second reading, Mr. D. A. Barnes called for a division of the question, and moved that the vote be taken on the resolutions separately; which was ordered accordingly.

The first resolution is as follows:

Resolved, That the State of North Carolina feels herself under no further obligation by the votes of her Representatives in Congress or otherwise, to foster the "home industry" of the non-slaveholding States.

The vote upon this resolution stood, yeas 100, nays 2.

Mr. Barnes, of Northampton, demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. D. Caldwell and Mizell—2.

A motion was made by Mr. Webb, that the House adjourn until tomorrow morning 10 o'clock; and the question thereon was decided in the negative: Yeas 12, nays 92.

Mr. Davidson demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House again refused to adjourn.
The question was now upon the adoption of the second Resolution, which is as follows:

"That if our own industry needs protection, it can be better effected by State than by Congressional Legislation."

And the question thereon, was decided in the affirmative: Yeas 62, nays 31.

Mr. Scott demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The third Resolution was then read as follows:

Resolved, That the present tariff is high enough to afford sufficient revenue to carry on an economically administered Government, and ought not to be increased.

Mr. Barnes moved to amend the same by adding thereto:

"But we are willing to confide it to the discretion of the Senators and Representatives from this State in Congress, to determine whether an increase may be necessary to carry on the affairs of the General Government."
Mr. Foster, of Davidson, moved to amend this amendment, by striking out all after the first word thereof, and inserting as a substitute therefor, as follows:

"This resolution is intended mainly as an expression of our wishes and opinions, and not intended as instructions or dictations to our Senators or Representatives, as to their action upon this question."

The question upon which latter amendment was decided in the negative: Yeas 22, nays 75.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the motion to amend the amendment did not prevail; and the question then recurring upon the motion of Mr. Barnes, to amend as before stated, it was also determined in the negative: Yeas 37, nays 69.

Mr. Barnes demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So this amendment was disagreed to.

Mr. Caldwell, of Guilford, moved to amend said resolution, by adding thereto the words, "under existing circumstances;" pending which motion,

Mr. Barnes of Northampton, moved an adjournment till to-morrow morning 10 o'clock; and the question thereon, was determined in the negative: Yeas 19, nays 79.

Mr. Kallum demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

And the question now recurring on the amendment proposed by Mr. Caldwell, to the third resolution, was decided in the negative: Yea's 24, nays 71.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question was then taken upon the adoption of this said third resolution, and decided in the affirmative: Yea's 75, nays 18.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


The fourth resolution was then read as follows:

"That foregoing resolutions be transmitted to our members in both branches of Congress, with a request that they lay them before their respective Houses, and with the further request that they vote against any change in the present tariff laws, which may have the effect to protect or encourage the manufacturing or mining interest of the free States, or which may have the effect to increase the Southern consumer, of any of the products of foreign countries."

And the question upon the adoption of the same, was decided in the affirmative: Yeas 85, nays 8.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


The question was then put upon the adoption of the preamble and determined in the affirmative.

So the resolutions passed their second reading.

A motion was then made by Mr. Avery, that the rules be suspended and that the said resolutions be put upon their third reading; which motion, two-thirds concurring, passed in the affirmative; but before the same were read,

A motion was made by Mr. Adams to postpone the further consideration thereof, till 10 o'clock to-morrow morning.

Mr. Scott moved to amend this motion by making the Resolutions the special order for to-morrow at 11 o'clock, instead of 10 o'clock; but before the vote thereon was taken, by consent of the House,

The Speaker announced a message from his Excellency, the Governor, received through the hands of Thomas Settle, Jr. Esq., his Private Secretary, transmitting certain communications from the Governor of South Carolina and from the President of the Nashville Convention, in relation to the Slavery question and the rights of the States.

Ordered, On motion of Mr. R. M. Saunders, that the same be transmitted to the Senate.

On motion of Mr. Davidson, the House adjourned till to-morrow morning, 10 o'clock.
Saturday, Jan. 4.

Received from the Senate a message agreeing to add all the Physicians of the Legislature to the Committee raised upon the subject of a Medical Board.

Mr. R. M. Saunders, from the Committee on the Judiciary, to whom was referred the resolution directing the inquiry, whether the Bank of Fayetteville in issuing bills of the denomination of one and two dollars, has acted in contravention of its character and the general laws of the State, reported a bill entitled a bill to amend an act to establish the Bank of Fayetteville, passed at the last session of the General Assembly; which was read the first time and passed.

Mr. Foster, of Wilkes, presented a memorial from sundry citizens of that county, praying the erection of a new county by the name of Howard; and,

Mr. McLean, a memorial from sundry citizens of the county of Ashe, praying the Legislature to establish a new county out of portions of Ashe and Wilkes counties; which were severally referred to the Committee on Propositions and Grievances.

Mr. Speaker laid before the House a memorial from James Graham, Esq., of Lincoln county, suggesting a certain course of policy in regard to the free negro population; which, on motion of Mr. R. M. Saunders, was ordered to be referred to the Committee on the Judiciary.

Mr. Hayes, of Cherokee, a memorial from the Chevass Company of Militia of the said county, praying the passage of an act exempting them from the duty of attending Regimental and Battalion Musters; which, on his motion, was referred to the Joint Select Committee on Military Affairs.

Mr. Patterson submitted the following Resolution:
Resolved, from and after to-day, this House hold night sessions, commencing at 7 o'clock.

Mr. Drake moved that the same do lie upon the table, and the question being put on this motion, it was decided in the negative: Yeas 49, nays 53.

Mr. Durham demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay on the table; and thereupon,

On motion of Mr. Steele, the resolution was amended, so as to provide "that from and after Monday next, this House will take a recesss at half past one, and meet again at half past past 3 o'clock," and as thus amended, passed in the affirmative.

Mr. Williams of Mecklenburg, presented a resolution appropriating $1000, for furnishing the Governor's House; which was read first time and passed.

On motion of Mr. Erwin, the House proceeded to take up
and consider the resolutions, on their third reading, in relation to the encouragement of home industry, and requesting our members in both branches of Congress to vote against any increase of tariff duties; when,

Mr. Rayner moved that the further consideration thereof be indefinitely postponed, and the question thereon being put, resulted yeas 24, nays 85.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question then recurring on the passage of said resolutions, it was determined in the affirmative, and they were ordered to engrossment.

Mr. Love presented the following resolution, which was read first time and passed, and referred to the Committee on Claims, viz:

Resolved: That the Public Treasurer pay to each of the
chain carriers and axe-men employed in the survey of the Western Turnpike Road, five dollars per month in addition to what they have already received for the time they were engaged in carrying out and surveying said road, and that he be allowed the same in the settlement of his public accounts:

Mr. Waugh presented a memorial from sundry citizens of Forsythe county, praying the Legislature to change the direction of the Fayetteville and Western Plank Road Company, from Randolph, so that, instead of running to Salisbury, it shall pass through Salem, Bethania and Mt. Airy, to meet the Virginia line, near the latter place. The memorial was, on Mr. Waugh's motion, referred to the Committee on Internal Improvements.

Mr. W. McNeill introduced a bill to improve the navigation of Raft Swamp Creek, in the county of Robeson; which passed the first reading.

Mr. Marshall, a bill to divide the Regiment of Militia in Stokes county; and also, a bill to divide the Regiment of Militia in Forsythe county; which were read first time and passed, and referred to the Joint Select on Military Affairs.

Mr. Bogle, a bill to incorporate the town of Taylorsville in county of Alexander; which was also read first time and passed, and referred to the Committee on Claims.

Mr. Wilson, by unanimous consent of the House, had leave to withdraw from the table a bill introduced by him, entitled a bill to prevent during a part of each week, fishing with seines near the mouths of the Rivers emptying into Albemarle Sound, and for other purposes.

And he now introduced a bill entitled a bill to prevent during a part of each week, fishing with seines in or near the mouth of Perquimans River, and for other purposes; which was read first time and passed.
On motion of Mr. R. M. Saunders,

Ordered, That a message be sent to the Senate proposing to postpone the execution of the joint order for this day, to wit: the appointment of Justices of the Peace, until half past 3 o'clock, this afternoon.

Received from the Senate a message proposing to raise a Joint Select Committee on the Institution for the Deaf and Dumb, consisting of three members on the part of the Senate, and five on the part of this House, with instructions to examine, and inquire particularly into the pecuniary affairs of that Institution; and that they report in detail the items of expense attending the same; how, and how much the superintendent is paid; in what manner the printing and other mechanical establishments connected with the Institution are supported; and how the proceeds thereof are disposed of; and all other matters that may be deemed pertinent to the subject.

Which was read and concurred in.

Mr. Foster of Wilkes, presented the resignation of Henry Ellar, Esq., a Justice of the Peace for Wilkes county; which was read and accepted, and ordered to be sent to the Senate.

Mr. Bogle presented a resolution to pay John A. Roseboro $14 19; which was read the first time, passed, and referred to the Committee on Claims.

On motion of Mr. Steele, the House now resolved itself into a Committee of the Whole on the Slavery Resolutions, and after some time spent therein, the Speaker resumed the Chair, and Mr. Jones, Chairman, reported progress, and asked leave to sit again.

The leave was granted as prayed for.

A message was received from the Senate, agreeing to the
proposition to postpone the execution of the joint order for the appointment of Justices of the Peace until half-past 3 o'clock that afternoon.

On motion of Mr. Drake, the House took a recess until half-past 3 o'clock.

**Half Past 3 O'clock.**

In pursuance of the joint order heretofore agreed upon, the House now proceeded, with the concurrence of the Senate, to the appointment of Justices of the Peace, for the several Counties in this State; and the said business having been accomplished,

On motion of Mr. Martin, the House adjourned till Monday morning, 10 o'clock.

**Monday, Jan. 6.**

The Committee on Enrolled Bills for the present week are Messrs. Eaton, Brazier, Love and Fonville.

Messrs. Thornton, Montgomery, Wiley and Ruffin form the Committee on the part of this House on the Institution for the Deaf and Dumb.

Received a message from the Senate, announcing for said
Committee on their part, Messrs. Haughton, Hoke and Mc-Millan.

Mr. Hill, of Caswell presented a Resolution in favor of James M. Brooks, Administrator of John Brooks; and Mr. Hayes, of Caldwell, a Resolution in favor of Elijah S. Moore, late Sheriff of Caldwell County; which were severally read first time and passed, and referred to the Committee on Claims.

Mr. Hayes, of Cherokee, presented a Resolution authorizing a grant of land for building a Baptist Church thereon in Cherokee County; and a Resolution authorizing Jacob Siler agent of the State to correct a mistake in the sale of a tract of land to Isaac Moody; which were severally read the first time and passed and referred to the Committee on Propositions and Grievances.

Mr. Hill, of Brunswick, presented a bill concerning Pilots; and Mr. Pigott a bill to regulate pilotage at Ocracoke Inlet; which were severally read the first time and passed and referred to the Committee on the Judiciary.

Mr. McKay presented a bill to increase the revenue, by taxing incorporated Companies in this State; which was read the first time, passed, and referred to the Committee on Finance.

Mr. Douthitt offered the following Resolution:

Resolved, That the debate on the Slavery Resolutions shall be closed this evening at 5 o'clock.

Mr. R. M. Saunders moved to amend by striking out the words "this evening at 5 o'clock," and inserting in lieu thereof, "Wednesday next at 4 o'clock, p. m.;" pending whereof,
Mr. Hill, of Caswell, moved that the said Resolution and amendment be laid upon the table; and the question thereon was determined in the affirmative: Yeas 59, nays 34.

Mr. Douthitt demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Received from the Senate a message, informing that Messrs. Speight and Kelly form the Committee on their part to superintend the election of Councillors of State.

And the hour having now arrived at which by joint agreement of the two Houses they were to go into said election, Messrs. Jones, and Caldwell, of Guilford, were appointed on behalf of this House to superintend the election; the following gentlemen having been put in nomination for the appointment, viz:

The House then proceeded to vote as follows:

FOR MR. McKAY:


FOR MR. STOKES:


FOR MR. HILL:


FOR MR. KIRKLAND:

Messrs. Speaker, Avery, J. Barnes, Blow, Bogle, Bond, Boykin, Bridgers, Brogden, D. Caldwell, Campbell, Cockerham, Cotton, Dargan, Davidson, Douthitt, Drake, Durham, Eaton, Fleming, Flynt, Foard, Fon-

FOR MR. HENDERSON:


FOR MR. LANE:


FOR MR. STALLINGS:


FOR MR. SILER:

Messrs. Adams, Anis D. Barnes, Bogle, Blow, Brazier, D. Caldwell,

FOR MR. W. J. GILLIAM:

FOR MR. J. CARSON:

FOR MR. EATON:

FOR MR. C. GRAVES:

FOR MR. W. B. RODMAN:
Messrs. Amis, Cherry, Hackney, McCleese, Stubbs—5.

FOR MR. R. R. HEATH:
Messrs. Amis, Cherry, Pool and Stubbs—4.

FOR MR. J. C. STEVENSON:

FOR MR. P. N. STANBACK:
Messrs. Dargan, J. Hill and Steele—3.

FOR MR. JOHN KERR:

FOR R. ALLSTON:
Messrs. Brazier and Hackney—2.
FOR MR. J. ADDERTON:

FOR MR. T. MILLER:

FOR MR. W. B. POPE:

FOR MR. J. T. MILLER:

FOR MR. J. B. TROY:
Messrs. Drake and Thornburg—2.

FOR MR. J. C. DOBBIN:
Messrs. Pigott and Simmons—2.

FOR MR. J. R. LANE:

FOR MR. T. G. WALTON:
Messrs. Scott and Shimpool—2.

FOR MR. R. C. COTTON:
Messrs. Tripp and Wiggins—2.

FOR MR. STEVENSON:
Messrs. Shimpool and Simmons—2.

FOR MR. J. R. PATTON:
Mr. Tripp—1.

FOR MR. C. H. BROGDEN:
Mr. Tripp—1.

FOR MR. D. A. BARNES:
Mr. J. M. Leach—1.
FOR MR. S. J. WHEELER:
Mr. Winston—1.

FOR MR. J. B. CHESSAN:
Mr. Winston—1.

FOR MR. RAYNER:
Mr. J. M. Leach—1.

FOR MR. J. M. LEACH:
Mr. Rayner—1.

FOR MR. P. FULLER:
Messrs. Pigott and Simmons—2.

FOR MR. S. F. PATTERSON:
Mr. Erwin—1.

FOR MR. J. W. PATTON:
Mr. Erwin—1.

FOR MR. C. H. SHUFORD:
Mr. McKay—1.

FOR MR. MURPHY:
Mr. Erwin—1.

FOR MR. J. S. AMIS:
Mr. Pool—1.

FOR MR. D. COPELAND:

FOR MR. A. L. ERWIN:
Mr. Walton—1.

FOR MR. J. O. WATSON:
Mr. Love—1.
FOR MR. M. SHAW:
Messrs. Stubbs, Tripp and B. Williams—3.

FOR MR. W. T. DORTCH
Messrs. Simmons, Tripp and B. Williams—3.

FOR MR. T. BRAGG:
Mr. Pope—1.

FOR MR. J. L. GAINES:
Mr. Russell—1.

On motion of Mr. Erwin, the bill requiring the Prosecutor to pay the costs in certain cases was taken up and made the special order of the day for to-morrow, at half past 3 o'clock, P. M.

Mr. Rayner presented a resolution in favor of J. E. Lumsden, which was read first time and passed, and referred to the Committee on Claims.

On motion of Mr. R. M. Saunders, the House now resolved itself into a Committee of the Whole on the Resolutions on Slavery, Mr. Jones in the Chair. After some time spent therein, the Speaker resumed the Chair. Mr. Jones on behalf of Committee reported progress, and asked leave to sit again; and leave was accordingly granted.

Mr. Caldwell, of Guilford, from the Committee appointed to superintend the election of Councillors of State, reported that Mr. McKay had received 99 votes, Mr. Hill 126, Mr. Stallings 96, Mr. Lane 97, Mr. Stokes 138, Mr. Kirkland 119, Mr. Henderson 130; and that said named gentlemen, having each a majority of the whole number of votes given, were duly elected Councillors of State. In which report the House concurred.

On motion of Mr. Sherard, the House then took a recess until half past 3 o'clock.
Mr. Person, of Moore, from the Joint Select Committee on Finance, to whom was referred so much of the Governor's message as relates to Finance and State debts, submitted a report thereon in writing, accompanied by a bill entitled a bill to repeal an act passed at the session of 1848-49, entitled an act to increase the revenue of the State, and for other purposes; which was read first time and passed, and on motion of Mr. Scott, the said bill and report were ordered to be printed.

On motion of Mr. Person, the same was made the special order of the day for Friday next.

On motion of Mr. Avery, the bill to provide relief for purchasers of Cherokee lands, secure debts due the State, &c., was now put upon its third reading.

Mr. Flemming moved to amend the same by adding a new section, as follows:

"Be it further enacted, 'That the benefits of this act shall not extend to those who have sold or transferred their lands, after twelve months from the day of sale;"

And the question thereon was determined in the negative: Yeas 30, nays 64.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the amendment was rejected.

Mr. Flemming again moved to amend by adding the following, as a new section to the bill, to wit:

"Be it further enacted, That in the construction of said Turnpike Road, to be constructed out of said Cherokee bonds, said road shall be simultaneously commenced at the county seats of each county, through which said road passes, or as near the same as said road may pass, and if there should not be funds sufficient to complete said road, that they shall be distributed pro rata to the construction of said road, in each county, agreeable to the white population; any law to the contrary, notwithstanding."

And the question, "will the House agree to said amendment"? was decided in the negative: Yeas 5, nays 82.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Flemming, Kelly, Mathis, Sherrill and Thigpen—5.

Those who voted in the negative, are:

Messrs. Adams, Avery, Barco, D. Barnes, J. Barnes, Blow, Bogle, Boykin, Brazier, Bridgers, Brogden, D. Caldwell, Campbell, Clanton,
So the amendment was rejected.

Mr. Taylor moved the following as an amendment to be added to the 2d section, to wit:

"Provided, That no money shall be paid to any claimant on account of any loss or damage, which he or they may have sustained, previous to the passage of this act;"

Which was agreed to.

And the question now recurring upon the passage of the bill as amended its third reading, it was decided in the affirmative: Yeas 59, nays 33.

Mr. Rankin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Blow, Boykin, Brogden, Cockerham, Durham, Eaton, Hackney, Herring, Jarvis, Jones, Kelly, Mathis, N. McNeill, Mizell, Montgomery, Patterson, Pegram, Pope, Powers, Rankin, Reinhardt, L. Sanders,
Ordered, That said bill be engrossed.

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

**Tuesday, Jan. 7.**

Mr. Williams, of Mecklenburg, called up the resolution in favor of Darling Rushing, Sheriff of Union county; which having been read the second time, was amended, on motion of Mr. Love, by inserting immediately after the words, "Union county" the words, "John B. Allison, Sheriff of Haywood county," and modified so as to read "due them in said counties respectively," and as thus amended passed its second reading.

Mr. R. M. Saunders presented a petition from the Faculty of Wake Forest College, praying that a Volunteer Company composed of Students of said College, may be allowed the use of fifty State muskets. Referred to the Joint Select Committee on Military Affairs.

Mr. R. M. Saunders introduced a bill to amend an act passed in the year 1803, entitled an act for the government of the city of Raleigh; which was read first time and passed, and referred to the Committee on the Judiciary.

Mr. Pigott introduced a bill to repeal an act passed 1846-7, entitled an act to repeal an act to prevent fire hunting for fowls in the county of Carteret; which was read the first time, and referred to the Committee on Propositions and Grievances.
Mr. McMillan presented a bill appointing Commissioners to lay off a road in Burke and Watauga counties;

Mr. Campbell, a bill for the repeal of an act passed at the session of 1848-49, for a Turnpike Road from Salisbury west to the Georgia line; and,

Mr. Swanner, a bill to appoint Commissioners to mark and establish the dividing line between the counties of Washington and Beaufort;

Which bills were severally read the first time and passed.

Mr. Dunlap, a bill to incorporate the Anson Plank Road Company; which was read first time and passed, and referred to the Committee on Internal Improvements.

And Mr. Davidson, a bill concerning Prison Bounds, for the county of Mecklenburg; which passed its first reading, and was referred to the Committee on the Judiciary.

On motion of Mr. McLean, the bill on its third reading to amend the Constitution of North Carolina, was taken up, and made the special order of the day for to-morrow afternoon, at half past 3 o'clock.

Mr. Flemming introduced a bill granting pre-emption rights to actual settlers on Cherokee lands; which having been read, a motion was made by Mr. Kallum, that the bill be rejected; and the question thereon, was decided in the negative: Yeas 28, nays 65.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to reject, and the bill accordingly passed its first reading, and, on motion of Mr. Sloan, the same was referred to the Committee on the Judiciary.

Mr. Flemming introduced a bill subjecting Cherokee lands to entry; and,

Mr. Newsom, a bill to extend the jurisdiction of Justices of the Peace in certain cases; which were severally read the first time and passed, and referred to the Committee on the Judiciary.

Mr. McDowell introduced the following resolutions, which were read the first time and passed, to wit:

1. Resolved, That we hold the American Union, secondary in importance only to the rights and principles it was designed to perpetuate; that past associations, present position and future prospects will bind us to it so long as it continues to be the safe-guard of these rights and principles.

2. That if the thirteen original parties to the contract, bordering on the Atlantic in a narrow belt, while their separate interests were in embryo, their peculiar tendencies scarcely developed, their revolutionary triumphs still green in memory, found union impossible without compromise; the thirty-one of this day may well yield somewhat in the conflict of opinion and policy, to preserve that Union which has extended the sway of Republican Government over a vast wilderness to another Ocean, and proportionally advanced their civilization and national greatness.
3. That in this spirit this Legislature has maturely considered the action of Congress embracing a series of measures for the admission of California into the Union, the organization of Territorial Governments for Utah and New Mexico, the establishment of a boundary between the latter and the State of Texas, the suppression of the slave trade in the District of Columbia and the extradition of fugitive slaves, and (connected with them) the rejection of propositions to exclude slavery from the Mexican Territories, and to abolish it in the District of Columbia; and whilst we do not wholly approve, will abide by it as a permanent adjustment of this sectional controversy.

4th. That the State of North Carolina, in the judgment of this Assembly, will and ought to resist even (as a last resort) to a disruption of every tie which binds her to the Union, any action of Congress upon the subject of slavery in the District of Columbia, or in places subject to the jurisdiction of Congress, incompatible with the safety, domestic tranquility, the rights and the honor of the slaveholding States; or any act suppressing the slave trade between the slaveholding States, or any refusal to admit as a State any territory hereafter applying, because of the existence of slavery therein; or any act prohibiting the introduction of slaves into the territories of Utah and New Mexico, or any act repealing or materially modifying the laws now in force for the recovery of fugitive slaves.

5th. That it is the deliberate opinion of this Assembly, that upon the faithful execution of the Fugitive Slave Law by the proper authorities, depends the preservation of our much loved Union.

On motion of Mr Rayner, the House now resolved itself into a Committee of the whole on the resolutions on slavery; Mr. Jones in the chair; and after some time spent therein, the Speaker resumed the chair, and the Chairman reported that the committee had come to no conclusion on the said subject, and asked leave to sit again; which leave was accordingly granted.

Mr. Walton presented a resolution requiring the Public Treasurer and Comptroller to furnish the General Assembly
with certain information in regard to Cherokee debtors; which was read and adopted.

On motion of Mr. Avery, the House then took a recess until half past 3 o'clock, P. M.

Half past 3 O'clock.

Mr. Flemming, by consent, presented a memorial from sundry citizens of Yancy county, praying the establishment a new county out of portions of Yancy and Buncombe counties; which was referred to the Committee on Propositions and Grievances.

Mr. R. M. Saunders, by consent, from the Committee on the Judiciary, to which was referred a resolution instructing them to inquire into the expediency of establishing one or more Judicial Circuits, reported a bill, entitled a bill to establish a new Judicial Circuit; which was read first time and passed.

On motion of Mr. R. M. Saunders, the resolution appropriating $1000 for furnishing the Governor's House, was taken up and read the second time and passed, and the rule being suspended by a vote of two-thirds, the same was read the third time and passed, and ordered to be engrossed.

In obedience to the special order, the House now proceeded to take up and consider, on its second reading, the bill requiring Prosecutors to pay the costs in certain cases, and giving discretionary powers to Grand Juries, in certain cases.
Mr. Flemming moved to amend the bill by adding to the first section thereof, the following:

"Provided, That nothing herein contained shall render prosecutors incompetent witnesses."

Which was read and disagreed to.

The question then recurring on the passage of the bill on its second reading, it was decided in the negative: Yeas 34, nays 66.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

A message was received from the Senate transmitting the following engrossed bills and resolutions, in which they ask the concurrence of this House, to wit:

A bill to incorporate Oxford Baptist Female College, in Granville county;
A bill to prevent the destruction of live stock in the wild range;
A resolution in favor of Enoch Reese and James Mann;
A bill concerning a Turnpike road from Lake Pungo to Plymouth, in Washington county; which said bills and resolutions were severally the first time and passed.

Also, an engrossed bill to lay off and establish a new county by the name of "Hooper," which was read first time and passed, and on motion of Mr. Martin, referred to the committee on Propositions and Grievances.

Also, engrossed bills to prevent merchants and others from improper trading with miners, and to prevent selling intoxicating liquors to free negroes and Indians, and for other purposes; which were read first time and passed, and on motion of Mr. Eaton, referred to the judiciary committee.

On motion of Mr. Brazier, the House then adjourned until to-morrow morning, 10 o'clock.

Wednesday, Jan. 8, 1851.

Mr. Brigden presented the resignation of Edmund Corr, Esq., a Justice of the Peace for Wayne county; and,
Mr. Kelly, the resignation of Berry Lanier, Esq., a Justice of the Peace for the county of Duplin; which were severally read, accepted and ordered to be sent to the Senate.

Mr. Pool introduced a bill, accompanied by a memorial, to extend the corporate limits of the town of Elizabeth City, in the county of Piquotank; which was read the first time, passed and referred to the committee on Private bills.
The following engrossed bills from the Senate received, by yesterday's message, were read the first time and passed, to-wit:

A bill to incorporate the Fayetteville and Warsaw Plank Road Company;
A bill to incorporate Ashville Division, No. 15, of the Sons of Temperance;
A bill to amend an act, entitled "an act to incorporate the Jonathan’s Creek and Tennessee Mountain Turnpike company, passed at the session of 1846-7, and which was amended by the act of 1849;
A bill to incorporate the Fayetteville and Northern Plank road Company;
A bill to amend an act passed at the session of 1848-9, entitled "an act to incorporate the town of Ashville;"
A resolution in favor of Joseph Stamey, Executor of J. R. Stamey, late Sheriff of Lincoln county;
A bill to authorize the citizens of the town of Clinton, in Sampson county, to elect Commissioners for said town;
A bill to incorporate the Bertie manufacturing Company in the county of Bertie;
A bill to incorporate the Nashville Guards;
A bill to incorporate Kinston Academy in the town of Kinston, county of Lenoir;
A bill to establish Rock Spring Camp ground in the county of Lincoln, State of North Carolina; and to incorporate the Trustees thereof;
A bill to incorporate the Wilmington and Topsail Sound Plank road Company;
A bill to incorporate the town of Hamilton in Martin county;
A bill to incorporate the Trustees of Long Creek Academy in the county of New Hanover;
A bill to incorporate the Weldon Manufacturing Company;
A bill to amend an act, passed at the session of 1846-7,
entitled an act for the better regulation of the town of Nash-
ville: and,

A bill to repeal an act, passed at the session of 1848-'9, en-
titled "an act to amend the Charter of the Hickory Nut
Turnpike Company ;

Also, engrossed bills viz: to recharter the Merchant's Bank
of Newbern ; and,

To amend an act of the General Assembly of North Caro-
lina, passed at its session of 1848-'49, entitled "an act more
effectually to prevent the selling or giving away of spiritu-
ous liquors, at or near places of public worship:" which, on
motions of Mr. Stevenson and Mr. R. M. Saunders, were re-
ferred to the committee on the Judiciary.

Also, a bill to amend an act for the incorporation of the
town of Washington, being ch. 199, of the acts of the session
beginning in 1846; which was, on motion of Mr. Stubbs, re-
ferred to the committee on Propositions and Grievances; and,

A bill to improve the State Road, from Wilkesboro' by
way of Jefferson, to the Tennessee line; which, on Mr.
Waugh's motion, was referred to the committee on Internal
Improvement.

On motion of Mr. Cherry, the engrossed resolutions in re-
lation to Nag's Head were put upon their third reading, pas-
sed and ordered to Enrolment.

Mr. Ruffin introduced a bill to incorporate Dan River
Lodge, No. 129, in the town of Madison, Rockingham coun-
ty, North Carolina; which was read the first time and pass-
ed, and on his motion, referred to the committee on Private
bills.

A message was received from the Senate, transmitting the
following resolution and asking the concurrence of this
House therein:
Resolved, that a message be sent to the House of Commons, proposing to adjourn the two Houses sine die on the 16th inst., and that the clerks of the two Houses make up the estimates of pay to the numbers thereof, to that day; Which having been read,

A motion was made by Mr. Cherry, that the same do lie upon the table, and the question thereon was determined in the affirmative: Yeas 62, nays 39.

Mr. Pope demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the Resolution was laid upon the table.

On motion of Mr. Scott, the House now again resolved itself into a Committee of the Whole on the Resolutions on Slavery; and after some time spent therein, the Speaker resumed the Chair, and Mr. Jones reported that the Committee had had the said Resolutions under consideration, had come to no conclusion thereon, and asked leave to sit again.

Leave was granted as prayed for.

The House then took a recess until half past 3 o'clock.
Mr. Foster, of Davidson, with leave, introduced a bill to amend an act, entitled an act, to incorporate the Washington Mining Company, passed in the year 1838-39; which was read the first time and passed.

On motion of Mr. Love,

Ordered, That a message be sent to the Senate, proposing to go into an election for two Trustees of the University, to-morrow morning, at 11 o'clock.

Mr. Jerkins introduced a bill in relation to exchanges of notes between the several Banks in this State; which was read the first time, passed, and referred, on his motion, to the Joint Select Committee on Finance.

Mr. Brogden, with leave, from the Committee on Claims, to whom was referred a memorial from S. P. Tipton, praying a reimbursement of monies advanced by him in erecting Tomb-stones over the graves of deceased soldiers, in the late war with Mexico, made a favorable report thereon, in writing, accompanied by a resolution in favor of the memorialist; which was read the first time, passed, and,

On motion of Mr. Brogden, the rules were suspended, two-thirds concurring, and the resolution was read the second time; whereupon,

A motion was made by Mr. Sharp, to amend the resolution, by striking out the words "one hundred and thirteen dollars," and inserting in lieu thereof, "one hundred and four dollars and thirty-one cents, $104 31;" which was not carried.

And the question recurring on the passage of the resolution on its second reading, it was decided in the affirmative.
On motion of Mr. Avery, the bill to amend the Constitution of North Carolina, which was made the special order for this afternoon, was postponed and made the special order for to-morrow afternoon, 4 o'clock.

On motion of Mr. Avery, the House now again resolved itself into committee of the whole, on the resolutions reported from the joint select Committee on Slavery, and after some time spent therein, the Speaker resumed the chair and Mr. Jones reported that the committee had not yet come to a conclusion on the said matters referred to them, and asked leave to sit again.

Mr. Avery moved a reconsideration of the vote by which the resolution was yesterday adopted, asking for certain information in regard to Cherokee bonds, from the Comptroller and Treasurer of the State; and further moved the said motion be laid upon the table; which latter motion was agreed to.

On motion of Mr. Pigott, the House then adjourned till to-morrow morning, 10 o'clock.

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THURSDAY, Jan. 9.

Mr. Sloan presented a memorial from sundry citizens of the county of Rutherford, protesting against the establishment of a new county out of portions of Rutherford and Cleveland; which was referred to the Committee on Propositions and Grievances.

Mr. Foster, of Davidson, presented a memorial from sundry citizens of Davidson county, praying an amendment of the
law in regard to public roads, to the effect of exempting from the duty of working the same, persons prevented by sickness. Referred to the Committee on the Judiciary.

Mr. Tripp, a memorial from sundry citizens of Beaufort county, praying the passage of an act making an appropriation for cutting a canal from Goose Creek to Bay River; and,

Mr. Davidson, a memorial, praying the appointment of Commissioners to lay off a public road from the town of Charlotte to Brigg's Store near King's Mountain in Gaston county; which were severally referred to the Committee on Internal Improvements.

Mr. Barco introduced a bill to repeal an act, passed at the session of 1848-9, entitled "an act to prevent fishing near the mouth of Raymond's Creek, in the county of Camden."

Mr. Russell, a bill to incorporate Montgomery Division, No. 97, of sons of Temperance: and,

Mr. Barnes, of Edgecombe, a bill for the better regulation of the town of Wilson in the county of Edgecombe; which bills were severally read first time, passed, and the two latter referred to the Committee on Private bills.

Mr. Harrison introduced a bill to incorporate the Conrad Hill Gold Mining Company; and also a bill to incorporate the Lewis Gold Mining Company; which were severally read first time, passed and referred to the Committee on the Judiciary.

Mr. Person, of Northampton, submitted the following resolution:

Resolved, That a message be sent to the Senate, proposing that both Houses of this General Assembly adjourn sine die, on the 20th inst., and that the Clerks make up their estimates accordingly.
Which being read, Mr. Leach, of Johnston, moved to amend by striking out "20th," and inserting "22d;" and,

Mr. Hayes, of Cherokee, moved to amend the amendment by striking out "22d," and inserting "27th;" which was carried, and, as thus amended, the resolution was agreed to.

Mr. Martin submitted the following resolution:

Resolved, That from and after to-day, this House will hold night sessions, taking a recess from 5 o'clock until 7 o'clock, p. m.; which was read and rejected.

On motion of Mr. Flemming, for reasons stated by him, Mr. Dickinson was excused from serving on the Committee on Cherokee Lands, and Mr. Love was thereupon appointed in his stead.

Mr. Stevenson, with leave, from the Judiciary Committee, reported, without amendment, the bill to repeal an act of the General Assembly of 1848-49, entitled an act, to amend an act passed at the last session of the General Assembly, entitled an act to provide for the apprehension of runaway slaves in the Great Dismal Swamp, and for other purposes; which was read the second time and passed.

Received from the Senate a message, agreeing to go into the election of two Trustees of the University, and informing that Messrs. Drake and Richardson form their branch of the Committee to superintend the ballotting.

And, the hour having now arrived, at which, by the joint agreement of the two Houses, they were to go into said election, a message was accordingly sent to the Senate, informing them that Messrs. Cherry and Jones compose the Committee on our part to attend the said ballotting; and that Hon. David S. Reid, William W. Avery, John H.
Haughton, Walter L. Steele, J. G. Bynum and Kader Biggs were in nomination for said appointment.

The House then proceeded to ballot for two Trustees of the University; after which,

Mr. Jerkins introduced a bill to alter the mode of electing Inspectors of Turpentine in the county of Craven; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Taylor submitted the following resolution, which was read and adopted:

"Inasmuch as the resolutions relative to negro slavery have been under discussion a considerable length of time, preventing the despatch of other important business, which ought to be acted on, the present session of the General Assembly; therefore, to prevent a useless expenditure of the public money;"

Resolved, that the discussion on said resolutions shall cease on to-morrow, at 5 o'clock, P. M.

Received from the Senate a message, disagreeing to the proposition that the two Houses adjourn sine die on 27th inst.

Also, a message transmitting an Engrossed bill, entitled a bill, to incorporate the Raleigh and Gaston Railroad Company and asking the concurrence therein, of this House; which was read the first time, passed and referred, on Mr. Saunders, motion, to the select Committee heretofore raised on the subject.

Also, a message proposing to ballot again forthwith for one Trustee of the University, and informing that the name of Mr. J. G. Bynum was withdrawn from nomination; which
was read, and on motion of Mr. Stevenson, laid upon the

On motion of Mr. Love, the House now again resolved

The House then, under the rule, took a recess until half

Half past Three O'clock.

Mr. Hill, of Caswell, called up the bill to incorporate the

Mr. Barnes, of Northampton, from the Committee on the

On motion of Mr. Rayner, the bill to regulate the fishing

The House now proceeded to take up the bill to amend the

Mr. J. M. Leach, postponed and made the special order for Saturday next at 12 o'clock.

Mr. Brogdén, with leave, introduced a bill to amend the act concerning the incorporation of the town of Goldsboro', in the county of Wayne, ratified January 29th, 1849; which was read the first time, passed, and referred to the Committee on Private Bills.

On motion of Mr. R. M. Saunders, the House again resolved itself into a Committee of the Whole on the Resolutions on Slavery, Mr. Jones in the Chair; and after some time spent therein, the Speaker resumed the Chair, and the Chairman of the Committee reported progress, and asked leave to sit again.

Leave was granted.

Mr. Erwin moved a reconsideration of the vote, by which was adopted, the resolution offered by Mr. Taylor, this morning, to terminate debate on the Slavery Resolutions, at 5 o'clock, to-morrow afternoon.

Mr. Barnes, of Northampton, moved to lay said motion to reconsider upon the table; which was disagreed to.

Mr. Scott moved an adjournment, which was also disagreed to.

And the question then recurring upon the motion to reconsider, it passed in the affirmative.

A motion was made by Mr. Stevenson, that said resolution be laid upon the table; and pending the consideration thereof,

On motion of Mr. Pigott, the House adjourned.
Mr. Sheek presented a memorial from sundry citizens of the county of Surry, praying the Legislature to appoint Commissioners to view and lay off a road from Salisbury, in Rowan county, by Mocksville, Huntsville and Rockford; which was referred to the Committee on Internal Improvements.

Mr. Campbell introduced a bill to incorporate Buena Vista Male Academy, in the county of Iredell; which was read first time and passed, and referred to the Committee on Education.

Mr. Simmons, a bill to provide for the cleaning out, and improving the navigation of Trent River; which was read first time and passed, and referred to the Committee on Internal Improvements.

Mr. Cherry, a bill to repeal the 20th section of the Revised Statutes, "Executors and Administrators," chapter 45; which was read first time and passed.

Mr. Barnes, of Northampton, a bill to repeal a portion of an act, authorizing the Sea-board and Roanoke Rail Road to issue bonds, passed at the present session of the General Assembly, which was read the first time, passed; and thereupon the rules being dispensed with, the said bill was read the second and third times, passed and ordered to be engrossed.

Mr. Mc Cleese introduced a bill to repeal a part of the first section of an act of the General Assembly of 1842-'3, ch. 51, entitled "an act concerning fishing with seines in Beaufort county," which was read first time, passed and referred to the Committee on the Judiciary.
Mr. Marshal introduced a resolution in favor of Joseph Fulp, which was read the first time, passed and referred to the Committee on Propositions and Grievances.

On motion of Mr. R. M. Saunders, the House again resolved itself into Committee of the whole, on the Slavery resolutions, and after some time spent therein, the Speaker resumed the Chair, and Mr. Jones, Chairman of Committee, reported progress and asked leave to sit again; which leave was granted.

On motion of Mr. Person, of Moore, the bill to repeal an act passed at the session of 1848-9, entitled an act to increase the revenue of the State and for other purposes, which had been made the special order for this day, was taken up and made the special order for Monday next at 11 o'clock.

Mr. Jones, from the Committee appointed to superintend the balloting for two Trustees of the University, reported that neither of the persons in nomination for the appointment having received a majority of the votes given, there was no election.

In which report the House concurred.

The House then took a recess until half past 3 o'clock.

Half past 3 O'clock.

Mr. Martin presented a resolution providing for the appointment of Assistant Engrossing Clerks; which was read the first time, passed, and, on motion of Mr. Martin, the rules were dispensed with, the same was put upon its second and third readings, passed, and ordered to be engrossed.
Mr. Brogden, from the Committee on Claims, with leave, reported favorably the resolution to pay John A. Roseborough $14.19; which was read the second time and passed.

On motion of Mr. Ruffin,

Ordered, That a message be sent to the Senate, proposing that the Joint Select Committee on financial affairs of the Deaf and Dumb Asylum, be empowered to send for persons and papers, and to examine persons on oath.

On motion of Mr. R. M. Saunders, the House again resolved itself into a Committee of the Whole House, on the resolutions on Slavery, and after some time spent therein, the Speaker resumed the chair and Mr. Jones reported that the committee having, according to order, had under consideration the resolutions on slavery reported by the majority of the joint select committee on the subject, had directed him to report the same to the House with certain amendments, to-wit:

1. To strike out all after the words "Federal Government" in the third resolution of the series, as follows:

"And whereas it would be both proper and expedient to restrict all trading intercourse with the non-slaveholding States, so long as there shall exist a well grounded apprehension either as to the repeal of the fugitive slave act or its non-execution and as there now exists just grounds for such apprehension—be it therefore,

Resolved, That it is expedient to impose an ad valorem tax upon all articles of merchandise of the growth, manufacture or product of the non-slaveholding States, which shall be brought into, and be offered for sale within, this State, from and after the first day of August next: Provi-
ded, however, The Governor shall be authorized and required, by and with the advice of the Council of State, to suspend the execution of such law until the meeting of the next General Assembly, if it shall satisfactorily appear that the Fugitive Slave Act hath been faithfully executed.

And 2ndly. To add to the Resolutions the following:

Resolved, That the institution of slavery, as it exists in the Southern States, is a subject with which the people of the North have neither the constitutional power nor the moral right to interfere, either directly or indirectly, either by Legislative enactment or social organization, and that all such interference should be resented as an unwarranted assault upon our rights.

Resolved, That North Carolina entertains the most sincere and abiding attachment to the Union of these States, that we will maintain and defend the Union, and sustain the constituted authorities of the government, as long as the same can be done consistently with the preservation of our liberties and the enjoyment of those rights and privileges which the Union was designed to secure and the Government to protect; that it behooves the Southern States to resort to every mode of redress not incompatible with the Constitution, before they should contemplate the alternative of disunion; and that if disunion must come, they should so act as to throw the responsibility on those who are disposed, wantonly, to insult us and to invade our rights.

And pending the consideration of said amendments,

On motion of Mr. Jones, the House then adjourned till to-morrow morning, 10 o'clock.

Saturday, Jan. 11.

Received from the Senate a message, proposing to adjourn sine die on the 22nd instant; which being read,
A motion was made by Mr. Hayes, of Cherokee, that the same be laid upon the table; and the question being put upon this motion, it was determined in the negative: Yeas 41, nays 54.

Mr. Wilson demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay on the table; and the question then being on concurring in the proposition contained in said message, it was decided in the affirmative: Yeas 55, nays 51.

Mr. Boykin demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Walton moved that the House do now take up and consider the motion submitted by Mr. Avery yesterday and then laid on the table, to reconsider the vote by which heretofore was adopted a resolution calling upon the public Treasurer and Comptroller for certain information in regard to Cherokee bonds; which motion was disagreed to.

On motion of Mr. Jones,

Ordered, that a message be sent to the Senate, proposing to go into an election of two Trustees of the University, at half past 11 o'clock this day.

Mr. Ruffin moved that the House do now reconsider the vote by which it had just agreed to the Senate's proposition to adjourn sine die, 22nd inst., which was carried; and the question, being then again put upon concurring in said proposition it was determined in the negative: Yeas 37, nays 71.

Mr. Herring demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to concur in the proposition of the Senate, and the Senate was thereof informed by message.

Mr. Wiggins, with leave, introduced a resolution for the relief of Augustine Landis, Clerk of the County Court of Granville; which was read first time and passed, and referred to the Committee on Propositions and Grievances.

On motion of Mr. Martin,

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee of three on the part of each House, to examine into the state of the business before the General Assembly, and report the earliest practicable day for adjournment.

On motion of Mr. Stevenson,

Resolved, That from and after to-day, this House will hold night sessions, taking a recess from 5 o'clock, till 7 o'clock, P. M.

A message was received from the Senate, agreeing to go into an election of two Trustees of the University, at half past 11 o'clock; and informing that Messrs. Cannady and Grist form their branch of Committee to superintend the same.
And also, a message agreeing to empower the Joint Select Committee on the Deaf and Dumb School to send for persons and papers, and examine persons on oath.

Mr. Wiley presented a memorial of R. O. Britton, Esq., of Granville, praying compensation for the loss of a slave that was carried out of the State on account of the Raleigh and Gaston Railroad; which was referred to the Committee on the Judiciary.

Mr. Siler presented a memorial from citizens of Macon county, praying the passage of an act preventing distempered cattle from being carried into the said county. Referred to the Committee on Propositions and Grievances.

Mr. Marshall, a memorial from sundry citizens of Stokes county, praying the passage of an act diverting the contemplated direction of the Fayetteville and Western Plank Road, so as, after leaving Randolph county, to pass through the town of Salem, Bethania and Mount Airy; on which no order was taken.

Mr. Erwin presented a memorial from sundry citizens of Buncombe county, praying the passage of an act granting relief to certain Grantees of land, who were ejected by the heirs of John G. Blount; which was referred to the Committee on Claims.

Mr. Hayes, of Cherokee, a memorial from citizens of Macon county, N. C., praying the General Assembly to incorporate Macon Division, No. 46, Sons of Temperance. Referred to the Committee on Private bills.

Mr. Davidson presented the resignation of James Nance, T. M. Kerns and A. R. Erwin, Esqrs., Justices of the Peace for the county of Mecklenburg; which were read, accepted and ordered to be sent to the Senate.
The House now proceeded, under the joint order, to ballot for two Trustees of the University—Messrs. Adams, and Sanders, of Johnston, being the committee on behalf of this House to conduct the balloting.

Mr. Martin introduced a bill to incorporate the Trustees of the Female Academy in the town of Franklinton;

Mr. Rayner, a bill to repeal an act passed at the session of 1848-'49, entitled an act to amend the 48th chap. of the Rev. Stat., entitled an act concerning fences, so far as relates to land on the Meherin River in the county of Hertford; and,

Mr. Jones, a bill to incorporate the Trustees of Cedar Grove Academy in the county of Orange; which bills were severally read the first time and passed.

Mr. Stubbs introduced a bill concerning Jurors in Beaufort county; and,

Mr. Gordon a bill to protect Wells, Spring and Cisterns of water, against wilful injury; which severally passed their first reading and the former bill was referred to the Committee on the Judiciary.

On motion of Mr. Durham,

Resolved, that the Committee on the Judiciary be instructed to enquire into the expediency of altering the laws so as to provide for the payment of persons who attend as witnesses before Clerks and Masters in Equity; and that said Committee have leave to report by bill or otherwise.

Mr. Person, of Moore, introduced a bill to incorporate Crane's Creek burial Ground, in the county of Moore, which was read the first time, passed and referred to the Committee on Private bills.

Mr. Newson, a resolution in favor of Henry Castleberry; which was read first time, passed and referred to the Committee on Claims.
Mr. Herring submitted the following resolution; which, under the rule, lies over one day;

Resolved, that from and after Monday next, no Private bill shall be introduced in the House of Commons.

Mr. Steele introduced a bill, entitled a bill to provide adequate compensation for the Governor of this State; which having been read,

A motion was made by Mr. Love that the said bill be rejected; and the question being put upon this motion, it was decided in the affirmative—Yeas 73, nays 32.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

A message from the Senate, agreeing to raise a Joint Select Committee of three on the part of each House to in-
quire into the state of the business before the Legislature, and report the earliest practicable day for adjournment, and informing that Messrs. Bower, Joyner and Williamson form the Committee for said purpose on the part of that body.

The Committee on the part of this House consists of Messrs. Martin, Stevenson and Barnes, of Northampton:

The House now proceeded to the consideration of the special order, to wit: The bill on its third reading, to amend the Constitution of North Carolina. The said bill having been read the third time,

Mr. Love moved the following amendment as an additional section, to wit:

"Be it further enacted, That the whole number of the free white population of this State shall be divided by fifty, and that such fiftieth portion of the same shall be entitled to one Senator."

And the question thereon, was decided in the negative: Yeas 25, nays 86.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Erwin then moved to amend the bill by adding the following as a new section thereto:

"Be it further enacted, (three fifths of the members of each House concurring) that the first section of the first article of the amended Constitution be amended, by striking out in the seventh line, the words "public taxes paid into the Treasury of the State by the citizens thereof and the average of the public taxes paid by such county into the Treasury of the State, for the five years preceding the laying off of the districts, shall be considered as its proportion of the public taxes and constitute the basis of apportionment," and inserting in lieu thereof, the words "Federal population;" and in the 14th line of the same section, strike out the word "Taxation," and insert in lieu thereof, the words "Federal population," and in the 17th line strike out the word "Taxation," and insert in lieu thereof, "Federal population."

Mr. Flemming moved to amend the said amendment, by striking out all after the first word thereof and inserting as follows:

"That it shall be the duty of the Governor of this State and he is hereby directed, to issue his proclamation on or before the first day of April next, directed to the Sheriff or coroners of their respective counties throughout the State, directing and commanding them to open polls at the general precinct in each county on the first Thursday in August next (it being the usual time of electing members of Congress) for the
purposethe of ascertaining the sense of the people of this State upon the propriety of holding a Convention."

"Be it further enacted, that it shall be the duty of the several county Courts to appoint Judges to hold said election and take the sense of the people upon this subject, at their usual time of appointing Judges to hold their Congressional elections, and upon the failure of any of the Courts to make such appointment, it shall be the duty of the Sheriff or Coroner, as the case may be, to appoint two free holders to hold the same; and for failure of any Coroner or Sheriff to comply with this act, he shall incur a penalty of one hundred dollars.

"Be it further enacted, that under the provisions of this act, all persons desiring to vote and who are now by law entitled to vote for members of the most numerous branch of the General Assembly, shall be entitled to vote in said election and that all persons voting shall cast in a paper or parchment, upon which shall be written or printed, "Convention" or "no Convention," and nothing more.

"Be it further enacted, That the Judges of the several election precincts shall return to the Clerks of their respective counties, under seal, a full entire statement of votes cast, with the names of the persons voting, carefully distinguishing the number voting "Convention," from those voting "No Convention," and under the same restriction they are now required, by law, to return the vote for Governor; said returns to be opened and compared at the respective Court Houses in each county, on the day after said election, between the hours of ten and four o'clock, by the Clerk, in the presence of the Sheriff, and a full statement delivered to the Sheriff by said Clerk under seal of office.

"Be it further enacted, That within ten days from the day of said election, it shall be the duty of the Sheriff or
Coroner, as the case may be, to whom such certificate has been issued by the Clerk, to make return thereof to the Secretary of State, under the same rule and regulations that they are now required, by law, to make return in the election of Governor.

"Be it further enacted, That it shall be the duty of the Secretary of State, in the presence of the Governor, on or before the first day of September next, to open and compare all such returns, and to deliver to the Governor, under seal of the State, a certificate of the entire result of said vote, and if it shall be made to appear from such certificate that a majority of the whole number of votes cast, shall be in favor of Convention, then, and in that case, it shall be the duty of the Governor to issue his Proclamation to the several Sheriffs or Coroners throughout the State to that effect."

The said amendment having been read,

Mr. Leach, of Johnston, moved a call of the House.

Mr. Martin moved to lay said motion on the table; which was agreed to.

And the question being then put upon the adoption of the said amendment to the amendment offered by Mr. Erwin, it was determined in the negative: Yeas 27, nays 78.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


The question then recurring on the adoption of the amendment proposed by Mr. Erwin, it was also decided in the negative: Yeas 19, nays 81.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question was then put upon the passage of the bill, its third and last reading, and resulted as follows: Yeas 69, nays 41.

Mr. Pope demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill (three fifths of the whole House not voting in favor thereof) was rejected.

A motion was now made by Mr. Love (who voted on the prevailing side of the question) that the House do reconsider the vote by which it had just rejected, on its third reading, the bill to amend the Constitution of North Carolina; and the question being put, the Speaker stated that there were sixty two in the affirmative and forty-five in the negative; and three fifths of the whole House not voting in the affirmative, according to the decision of this House at last session, he decided that the motion to reconsider was not carried.

Mr. R. M. Saunders appealed from the said decision of the Chair and pending debate thereon,

The House under the rule, took a recess until half past 3 o'clock, P. M.
Mr. A. G. Foster moved that the House do now take up and consider the bill, upon its second reading, to amend an act entitled an act to incorporate the "Washington Mining Company," passed in the year 1838; which motion was disagreed to.

The House then resumed the consideration of the unfinished business of this morning to-wit: the appeal from the decision of the Chair upon the vote to reconsider the bill to amend the Constitution.

And the question being put: "Shall the decision of the chair stand as the judgment of the House?" it was decided in the negative—Yea 50, nay 63.

Mr. D. A. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the decision of the chair was reversed, and the motion of Mr. Love to reconsider said bill was carried.

The question now again being upon the passage of the bill its third reading;

Mr. Person, of Moore, moved that the same be laid upon the table; whereupon,

Mr. Avery moved that the House adjourn until Monday morning 10 o'clock, and the question thereon was decided in the affirmative; yeas 57, nays 56.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House being equally divided, the Speaker voted in the affirmative.

And the House accordingly adjourned.
Mr. Love, with leave from the Joint Select Committee to whom was referred the resolution, requesting our Representatives in Congress to urge upon the General Government the necessity of adopting the most efficient means to remove a remnant of the Cherokee tribe of Indians remaining in the counties of Haywood, Macon and Cherokee, reported the same without amendment and recommended its passage.

By unanimous consent, on the suggestion of Mr. R. M. Saunders, the resolution was amended by striking out the Preamble; and the same was thereupon read and rejected: Yeas 41, nays 50.

Mr. Williams, of Mecklenburg, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolution was rejected.

Mr. R. M. Saunders, with leave from the Select Commit-
tee, to which was referred the Engrossed bill to incorporate the Raleigh and Gaston Rail Road Company, made a detailed report thereon, and recommended the passage of the bill with certain amendments to-wit: to insert the following as sections 4th, 5th, 6th and 7th:

§ 4th. "Be it further enacted, that as an inducement to the Stockholders and all such persons as may have become bound to indemnify the State against loss by reason of the loans made to the Raleigh and Gaston Rail Road Company and guaranteed by the State, according to the provisions of the several acts of Assembly, passed in the years 1838 and 1840, to subscribe for stock in the Company hereby incorporated, that whenever the sum of one hundred and fifty thousand dollars shall have been paid and the balance of two hundred and fifty thousand dollars shall have been secured as hereinbefore provided for, then the said Stockholders and obligors shall be forever released and discharged from all liability to the State, by reason of the loans and guarantees aforesaid; and the Governor is hereby authorized and directed to suspend the prosecution of the suits now pending in Wake Superior Court, against the said Stockholders and obligors, until such time as it shall be ascertained whether the four hundred thousand dollars shall be subscribed, paid and secured, as hereinbefore proposed: Provided, the above constitution shall be complied with by the said Stockholders and obligors on or before the first day of October next, whereupon the said suits are to be dismissed at the cost of Defendants.

§ 5. Be it further enacted, That it shall be lawful for the Executor or Administrator of any deceased person, who became bound in their life time to indemnify the State of North Carolina against loss, by reason of loans made to the Raleigh and Gaston Rail Road Company, and guaranteed by the State, according to the provisions of the several acts of Assembly, passed in 1838 and 1840, to subscribe for any,
amount of stock in the Company hereby incorporated, not exceeding the amount of said deceased person's liability to the State, and such subscriptions shall bind the estate of the Testator or intestate, and the heirs, devisees, legatees, or next of kin, as the case may be, shall not charge the personal representative aforesaid, as for a devastavit, or otherwise, and in case the said heirs, devisees, legatees or next of kin, shall attempt so to do, then, no part of the provisions of this act for releasing the sureties to the State, as aforesaid, shall enure to the benefit, relief or discharge of the testator or intestate or his property and estate, whose heir, devisee or next of kin, shall object to the subscription for stock by such Executor or Administrator, but the said Testator or intestate, and his property and estate, shall remain liable as now they are, or may be, in all respects, as if this act had not been passed.

§ 6. **Be it further enacted,** That when the property and estate of any infant under twenty-one years of age, shall be liable to the demands of the State on account of the loan and guaranty in the preceding sections mentioned, it shall be lawful for the guardian of such infant to subscribe, in behalf of his ward, for stock in the Company hereby incorporated, to an amount not exceeding the sum for which the property and estate of said ward is, or would be, liable to the State, as aforesaid, and in case the said ward should attempt to make his guardian liable to account to him or her for any thing more than the stock so subscribed and paid by his guardian, then, no part of the provisions of this act for releasing the sureties to the State, as aforesaid, shall enure to the benefit, discharge, or relief of the said infant's property and estate, but the same shall remain bound, as it now is or may be, in all respects, as if this act had not passed.

§ 7. **Be it further enacted,** That in case of a domestic invasion or insurrection, the said company shall transport the
troops and munitions of war, of the State of North Carolina, free of charge.

Which said amendment was read and ordered to be printed, together with the report of the Committee; and,

Ordered, on motion of Mr. Saunders, that the consideration of said bill be postponed, and that it be made the special order for Thursday next.

Mr. Saunders, from the same Committee, to which was referred the bill introduced by Mr. Rayner, on the 20th ult., concerning the Raleigh and Gaston Railroad, reported the same back to the House, and on his motion,

Ordered, That the said bill do lie upon the table.

Mr. Adams, from the Committee appointed to conduct the ballotting for two Trustees of the University, reported that the Hon. David S. Reid, having received a majority of the whole number of votes given, was duly elected, and that no other person had received such majority; in which report the House concurred.

The special order for this hour, to wit: the bill to repeal an act passed at the session of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes, was, on motion of Mr. Person, of Northampton, postponed until 12 o'clock.

Mr. Person, of Northampton, from the joint Select Committee on Military Affairs, to whom sundry memorials praying amendments to the Militia laws now in force, were referred, reported to the House, a bill entitled a bill concerning the Militia of the State; which was read the first time and passed.

The Committee on Enrolled bills for the present week are Messrs. Bond, Caldwell, of Rowan, Hill, of Caswell and McKay.
Mr. Cotton, with leave, introduced a bill to incorporate the Chatham Guards; which was read first time and referred to the Committee on Military affairs.

Mr. McLean a bill to incorporate Buck shoal Manufacturing Company in the county of Surry; and,

Mr. Wiggins, a bill to incorporate Washington Division, No. 27, of the sons of Temperance; which were severally read first time, passed and referred to the Committee on Private Bills.

Mr. Cherry presented a bill for the benefit of Thos. Griggs, Administrator of Samuel B. Dozier, late Sherriff of Currituck county, and for other purposes,

Mr. Flemming, a bill to restore Jury trials to the County Courts of Yancy county; and

Mr. McDowell, a bill to incorporate Cape Fear Division, No. 8, of the Sons of Temperance, of the town of Elizabeth; which were severally read first time, passed and the first named bill referred to the Committee on the Judiciary.

Mr. Caldwell, of Rowan, preesented a memorial from sundry Mechanics of Rowan county, praying the passage of a law to protect and encourage the mechanics of North Carolina; which was, on his motion, ordered to be printed.

On motion of Mr. Caldwell, of Guilford,

Ordered, that the memorial presented by him Dec. 4th, of similar import with the foregoing, be also printed.

Mr. Waugh presented a memorial from certain citizens of Davidson and Forsyth counties, praying a change of the contemplated direction of the Fayetteville and Western Plank Road, so that it shall go through Salem, Bethania and Mount Airy; referred to the Committee on Internal Improvements.

Received from his Excellency, the Governor, through the
hands of his Private Secretary, Thos. Settle, Jr., a message, transmitting a memorial and letters from David Patton, Architect for rebuilding the Capitol, praying an allowance of extra pay; which was ordered to be sent to the Senate.

Mr. Stevenson called up the resolution submitted by Mr. Herring, on Saturday last, providing that no private bill shall be introduced in the House of Commons, from and after Monday (this day.)

Mr. Pigott moved to amend the resolution by striking out the word "Monday," and inserting words "Wednesday next;" whereupon,

On motion of Mr. Foster, of Davidson, the resolution was laid upon the table.

In obedience to the special order, the House proceeded to take up and consider the bill to repeal the act of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes. The said bill having been read the second time,

Mr. Pigott moved to amend the second section, by striking out the words "sailing or," occurring immediately before the words "Steam vessels," in the 5th and 6th lines thereof; and the question thereon, passed in the affirmative.

Mr. Johnston moved to amend the said section by striking out the following words from the beginning thereof:

"Hereafter there shall be levied annually the sum of three cents upon every dollar of dividend or profit, actually due or received upon sums of money vested in trading in slaves or vested in Steam vessels, (excepting the profits of such vessels as are under the burden of twenty tons ;") and to insert in lieu thereof, the following:
“Hereafter there shall be levied annually the sum of one sixth of one per cent. upon all sums of money actually invested in trading in slaves, or any other species of trade, and the sum of three cents upon every dollar of dividend or profit actually due or received upon sums of money vested in Steam vessels, (excepting the profits of such vessels as are under twenty tons.”)

And pending debate thereon,

The House then took a recess until half past 3 o’clock.

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**Half Past Three O’clock.**

A message was received from the Senate, informing that they have passed the following Engrossed Bills and Resolutions, and asking the concurrence of this House in the same, viz:

A bill to incorporate Union Institute, in Randolph county, a Normal College;

A bill to repeal part of the act of 1848-49, chapter 77, entitled an act to increase the Revenue of the State;

A bill for the relief of Benjamin M. Selby, late Sheriff of Pitt county;

A bill to extend the authority of the Commissioners of the town of Plymouth, in Washington county;

A bill to amend an act entitled an act, to incorporate the town of Franklinsville, in the county of Randolph, passed by the General Assembly at its session of 1846-47; and,

A resolution in relation to the agent appointed by the Governor to procure Historical Documents;
Which said bills and resolutions, were read the first time and passed.

Also, an engrossed bill to facilitate the taking of testimony before Referees, Arbitrators, or other Commissioners; which was read first time, and, on motion by Mr. Eaton, referred to the Committee on the Judiciary.

Also, an engrossed bill to amend an act, entitled an act to amend an act passed in 1833; entitled an act to incorporate the Wilmington and Raleigh Railroad Company; which was read first time and passed, and referred to the Committee on Internal Improvements.

Also, an engrossed bill to amend an act entitled an act to incorporate the town of Rutherfordton, chapter 57, passed in 1840-41; which was read first time and passed, and referred to the Committee on Propositions and Grievances.

Also, an engrossed resolution in favor of P. B. Williams, late Sheriff of the county of Polk; which was read first time and passed, and referred to the Committee on Claims.

Mr. Webb moved a reconsideration of the vote, by which the House this morning rejected the resolutions requesting our members of Congress to urge upon the Federal Government the necessity of removing the remnant of the Cherokee tribe of Indians from this State, and further moved to lay this motion on the table; which latter motion was carried.

On motion of Mr. Barnes, of Northampton, the House now resumed the consideration of the unfinished business of this morning, to-wit: the revenue bill, reported from the Joint Select Committee on Finance.

Mr. Johnston's amendment pending,
Mr. Waugh moved to amend said amendment by striking out the words "one sixth," and inserting "one fourth;" which was agreed to.

Mr. Avery moved farther to amend said amendment, by striking out all thereof after the words "other species of trade;" which was also carried.

And the question then recurring upon the adoption of the amendment, offered by Mr. Johnston, as amended,

Mr. Flemming called for a division of the question and moved that the vote be first taken on striking out, which was ordered accordingly; and the question being put upon striking out, it was decided in the negative; Yers 43, nays 64.

Mr. Steele demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to strike out, and the amendment was accordingly lost.
The House then, under the rule, took a recess until 7 o'clock, P. M.

Seven o'clock P. M.

The House now resumed the consideration of the bill pending at the last adjournment.

On motion of Mr. R. M. Saunders, the second section of the bill was further amended by adding thereto the following:

"Or to funds appropriated to public or private charities, devoted to the purposes of Education or to the maintenance of the poor and afflicted."

Mr. Rayner moved to amend the fourth section of the bill, by striking out the words "two dollars," occurring in the line next before the last of said section, and inserting instead thereof, the words "one dollar;" which was agreed to.

Mr. Steele moved to amend the 5th section of the bill, by striking out the following words, immediately following the word "annually," in the second line thereof, viz: "A tax upon the following articles, to wit: on each $50 worth of gold and silver plate and ornamented jewelry in use by the owner or owners thereof, the sum of two dollars;" and insert in lieu thereof, as follows:

"An ad valorem tax of one half of one per cent. on all gold and silver plate and ornamented jewelry in use by the owner or owners thereof, of the value of fifty dollars and upwards."
Mr. Erwin moved to amend said amendment by striking out therefrom the words "one half of," so as to read "tax of one per cent on," &c.; which was carried.

And the question being then put upon the adoption of said amendment, as amended, it was determined in the affirmative.

Mr. Love moved that the House do now adjourn until tomorrow morning, 10 o'clock; and the question thereon was determined in the negative: Yeas 37, nays 64.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to adjourn.

Mr. Leach, of Davidson, moved to amend the 5th section, by inserting immediately after the words "retailers of" in the 25th line, the word "domestic;" and after the words "ten dollars" in 26th line, add the following, "with thirty cents ad-
ditional tax on every gallon of foreign spirituous liquors and forty-cents per gallon on all foreign wines and twelve cents on every bottle of such foreign wines, when sold by the bottle, to be paid by said retailer or retailers, vender or venders thereof.”

Mr. Flemming moved to amend said amendment, by striking out “40 cents” (per gallon on wine) and inserting “25 cents;” which motion did not prevail; and the question being then put upon the adoption of the amendment, it was also determined in the negative.

Mr. Barnes moved to amend the said section, by striking out the words “Sulkies and Gigs” in the 5th line thereof; and, also to strike out the following words from 7th to 10th line of the said section viz: “of the value of fifty dollars and under one hundred dollars, fifty cents—all of the value of one hundred dollars and under two hundred dollars, one dollar—all,” so as to make the section read, “on all buggies, barouches, carriages and all other pleasure vehicles in use by the owner or owners thereof, if the value of two hundred dollars and under three, &c.”

Which amendment was rejected.

On motion of Mr. Jones, the said section was amended by striking out the following near the close thereof, “on all marriage licences the sum of one dollar,” and accordingly modified farther by striking out the provision immediately following, requiring the Clerks of the county Courts to make returns of the number of said licenses, &c.

A motion was made by Mr. Steele, that the House do now adjourn; and the question thereon was again decided in the negative: Yeas 36, nays, 57.

Mr. McLean demanded the yea's and nay's.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Pope moved to amend said section, by striking out the words, "on all dogs, upon each lot or farm, exceeding two in number, ten cents each, to be listed and paid by the owner or owners;" pending the consideration whereof.

Mr. Sloan moved an adjournment and the question being put upon this motion, was decided in the negative; Yeas 33, nays 65.

Mr. Wiley demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Adams, Avery, D. Barnes, Bogle, Boykin, Brazier, Brogden, Cherry, Cockerham, Cotton, Dargan, Douhitt, Drake, Dunlap, Durham, Erwin, Eure, Fleming, Foard, Fonville, A. M. Foster, G. Hayes, Herring,
1851.


Mr. Sloan moved a call of the House.

Mr. Flemming moved the said motion be laid upon the table; which latter motion prevailed.

And then, on motion of Mr. Caldwell, of Rowan, the House adjourned.

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Tuesday, Jan. 14.

Received from the Senate, a message transmitting a message from his Excellency, the Governor, with a Communication from the Governor of Vermont, on the subject of an International board of Peace, and also a communication from the President of the Maryland State Convention on the subject of the late compromise Acts of Congress; and proposing that the same be printed; read and agreed to.

Also a message transmitting Engrossed resolutions on the subject of Slavery, in which they ask the concurrence of this House. The said resolutions were read the first time and passed.

Also a message transmitting an Engrossed bill to provide for the incorporation of companies to construct plank roads and of companies to construct Turnpike roads, and for other purposes; and asking the concurrence of this House therein;
which said bill was read the first time, passed and on Mr. Eaton's motion, referred to the Committee on the Judiciary.

On motion of Mr. Brazier,

*Ordered*, that a message be sent to the Senate, proposing to go into the election of one Trustee of the University, at the hour of half past eleven o'clock this day.

The following resolution submitted by Mr. Cockerham was read and adopted, *to-wit*:

*Resolved*, that this House will hold night sessions until 10 o'clock every night until the end of the session, unless otherwise ordered.

Mr. Hayes, of Cherokee, presented a resolution in favor of Andrew Welch; which was read first time, passed and referred to the Committee on Propositions and Grievances.

Mr. McDowell introduced a bill to revive an act passed at the session of 1842-43, entitled an act to incorporate Elizabethtown;

Mr. Eaton, a bill to extend the powers of the Commissioners of the town of Warrenton;

Mr. Sharp, a bill to amend an act of the Legislature of 1846-47, entitled an act to amend an act to consolidate and amend the acts heretofore passed, on the subject of Common Schools;

Mr. Caldwell, of Rowan, a bill to lay off and improve a public road from Salisbury to Rockford, in Surry county; and,

Mr. McMillan, a bill to encourage the raising of Sheep in Watauga and Ashe counties;

Which said bills were severally read the first time and passed.
Mr. Avery, from the Committee on the Judiciary, reported favorably the bill to repeal an act entitled an act, to give exclusive jurisdiction of Pleas to the Superior Courts of Robeson; which was accordingly read the second time and passed.

Mr. Cherry, from the same Committee, to whom was referred the bill to exempt from execution a certain portion of land of every citizen of the State of North Carolina, reported the same with the following amendments, viz:

To strike out the 4th section, which reads:

"That after the homestead freehold is laid off, the agricultural produce of the same shall be exempted from execution in like manner as the land itself."

And in the 6th section to strike out the words, "one thousand," and insert in lieu thereof, "five hundred."

The said bill was read the second time, and pending said amendments,

On motion of Mr. Eaton, the consideration of the same was postponed, and made the special order for Friday next, at half past 3 o'clock.

Mr. Stevenson, from the same Committee, to which was referred the engrossed bill to recharter the Merchant's Bank of Newbern, reported the same to the House with an amendment, to wit: to fill the blank in the 4th section, with the word "three," which amendment was adopted, and the bill passed its second reading.

Received from the Senate, a message agreeing to go into an election of a Trustee of the University of North Carolina, and informing that Messrs. Sessoms and Thomas form the Senate branch of Committee to attend the ballotting.

Messrs. Ruffin and A. H. Caldwell, were appointed the
House branch of the said Committee, and the House proceeded to ballot for one Trustee.

Mr. Hill, of New Hanover, from the Judiciary Committee, reported favorably the bill for the further regulation of the inspection of tar, sold in this State; which was accordingly read the second time and passed.

Mr. Saunders, from the same Committee, to which was referred the Engrossed bill from the Senate, to incorporate a Bank in the town of Washington, in the county of Beaufort, reported the same with the following amendment: to strike out the provision, to 10th section, which is in the following words:

"Provided always, that if any note or notes of the said Bank shall be presented for payment, by or for any Bank or Branch or Agency of any Bank either directly or indirectly, it shall be lawful to pay the same or any part thereof, with the note or notes of the Bank by or for which the demand shall have been made, whether made at the instance of the principal Bank, its branch or agency, without regard to the place where the same may have been issued or may be payable; and any person or persons who may present the note or notes of the said Bank for payment, shall, if required, state on oath, before a Justice of the Peace, whether the demand was made for any Bank, either directly or indirectly, or, in case of refusing, shall not be entitled to recover any interest whatever, on any note of said Bank, for which payment may be refused."

Mr. Mizell moved further to amend by adding to the 12th section of the bill, the following:

"To be sued for, and recovered against, any one or all of said Stockholders, at the discretion of the creditor or credit-
ors by the same rules and regulations as now govern suits at Law and Equity in this State.”

Which was read and disagreed to, and the said bill, as amended, passed its second reading.

The House now took up the unfinished business at the last adjournment, to wit: The Revenue Bill; which, on motion of Mr. D. A. Barnes, was postponed and made the special order for this afternoon at half past 3 o’clock.

On motion of Mr. Avery, the bill to amend the Constitution of North Carolina, was taken up and made the special order for 4 o’clock, this afternoon.

Mr. Ruffin, from the Committee appointed to conduct the balloting for one Trustee of the University, reported that Mr. William W. Avery had received a majority of the whole number of votes given and was duly elected.

In which report the House concurred.

Mr. Saunders, from the Committee on the Judiciary, to whom was referred the bill incorporating a Mutual Insurance Company, in the town of Greensboro', North Carolina, reported the same, with an amendment, to wit: to add to 9th section thereof, the following words:

““And that this provision shall extend to the North Carolina Mutual Life Insurance Company, as incorporated at the last session of the General Assembly.””

The said amendment was adopted, and the bill, as amended, passed its second reading.

Mr. Saunders, from the same Committee, reported, without amendment, the bill to regulate the pay of witnesses in the county of Bladen; which was read the second time and passed.
On motion of Mr. Ruffin,

Resolved, That the Committee on the Affairs of the Deaf and Dumb Institution, on the part of this House, be allowed to sit during the sittings of this House.

Mr. Barnes, of Northampton, from the Committee on the Judiciary, reported favorably, and without amendment, the bill to amend the 119th section of 31st chapter of Revised Statutes, entitled Courts, County and Superior; and also the bill allowing decrees of the Courts of Equity in certain cases to transfer legal titles; which bills were read the second time and passed.

Mr. Barnes, from the same Committee, to which was referred the bill to amend an act entitled an act to protect the interest of Lessors, passed at the session of 1840-41, reported the same with an amendment, to-wit: to strike out the last section. The amendment was disagreed to and the bill passed its second reading.

Mr. Eaton, from the same Committee, to whom was referred the memorial of Mrs. Fuller, praying compensation, on account of an injury received on the Cars of the Raleigh and Gaston Rail Road, make a favorable report thereon, accompanied by a resolution in favor of the Petitioner; which was read first time and passed.

Mr. J. M. Leach, from the same Committee, reported unfavorably the bill concerning Clerks and Clerks and Masters in Equity; which was read the second time, and on motion of Mr. Sloan, ordered to lie on the table.

On motion by Mr. J. M. Leach, the bill to improve the Deep River and the Yadkin River and to connect the two Rivers by means of a Portage Rail Road, was taken up, and made the special order of the day, for Thursday next half past three o'clock.
Mr. Saunders, from the Committee on the Judiciary, reported unfavorably the bill to authorize the county Courts in the several counties in this State, to allow compensation to Justices of the Peace who may be appointed to settle accounts of Executors, Administrators, Guardians and for other services.

The said bill was read the second time and passed.

Mr. Saunders, from the same Committee, reported favorably the bill to allow the State to challenge Jurors, which was read the second time and passed.

Mr. Stevenson, from the said Committee, to whom was referred the bill to extend the right of appeal, reported the same with an amendment, to strike out the following words in the beginning of the bill, "that all judgments against two or more defendants in the Courts of law of this State shall be joint and several;" which amendment was concurred in and the bill passed its second reading.

Received from the Senate a message, transmitting the following communication from his Excellency, the Governor, and proposing to print the same; which proposition was concurred in:

EXECUTIVE OFFICE,}
Raleigh, Jan. 14, 1851.

To the General Assembly:

Under the existing law, the commissioner appointed to put under contract the Western Turnpike Road, is not authorized to let it out in contracts of less than one mile. A change of the law, so as to leave it to the discretion of the commissioner to let the road in smaller contracts, would open competition to such as could not conveniently undertake a contract of one mile, and thereby cheapen the construction of the road, and at the same time, facilitate its completion. I respectfully recommend that the act be accordingly amended.
I deem it my duty to recommend to your favorable consideration the debtors to the State for the purchase of Cherokee lands. A knowledge of their embarrassed condition constrains me to say that their situation presents a strong appeal to the General Assembly, for the passage of an act for their relief.

I also recommend that the Legislature provide for the sale or entry of the unsold surveyed and unsurveyed Cherokee lands to actual settlers, in limited quantities, and at reasonable prices, giving pre-emption rights to such persons as are settled on the lands. I feel confident that justice to the people in that part of the State, where these lands are located, as well as the true interests of the State at large, demands this course of policy.

DAVID S. REID.

Ordered, on motion of Mr. Love, that so much of the foregoing message as relates to the Western Turnpike road, be referred to the Committee on Internal Improvements.

Also, a message from the Senate, transmitting the following engrossed bill, and asking the concurrence of this House therein, to wit:

A bill to amend the 3rd section of an act passed the present session of the General Assembly, entitled an act to incorporate the Fayetteville and Southern Plank Road Company; which bill was read the first time and passed; and thereupon,

On motion of Mr. R. M. Saunders, the rule was dispensed with, and the bill read the second and third times and passed, and ordered to be enrolled.

Also, a message transmitting the following resolution, reported from the Joint Select Committee raised to inquire into and report the earliest practicable day for an adjourn-
ment of the General Assembly, and asking the concurrence of this House therein:

Resolved, That the Speakers of the two Houses adjourn their respective Houses sine die on Friday, 14th inst., and that the Principal Clerks make up their estimates of pay to that time inclusive.

The foregoing resolution was read and adopted, and the Senate thereof informed by message.

Mr. Brogden, from the Committee on Claims, to whom was referred the resolution in favor of James G. Dickson, late representative from the county of Duplin, made a favorable report thereon, and the same accordingly passed its second reading.

The House then took a recess until half past 3 o'clock.

HALF PAST THREE O'CLOCK.

On motion of Mr. Jones, the bill to repeal the act of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes, which had been made the special order for this hour, was postponed and made the special order for 7 o'clock, this evening.

By unanimous consent, Mr. Jones has leave to withdraw from the file of bills on second reading, a bill introduced by him the 3d ult., entitled a bill, declaring that the offence of exciting slaves to insurrection, shall not be bailable, and for other purposes;

And Mr. Jones now, with leave, introduced a bill entitled
a bill, to punish with death, persons endeavoring to excite insurrections among slaves, and for other purposes; which was read the first time and passed.

Mr. Foster, of Davidson, introduced a bill to lay off and establish a public road in the counties of Davidson and Davie; which was read the first time and passed.

The Speaker now resumed the call of Committees, when,

Mr. Brogden, from the Committee on Claims, to whom was referred the petition of Sarah Avery, of Chowan county, made a favorable report thereon, accompanied by a resolution in favor of the said petitioner; which was read the first time and passed.

Mr. Brogden, from the same Committee, reported favorably the resolution in favor of Henry Spivey, late Sheriff of Northampton county; and,

Also, a bill to incorporate the town of Taylorsville, in the county of Alexander; which were each read the second time and passed.

Mr. Jones, from the Committee on Propositions and Grievances, reported favorably the resolution to pay William H. Whitson $145; and, also, the resolution authorizing Jacob Siler, agent of the State, to correct a mistake in the sale of a tract of land to Isaac Moody; which were severally read the second time and passed.

Mr. Jones, from the same Committee, to whom was referred the bill to prevent the peddling of spirituous liquors in the streets of Salem, reported the same adversely and recommended its rejection.

The bill having been read the second time,
A motion was made by Mr. Waugh, that the bill be laid upon the table: and the question thereon was decided in the negative.

Mr. Leach, of Davidson, thereupon moved to amend the bill by inserting immediately before the words, "spirituous liquors," in the 6th line of 1st sec., the words "less than two gallons;" but before the vote was taken thereon,

In obedience to the special order the House took up, upon its third reading, the bill to amend the constitution of North Carolina,

Mr. Erwin moved that the consideration of said bill be postponed and that it be made the special order of the day for Monday next; and the question thereon was decided in the negative: Yeas 17, nays 90.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the motion to postpone did not prevail.

Mr. Leach, of Davidson, then moved to amend the bill by adding as a new section the following:

"Be it further enacted, that the 1st section of the 1st article of the said amended constitution, in the words following, to-wit:

"The Senate of the State shall consist of fifty representatives, biennially chosen by ballot, and to be elected by districts, which districts shall be laid off by the General Assembly at its first session after the year 1841; and afterwards at its first session after the year 1851; and then every twenty years thereafter; in proportion to the public taxes paid into the Treasury of the State, by the citizens thereof, and the average of the public taxes paid by each county, into the Treasury of the State, for five years preceding the laying off the districts, shall be considered as its proportion of the public taxes and constitute the basis of apportionment: Provided, that no county shall be divided in the formation of a Senatorial district. And when there are one or more counties having an excess of taxation above the ratio to form a Senatorial district, adjoining a county or counties deficient in such ratio, the excess or excesses aforesaid shall be added to the taxation of the county or counties deficient; and if, with such addition, the county or counties receiving it, shall have the requisite ratio, such county and counties, each, shall constitute a Senatorial district,"

Be amended, so that the said first section of the said first article of said amended Constitution shall read as follows:

"The Senate of this State shall consist of fifty representatives, biennially chosen by ballot, and to be elected by districts, which districts shall be laid off by the General Assembly at its first session, after the year one thousand eight
hundred and fifty two, and then every twenty years after the first session after the year 1851, in proportion to the number of white inhabitants contained; and the public taxes paid by the same into the Treasury of the State by the citizens thereof, and the white inhabitants ascertained by the Census of 1850, and the public taxes paid by each county into the Treasury of the State, shall constitute the basis of apportionment: Provided, the average of the public taxes paid by each county into the Treasury of the State for five years preceding the laying off the districts in fixing said basis, shall be considered its proportion of the public taxes; and Provided further, that no county shall be divided in the formation of the Senatorial Districts.

And when there are one or more counties having an excess of white inhabitants and taxation, and above the ratio, to form a Senatorial district, adjoining a county or counties deficient in such ratio, the excess or excesses aforesaid shall be added to the taxation of the county or counties deficient; and if, with such addition, the county or counties receiving it, shall have the requisite ratio, such county and counties, each, shall constitute a Senatorial district."

And the question being put upon the adoption of said amendment, it was decided in the negative: Yeas 19, nays 88.

Mr. Leach demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Avery, Barco, D. Barnes, J. Barnes, Blow, Bond, Boykin, Brazier, Brogden, Bridgers, Cherry, Cockerham, Cotton, Dargan, David- 107
So the amendment was rejected.

Mr. Erwin moved that the bill be indefinitely postponed; and the question thereon was decided the negative: Yeas 38, nays 74.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the motion to postpone indefinitely did not prevail.

The question was then put upon the passage of the bill on its third reading, and decided in the affirmative: Yeas 75, nays 36.
Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So that three fifths of the whole House voting in the affirmative, the bill passed its third reading, and was ordered to be engrossed.

(The foregoing bill is in the following words.)

"Whereas the freehold qualification, now required for the election of members of the Senate, conflicts with the fundamental principles of liberty; therefore,

§ 1. Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, three fifths of the whole number of members of each house concerning, that the 2nd clause of the 3rd section of the 1st article of the amended constitution, ratified by the people of North Carolina on the 2nd Monday of November A. D., 1835, be amended by striking out the words, "and pos-
sessed of a freehold within the same district of fifty acres of land for six months next before and at the day of election," so that the said clause of said section shall read as follows: "all freemen of the age of twenty one (except as is hereinafter declared) who have been inhabitants of any one district within the State, twelve months immediately preceding the day of election, shall be entitled to vote for a member of the Senate."

§ 2. "Be it further enacted, That the Governor of the State be and he is hereby directed to issue his proclamation to the people of North Carolina, at least six months before the next election for members of the General Assembly, setting forth the purport of this act, and the amendment to the constitution herein proposed; which proclamation shall be accompanied by a true and perfect copy of this Act, authenticated by the certificate of the Secretary of State, and both the proclamation and the copy of this act, the Governor of this State shall cause to be published in all the newspapers of this State, and posted in the Court Houses of the respective counties in this State, at least six months before the election of Members to the next General Assembly.

The House now resumed the consideration of the bill to prevent peddling spirituous liquors in the streets of Salem; when,

Mr. Leach withdrew his amendment, and

Mr. Marshall offered the following amendment, to wit: to strike out all after the enacting clause, and insert:

"That it shall be unlawful for any person to sell spirituous liquors by a less quantity than two gallons, in the streets or public squares of the town of Salem, under a penalty of five dollars; which shall be recoverable by a warrant before any Justice of Peace in said county, by any person suinging
for the same, to the use of the Poor of said county; pending the consideration of which amendment,

The House, under the rule, took a recess until 7 o'clock.

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**Seven o'clock P. M.**

The bill to repeal the act of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes; which was made the special order for this hour, was, on motion of Mr. Avery, postponed for the present, for the purpose of taking up,

Bills on their third reading, viz:

The Engrossed bill to revive so much of the Revised Statutes, ch. 34, sections 1, 2, 7 and 32d, as may have been repealed by the act of 1846, entitled an act to protect houses and inclosures from wilful injury; and to repeal so much of said act of 1846, as has been or might be construed to repeal or modify the said sections or any of them; which bill was read third time, passed and ordered to enrollment.

The bill to facilitate the collection of rents; which was read third time, passed and ordered to be engrossed.

The bill to repeal an act, passed at the session of 1844-5, entitled an act to attach that portion of the county of Carteret known as Ocracoke, to the county of Hyde, was also taken up and read the third time; and the question "shall the bill pass its third reading?" was decided in the affirmative: Yeas 47, nays 46.
Mr. Powers demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Ordered, That said bill be engrossed.

Mr. Steele asked for, and obtained leave of absence for Mr. Person, of Moore, for three days, from and after to-morrow.

The following bills and resolutions were read the third time, passed, and ordered to be engrossed, to wit:

The bill to regulate the fishing with seines in North River, in the counties of Camden and Currituck;

The resolution to pay S. P. Tipton $113;

The resolution in favor of Darling Rushing, Sheriff of Union county;

The resolution to pay John A. Roseboro' $14 92; and,

The bill making it the duty of Clerks of Superior Courts to take bonds, in case of issuing writs of Recordari.

Ordered, On motion of Mr. Eaton, that the title of said
last named bill be so amended as to read: A bill authorizing the Clerks of the Superior Courts to take bonds when they may issue writs of Recordari and Certiorari.

Mr. Dargan moved to take up and consider the bill to repeal 8th section of the act of the General Assembly of 1848-49, entitled an act to increase the Revenue of the State; which motion did not prevail.

Mr. Bond moved that the House now take up and consider the bill to incorporate the Albemarle Fire Engine Company, in the town of Edenton; which motion was also disagreed to.

The bill to incorporate the Jackson Savings Institution, in Northampton county, was put upon its third reading, when,

On motion of Mr. Barnes, the same was amended, by striking out the words "not exceeding 5 per cent. per annum," in 17th line of 2d section, and by modifying the words immediately preceding, so as to read, "bearing interest;" and as thus amended, the bill passed its third reading, and was ordered to engrossment.

The bill to repeal the law re-districting the State in 1846-47, was read the second time, when,

A motion was made by Mr. Wilson, that the bill be laid upon the table; and the question thereon was determined in the affirmative: Yeas 62, nays 32.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Barco, D. Barnes, Blow, Bogle, Bond, Brazier, Brogden, A. Caldwell, D. Caldwell, Campbell, Cherry, Cockerham, Dargan, Davidson, Douthitt, Drake, Dunlap, Eaton, Eure, Flynt, Foard, A. G.
Those who voted in the negative, are:


So the bill was ordered to lie on the table.

The bill for the more equal distribution of the Common School Fund, was taken up and read the second time; whereupon,

A motion was made by Mr. Taylor, that the consideration thereof be indefinitely postponed; and pending debate thereon, at the hour of 10 o'clock,

The House, according to rule adopted this morning, adjourned until to-morrow morning 10 o'clock.

Wednesday, Jan. 15.

On motion of Mr. Caldwell, of Guilford, the memorial to change the dividing line between Davidson and Forsythe counties, so as to attach a portion of the former to the latter, was taken up; and referred to the Committee on Propositions and Grievances.
Mr. Hill, of Caswell, introduced a bill to incorporate the Raleigh Savings Institution; and

Mr. Stevenson, a bill for the relief of Francis J. Prentiss, late Sheriff of the county of Craven; which were severally read the first time and passed.

Mr. Siler introduced a bill to amend an act passed at the last session of the General Assembly, entitled an act to provide for a Turnpike Road from Salisbury, west, to the line of the State of Georgia; and,

Mr. Webb, a bill to lay off and establish a Road from the head of Cane Creek to White-side settlement, in Rutherford county; which bills were severally read the first time and passed, and referred to the Committee on Internal Improvements.

Mr. Pigott introduced a bill to repeal an act passed at the session of the General Assembly of 1844-45, entitled an act supplemental to an act passed at the same session, entitled an act to attach that portion of Carteret county, known as Ocracoke, to the county of Hyde; which was read first time and passed, and on his motion, referred to the Committee on Propositions and Grievances.

Mr. Martin introduced a bill to extend the powers of the Commissioners of the town of Franklinton, and for other purposes; which was read first time, passed and referred to the Committee on the Judiciary.

Mr. Leach, of Johnston, presented the certificate of the county Court of Johnston, on behalf of Sally Peacock, for a Pension; which was read and ordered to be countersigned by the Speaker and sent to the Senate.

The Speaker now resumed the call of Committees where the same was suspended yesterday.
Mr. Jones, from the Committee on Propositions and Grievances, reported unfavorably the bill to lay off and establish a new county by the name of New River; which was read the second time, and on motion, of Mr. McMillan, laid on the table.

Mr. Jones, from the same Committee, reported unfavorably the bill concerning the county Trustee of the county of Cleaveland; and the same was accordingly read the second time and rejected.

Mr. Jones, from the said Committee, reported favorably the Engrossed bill to emancipate Lucy, and her child Laura; also, the resolution in favor of John N. Curtis, late Sheriff of McDowell county and the sureties on his official bonds for the years 1844-'45, 46, 47, 48; also, the resolution in favor of Jacob Siler; and also, the bill relating to the Inspectors of Staves; which said bills were read the second time and passed.

Mr. Jones, from the same Committee, reported adversely the bill to lay off and establish a new county by the name of Howard; which was read the second time and on motion of Mr. Gordon, indefinitely postponed.

Mr. Jones, from the same Committee, to whom were referred a resolution in favor of Elijah S. Moore, late Sheriff of Caldwell; also, a resolution in favor of Alex. Duckworth, Sheriff of Burke; also, a resolution in favor of W. A. Ballew, Administrator of Washington Ballew, late Sheriff of Caldwell, reported the same back to the House and asked to be discharged from the further consideration of the same, respectively.

Ordered, That said resolutions do lie upon the table.

Mr. Jones, then, under instructions from said Committee, reported a bill entitled a bill to authorize Elijah S. Moore,
former Sheriff of Caldwell county and others, to collect arrears of taxes due them; which was read first time and passed.

Mr. Jones, from the same Committee, to whom was referred the memorial of sundry citizens of Rutherford and Cleaveland counties, praying the erection of a new county by the name of Tryon, made an adverse report thereon, and asked to be discharged from the further consideration thereof.

The report was concurred in.

Mr. Jones, from the same Committee, to whom was referred a memorial from the citizens of the county of Duplin, praying the passage of laws for the removal of the free negro population from the State, reported back the same, and asked to be discharged from the further consideration thereof.

And, under instructions of said Committee, moved a reference of said memorial to the Committee on the Judiciary; which was agreed to.

Mr. Rayner, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Albemarle and Currituck Canal Company, reported the same with the following amendments:

1. To strike out all after the word "toll," in the 7th line of the 8th section, and insert "the owner and master of said vessel shall forfeit and pay to said collector of tolls, double the amount of toll that may be due, and fifty dollars besides, to be recovered by warrant before any Justice of the Peace in the county of Currituck.

2. To insert as a new section, 13th, as follows:

"Be it further enacted, That the work hereby provided
for shall be executed with diligence, and if it be not commenced within two years, and finished within seven years after the passage of this act, then this Charter shall be forfeited."

The said amendments were adopted; and thereupon,

Mr. Cherry moved further to amend the bill, by inserting in 18th line of 1st section, after the name "W. H. Willard," the following; "at Windsor, under the direction of Kader Biggs, Thos. E. Fanning, Benjamin J. Spruill and Joseph M. Byrd;" which amendment was also agreed to, and the bill, as thus amended, then passed its second reading.

Mr. Rayner, from the same Committee, reported without amendment, the bill to appoint commissioners to view and lay off a Public Road from the town of Taylorsville in the county of Alexander, to Aquilla Payne's in Caldwell county, and for the purpose of improving the same; also, the bill to provide for the opening and clearing out Upper Little River in Cumberland county, and to prevent obstructions to the free navigation of the same; and also, the resolutions requesting our Senators and Representatives in Congress to endeavour to procure a hydrographic survey of the waters lying between Pamlico Sound and Beaufort Harbour; which said bills and resolutions were read second time and passed.

Mr. Rayner, from the same Committee, to whom was referred the engrossed bill to incorporate Tennessee River Rail Road Company, in the county of Macon, reported the same with an amendment, to wit: to add at the end of 18th section, "which charges shall be so regulated that the profits shall not exceed 25 per cent. on the capital of said Company in any one year.

The amendment was concurred in, and the bill passed its second reading as amended.

Mr. Rayner, from the same Committee, to whom was re-
ferred the bill to open and improve the road from the Virginia line, via Gap Civil, and by the Douglas Gap, in the Blue Ridge, to intersect the State’s Road near Judesville, in Surry county, reported the same, and recommended its passage, with an amendment, to wit: to fill the blank in 3d section, with the words “one thousand.”

The amendment was agreed to, and the question being then put upon the passage of the bill on its second reading, it was decided in the negative: Yeas 46, nays 58.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

At the hour of twelve, the Speaker announced as the business in order, the bill for the more equal distribution of the Common School Fund, the pending question being, at the last adjournment, the motion of Mr. Taylor to postpone indefinitely; whereupon,

Mr. Scott moved that the consideration thereof be post-
poned for the present and to proceed with the reports from the Committees; which was disagreed to.

The House accordingly resumed the consideration of said bill; and after debate,

Mr. Taylor withdrew his motion to postpone indefinitely; and, the question being taken upon the passage of the bill its second reading, it resulted as follows; Yeas 42, nays 68.

Mr. Marshal demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

A motion was made by Mr. Flemming, that the House do now take up and consider, on its second reading, the bill to repeal the law re-districting the State in 1846-47; and the question being taken thereon, resulted: Yeas 47, nays 57.
Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to take up and consider said bill.

The House then took a recess until half past 3 o'clock.

**Half past Three O'clock.**

On motion by Mr. Bond, the bill to incorporate the Albermarle Fire Engine Company, was put on its third reading.

The said bill was, on motion of Mr. Bond, amended by adding as a new section, sec. 2nd; and, as thus amended, passed its third reading and was ordered to be engrossed.

Mr. McLean called up the bill supplemental to an act passed by the present General Assembly, entitled an act to lay
off and establish a new county by the name of Yadkin; which was now read the second time and passed.

Mr. Walton called up the Engrossed resolution in favor of Susannah Fox, which was also read the second time and passed.

On motion by Mr. Steele, the House proceeded to take up and consider the bill to incorporate the Roanoke Valley Rail Road Company, on its second reading.

Mr. Eaton moved the following amendments, to be inserted as sections 40, 41:

Be it further enacted, That if the President and Directors shall not begin said road in two years, and complete the same within six years, then the interest of said Company in said Rail Road and tolls shall be forfeited and cease.

"Be it further enacted, That the said corporation shall hold and enjoy the corporate powers hereby granted for ninety years and no longer, without a renewal of its charter."

The foregoing amendments were adopted, and the bill, as thus amended, passed its second reading.

Mr. Steele, with leave, from the Committee on Education, reported favorably the bill concerning the Salisbury Female Academy; and also, the bill to incorporate the Trustees of Tar River Academy; which were each read the second time and passed.

Mr. Steele, from the same Committee, to whom was referred the bill to amend an act passed at the session of 1840-'41, entitled "an act to distribute the proceeds of the Literary Fund, among the several counties of this State, report-
ed the same back to the House, with a recommendation that it do not pass.

The said bill was read the second time, and, on motion of Mr. Wilson, laid upon the table.

Mr. Flemming, with leave, from the Select Committee, to whom was referred so much of the Governor's message, as relates to the organization of Public Offices, reported that in consequence of the recent change of the heads of the various departments, the Committee had been unable to procure the necessary information to enable them to act understandingly in the premises; and asked therefore to be discharged from the further consideration of the subject; and the Committee was accordingly discharged.

Mr. Person, of Northampton, from the Joint Select Committee on Military Affairs, with leave, reported adversely the bill, to exempt overseers of roads from performing military duty; and the bill was read the second time and rejected.

Mr. Person, from the same Committee, also reported unfavorably on the resolution instructing them to inquire into the expediency of suspending the present system of militia training, and asked to be discharged from the further consideration of the subject; concurred in.

Mr. Person, from the same Committee, reported unfavorably the bill to amend the 3rd section of the act, entitled an act concerning the Militia of this State. The said bill was read the second time, and after debate, on motion of Mr. Cockerham, indefinitely postponed: Yeas 74, nays 28.

Mr. D. F. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Amis, Adams, Barco, D. Barnes, Bogle, Bond, Boykin, Bridgers, Brogden, D. Caldwell, A. Caldwell, Campbell, Cherry, Cockerham,

Those who voted in the negative, are:


So the bill was indefinitely postponed.

Mr. Person, from the same Committee, to whom were referred sundry memorials and petitions, praying a repeal of the act of 1848—29, so far as it exempts from militia duty persons over thirty-five years of age, reported the same back to the House, with a statement that the bill recently reported from the Committee, contains a clause repealing said provisions.

Ordered, That said memorials be laid on the table.

Mr. Person, from the said Committee, reported adversely the bill to amend the militia laws of the State of North Carolina; and the same was read the second time, and on motion of Mr. Brogden, laid upon the table.

Mr. Person, from the same Committee, to whom were referred sundry memorials relating to a division made by the Court Martial of the 75th Regiment, made an adverse report thereon, and asked to be discharged from the further consideration of the subject. The report was concurred in, and the Committee discharged.

Mr. Person, from the same Committee, reported favorably the resolution directing the Adjutant General to procure from
the War Department at Washington City, copies of the Muster rolls of troops from this State, who have served in various wars and making an appropriation to defray the expenses thereof; which was read the second time and passed.

Mr. Cotton introduced a bill to establish and lay off a new county, by the name of Lafayette; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

The House then took a recess until half past seven o'clock.

HALF PAST 7 O'CLOCK.

Mr. Taylor, by unanimous consent, has leave to withdraw a resolution presented by him, 9th inst., in regard to closing debate on the slavery resolutions.

The following bills were read the third time, passed and ordered to be engrossed, viz:

The bill to repeal an act of the General Assembly of 1849, ch. 93, entitled an act to amend an act passed at the last session of the General Assembly entitled, an act to provide for the apprehension of runaway slaves in the Great Dismal Swamp and for other purposes;

The bill to repeal an act entitled an act to give exclusive jurisdiction of Pleas to the Superior Courts of Robeson; and,

The resolution authorizing Jacob Siler, Agent of the State, to correct a mistake in the sale of a tract of land to Isaac Moody.
The bill for the better regulation of the inspection of Tar, sold in this State, was also read the third time, amended, on motion by Mr. Pigott, by the addition of the following section:

"That hereafter it shall be the duty of the purchasers to pay the inspection fees on Tar and Turpentine."

And as thus amended passed and was ordered to be engrossed.

On motion by Mr. Brogden, the House now proceed to the consideration of the bill to lay off and establish a new county by the name of Wilson. The said bill having been read the second time,

Mr. Taylor moved the following amendment, viz: To strike out all after the word, "Wayne" in the 6th line of the 1st section—being the boundaries proposed for said county—and insert in lieu thereof, as follows:

"Beginning at the Edgecombe line near Barnes' Mill on Tosnot Swamp, running thence along the various courses of said Swamp to the mouth of White Oak; thence up the said stream to its head; thence a straight line to the forks of the roads where the Smithfield and Lee's Chapel Road intersect; thence along said Lee's Chapel Road across Arnold Strickland's Bridge, on Turkey Creek; thence along said Road to Mrs. Lees mill on Mockasin Swamp; thence down said Swamp where it empties into Turkey Creek."

"And be it further enacted, That the Court House of said county of Wilson shall be located at, or within one mile of Thomas Horris's old store on Contentnea Creek, where the Nash and Edgecombe lines come together."

And the question being put upon the adoption of the said amendment, it was decided in the negative: Yeas 45, nays 58.
Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected.

Mr. Sanders, of Johnston, then moved that the bill be indefinitely postponed; and the question thereon, was decided in the negative: Yeas 45, nays 58.

Mr. Sherard demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
So the motion to postpone indefinitely did not prevail.

Mr. A. J. Leach then moved the following as an amendment to the 1st section of the bill:

"Provided, A majority of the qualified voters for members of the House of Commons in the counties of Edgecombe, Wayne, Nash and Johnston, shall vote for the erection of the proposed new county at an election to be held, according to the provisions of an act to be passed supplemental to this act."

Which amendment was adopted, and, as thus amended, the bill passed its second reading.

The engrossed bill to incorporate a Bank in the town of Washington, in the county of Beaufort, was read the third time, and the question, "Shall the bill pass its third and last reading?" was decided in the affirmative: Yeas 62, nays 29.

Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill passed its third reading; and,

Ordered, That the same be returned to the Senate for their concurrence in the amendments made by this House.

The following bills were read the third time, passed and ordered to Engrossment, viz: the bill to regulate the pay of witnesses in the county of Bladen;

The bill to incorporate a Mutual Insurance Company in the town of Greensboro'; and, the bill to amend 119th section of 31st ch. of Rev. Statutes, entitled "Courts county and Superior."

The Engrossed bill to recharter the Merchant's Bank of Newberne, was read the third time, passed and ordered to be sent to the Senate for their concurrence in the amendments made thereto by this House.

The bill to amend an act entitled, an act to protect the interest of Lessors passed at the session of 1840-41, was read the third time; when,

Mr. Avery moved to amend the same by striking out the 2nd section, which is as follows:

"Be it further enacted, That if the tenant shall convey or cause to be conveyed from the premises, any portion of the crop grown thereon, with intent to defraud the landlord and prevent his detraining the same for rent so reserved, it shall.
and may be lawful for such landlord or any person or persons by him for that purpose lawfully empowered within five days next ensuing such carrying away or carrying off as aforesaid, to take and seize such crop wherever the same may be found, as a distress for the rent so reserved, and the same to sell or otherwise dispose of in such manner as if the said crop had been actually disrained by said landlord upon such premises for such arrears of rent so reserved, any law or custom to the contrary notwithstanding."

And the question being put upon the motion to strike out said section, it was decided in the negative: Yeas 42, nays 55.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


On motion of Mr. Barnes, the bill was amended by inserting immediately after the word "seize" in 2d section, the words "so much of"; and further amended by striking out the words, "a distress for" occurring in the same sec-
tion, and inserting in lieu thereof; "shall be necessary to discharge;" and again further amended by adding to said, 2nd section the following:

"Provided, That the provisions of this section shall only extend to cases in which the landlord shall have reserved a share of the crop in kind."

And the question recurring on the passage of the bill as thus amended, on its third and last reading, it was decided in the affirmative: Yeas 57, nays 41.

Mr. McLean demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was ordered to engrossment.

The bill allowing Decrees of the Courts of Equity in certain cases to transfer legal titles, was read the third time, passed, and ordered to be engrossed.

The bill to authorize the County Courts in the several
counties in this State to allow compensation to Justices of the Peace who may be appointed to settle the accounts of Executors, Administrators and Guardians, and for other services, was read the third time, and pending the consideration thereof,

The House adjourned at 10 o'clock.

THURSDAY, Jan. 16.

Received from the Senate a message transmitting a communication from his Excellency the Governor, accompanied by a letter from Geo. W. Mathew, Esq., British consul for North Carolina, suggesting that the rights of her Britanic Majesty's subjects, under Treaty, may be observed in the event any acts be passed by this General Assembly prohibiting the landing of free negroes in the State.

Ordered, On motion of Mr. Saunders, that said communication be referred to the Committee on the Judiciary.

Also, a communication from his Excellency the Governor transmitting resolutions in relation to the late "compromise act" and to the state of the Union; Ordered, to lie on the table.

Mr. Webb moved the House do now take up and consider the bill to appoint Tax collectors for the State of North Carolina; which was disagreed to.

Mr. Martin moved that the House do now take up and consider the bill to incorporate the Trustees of the Female Academy in the town of Franklinton; which was also disagreed to.
Mr. Williams, of Mecklenburg, introduced a bill to provide for the incorporation of Plank Road Companies in this State; which was read first time, passed and on Mr. Eaton's motion, referred to the Committee on the Judiciary.

Mr. Hayes, of Cherokee, presented a resolution in favor of Jennings Pigott; which was read first time, passed and referred to the Committee on Claims.

Mr. Tripp moved the following resolution:

Resolved, That from and after to-day the House of Commons will meet at 10 o'clock, A. M. and sit until 2 P. M.; meet again at half past 3, and sit until 7, P. M.; which was read, and on motion of Mr. Wilson, ordered to lie upon the table.

Mr. Flemming introduced a bill to amend an act of 1848-'49, laying off a Public Road in the county of Yancey; and Mr. Hill, of New Hanover, a bill founded on a memorial, to amend an act passed in the year 1818, chapter 42, entitled an act to elect a Magistrate for the town of Wilmington, and other purposes; which were severally read the first time and passed.

On motion of Mr. Pigott,

Resolved, That this House will entertain no Private bills introduced after Saturday next.

Mr. Erwin presented the resignation of G. C. Askew, Esq., a Justice of the Peace for the county of Buncombe; which was read and accepted, and ordered to be sent to the Senate.

Mr. Walton introduced a bill to repeal an act of the General Assembly of 1848-49, chapter 137; which was read the first time and passed.
The Speaker again resumed the call of Committees where the same was suspended yesterday.

Mr. Rayner, from the Committee on Internal Improvements, reported without amendment the bill to open and improve the State road from Wilkesboro' by Boone in Watauga, to the Tennessee line; which was read the second time, and on motion of Mr. McMillan, laid upon the table.

Mr. Rayner, from the same Committee, to whom was referred the bill to incorporate the Western Plank Road Company, reported the same with the following amendments; which were read and concurred in, viz:

1. To insert the word, "five" after the word "twenty." in 8th line of 15th section.
2. To strike out the word, "ten," in 4th line of 16th section, and insert "eight;" and,
3. To strike out "twenty-five," in the last section, and insert "thirty."

Mr. Eaton moved further to amend the bill,

1. By adding the following to section 13:

"Provided, nevertheless, That the dwelling house, kitchen, yard or garden of no person, shall be invaded or any part thereof appropriated to the use of such corporation, without the consent of the owner."

2. By adding the two following sections after said 13th section, viz:

"Be it further enacted, That it shall be the duty of the Sheriff to give at least five days notice, in writing, to the parties interested, of the time and place of meeting of the
persons to assess damages as aforesaid, and that for each notice he be allowed a fee of seventy-five cents.

"Be it further enacted, That all of the costs incident to the condemnation of said land, and the assessment of damages as aforesaid, shall be paid by such corporation, and that the two Justices who may issue the aforesaid warrant to the Sheriff, or any other two Justices of the county after the inquisition is signed by the Jury and countersigned by the Sheriff, shall have power to render judgment and issue execution for said costs.

Which said amended amendments were severally read and adopted; and the bill, as thus amended, then passed its second reading.

Mr. Rayner, from the same Committee, to whom was referred the bill to incorporate the Yadkin Navigation Company, reported the same with the following amendment, viz: to insert as section 30th,

"The work hereby required of the Company shall be executed with diligence, and if it be not commenced within four years after the passage of this act, and finished within ten years after the first general meeting of the Stockholders, then this Charter shall be forfeited."

Which amendment was concurred in.

Mr. Gordon moved further to amend the bill, by adding thereto the following as sections:

"Be it further enacted, That whenever the sum of one hundred thousand dollars shall be subscribed by individuals or corporations, as herein provided and 5 per cent. thereon paid in, the Treasurer of the State for the time being shall be and he is hereby authorized and directed to subscribe one hundred
thousand dollars for and on behalf of the State, and said subscription on the part of the State shall be paid in by the same instalments as that of the individual Stockholders of said Company. But, the State shall not be liable to pay any such investments until the amounts required from the other Stockholders have been paid in or secured.

"Be it further enacted, To enable the State to pay her subscription to said stock, whenever the State shall be required as hereinbefore provided, the Treasurer of the State for the time being, shall, from time to time, issue bonds or certificates of debt under the great seal of the State, signed by the Governor, countersigned by the Treasurer, and guaranteed by a pledge of the faith of the State, in sums not less than five hundred dollars, payable in currency of the United States and Great Britain, at an interest at a rate not exceeding 6 per cent., payable semi-annually, the principal of which bonds shall be redeemable at the end of twenty years from the time the same shall be issued; but no greater amount of such bonds shall be issued at any one time than may be sufficient to meet the instalments required to be made by the State at that time.

"Be it further enacted, Whenever it shall be necessary to issue said bonds or certificates of debt, the Treasurer shall advertise, in one or more public newspapers, and invite sealed proposals to said loan, and it shall be his duty to accept those terms which may be most advantageous to the State, and any premium that may be obtained in said loan, shall be paid into the Public Treasury of the State, and invested by the Treasurer by and with the advice of the Governor, in stocks or other evidence of debt as a savings fund to meet the payment of the interest on said loan, as the same may accrue.

"Be it further enacted, In all general meetings of the
Stockholders, the Board of Internal Improvements, or such person or persons as they shall appoint, shall be entitled to represent the stock held by the State, and shall be entitled to give the number of votes in proportion to the amount of subscription either in person or by proxy."

And the question being put, after debate, upon the adoption of said foregoing amendment, it was decided in the negative: Yeas 28, nays 79.

Mr. Kallum demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the said amendment was rejected.

On motion of Mr. Douthit, the said bill was amended by inserting immediately after the words, "mill-house," the word "milldam;" and as thus amended, it passed its second reading.

The House now proceeded to the consideration of the spe-
cional order, to-wit : the Engrossed bill to incorporate the Raleigh and Gaston Rail Road Company, the pending question being the amendments reported by the Select Committee to whom the bill was referred on 14th instant.

The said amendment was again read and pending the consideration thereof,

The House then took a recess until half past 3 o'clock.

**Half past Three O'clock.**

The House proceeded to consider the bill which had been made the special order for this hour, to-wit : To improve the Deep River and the Yadkin River, and to connect the two Rivers by means of a Portage Rail Road; and the same was now read the second time and passed.

On motion of Mr. Flemming, the bill to repeal the law redistricting the State in 1846-'47, was taken up and made the special order of the day for Saturday next.

Mr. Wilson gave notice of his intention to introduce a resolution to rescind the 52nd rule of this House.

The House now resumed the consideration of the unfinished business of this morning, to-wit : the Engrossed bill to incorporate the Raleigh and Gaston Rail Road Company, the question being the amendment reported from the Select Committee.

Pending debate thereon, the House under the rule, took a recess until 7 o'clock.
Mr. Cherry moved a reconsideration of the vote by which the House yesterday rejected the bill on its second reading to improve the Road from the Virginia line via Gap Civil and by the Douglas Gap in the Blue Ridge, to intersect the State's Road near Judesville in Surry county; and the question thereon passed in the affirmative.

On motion of Mr. McMillan, the bill was amended by striking out the words "one thousand" in the 3rd section and inserting instead thereof "five hundred"; and the question then recurring upon the passage of the bill, its second reading, it was decided in the negative: Yeas 38, nays 44.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was again rejected.

A motion was made by Mr. Bridgers, that the House do reconsider the vote by which the House yesterday passed its third reading, the bill to amend an act entitled an act to
protect the interest of lessors, passed at the session of 1840-'41.

On motion of Mr. Scott, the said motion was laid upon the table.

The House then resumed the consideration of the unfinished business at the hour of recess, to wit: The engrossed bill to incorporate the Raleigh and Gaston Rail Road Company.

Mr. Saunders moved to amend the amendment reported by the Committee, by adding to the 4th section thereof, the following:

"And the Attorney General be required to cause the order of dismissal of said suits to be so made as not, in any manner, to operate to the prejudice of the State; and that the release hereinbefore ordered, shall not take effect until such time as the four hundred thousand dollars of capital stock shall have been subscribed, secured or paid."

Pending the consideration of the said amendments, the House adjourned.

Friday, Jan. 17.

Mr. Mizell moved that the House do now take up and consider the resolution introduced by him 28th November, declaring the propriety of certain amendments to the constitution; disagreed to.

Mr. Powers introduced a bill to amend the inspection laws; and,
Mr. Erwin, a bill to appoint commissioners to investigate the speculation land claims in the counties of Buncombe and Yancey; which were severally read the first time, passed, and the first named bill referred to the Committee on Proposition and Grievances.

On motion of Mr. Montgomery, it was

Ordered, That hereafter all business be taken in its regular order, and that no bill or resolution shall be called up, unless by a vote of two thirds of the members of this House.

Mr Rayner, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Neuse River Navigation Company, reported the same with amendments, to-wit:

To strike out the word “Governor” in the last line of 14th section, and insert thereof, “Board of Internal Improvements;”

Which was agreed to.

On motion of Mr. Stevenson, the bill was further amended by striking out the word “six” in 12th line of section 13th, and inserting in lieu thereof, the word “twelve;” and as thus amended, passed its second reading.

Mr. Rayner, from the same Committee, to whom was referred the bill to improve Haw River, reported the same, with the following amendments:

1. To strike out the word, “fifteen,” in 13th line of 23d section, and insert in lieu thereof the word “five.”

2. To strike out the following from said section, “and thereafter the Legislature may impose a tax not exceeding twenty-five cents per annum, per share, on each share of the
capital stock, whenever the annual profits thereof shall exceed six per cent.”

And 3. To add to the 22d section the following:

“Provided, That no one shall be prohibited from putting boats on the said Haw River, and navigating the same upon the payment to the company of the tolls hereby authorized to be charged.”

Which said amendments were adopted, and the bill passed its second reading.

Mr. Rayner, from the same Committee, to whom was referred the bill to incorporate the Anson Plank Road Company, reported the same with amendments:

1. To strike out the word “five,” in 12th line of 13th section, and insert “two.”

2. To strike out the word, “fifty” in the last line of the last section, and insert “thirty.”

And 3. To add to the 14th section, the following: “Which toll so to be collected, shall be so regulated that the profits shall not exceed twenty-five per cent. on the capital of said company in any one year.”

The said amendments were agreed to; and thereupon,

Mr. Eaton moved further to amend the bill,

1st. By adding the following proviso to the 12th section thereof:

Provided, nevertheless, That the dwelling house, kitchen, yard or garden, of no person shall be invaded, or any part thereof appropriated to the use of said corporation, without the consent of the owner.”

And 2nd. By inserting the following section after said 12th section, to wit:
"Be it further enacted, That it shall be the duty of the Sheriff to give at least five days notice, in writing, to the parties interested, of the time and place of the meeting of the Jurors to assess damages as aforesaid, and that for such notice, he shall be allowed a fee of 75 cents.

"Be it further enacted, That all the costs incident to the condemnation of the land, and the assessment of damages shall be paid by the corporation, and that the two Justices who may issue the warrant to the Sheriff, or any other Justices of the county after the inquisition is signed by the Jury and countersigned by the Sheriff, shall have power to render judgment and issue execution for said costs."

The said amendments were read and adopted, and the bill, as amended, passed its second reading.

Mr. Rayner, from the same Committee, to whom was referred a memorial from sundry citizens of Beaufort county, praying an appropriation for cutting a canal from Goose Creek to Jones Bridge, made an adverse report thereon, and asked to be discharged from the further consideration of the subject; and the Committee were discharged accordingly.

Mr. Rayner, from the same Committee, reported adversely the bill to provide for the clearing out and improving the Navigation of Trent River. The said bill was read the second time, and on motion of Mr. Pigott, laid upon the table.

Mr. Rayner, from the same Committee, also reported adversely the bill to lay off and establish a road from the head of Cane Creek to Whiteside Settlement in Rutherford county. The bill was read the second time and rejected; Yeas 29, nays 68.

Mr. Blow demanded the yeas and nays.
Those who voted in the affirmative are:


Those who voted in the negative, are:


So the bill was rejected.

Mr. Rayner, from the same Committee, reported with an amendment, the Engrossed bill to amend an act, entitled an act passed in 1833, entitled an act to incorporate the Wilmington and Raleigh Rail Road Company. The amendment, to add to second section of the bill, the following:

Provided, The said script shall not be sold for less than the par value of the Stock held in said company, was adopted, and the bill as amended, passed its second reading.

Mr. Rayner, from the same Committee, reported favorably the Engrossed bill to improve the State road from Wilkesboro', by the way of Jefferson to the Tennessee line; and also, the bill to confirm the Union of the Scabord and Roanoke Rail Road Companies, and for other purposes; which bills were severally read the second time, and on motion of Mr. Rayner, laid upon the table.

Mr. Rayner, from the same Committee, also reported fa-
vorably the bill to amend an act passed at the session of the General Assembly of 1848 '49, entitled an act to provide for a Turnpike Road from Salisbury, west to the line of the State of Georgia; which was accordingly read the second time and passed.

Mr. Avery, from the same Committee, reported without amendment, the bill to incorporate the North Carolina and Tennessee Rail Road Company. The said bill having been read the second time,

Mr. Rayner moved that the same be laid upon the table; and the question thereon was decided in the negative; Yeas 41, nays 60.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Winston moved to amend the bill by striking out sections 35, 36, 37, 38, 39, 40, 41 and 42, (making an appropriation on behalf of the State, and providing for the pay-
ment of the same;) and the question thereon, was decided in the affirmative: Yeas 84, nays 20.

Mr. Winston demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the motion to strike out prevailed.

On motion of Mr. Avery, the further consideration of said bill was postponed, and the same was made the special order of the day for Monday next, 11 o'clock.

The House now resumed the consideration of the unfinished business at the last adjournment, to-wit: The Engrossed bill to incorporate the Raleigh and Gaston Rail Road Company with the amendments thereto pending; whereupon,

Mr. Saunders withdrew the amendments offered by him yesterday; and,
Mr. Avery then moved to amend the amendment proposed by the Select Committee, by striking out all of the 4th section after the words “sum of;” in 8th line thereof, and inserting as follows: “Four hundred thousand dollars shall have been thus subscribed and shall have been paid and expended by said Company, in putting the Raleigh and Gaston Rail Road in full and complete order, then the said Stockholders and obligors shall be forever discharged from their liability to the State by reason of the loans and guaranties aforesaid; and the Governor is hereby authorized to cause the suits now in Wake Superior Court against said persons to be suspended until such time as he may be fully satisfied that the sum of four hundred thousand dollars has been subscribed and paid to said Company; whereupon, the said suits are to be dismissed at the costs of Defendants, provided that the work be commenced within one year and completed within three years from and after the ratification of this act.”

And pending debate thereon,

The House took a recess until half past 3 o'clock.

HALF PAST THREE O'CLOCK.

The Speaker announced as the special order for this hour, the bill to exempt from executions a certain portion of the land of every citizen of the State of North Carolina; and, the same was now on Mr. Cherry's motion, postponed and made the special order for to-morrow, at half past 3 o'clock, P. M.

Thereupon the House resumed the consideration of the unfinished business at the last recess; and the question be-
ing upon agreeing to the amendment of Mr. Avery, to the amendment proposed by the Select Committee, it was decided in the affirmative: Yeas 63, nays 38.

Mr. Pope demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment to the amendment was carried.

And the question then recurring upon the adoption of the amendment reported by the Committee, as amended, it was decided in the affirmative, yeas 52, nays 48.

Mr. Pope demanded the yeas and nays:

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Avery then moved to amend the bill by striking out all of the 2nd section after the word “having,” in the 24th line thereof, and inserting as follows: “as subscribed and paid the sum of four hundred thousand dollars towards the reconstruction of said road and in refitting the same for public use, then the said subscribers and their successors, shall be entitled to receive and hold one half of the interest in the Raleigh and Gaston Rail Road Company, as by this act incorporated.”

On motion of Mr. Saunders, the bill was further amended by striking out the word “sixty,” in the 15th line of 3d section, and inserting in lieu thereof, “ninety;” and also, still further to amend by striking out the 14th section, making wilful injuries to the road, &c., indictable.

Mr. Hill, of New Hanover, moved to amend the bill by inserting the word “not,” after the word “shall,” in the 3d line from the last, of section 3d, and modifying the following words, so as to read, “shall not be lawful to re-open said books;” which motion was not carried; and,

On motion of Mr Saunders, the last lines of said 3d section were amended so as to read, “said books, and keep them open until the first of October next.”

On motion of Mr. Saunders, the bill was further amended by striking out the following, in the beginning of section 20, “that if at the end of four months after the adjournment of the Legislature, and inserting the words “if by the first of October next.”
Mr. Love now moved that the bill be laid upon the table, upon which question Mr. Thigpen called for the yeas and nays; and being taken, the vote stood, yeas 10, nays 94.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay the bill on the table.

Mr. Powers then offered the following amendment, to be inserted as section 21st, viz:

"Be it further enacted, That if at the sale of said Raleigh and Gaston Rail Road, or at any time thereafter, the State of Virginia or any Company incorporated in said State for purposes of Internal Improvements, shall become the owners either directly or by agent or otherwise of the said Raleigh and Gaston Rail Road, hereby authorized to be sold, the General Assembly of North Carolina hereby reserves the right by special act of legislation to revoke all powers, privileges and immunities to be conveyed by the sale of said Road and to declare the same null and void."
And the question being put upon adoption of the said amendment it was decided in the negative: Yeas 17, nays 88.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected.

Mr. Brogden moved to amend the bill by inserting the following as section 5th:

“Be it further enacted, That only such stockholders shall be released from their liabilities to the State, who actually become subscribers to the capital stock in said company in proportion to their respective liabilities to the State;”

Which was read and disagreed to.

And the question then recurring upon the passage of the bill as amended, its second reading, it was decided in the affirmative: Yeas 57, nays 47.
Mr. Mathis demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill passed its second reading.

And the House then adjourned till 7 o'clock.

SEVEN O'CLOCK P. M.

Received from the Senate a message transmitting the following engrossed bills and resolutions and asking the concurrence of this House:

A bill to authorize the sale of refused lands owned by the State, in the counties of Cherokee and Macon;
A bill to incorporate the Catawba Bridge Company;
A bill to incorporate Richland Academy, in the county of Onslow;
A bill to incorporate the Rock Island Manufacturing Company, in the county of Mecklenburg;

A bill to amend an act passed at the session of 1846-47, entitled an act to incorporate the Orapéak Canal Turnpike Company;

A bill to amend the act of 1846-7, chapter 12;

A bill concerning the duties of Clerks;

A bill to repeal a portion of an act entitled an act to authorize the erection of a toll-bridge over Catawba River between the counties of Catawba and Caldwell, and to incorporate a Company for that purpose, passed during the session of the General Assembly;

A bill to extend the time for registering grants, mesne conveyances, powers of Attorney, bills of sale and deeds of gift;

A bill to amend the Charter of the Wilmington and Manchester Rail Road Company;

A bill to amend an act, entitled an act to incorporate the town of Kinston;

A bill to prevent the obstruction of the passage of Fish at Inlets on the Sea-coast of this State;

A bill authorizing Theophilus D. Odham, to open a passage between Bogue and Rear Inlets by the way of Inshore Creek in the county of Onslow;

A bill to incorporate Mocksville, Lodge, No. 134, of Ancient York Masons, in the town of Mocksville; and,

Resolutions for opening a communication between Beaufort Harbour and the waters of the Pamlico Sound; which said resolutions were read the first time and passed.

The following engrossed bills were also read the first time, passed and referred to the Committee on Internal Improvements, viz:

A bill to incorporate the Tuckasege and Cowee Turnpike Company;
A bill to incorporate the Tuckasege and Nantahala Turnpike Company; and,
A bill to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike Company, passed by the General Assembly at the session of 1846-47.

The following engrossed bills were also read the first time, passed, and referred to the Committee on the Judiciary, viz:

A bill to amend the 25th chapter of the Revised Statutes, entitled an act concerning Coroners;
A bill more effectually to prevent the migration of free negroes or mulattoes into this State;
A bill to incorporate the North Carolina Manufacturing, Mining and Land Company;
A bill to incorporate the Western Mutual Insurance Company of North Carolina;
A bill to incorporate the Wilmington Gas Light Company;
A bill making certain trespasses on land criminal and indictable; and,
A bill to extend the right of appeal in certain cases.

And, an engrossed resolution in favor of John H. Robards, Clerk of the County Court of Gaston county; which was also read the first time, passed, and referred to the Committee on Claims.

Mr. Person, of Northampton, moved that the House do now take up and consider the bill, on its second reading, concerning the Militia of the State; which was disagreed to.

The following bills and resolutions were then read the third time, passed, and ordered to be engrossed, viz:
The bill to appoint Commissioners to view and lay off a road from the town of Marion in McDowell county, to the top of the Iron Mountain in the county of Yancy;

The bill to allow the State to challenge Jurors;

A bill to extend the right of appeal;

A bill to incorporate the town of Taylorsville in the county of Alexander;

A bill relating to Inspectors of Staves;

A bill to emancipate Lucy, a slave, and her child Laura;

A bill to provide for the opening and clearing out Upper Little River, in Cumberland county and to prevent obstructions to the free navigation of the same;

A bill concerning the Salisbury Female Academy;

A bill to incorporate the Tennessee River Rail Road Company, in the county of Macon;

A bill to incorporate the Albemarle and Currituck Canal Company;

A bill to appoint Commissioners to view and lay off a public road from the town of Taylorsville, in the county of Alexander, to Aquilla Payne's in Caldwell county, and for the purpose of improving the same;

A bill to incorporate the Trustees of Tar River Academy;

A bill supplemental to an act passed by the present General Assembly, entitled an act to lay off and establish a new county by the name of Yadkin;

A bill to incorporate the Roanoke Valley Rail Road Company;

A bill to incorporate the Western Plank Road Company;

A resolution requesting our Senators and Representatives in Congress to endeavor to procure a hydrographic survey of the waters lying between Pamlico Sound and Beaufort Harbor;

A resolution in favor of Jacob Siler;

A resolution in favor of John N. Curtis, late Sheriff of McDowell county, and the sureties on his official bonds for the years 1844-'45, 1846-'47, 1848;
A resolution in favor of Henry Spivey, late Sheriff of Northampton county;
A resolution in favor of James G. Dickson, late Representative from the county of Duplin; and,
A resolution to pay William H. Whitson $145.

The engrossed resolution in favor of Susannah Fox, was also read the third time, passed, and ordered to enrollment.

The resolution directing the Adjutant General to procure from the War Department, copies of muster rolls of troops from this State who have served in various wars, and making an appropriation to defray the expense thereof, was read the third time, when

Mr. Hill, of New Hanover, moved to amend by striking out all after the first word "Resolved," and inserting:

"That the Adjutant General be, and he is hereby directed to have published a hundred copies, duly certified, of the muster rolls of the soldiers of the War of 1812, which are on file in his department and that one copy be sent to the Clerk of the county Court in each county of this State."

Resolved further, That when it shall be made to appear to the Treasurer, that the requirements of the above resolution have been complied with, he shall pay to the Adjutant General as compensation for his services, out of money not otherwise appropriated, the sum of one hundred dollars.

Which amendment was read and agreed to, and the resolution as amended, passed its third reading and was ordered to engrossment.

Ordered, That the title of said resolutions be amended accordingly.

The bill to lay off and establish a county by the name of Wilson was now read the third time.
Mr. Barnes, of Edgecombe moved to amend the same by striking out the words “Wayne, Edgecombe, Nash and Johnston” in the proviso to the first section and to insert in lieu thereof, the words within the limits of the proposed county of Wilson.

And the question being put upon agreeing to said amendment, it was decided in the negative: Yeas 40, nays 52.

Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was rejected.

And the question now being upon the passage of the bill on its third reading, it was decided in the affirmative: Yeas 72, nays 18.

Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill was ordered to engrossment.

And the House, then, at 10 o'clock, P. M., adjourned.

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SATURDAY, Jan. 18.

Mr. Hill, of New Hanover, presented the petition of Isaac Scott, a free person of color, praying the Legislature to grant him some compensation for services rendered the community of Wilmington in the year 1831.

Read and referred to the Committee on Propositions and Grievances.

Mr. Winston introduced a bill to amend the act incorporating the town of Windsor; and,

Mr. Leach, of Johnston, a bill concerning the felling of dead timber; which were severally read first time and passed.
Mr. Jones introduced a bill to prevent the emancipation of slaves by will; and,

Mr. Eaton, a bill concerning orders of publication; which were severally read the first time, passed and referred to the Committee on the Judiciary.

Mr. Mizell introduced a bill to amend the Constitution of the State; and,

Mr. Love, a bill to incorporate the Rich Mountain Turnpike Company in the county of Haywood; which were severally read first time, passed, and the former, on motion of Mr. Steele, and the latter, on motion of Mr. Love, were referred to the Committee on Internal Improvements.

Mr. Leach, of Davidson, introduced the following resolutions, which were read the first time and passed:

"Whereas, the Public Domain of the United States is the common property of all the States, purchased and procured by the common efforts and common treasure of those States, and in which each and all are fairly entitled to participate; and, any appropriation of the public lands to particular States for special and particular purposes in those States, is creative of unequal, unjust and improper discriminations in the use of a common fund; and, whereas, the precedent has been made and the practice recently obtained in the Congress of the United States, of granting immense donations of the public lands to particular States for purposes of improvement, and whereas, the state of North Carolina in the spirit of generous patriotism and fraternal feeling, ceded to the General Government, a large and valuable portion of the public territory and is therefore upon every principle of justice, equality and sound policy, fairly and legitimately entitled to her equal share of the Public lands. Therefore,

Resolved, That our Senators and Representatives in Congress be requested to make application to that body for an
appropriation to the State of North Carolina of a fair equitable portion of the public lands, which when so appropriated, shall be applied to purposes of Internal Improvement and public education, in relief of the Treasury and public burdens, to that amount.

Mr. Jones introduced a bill to authorize James C. Turrentine, Sheriff of Orange, and others to collect arrears of taxes due them; and,

Mr. Hackney, a bill concerning Pilots; which were severally read the first time and passed, and referred to the Committee on Propositions and Grievances.

Mr. Wangh, with leave, presented memorials from citizens of Surry and Forsythe counties, praying a change of the contemplated direction of the Fayetteville and Western Plank Road Company; on which no order was taken.

Mr. Tripp presented a memorial from sundry citizens of Beaufort, praying the passage of a law prohibiting free persons of color from carrying fire arms; which was referred to the Committee on Propositions and Grievances.

Mr. Flemming presented a memorial from citizens of Jonesboro', Tennessee, praying the Legislature to make appropriations for the immediate completion of the Caldwell and Ashe Turnpike; and also praying the repeal of the law imposing a tax on persons bringing live stock into the State; which memorial was referred to the Committee on Internal Improvements.

Mr. Person, of Northampton, moved for leave to present a report from the Committee on Military Affairs, which was disagreed to; and thereupon,

The Speaker resumed the call of Committees, under the rule, where the same was suspended yesterday; when
Mr. Scott, from the Committee on Internal Improvements, to whom was referred the bill, with sundry memorials, to alter and amend an act passed by the General Assembly, at the session of 1848-49, entitled an act to incorporate the Fayetteville and Western Plank Road Company, reported the same, without amendment, and recommended its passage.

The said bill having been read the second time,

Mr. Caldwell, of Rowan, moved to amend the same by striking out therefrom, the 5th section, which is as follows:

"That the Stockholders, at any General Meeting, which may be held, shall have full authority to change the proposed terminus of their road west of Lexington, and to fix the same at any other point which they may deem expedient."

Pending the consideration whereof, a motion was made by Mr. Person, of Northampton, that the bill do lie upon the table; which was not agreed to.

And the said motion to strike out was then carried.

Mr. Waugh now moved to amend by inserting as section 5, the following:

"That the Stockholders at any General Meeting which may be held, shall have full authority to change the proposed terminus of their road west or northwest of Johnsonville, in the county of Randolph, and to fix the same at any other point which they may deem necessary."

Which amendment was read and adopted.

Mr. Caldwell moved that the further consideration of the bill be postponed, and that it be made the special order for Monday evening at 7 o'clock, which was not agreed to.

Mr. Walton moved further to amend the said bill by adding to the 5th section thereof, the following proviso:
"Provided, nevertheless, That the provisions of the foregoing bill shall be void and of no effect, unless it shall be first ascertained that the North Carolina Rail Road will be built to the town of Salisbury."

Which amendment did not prevail.

And the bill then passed its second reading.

On motion of Mr. Flemming, the bill to repeal the law re-districting the State in 1846-'47, which was made the special order for to-day, was postponed and made the special order for 4 o'clock, Monday afternoon next.

Mr. Wilson, from the Committee on Private Bills, reported favorably and without amendment the following bills; which were severally read the second time and passed, to-wit:

The bill to incorporate Florence Division of the Sons of Temperance, No. 13, in the county of Guilford;

The bill to incorporate Washington Division of the Sons of Temperance, No. 27;

The bill for the better regulation of the town of Wilson in Edgecombe county;

The bill in respect to the Original pannel of Jurors for the county of Beaufort;

The bill to incorporate the town of Lumberton in the county of Robeson;

The bill to incorporate Montgomery Division, No. 97, Sons of Temperance;

The bill to repeal an act, passed in 1846-'47, entitled an act to provide for the opening and clearing out certain creeks in the counties of Iredell and Rowan;

The bill to incorporate the town of Lenoir, in Caldwell county;

The bill to incorporate the Trustees of the Clinton Female Institute in the county of Sampson;
The bill to extend the corporate limits of the town of Elizabeth City; and,
The bill to amend an act entitled an act to authorize the County Court of Mecklenburg, to pay over certain funds to the County Court of Union.

Mr. Wilson, from the same Committee, reported the bill for the better organization of the Courts of Pleas and Quarter Sessions for the county of Pasquotank, with an amendment, to wit: To add to 1st section, "and in receiving the bonds of Clerks and Sheriffs."
The said amendment was agreed to, and bill passed its second reading.

Mr. Wilson, from the same Committee, reported without amendment, the bill to incorporate Tuscarora Lodge, No. 122, of Ancient York Masons;
The bill to incorporate Dan River Lodge, No. 129, in the town of Madison, Rockingham county; and,
A bill to incorporate a Company in the county of Buncombe, to be called the "New Bridge Company;"
Which bills were severally read the second time, amended on motion of Mr. Eaton, and passed.

Mr. Johnston, from the same Committee, reported without amendment, the bill to amend the act concerning the incorporation of the town of Goldsboro' in the county of Wayne, ratified 29th January, 1849; and
Also, the bill to incorporate Old North State Tent, No. 97, Independent Order of Rechabites; which were read the second time and passed.

Mr. Johnston, from the same Committee, reported the bill to authorize James S. Turner to build a Toll Bridge across Rocky River in Stanly county, with sundry amendments, to wit: To strike out the words "seventy-five," in the 2nd section, and insert "sixty;" to strike out "sixty-
two and a half," and insert "fifty;" to strike out the word "fifty," and insert "thirty-seven and a half;" and to strike out the word "thirty," and insert "twenty-five;" which amendments were concurred in, and the bill passed its second reading.

Mr. Johnston, from the same Committee, reported favorably the bill to incorporate Hanover Division No. 45, of the Sons of Temperance; which was read the second time, amended, on motion of Mr. Eaton, by adding a proviso to the first section, and passed.

Mr. McCleese, from the same Committee, reported favorably the bill to incorporate the Sons of Temperance of the Division, No. 50 in the town of Rutherfordton; which was read the second time, amended on motion of Mr. Eaton, and passed.

Mr. McCleese, from the same Committee, reported adversely the bill to incorporate Lafayette Lodge, No. 83, in the county of Onslow; which was read the second time, amended on motion of Mr. Eaton, and passed.

Mr. Pigott, from the same Committee, to whom was referred a memorial from citizens of Macon county praying the passage of an act of incorporation, reported a bill, entitled a bill to incorporate Macon Division, No. 46 of the Sons of Temperance of North Carolina; which was read the first time and passed.

Mr. McDowell, from the same Committee, reported without amendment, the bill to prohibit obstructions to Cart-ways, in Cherokee county; which was accordingly read the second time and passed.

Mr. Steele, from the Committee on Education, reported adversely the bill to vest in the Treasurer of the State, for the benefit of the Literary Fund, the copy-right of certain
books; and also, the bill to incorporate Buena Vista Male Academy in the county of Iredell; which were severally read the second time and passed.

Mr. Steele, from the same Committee, to whom was referred a resolution of inquiry on the subject, reported a bill entitled a bill authorizing the Board of Superintendents of Common Schools for Bertie county, to lend out the school fund in their hands; which was read the first time and passed.

Mr. Steele, from the same Committee, to whom was referred a resolution instructing them to inquire into the expediency of so amending the Common School Laws, as to require the Sheriff to collect and pay over monies due the Superintendents, on or before the 1st of October, in each and every year, and of making sundry other amendments to said laws; also a resolution instructing them to inquire into the expediency of so amending said School Laws, as to authorize the Literary Board to withhold the monies due each county until there has been laid before them satisfactory evidence that the county has levied and collected at least as much taxes from their citizens for the support of Common Schools, as they are entitled to receive from said Board; and also, a resolution instructing them to inquire into the expediency of amending said laws, so that the Committee men of the several School Districts shall be required to report on or before the 1st of January in each and every year the number and names of white children in their Districts over 5 and under 21 years of age, and also the names and number of scholars, &c., and to inquire into the expediency of requiring the Chairman of the Board of Superintendents to open an account of receipts and disbursements with the Committee of Finance of his county, &c., reported adversely on the said several subjects, and asked to be discharged from the further consideration thereof respectively.

And the Committee were discharged accordingly.
Mr. Steele, from the same Committee, to whom was referred a resolution on behalf of the Boards of Superintendents of Common Schools of Rowan and Edgecombe counties, reported the same unfavorably, and asked to be discharged from its further consideration.

Ordered, That said resolution do lie upon the table.

Mr. Steele, from the same Committee, reported without amendment the engrossed bill to make a road between Rutman's Creek and Mattamuskeet Lake; which was accordingly read the second time and passed.

Mr. Steele, from the Joint Select Committee on Finance, reported favorably the bill in relation to exchanges between the several banks of this State. The bill having been read a second time,

Mr. Stevenson moved to amend the same by striking out all of the first section after the words, “if required” in the 15th line, and insert: “By the Cashier or other agent of the Bank, where said bills may be presented, to state whether the demand is made by any Bank or agency of any Bank, either directly or indirectly, and in case such person or persons shall refuse to answer or state, for whom he or they may make such demand, he or they shall not be entitled to receive any interest whatever on any note or notes of said Bank, for which payment may be refused.”

Which amendment was adopted, and the bill as amended, passed its second reading.

Mr. Steele, from the same Committee, to whom was referred the memorial from sundry citizens of Onslow county, praying the establishment of a Real Estate Bank, made an adverse report thereon, and asked to be discharged from the further consideration thereof; in which report the House concurred.
Mr. Steele, from the same Committee, reported favorably the bill to increase the Revenue, by taxing incorporated Companies in this State; which having been read the second time,

Mr. Kallum moved to amend the bill by striking out all after the enacting clause, and inserting as follows:

"That every incorporated Division of the Sons of Temperance, every incorporated Lodge of the Independant order of Odd Fellows, every incorporated Lodge of the Independent order of Rechabites, and every incorporated Lodge of Free and Accepted Masons, shall pay a tax of two dollars and fifty cents annually.

"Be it further enacted, That the presiding officer shall give in his Division or Lodge on oath, as he now gives in his property, and on failure to give in, shall be liable to the same penalty as in other cases of failure; that the Sheriff shall have the same power in collecting this tax that he now has in collecting other taxes.

"Be it further enacted, That this tax shall constitute and be a part of the Literary Fund.

"Be it further enacted, That this act shall be in force from and after its ratification."

Mr. Durham moved to amend the foregoing amendment, by inserting immediately after the words "Accepted Masons," in the first section, the words, "and all other corporate Companies of a similar character, Literary and Religious corporations excepted."

Pending the consideration whereof,

On motion of Mr. Saunders, the bill and amendments were laid upon the table.
Mr. Jones, from the Committee on Propositions and Grievances, with leave, reported, without amendment, the Resolution for the relief of Augustine Landis, Clerk of the County Court of Granville; which was read the second time and passed.

On motion of Mr. Rayner, it was

Resolved, That for and during this day, the House will sit till 2 o'clock, P. M., then take a recess till 3 and 15 minutes, sit till 6 and 15 minutes, and adjourn till Monday morning.

Mr. Saunders, from the Committee on the Judiciary, to whom was referred the Engrossed Bill to amend 51st section of 102d chapter of Revised Statutes, reported the same with an amendment, to wit: To add to the 1st section the following:

"Provided, That in the case of the sale of lands for taxes, of non residents or of persons living beyond the limits of this State, the same shall be advertised in some Newspaper published in the City of Raleigh, in addition to the advertisement as hereinbefore provided for."

This amendment was adopted, and the bill as amended, passed its second reading.

Mr. Saunders, from the same Committee, to whom was referred so much of the Message of his Excellency the Governor as relates to a revision of the Statute laws of the State, reported a bill, entitled a bill for revising and digesting the public Statute laws of the State, which was read the first time and passed.

Mr. Saunders, from the same Committee, reported without amendment, the following bills, which were read the second time and passed, viz:
The engrossed bill to incorporate the Mechanic's Saving Society of Weldon;

The bill to extend the powers of the Commissioners of the town of Franklinton, and for other purposes;

The bill to amend an act passed in the year 1843, entitled an act for the Government of the City of Raleigh;

The Engrossed bill to facilitate the taking of Testimony before Referees, Arbitrators or other Commissioners; and,

The bill to amend an act passed in the year 1818, chapter 42, entitled an act to elect a Magistrate for the town of Wilmington, and for other purposes.

Mr. Saunders, from the same Committee, to whom was referred a resolution on the subject, reported a bill entitled a bill to extend the time of holding the County Courts of Hyde; which was read the first time and passed.

Mr. Saunders, from the same Committee, reported without amendment, the engrossed bill to prevent Merchants and others from improper trading with minors; and,

Also, the engrossed bill to prevent selling intoxicating liquors to free negroes and Indians, and for other purposes; which bills were severally read the second time, and on motion by Mr. Avery, ordered to lie upon the table.

Mr. Saunders, from the same Committee, to whom was referred the engrossed bill to give the benefit of appeal to criminals in certain cases, reported the same with an amendment, to wit: to insert the words, "after the conviction of the defendant," immediately after the words, "reasonable bail;" which amendment was concurred in, and the bill passed its second reading.

Under the order of this morning, the House now took a recess.
Mr. Wilson, according to previous notice, presented the following, which was read and adopted:

Resolved, That the 52d rule of House of Commons, be and the same is hereby, rescinded.

Mr. Avery, from the Committee on the Judiciary reported the bill to incorporate the Conrad Hill Gold Mining Company, with an amendment, viz: To strike out the word "ten," in the last line of the 1st section, and insert the word "fifty," and also reported, with the same amendment, the bill to incorporate the Lewis Gold Mining Company.

The said amendments were severally concurred in and the bills passed their second readings respectively.

Mr. Stevenson, from the same Committee, reported, without amendment, the bill to alter the mode of electing Inspectors of Turpentine in the county of Craven; which bill was read the second time and passed.

Mr. Stevenson, from the same Committee, to whom was referred the bill regulating the emancipation of slaves by last will and testament, reported the same with the following amendments, to wit, to insert as section 2nd:

"Be it further enacted, That if any slave or slaves so removed and emancipated shall hereafter return to this State, and upon thirty days notice given to said slave or slaves by some Justice of the Peace of any County of this State, said slave or slaves should fail to remove himself from this State, then and in that case the title to said slave or slaves shall vest absolutely in the next of kin of said testator, as though said testator had died intestate."
The said amendment was agreed to, and the bill passed its second reading.

On motion of Mr. Rayner, the bill to exempt from execution a certain portion of the land of every citizen of the State of North Carolina, which was made the special order for this hour (half past 3 o'clock,) was postponed and made the order of the day for Monday next.

Mr. Eaton, from the same Committee, reported adversely the bill to prevent the fraudulent conveyance of property, and for other purposes. The said bill having been read the second time.

Mr. Rayner moved to amend the same by striking out the 3d section, and inserting as a substitute therefor the following:

"That upon the finding of the jury, that said debtor has so transferred his property between the time of the service of the ca. sa., and the time of appearing to take the oath as aforesaid, such finding by the Jury, shall be sufficient grounds for the Court to refuse the administering of the said oath, until the Defendant shall render a true schedule on oath in accordance with the finding of the Jury; upon which the Defendant shall be discharged, and the property, transferred as aforesaid shall be subject, under a fi. fa., to the debt of the person who sued out the ca. sa., no matter in whose possession said property may be found; and the Sheriff or other officer, on selling the property, shall apply the proceeds, first to the satisfaction of the debt of the person first serving out the ca. sa., and distribute the balance, if any, among the other creditors, pro rata, as now provided by law."

Mr. D. F. Caldwell moved to amend said amendment by adding thereto the following:
"Provided, That nothing in this act shall interfere with the lien of any *fieri facias*, to which the property of such debtor may be subject, at the time of the service of the *ca sa*;"

Which was agreed to, and the question then recurring on the adoption of the amendment, it was also determined in the affirmative.

The question now being on the passage of the bill as amended its second reading, it was decided in the affirmative: Yeas 48, nays 40.

Mr. D. A. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Eaton, from the same Committee, to whom was referred a memorial from sundry citizens of Guilford, praying an amendment of the bastardy act, made a favorable report thereon in writing, accompanied by a bill entitled a bill concerning bastardy; which was read the second time and passed.

Mr. Caldwell, of Rowan, from the same Committee, to
whom was referred the bill to amend an act entitled an act to amend and consolidate the several acts heretofore passed in favor of Poor Debtors, reported the same with an amendment, to wit: To insert after the words, "that after the levy of an execution," in the 2d section, the words, "and before its discharge."

Pending whereof, on motion of Mr. Erwin, the bill and amendment were laid upon the table.

Mr. Caldwell, from the same Committee reported adversely the bill to amend the 12th chapter of Revised Statutes, concerning bastard children; which was read the second time, and, on motion of Mr. Flemming, ordered to lie upon the table.

Mr. Jones, from the same Committee, reported favorably the bill concerning bills of indictment; which was read the second time and passed.

Mr. Saunders, from the same Committee, reported the bill for the benefit of Thos. Griggs, Adm'r of Samuel B. Dozier, late Sheriff of Currituck county, and for other purposes, with an amendment, to wit: To limit the right to collect arrears of taxes to the years 1847-48 and 1849; which amendment was agreed to, and the bill passed its second reading.

Mr. Saunders, from the same Committee, to whom was referred the bill authorizing the transfer of the books, bonds and papers from the Treasurer's Office to the Agent of the State for the collection of Cherokee land bonds, reported the same, with an amendment, to-wit: to strike out the first section, and insert,

"That whenever the agent of the State for the collection of Cherokee bonds, shall have executed his bond to the State
of North Carolina, in the sum of one hundred thousand dollars with good and sufficient security to be approved of by the Governor and Public Treasurer, it shall be lawful for the Public Treasurer and Comptroller, to transfer such books, papers and bonds in their respective offices, as may be necessary to the settlement of the Cherokee land debts, to the office of said agent;"

The amendment was adopted and the bill as amended passed its second reading.

Mr. Saunders, from the same Committee, to whom was re-committed the bill giving the election of Clerks and Masters in Equity to the people, reported the same adversely...

The amendment offered by Mr. Drake, before the re-commitment, was now adopted.

Mr. Herring moved that the bill be laid on the table, and the question thereon was determined in the negative: Yeas 36, nays 53.

Mr. Brazier demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House refused to lay on the table.

The question then recurring on the passage of the bill on its second reading, it was decided in the affirmative: Yeas 67, nays 26.

Mr. Brazier demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill passed its second reading.

Mr. Saunders, from the same Committee, reported unfavorably the bill to vest in the President and Directors of the Literary Fund, all property that shall hereafter escheat to the State; and the same, was, on his motion, laid upon table.

Mr. Winston moved that the House do reconsider the vote by which was just passed, its second reading, the bill giving the election of Clerks and Masters in Equity to the people; and further moved that said motion be laid on the table, which latter motion not prevailing, he withdrew the motion to reconsider.
Mr. Person, of Northampton, from the Joint Select Committee on Military Affairs, reported, without amendment, the bill concerning the Militia of Orange and Alamance;

Also, the bill to incorporate the Chatham Guards;

Also, the bill to divide the Regiment of Militia in Stokes;

And also, the bill to divide the Regiment of Militia in Forsythe; which said bills were severally read the second time and passed.

Mr. Person, from the same Committee, to whom was referred a memorial on the subject, from citizens of Cherokee, reported a bill entitled a bill to exempt a portion of the Militia in Cherokee county from attending General and Battalion Musters in the town of Murphy, and providing for a separate Battalion; which was read the first time and passed.

Mr. Person, from the same Committee, to whom was referred the bill to exempt the volunteers and regular soldiers who were in actual service during the late war with Mexico, from the performance of Militia duty, reported that the provisions of said bill were substantially incorporated in the bill concerning the Militia of the State, heretofore reported from the Committee, and asked to be discharged from the consideration of the same. On motion of Mr. Rayner the said bill was laid upon the table.

Mr. Person, from the same Committee, to whom was referred a memorial from the Faculty of Wake Forest College, reported a resolution directing the Adjutant General to loan to the Faculty of said College, seventy-five muskets, for the use of the students thereof; which was read the first time and passed.

Mr. Person, from the same Committee, to whom was referred a memorial from the officers of 30th Regiment relative
to a revision of the Militia laws of the State; also, a memorial from the citizens of Iredell county, praying a repeal of the act of 1843-'49, making the militia of said county on the North side of South Yadkin constitute and belong to the 89th Regiment; and also, a resolution instructing them to inquire into the expediency of permitting the 3rd Regiment of N. C. Militia to have the use of 400 muskets and one 24 pounder Cannon, made adverse reports thereon and asked to be discharged from the further consideration of these several subjects respectively, and the Committee were accordingly discharged.

Mr. Scott, from the Committee on Internal Improvements, reported favorably the engrossed bill concerning corporations; which was accordingly read the second time and passed.

Mr. Scott, from the same Committee, reported adversely the bill to assist the Fayetteville and Centre Plank Road Company. The said bill was read the second time and the question, “shall this bill pass its second reading?” was decided in the negative: Yeas 3, nays 82.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

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

Monday, Jan. 20.

Messrs. T. J. Person, Pool and D. A. Barnes, form the Committee on engrossed bill for this week.

Mr. Flemming presented a memorial from the President and Directors of the Johnson and Carter Turnpike Road, praying for aid to complete the last four miles of said road; which was on his motion, referred to the Committee on Internal Improvements.

Mr. Foster, of Davidson introduced a bill, entitled a bill concerning a Convention to amend the Constitution of the State of North Carolina; which was read the first time and passed.

Mr. McLean introduced a bill, entitled a bill to ascertain the will of the Freeman of North Carolina as to the call of convention on the Federal Basis; which was read the first time, passed; and thereupon,

On motion of Mr. McLean, two thirds concurring the said bill was taken up and put on its second reading.
Mr. Leach, of Davidson moved to amend the bill by striking out the words "Eighteen hundred and fifty one" in the 8th line of 1st section and inserting in lieu thereof, "Eighteen hundred and fifty two;" pending the consideration of which,

At the hour of eleven on motion of Mr. Avery, the bill to incorporate the North Carolina and Tennessee Rail Road Company, which had been made the special order for this hour, was postponed, and made the special order for the hour of one, this day.

Mr. Winston moved that the further consideration of the bill and amendment pending, be indefinitely postponed; whereupon,

Mr. Leach withdrew his said motion to amend; and the question being then taken on the motion of Mr. Winston, it resulted: Yeas 40, nays 67.

Mr. Winston demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House refused to postpone indefinitely.

Mr. Rayner then moved to amend the bill by striking out all after the enacting clause, and inserting as follows:

Whereas, it is strenuously insisted on by many of the citizens of this State, that the provision in the Constitution requiring a freehold qualification to entitle persons to vote for members of the Senate in the General Assembly, operates as a heavy grievance upon a large portion, if not a majority of the freemen of the State; and whereas, it is contended by many, that a majority of the freemen of the State demand a change in the Constitution, so as to extend the right of voting for members of the Senate to all who are entitled to vote for members of the House of Commons; and whereas, the General Assembly believe that if this be a grievance to be remedied, measures should first be adopted providing for ascertaining the will of their constituents, preparatory to a change of the Constitution; therefore,

§ 1. Be it enacted, (two-thirds of the members of each House concurring,) That the Court of Pleas and Quarter Sessions of each and every county in the State, at the first term that shall be held after the 1st day of January 1851, shall appoint two Inspectors to superintend the polls to be opened at each and every election precinct in said counties, for ascertaining, by ballot, the will of the freemen of North Carolina, relative to the meeting of a State Convention; and if any Court or Courts shall fail to make such appointment; or if any Inspector so appointed shall fail to act, it shall be the duty of the Sheriff or the person acting as his Deputy, for the occasion, with the advice of one Justice of the Peace, or if no Justice be present, with the advice of three freeholders, to appoint an Inspector or Inspectors in the place of him or them who failed to act; which Inspectors, when duly sworn by some Justice of the Peace or free-
holder, to perform the duties of the place with fidelity, shall have the same authority as if appointed by the Court.

§ 2. Be it further enacted, That it shall be the duty of the Sheriffs of the respective counties in this State, to open polls at the usual election precincts in said counties on 1st Thursday in May 1851, when and where all persons qualified by the constitution to vote for Members of the House of Commons, may vote for or against a State Convention, those who may wish a Convention, voting with a printed or written ticket, "Convention," and those who do not want a Convention, voting in the same way, "no Convention" or "against Convention."

§ 3. Be it further enacted, That it shall be the duty of the Sheriffs to make duplicate statements of the polls in their respective counties, sworn to before the Clerk of the county Court; one copy of which shall be deposited in said Clerk's office, and the other transmitted to the Governor of the State at Raleigh, immediately after the election.

§ 4. Be it further enacted, That it shall be the duty of the Governor, as soon as he shall have received the returns of the Sheriffs, to compare, in the presence of the Secretary of State, Public Treasurer and Comptroller, the number of votes for and against a Convention; and, if it shall appear that a majority of the votes polled, are in favor of a Convention, he shall forthwith publish a proclamation of the fact in such Newspapers as he may think proper, and he shall issue a writ of election to the Sheriff of each and every county in the State, requiring him to open polls for the election of delegates to the Convention, at the same places and under the same rules as prescribed for holding other State elections—said polls to the opened and elections held on the 1st Thursday in August next.

§ 5. Be it further enacted, That the same persons who
were appointed to hold the polls in taking the vote on Convention, on the preceding 1st Thursday in May, shall hold them for the election of delegates: *Provided*, That if any inspector shall fail to attend or act, the Sheriffs or their deputies shall supply their places in the manner hereinbefore pointed out in reference to the question of "Convention" or "no Convention."

§ 6. *Be it further enacted*, That the several County Courts shall allow the Sheriffs the same compensation for holding the aforesaid election, on the 1st Thursday in May, that they usually allow for holding other elections. And if any Sheriff or other officer appointed to hold said elections either on the aforesaid 1st Thursday in May or August, shall fail to comply with the requisitions of this act, he shall be liable to a fine of one thousand dollars, recoverable before any competent jurisdiction, to the use of the county whose officer he is, and it shall be the duty of the County Solicitor to prosecute such suits.

§ 7. *Be it further enacted*, That all persons qualified to vote for members of the House of Commons under the present Constitution, shall be entitled to vote for members to said Convention, and all free white men of the age of twenty-one years, who shall have been resident in the State one year previous to, and shall continue to be so resident at the time of the election, shall be eligible to a seat in said Convention.

§ 8. *Be it further enacted*, That each county in the State shall be entitled to elect the same number of delegates to said Convention, that said county is entitled to members in the House of Commons, and no more: *Provided*, That those counties, which in consequence of division since the last apportionment, now vote together for any given number of members in the House of Commons, shall vote in the same way for delegates to said Convention:
§ 9. Be it further enacted, That if any vacancy shall occur in any county delegation by death or otherwise, the Governor shall forthwith issue a writ to supply the vacancy. And the delegates elected shall convene in or near the City of Raleigh, on the 3rd Monday in September next; and provided that a quorum does not attend, on that day, the delegates may adjourn from day to day, until a quorum be present, and a majority of the delegates elected, shall constitute a quorum to do business.

§ 10. Be it further enacted, That no delegate shall be permitted to take his seat in Convention until he shall have taken and subscribed the following oath or affirmation: "I A. B. do solemnly swear (or affirm, as the case may be) that I will not either directly or indirectly evade or disregard the duties enjoined or the limits fixed to this Convention by the people of North Carolina, as set forth in the act of the General Assembly, passed at the session of 1850 '51, entitled an act concerning a Convention to amend the Constitution of the State of North Carolina," which act was ratified by the people—"So help me God."

§ 11. Be it further enacted, That the Public Treasurer be and he is hereby authorized to pay upon the warrant of the Governor such sums of money as may be necessary for the contingent charges of the Convention, and also, to pay each member of the Convention one dollar and fifty cents per day, during his attendance thereon, and five cents for every mile he may travel to, and from, the Convention.

§ 12. That it shall be the duty of the Governor, immediately after the ratification of this act, to transmit a copy to each county Court Clerk in the State, and to cause it to be published in the Newspapers of the State.

§ 13. Be it further enacted, That the following propositions shall be submitted to the people for their assent or dis-
sent to the same, the former of which shall be understood as expressed by the votes for "Convention," and the latter by the votes "No Convention" or "against Convention," at the time and in the manner hereinbefore provided, viz: That the said Convention, when a quorum of the delegates who shall be elected are assembled, shall form and devise an amendment to the Constitution of this State, so as to provide that all persons entitled to vote for members of the House of Commons, shall also be entitled to vote for members of the Senate in the General Assembly, and that said Convention shall not make any other alteration or amendment whatever.

§ 14. Be it further enacted, That if a majority of the votes at the election first directed to be held by this act, shall be found for "Convention," it shall be considered and understood that the people by their vote as aforesaid have conferred on the delegates to said Convention, the power and authority to make the alteration and amendment in the existing Constitution of the State, in the particular herein enumerated and no other.

§ 15. Be it further enacted, That the said Convention after having adopted an amendment to the Constitution in the said particular, shall have power and authority to prescribe the mode for the final ratification of the same by the people of the State, and to prescribe all necessary ordinances and regulations for the purpose of giving full operation and effect to the Constitution, as thus altered and amended.

Mr. Flemming moved to amend the said foregoing amendment, by striking out all after the first word thereof, and inserting in lieu thereof an amendment of the same import and in the same words, as that offered by him as an amendment to the amendment proposed by Mr. Erwin on Saturday, the 11th instant, to the bill to amend the Constitution of the State of North Carolina.
The said amendment to the amendment was disagreed to; and thereupon,

Mr. Pigott moved to amend the said proposed amendment of Mr. Rayner, by inserting, after the words, "are assembled," in the 10th line of section 13th, as follows:

"Shall consider of and in their discretion propose the following amendments to the Constitution or any of them, to-wit: so as, first, to provide that all persons entitled to vote for members of the House of Commons shall also be entitled to vote for members of the Senate, in the General Assembly; second, to provide for an election for term of years the Judges of the Supreme Court, Secretary of State, Public Treasurer, Comptroller of Public accounts and Justices of the Peace, by the qualified voters for members of the House of Commons; third, to provide for the election, for a limited term of years of the Judges of the Superior Courts, Attorney General and State Solicitors, by the qualified voters for members of the House of Commons within the respective Judicial Circuits, and their location with the said Circuits; and that said Convention shall not make any other alterations or amendments of the Constitution whatever."

And the question being upon the adoption of the said amendment to the amendment, it was decided in the negative: Yeas 44, nays 62.

Mr. B. Williams demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Cherry then moved to amend the said amendment by striking out from the 11th section the provision for allowing $1.50 per diem to the Delegates elected to the State Convention; which was not carried.

And the question then recurring upon the adoption of the foregoing amendment of Mr. Rayner, Mr. Flemming called for a division of the question and moved that the question be first put on striking out, which was ordered accordingly; and the vote on the latter question stood: Yeas 38, nays 66.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the amendment was consequently lost.

Pending debate on the said amendment, at 12 o'clock, on motion of Mr. Cherry, the bill to exempt from execution a certain portion of the land of every citizen which had been made the special order for that hour, was taken up and postponed until to-morrow, and made the special order for that day at 12 o'clock.

Mr. Rayner again moved to amend the bill by striking out from the first section, the following words, coming immediately after the words "North Carolina," in 13th line; "relative to the meeting of a Convention to amend and alter the Constitution of the State," and insert as follows: "whether they desire the Constitution of this State to be so amended as to provide that all persons now entitled to vote for members of the House of Commons shall be entitled to vote for members of the Senate."

Mr. Love, called for a division of the question, and the same was ordered to be first taken on striking out; and on this question, the vote stood: Yeas 47, nays 64.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Adams, Amis, Avery, D. Barnes, Bogle, Brazier, A. Caldwell, D. Caldwell, Campbell, Cockerham, Cotton, Davidson, Douthit, 117
So the House refused to strike out, and the amendment was not carried.

The question now recurring on the passage of the bill its second reading;

At the hour of one o'clock, 30 minutes, Mr. Love moved to suspend the rule, requiring the House to take a recess at this hour; and the motion was carried.

A motion was subsequently made by Mr. Winston that this House do now take a recess until half past 3 o'clock, P. M., and upon this question called the yeas and nays—which being taken resulted: Yeas 16, nays 92.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House refused to adjourn.

And the question now being put upon the passage of the bill its second reading it was decided in the affirmative: Yeas 72, nays 40.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House then took a recess.

Half past 3 O'clock.

Received from the Senate a message transmitting the following engrossed bills and resolutions and asking the concurrence of this House therein, to-wit:
A bill to alter the line between the counties of Buncombe and Henderson;
A bill supplemental to an act passed at the present General Assembly, entitled an act to establish a new county by the name of Hooper;
A resolution authorizing the Literary Board to loan to the Trustees of the Clinton Female Institute in the county of Sampson, three thousand dollars; and,
A preamble and resolution declaring the policy of the South in regard to the tariff question;
Which bills and resolutions were severally read the first time and passed.

Mr. Barnes, of Northampton, moved a reconsideration of the vote by which on Saturday the House rejected the bill, entitled a bill to assist the Fayetteville and Centre Plank Road Company; and further moved that said motion be laid upon the table; which latter motion was agreed to.

The House now proceeded to the consideration of the special order, to wit: the bill on its second reading, to incorporate the North Carolina and Tennessee Rail Road Company.

Mr. Avery moved to amend the bill, by striking out all after the enacting clause, and inserting:

"That the sum of twelve thousand dollars be appropriated out of the first monies collected after the 1st January, 1852, from the Cherokee bonds for the survey of a route for a Rail Road from Salisbury in North Carolina to the Tennessee line, at or near where the French Broad River passes into the State of Tennessee; and the Board of Internal Improvement be, and they are hereby authorized to appoint some persons as competent Engineers to survey the said route at such compensation as may be agreed on between said Board on Internal Improvement and said Engineers; and the said
Engineers shall be required in the contract made with them, to report to the said Board of Internal Improvement after the said survey shall be completed, the result of said survey accompanied by an estimate made by them of the probable cost of constructing a Rail Road upon the most eligible route surveyed by them."

Pending the consideration of which, on motion of Mr. Sloan, the bill and amendment were ordered to lie on the table.

The House now proceeded to the consideration of the special order, to-wit: the bill on its second reading, to repeal the law re-districting the State in 1846-'47; and the same was now, on motion of Mr. W. McNeill, indefinitely postponed: Yeas 62, nays 43.

Mr. Cherry demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. R. M. Saunders moved that the House do now take
up and consider the bill to establish a new Judicial Circuit in the State of North Carolina; and the question thereon was decided in the negative: Yeas 35, nays 69.

Mr. R. M. Saunders demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to take up said bill.

The bill to repeal an act passed at the session of 1848-49, to increase the revenue of State, and for other purposes, was taken up and made the special order for to-morrow morning at 11 o'clock.

The House then took a recess until 7 o'clock.

Seventeen o'clock P. M.

A message from the Senate, transmitting the following
engrossed bills and resolutions, in which they ask the concurrence of the House, viz:

A bill concerning the Seaboard and Roanoke Rail Road Company;
A bill to incorporate the Roanoke and Chowan Steamboat Company;
A bill to extend the corporate limits of the town of Jacksonville, in the county of Onslow;
A bill to run the boundary line between Craven and Beaufort counties;
A resolution concerning the State Arsenal at Fayetteville;
A resolution in favor of William Hill, Secretary of State;
A resolution in favor of Joseph King;
A bill to authorize Israel Brooks, late Sheriff of Hyde county, to collect arrears of taxes due him;
A bill granting original and exclusive jurisdiction of all cases where the intervention of a jury may be necessary, to the Superior Courts of Law, for Columbus county; and,
A bill empowering the County Courts of Stokes and Forsythe to appoint Superintendents of Common Schools at their March Term, 1851, and for other purposes.

Which said foregoing bills and resolutions were severally read the first time and passed.

The following engrossed bills, received by said message, were also read the first time, passed, and referred to the Committee on Internal Improvements, viz:

A bill to authorize Josiah O. Watson to erect a dam on Neuse River;
A bill to incorporate the Concord and Taylorsville Plank Road Company;
A bill to amend an act passed at the session of the General Assembly of 1848-49, entitled an act to incorporate the Greensboro’ and Mt. Airy Turnpike Company;

A bill to incorporate the Roanoke and Tar River Plank Road Company;

A resolution directing the President and Directors of the Literary Board, to inquire into the practicability and expediency of draining certain lands in Carteret county, and for other purposes; and,

A bill to authorize the laying off and improving a public road from the town of Jefferson, in Ashe county, to the Virginia line, near James Duvall’s.

The engrossed bill to incorporate the Bank of Wadesboro’, was also read the first time, passed, and referred to the Committee on the Judiciary.

And, the engrossed bill to amend the Common School Law, was also read the first time, passed, and referred to the Committee on Education.

Received from the Senate a message, transmitting the resignation of Benj. Aycock, Esq., a Justice of the Peace for Wayne county: and also, the resignation of Hiram Satterfield, Esq., a Justice of the Peace for the county of Person; which were severally read and accepted.

The following bills were read the third time, passed and ordered to be engrossed, viz:

The bill to improve the Deep River and the Yadkin River, and to connect the two Rivers by means of a Portage Rail Road;

The bill to lay off and improve a Public road from Salisbury to Rockford, Surry county;

The bill to improve Haw River;
The bill to incorporate the Anson Plank Road Company; and,

The bill to amend an act passed at the session of the General Assembly of 1848-'49, entitled an act to provide for a Turnpike Road from Salisbury west to the line of the State of Georgia;

The bill to incorporate the Neuse River Navigation Company, was read the third time.

Mr. Rayner moved to amend the same by adding thereto the following, as section 18:

"Be it further enacted, That the subscription of Stock on the part of the State hereinbefore provided for, shall not be made, and the Public Treasurer is hereby directed to withhold any payment on said subscription until the North Carolina Rail Road Company shall have commenced the construction of said Road;"

Which amendment was adopted, and the bill, as amended, passed its third reading and was ordered to engrossment.

The engrossed bill to amend an act entitled an act to amend an act, passed in 1833, entitled an act to incorporate the Wilmington and Raleigh Rail Road Company, was read the third time, passed, and ordered that the same be sent to the Senate for their concurrence in the amendment proposed by this House.

The engrossed bill to incorporate the Raleigh and Gaston Rail Road Company was read the third time.

Mr. Cherry moved to amend the bill by adding the following proviso to the — section:

"Provided, however, Should the capital stock of four-hundred thousand dollars not be subscribed according to the
terms hereinbefore provided, the Governor should fail to effect a sale at the sum of five hundred thousand dollars, then it shall be lawful for him, at his discretion, again to advertise the sale of said Road, and sell the same to the highest bidder, on such terms and on such credits, as he may think to the best interest of the State, provided the purchasers shall enter into bond with good and sufficient security to place the Road in the order and condition hereinbefore required; whereupon, the said purchasers shall be incorporated as a body corporate, with all the rights and privileges thereunto belonging, under the style and designation of the Raleigh and Gaston Rail Road Company."

And the question being put upon the adoption of the said amendment, it was determined in the negative: Yeas 18, nays 81.

Mr. McLean demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Gordon then moved the following amendment as an additional section to the bill:
"Be it further enacted, That the sum of one hundred thousand dollars be appropriated by the State to improve the Yadkin River—said money to be expended on said River under the direction and control of the Yadkin Navigation Company, which has been chartered at the present session of the Legislature."

Mr. Steele moved to amend the said amendment by adding thereto, and that the sum of ten thousand dollars be appropriated to improve Lumber River.

Mr. Erwin moved that the bill and amendments be laid upon the table, which was disagreed to.

The amendment to the amendment was then also disagreed to; and the question recurring upon the adoption of the amendment proposed by Mr. Gordon, it was decided in the negative: Yeas 19, nays 77.

Mr. Gordon demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the amendment was rejected.

The question now being upon the passage of the bill its third and last reading, it was decided in the affirmative: Yeas 54, nays 48.

Mr. Marshall demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Ordered that the said bill be sent to the Senate, with a message asking their concurrence in the amendments thereto proposed by this House.

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

TUESDAY, Jan. 21.

Mr. Drake introduced a bill to make the estate of abscon-
ing debtors in the hands of Clerks, Clerks and Masters, Executors, Administrators and other officers subject to attachment as in other cases;

Mr. Eaton, a bill concerning Plank Roads and Turnpike Roads; and,

Mr. Kelly, a bill for the incorporation of Trustees of Academies, Masonic Lodges, Lodges of the Independent Order of Odd Fellows, Tents of the Independent Order of Rechabites, Chapters of Royal Arch masons, Divisions of the Sons of Temperance, and Volunteer Companies of Militia, whether of Infantry or Cavalry;

Which said bills were severally read the first time, passed and referred to the Committee on the Judiciary.

Mr. Wilson presented the following resolution:

"Resolved, That the evening session shall continue, commencing this evening, until 6 o'clock, and the night session from 7 o'clock until 12 o'clock, during the remainder of the present session of the Legislature."

Mr. Williams, of Greene, moved to amend by striking out "12 o'clock" and inserting "3 o'clock, A. M., following."

Pending whereof, on motion of Mr. Scott the resolution was laid upon the table.

Mr. Adams presented the following resolution:

"Resolved, That the Secretary of State have all the acts of Assembly hereafter furnished the Clerks of the several Courts in this State well bound in good leather for the use of their respective offices."

Mr. Barnes, of Northampton moved that the rules be suspended and that the House do now proceed to the consideration of bills on their second reading; which motion did not prevail.
Mr. Cherry moved that the House do now take up and consider, on their second reading, the Resolutions on Slavery, heretofore reported from the Committee of the Whole House; which was also disagreed to.

Mr. Campbell moved that the House do now take up and consider the bill, on its third reading, to ascertain the will of the freemen of North Carolina as to a call of a Convention on the Federal Basis; which motion did not prevail.

On motion of Mr. Cotton, it was

Ordered, That a message be sent to the Senate, proposing to raise a Committee of three on the part of each House, to consider whether the business of the Legislature can be finished on the 24th inst., and if not, to report on what day the two Houses can adjourn.

Mr. Hill, of Brunswick, asked for and obtained leave of absence for Mr. McDowell, from and after to-day, for the residue of the session.

Mr. Erwin moved that the House do now proceed to take up and consider bills on their third reading; which motion was disagreed to.

Mr. Brogden, from the Committee on Claims, reported favorably the resolution in favor of Samuel B. Dozier, late Sheriff of Currituck county; which was read the second time.

On motion of Mr. Saunders, the resolution was amended by inserting immediately after the word “released,” in 16th line, the words, “whenever the said Samuel B. Dozier shall pay to the Public Treasurer the amount due the State.”
The resolution, as amended, then passed its second reading and third reading, and was ordered to engrossment.

The House then proceeded to the consideration of the special order, to wit: The bill, on its second reading, to repeal an act passed at the session of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes; the pending question being the amendment offered by Mr. Pope on the 13th inst., to wit: To strike out the provision imposing a tax on dogs.

The said proposition was now concurred in, and thereupon, Mr. Campbell moved to insert after the words "tax list," in 34th line of 5th section, "on every dog more than one, on each farm or lot, 25 cts.;" which amendment did not prevail.

Mr. Waugh moved to amend said 5th section, in regard to the tax on buggies, &c., so as to read:

"On all sulkies, gigs, buggies, barouches and carriages, and other pleasure vehicles whatsoever, in use by the owner or owners thereof, of the value of one hundred dollars—fifty cents."

Mr. Person, of Northampton, moved to amend said amendment by striking out "fifty," and inserting "twenty-five;" which was agreed to.

Mr. Erwin then moved to amend said amendment by striking out all after the first word thereof, and inserting the following:

"Every pleasure carriage made in any of the non-slave-holding States of this Union, which shall hereafter be brought into this State, there shall be paid by the owner, the
sum of fifty dollars annually; and upon all other vehicles, there shall be paid by the owners the sum of twenty-five dollars annually."

And the vote being taken upon the adoption thereof stood yeas 10, nays 97.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. A. Caldwell, Campbell, Davidson, Erwin, Gordon, McLean, Ruffin, Stevenson, Stowe and Thigpen—10.

Those who voted in the negative, are:


Mr. Waugh then, with leave, withdrew his said amendment; and thereupon, he moved to amend the said 5th section by striking out the words "of the value of fifty dollars and under one hundred dollars, fifty cents," and by inserting in lieu thereof, "of the value of one hundred dollars, one dollar."

Mr. Stevenson moved for a division of the question, which was ordered; and the question being first put on striking out, it was not carried.
Mr. Harrison moved to amend said section by striking out "50 cts." in the 8th line and inserting "25 cts."; by striking out "$1," in 10th line and inserting "50 cts.;" by striking out "$2," in 11th line and inserting "$1;" by striking out "$3," in 13th line and inserting "$2.50;" and by striking out "$4," in 14th line and inserting "$2;" which amendments were disagreed to.

Mr. Adams moved to amend said section, by striking out all from the word "thereof," in 7th line, to the word "dollars" in 14th line, and to insert in lieu thereof "one half of one per cent. on the value thereof."

Mr. Campbell called for a division of the question which was ordered and the question being first put on striking out, it was disagreed to.

Mr. Eaton moved to amend the said section, by striking out the words "one hundred" in 26th and 27th lines, and inserting in lieu thereof "two hundred," (being the tax on Billiard tables.)

Mr. Stevenson moved for a division of the question, which was ordered accordingly, and the question being taken on striking out, it was decided in the negative.

Mr. Caldwell, of Guilford, moved to amend said section as amended, by striking out the words "75 cents," (tax on marriage license) and insert "95 cents;" and the question thereon, was decided in the negative: Yeas 16, nays 86.

Mr. D. F. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:


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Those who voted in the negative, are:


So the amendment did not prevail.

Mr. Montgomery then moved to amend the said section, by striking out the words “one dollar,” (tax on Gold watches) in 15th line, and inserting in lieu thereof, “fifty cents.”

Mr. Stevenson called for a division of the question, and moved that the question be first put on striking out; which was ordered, and upon the question to strike out, the vote stood: Yeas 32, nays 72.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

On motion of Mr. Walton, the said section was amended by inserting the words "in use" after the words "twenty five cents" in the 16th line.

Received from the Senate a message agreeing to the proposition to raise a Joint Select Committee of three from each House to ascertain and report at what day the two Houses can adjourn; and informing that Messrs. Shepard, Speight and Berry form their branch of said Committee.

The Committee on the part of this House are Messrs. Cotton, Steele and Eaton.

Mr. Sloan then moved to amend the 5th section of said bill by striking out "ten dollars" and inserting in lieu thereof "five dollars" (tax on retailers of Spirituous Liquors;) and the question thereon was decided in the negative: Yeas 16, nays 89.

Mr. Sloan demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment did not prevail.

Mr. Kelly moved to amend said 5th section by striking out the words “ten cents,” and inserting “twenty-five cents,” (tax on playing cards,) which amendment was disagreed to.

On motion of Mr. Steele, the said section was further amended by filling the blank in the 43d line, with the words “1st day of April in each and every year.”

Mr. Pigott moved to amend the 1st section by striking out “$50” and inserting “$25;” (tax on agents of Insurance Companies not incorporated in the State;) which was not carried.

Mr. Wiley moved to amend said section by inserting immediately after the “words” in 3d line, the words “of twenty five dollars in every county in which such agent or agents shall make or attempt to make Insurances.”

Mr. Stevenson called for a division of the question, and the same being ordered, the House refused to strike out.

Mr. Scott then moved to amend the bill by striking out the 8th section; and pending debate thereon, the House took a recess until half past 3 o’clock.

HALF PAST 3 O’CLOCK.

Mr. Brogden, from the Committee on Claims, reported fa-
vorably the resolution in favor of M. W. Kincaid, late Sheriff of the county of Burke, which was read the second time and passed.

Mr. Brogden, from the same Committee, to whom was referred a resolution instructing them to inquire into the propriety of allowing compensation to P. P. Moore and R. Nicholls, Esqs., for services rendered in taking depositions under the order of the Senate at last session, reported a resolution in favor of said Moore and Nicholls; which was read the first time and passed.

Mr. Brogden, from the same committee, to whom was referred the memorial of W. W. White, also, reported a resolution in his favor which was read the first time and passed.

The House now proceeded to the consideration of the special order, to-wit: the bill exempting from execution a certain portion of the land of every citizen of North Carolina, the pending question being the amendment, reported from the Committee on the Judiciary, on 14th instant.

The said amendments were now adopted.

On motion of Mr. Barnes, the bill was further amended by inserting after words "citizens of North Carolina" in the 1st section, the words "having a family."

And the question now recurring upon the passage of the bill its second reading, it was determined in the negative; Yeas 45, nays 61.

Mr. Eaton demanded the yeas and nays,

Those who voted in the affirmative, are:

Messrs. Adams, Amis, Avery, D. Barnes, Bond, Brazier, D. Caldwell,

Those who voted in the negative, are:


So the bill was rejected.

Messrs. Avery and Barnes, were severally excused from serving on the Committee on Enrolled Bills for the present week.

On motion of Mr. Eaton,

Ordered, That the Committee on the part of this House to ascertain and report at what day the two Houses can adjourn sine die, have leave to sit during the session of the House.

Mr. Jones moved that the House do now proceed to take up and consider, upon its third reading the bill to ascertain the will of the freemen of North Carolina, as to the call of a Convention on the Federal basis; and the question on this motion, was decided in the negative: Yeas 43, nays 60.

Mr. J. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to take up the bill.

The House now resumed the consideration of the unfinished business at the last recess, to wit: The motion of Mr. Scott to strike out the 8th section of the Revenue Bill; and the question now being put upon said motion, it was decided in the negative: Yeas 40, nays 65.

Mr. Rankin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Adams, Amis, Barco, J. Barnes, Bogle, Blow, Bond, Boykin, Brazier, Brogden, D. Caldwell, A. Caldwell, Cherry, Cockerham, Douthitt, Drake, Durham, Eure, Foard, Fonville, A. M. Foster, Gordon,
Mr. Campbell then moved to strike out the words in the 10th line and following the words "that may belong to their present droves and no other;" which was disagreed to.

Mr. Douthitt moved to amend the said section, by inserting in the 1st line after the word "Horses," the word "Hogs;" and the question on this amendment, was also decided in the negative: Yeas 18, nays 85.

Mr. Davidson demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Amis, J. Barnes, Blow, Brazier, Brogden, Cherry, Cotton, Douthitt, Durham, Eure, McCleese, Patterson, Powers, Rayner, Simmons, Sutton, Taylor and B. Williams—18.

Those who voted in the negative, are:


So the amendment was rejected.
Mr. Ruffin moved that the said bill be indefinitely postponed, and upon this question called for the yeas and nays, which were ordered, and being taken, were 37 in the affirmative, and 69 in the negative.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to postpone indefinitely.

Mr. Walton moved to amend the 9th section of the bill by inserting after the words "fifty dollars," in the 6th line, the following: "And all Ethiopian Serenaders, Comic Singers and performers on musical Instruments, who exhibit or perform for reward, five dollars;" and modifying the said section after 18th line, so as to read, "or Ethiopian Serenaders, Comic Singers and performers on musical instruments, &c."

Which amendment was concurred in.

Mr. Scott moved to amend said section, by striking out the words "fifty dollars," in 6th line, and inserting in lieu thereof, "thirty dollars."

Which amendment was not agreed to.
Mr. Barnes, of Northampton, asked for and obtained leave of absence for Mr. Blow, from and after Friday next; And, Mr. Stevenson asked for and obtained leave of absence for Mr. Fonville, for the residue of the session, from and after Friday next.

And the House then adjourned till 7 o'clock.

Seven o'clock P. M.

Mr. Eaton, from the Joint Select Committee, appointed to inquire into the earliest possible day for an adjournment of the two Houses, reported that the quantity of business now before the two Houses is so great that it will not be possible to adjourn before Monday 27th inst., in which report the House concurred, and on motion by Mr. Flemming it was,

Ordered, That a message be sent to the Senate proposing to rescind the Joint order, heretofore agreed on, that the two Houses will adjourn on Friday, 24th inst.; and proposing that the two Houses will adjourn sine die on Monday 27th proximo.

Mr. Stevenson asked for and obtained leave of absence for Mr. Simmons from and after Friday next, for the residue of the session.

Mr. Amis moved that the House do now take up and consider the resolution in favor of W. W. White; which was disagreed to.

Mr. Person, of Northampton, moved that the House do
now take up and consider the bill, on its second reading, concerning the Militia of the State; which motion was also disagreed to.

The House then proceeded to the consideration of bills on their third reading, when the following bills and resolutions were read the third time, passed and ordered to be engrossed, viz:

The bill to extend the corporate limits of the town of Elizabeth City;

The bill to repeal an act passed in 1846-'47, entitled an act to provide for the opening and clearing out certain Creeks in the counties of Iredell and Rowan;

The bill to incorporate the town of Lumberton, in the county of Robeson;

The bill for the better regulation of the town of Wilson, in Edgecombe county;

The bill to incorporate the Trustees of the Clinton Female Institute in the county of Sampson;

The bill to incorporate the Montgomery Division, No. 97, Sons of Temperance;

The bill in respect to the original panel of jurors for the county of Beaufort;

The bill in relation to exchanges of notes between the several Banks of this State;

The bill to incorporate Washington Division, No. 27, of Sons of Temperance;

The bill to incorporate Florence Division of the Sons of Temperance, No. 13, in Guilford county;

The bill to authorize James S. Turner to build a Toll Bridge across Rocky River in Stanly county;

The bill for the better organization of the Court of Pleas and Quarter Sessions for the county of Pasquotank;

The bill to incorporate the Tuscarora Lodge, No. 122, of Ancient York Masons;
The bill to incorporate Dan River Lodge, No. 129, in the town of Madison, Rockingham county;

The bill to incorporate the town of Lenoir in Caldwell county;

The bill to amend the act concerning the incorporation of the town of Goldsboro' in the county of Wayne, ratified 27th January, 1849;

The bill to incorporate Old North State Tent, No. 97, Independent Order of Rechabites;

The bill to amend an act to authorize the county Court of Mecklenburg, to pay over certain funds to the county Court of Union;

The bill to incorporate Lafayette Lodge, No. 83, in the county of Onslow;

The bill to incorporate the Sons of Temperance of the Division, No. 50, in the town of Ruthefordton;

The bill to incorporate Hanover Division of the Sons of Temperance in the town of Wilmington;

The bill to prohibit obstructions to Cart-ways in Cherokee county;

The bill giving the election of Clerks and Masters in Equity to the people; and,

The bill authorizing the transfer of the books, bonds and papers from the Treasurer's office to the agent of the State for the collection of Cherokee bonds;

The bill to prevent the fraudulent conveyance of property and for other purposes, was read the third time, and the question, "shall this bill pass its third reading?" was decided in the negative: Yeas 35, nays 65.

Mr. Wiley demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill was rejected.

The engrossed bill to make a road between Rutman's Creek and Mattamuskeet Lake, was read the third time and rejected: Yeas 16, nays 86.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The engrossed bill to incorporate the Mechanics Savings Society of Weldon:

The engrossed bill to facilitate the taking of Testimony
before Referees, Arbitrators and other Commissioners; and

The engrossed bill concerning corporations, were severally read the third time, passed, and ordered to enrolment.

The engrossed bill to amend the 51st section of 102d chapter of Revised Statutes, was also read the third time, passed, and ordered to be sent to the Senate for their concurrence in the amendments proposed by this House.

The bill to ascertain the will of the freemen of North Carolina, as to the call of a Convention on the Federal Basis, was read the third time, and the question, "Shall this bill pass its third and last reading?" was decided in the affirmative: Yeas 67, nays 40.

Mr. Kallum demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was ordered to engrossment.
The following bills were read the third time, passed, and ordered to be engrossed:

The bill to alter and amend an act passed in 1848-'49, entitled an act to incorporate the Fayetteville and Western Plank Road Company;

The bill concerning the Militia of Orange and Alamance;

The bill to divide the Regiment of Militia in Stokes;

The bill to divide the Regiment of Militia in Forsythe;

The bill concerning bills of Indictment;

The bill to incorporate a company in the county of Buncombe to be called the "New Bridge Company;"

The bill to incorporate the "Lewis Gold Mining Company;"

The bill to incorporate the "Conrad Hill Gold Mining Company;"

The bill to amend an act passed in 1803, entitled an act for the government of the City of Raleigh;

The bill to extend the powers of the Commissioners of the town of Franklinton and for other purposes;

The bill to amend an act passed in the year 1818, chapter 42, entitled an act to elect a Magistrate for the town of Wilmington and for other purposes;

The bill for the benefit of Thomas Griggs, Administrator of Samuel B. Dozier, late Sheriff of Currituck and for other purposes;

The bill to alter the mode of electing inspectors of turpentine in the county of Craven;

The bill regulating the emancipation of slaves, by last will and testament; and,

The resolution for the relief of Augustine Landis, Clerk of the County Court of Granville.

The engrossed bill to give the benefit of appeal to criminals, except in capital cases, was also read the third time and passed, and ordered to be enrolled.
The resolution to print copies of Muster Rolls of Volunteers, and furnish Clerks therewith, was taken up, and on motion of Mr. Hill of New Hanover, was laid on the table.

The engrossed bill to amend the 7th section of 5th chapter of Revised Statutes, in relation to Apprentices; and The engrossed bill to incorporate the Cape Fear Bridge Company; and The bill to incorporate Macon Division, No. 46, Sons of Temperance, were severally read the second time and passed.

The resolution declaring that the true policy of the State is to extend the North Carolina Railroad to the Tennessee line west, and to Beaufort east, was read the second time, and on motion of Mr. Rayner, to lay the same on the table, the vote stood, yeas 74, nays 30.

Mr. Erwin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolution was laid on the table.
Mr. Steele moved that the House do now take up and consider the motion, submitted by Mr. Barnes, of Northampton, on Monday last, and then laid on the table, to reconsider the vote by which, on Saturday last, the House rejected the bill to assist the Fayetteville and Centre Plank Road Company; which motion did not prevail.

Mr. Eaton introduced a bill concerning the venue of offences; which was read the first time, passed, and referred to the Committee on the Judiciary.

On motion of Mr. Avery, the House took up and considered the bill to incorporate the North Carolina and Tennessee Rail Road Company; the pending question thereon, being the amendment offered by him on Monday the 20th inst.

And the question on the adoption of said amendment being put, it was decided in the affirmative: Yeas 52, nays 49.

Mr. Martin demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was adopted; and the question then recurring on the passage of the bill as amended its second reading, it was decided in the affirmative: Yeas 53, nays 52.

Mr. Pope demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill passed its second reading.

Mr. Johnston, from the Committee on Private bills, with
leave, reported the bill to incorporate the Buckshead Manufacturing Company, in the county of Surry, with an amendment, to-wit: to strike out the words "and the Capital stock of such corporation shall be personal estate," occurring in 3d section.

This amendment was concurred in, and the bill passed its second reading.

Mr. Wilson, from the same Committee, reported the bill to incorporate the Neuse River Manufacturing Company at the Great Falls in Wake county, with an amendment, to-wit: to strike out the words "and shall be deemed and considered as personal estate," occurring in the third section.

The amendment was agreed to, and the bill passed its 2nd reading.

Mr. Wilson, from the same Committee, to whom was referred sundry memorials protesting against the incorporation of Religious and moral reform societies, made an adverse report thereon, and asked to be discharged from their further consideration; and the Committee were accordingly discharged.

Mr. Avery, according to previous notice, presented the following Resolution, which was read and adopted:

Resolved, That so much of the 28th Rule of Order as requires bills and resolutions to remain in this House until the day succeeding their passage, be, and the same is rescinded.

Mr. Jones, with leave from the Committee on Proposi-
tions and Grievances, reported without amendment the res-
olution in favor of Andrew Welch; and also, the bill to amend the Inspection Laws; and also, the engrossed bill to amend an act entitled an act to incorporate the town of Rutherfordton, chapter 57, passed in 1840-'41.
Mr. Jones, from the same Committee, to whom was referred the engrossed bill to lay off and establish a new county by the name of Hooper, reported the same without amendment.

The said bill having been read the second time, on motion of Mr. W. McNeill, the same was amended by striking out all of the 1st section, after the word "line" in the 25th line, and insert "North, 30 deg, East to the Cumberland county line; thence with that line to the beginning."

And as thus amended the bill passed its second reading.

Mr. Jones, from the same Committee, to whom was referred the bill accompanied by a memorial to amend the 1st section of 48th chapter of Revised Statutes, entitled an act concerning fences reported the same with an amendment, to-wit: to strike out all after the enacting clause and insert:

"That the Dan River from the town of Madison to the Stokes county line, be and the same is hereby declared to be a deep water course and deemed sufficient instead of a fence; and, that persons residing thereon, between the said town of Madison and the Stokes county line, shall not be required to make and keep a fence on the banks of said River around their cleared lands in cultivation, as is now required by law."

The amendment was agreed to, and the bill passed its second and third reading, and was ordered to engrossment.

Ordered, On motion of Mr. Ruffin, that the title of said bill be amended so as to read "a bill declaring Dan River from Madison, to the Stokes county line, a deep water course and sufficient instead of a fence."

Mr. Jones, from the same Committee, reported without amendment the bill concerning Pilots. The bill having been read the second time,
Mr. Rayner moved to amend the bill by striking out all after the enacting clause, and inserting as follows:

"That hereafter the Commissioners of Navigation for Cape Fear River shall have power and they are hereby authorized to so regulate the rates of Pilotage, as to discriminate between different vessels, according to the nature of the Cargo, so far as regards coal, and that said commissioners of navigation shall have power and authority to reduce the rates of pilotage on coal to any sum they may think proper without such regulation affecting cargoes of vessels carrying different cargoes."

Mr. Amis, called for a division of the question, and the same having been ordered, the question was first put on striking out, and negatived.

Mr. Maultsby moved to amend the bill by adding the following, as a new section:

"That all vessels engaged in the carrying of coal on the coast of North Carolina shall raise the Flag designated in this act, by which the Pilots may know that their services are not required on all occasions whenever the said vessels appear upon the coast of North Carolina."

The said amendment was not carried, and the bill passed its second reading.

Mr. Flemming moved a reconsideration of the vote by which yesterday the House rejected the engrossed bill to make a Road between Rutman's Creek and Matamuskeet Lake; and moved that said motion do lie upon the table; which latter motion was carried.

On motion of Mr. Durham, it was
Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of altering the law so as in all cases hereafter, where the lessee of land shall hold over against his landlord and retain the possession of the land after the expiration of his lease, the lessor or landlord shall have the summary process against the lessee to obtain possession of his land; and that the Committee report by bill or otherwise.

A message was received from the Senate agreeing to rescind the joint order for the adjournment of two Houses on the 27th instant;

And agreeing to the proposition to adjourn sine die on Monday 24th instant.

The House now proceeded to the consideration of the unfinished business of yesterday, to wit: the bill to repeal the act of 1848-49, entitled an act to increase the revenue of the State, and for other purposes.

Mr. Steele moved to amend the 13th section by striking out the words, "one hundred" in the 5th line, and inserting the words "five hundred;" (penalty for refusing to take oath;) which amendment was disagreed to.

Mr. Person, of Moore, moved to amend the 14th section by striking out the word "tax" in the 6th line, and inserting "taxable property or any part thereof;" and further to amend said section by inserting after the word "information" in 7th line, the words "any other information, or upon good reason to believe that any person has failed to list his taxable property."

Which amendments were severally concurred in.

Mr. Drake moved the following amendment as an additional section, to wit: section 10:

"That an ad valorem tax of ten per cent. shall be levied
on all ready made clothing, shoes, boots, saddles, harness, liquors, wines, cordials, all kinds of pleasure carriages, the manufactures of other States, which any merchant or trader may bring into this State for sale; and all carriages made in other States, and purchased for use in this State, shall be subject to a tax of double the amount named in a former section of this act."

Which said amendment was read and rejected.

Mr. Taylor then offered the following amendment, as an additional section:

"That there shall be levied on every gallon of spirituous liquors hereafter brought into the State, and not of the manufacture of this State, three cents; and every person who offers liquors for sale, wholesale or retail, shall render, on oath, a list of all the liquors."

Mr. Caldwell, of Guilford, moved to amend said amendment, by striking out "three cents," and inserting "one cent," which was disagreed to.

And the question being then put upon the adoption of the amendment foregoing, it was decided in the negative: Yeas 34, nays 71.

Mr. Campbell demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the amendment was rejected.

Mr. Caldwell, of Rowan, moved the following amendment, to-wit; to insert after the word "sale" in 13th line of 5th section:

"Upon all hats and caps over the value of $3, manufactured in any of the non-slaveholding States, and sold within this State, there shall be levied the sum of fifty cents; upon every pair of boots, over the value of $4, there shall be levied the sum of fifty cents; upon every pair of boots, under the value of $4, and upon every pair of shoes, there shall be levied the sum of twenty-five cents, to be paid by the vendor; Provided, said articles are manufactured in any of the non-slaveholding States and be sold within the limits of this State."

Which said amendment was disagreed to.

Mr. Johnston, then moved the following amendment as an additional section:

"That every incorporated Company shall pay the sum of five dollars for the act of incorporation, and shall pay annually the sum of two and a half dollars, so long as the incorporation shall exist; and, every incorporation which has been created at the present session of the Legislature shall be subject to the tax, for the act of incorporation, and the Sheriff or his Deputy, acting in his place, shall collect the above out of the property of the incorporated Company; Provided,
That the above act shall not extend to the taxing those incorporations already taxed by law, nor to Religious and Literary Societies."

Mr. Person, of Northampton, moved to amend the said amendment by adding thereto the words "and Temperance Societies."

Pending the consideration of which,

The House took a recess until half past 3 o'clock.

**HALF PAST 3 O'CLOCK.**

Received from the Senate a message, transmitting the following engrossed bills, and asking the concurrence of this House therein, to wit:

A bill to amend an act passed in the year 1848-49, entitled an act to extend the limits of the town of Wilmington, and for other purposes;

A bill to incorporate the LaGrange Mining, Manufacturing and Transportation Company;

A bill to amend an act entitled an act, to establish the Commercial Bank of Wilmington;

A bill to incorporate the Governor's Creek Steam, Transportation and Mining Company;

A bill to incorporate the Deep River Mining and Transportation Company; and,

A bill to incorporate the Pittsboro Mining and Transportation Company.

Which said bills were read the first time and passed.
Mr. Brogden, from the Committee on Claims, reported favorably the resolution in favor of Joshua E. Lumsden;
Also, the resolution in favor of James A. Tunnell, late Sheriff of Johnston county;
Also, the resolution in favor of E. S. Moore, late Sheriff of Caldwell county;
And also, the resolution in favor of Alexander Duckworth, Sheriff of Burke county;
And also, the resolution in favor of H. Castlebury.
Which said resolutions were severally read the second and third times, passed, and ordered to be engrossed.

Mr. Brogden, from the same Committee, reported adversely the resolution in favor of Dr. William Hicks, of Granville county; which was read the second time, and, on motion of Mr. Amis, laid upon the table.

Mr. Brogden, from the same Committee, reported adversely the resolution to pay the chain-carriers and axe-men on the Western Turnpike; read the second time, and, on motion of Mr. Flemming, laid on the table.

Mr. Brogden, from the same Committee, also reported adversely on the memorial from sundry citizens of Buncombe, in regard to speculation land claims.
In which report the House concurred.

Mr. Pegram presented the pension certificate in behalf of Martha Spears, which was read, and ordered to be countersigned by the Speaker of the House, and sent to the Senate.

The resignation of Arden Moore, Esq., a Justice of the Peace for Pitt county, was read and accepted.

Mr. Rayner, from the Committee on Internal Improvements
reported, without amendment, the engrossed bill to incorporate the Tuckasege and Nantahala Turnpike Company;

Also, the engrossed bill to authorize the laying off and improving a public road from the town of Jefferson, in the county of Ashe, to the Virginia line, near James Duvalls;

Also, the engrossed bill to amend an act, passed at the session of the Assembly in 1848-'49, entitled an act to incorporate the Greensboro' and Mount Airy Turnpike Company;

And also, the bill to incorporate the Rich Mountain Turnpike Company, in Haywood county.

Which bills were read the second time and passed.

Mr. Rayner, from the same Committee, also reported, without amendment, the engrossed bill to incorporate the Tuckasege and Keowe Turnpike Company. The bill having been read the second time,

On motion of Mr. Kelly, the same was amended by striking out the provisions thereof, authorizing a subscription of stock on the part of the State; and the bill passed its second reading.

Mr. Rayner, from the same Committee, reported the engrossed bill to incorporate the Concord and Taylorsville Plank Road Company, with amendments, to wit: to strike out the word “five” in 14th section, and insert the word “ten;” and also, to strike out the word “fifty” in the last line of last section, and insert in lieu thereof the word “thirty.”

These amendments were agreed to, and the bill passed its second reading.

Mr. Rayner, from the same Committee, reported the engrossed bill to incorporate the Roanoke and Tar River Plank Road Company, with amendments, to wit:
1. To strike out "five" in the 15th line of 5th section, and insert "two;"

2. To add to the 10th section, the following: "Provided, That the tolls so to be collected shall be so regulated that the profits shall not exceed 25 per cent. on the capital of said company, any one year;" and,

3. To strike out the word "fifty" in the last section, and insert the word "thirty."

Which said amendments were concurred in, and the bill then passed its second reading.

Mr. Rayner, also reported the engrossed bill to authorize Josiah O. Watson to erect a Dam on Neuse River, with an amendment, to wit: to add to the 1st section the following:

"Provided, That the State of North Carolina, or any person or persons or incorporated Company, acting by its authority, shall have power to abate or remove said Dam, upon paying to said Watson the expenses incurred by him in the erection of said dam, after making due allowance for the benefits he may have received from the same."

The foregoing amendment was agreed to, and the bill passed its second reading.

Mr. Rayner, from the same Committee, reported the bill supplemental to the several Plank Road Charters, passed and hereafter shall be passed at the present session of the General Assembly, with amendments, to-wit: to strike out of the preamble the words "and that hereafter shall be passed;" secondly, strike out the words "shall be constructed" in the 8th line of the bill, and insert, "as said Plank roads may be required by their charters to construct;" and thirdly to insert the word "heretofore" immediately after the word "companies" in the third line.

The amendments were concurred in, and the bill passed its second reading.
Mr. Rayner, from the same Committee, reported without amendment, the engrossed bill to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike Company, passed by the General Assembly at the session of 1846-47.

The bill was read the second time, and the vote upon its passage, its second reading stood: Yeas 48, nays 48.

Mr. Brazier, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House being equally divided, the Speaker voted in the affirmative, and the bill accordingly passed its second reading.

Mr. Rayner, from the same Committee, reported, without amendment, the bill to amend the Constitution of the State, introduced by Mr. Mizell on the 17th instant.

The said bill was read the second time, and pending the consideration thereof,

The House then took a recess until 7 o'clock.
Mr. Jones, with leave, presented a resolution in favor of Joseph S. Holt, late Sheriff of Alamance; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

The House then proceeded to the consideration of bills and resolutions on their second reading, when,

The resolutions declaring certain inalienable rights of freemen, a violation of which tends to despotism, presented by Mr. Flemming on 10th of December last, were read the second time, and, on the motion of Mr. Eaton to lay the same on the table, the vote stood: Yeas 63, nays 18.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolutions were laid on the table.
The resolutions on the subject of repudiation introduced by Mr. Brogden, on 16th ult., were read the second time and on motion of Mr. Flemming, laid upon the table: Yeas 68, nays 16.

Mr. Brogden demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolution was laid upon the table.

The following bills and resolution were read the second time and passed, viz:

The engrossed bill to incorporate the Murfreesboro' Joint Stock Building Company;

The engrossed bill to amend an act, passed at the session of 1830-'31, entitled an act to establish the town of Gatesville in the county of Gates and to incorporate the same and for other purposes;

The engrossed bill to incorporate the Charlotte and Taylorsville Plank Road Company;

The engrossed bill concerning the duties of Sheriffs;
The engrossed bill to authorize the building of a Toll Bridge over Dan River, in Caswell county, near Milton, and to incorporate a company for that purpose; and,

The engrossed bill to amend the 51st section of the act, entitled an act to provide for the collection and management of the Revenue of the State.

The engrossed resolution in favor of John H. Wheeler, was read the second and third times, and passed, and ordered to be enrolled.

The resolution to issue a new warrant for Willis Gregory was read the second and third times and passed, and ordered to be engrossed.

The following bills were read the second time and passed, viz:

The bill to repeal so much of an act, entitled an act to open and improve the road from Salathiel Stone's old place, in the county of Forsythe to the Virginia-line, near the mouth of Wilson, in Ashe county, as applies to the county of Forsythe;

The bill to repeal the act providing for the system of International, Scientific and Literary Exchanges between the State of North Carolina and France;

The bill to improve the navigation of Raft Swamp Creek, in the county of Robeson;

The bill to improve the Public Road from the town of Jefferson to the village of Gap Civil; and,

The bill to require purchasers to pay the inspection fees on Turpentine.

The engrossed bill to enlarge the powers of the Commissioners of the town of Wilmington, was read the second time and amended, on motion of Mr. Hill, of New Hanover, by
striking out the following words, coming immediately after
the word "Wilmington" in the 9th line of 5th section, viz:
as such limits are defined by an act of the General Assembly
of this State, ratified 29th January 1819, entitled an act to
extend the limits of the town of Wilmington and for other
purposes; and as thus amended, passed its second reading.

The engrossed bill to incorporate Fulton Lodge, No. 99,
of Ancient York Masons, in the town of Salisbury;

The engrossed bill to incorporate Conoho Lodge, No. 131,
in the town of Hamilton;

The engrossed bill to incorporate Tuscarora Lodge, No.
22, I. O. O. F., in the town of Kinston;

The engrossed bill to incorporate Theophilus Division,
No. 51, of the Sons of Temperance in the town of Murfrees-
boro; and,

The engrossed bill to incorporate Hank's Lodge, No. 128,
of Ancient York Free and accepted Masons, were severally
read the second time and amended on motion of Mr. Eaton,
by adding to the first sections thereof respectively the
words:

"Provided, That said corporation, shall hold no more
real estate than may be required for the convenient transac-
tion of its business."

And as thus amended passed their second reading.

The bill to emancipate James Lankford, a slave, was read
the second time.

Mr. Martin, moved that the further consideration of the
same be indefinitely postponed; which was not carried.

And the question then being put upon the passage of the
bill its second reading, it was decided in the negative: Yea's
38, nays 49.
Mr. Martin demanded the yeas and nays:

Those who voted in the affirmative are:


Those who voted in the negative, are:


So the bill was rejected.

The following engrossed bills were read the second time and passed, viz:

The bill to incorporate Independent Division, No. 31, of Sons of Temperance;
   The bill to incorporate Maratock Division of the Sons of Temperance, No. 88;
   The bill to incorporate the Ringgold Guards;
   The bill to incorporate the Hamilton Female Academy, in the county of Martin;
   The bill in relation to the execution of criminal process;
   The bill to incorporate Esperanza Lodge, No. 28, of the Independent Order of Odd Fellows;
   The bill to incorporate the Home Guards, a volunteer corps of Infantry of the line, in the county of Pasquotank;

And, the resolution in favor of Jason Sherrill.
The engrossed bill to provide for a geological and agricultural survey of the State, was put upon the second reading.

Mr. Bridgers moved that the same be laid upon the table; and the question thereon was decided in the negative: Yeas 31, nays 57.

Mr. Bridgers demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay on the table.

The question then recurring upon the passage of the bill, its second reading, it was determined in the affirmative; and thereupon,

On motion of Mr. Hayes, of Caldwell, the said bill was put upon its third reading, and the question, shall the bill passed its third reading?" was decided in the affirmative: Yeas 47, nays 40.

Mr. Brazier demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So that the said bill was ordered to enrollment.

The resolutions providing for the publication of Colonial records and for other purposes, were read the second time, amended on motion of Mr. Avery, by providing for the publication of the "Journal of the Provincial Congress of North Carolina from 1776 to 1789," and passed.

The bill more effectually to provide against the circulation of seditious publications and attempts to excite a spirit of insurrection among the slave population of this State, was taken up and on motion of Mr. Rayner, committed to the Committee on the Judiciary.

The bill to authorize the investment of trust funds in the bonds or certificates of the State;

The bill to extend the time for registering grants, mesne conveyances, powers of Attorney, bills of sale and deeds of gift; and,

The bill to amend the 4th section of 12th chapter, of the Revised Statutes concerning bastard children, were severally read the second time and passed.
The bill more effectually to provide against trading with slaves, was read the second time and rejected: Yeas 18, nays 50.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

Mr. Avery asked for and obtained leave of absence for Mr. Mathis, from and after Friday next, for the residue of the session.

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

Thursday, Jan. 23.

Mr. Holland presented a memorial from sundry citizens of Cleaveland county praying the restoration of Jury trials to
the county Courts of said county; which, on his motion, was ordered to lie on the table.

Mr. Cherry presented a memorial from William Smith and other free persons of color, praying the Legislature to memorialize Congress on their behalf, to grant them a portion of the Western Territory to settle a colony there; ordered to lie on the table.

Mr. Cockerham presented the following resolution:

Resolved, That from and after this hour, no member of this House shall be allowed to speak more than ten minutes on any question the first time, nor five, the second time.

And the question being now put upon the adoption of the said resolution, it was decided in the affirmative: Yeas 55, nays 45.

Mr. D. A. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Wilson presented the following resolution, which was read, and, on motion of Mr. Williams, of Greene, laid upon the table:

Resolved, That this House will take a recess, commencing this day, at 8 o'clock until 3, and sit until 6 o'clock, and then take a recess until 7 o'clock, and then remain in session until 11 o'clock; and this rule shall be observed during the remainder of the session.

The resignation of Samuel C. Eborn, Esq., a Justice of the Peace for Beaufort county, was presented, read and accepted, and ordered to be sent to the Senate.

Mr. Hill, of New Hanover, presented a resolution authorizing a subscription of Stock in the Wilmington and Manchester Rail Road Company on certain conditions, which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Rayner presented the following resolution, which was read, and on motion of Mr. Avery, ordered to lie on the table:

Resolved, That his Excellency, Gov. Reid, be requested to inform this House whether he has made any reply to the communications of the Governor of South Carolina, containing the proceedings of the Legislature of that State in reference to Slavery, and of the President of the Nashville Convention, transmitting the proceedings of that Assembly, and to the Governor of Vermont in reference to the Peace resolutions transmitted by him, and if so, that he be requested to transmit to this House copies of such replies.

Mr. Wilson submitted the following resolution, which was read and on motion of Mr. Saunders laid upon the table, viz:

Resolved, That a message be sent to the Senate, proposing
that when the two Houses adjourn on Saturday next, that they adjourn to meet at 5 o'clock, Monday morning, and adjourn sine die at 8 o'clock, P. M.

Mr. Wilson, from the Committee on Private bills, reported without amendment, the bill to incorporate Crane's Creek burial ground, in the county of Moore; which was read the second time and passed.

Mr. Rayner called up the bill to repeal an act passed at the session of 1848-49, entitled an act to amend the 48th chapter of Revised Statutes, entitled an act concerning fences so far as relates to land on Meherrin river in the county of Hertford; which was read the second and third times, passed and ordered to be engrossed.

Mr. Jones, from the Committee on Propositions and Grievances, to whom was referred memorials on the subject, reported a bill entitled a bill to amend an act passed at the session of 1848-49, entitled an act to open and improve the Road from Salathiel Stone's, in Forsythe county, to the Virginia line, near the mouth of Wilson, in Ashe county; which was read the first time and passed.

Mr. Jones, from the same Committee, reported, without amendment, the bill to exempt persons living on the banks and Islands, between Washbone Inlet and Cape Hatteras, from serving as Jurors;

And also, the bill to repeal an act passed in 1846-47, entitled an act to repeal an act passed at the session of 1821, entitled an act to prevent fire hunting for fowls in the county of Carteret; and the same were severally read the second time and passed.

Mr. Jones, from the same Committee, reported adversely the bill introduced by Mr. Wangh, on 30th ult., to lay off
and establish a new county by the name of —— ; and, also;

The bill to lay off and establish a new county by the name Lafayette; which were severally read the second time and laid on the table.

Mr. Jones, from the same Committee, reported adversely the bill to lay off and establish a new county by the name of Blue Ridge; which was read the second time and rejected.

On motion of Mr. Jones, the said Committee were discharged from the further consideration of the following memorials, to-wit:

The memorial of Isaac Scott;

The memorial from citizens of Macon county praying protection against distempered cattle being carried into said county;

The several memorials from Davidson and Forsythe praying that a portion of the former may be attached to the latter county;

The memorial protesting against the re-establishment of Polk county;

The memorials from citizens of Buncombe in regard to claims named as "speculative land claims;" and,

The memorial from citizens of Stokes, praying that a portion of that county may be attached to Forsythe county.

Mr. Jones, from the same Committee, reported favorably the resolution authorizing a grant of land for building a Baptist Church thereon, in the county of Cherokee. The resolution was read a second time, amended on motion of Mr. McLean, by striking out "50 acres" and inserting in lieu thereof "10 acres," and passed.

Mr. Saunders, from the Committee on the Judiciary, re-
ported without amendment the following engrossed bills; which were severally read the second time and passed, to-wit:

The bill to incorporate the Western Mutual Insurance Company;
The bill to incorporate the Bank of Wadesboro';
The bill to extend the right of appeal in certain cases;
and,
The bill to amend an act of the General Assembly, passed at its session of 1848-'49, entitled an act more effectually to prevent the selling or giving away of Spirituous Liquors at or near places of public Worship.

Mr. Saunders, from the same Committee, reported the bill concerning Pilots, with an amendment, to-wit: to strike out the 5th section, (allowing all Branch Pilots to vote for Commissioners of navigation;) which amendment was agreed to.

On motion of Mr. Hill, of Brunswick, the bill was further amended by adding the following proviso to the 4th section:

"Provided, That nothing herein contained shall be construed to apply to those apprentices now in the service of any Pilot or Pilots."

And as thus amended the bill passed its second reading: Yeas 70, nays 30.

Mr. Boykin demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Avery, Barco, D. Barnes, Blow, Bogle, Bond, Brazier,

Those who voted in the negative, are:


Mr. Hill, of New Hanover, from the same Committee, reported without amendment the engrossed bill to incorporate the Wilmington Gas Light Company; which was accordingly read the second time and passed.

The House now resumed the consideration of the unfinished of yesterday, to wit: The bill to repeal an act passed at the session of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes; the question pending, being the amendment proposed by Mr. Person, of Northampton, to the amendment offered by Mr. Johnston, yesterday.

And the question now being put upon agreeing to the said amendment to the amendment, it was decided in the negative: Yeas 33, nays 71.

Mr. Johnston demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Amis, Barco, D. Barnes, Bogle, Bond, Boykin, D. Caldwell, Cherry, Davidson, Drake, Dunlap, Hackney, G. Hayes, J.
Those who voted in the negative, are:


Mr. Waugh moved to amend the amendment of Mr. Johnston, by adding the words "and provided any Military Company be exempted from said tax;" which was carried.

Mr. Holland moved to amend the said amendment by striking out the words "five dollars;" and the question thereon was decided in the negative: Yeas 47, nays 59.

Mr. Holland demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment to the amendment was rejected.

Mr. Martin then moved to amend said amendment, by striking out the words, “and shall pay annually the sum of two dollars and a half, as long as the incorporation shall exist;” and the question thereon, was decided in the negative: Yeas 45, nays 57.

Mr. Johnston demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to strike out.

The question then recurring on the adoption of the amendment by Mr. Waugh, it was decided in the negative: Yeas 45, nays 57.

Mr. Johnston demanded the yeas and nays.
Those who voted in the affirmative are:


Those who voted in the negative are:


So the amendment was rejected.

The House took a recess until half past 3 o'clock.

### Half Past 3 O'clock.

Mr. Eaton, from the Committee on the Judiciary, to whom was referred the bill concerning Plank Roads and Turnpike Roads, reported the same with an amendment, to-wit: to insert as section 4th, the following:

"That the provisions of this act shall only extend to Plank Roads and Turnpike Companies, which have been incorporated during the present General Assembly."

Which amendment was agreed to, and the bill as amend-
ed, passed its second and third readings, and was ordered to engrossment.

Mr. Eaton, from the same Committee, reported without amendment the bill concerning orders of publication, which was read the second time and passed.

On motion of Mr. Barnes, of Northampton,

Ordered, That the Committee on Education be discharged from the further consideration of the resolution instructing them to inquire into the propriety of repealing the 31st section of Revised Statutes, concerning Executors and Administrators, so as to give escheated property to the Literary Board for purposes of Common School Education.

Mr. Avery, from the Committee on the Judiciary, to whom was referred the engrossed bill to provide for the incorporation of Companies to construct Turnpike Roads, and for other purposes, reported the same with sundry amendments, to wit:

1. To add to 7th section the words:

"Provided, nevertheless, The dwelling house, kitchen, yard or garden, of no person shall be invaded or any part thereof appropriated to the use of such corporation, without the consent of the owner."

2. To add the words "not exceeding ten acres," after the words "their purposes," in the 4th line of 8th section.

3. To strike out 14th section.

4. To strike out all of the 15th section, after the word "Road," in the 8th line.

5. To strike out 20th section.

6. To insert the two following sections as numbers and 9:
"That it shall be the duty of the Sheriff to give at least five days notice, in writing, to the parties interested, of the time and place of the meeting of the Juries to assess damages as aforesaid, and that for each notice he shall be allowed the sum of 75 cents."

"That all of the costs incident to the condemnation of the land and the assessment of damages, shall be paid by said corporation, and that the two Justices who may issue the warrant to the Sheriff, or any other two Justices of the county, after the inquisition is signed by the Jury and countersigned by the Sheriff, shall have power to render judgment and issue execution for said costs."

Which amendments were concurred in.

Mr. R. M. Saunders moved the following amendment as a new section:

"That for all debts and contracts which shall be due and undischarged by said company at the time of its dissolution or at such time as its insolvency shall be established, the persons then composing any such company, shall be individually liable to the extent of their respective shares of stock in any such company."

Which was read and rejected.

The question then recurring on the passage of the bill its second reading, it was decided in the negative: Yeas 49, nays 56.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


So the bill was rejected.

On motion of Mr. Person, of Moore, the House now resumed the consideration of the unfinished business of this morning, (the Revenue bill.)

Mr. R. M. Saunders moved to amend by striking out all of the 2nd section, from the first line to the word "trade" in the 7th, and inserting as follows:

"That hereafter there shall be levied annually the sum of twenty cents upon every hundred dollars employed in buying and selling slaves, and that there shall be levied annually the sum of ten cents upon every dollar vested in every other species of trade; and the sum of three cents upon every dollar of dividend or profits actually due or received upon sums of money vested in steam vessels (excepting the profits of such vessels as are under the burden of twenty tons)."

Which amendment was adopted.

Mr. Rayner moved to amend the said bill, by striking out all after the enacting clause and inserting a substitute in lieu thereof.

Mr. Stevenson called for a division of the question, which
was ordered accordingly and pending the consideration of the question to strike out,

The House at 6 o'clock, took a recess.

Seven o'clock P. M.

Mr. Saunders presented a resolution in favor of James McKimmon and others, which was read the first time, passed and referred to the Committee on Claims.

Mr. Rayner moved that the House do now take up the bill and amendment pending at the hour of the last recess, and that the said amendment (offered by him as a substitute for the bill) be printed.

And the question being put upon this motion, it was determined in the affirmative: Yeas 74, nays 16.

Mr. Kallum demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
So the House agreed to print the amendment, and,

Ordered, On motion of Mr. Person, of Moore, that the consideration of the bill and amendment be postponed, and made the special order for to-morrow at 12 o'clock.

Received from the Senate a message informing that they have passed the engrossed bill from this House, entitled a bill to amend the Constitution of North Carolina, with amendments, in which they ask the concurrence of this House.

On motion of Mr. Avery, the same was postponed, and made the special order for the hour of 11, to-morrow.

The following bills were read the second and third times, and passed, and ordered to be engrossed, to wit:

The bill concerning the distribution of the School Fund, in the county of Alamance;

The bill to amend an act passed at the session of 1848-49, entitled an act to incorporate the Fayetteville and Western-Plank Road Company; and

The bill to establish the dividing line between the counties of Orange and Alamance.

The following engrossed bills and resolutions were read the second time and passed, to wit:

The bill for the better regulation of the village of Chapel Hill;

The bill to appoint commissioners for the town of James-town in the county of Martin;
The resolution for the relief of the estate of John Reddick, deceased, late Clerk of the county of Gates.

The bill to prevent, during a part of each week, the fishing with seines in or near the mouth of Perquimons River, and for other purposes, was read the second time.

Mr. Cherry moved to amend the same by inserting a new section, as follows:

"That so much of an act, of the General Assembly of North Carolina, passed at its session of 1846-47, entitled an act to amend an act passed in 1827, entitled an act to prevent the obstruction of fish, passing up the Roanoke and Cashie Rivers and their waters, as relates to the Roanoke River, passed in 1848-49, be, and the same is hereby repealed."

Which amendment was disagreed to and the bill passed its second and third readings and was ordered to engrossment.

The bill to change the time of holding the county Court of Hyde, was read the second time, amended on motion of Mr. Saunders, by striking out the words "to Wednesday inclusive of each and every week" and inserting "one or more days during the terms of the Superior Court," and passed; and the same was thereupon read the third time, passed and ordered to be engrossed.

The following bills and resolutions were read the second and third times, passed, and ordered to be engrossed, to wit:

The bill authorizing the Justices of the Court of Pleas and Quarter Sessions of the county of Warren, to sell certain property belonging to said county;

The bill to amend an act to establish the Bank of Fayetteville, passed at the last session of the General Assembly;
The resolution in favor of Sarah Avera;
The bill to protect Wells, Springs and Cisterns of Water against wilful injury;
The bill to incorporate the Trustees of Cedar Grove Academy, in the county of Orange;
The bill to incorporate the Trustees of the Female Academy in the town of Franklinton.

The bill to restore jurisdiction to the County Courts of Yancy, was read the second time, amended, on motion of Mr. Love, by inserting after the word "Yancy," the words "and Henderson," and modifying the same so as to read "Counties, &c.," and passed.
The said bill was also read the third time, passed, and ordered to be engrossed.
Ordered, That the title of said bill be amended so as to read "County Courts of Yancy and Henderson."

The Resolutions on Slavery, introduced by Mr. McDowell, 7th inst., and the bill for the repeal of an act passed in 1848-49, for a Turnpike Road from Salisbury, west, to the Georgia line, were read the second time and laid upon the table.

The following bills and resolutions were read the second time and passed, viz:

The bill to amend an act entitled an act to incorporate the Washington Mining Company, passed in the year 1838-39;
The bill to incorporate Cape Fear Division, No. 8, Sons of Temperance, of the town of Elizabeth;
The bill to repeal an act passed at the session of 1848-49, entitled an act to prevent fishing near the mouth of Raymond's Creek, in the county of Camden;
The resolution appointing certain persons Commissioners to make an award in the case of the Literary Board and Messrs. Cosby;
The bill appointing Commissioners to lay off a road in Burke and Watauga counties;

The bill to appoint Commissioners to make and establish the dividing line between the counties of Washington and Beaufort;

The bill to lay off and open a road from Church's Store, in the county of Wilkes, to William Phillips', in the county of Ashe; and

The resolution in favor of Clark Guy.

The bill to provide for a more thorough and efficient administration of the laws in relation to Common Schools; and

The resolutions in regard to the Fugitive Slave Law, presented by Mr. Flemming, on the 2d instant, were read the second time and laid upon the table.

The bill to repeal the 20th section, chapter 46th, of Revised Statutes, Executors and Administrators, was read the second time, and the question on the passage of the bill its second reading, was decided in the affirmative: Yeas 75, nays 19.

Mr. McCleese demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
So the bill passed its second reading.

And the bill was thereupon put upon its third reading, passed and ordered to engrossment.

The bill concerning the Militia of the State, was read the second time.

Mr. Person, of Northampton, moved to amend the same, by inserting four distinct sections, (providing for the organization and incorporation of Volunteer Companies, providing for the exemption of persons from Militia duty who have belonged to Volunteer Companies for twelve years—and providing for the exemption of officers, who have served as such for ten years.)

Pending the consideration whereof, a motion was made by Mr. Sloan that the bill be laid upon the table; and the question thereon was decided in the affirmative; Yeas 54, nays 44.

Mr. T. J. Person demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Avery, J. Barnes, D. Barnes, Bogle, Boykin, Bridgers, Cherry,
The bill to establish a new Judicial Circuit in the State, was read the second time.

Mr. R. M. Saunders moved to amend the same, by striking out all after the enacting clause, and inserting a substitute therefor.

Pending whereof, on his motion, the bill and amendment were laid on the table.

The following bills were read the second and third times, passed and ordered to be engrossed, to-wit:

The bill to pay tales Jurors for the county of Chatham;
The bill to incorporate the Chatham Guards;
The bill to revive an act passed 1842-43, entitled an act to incorporate Elizabeth town; and,
A resolution in favor of Mary W. Fuller, of the county of Franklin.

The following bills were read the second time and passed, viz:

The bill concerning Clerks and Masters in Equity;
The bill to extend the powers of the Commissioners for the town of Warrenton;
The bill to vest in the President and Directors of the Literary fund, property that shall hereafter escheat to the State; and,
The bill to encourage the raising of sheep in the counties of Watauga and Ashe;
The bill to punish with death persons endeavoring to excite insurrection among Slaves, and for other purposes, was read the second time.

Mr. Rayner moved that the same be laid upon the table, and on this question called for the yeas and nays, which being taken, resulted: Yeas 12, nays 78.

Those who voted in the affirmative are:


Those who voted in the negative, are:


So the House refused to lay on the table.

And the question being then put upon the passage of the bill on its second reading, it was decided in the negative: Yeas 56, nays 37.

Mr. McLean demanded the yeas and nays:

Those who voted in the affirmative, are:

Messrs. Adams, Avery, Barco, J. Barnes, Blow, Bond, Boykin, Bridgers, Campbell, Cherry, Davidson, Douthit, Durham, Erwin, Flynt, Foard, Fonville, Hackney, Harrison, Herring, Holland, Jarvis, Jerkins, Johnston, Jones, Kallum, Kelly, A. J. Leach, Marshall, Mathis, Maulsboy, W. McNeil, Mizell, Montgomery, Newsom, Patterson, T. Person, Pool, Pope,
Powers, Rankin, Rollins, L. B. Sanders, Scott, Sherrill, Sherrard, Shimpock, Siowe, Swanner, Thigpen, Thornton, Waugh, J. Williams, Wilson, Winstead and Winston—56.

Those who voted in the negative, are:


The bill to amend an act of the Legislature of 1846-47; entitled an act to amend an act to consolidate and amend the acts heretofore passed on the subject of Common Schools, was read the second time.

Mr. Waugh moved to amend the bill by inserting the following, as section 2nd.

“That the free white men of the several School districts in the State, who are entitled to vote for members of the House of Commons, shall vote by ballot on the last Saturday in August in each and every year for three men, to be entitled “the School Committee,” whose term of service shall commence on the first Monday in September and shall continue for one year and until others are chosen.”

And upon the question of agreeing to said amendment, the vote stood, Yeas 65, nays 18.

Mr. Stevenson demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Adams, Avery, Barco, J. Barnes, Bogle, Bond, Boykin, Brazier, Bridgers, Brogden, D. Caldwell, Campbell, Cockerham, Cotton, Davidson, Douthit, Drake, Dunlap, Durham, Erwin, Flemming, Flynt, Foushille, Hackney, G. Hayes, Herrig, Holland, Jarvis, Johnston, Jones, Kallum, J. M. Leach, Love, Marshall, McKay, McLean, Mc-
Those who voted in the negative are:


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

Friday, Jan. 24.

Received from the Senate a message, informing that they have passed the engrossed bill to provide relief for purchasers of Cherokee lands, secure debts due the State and authorize the sale of lands surrendered, &c., with an amendment, to-wit: to add a new section, as follows:

"Be it further enacted, That none of the Commissioners herein allowed and authorized to be appointed shall be purchasers of Cherokee lands, or in any way interested in either,"

The said amendment was concurred in; and the bill was accordingly ordered to enrollment.

The following engrossed bills from the Senate received by said message, were read the first time and passed, viz:
A bill for the better Government of the town of Elizabeth City, and for other purposes;

A bill to incorporate Person Lodge, No. 113, of Free and Accepted Masons in the town of Roxboro', Person county;

A bill to incorporate Gaston Chapter, No. 10, of Ancient Free and Accepted Masons in the town of Roxboro', Person county; and,

A bill to increase the Capital of the Bank of Cape Fear.

Mr. Love moved that the House do now take up and consider the motion (heretofore laid on the table) to re-consider the vote by which the House some days ago rejected the resolution introduced by him in relation to the removal of Cherokee Indians; which was disagreed to.

A motion was made by Mr. Drake, that the House do re-consider the vote by which was this morning concurred in, the amendment proposed by the Senate to the engrossed bill from this House to provide relief for purchasers of Cherokee lands, secure debts due the State, &c.

Pending debate on this motion, a personal difficulty occurred between Mr. Hayes, of Cherokee and Mr. Caldwell, of Guilford; immediately after which,

On motion of Mr. R. M. Saunders, it was

Resolved, That a Select Committee be appointed to inquire into the difficulty which has occurred between David F. Caldwell and George W. Hayes, members of this House, and that they have leave to sit during the sittings of this House; and that they report the facts, with such resolution as they may think the House should adopt; and that the Committee have leave to examine persons.

Messrs. R. M. Saunders, Rayner, Steele, Eaton and Cherry were appointed to compose said Committee.
The vote was then taken upon the said motion of Mr. Drake to reconsider, and resulted: Yeas 28; nays 73.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to re-consider.

On motion of Mr. Flemming, it was

Ordered, That a message be sent to the Senate, proposing to raise a Joint Select Committee of three on the part of the House, and two on the part of the Senate, to inquire into the condition of the public business, and report the earliest possible day for adjournment, consistent with the public interest.

The House now, at the hour of 11, proceeded to the consideration of the special order, to wit: the amendments proposed by the Senate to the engrossed bill to amend the Constitution of North Carolina.
On motion of Mr. Barnes, of Northampton, the question was ordered to be taken on the said amendments separately.

And being put upon the first amendment proposed, to wit: To strike out the word "freemen," in the 15th line of 1st section, and insert in lieu thereof, the words "free white men," the vote stood: Yeas 81, nays 4.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


And the question being then put upon agreeing to the second amendment proposed by the Senate to said engrossed bill, to wit: To insert immediately after the word "election" in the 20th line of 1st section, the words "and shall have paid public taxes;" it was decided in the affirmative: Yeas 81, nays 7.

Mr. Jones demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the said amendments were concurred in, and the bill accordingly ordered to be enrolled.

Received from the Senate a message transmitting the following engrossed bills and resolutions, viz:

A bill, entitled a bill to amend the Common School laws; and,

A bill, entitled a bill in addition to an act passed at the session of 1848-'49, entitled an act to provide more effectually for the education of Deaf Mutes in this State; which bills were each read the first time and passed;

Also, a resolution in favor of John Berry and Hugh Waddell, which was read the first time, passed and referred, on Mr. Jones' motion, to the Committee on the Judiciary;

Also, a message transmitting a detailed report from the Joint Select Committee appointed to inquire into the financial condition of the Institution of the Deaf and Dumb, and proposing to print the same.

The report was read and the Senate's proposition concurred in.

On motion of Mr. Johnston, the Revenue bill, which had
been made the special order for this hour, was postponed for
the present,

When, on motion of Flemming, the House proceeded to
consider the resolution, (reported unfavorably on this morning
from the Committee on Propositions and Grievances,) in
favor of Joseph S. Holt, late Sheriff of Alamance county;
which resolution was now read a second time.

Mr. McLean moved to amend the same by striking out
that portion thereof allowing of "Commissions and insol-
vents," which was disagreed to.

Mr. Person, of Moore, moved to amend the resolution, by
providing that said Sheriff shall pay the amount of taxes
and interest from the time the law requires the settlement,
until he actually makes the settlement; which was agreed
to.

And the question then recurring on the passage of the
resolution as amended, it was decided in the affirmative: Yeas 90, nays 4.

Mr. Ruffin demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Amis, Avery, Barco, D. Barnes, J. Barnes, Bogle
Bond, Boykin, Brazier, Brogden, D. Caldwell, A. Caldwell, Campbell,
Cockerham, Cotton, Dargan, Davidson, Douthit, Drake, Durham, Dun-
lap, Erwin Flemming, Flynt, Foard, A. G. Foster, A. M. Foster, Gordon,
Hackney, Harrison, J. Hayes, Herring, S. Hill, Holland, Jarvis, Jerkins,
Johnston, Jones, Kelly, Locke, Love, Marshall, Martin, Maultsby, Mc-
Kay, McCleese, McMillan, N. McNeill, Wm. McNeill, Mizell, Mont-
gomery, Newsom, Parham, Patterson, Pegram, S. Person, T. Person,
Pigott, Pool, Pope, Rankin, Reinhardt, Rollins, Russell; L. Sanders,
Saunders, Scott, Sharp, Sheek, Sherrill, Sherrard, Shimpock, Siler,
Sloan, Stevenson, Stowe, Taylor, Thigpen, Thornburg, Thornton, Tripp,
Waugh, Webb, Wiley, B. Williams, J. Williams, Winstead and Win-
ston—90.

Those who voted in the negative, are:
A motion was now made by Mr. Love, that the consideration of the Revenue Bill be postponed and made the special order for half past 3 o'clock this afternoon; which motion did not prevail; and thereupon,

He moved that the same be laid upon the table, which was also disagreed to.

Mr. Rayner then withdrew, for the present, the amendment offered by him yesterday to said bill; whereupon,

Mr. Gordon moved that the consideration of said bill be postponed until 3 o'clock, this afternoon, and that it be made the special order for that hour; which was carried.

Mr. Barnes, of Northampton, asked for and obtained leave of absence for Mr. Maultsby and for Mr. Foard, from and after Monday next, for the remainder of the session.

And on motion of Mr. Wilson, the House then took a recess until 3 o'clock, P. M.

Three O'clock, P. M.

Received from the Senate a message, disagreeing to the amendments proposed by this House, to the Engrossed Bill to incorporate the Raleigh and Gaston Rail Road Company, and proposing that a Committee of two on the part of each House be appointed to confer together on the subject of said disagreement.
The proposition was concurred in, and Messrs. R. M. Saunders and Maultsby were appointed said Committee on behalf of this House.

Also, a message agreeing to the proposition to raise a Joint Select Committee as proposed by this House, who shall inquire into the earliest possible day for an adjournment of the two Houses, consistent with the public interests; and informing that Messrs. Drake and Haughton form their branch of said Committee.

Messrs. McLean, Barnes, of Northampton, and Person, of Moore, were appointed said Committee on the part of this House.

The Speaker announced that the special order for this House, was the bill (known as the Revenue Bill) to repeal an act of the General Assembly, passed at the session of 1848-49, entitled an act to increase the Revenue of the State, and for other purposes; whereupon,

Mr. Rayner moved a call of the House, which motion prevailing,

The roll of the House was twice called, and the following members did not answer to the call: Messrs. Dudley Clanton, Mills H. Eure, Henry T. Farmer, John H. Hill, Horatio Kallum, James M. Leach and George S. Stevenson. Excuses were then offered and received for Messrs. Eure, Farmer, J. H. Hill and Sharp; and thereupon,

A motion was made by Mr. Martin, that further proceedings in the call be dispensed with, on which motion, Mr. Rayner called for the yeas and nays; and being taken, the vote stood, yeas 62, nays 37.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So further proceedings in the call of the House were dispensed with.

And the question now being on the passage of the said bill its second reading, it was decided in the affirmative: Yeas 58, nays 45.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Barco, J. Barnes, D. Barnes, Bond, Boykin, Brazier, Brogden,

So the bill passed its second reading.

The said bill was, on motion of Mr. Avery, then read the third time.

Mr. Rayner moved to amend the same by striking out the first section thereof, and inserting in lieu thereof, as follows:

"That hereafter there shall be annually levied the sum of eighteen cents on every hundred dollars actually owing and due from or by any debtor or debtors, whether the same be individuals, Companies, or corporations or in any other way, and bearing interest, whether in this State or out of it, at the time the person or persons to whom the same may be due, shall give in his, her, or their tax list: Provided, That each and every person or persons in giving in his, her or their tax list, shall make an estimate of the amount due him, her, or them, of the principal of debts, which he, she, or they shall consider good, or worth the sum or sums specified in the bonds or notes held for the same; and the balance of the principal of debts due any person, which he, she, or they shall consider doubtful, shall be estimated at what he, she or they may consider them to be worth, making due allowance for the doubtful solvency of the person or persons owing the same; and the sum total, on adding the two amounts together, after making due allowance as aforesaid for debts considered doubtful, shall be the sum due, which each and every person shall be bound to list on oath, as money due."

Mr. Stevenson called for a division of the question, and the same was accordingly ordered to be first taken on strik-
ing out; and, on this question the vote was: Yeas 21, nays 79.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the motion to strike out did not prevail, and the amendment was lost.

Mr. Rayner then moved to amend the said bill by striking out the 2d section, and inserting in lieu thereof, as follows:

"That hereafter there shall be annually levied the sum of eighteen cents on every hundred dollars vested in trading in slaves, or vested in steam vessels or in any other species of trade, or vested in stocks of any kind, or in shares of any incorporated or trading Company, whether in this State or out it, owned by the person or persons at the time of giving in his, her or their tax list: Provided, That said money so vested in stocks or shares, shall have yielded as much as
six per cent. of dividend or profit for the year last past, before the giving of the tax list by the owner of the same, and in case the sum or sums so vested shall have yielded as much as five per cent. and less than six per cent., then said sum or sums shall pay a tax of fifteen cents on every hundred dollars, and in case the sum or sums so vested, shall have yielded as much as four and less than five per cent., said sum or sums shall pay a tax of twelve cents on every hundred dollars, and in case the sum or sums so vested, shall have yielded as much as three and less than four per cent., said sum or sums shall pay a tax of nine cents on every hundred dollars, and in case the sum or sums so vested, shall have yielded as much as two and less than three per cent., said sum or sums shall pay a tax of six cents on every hundred dollars, and in case the sum or sums so vested, shall have yielded less than two per cent., the same shall be exempt from taxation altogether.

"Provided further, That this act shall authorize the taxing of only such profits of the Banks of this State as they shall make from trading in stocks and bonds, as distinguished from "bills receivable;" and, in case the person or persons so owing money vested, or stock or shares as aforesaid, shall not know and cannot ascertain what dividend or profit may have been yielded by the same for the year last past before giving in his, her, or their tax list, the same shall be held and deemed to have yielded six per cent, and shall be so listed accordingly."

Mr. Stevenson again called for a division of the question and the question being put on striking out, it was decided in the negative: Yeas 27, nays 69.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:
Those who voted in the negative, are:


So the House again refused to strike out.

Mr. McLean, with leave, from the Joint Select Committee appointed to consider of and report the earliest possible day for an adjournment of the two Houses, reported verbally that the said Committee had examined the condition of the business before the Legislature, and were unanimously of opinion, that the two houses could not, consistently with the public interests, adjourn at an earlier day than Wednesday, 29th inst., and that they therefore recommended the General Assembly should adjourn *sine die*, at 8 o'clock, A. M., that day.

A message was subsequently received from the Senate, proposing to rescind the joint order for the adjournment of the two Houses *sine die* on the 27th; and proposing that they adjourn *sine die*, at 8 o'clock, A. M., on Wednesday, 29th instant.

The House then took a recess until 7 o'clock, P. M.
The following bills and resolutions were read the third time, passed and ordered to be engrossed, viz:

The bill to incorporate Macon Division, No. 46, Sons of Temperance of North Carolina;

The bill to amend the inspection laws; and,

The bill to authorize James C. Turrentine, Sheriff of Orange, and others, to collect arrears of taxes due them;

The bill to authorize the county Courts in the several counties in this State to allow compensation to Justices of the Peace, who may be appointed to settle the accounts of Executors, Administrators, Guardians and other services, was read the third time, amended, on motion by Messrs. J. Williams and Sloan, passed and ordered to engrossment.

Ordered, That the title of said bill be modified so as to read "in the counties of Mecklenburg, Union, Rutherford, &c."

The following bills and resolutions were read the third time, passed, and ordered to be engrossed, viz:

The bill to incorporate the Buckshoal Manufacturing Company;

The bill to incorporate the Neuse River Manufacturing Company, at the Great Falls in Wake county;

The resolution in favor of M. W. Kincaid, late Sheriff of Burke; and,

The resolution in favor of Andrew Welch.

The engrossed bill to amend an act, entitled an act, to incorporate the town of Rutherfordton, chapter 57, passed in 1840-41, was read the third time, passed, and ordered to be enrolled.
The bill to annex a part of Wilkes to the county of Alexander was read the second time and rejected; and,

The engrossed bill to amend the 7th section of 5th chapter of Revised Statutes, in relation to apprentices, were read the third time and rejected.

The vote rejecting the latter bill was subsequently reconsidered, on the motion of Mr. Flemming; and thereupon, Mr. Stevenson moved to amend the same by adding the following proviso:

"Provided, further, That said Court shall not grant any license to remove any colored apprentice further than to a county adjoining the county from whence said removal is made."

Which amendment was agreed to, and the bill passed its third reading, and was ordered to be returned to the Senate with a message asking their concurrence in the said amendment.

The bill to incorporate the North Carolina and Tennessee Rail Road Company was read the third time, and the question, "Shall this bill pass its third and last reading?" was decided in the affirmative: Yeas 49, nays 37.

Mr. T. J. Person demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

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So the bill passed its third reading.

Ordered, That the title of said bill be so amended as to read, "a bill to provide for the survey of a Rail Road from Salisbury to the Tennessee line."

The following engrossed bills were read the third time, passed, and ordered that they be returned to the Senate, with a message asking their concurrence in the amendments proposed to the same respectively, by this House:

The bill to lay off and establish a new county by the name of Hooper;
The bill to incorporate the Concord and Taylorsville Plank Road Company;
The bill to incorporate the Roanoke and Tar River Plank Road Company; and,
The bill to incorporate the Tuckasege and Keowee Turnpike Company.

The following engrossed bills were severally read the third time and passed, and ordered to be enrolled, viz:

The bill to amend an act entitled an act to incorporate the Caldwell and Ashe Turnpike Company; passed at the General Assembly of 1846-47;
The bill to authorize the laying off and improving a public road from the town of Jefferson, in the county of Ashe, to the Virginia line, near James Duvall's;
The bill to amend an act passed at the session of the General Assembly of 1848-49, entitled an act to incorporate
the Greensboro' and Mount Airy Turnpike Company; and
The bill to incorporate the Tuckasege and Nantahala Turnpike Company;

The bill concerning Pilots was put upon its third reading.

Mr. Hackney moved to amend the same by adding to the 1st section, the following:

"Provided further, That no vessel having on board any merchandise or freight, except coal, shall be entitled to the provisions and benefits of this act."

Which amendment was concurred in.

Mr. Hill, of Brunswick, then moved to amend the bill, by striking out all after the enacting clause, and inserting as follows:

"That hereafter the Commissioners of Navigation for Cape Fear River, shall have power and they are hereby authorized, so to regulate the rates of Pilotage, as to discriminate between different vessels, according to the nature of their cargoes, so far as regards coal, and that the said Commissioners of Navigation shall have power and authority to establish such Pilotage on vessels freighted with coal, as to them may seem most conducive to the interests of this branch of Commerce: Provided, at the same time, that they do not disregard the interests of the Pilots of Cape Fear River and Bars.

The said amendment was disagreed to, and the question then recurring on the passage of the bill its third reading, it was decided in the affirmative: Yeas 64, nays 30.

Mr. J. H. Hill demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill was ordered to engrossment.

The following engrossed bills were read the third time, passed and ordered to be enrolled, viz:

The bill to incorporate Independent Division, No. 31; Sons of Temperance;
The bill to incorporate the "Home Guards," a volunteer Corps of Infantry of the line in the county of Pasquotank;
The bill to incorporate the Hamilton Female Academy, in the county of Martin;
The bill to incorporate Marratock Division, No. 88, of the Sons of Temperance;
The bill to incorporate the Ringgold Guards;
The bill in relation to the execution of Criminal process;
The bill to incorporate Esperanza Lodge, No. 28, of the Independent Order of Odd Fellows; and,
The resolution in favor of Jason Sherrill.

The engrossed bill to authorize Josiah O. Watson to erect a dam on Neuse River was read the third time.

Mr. Leach, of Johnston, moved to amend the bill by strik-
ing out the Proviso to the 1st section, which was added on motion of Mr. Rayner, on the second reading of the bill; which was carried.

And moved further to amend, by inserting a new section, as section, 2nd as follows:

"That the said Watson shall construct the said dam, with a slope fifteen feet wide, so as not to obstruct the passage of fish up said River."

Mr. Saunders moved to amend said amendment by adding thereto the following:

"And if the said dam shall so operate, the said Josiah O. Watson shall be liable to indictment in either of the Superior Courts of Johnston or Wake counties, and on conviction, shall be fined at the discretion of the Court."

Which latter amendment was rejected; and the question being put upon agreeing to the foregoing amendment of Mr. Leach, it was carried.

The question now recurring upon the passage of the bill its second reading, as amended, it was decided in the affirmative: Yeas 50, nays 44.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Ordered, That a message be sent to the Senate, asking their concurrence in the amendment foregoing.

On motion of Mr. Eaton, at 10 o'clock,

Ordered, That this House will continue in session until the hour of 11.

On motion of Mr. Saunders, the House proceeded to take up and consider the bill for revising and digesting the Public Statute Laws of this State; which was now read the second and third times, passed, and ordered to be engrossed.

The following bills were read the third time, passed, and ordered to engrossment, viz:

The bill to improve the public road from the town of Jefferson to the village of Gap Civil;

The bill supplemental to the several acts passed, and that hereafter shall be passed, at the session of 1850-51;

The bill to require purchasers to pay inspection fees on Turpentine;

The bill to improve the navigation of Raft Swamp Creek in the county of Robeson;

The bill to authorize the investment of trust funds in the bonds or certificates of the State;

The bill to repeal the act providing for the system of International, Scientific and Literary Exchanges, between the State of North Carolina and France;

The incorporate the Rich Mountain Turnpike Company in Haywood county.
The resolution providing for the publication of Colonial Records, and for other purposes, was read the third time, amended, on motion of Mr. Wiley, and passed, and ordered to be engrossed.

The bill to extend the time of registering grants, mesne conveyances, powers of Attorney, deeds of gift, and bills of sale, was read the third time, and, on motion of Mr. Steele, laid on the table.

The following engrossed bills were read the third time and passed:

The bill to incorporate Theophilus Division, No. 51, of Sons of Temperance, in the town of Murfreesboro;

The bill to incorporate Hanks Lodge, No. 128, of Ancient York Masons;

The bill to incorporate Conoho Lodge, No. 131, in the town of Hamilton;

The bill to incorporate Tuscarora Lodge, No. 22, I. O. O. F., in Kinston;

The bill to incorporate Fulton Lodge, No. 99, of Ancient York Masons, in the town of Salisbury; and

The bill to enlarge the powers of the Commissioners of the town of Wilmington.

And ordered that a message be sent to the Senate, asking their concurrence in the amendment proposed by this House to the foregoing bills.

The House then proceeded to consider the bill to amend the 4th section of 12th chapter Revised Statutes, concerning bastard children.

Mr. Stevenson moved to amend the bill by adding to the first section, the words "Provided, That it shall not be lawful to attack the character of the woman as a witness, on the trial of an issue of bastardy;" which was disagreed to.
And the question being on the passage of the bill its third and last reading, it was determined in the affirmative, and the same was accordingly ordered to engrossment.

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

Saturday, Jan. 25.

Mr. Thornton asked for and obtained leave of absence for Mr. Bond, the member from Chowan, from and after Monday next;
Mr. Person, of Northampton, for Messrs. Herring and Boykin, members from Sampson, from and after Monday next; and,
Mr. Powers, for Mr. Saunderson, member from Hyde, from and after to-day.

Received from the Senate a message, informing they have passed the engrossed bill from this House to repeal the 1st and 2nd sections of an act of the General Assembly of 1848-'49, chapter 56, entitled an act concerning the President and Directors of the Literary Fund, with an amendment, to-wit: To modify the title of said bill, so as to read "the bill to amend an act of the General Assembly of 1848-'49, chapter 56, entitled an act concerning the President and Directors of the Literary Fund.

The amendment was concurred in, and the bill was ordered to be enrolled.

Also, a message informing that they have passed the following engrossed bills and resolutions, in which they ask the concurrence of this House, to wit:
A bill concerning deeds of trust and marriage settlements;

A bill to authorize Hezekiah Anders, late Sheriff of Randolph county to collect arrears of taxes due him; and,

A bill for the better regulation of the wardens of the poor for the county of Duplin and for other purposes.

Also, a message informing that they have passed the engrossed bill to protect Wells, Springs and Cisterns of water against wilful injuries, with an amendment, to-wit: by inserting after the word “fined” in the last line, the words “or imprisoned or both;” which amendment was concurred in and the bill ordered to be enrolled.

Mr. Saunders, from the Select Committee appointed to inquire into the difficulty which occurred yesterday between Messrs. Caldwell of Guilford and Hayes of Cherokee and to report what action the House should adopt in the premises, made a detailed report in writing of the circumstances attending the occurrence and recommended the adoption of the following resolution:

*Resolved, That D. F. Caldwell and G. W. Hayes, members of this House having been guilty of a violation of its rules of order and decorum, by a direct breach of the peace, in the presence of the House whilst in session, have incurred the severe censure of the House and that standing they receive the reprimand of the Speaker.*

Pending the consideration of which, explanations were made to the House by Mr. Hayes and Mr. Caldwell; and thereupon,

On motion of Mr. Love, the resolution was ordered to lie on the table: Yeas 65, nays 35.

Mr. Sanders demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolutions were laid on the table.

Mr. Person, of Northampton, called up the engrossed bill, on its second reading, concerning the Seaboard and Roanoke Rail Road Company.

Mr. Rayner moved to amend the bill by inserting the following section:

"3. That whenever the Seaboard and Roanoke and the Roanoke Rail Road Companies or either of them shall, in pursuance of the privilege granted by an act of the General Assembly, ratified 15th day of January 1847, and an act ratified 16th day of January 1849, construct a Rail Road from Weldon to such point on the Raleigh and Gaston Rail Road, and the company shall have the privilege and they are hereby authorized and empowered, to effect a junction with the said Raleigh and Gaston Rail Road, between Littleton and Gaston (both inclusive) as the President and Directors of said President and Directors of said Seabord and Roanoke
Rail Road may select: Provided, That, in effecting said junction, they shall not impede or obstruct the free passage of, or transportation on the said Raleigh and Gaston Rail Road."

"4 That the time for commencing and completing said Rail Road from Weldon, or some point adjacent to some point on the Raleigh and Gaston Rail Road, shall be further extended for two years, from and after the 1st day of January 1851."

Mr. Person, of Northampton, moved to amend said amendment by inserting after the word "Weldon" in 7th line the words "or Garysburg;" which was disagreed to.

Mr. Eaton moved to amend the amendment by striking out the words "both inclusive;" and further to add to the 1st of the foregoing sections, "and provided further that the said road from Weldon shall be located on the south side of Roanoke River;" which was not carried.

And the question recurring on the adoption of the amendment foregoing of Mr. Rayner, it passed in the affirmative.

Mr. Barnes, of Northampton, moved further to amend the bill, by striking out the second section and inserting in lieu thereof the following:

"That said Seaboard and Roanoke Rail Road Company be and they are hereby authorized to charge not exceeding eight cents per mile on passengers in one direction, provided that the provisions of this section shall not be so construed as to authorize the said company to charge more than four cents per mile on local travel."

Which was read and adopted, and the bill as amended passed its second reading.
The bill was then put upon its third reading, and the question on its passage was decided in the affirmative: Yeas 78, nays 17.

Mr. J. Barnes demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill, as amended, passed its third reading, and ordered that it be returned to the Senate, with a message, asking their concurrence in the amendments thereto, proposed by this House.

Mr. Rayner, with leave, from the Committee on Internal Improvements, to whom was referred the bill to incorporate the Piedmont Plank Road Company, and to repeal part of an act of the General Assembly of 1848-49, chapter 90, reported the same with sundry amendments.

The first amendment, to wit: To strike out the words "Salisbury or Charlotte," in 20th line of 1st section, and insert "Taylorsville in Alexander county, or some intermedia-
ate point on the Taylorsville Plank Road," was agreed to by the House.

Pending the consideration of the other amendments reported by the Committee,

Mr. Hayes, of Cherokee, moved that the bill and amendments be laid upon the table; upon which question no quorum voting.

Mr. Rayner moved a call of the House, and the same was ordered.

After making some progress therein, on motion of Mr. Cockerham, further proceedings in the call were dispensed with.

And the question now being on the amendment of Mr. Hayes, the bill and amendments were ordered to lie on the table: Yeas 71, nays 29.

Mr. Walton demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Adams, A. Caldwell, D. Caldwell, Campbell, Clanton, Douthit, Drake, Erwin, Flemming, Foard, A. G. Foster, J. Hayes, W. Hill, Jer-
The House now proceeded to the consideration of the unfinished business of yesterday, to wit: the Revenue Bill, on its third reading, reported from the Joint Select Committee on Finance.

Mr. Rayner moved to amend the same by adding to the second section, as follows:

"Provided, That the interest on all bonds or notes which any such merchant, jeweller, wholesale or commission merchant may own, over and above the amount of the interest upon his own indebtedness, and thirty dollars, shall not be considered as a part of his capital stock in trade, but shall be subject to the tax imposed by the first section of this act."

Which amendment was agreed to.

Mr. Rayner moved further to amend the bill by striking out the 4th section thereof, and inserting in its stead, as follows:

"That hereafter there shall be annually imposed and levied the following taxes, to wit: On all Surgeon Dentists, all practicing Physicians, all practicing Lawyers, and all other persons (except ministers of the Gospel of every denomination, Governor of the State, and Judges of the Supreme and Superior Courts,) whose practice, salaries or fees, or all together, shall yield an annual income of five hundred dollars, the sum of three dollars for the first five hundred, and twenty-five cents for every additional hundred dollars, and all whose practice, salaries or fees, or altogether shall amount to three thousand dollars and upwards, shall pay a tax of eleven dollars and no more."
Mr. Brogden called for a division of the question, and the same being accordingly put on striking out, it was decided in the negative.

Mr. Rayner then moved the following amendment as a new section:

"That hereafter there shall be annually imposed and levied on each and every incorporated Lodge of Masons, on each and every incorporated Chapter of Royal Arch Masons, on each and every incorporated Lodge of the Independent Order of Odd Fellows, on each and every incorporated Encampment of the Independent Order of Odd Fellows, on each and every incorporated Tent of the Independent Order of Rechabites, on each and every incorporated Division of the Sons of Temperance, a tax of two dollars and fifty cents, listed under the head of "Incorporated Societies," by the Chief or Presiding Officer of said Associations, at the same time such Presiding Officer shall give in his own tax list."

Mr. Person, of Northampton, moved to amend the said amendment, by striking out the words "and on every incorporated Division of the Sons of Temperance;" and the question thereon, was decided in the negative: Yeas 20, nays 81.

Mr. A. J. Leach demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Adams, Amis, Avery, J., Barnes, Brogden, D. Caldwell, A. Caldwell, Campbell, Clanton, Cockerham, Dargan, Douthitt, Drake, Dur-
Mr. Davidson moved to amend the pending amendment of Mr. Rayner by striking out the words "on every incorporated Lodge of the Independent Order of Odd Fellows" and "on every incorporated Encampment of I. O. O. F.;" and the question thereon was decided in the negative: Yeas 11, nays 96.

Mr. Davidson demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question then recurring on the adoption of the said foregoing amendment of Mr. Rayner, it was decided in the affirmative: Yeas 67, nays 40.
Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


Mr. Person, of Northampton, moved further to amend the bill by striking out the 5th section, from the beginning to the word "sale" in 24th line, and inserting in lieu thereof, as follows:

"That there annually be imposed and levied a tax on the following articles, to-wit: on all Gold and Silver plate in use by the owner or owners thereof, in value of fifty dollars and under one hundred dollars, fifty cents; in value one hundred and under two hundred dollars, one dollar; and fifty cents for every additional hundred dollars worth of the same, as far as twelve hundred dollars worth; and all gold and silver plate in value $1200, and over, shall pay a tax of six dollars and a half and no more; on all buggies, barouches, carriages and other pleasure vehicles whatsoever, in use by the owner or owners thereof, of the value of ninety dollars and under
two hundred dollars, fifty cents; of the value of two hundred dollars and under three hundred dollars, one dollar; and twenty-five cents for each additional hundred dollars in value of the same as far as six hundred dollars; and all of the value of six hundred dollars, and all of the value of six hundred dollars and upwards, shall pay a tax of two dollars and no more; on all gold watches in use by the owner or owners thereof, under one hundred dollars in value, thirty seven and half cents; of one hundred dollars and upwards in value, fifty cents; on all silver watches in use by the owner or owners thereof, ten cents; Provided, That all watches shall be considered as gold or silver, the case of which may be of either kind of metal; Provided further, That all watches kept in shops and stores for sale shall not be subject to this tax; on all harps in use by the owner or owners thereof (except in Seminaries of learning) two dollars; on all Piano Fortes, in use by the owner or owners thereof; (except in Seminaries of learning,) one dollar; on all Pistols, Bowie Knives, Dirks, Sword Canes, habitually worn or carried about the person of the owner, fifty cents each.”

Pending the consideration of which amendment,

The House at the hour of 2 P. M., took a recess.

THREE O'CLOCK, P. M.

Mr. Brogden, from the Committee on Claims, with leave, reported favorably the engrossed bill for the relief of Benj. M. Selby, late Sheriff of Pitt county; also, the engrossed resolution in favor of P. B. Williams, late Sheriff of the late county of Polk; and also, the engrossed resolution in
favor of J. H. Roberts, late Clerk of Gaston county; which were each read the second and third times, and passed, and ordered to be enrolled.

Mr. Brogden, from the same Committee, to whom was referred the memorial of William F. Hilliard, reported a resolution in his favor; which was read the first time and passed.

Mr. Avery called up the bill to repeal an act of the General Assembly of 1848-49, chapter 137th; and the same being read the second time, was, on his motion, amended by adding additional sections, Nos. 2, 3, 4, and 5, and passed.

On motion of Mr. Avery, the said bill was read the third time and passed, and ordered to be engrossed.

The House now resumed the consideration of the unfinished business at the last recess, to wit: the amendment of Mr. Person, of Northampton, to the Revenue bill, and the same was disagreed to.

Mr. Rayner then moved further to amend the said bill by striking off the 5th section the provision imposing a tax upon ornamental jewelry, and the question thereon was decided in the negative: Yeas 23, nays 74.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Adams, Avery, D. Barnes, Bogle, Boykin, Brazier, Bridgers,
So the amendment did not prevail.

Mr. Rayner then moved to amend the bill by striking out the provision of 5th section, imposing a tax on Pistols, Bowie-knives, Dirks and Sword-canies; which was not carried; and thereupon, on his motion, the following proviso was inserted at the end of said provision:

"Provided only, That such Pistols, Bowie-knives, Dirks and Swords-canies as are used, worn or carried about the person of the owner, shall be subject to the above taxes."

Mr. Rayner again moved to amend the bill by inserting after the word "established," in 52d line of 5th section, "on all marriage licenses the sum of 50 cents each;" and the question thereon, was decided in the negative: Yeas 31, nays 71.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Amis, Avery, D. Barnes, J. Barnes, Bogle, Bond, Boykin,

Mr. Avery moved further to amend the bill, by striking out the word "fifty" in 7th line of 5th section, and inserting in lieu thereof, the words "seventy five;" which was agreed to.

Mr. Rayner moved further to amend the bill by inserting as a new section, as follows:

"That hereafter there shall be annually levied and collected from all the real property with the improvements thereon, within this State, now subject by law to taxation, the sum of seven cents on every hundred dollars value thereof, instead of six cents as now provided by law; and on every free male poll between the ages of twenty one and forty five years, and on each and every slave poll, of both sexes, between the ages of twelve and fifty years, there shall be levied and collected a tax of twenty two cents, instead of twenty cents as now provided by law."

Which amendment did not prevail.

Mr. Rayner again moved to amend the bill by inserting the word, "Hogs," after the word "Mules," in 2d line of 8th section, and further to amend said section, by adding thereto, the following:

"Provided, That the tax hereby imposed shall not be construed to apply to the sale of any hog or hogs, which the owners or drovers thereof may be induced to sell in consequence of their being broken down or unable or travel."

Which amendment was rejected.
Mr. Ruffin moved to amend the bill by striking out the 8th section, (providing for the imposition of a tax on persons bringing droves of Horses or Mules, and disposing of the same,) and the question being put on striking out, the vote stood, yeas 45, nays 56.

Mr. Dargan demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the amendment was disagreed to.

Mr. Rayner again moved to amend the bill by striking out the words "six dollars," in the 16th line of 2nd section, and inserting in lieu thereof the words "thirty dollars;" which was agreed to.

Mr. Person, of Moore, moved further to amend by striking out the word "April" in the 5th section and inserting the word "February;" and also by striking out of the 17th section that portion thereof relating to the certificate of Sheriffs, bonds.

Which were likewise agreed to.
On motion of Mr. Adams, the 5th section of the bill was amended by inserting after the words "Register in each county shall be liable for the same," as follows: "and he is hereby required to give in to the Justice, taking the list of taxable property, the number of mortgages and deeds of trust by him registered, in the preceding year, under a penalty of one hundred dollars, to be collected by the Sheriff, and to pay the amount of taxes thereon, after deducting six per cent for his Commissions."

On motion of Mr. Winston, the bill was further amended by adding to the 1st section the following: "Provided, That Guardians shall give in the money of each of their wards, as a distinct and separate fund and not as a fund held in common."

On motion of Mr. Mizell, the following proviso was added to the last section of the bill: "Provided, That this repealing clause shall not affect the collection of any taxes now due under the Revenue law of this State."

The question now recurring on the passage of the bill as amended, on its third reading,

Mr. Rayner moved a call of the House; which motion prevailing,

The Roll of the House was twice called by the Clerk, and the following members, besides those having leave of absence, did not answer to the call, to wit: Dudley Clanton, Mills H. Eure, Henry T. Farmer, William K. Martin, R. M. Saunders, James Sharp, William R. Wiggins and Thomas Wilson.

The doors were then closed and excuses rendered and received for each of said absentees, and further proceedings in the call accordingly dispensed with.
And the vote being then taken upon the passage of said bill, on its third and last reading, it stood: Yeas 58, nays 46.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion of Mr. Person, of Moore,

Ordered, That the title of said bill be so amended as to read, "a bill providing for the increase of the Public Revenue, and for other purposes;" and the same was ordered to be engrossed.

On motion of Mr. Maultsby, leave of absence was granted to Mr. Sutton, from and after Monday next, for the remainder of the session.

On motion of Mr. Person, of Northampton, leave of absence was granted to Mr. Wilson;

On motion of Mr. Bogle, leave of absence was granted to Mr. Douthitt;
And on motion of Mr. Person, of Moore, leave of absence was granted to Mr. Steele, from and after Monday, for the remainder of the session.

Mr. Stubbs moved that the House do now adjourn until Monday morning 10 o'clock.

Mr. Jones moved to amend the motion, to-wit: that the House will take a recess until half past seven o'clock this evening and the latter motion prevailed.

Half past 7 O'clock.

Received from the Senate a message transmitting the following engrossed bills, in which they ask the concurrence of this House, viz:

A bill to establish a Superior Court of Law and Equity for the county of Watauga;

A bill to compensate the Clerk of the public Treasury for additional duties to be performed by him; and,

A bill to incorporate the Newbern and Central Rail Road; which said bills were severally read the first time and passed.

Also, an engrossed bill entitled a bill to lay off and establish a county by the name of Madison; which was read the first and second times and passed.

On motion of Mr. Erwin, the said bill was again read, and the question, "Shall this bill pass its third and last reading?" was decided in the affirmative: Yeas 47, nays 21.
Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are :


So the bill was ordered to be enrolled.

On motion of Mr. Rayner, the House now proceeded to consider, on its second reading, the bill to provide for a more thorough and efficient organization of the law in relation to Common Schools.

Mr. Douthitt moved to amend the said bill by inserting as a new section as follows:

"Be it further enacted, That hereafter the School Fund shall be divided among the several counties of this State, according to white population."

Which amendment was rejected.

Mr. Thigpen moved to amend the bill by adding a new section, to wit:

"That the provisions in this act contained, shall not apply to the county of Edgecombe."

Which was also read and rejected.
Mr. Cockerham moved that the further consideration of the bill be indefinitely postponed; which motion did not prevail.

Mr. Brogden moved to amend the bill by striking out the 1st, 2d and 3rd sections thereof, providing that the several counties shall lay a tax annually for the support of Common Schools, of not less than half the estimated amount to be received by them respectively from the Literary Fund, and providing for its collection and payment over, &c.; and the question on agreeing to this amendment, was decided in the affirmative: Yeas 68, nays 18.

Mr. Cockerham demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the House refused to strike out.

And the bill, on motion of Mr. Rayner, was further amended by striking out the 6th and 7th sections (having reference to the provisions of the sections just striken out.)

Mr. Pigott moved to amend the bill by striking out the
words "twelve months" in the 4th line of 11th section, and inserting in lieu thereof, "two years"

Mr. Brogden moved to amend this amendment by striking out "two" and inserting "three," which latter motion was disagreed to, and the amendment, as proposed by Mr. Pigott, passed in the affirmative.

Mr. Pool moved an amendment to the bill, to wit: to strike out "2,500," and insert "6000" (numbers of copies of the act directed to be distributed;) which was not agreed to.

And the question now recurring on the passage of the bill, as amended, its second reading, it was determined in the affirmative: Yeas 45, nays 39.

Mr. Douthitt demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The following bills and resolutions were now read the third time, passed and ordered to be engrossed, viz:
The bill to repeal so much of an act to open and improve the road from Salathiel Stone's old place in Forsythe county to the Virginia line, in Ashe county, as applies to the county of Forsythe;

The bill to amend the 51st section of the act entitled an act to provide for the collection and management of the Revenue of the State, Revised Statutes, chapter 102;

The bill to repeal an act passed in 1846-47, entitled an act to repeal an act passed at the session of 1821, entitled an act to prevent fire hunting for fowls in the county of Carteret;

The bill to incorporate Crane's Creek Burial Ground in the county of Moore;

The bill to exempt persons living on the Banks and Islands between Whale-bone Inlet and Cape Hatteras from serving as Jurors;

The bill concerning orders of Publication; and,

The bill to extend the powers of the Commissioners of the town of Franklinton;

The bill to vest in the President and Directors of the Literary Fund all property that shall hereafter escheat to the State.

The bill concerning Pilots was also read the third time, and the question "shall this bill pass its third and last reading?" was decided in the negative; Yeas 31, nays 49.

Mr. Bridgers demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Avery, J. Barnes, Bogle, Bond, Boykin, Brazier, Bridgers,
Mr. Caldwell moved the following Resolution:

Resolved, That this House will continue in session this evening until the hour of 12.

Mr. Kelly moved to amend the same, by striking out “12,” and inserting “11;” which motion prevailed, and it was resolved accordingly.

The following engrossed bills and resolutions were read the third time, passed, and ordered to be enrolled, viz:

The bill to incorporate the Murfreesboro’ Joint Stock Building Company;

The bill to amend an act passed at the session of 1830-31, entitled an act to establish the town of Gastesville, in the county of Gates, and to incorporate the same, and for other purposes;

The bill to incorporate the Charlotte and Taylorsville Plank Road Company;

The bill concerning the duties of Sheriffs;

The bill to authorize the building of a toll Bridge over Dan River in Caswell county, near Milton, and to incorporate a company for that purpose;

The bill to incorporate the Western Mutual Insurance Company of North Carolina;

The bill to incorporate the Bank of Wadesboro’;

The bill to extend the right of appeal in certain cases;

The bill to incorporate the Wilmington Gas Light Company;
The bill to appoint Commissioners for the town of James-town in the county of Martin;

The bill for the better regulation of the village of Chapel Hill; and,

The resolution for the relief of the estate of John Reddick, late Clerk of the county Court of Gates.

The engrossed bill to amend an act of the General Assembly of North Carolina, passed at its session of 1848-49, entitled an act more effectually to prevent the selling or giving away of spirituous liquors at or near places of public Worship, was also read the third time, and, on Mr. Flemming’s motion, laid upon the table: Yeas 40, nays 32.

Mr. T. J. Person demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A message from the Senate informing that they had passed the engrossed bill to incorporate the Nense River Navigation Company, with an amendment, and asking the concurrence of this House therein.

The said amendment was concurred in and the Senate informed thereof by message.
The bill to punish with death, persons endeavoring to excite insurrection among slaves and for other purposes, was read the third time and ordered to lie on the table.

The engrossed bill to amend the Common School Law, was read the third time, and, on motion of Mr. Rayner, laid upon the table.

The bill concerning Clerks and Masters in Equity, was read the third time and rejected.

The following bills and resolutions were then read the third time, passed, and ordered to be engrossed, viz:

The bill to lay off and open a road from Church's Store, in the county of Wilkes; to William Phillips', in the county of Ashe;

The bill appointing Commissioners to lay off a road in Burke and Watauga;

The bill to appoint Commissioners to mark and establish the dividing line between the counties of Washington and Beaufort;

The bill to repeal an act passed at the session of 1848-49, entitled an act to prevent fishing near the mouth of Raymond's Creek, in the county of Carteret;

The bill to incorporate Cape Fear Division, No. 8, of the Sons of Temperance, of the town of Elizabeth;

The bill to encourage the raising of Sheep in the counties of Watauga and Ashe;

The bill to amend an act, entitled an act to incorporate the Washington Mining Company, passed in the year 1838-39;

The resolution in favor of Clark Guy;

The resolution in favor of Joseph S. Holt, late Sheriff of Alamance county;

The resolution authorizing a grant of land for building a Baptist Church thereon, in Cherokee county; and,
The resolution to appoint certain persons Commissioners to make an award in the case of the Literary Board and Messrs. Cosby.

The House then at a late hour adjourned until Monday morning 10 o'clock.

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Monday, Jan. 27.

The Committee on enrolled bills for the present week are Messrs. Cherry, Ruffin, Avery and Drake.

Received from the Senate a message informing that they have passed an engrossed bill, entitled "a bill to amend an act passed in 1848-'49, entitled an act to provide for the establishment of a State Hospital for the Insane, in North Carolina, and an act supplemental thereto;" in which they ask the concurrence of this House.

The said bill was read the first time and passed; and thereupon, on motion, the same was read the second time, when,

Mr. Kelly moved to amend the bill by striking out "$2,000" occurring in 4th section and inserting in lieu thereof "$1,500 (the salary of Superintendent)

Mr. Wiley moved to amend said amendment, by striking out "$1500," and inserting "$300."

Mr. Leach, of Davidson, moved the indefinite postponement of the bill and amendments; and thereupon,
Mr. Pigott moved that the same be laid upon the table; which was carried.

Mr. R. M. Saunders asked the consent of the House to record his vote on the passage of the bill, on its second reading, to provide for the increase of the Public Revenue of the State; which was granted, and he voted in the affirmative.

Mr. Amis moved that the House do take up and consider the Resolution in favor of W. W. White; which motion did not prevail.

A message from the Senate informing that they had passed the engrossed bill from this House, to amend the act of 1803, incorporating the city of Raleigh, with an amendment, in which they ask the concurrence of this House.

The said amendment was read, concurred in, and the Senate informed thereof by message.

A message from the Senate, transmitting an engrossed resolution concerning certain Resolutions for the promotion of Peace, communicated by the Governor of Vermont to the Governor of this State, and directing a reply thereto by his Excellency, the Governor, and asking the concurrence of this House therein.

The said resolution was read the first, second and third times, and passed, and ordered to be enrolled.

Also, a message from the Senate, informing that they have passed the engrossed bill for electing Judges of the Court of Pleas and Quarter Sessions by the people, and for other purposes; and asking the concurrence of this House in the same.

The said bill passed its first reading.

Mr. Rayner, with leave, from the Committee on Internal
Improvements, to whom was referred the engrossed resolution, directing the President and Directors of the Literary Board to inquire into the practicability and expediency of draining certain lands in Carteret county, and for other purposes, reported the same without amendment, and it passed the second reading.

The House now proceeded to take up and consider, on its second reading, the bill (reported from the Committee on Cherokee lands,) to amend an act passed at the session of 1848-49, constructing a Turnpike Road from Salisbury to the Georgia line.

Mr. Flemming moved to amend the same by excepting the county of Yancey from the operation of the act; pending whereof,

A motion was made by Mr. Scott, that the bill and amendment be laid upon the table; and the question thereon, was decided in the affirmative: Yeas 51, nays 27.

Mr. Walton demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Mr. Walton, from the minority of the Committee on Education, to whom was referred the bill providing for the distribution of the Common School Fund, according to White population, submitted in writing a favorable report and adverse to the report of the majority of said Committee, heretofore made to the House.

Ordered, On motion of Mr. R. M. Saunders, that the same be laid upon the table.

Mr. Sharp and Mr. Love severally asked leave of the House to record their votes upon the passage of the bill its third reading, laying off and establishing the county of Madison, and the same being granted, they now recorded their votes in the affirmative.

Mr. Waugh asked for similar leave, which was granted, and he also voted in the affirmative.

Mr. Avery called up the engrossed bill on its second reading to establish a Superior Court of Law and Equity for the county of Watauga, and the same was now on his motion amended, by striking out the 4th section and inserting a substitute therefor, and passed its second and third readings.

Ordered, That a message be sent to the Senate asking their concurrence in said amendment.

The following bills were read the second time and passed, viz:

The bill to authorize Elijah S. Moore, former Sheriff of Caldwell county, and others, to collect arrears of taxes due them;

The bill to lay off and establish a public road in the counties of Davidson and Davie;

The bill to amend an act of the General Assembly of
1848-49, entitled an act to amend an act on the subject of Common Schools;

The bill to prevent the obstruction of fish passing up Mayo river, below William Angel's Mill; and,

The bill to incorporate the Raleigh Savings Institution.

The bill concerning the Felling of dead timber, was also read the second time, and, on motion of Mr. Scott, laid upon the table.

The following bills and resolutions were read the second and third times, passed and ordered to be engrossed, viz:

The bill to amend an act incorporating the town of Windsor;

The bill concerning Bastardy;

The bill to exempt a portion of the Militia in Cherokee county from attending General and Battalion Musters in the town of Murphy, and to provide for a separate Battalion;

The bill concerning Jurors in Beaufort county;

The resolution to loan the Faculty of Wake Forest College, seventy-five muskets; and,

The bill to amend an act of 1848-49, laying off a public road in the county of Yancey.

The engrossed bill to repeal a portion of an act entitled an act to authorize the erection of a Toll Bridge over Catawba River, between the counties of Caldwell and Catawba, and to incorporate a company for that purpose, passed 1848-49, was read second and third times, and passed, and ordered to be enrolled.

Mr. Avery moved that the House do now take up and consider the bill to amend the Constitution of the State, by giving the election of Judges to the people; which motion did not prevail.
Mr. Avery then moved that the House do now take up and consider the bill to amend the Constitution, so as to give the election of Justices of the Peace to the people; which motion was also disagreed to.

Mr. Love moved to take up and consider the motion heretofore laid on the table, to reconsider the vote by which were rejected resolutions requesting our members of Congress to urge upon the General Government the necessity of removing the Cherokee Indians from Macon, Haywood and Cherokee counties; which motion did not prevail.

The bill authorizing the Board of Superintendents of Common Schools, for Bertie county, to lend out the School Fund in their hands; and

The bill to appoint Commissioners to investigate the speculation land claims, in the counties of Buncombe and Yancey; were severally the second and third times and passed, and ordered to be engrossed.

On motion of Mr. R. M. Saunders,

Resolved, That the Speakers of the two Houses be authorized to ratify and sign all bills and resolutions which have been duly enrolled in their Chambers.

Ordered, That a message be sent to the Senate asking their concurrence in the foregoing resolution.

The resolution presented by Mr. Leach, of Davidson, on 18th instant, asking of Congress the equitable share of North Carolina, in the public lands, for the purposes of Internal Improvement and Public Education, was read the second time.

On motion of Mr. S. Hill, the same was amended, by striking out the words, "applied to purposes of Internal Improvement and Public Education," and inserting, "to such
purposes as the Legislature of North Carolina may direct;" and the question being on the passage of the resolution, as amended, its second reading,

Mr. Person, of Moore, moved that it be laid upon the table, and the vote upon his motion stood, yeas 38, nays 46.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay the resolution on the table.

And the question then recurring on the passage of the resolution, its second reading, the vote stood, yeas 51, nays 40.

Mr. J. M. Leach demanded the yea's and nay's.

Those who voted in the affirmative, are:

Those who voted in the negative are:


So the resolution passed its second reading.

Mr. Saunders, from the Committee on the Judiciary, reported favorably the resolution from the Senate in favor of John Berry and Hugh Waddell, and the same was read the second time and passed; whereupon, on his motion, the resolution was read the third time and the question, "shall this resolution pass its third reading?" was decided in the affirmative: Yeas 46, nays 36.

Mr. Sheek demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the resolution passed its third reading and was ordered to be enrolled.
The bill for the relief of Francis J. Prentiss, late Sheriff of the county of Craven, was read the second time; when,

Mr. R. M. Saunders moved to amend the same by adding a new section, for the benefit of C. J. Rogers, late Sheriff of Wake.

And pending the consideration thereof, the House took a recess until half past 6 o'clock.

Half past 3 o'clock.

Mr. Caldwell, of Rowan, called up the bill on its third reading, to amend the act of 1848-'49, entitled an act upon the subject of Common Schools.

Mr. Pigott moved to amend the bill by adding thereto the following proviso:

"Provided however, That the provisions of this act shall not apply to appointments heretofore made;" which was not agreed to.

On motion of Mr. Bridgers, the bill was so amended, as to provide that the Committee men enter on the discharge of their duties, the 1st Thursday in January, following their election, and as thus amended, passed its third reading and was ordered to be engrossed.

On motion of Mr. W. McNeill; it was,

Ordered, That a message be sent to the Senate proposing,
to increase the number of the Committee on enrolled bills for the present week, by the addition of three members from each House.

Received from the Senate a message, transmitting the report from the Committee of Conference on the disagreement between the Houses, touching the engrossed bill to incorporate the Raleigh and Gaston Railroad Company. The said report was read as follows:

"That the Committee of Conference appointed by the two Houses in relation to their disagreeing votes on the amendment made by the House to the bill passed by the Senate, entitled a bill to incorporate the Raleigh and Gaston Railroad Company, have had the same under consideration, and recommend that the House of Commons recede from their amendments to the said bill, and that the accompanying amendment, marked "A," be added to the bill and adopted."

The amendment reported from the said Committee is as follows:

"As an inducement to the stockholders and obligors of the late Raleigh and Gaston Railroad Company, to give efficient aid in the reconstructing the said Road,

"Be it further enacted, That the sum of three hundred and sixty thousand dollars being given by the State for the purchase of said Raleigh and Gaston Railroad, be, and the same is hereby directed to be applied to the credit of the bonds executed to the State for five hundred dollars, under the act of one thousand eight hundred and forty, entitled an act to secure the State against any and every liability incurred for the Raleigh and Gaston Railroad Company, and for the relief of the same; which sum shall be applied to the credit of each of the said bonds in proportion to its amount, and upon
the payment to the Public Treasurer, of the balance of the principal due on any one or more of the said bonds, with interest from the first day of January, one thousand eight hundred and forty-six, and the payment of all costs in the suits now pending in the Court of Equity for Wake county, in relation to the said bonds, the obligor or obligors to such bonds shall henceforth be forever discharged from all remaining obligation as a stockholder or principal obligor to indemnify the State on account of its endorsement of the bonds of the late Raleigh and Gaston Railroad Company: Provided however, such payment shall be made or secured to be made, on or before the first day of January next; and provided further, that the subscription of four hundred thousand dollars, or so much thereof, as shall be necessary for the purpose contemplated, to be made under this act by solvent individuals for the reconstruction of the said road, and furnishing the proper engines and cars for its use, shall have been made on or before the first day of October next, and the said road finished or provided for in this act, on or before the first day of January, eighteen hundred and fifty-three.

"Be it enacted, In order to accommodate such as may accept the offer made in the preceding section, it is hereby declared that the said payment may be made in three bonds in equal sums, payable, first January, eighteen hundred and fifty-two, fifty-three and fifty-four, amply secured in the opinion of the Governor and Public Treasurer; bearing interest from the day of execution."

"Be it further enacted, That nothing contained in the two preceding sections of this act shall be so construed as to delay the prosecution of the suits already commenced in the Court of Equity for Wake county, or hereafter to be commenced in relation to the said bonds, unless any one or more persons may be entitled to his, her, or their discharge, by reason of the payment herein allowed; but if any judgment or judgments be obtained, the payment thereof may be sus-
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Pended by the Attorney General until the first of January next, so as to afford time for accepting the terms offered in the two preceding sections, and it is hereby expressly declared that nothing in this act contained shall be construed to the prejudice of the State, in the interpretation of any law or charter, by virtue of which the State is now entitled to present, or future indemnity from any Stockholder of the late Raleigh and Gaston Rail Road Company, or from any other person, who may have become bound, by any means, to the State, by reason of its endorsement of the bonds of the said Company."

The question being first put, "Whether this House will recede from its amendments to the said Engrossed Bill?" it was decided in the negative: Yeas 43, nays 50.

Mr. Brazier demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to recede from its said amendments; and ordered that the Senate be informed thereof by message.
Mr. Barnes, of Northampton, asked for and obtained leave of absence for Mr. Amis, from and after to-day.

The following engrossed bills, received by message from the Senate, were read the first time and passed, viz:

A bill concerning trials in capital cases;
A bill to incorporate the North Carolina Mining and Transportation Company;
A bill relating to the State House Square;
A bill for the better protection of Feme Coverts;
A bill to repeal an act passed at the session of the General Assembly of 1848-49, entitled an act to lay off and establish the county of Polk; and,
Also, to repeal an act passed at the session of 1848-49, entitled an act, supplemental to an act passed at the present session of the General Assembly, repealing the law establishing a county by the name of Polk.

Mr. Sloan moved a reference of the last named bill to the Committee on Propositions and Grievances; which motion was disagreed to.

The engrossed bill to restore jury trials to the county Courts of Rutherford, Henderson and Cleaveland, was read the third time and laid upon the table;
The bill to call a Convention to amend the Constitution, was read, and, on motion of Mr. Adams, laid upon the table.

The following engrossed bills were read the second time and passed, viz:

The bill to incorporate the Trustees of Topsail Academy;
The bill to incorporate Franklinsville Academy, in the town of Franklinsville, Randolph county;
The bill to incorporate Keystone, chapter No. 19, of Ancient York Masons in the town of Plymouth;

The bill to incorporate Windsor Female Academy in the county of Bertie;

The bill to incorporate Cool Spring Tent, No. 263, of Independent Order of Rechabites, in the town of Fayetteville;

The bill to amend an act passed at the last session of the General Assembly, entitled an act to incorporate Antioch Academy in the county of Robeson;

The bill to repeal the act passed at the session of 1848-49 providing for the support of a system of International Literary and Scientific Exchanges;

The bill to incorporate Holly Spring Lodge, No. 115, of Ancient York Masons in the county of Wake;

The bill to prevent the sale of Spirituous Liquors within a certain distance of Antioch Academy in the county of Robeson; and,

The bill to prevent the sale of Spirituous Liquors, within a certain distance of the Carolina Female College in the county of Anson.

Received from the Senate a message, informing that they recede from their disagreement to the amendments proposed by the House of Commons to the engrossed bill to incorporate the Raleigh and Gaston Rail Road Company, and that they concur in said amendments, and have accordingly ordered the bill to be enrolled.

A message from the Senate, informing that they have passed the engrossed bill from this House, entitled a bill to repeal an act of the General Assembly of 1848-49, chapter 93, entitled an act to amend an act passed at the last session of the General Assembly, entitled an act to provide for the apprehension of runaway slaves in the Great Dismal Swamp, and for other purposes, with an amendment, in which they ask the concurrence of this House.
The said amendment was concurred in, and the Senate, informed thereof by message.

Also, a message from the Senate, informing that they have passed the following engrossed bills and asking the concurrence of this House therein, viz:

A bill to amend an act passed at the session of 1848-49, entitled an act to establish a Board of Directory for the Deaf and Dumb Institute in this State;

A bill to authorize the citizens of the town of Averasboro', in the county of Cumberland, to elect Commissioners for said town;

A bill to authorize the electing special Magistrates for the county of Onslow;

A bill to incorporate the Buncombe Manufacturing Company; and,

A bill to amend an act, passed at the session of 1848-'49, entitled an act to amend the acts now in force, on the subject of Common Schools.

Which said bills were severally read the first, second and third times, passed and ordered to be enrolled.

A message from the Senate informing that they concur in certain of the amendments proposed by this House to the engrossed bill concerning the Seaboard and Roanoke Rail Road Company; and, proposing a substitute for the second section, as incorporated by this House; in which amendment the House concurred, and the bill was accordingly ordered to be enrolled.

The resolution in favor of William F. Hilliard;

The bill to amend the acts of 1848-'49, entitled an act to open and improve the Road from Salathiel Stone's in Forsythe county, to the Virginia line, near the mouth of Wilson's river, in Ashe county;
The resolution in favor of W. W. White;
The resolution in favor of P. P. Moore and Richard Nicholls; and,
The resolution concerning acts of Assembly; were severally read the second time and passed.

The bill to facilitate the collection of the public Revenue and to economize the mode thereof, was read the second time, amended, on motion of Mr Avery, by striking out the words "other safe and solvent institutions," and inserting "solvent banks of this State;" and passed.

Mr. Avery, from the Committee on the Judiciary, to whom was referred the bill providing for keeping a record of marriages in this State, reported the same with sundry amendments; which amendments were concurred in, and the bill passed its second reading.

The following engrossed bills were read the second time and passed, viz:

The bill authorizing the Commissioners of Smithfield to sell town commons;
The bill to incorporate Pasquonaux Lodge of Free and Accepted Masons, in the town of Elizabeth City;
The bill to incorporate Oxford Baptist Female College, in Granville county; and
The bill concerning the selling of spirituous liquors near Newby's Bridge Academy.

The bill to amend the 88th chapter Revised Statutes was also read the second time, and, on motion of Mr. Pigott, laid upon the table.

The engrossed resolution authorizing the Literary Board to loan to the Trustees of the Clinton Female Institute, in,
the county of Sampson, three thousand dollars, was also read the second time, and rejected: Yeas 38, nays 45.

Mr. Leach, of Johnston, demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House at 6 o'clock, took a recess.

SEVEN O'CLOCK P. M.

On motion of Mr. Holland,

Resolved, That from and after to-day, the House of Commons will convene at 9 o'clock, A. M.

Mr. Sanders called up the engrossed bill to increase the Capital of the Bank of Cape Fear, which was read the second time, amended on motion of Mr. Wiley and passed; and,
On motion, two thirds concurring, the said bill was read the third time, and the question, "shall this bill pass its third and last reading?" was decided in the affirmative: Yeas 60, nays 23.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill as amended passed its third reading.

Ordered, That a message be sent to the Senate asking their concurrence in the amendment proposed by this House.

The House now proceeded to the consideration of the bill, on its third reading, to provide for a more thorough and efficient administration of the law in relation to Common Schools; which bill was amended, on motion of Mr. Rayner, and passed: Yeas 46, nays 35.

Mr. Marshall demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


*Ordered*, That said bill be engrossed.

Mr. R. M. Saunders, with leave, from the Committee on the Judiciary, reported adversely the bill to improve the administration of Justice; which bill was read the second time and, on motion of Mr. Person, of Northampton, laid upon the table.

Mr. Saunders, from the same Committee, reported without amendment, the bill to provide for the incorporation of Academies, Masonic Lodges, Lodges of the Independent Order of Odd Fellows, Tents of the Independent Order of Rechabites, Chapters of Royal Arch Masons, Divisions of the Sons of Temperance and Volunteer Companies of Militia, whether Infantry or Cavalry; which bill was read the second time and rejected: Yeas 33, nays 51.

Mr. Bridgers demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Avery, Bogle, A. Caldwell, D. Caldwell, Campbell, Drake, Dunlap, Eure, Flemming, G. Hayes, J. Hayes, Kelly, Love, Mc-
Those who voted in the negative, are:


So the bill was rejected.

Mr. Saunders, from the same Committee, to whom was referred the engrossed bill to incorporate the North Carolina Manufacturing, Mining and Land Company, reported the same with an amendment, to-wit: to add a new section as section 7th.

The amendment was agreed to, and the bill read the second and third times and passed.

Ordered, That said bill be returned to the Senate, with a message asking their concurrence in said amendment.

Mr. Saunders, from the same Committee, reported without amendment the engrossed bill to amend 25th chapter Revised Statutes, entitled an act concerning Coroners; which was accordingly read the second time and passed.

Mr. Saunders, from the same Committee, reported with an amendment, the bill declaratory of the meaning of the 10th section of 67th chapter Revised Statutes, and to amend an act, entitled an act concerning Swamp Lands.

The amendment reported by the Committee was adopted and the bill was read the second and third times, passed and ordered to be engrossed.
Mr. Saunders, from the same Committee, reported the engrossed bill to encourage the investment of capital for Mining and Manufacturing purposes, with an amendment, viz: to insert a new section as section 10. The amendment was concurred in; and the question being put upon the passage of the bill its second reading, it was decided in the negative: Yeas 35; nays 49.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill was rejected.

Mr. Dargan moved that the House do now take up, and consider the Resolutions on Slavery, reported from the Committee of the Whole House; which motion was not carried.

Mr. Flemming, at 10 o’clock, moved the following resolution, viz:

“That this House will continue in session this evening until 12 o’clock."
Mr. Erwin moved to amend the resolution by striking out "12 o'clock," and inserting "10 1-2 o'clock;" which motion was disagreed to.

And the motion of Mr. Flemming was carried.

A motion was made by Mr. Erwin, that the House do now adjourn; and on this question he demanded the yeas and nays; which being taken, resulted 2 in the affirmative, 76 in the negative.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the House refused to adjourn.

The engrossed bill to incorporate the Newbern and Central Rail Road Company, was read the second and third times, passed, and ordered to be enrolled.

Received from the Senate a message, concerning the resolution authorizing the Speakers of the two Houses to sign the enrolled bills in their Chambers.

Mr. Hayes presented a resolution prescribing the duties
of the Agent for the collection of Cherokee lands, which was read the first time and passed.

Mr. Jones, a bill empowering the County Courts of Orange and Alamance, to appoint Superintendents of Common Schools at their Spring Term, 1851, and for other purposes; which was read the first, second and third times, passed, and ordered to be engrossed.

The engrossed bill to amend an act of the General Assembly, passed at the session of 1848-49, entitled an act more effectually to prevent the selling or giving away of spirituous liquors at or near places of public worship, was read the third time, passed, and ordered to be enrolled.

The engrossed resolution directing the President and Directors of the Literary Board to inquire into the practicability and expediency of draining certain lands in Carteret county, and for other purposes, was read the third time, and the question, “Shall the said resolution pass its third reading?” was decided in the negative: Yeas 30, nays 43.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the resolution was rejected.

The bill to lay off and establish a Public road in the counties of Davidson and Davie, was read the third time, passed and ordered to be engrossed.

The engrossed bill to amend the 88th chapter Revised Statutes, was, on motion of Mr. Pigott, taken up; and on his motion, amended and passed its third and last reading.

*Ordered*, That a message be sent to the Senate asking their concurrence in the said amendment.

A message from the Senate, proposing to authorize the Engrossing Clerks to employ such additional assistance as they may deem necessary, to enable them to do the work before them in time for the adjournment of the Legislature, according to the joint order.

Also, a message transmitting an engrossed resolution in favor of the Door-keepers, in which they ask the concurrence of this House; and the same was read the first, second and third times, passed and ordered to be enrolled.

The bill to authorize Elijah S. Moore, former Sheriff of Caldwell county, and others, to collect arrears of taxes due them, was read the third time, and, on Mr. Flemming's motion, laid upon the table.

Mr. McLean moved that the House do now adjourn, and the question thereon was determined in the negative: Yeas 29, nays 40.

Those who voted in the affirmative, are:

Messrs. D. Barnes, J. Barnes, Brazier, Bridgers, A. Caldwell, Campbell, Dunlap, Durham, Eaton, Erwin, Flemming, Hackney, J. Hayes,
Those who voted in the negative, are:


A message from the Senate concurring in the amendment of this House to engross bill to increase the capital stock of the Bank of Cape Fear.

Ordered, That the bill be enrolled.

The bill to prevent the obstruction of fish passing up Mayo River, below William Angel's Mill, was read the third time and passed, and ordered to be engrossed.

On motion of Mr. Avery, at a late hour, the House adjourned until to-morrow morning, 9 o'clock.

Thursday, Jan. 28.

A message from the Senate agreeing to the proposition of this House to increase the number of the Committee on enrolled bills, and informing that Messrs. Canaday, Herring and Wiley, from their branch of said additional number.

Messrs. W. McNeill, Harrison and McKay, were appointed on behalf of this House.
A message from the Senate transmitting the following engrossed bills, in which they ask the concurrence of this House, to-wit:

A bill supplemental to an act passed at the present General Assembly, entitled an act to lay off and establish a county by the name of Madison;
A bill to amend an act, entitled an act to incorporate the town of Charlotte in the county of Mecklenburg; and,
A bill to provide Law books for the Supreme Court at Morganton.
Which said bills were read the first time and passed; and, the two last named bills read the second and third times, passed and ordered to be enrolled.

Mr. Jones called up the engrossed bill empowering the county Courts of Stokes and Forsythe to appoint Superintendents of Common Schools at their March term 1851, and for other purposes. The said bill was read the second and third times and passed and ordered to be enrolled.

Mr. Person, of Moore, presented a resolution in favor of the Public Treasurer; which was read the first, second and third times, and passed, and ordered to be engrossed.

The following bills and resolutions were read the third time, and passed, and ordered to be engrossed, viz:

The bill to incorporate the Raleigh Savings Institution;
The resolution in favor of P. P. Moore and Richardson Nicholls;
The resolution in favor of W. W. White;
The bill providing for keeping a record of Marriages in this State;
The bill to facilitate the collection of the Public Revenue, and to econonize the mode thereof;
The resolution concerning acts of Assembly;

The resolution asking the equitable share of North Carolina, in the Public Lands;

The resolution in favor of William F. Hilliard; and

The bill to amend an act passed at the session of 1848-49, entitled an act to open and improve the road from Salathiel Stone's, in Forsythe county, to the Virginia line, near the mouth of Wilson, in Ashe county.

The engrossed bill concerning a Turnpike road from Lake Pungo to Plymouth in Washington county, was taken up, read the second and third times, passed and ordered to be enrolled.

Mr. Barnes, of Northampton, presented a resolution authorizing repairs of the Raleigh and Gaston Rail Road, which was read the first time and passed.

On motion of Mr. Barnes, the said resolution was put upon its second reading, amended, on motion of Mr. Leach, of Johnston, and passed: Yeas 51, nays 28.

Mr. Kelly demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. J. Barnes, Brazier, Brogden, D. Caldwell, Cherry, Cocke-
ham, Eure, Flynt, S. Hill, Kallum, Kelly, A. J. Leach, Marshall, Maults-
And the said resolution was thereupon also read the third
time, passed, and ordered to be engrossed.

The following engrossed bills and resolutions were read
the second and third times, passed, and ordered to be en-
rolled, viz:

The bill to incorporate the town of Hamilton, in Martin
county;
The bill to prevent the destruction of live stock in the
wild range;
The resolution in favor of Enoch Reese and James Mann;
The bill to incorporate the Fayetteville and Northern
Plank Road Company;
The bill to incorporate the Bertie Manufacturing Compa-
ny, in the county of Bertie;
The bill to incorporate the Weldon Manufacturing Com-
pany;
The bill to repeal an act passed at the session of 1848-49,
entitled an act to amend the charter of the Hickory Nut
Turnpike Company;
The bill to amend an act, passed at the session of 1846-
'47, entitled an act for the better regulation of the town of
Nashville;
The bill to incorporate the Trustees of Long Creek Acad-
emy in the county of New Hanover;
The bill to incorporate the Nashville Guards;
The bill to incorporate Kinston Academy, in the town of
Kinston, county of Lenoir;
The bill to establish the Rock Spring Camp Ground in
the county of Lincoln, and to incorporate the Trustees
thereof;
The bill to incorporate the Wilmington and Topsail
Sound Plank Road Company;
The bill to amend an act, entitled an act to incorporate the
Jonathan's and Tennessee Mountain Turnpike Company,
The bill to incorporate the Union Institute in Randolph county, a Normal College, was read the second time.

Mr. Rayner moved to amend the bill, by striking out the 6th and 7th sections, (providing that the College may confer degrees of "Master Teacher" and "Master of Arts;") which motion prevailed.

Mr. McLean moved further to amend the bill, by striking out section 9th, (authorizing the several county Courts to send, not exceeding two scholars to said College, and to pay for their tuition out of the School fund, &c.) Which amendment was also agreed to.

And the bill passed its second and third readings, and was ordered to be returned to the Senate with a message, asking their concurrence in said amendments.

The bill to authorize Elijah S. Moore, former Sheriff of Caswell county, and others, to collect arrears of taxes due them, was taken up, amended, on motion of Mr. Flemming, passed its third reading, and ordered to be engrossed.
Mr. Person, of Moore, with leave, introduced a bill to provide for the payment of the debts of the State; which was read the first and second times, and passed.

A message from the Senate transmitting an engrossed resolution, (directing a transfer of stock from the Wilmington and Raleigh Railroad Company, to the Wilmington and Manchester Railroad Company;) in which they ask the concurrence of this House, and the same was read the first time and passed.

On motion, the said resolution was put upon its second reading; whereupon,

Mr. Stevenson moved to amend the same, by adding a distinct resolution, providing for a transfer of stock from the Wilmington and Raleigh Rail Road Company, to the amount of $200,000, to the Newbern and Central Rail Road Company.

Mr. Brazier moved that the resolution and amendment be laid upon the table; and the question thereon was decided in the negative: Yeas 23, nays 56.

Mr. Brazier demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to lay on the table.

Mr. Caldwell, of Rowan, then moved to amend said amendment, by adding a resolution, (providing for a transfer of $100,000 of said stock to the Yadkin Navigation Company;) and the question being put upon this latter amendment, it was decided in the negative: Yeas 41, nays 43.

Mr. Gordon demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


The question then being put upon the adoption of the amendment offered by Mr. Stevenson, it was decided in the negative: Yeas 35, nays 48.

Mr. Jerkins demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Avery, Adams, Bogle, A. Caldwell, D. Caldwell, Campbell,
Those who voted in the negative, are:


So the amendment was rejected.

Mr. Davidson then moved to amend the resolution by adding thereto, as follows:

Resolved, That one thousand shares of the Wilmington and Raleigh Rail Road Company be transferred to the Charlotte and South Carolina Rail Road; which was also read and rejected.

Mr. Person, of Northampton, moved to amend, by inserting a provision for the transfer of $25,000 of said stock for the removing of Rocks out of the Channel of Roanoke River, between Weldon and Plymouth; which motion did not prevail.

The question now being upon the passage of the said engrossed resolutions their second reading, Mr. Brazier demanded the yeas and nays; and being taken, they stood: Yeas 49, nays 40.

Those who voted in the affirmative are:
Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the resolutions passed their second reading.

Mr. Avery moved that the House now take up and consider the bill on its second reading to amend the constitution of the State, so as to provide for the election of Judges by the people; and upon this question he demanded the yeas and nays, which being taken, resulted 45 in the affirmative, and 36 in the negative.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House agreed to take up said bill, and pending the consideration thereof,

The House took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

On motion, leave was granted to Mr. Swanner to withdraw from the files of this House certain memorials presented by him heretofore, protesting against the incorporation of Religious and Moral Reform Societies.

Mr. McLean moved a re-consideration of the vote, by which was rejected the engrossed resolution directing the President and Directors of the Literary Board to enquire into the practicability and expediency of draining certain Swamp Land in Carteret county, and for other purposes; which motion prevailed.

And the question being now put "shall the said resolution pass its third reading?" it was decided in the affirmative: Yeas 41, nays 32.

Mr. Taylor demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the resolution were accordingly ordered to be enrolled.

Mr. Hayes, of Cherokee, presented the following resolution, which was read and adopted.

Resolved, That all engrossed Private bills, written in a fair legible hand, passed by either House of this General Assembly, without amendment, and free from interlineation and which have not been already enrolled, shall be received as bills enrolled and ratified accordingly.

The House resumed the consideration of the bill to amend the Constitution, so as to provide for the election of Judges by the people, which was the unfinished business at the last recess; and the same was now, on motion, ordered to lie upon the table.

The engrossed resolution "directing a transfer of Stock from the Wilmington and Raleigh Rail Road Company to the Wilmington and Manchester Rail Road Company" was read the third time and passed: Yeas 46, nays 39.

Mr. Holland demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Avery, Bogle, Brogden, D. Caldwell, A. Caldwell, Campbell, Cherry, Dargan, Dunlap, Erwin, Flemming, A. M. Foster, Gordon, Hackney, G. Hayes, J. Hill, W. Hill, Jerkins, Johnston, Kelly,

Those who voted in the negative are:


Ordered, That the said resolution be enrolled.

The engrossed bill to amend the 25th chapter of Revised Statutes, entitled an act concerning Coroners, was read the third time.

Mr. Scott moved that the said bill be laid upon the table, and the question thereon was decided in the affirmative: Yeas 56, nays 28.

Mr. McCleese demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the bill was laid upon the table.

Received from the Senate a message informing that they have adopted the Joint resolution, transmitted from this House this afternoon, concerning the enrollment of Private bills.

The engrossed bill to repeal a part of the act of 1848-49, chapter 77, entitled an act to increase the Revenue of the State, was read the third time and, on, motion of Mr. Avery, laid upon the table.

The engrossed resolution in relation to the Agent, appointed by the Governor, to procure Historical documents, was read the second time, and on motion of Mr. Ruffin, laid upon the table: Yeas 53, nays 27.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The engrossed bill supplemental to an act passed at the present General Assembly, entitled an act to lay off and establish a county by the name of Madison, was read the
second time and passed; and thereupon, the same being put upon its third reading, it passed: Yeas 63, nays 17.

Mr. T. J. Person demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


So the bill was ordered to enrollment.

The following engrossed bills were read the third time, passed, and ordered to be enrolled, viz:

The bill concerning selling of spirituous liquors near Newby's Bridge Academy;

The bill to prevent the sale of spirituous liquors within a certain distance of the Carolina Female Academy, in the county of Anson;

The bill to repeal the act of the General Assembly of 1848-49, providing for the support of a system of International, Literary and Scientific Exchanges;

The bill to prevent the sale of spirituous liquors within a certain distance of Antioch Academy, in the county of Robeson;
The bill to incorporate the Oconalufa and Quallatown Turnpike Company;

The bill to incorporate the Windsor Female Academy, in the county of Bertie; and,

The bill for the better protection of Feme Coverts.

Mr. Siler, with leave, presented a resolution for the relief of certain purchasers of Cherokee lands in Macon county; which passed its three several readings, and was ordered to engrossment.

The bill to provide for the payment of the debt of the State, was read the third time, passed, and ordered to be engrossed.

A message from the Senate, transmitting an engrossed resolution, authorizing the Governor to furnish the Clerks of the County Courts of Watauga and Madison counties, with Standard Weights and Measures, in which they ask the concurrence of this House.

And the said resolution passed its three several readings, and was ordered to be enrolled.

The engrossed bill to extend the authority of the Commissioners of the town of Plymouth, in Washington county, was read the second time and passed.

The engrossed bill supplemental to an act passed at the present General Assembly, entitled an act to lay off and establish a new county by the name of Jackson, was read the second time.

Mr. Rayner moved to amend said bill by striking out all after the enacting clause, and inserting in lieu thereof, as follows:
"That the act passed at the present session, entitled an act to lay off and establish the county of Jackson, be and the same is hereby repealed."

And the question being put upon the adoption of the said amendment, it was decided in the affirmative: Yeas 47, nays 25.

Mr. Eaton demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill, as amended, passed its second reading.

Received from the Senate a message, informing that they have rejected the engrossed bill from this House, to provide for the increase of the Public Revenue, and for other purposes.

The House then took a recess until 7 o'clock, P.M.
Seven o'clock P. M.

Mr. Hill, of New Hanover, asked for and obtained leave to withdraw from the files of this House, the memorial of Isaac Scott.

On motion of Mr. R. M. Saunders,

Resolved, (the Senate concurring,) That all engrossed bills for the incorporation of Companies, which may have been passed by both Houses of this General Assembly, and passed upon by the Committee on engrossed bills, shall be signed as enrolled bills, and ratified accordingly.

The following engrossed bills and resolutions were read the second and third times, passed and ordered to be enrolled, viz:

The bill to incorporate Gaston Chapter, No. 10, of Ancient Free and Accepted Masons, in the town of Roxboro', Person county;

The bill to prevent the obstruction of the passage of fish at Inlets on the Sea-coast of this State;

The bill to amend an act to incorporate the town of Franklinsville in the county of Randolph, passed 1846-'47;

The resolution concerning the State Arsenal at Fayetteville; and,

The resolution for opening a communication between Beaufort Harbor and the waters of Pamlico Sound.

Mr. Hill, of Caswell, with leave, introduced a bill to amend an act passed in 1848-'49, entitled an act to increase the Revenue of the State; which was read the first time and passed.

Mr. Hill moved that the said bill be put upon its second reading; when,
On motion of Mr. Walton, the said motion was laid upon the table.

The engrossed bill to amend the Charter of the Wilmington and Manchester Rail Road Company, was read the second and third times, passed and ordered to be enrolled.

The engrossed bill to incorporate Person Lodge, No. 113, of Free and Accepted Masons, in the town of Roxboro', Person county, was read the second and third times, amended on motion of Mr. Eaton, and passed.

Ordered, That the said bill be returned to the Senate, with a message asking their concurrence in said amendment.

The engrossed resolutions from the Senate on the subject of Slavery, were read the second time, and, on motion of Mr. Kallum, laid upon the table.

The engrossed bill authorizing the Commissioners of Smithfield to sell Town Commons, was read the third time, passed, and ordered to be enrolled.

The following engrossed bills were also read the second and third times, and passed, and ordered to be enrolled, viz:

The bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of gift;

The bill authorizing Thos. D. Odham to open a passage between Bogue and Bear Inlets, by the way of Inshore Creek, in the county of Onslow;

The bill to amend an act, entitled an act to incorporate the town of Kinston, in the county of Lenoir;

The bill to authorize the sale of refused lands owned by the State, in the counties of Cherokee and Macon;
The bill to amend an act of 1846-47, chapter 12;
The bill to amend an act passed at the session of 1846-47, entitled an act to incorporate the Orapeake Canal and Turnpike Company;
The bill to incorporate Rock Island Manufacturing Company, in the county of Mecklenburg; and
The bill to incorporate the Catawba Bridge Company.

The engrossed bill supplemental to an act, passed at the present session of the General Assembly, entitled an act to lay off and establish a new county, by the name of "Jackson," was read the third time.

Mr. Love moved that the bill be laid upon the table, and the question thereon was decided in the affirmative: Yeas 48, nays 24.

Mr. Flemming demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


So the bill was laid on the table.

The following engrossed bills were read the third time, passed and ordered to be enrolled, viz:
The bill to incorporate the Trustees of Topsail Academy;

The bill to extend the authorities of the Commissioners of the town of Plymouth;

The bill to incorporate Holly Spring Lodge, No. 115, of Ancient York Masons, in the county of Wake;

The bill to incorporate Cool Spring Tent, No. 263, of the Independent Order of Rechabites, in the town of Fayetteville;

The bill to incorporate Oxford Baptist Female College in the county of Granville;

The bill to incorporate Pasquonaux Lodge of Free and Accepted Masons, in the town of Elizabeth City;

The bill to incorporate the Trustees of Franklinsville Academy in the town of Franklinsville, Randolph county;

The bill to amend an act passed at the last session, entitled an act to incorporate Antioch Academy in the county of Robeson; and,

The bill granting original and exclusive jurisdiction of all cases where the intervention of a jury may be necessary, to the Superior Courts of Law for Columbus county.

Mr. Love moved that the House do now take up and consider the engrossed bill on its second reading, to repeal an act passed at the session of 1848-'49, entitled an act to repeal the act of 1846-'47, entitled an act to lay off and establish the county of Polk; and, also, to repeal an act passed 1848-'49, entitled an act supplemental to an act passed at the present session of the General Assembly, repealing the law establishing a county by the name of Polk; and on the said motion to take up, demanded the yeas and nays, which being taken resulted: Yeas 18, nays 58.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to take up the bill.

The engrossed bill to incorporate Keystone Chapter, No. 99, in the town of Plymouth; and,

The engrossed bill to incorporate Richland Academy, in the county of Onslow, were severally read the third time and passed.

Ordered, That said bills be sent to the Senate with a message, asking their concurrence in the amendments made by this House.

The following engrossed bills were read the second and third times, passed, and ordered to be enrolled, viz:

The bill to incorporate the La Grange Mining, Manufacturing and Land Company; The bill to amend an act passed in the year 1848-49, entitled an act to extend the limits of the town of Wilmington, and for other purposes; The bill to incorporate the Deep River Mining and Transportation Company; The bill to incorporate the Pittsboro’ Mining and Manufacturing Company; The bill to incorporate the Governor’s Creek Steam Transportation and Mining Company; The bill concerning Deeds of Trust and Marriage settlements;
The bill in addition to the act passed at the session of 1848-49, entitled an act to provide more effectually for the education of Deaf Mutes in this State;

The bill supplemental to an act passed at the present session, to lay off and establish a new county by the name of Hooper;

The bill for the better government of the town of Elizabeth City, in the county of Pasquotank, and for other purposes;

The bill to extend the corporate limits of the town of Jacksonville, in Onslow county;

The resolution in favor of William Hill; Secretary of State;

The bill to amend an act, entitled an act to establish the Commercial Bank of Wilmington;

The bill to incorporate the Roanoke and Chowan Steam Boat Company;

The bill for the better regulation of the Wardens of the Poor for the county of Duplin, and for other purposes; and

The bill to alter the line between the counties of Buncombe and Henderson.

The engrossed bill to incorporate the Mocksville Lodge, No. 134, Ancient York Masons, in the town of Mocksville; and

The engrossed resolution in favor of Joseph King, were severally read the second and third times, and passed.

Ordered, That a message be sent to the Senate, asking their concurrence in the amendments thereto proposed by this House.

The Preamble and Resolutions from the Senate upon the subject of Slavery were taken up, and, on motion of Mr. Saunders, laid upon the table,

Another series of resolutions of similar import with the
foregoing from the Senate, were also read the second time, and, on motion of Mr. Kallum, laid upon the table.

The engrossed bill to authorize Israel Brooks, late Sheriff of Hyde county, to collect arrears of taxes due him, was read the second time, and, on motion of Mr. Flemming, laid upon the table.

The engrossed bill to authorize Hezekiah Anders, late Sheriff of Randolph county, to collect arrears of taxes due him, was read the second and third times and passed.

Ordered, To be sent to the Senate for their concurrence in the amendments made to said bill, by this House.

Received from the Senate a message informing that they disagreed to the amendments proposed by this House to the engrossed bill to incorporate the North Carolina Manufacturing, Mining and Land Company.

And the question being now put, whether this House will secede from its said amendments, it passed in the affirmative, and the Senate were informed thereof by message and the bill accordingly ordered to enrollment.

A message from the Senate agreeing to the proposition of this House in regard to receiving as bills enrolled, engrossed bills incorporating Companies, &c.

The bill for the relief of F. J. Prentiss, late Sheriff of Craven, was read the third time, passed and ordered to be engrossed.

And the engrossed bill from the Senate, concerning the duties of Clerks, was read the second and third times, passed and ordered to be enrolled.
A message from his Excellency the Governor, transmitting the resignation of Justices of the Peace; which were ordered to be sent to the Senate.

Mr. Stubbs moved to take up and consider the motion heretofore laid on the table, by Mr. Flemming, to re-consider the vote by which was rejected the engrossed bill to make a road from Rutman's Creek to Matamuskeet Lake; which motion did not prevail.

On motion of Mr. Scott,

Resolved, That when this House adjourn, it adjourn to meet to morrow morning, at 5 o'clock.

The engrossed bill for electing Judges of the Court of Pleas and Quarter Sessions by the people and for other purposes, was read the second time and rejected: Yeas 25, nays 44.

Mr. Bridgers demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.
The engrossed bill to compensate the Clerk of the Public Treasury, for additional duties required by law, to be performed by him, was read the second time and passed; and thereupon, the said bill having been read the third time,

A motion was made by Mr. Leach, of Johnston, that the same be laid on the table; and on this question he called for the yeas and nays; which being taken, stood: Yeas 31, nays 36.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the motion to lay on the table did not prevail.

Mr. Sherard moved that the said bill be indefinitely postponed, and the question thereon was determined in the affirmative: Yeas 40, nays 38.

Mr. Leach, of Johnston, demanded the yeas and nays:

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the bill was indefinitely postponed.

A message from the Senate, informing that they have reconsidered their vote, by which the engrossed bill to provide for the increase of the Public Revenue, and for other purposes, was rejected, and that they have passed the same with amendments, to-wit:

1st. To strike out the 5th section of said bill; and,
2nd. To strike out the 9th section thereof; in which they ask the concurrence of this House.

The said message having been read, Mr. Flemming moved that the said bill be indefinitely postponed.

The Speaker ruled this motion to be out of order; from which decision, Mr. Flemming appealed, and the question, "shall the decision of the chair stand as the judgment of the House?" was determined in the affirmative.

The question then being on concurring in the amendments proposed by the Senate,

Mr. Rayner moved that the same be laid upon the table, and on this question called for the yeas and nays, which being taken, resulted: Yeas 14, nays 62.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the House refused to lay on the table.

Mr. Love then moved that the question on said amendments be taken separately; which was ordered accordingly.

And being put on the first, to-wit: to strike out the 5th section of said bill, it was agreed to.

And being then put on the said second amendment, to-wit: to strike out the 9th section of said bill, it was also determined in the affirmative: Yeas 68, nays 14.

Mr. T. J. Person demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:

So the said amendments were concurred in, and the Senate informed thereof by message.

The following engrossed bills received by message from the Senate, were severally read the first, second and third times, passed and ordered to be enrolled, viz:

The bill to incorporate the Barrowdale Mining and Transportation Company;

The bill to incorporate the Dibble Steam Boat Company;

The bill to incorporate the Chatham Mining and Transportation Company; and,

The bill to incorporate St. John’s College, Oxford, N. C.

The engrossed bill to incorporate the North Carolina Transportation and Mining Company; and,

The engrossed bill to run the boundary line between Craven and Beaufort counties, were severally read the third time, passed, and ordered to be enrolled.

Mr. Brogden, from the Committee on Claims, reported without amendment, the resolution in favor of Jennings Pigott; which was read the second and third times, passed, and ordered to be engrossed.

Mr. Brogden, from the same Committee, reported the following resolutions, viz:

A resolution in favor of J. Brown;
A resolution in favor of Richard Smith;
A resolution in favor of W. J. Lougee;
A resolution in favor of H. D. Turner;
A resolution in favor of W. Thompson;
A resolution in favor of R. Tucker & Son;
A resolution in favor of James M. Brooks, Adm'r., &c.;
A resolution in favor of T. H. Selby;
A resolution in favor of Pomeroy & O'Neal;
A resolution in favor of James McKimmon; and,
A resolution in favor of James Puttick.

The said resolutions were severally read the first, second and third times, passed, and ordered to be engrossed.

Mr. Brogden, from the Committee on Claims, to whom was referred a petition from sundry citizens of Buncombe, touching certain speculative land claims, reported, that it was inexpedient at the present time to legislate in the premises, and asked to be discharged from the further consideration thereof.

And the Committee were accordingly discharged.

Mr. Brogden, under instructions from said Committee, presented a resolution, directing the purchase of Stationery, which passed its three several readings, and was ordered to be engrossed.

Mr. Scott moved that the House do now adjourn; and the question being put thereon, it was determined in the negative: Yeas 11, nays 51.

Mr. McLean demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Adams, Avery, D. Barnes, Bogle, Brazier, Bridgers, Brogden, A. Caldwell, D. Caldwell, Campbell, Cherry, Cockerham, Eaton, Erwin, A. G. Foster, Hackney, Harrison, G. Hayes, Johnston, Jones, Holland,
So the House refused to adjourn.

A message from the Senate transmitting an engrossed bill, entitled a bill for the better administration of Justice in the county of Carteret; which was read the first and second times and passed.

The House then, at a late hour, adjourned.

Wednesday, Jan. 29, 5 O'clock, A. M.

Mr. Avery introduced a bill providing for the administration of justice in the County of Jackson; which was read the first time and passed. And the said bill having been read the second time,

Mr. Rayner moved to amend the same, by striking out the words, "first of January," wherever they occur in the bill; and the question thereon was decided in the affirmative: Yeas 37, nays 24.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


So the amendment was adopted.

Mr. Love moved to amend by inserting the words, “5th of January;” but subsequently withdrew, when the bill passed its second and third readings and was ordered to engrossment.

A message from the Senate, informing that they had passed the engrossed bill to authorize James C. Turrentine, Sheriff of Orange, and others, to collect arrears of taxes due them, with an amendment, in which they ask the concurrence of this House.

The amendment was concurred in, and the bill ordered to be enrolled.

A message from the Senate, transmitting a certificate of the Clerk of the Court of Mecklenburg on behalf of Martha Thompson; which was ordered to be countersigned by the Speaker of this House.

The engrossed bill “concerning trials in capital cases,” was read the second time, and, on motion of Mr. Jones, laid upon the table: Yeas 54, nays 9.

Mr. D. F. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The engrossed bill to extend the jurisdiction of Justices of the Peace in certain cases, was read the first time and passed. The said bill being read the second time, Mr. Avery moved that it be laid on the table, and, on this question, Mr. Newson demanded the yeas and nays; which being taken, resulted: Yeas 32, nays 34.

Those who voted in the affirmative are:


Those who voted in the negative, are:


So the House refused to lay the bill on the table.

And the question being put upon the passage of the bill its second reading, the vote stood; Yeas 30, nays 35.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are:

...

Those who voted in the negative, are:


So the bill was rejected.

Mr. Rayner called up the engrossed bill to improve the State Road from Wilkesboro', by the way of Jefferson, to the Tennessee line; which was now read the second time and rejected: Yea 26, nay 39.

Mr. Bridgers demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


The engrossed bill relating to the State House Square was also read the second time.

Mr. Williams, of Greene, moved to amend the bill by.
striking out "$400;" and inserting in lieu thereof "$300," (salary of keeper of Capitol,) which was not carried.

And the question being then put upon the passage of the bill on its second reading, the vote stood: Yeas 28, nays 39.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the bill was rejected.

On motion, Mr. Marshall has leave to withdraw from the files of this House certain memorials relating to the sale of Spirituous Liquors in the town of Salem.

A message from the Senate transmitting the following engrossed bills and resolutions, in which they ask the concurrence of this House, viz:

A bill to incorporate Yadkin Lodge, No. 30, of the Independent Order of Odd Fellows;
A bill to incorporate Contentnea Lodge, Independent Order Odd Fellows, in the town of Snow Hill;
A bill to protect the Patrol in the county of Onslow;
A resolution in favor of R. Tucker & Son, and others;
A bill to incorporate the Cape Fear and Deep River Navigation Company;
A resolution for printing Index to Documents, &c. ;
A bill to incorporate Radiance Lodge, No. 132, in the town of Snow Hill, Green county;
A resolution in favor of H. W. Miller;
A resolution in favor of Samuel W. Chadwick, Sheriff of Craven county;
A bill to provide that copies of certain papers in the office of Secretary of State, relating to Cherokee lands, shall be evidence in certain cases;
A bill concerning Rutherford county; and,
A bill to establish an additional Division and Brigade of Militia of North Carolina; which said foregoing bills severally passed their third readings and were ordered to enrollment.

The engrossed bill for the better administration of Justice in the county of Carteret, was read the third time, passed and ordered to be enrolled.

On motion, Mr. Sloan has leave to withdraw from the files of this House, certain memorials relating to the establishment of a new county, by the name of Tryon; and
Mr. Walton, to withdraw from the files, a minority report presented by him a few days since from the Committee on Education.

The Resolutions on the subject of Slavery, reported from the Committee of the Whole House, on — instant, were taken up, and, on motion, of Mr. Cockerham, ordered to lie on the table: Yeas 45, nays 26.

Mr. Rayner demanded the yeas and nays.

Those who voted in the affirmative, are:
Those who voted in the negative, are:


Mr. Stevenson moved that the House do now take up, and consider the Resolutions from the Senate, on the subject of Slavery.

Mr. McLean moved to lay said motion on the table; which latter motion prevailed.

The resolution prescribing the duties of the Agent for the collection of Cherokee lands;

The engrossed bill from the Senate relative to the repeal of Polk county;

The bill presented by Mr. Mizell, to amend the Constitution of the State;

The bill to amend an act passed in 1848-49, entitled an act to increase the Revenue of the State;

The bill to prevent the peddling of Spirituous liquors in the streets of Salem; and,

The bill to tax the sale of vehicles not manufactured in this State; were severally ordered to lie on the table.

Mr. Saunders, under instructions from the Judiciary Committee, moved that said Committee be discharged from the further consideration of the several bills, resolutions and memorials referred to them, and not heretofore reported to this House. And the said Committee were accordingly discharged.
Mr. Rayner, from the Committee on Internal Improvements, made a similar motion on behalf of said Committee in regard to certain memorials referred to them, and not heretofore reported to this House; and they were accordingly discharged.

Received from the Senate a message, informing that they have acted on all the business before them, and are now ready to adjourn sine die.

And this House having dispatched the business before it,

Ordered, That a message be sent to the Senate, informing that body, that this House is also ready to adjourn sine die.

Mr. Rayner then presented the following resolution, which was read and unanimously adopted:

Resolved, That the thanks of this House are due, and are hereby tendered, to the Hon. James C. Dobbin, for the ability, dignity and impartiality with which he has discharged the duties of Speaker of this House.

Whereupon, the Speaker made his acknowledgments to the House, and adjourned the same without day.

J. C. Dobbin,
Speaker of the House of Commons.

By order,

Perrin Busbee, Clerk.
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