At a General Assembly of the State of North Carolina, begun and held in the city of Raleigh, on Monday, the 4th day of October, A. D. one thousand eight hundred and fifty-two, and the 77th year of the Independence of the U. States of America, being the day appointed by the Governor and his Council, in his proclamation of 25th August, 1852, the following members of the House of Commons appeared according to law, viz:

Anson—A. J. Dargan, Cary Tolson
Ashe—B. C. Calloway
Beaufort—J. R. Stubbs, W. H. Tripp
Bertie—J. B. Cherry, S. B. Spruill
Bladen—J. G. Dugald
Brunswick—H. H. Watters
Buncombe—James Lowry, John A. Fagg
Burke and McDowell—W. W. Avery, J. E. Erwin
Cabarrus—W. S. Harris, John Shimpock
Caldwell—E. P. Miller
Camden—Caleb Barco
Carteret—D. W. Whitehurst
Caswell—S. P. Hill, W. Long
Chatham—J. F. Rives, R. C. Cotton, Turner Bynum
Cherokee—Charles M. Styles
Chowan—H. W. Collins
Cleaveland—A. W. Burton
Columbus—Forney George
Craven—R. A. Russell, C. B. Wood
Cumberland—James C. Dobbins, Geo. W. Pegram
Currituck—S. B. Jarvis
Davidson—James M. Leach, W. Harris
Davie—B. S. Garther
Duplin—W. E. Hill
Edgecombe—W. Ellis.
Franklin—P. Hawkins, Jr., W. K. Martin
Greene—B. F. Williams
Granville—J. S. Amis, Willie Perry, W. H. Lyon
Guilford—Calvin Johnson, D. F. Caldwell, C. H., Wiley
Halifax—R. H. Smith, J. D. Perkins
Henderson—John Baxter
Hertford—W. L. Daniel
Hyde—R. I. Wynne
Iredell—Dr. Adams, W. Turner, V. Teague.
Johnston—W. H. Saunders, Simion Godwin
Jones—W. P. Ward
Lenoir—William Sutton
Lincoln, Gaston and Catawba—W. Landor, H. Sherrill, John H.
Wheeler, James A. Caldwell
Macon—Stephen Munday
Martin—A. S. Moore
Mecklenburg—W. Black, J. A. Dunn, John Ingram
Moore—W. Barrett
Montgomery—Mr. Simons
Nash—J. W. Bryant
New Hanover—Robert Strange, John A. Corbett
Onslow—E. W. Fonville
Orange and Alamance—B. L. Durham, S. F. Phillips, Josiah Turner
Pasquotank—G. Brooks
Perquimans—Jonathan Albigson
Person—James Homan
Pitt—W. J. Blow, John I. Foreman
Randolph—W. J. Long, Jesse Thornburgh
Richmond—Daniel C. McIntyre
Robeson—W. McNeill, J. Alford
Rockingham—Alfred M. Scales, Alfred Reid
Rowan—Wm. A. Walton, Levi Trexler
Rutherford—Ladson A. Mills, C. J. Webb
Sampson—A. B. Chesnut, Amos Harring
Stanly—John Furr
Surry and Yadkin—R. C. Puryear, James Gwynn, J. H. Dobson
A quorum being present, Mr. Joseph B. Cherry moved to go into an election for Speaker, and nominated John Baxter of Henderson, and, on motion of S. P. Hill, of Caswell; James C. Dobbin, of Cumberland, was added to the nomination.

W. W. Avery of Burke, moved to adjourn till to-morrow 10 o'clock; which was not carried.

W. W. Avery then moved to take a recess till this afternoon 3 o'clock.

Which was not carried.

Whereupon the House proceeded to the election of Speaker, which resulted as follows:

**FOR MR. BAXTER.**


**FOR MR. DOBBIN.**

Mr. Baxter having been declared elected Speaker, was conducted to his seat, by Messrs. Cherry and Hill, and made an appropriate address to the House.

Mr. Blow, of Pitt, then introduced 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. Caldwell, of Guilford, moved to lay the resolution on the table, pending which motion, Mr. S. P. Hill, of Caswell, moved to adjourn till 10 o'clock, to-morrow.

Mr. Puryear, of Surry, called for the yeas and nays, which were ordered.

Those who voted in the affirmative are:


Those who voted in the negative are:


The House having refused to adjourn, Mr. Caldwell withdrew his motion to lay upon the table. The question then re-
curring on Mr. Blow's resolution, Mr. Dargan of Anson, moved to strike out the name of Perrin Busbee, of Wake, and insert that of Stephen D. Pool, of Pasquotank.

The question being divided, on motion of Mr. Cherry, the vote was taken on striking out, which resulted as follows:

Those who voted in the affirmative are:


Those who voted in the negative, are:


The question then recurring upon inserting the name of S. D. Pool, of Pasquotank, the yeas and nays were ordered, on call of Mr. Hill, of Caswell.

Those who voted in the affirmative are:

Those who voted in the negative are:


The resolution of Mr. Blow, as amended, was then adopted.

Motion was made to go into the election of Doorkeeper, whereupon Mr. Spruill nominated W. R. Lovell, of Surry, and Mr. Sherrill, of Lincoln, nominated Mr. Anderson.

The vote being then taken, resulted as follows:

FOR MR. LOVELL.


FOR MR. ANDERSON.


Motion was then made by Mr. Dargan, to go into the election of assistant Doorkeeper.

Mr. Dargan nominated Mr. Kendall, of Stanly, and on motion of S. P. Hill of Caswell, the name of Mr. Webster was
added to the nomination, and Mr. Durham nominated Mr. Couch.

The vote was then taken, and resulted as follows:

FOR MR. KENDALL.


FOR MR. WEBSTER.


FOR MR. COUCH.

None.

On motion of J. D. Perkins, of Halifax, the House adjourned till to-morrow 10 o'clock.
The House having been called to order, Messrs. J. L. Jones, of Tyrrell, C. Phelps, of Washington, and B. F. Lockhart, and John B. Bynum, of Northampton, appeared, presented their credentials and were qualified.

The first business of the morning was the following resolutions of Mr. D. F. Caldwell, of Guilford:

Resolved, That the Door keeper of the House be required to purchase and hang baize curtains to the upper windows of this Hall, for the temporary use thereof.

The rule was suspended, and the resolution was read the second and third times and passed.

On motion of Mr. Cherry, of Bertie,

Resolved, That a message be sent to the Senate, informing that body of the organization of the House of Commons, and of their readiness to proceed to dispatch the public business.

On motion of Mr. Wheeler of Lincoln,

Resolved, That the rules of the House of Commons, of the last session, be adopted for the temporary government of this House; also,

Resolved, That a committee of five be appointed to prepare and report rules for the government of the House.

The Speaker appointed Messrs. Wheeler, Puryear, Cherry, Dobbin and Leach, to compose said committee.

On motion of Mr. S. P. Hill,

Resolved, That a message be sent to the Senate, propo-
sing to raise a Joint Select Committee of two on the part of each house, to take into consideration the furnishing of each House, in a manner suitable to the comfort and convenience of the members thereof.

Received from the Senate a message, giving notice of the due organization of that body.

On motion of Mr. W. K. Martin, of Franklin,

Resolved, 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 on 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 them.

The Speaker appointed Messrs. Martin and Phillips to form said committee on the part of the House.

Received a message from the Senate, concurring in the proposition to raise a Joint Select Committee on the part of each House, to wait upon his Excellency, the Governor, and informing that Messrs. Brogden and Joyner constitute the Senate's branch of that committee.

Received from the Senate, a message, transmitting the following communication, which was read for information:

State of North Carolina,
Office of Secretary of State,
October 5th, 1852.

To the Hon'lv, the General Assembly:

Gentlemen:

Mr. Seaton Gales has contracted for the Public Printing,
which shall be required to be done by either or both Houses of the present General Assembly, jointly or separately.

Very respectfully,
Your ob't. servant,

W. HILL.

On motion of Mr. E. P. Miller of Caldwell,

Resolved, That a message be sent to the Senate, proposing to go forthwith into the election of engrossing Clerk.

Mr. Wheeler moved to lay the resolution upon the table, which motion prevailed.

Mr. Phillips, on behalf of the Joint Select Committee, appointed to wait on his Excellency, Governor Reid, and to inform him of the organization of the Legislature, reported that the Governor would, at 12 o'clock to-day, make a communication to the General Assembly in writing.

Received from his Excellency, Governor Reid, by the hands of W. H. Jones, private Secretary, the following communication; which having been read, on motion of Mr. Dobbin, it was ordered that the same be transmitted to the Senate with the accompanying documents, and with a proposition that the message be printed, five copies for each member.

SPECIAL MESSAGE.

To the Hon., the General Assembly of the State of North Carolina:

The meeting of the Legislature affords a fit occasion for the expression of deep-felt gratitude, to an all-wise Provi-
dence for the many blessings bestowed upon us, as a Republic, as a State, and as a People.

With the advice of the Council of State, it was deemed absolutely necessary to call a meeting of the General Assembly, at an earlier day than was provided for the regular meeting thereof, for the purpose of having Legislative action, in relation to the election of Electors of President and Vice President of the United States.

This necessity arose in consequence of the action of Congress apportioning the members of the House of Representatives among the several States, according to the census of 1850, by which the State of North Carolina will be entitled to only ten electoral votes, while the present act of assembly provides for the election of eleven Electors.

The communication of the Executive to the Council of State, and the proceedings of that body thereon, and the official certificate of the Secretary of the Interior, in relation to the appointment under the seventh census, are herewith transmitted.

Laying of the State into Districts, would impose the necessity on the people of new nominations of candidates for electors; which, for want of sufficient intervening time would operate very inconvenienlly at the ensuing election. It is therefore recommended that an act be passed, providing for the election on the Tuesday, after the first Monday in November next, of ten Electors of President and Vice President; that the existing laws, prescribing the qualification of voters, the manner of holding elections and making returns, as well as the penalty for illegal voting, be continued in force.

The constitution requires the Senatorial Districts to be laid off by the General Assembly, at its first session, after the year one thousand eight hundred and fifty one, and tha
the apportionment of the House of Commons shall be made at the respective periods, when the Districts for the Senate are directed to be laid off.

In regard to amendments to the constitution, by legislative enactment, it is provided in the constitution, that, if after such publication, the alteration proposed by the preceding General Assembly, shall be agreed to, in the first session thereafter, by two thirds of the whole representation in each House of the General Assembly, after the same shall have been read three times on three several days in each House, the said General Assembly shall prescribe a mode by which the amendment or amendments may be submitted to the qualified voters for the House of Commons throughout the State &c.

It is respectfully submitted whether public convenience will not be promoted by repealing for the session, the law requiring the meeting of the General Assembly, on the third Monday in November, and proceeding to act on the ordinary business of legislation, thereby having but one instead of two sessions. Should the General Assembly decide to adopt this course, when informed of that fact, my regular message will be communicated accordingly.

DAVID S. REID.

On motion of Mr. Dobbin, of Cumberland, the House adjourned till to-morrow 10 o'clock.
The following resolution of Mr. Wheeler, of Lincoln, was read and adopted.

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of five, on behalf of this body, and three on behalf of the Senate, to prepare and report rules for the Government of the intercourse between the two Houses.

The Speaker appointed Messrs. Wheeler, Walters, Avery, Wynne and Adams, as the Committee on the part of the House.

The Committee, to whom was confided the duty of preparing rules and orders, for the Government of the House, through their chairman, Mr. Wheeler, of Lincoln, submitted the following report, which was adopted:

RULES AND ORDER
OF CONDUCTING BUSINESS IN THE HOUSE OF COMMONS.

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 take 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 before 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 otherwise 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 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.
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 addressing 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 on any question, it shall be on motion before the question is put, and if seconded, the question shall be decided by yeas and nays; and in taking the yeas and nays, or on a call of the House, the names of the members shall be taken alphabetically.

33. No member shall be called upon for words spoken in the House, but on the day they were spoken. Decency in speech shall be observed, and personal reflections carefully avoided.
34. Any twenty members, including the Speaker, shall be authorised 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.

COMMITTEES.

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 be closed, and those for whom no excuse or insufficient 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 messengers appointed for that purpose.

41. Six Standing Committee 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 Improvement; 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 seven 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 the 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 sepa-
rate 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 times 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 opposition 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.

JOHN BAXTER,
Speaker of the House of Commons.

By order,
S. D. Poole, Clerk.

On motion of Mr. Dobbin, of Cumberland,

Resolved, That a message be sent to the Senate, proposing to raise a joint Select Committee of nine, on the part of the House, and five 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 repealing for the session, the existing law, as to the period of the meeting of the General Assembly, and proceeding to act on the ordinary business of Legislation.
2nd. Resolved, That a message be sent to the Senate, proposing to raise a joint Select Committee of nine on the part of the House, and five 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 subject of prescribing the mode of electing Electors, to cast the vote of the State of North Carolina for President and Vice President of the United States, and of changing the existing laws in relation thereto.

The Speaker appointed Messrs. Leach, Carmichael, Love, Black, Strange, Amis, Wilder, Albertson and Stubbs, to form the committee on the part of the House, under the first resolution.


A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on so much of the Governor's message, as relates to adjournment of the General Assembly, and informing the House that Messrs. Caldwell, T. P. Jones, Hargrave, Drake and Albrighton form the Senate branch of the committee.

Also, concurring in the proposition to raise a Joint Select Committee, on so much of the Governor's message, as relates to the mode of choosing Electors for President and Vice President, and informing the House that Messrs. Hoke, Kelly, Thomas, Boyd and Woodfin form the Senate branch of the committee.

Mr. Miller, of Caldwell, moved to take from the table and consider the motion submitted by him yesterday, and laid on the table. On motion of Mr. Wheeler, of Lincoln, the question being put, the motion prevailed—Ayes 54, noes 47.
Mr. Wilder, of Wake, moved to amend, by striking out "forthwith," and inserting to-morrow 11 o'clock; motion lost—Yea 40, nay 54.

The question then recurring upon the resolution, it was adopted—Yea 57, nay 46.

A message was received from the Senate, informing the House, that the Senate had laid upon the table the proposition of the House of Commons, to go forthwith into the election of engrossing Clerk.

The Speaker appointed Messrs. S. P. Hill and Cherry to form the Committee on the part of the House on furnishing each House.

A message was received from the Senate, concurring in the proposition of the House of Commons, to raise a Joint Select Committee on furnishing each House.

Messrs. Bunting and Lillington form the Senate branch of the committee.

The Senate also concur in the proposition to raise a Joint Select Committee on joint rules.

Messrs. Bower, Thompson and Brogden form the Senate branch of the committee.

On motion of Mr. Martin, of Franklin, the House adjourned till to-morrow 12 o'clock.
Thursday, Oct. 7th, 1852.

Mr. W. Norfleet, a member elect from the county of Edgecombe, appeared, presented his credentials and was qualified.

Mr. Dobbin, Chairman of the committee, to whom was referred so much of the message of his Excellency, the Governor, as relates to Electors and Electoral Districts, submitted a bill with the following caption:

A bill to provide for the election of Electors of President and Vice President of the United States, in this State, on the Tuesday next after the first Monday in November next, and to amend "an act, providing for the appointment of Electors, to vote for President and Vice President of the United States," (Revised Statutes, chapter 41,) and the act concerning Electors of President and Vice President, passed at the sessions of the General Assembly 1840-'41, chapter 26, and 1842-'43, chapter 26; which passed its first reading.

1st. 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 so much of the said acts, as provides for the laying off and division of the State into eleven Districts, for the purpose of choosing Electors for President and Vice President of the United States, be, and the same is hereby repealed; and that the persons qualified to vote for members of the House of Commons, of the General Assembly of this State, shall meet on the Tuesday next, after the 1st Monday in November next, at the place or places by law established in their several counties, for the election of members of the General Assembly, and then, and there, give their votes by ballot for ten discreet persons, one of whom shall be chosen from the State at large, and nine others so chosen, that one shall actually reside within each of the
Districts established in this State, "for the purpose of electing Representatives to the Congress of the United States," by an act of the General Assembly, concerning "the division of the State into Congressional Districts," passed at the session of 1846-'47, chapter 21; and the ten persons for whom the greatest number of votes throughout the State shall appear to have been given as aforesaid, shall be, and they are hereby declared to be electors for, and on behalf of this State, to vote for President and Vice President of the United States, at the ensuing election.

2nd. Be it further enacted, That the election of Electors as herein provided for, shall be conducted, in all respects, under the rules and restrictions now in force, by the existing law of the State; and the returns and certificates of election held as aforesaid, shall be made, in the same manner, and under the same penalties, as is now provided for by law, and the several acts, concerning the election of Electors, for President and Vice President of the United States, for this State, shall be, and remain in full force, except as herein before provided.

3rd. Be it further enacted, That this act shall take effect and be in force from and after its ratification.

On motion of Mr. Dobbin,

Ordered, That the afore-mentioned bill be printed.

On motion of Mr. Wiley, of Guilford,

Whereas, it is required by the constitution of North Carolina, that the Legislature of the State shall be in session on the 1st day of January 1853 to assist in the installation of the Governor elected for two years therefrom;

And whereas the necessary business for which his Excellency, the Governor, properly called us together in extra
session, viz: The laying off of new Electoral Districts, before the next Presidential election, can be quickly dispatched; and whereas there seems not to be sufficient business to keep the Assembly regularly employed until the 1st January, and thus the people would be taxed for an unusually long and comparatively idle session, of which each day costs the State upwards of five hundred dollars;

Therefore,

Resolved, That it will be true economy to make this, by special act, the regular session of the Legislature, and to adjourn it, to meet at some future day, in time to do the public business, and to assist in the inauguration of the Governor.

Resolved, That these Resolutions be sent to the Senate with a proposition to adjourn on Monday, the 11th instant, to meet again on the first Monday of December next.

Read the first time and passed, and, on motion of Mr. Wiley, referred to the Committee on adjournment.

On motion of Mr. Leach, of Davidson, the House adjourned till to-morrow 10 o'clock.

Friday, Oct. 8th, 1852.

The bill to arrange the Electoral Districts, introduced yesterday by Mr. Dobbin, of Cumberland, passed its second reading.
Mr. Avery, of Burke, moved that the rule be suspended and that the bill be put on its third reading; which motion prevailed.

The bill was then read a third time and passed.

On motion of Mr. Burton, of Cleveland,

Resolved, That the Doorkeeper of the House provide Ice for the use of the members of this House, while deemed necessary.

Yeas and nays demanded by Mr. Miller, of Caldwell.

Those who voted in the affirmative are:


Those who voted in the negative, are:


Mr. Webb, of Rutherford, introduced the following resolution, which was carried.

Resolved, That the Doorkeeper be directed to cause the flag of the United States to be hoisted each day over the Capitol, during the time this General Assembly may be in session.
Mr. Saunders, of Wake, introduced the following resolutions, which were unanimously adopted.

Resolved, That this House has received, with deep regret, the melancholy intelligence of the death of the honorable William H. Haywood, Jr., a resident of this city, and a distinguished citizen of the State.

Resolved, That the members of the House tender the expression of their deep sympathy to the family and relations of the deceased, on this mournful event, and that they will attend his funeral, at 4 o'clock on this day.

On motion of Mr. Leach, of Davidson, the House adjourned until to-morrow 10 o'clock.

Saturday, Oct. 9th, 1852.

On motion of Mr. Dobbin, of Cumberland,

Ordered, That the rule be suspended, in order that the bill which passed its third reading yesterday may be transmitted to the Senate.

Mr. Leach, of Davidson, Chairman of the Joint Select Committee on adjournment, submitted the following Report:

The Joint Select Committee, to whom was referred so much of the Message of His Excellency, the Governor, as relates to the question of repealing, for the session, the existing law as to the period of the meeting of the General
Assembly, and proceeding to act on the ordinary business of legislation; and a resolution declaring that "it will be true economy to make, by special act, this the regular session of the Legislature, and to adjourn to some future day in time to do the public business, and assist in the inauguration of the Governor," have had the same under consideration, and ask leave to report:

The Committee are of opinion that this is "the first session of the General Assembly after the year one thousand eight hundred and fifty-one," when the Senatorial Districts, as required by the Constitution, are to be laid off, and the apportionment of Representatives in the House of Commons made; but should this Assembly adjourn to meet again, on a day certain, the acts passed before and after such adjournment, taken together, would constitute the business of one session of the General Assembly only: provided, the law requiring that "the meeting of the General Assembly shall be biennially on the third Monday in November," be repealed.

The second and fifth sections under the second article of the amended constitution, raise the questions whether the members of both branches of the General Assembly are not required to be in session on the first day of January next, to be present when the Governor elect shall be installed; and whether, in case they are not, there would arise that "unavoidable cause" which would authorise the Governor to take the oaths of office before the Chief Justice of the Supreme Court, required before entering on the duties of his office.

Taking it for true that the Commissioners appointed at the last session of the Legislature, to revise the Statutes of the State, will not be able to report during the present year, the Committee are satisfied that, to do the public business, it will not be necessary to be continuously in session until the end of the year.
Taking into consideration the questions aforesaid, and the course best to be pursued on the score of economy, the committee recommend that, after the special duty for which the Assembly has been called shall have been discharged, the two Houses adjourn, to meet again on some certain day (to be agreed upon) before the end of the year; and, that this may legally be effected, and the difficulties that might arise be obviated, they have instructed the Chairman to report the accompanying bill, and recommend its passage.

Respectfully submitted,

J. M. LEACH, Chairman.

October 9th, 1852.

"A bill, to repeal in part, the 25th section of the 52d chapter of the Revised Statutes."

The bill having been read the first time was passed, and, on motion of Mr. Love, the rule was suspended, and the bill read its second time, when, on motion of Mr. Leach, it was laid upon the table.

Mr. Leach, Chairman of the Joint Select Committee, then offered the following resolution, viz:

Resolved. That a message be sent to the Senate, proposing that the two Houses of the General Assembly adjourn on Monday next, to stand adjourned, until the first Monday in December next.

The resolution having been read, the yeas and nays were called by Mr. Martin, of Franklin.

Those who voted in the affirmative, are:


Those who voted in the negative are:


On motion, the House adjourned till Monday morning, 10 o'clock.

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MONDAY, OCT. 11, 1852.

Mr. Webb, of Rutherford, moved that the House take a recess of half an hour, to appoint the Standing Committees; which motion was lost.

Mr. Tolson, of Anson, sent to the Clerk a letter from Aaron Little, resigning his position as a Justice of the Peace for the county of Union; which was read and accepted.

The following Presentment of the Grand Jurors of the County of Wayne was read and received:

State of North Carolina, | Superior Court of Law, Wayne County. | Fall Term, 1852.

We, the Grand Jury of the County of Wayne, do present,
that the Courts of Pleas and Quarter Sessions of the State, as at present constituted, are inconvenient and burdensome to the people; and that the jurisdiction of said Courts ought to be so far abridged as to take from them all trials, civil and criminal, where the intervention of a jury may be necessary. And the Grand Jury request that this presentment be transmitted to the General Assembly, now in session.

FOREMAN.

Oct. 9th, 1852.

On motion of Mr. Leach, of Davidson, the bill introduced Saturday by him, as Chairman of the committee on adjournment, was read a second time and passed, and the rules being suspended, on motion of Mr. Love, the bill passed its third reading.

Mr. Wheeler, of Lincoln, Chairman of the committee on joint rules, reported the following:

JOINT RULES

FOR

BOTH HOUSES.

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 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 Clerk Assistant 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 Doorkeeper, 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 three from the Senate, and five from the House of Commons, whose duty it shall be, to carefully 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 Houses 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 may be formed, shall be transmitted to the other House.

12. The Committee of Finance shall be joint, consisting of eight Members from 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 own Chairman.

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

15. Whenever 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 those documents ordered to be printed by the Senate, shall be printed as "Senate Do-
and those ordered to be printed by the House of Commons, shall be printed as "House Documents," and numbered in regular order; except when communications are made to either House by the Governor, Treasurer, Comptroller or Secretary of State, and are ordered to be printed, they shall be designated as "Executive Documents,"—and said papers and documents 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; and the Public Librarian be required to have them neatly bound.

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 Committees shall confer together and report the result of such election to their respective Houses.

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

On motion of Mr. Martin, of Franklin,

Resolved, That a message be sent to the Senate, proposing that the joint rules of the Senate and of the House, together with the Constitution of the United States, and of this State, be printed in pamphlet form, one copy for each member.

On motion, the House then took a recess of half an hour, to appoint the standing committees, under the rules of the House, and the following Committees were appointed:

On Propositions and Grievances.—Messrs. J. B. Bynum, Moorings, Amis, Ward, Watters, Furr, Holeman, Puryear, W. S. Harris, Carmichael and Lowry.


On Agriculture.—Messrs. Lockhart, Tripp, S. A. Williams, Sauls, Fonville, Simons, Wm. Long, Gaither, Sherrill, Miller, Mills.


On Privileges and Elections.—Messrs. Barco, Wynne, Smith, Sutton, McDugald, Barrett, Durham, Dobson, Dunn, Trexler and Munday.

A message was received from the Senate, proposing to go into the election of an Engrossing Clerk, at half-past eleven o'clock; which was agreed to, and the Senate informed thereof, and that Messrs. Spruill and Dorich form the Committee on the part of the House, to superintend the election, and that Messrs. Harris, Houston, Jenkins, McLean, and Faison are in nomination.

A message was received from the Senate, informing the House, that Messrs. Steele and Cannady form the Senate committee to superintend the Election of Engrossing Clerk.

The hour having arrived, the House proceeded to vote for Engrossing Clerk, as follows:

FOR MR. HARRIS.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, T. Bynum, Caldwell, D. F. Caldwell, Galloway, Carmichael, Cherry,

FOR MR. HOUSTON.


FOR MR. JENKINS.


FOR MR. McLEAN.


FOR MR. FAISON.


Mr. Puryear moved a reconsideration of the vote on the Resolution of Adjournment, offered on Saturday.

Mr. Wheeler moved to lay the motion on the table; which motion prevailed—Yeas 60, nays 48.

A message was received from the Senate, proposing to print in pamphlet form the Constitution of the United States, the Constitution of North Carolina, the Joint Rules of the two Houses, the Rules of the Senate, and the Rules of the House of Commons—one copy for each member of the two Houses; one for each of the Principal and Assistant Clerks; and ten for the Public Library.
The message was concurred in.

Mr. Spruill, on behalf of the committee to superintend the election of Engrossing Clerk, on the part of the House, reported, that there had been 166 votes cast; that Mr. Harris received 83, Mr. Faison 27, Mr. McLean 5, Mr. Jenkins 36, and Mr. Houston 15; and that, as 84 votes were necessary to a choice, there was no election.

Which report was concurred in.

Mr. Martin, of Franklin, moved that a proposition be sent to the Senate, to go forthwith into the election of Engrossing Clerk.

A message was received from the Senate, concurring in the proposition to go into the election of Engrossing Clerk, and informing the House that Messrs. Steele and Cannady form the Senate branch of the committee to superintend the election.

The Speaker appointed Messrs. George and Holeman to superintend the election on the part of the House.

The names of Messrs. Houston, McLean and Faison having been withdrawn, the House proceeded to vote, with the following result:

FOR MR. HARRIS.

FOR MR. JENKINS.


The Speaker appointed Messrs. Stubbs, Mooring, Webb, and Hawkins, to compose the Committee on Enrolled Bills for the week.

On motion of Mr. Hill, of Caswell,

Resolved, 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 action of the General Assembly, refusing to adjourn, and their readiness to receive any communication he may now have to make to them.

The committee on the part of the House, to superintend the election of Engrossed Clerk, reported that there were 164 votes cast, of which Mr. Harris received 82, Mr. Jenkins, 73, and Mr. Houston 9, and as no one had a majority of all the votes, there was no election; which report was concurred in.

Moved by Mr. Burton, of Cleveland, that the House do now adjourn. Lost.

Moved by Mr. Caldwell, of Guilford, that a message be sent to the Senate, proposing to go forthwith into the election of Engrossing Clerk.

Mr. Waugh, of Stokes, moved to lay the motion on the table; which was not carried.
The question recurring upon the original motion, it was carried.

A message was received from the Senate, informing the House that that body had laid upon the table the proposition to go forthwith into the election of Engrossing Clerk.

Mr. McDugald, of Bladen, introduced a bill concerning the return of civil process in Bladen and Robeson, which was read the first time, passed, and, on motion, laid upon the table.

Also, "a bill to abridge the duties of Grand Jurors in the county of Bladen," which was read the first time, passed, and on motion was laid upon the table.

Mr. Love, of Haywood, introduced "a bill abridging the powers of Grand Jurors." The bill having passed its first reading, Mr. Collins, of Chowan, moved that the bill be printed, which motion was lost.

The bill was then, on motion of Mr. Love, laid upon the table.

On motion of Mr. Caldwell, of Guilford,

Resolved, That the Treasurer of the State be directed to pay Seaton Gales, Esq., thirty-two (32) dollars advanced by him, in payment of postage on Supreme Court Reports, required by law to be furnished the Clerks of the County Courts, in the different counties of the State.

Resolved further, That, hereafter, so long as the postage law require prepayment on all such reports, the treasurer be directed to pay the postage on said reports, authorised as above to be furnished.
The above resolutions having passed their first reading, Mr. Caldwell moved a suspension of the rules and the resolutions passed their second and third reading.

On motion of Mr. Webb, of Rutherford,

Resolved, That the Doorkeepers of the House of Commons occupy during the sitting of this session, the same room that was assigned to the Doorkeepers of the last session, and no other.

On motion of Mr. Burton, of Cleaveland,

Resolved, That the Treasurer of this State be, and he is hereby, authorized to pay Perrin Busbee six dollars for his services as Clerk to the House of Commons.

The foregoing resolution having been read the first time and passed,

On motion of Mr. Burton, the rule was suspended and the resolution passed its second and third readings.

On motion of Mr. Williams, of Warren, the House adjourned until to-morrow 10 o'clock.

Tuesday, Oct. 12, 1852.

Mr. David Reid, a member elect for the county of Duplin, appeared, and, on motion of Mr. Hill, exhibited his credentials and was qualified.
The Speaker announced the following committees:


**Committee on Finance.**—Messrs. Cherry, Dobbin, Smith, Norfleet, Watters, Wheeler, W. J. Long and Durham.

**Committee on the Judiciary.**—Messrs R. M. Saunders, Spruill, Dobbin, Leach, Avery, Phillips Dargan; Dortch, Carmichael, S. P. Hill and McDugald.

**Committee on the Library.**—Messrs. Wiley, Strange, and Joseph Turner.

On motion of Mr. Waugh, of Stokes,

Resolved, That a message be sent to the Senate, proposing to go into the election of Engrossing Clerk, at half-past 11 o'clock.

Mr. Leach, of Davidson, introduced the following preamble and resolution, which was read the first time and ordered to be laid on the table, and printed.

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 conducive of unequal, unjust and improper discrimination in the use of a common fund:

And Whereas, the precedent has been set, and the practice obtained in the Congress of the United States, of grant-
ing immense donations of the Public Lands to particular States, for the purpose of internal improvement and education, &c:

And, Whereas, the State of North Carolina, in a spirit of generous patriotism and fraternal policy, 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 share of the Public Lands;

Therefore,

Resolved, That our Senators and Representatives in Congress be requested to make application, by bill or otherwise, to that body, for an appropriation to the State of North Carolina, of a fair and equitable portion of the Public Lands, which, when so appropriated, shall be applied to purposes of internal improvement, public education, and in relief of the Treasury and public burdens of the State.

Mr. Phillips, of Orange, introduced "a bill to provide for the distribution of the common school fund, according to the white population of the State;" which passed its first reading, and was ordered to be printed.

A message was received from the Senate, concurring in the proposition to go into the election of Engrossing Clerk, at half-past 11 o'clock, and informing the House that Messrs. Arendell and Drake form the Senate branch of the committee to superintend the election.

The Speaker appointed Messrs. Wynne and Walton to superintend the election on the part of the House.

Mr. Smith, of Halifax, introduced the following preamble and resolution; which was read the first time, and, on motion of Mr. Smith, referred to the Committee on the Judiciary.
WHEREAS, the Constitution of the State declares that the "General Assembly shall meet biennially;" and whereas, further, the Constitution does not confer upon the Governor the power to convene the General Assembly of the State; but that the said power is conferred by act of General Assembly.

Therefore,

Resolved, That the convocation of the Legislature, by his Excellency, the Governor, on the first Monday of October, 1852, is not a "session" of the General Assembly, as contemplated by the framers of the Constitution.

Resolved, That the said meeting of the General Assembly, on the said first Monday in October, is not the first session after the year 1851, within the meaning and contemplation of the Constitution.

Resolved, That it is inexpedient to repeal the Statute, section 25th chapter 52nd, of the Revised Statutes, fixing the third Monday of November, for the meeting of the General Assembly.

Resolved. That the Legislature stand adjourned from and after this day.

A message was received from the Senate, agreeing to the proposition to appoint a Committee to wait on his Excellency, the Governor, and informing the House that Messrs. Boyd and Mitchell form the Senate branch of the Committee.

The Speaker appointed Messrs. S. P. Hill and J. A. Caldwell the Committee on the part of the House.

Mr. McDugald moved that the bill offered by him yesterday, concerning civil process in the counties of Bladen and Robeson, be taken from the table, and referred to the Committee on the Judiciary, which motion was carried.
Also, to take from the table, and refer to same Committee the bill abridging the duties of Grand Juries in the county of Bladen; which motion also prevailed.

Mr. Saunders, of Wake, introduced "a bill to amend an act, entitled an act, to incorporate the Raleigh and Gaston Railroad," which was read the first time, and, on motion of Mr. Saunders, was referred to the Committee on Internal Improvements, and ordered to be printed.

A message was received from the Senate, informing the House that Messrs. Bunting, Washington and Parks, form its branch of the Committee on the Library.

Also, that Messrs. Bower, Thompson, Caldwell, Steele, Watson, Gilmer, Withers and Thomas form their branch of the Committee on Finance.

Mr. Dutch, of Wayne, that the presentment of the Grand Jury of Wayne, be taken from the table and referred to the Committee on the Judiciary, which motion was carried.

Mr. Lander, of Lincoln, introduced the following resolutions, which were read the first time, and, on his motion, referred to the Committee on Propositions and Grievances.

Resolved, That James W. Love, Sheriff of Lincoln county, be and he hereby is authorized to collect all arrearage of taxes due him, in said county of Lincoln, respectively, for the years 1848, 1849, 50, 51.

Resolved, That the resolution take effect from and after its ratification.

Mr. Hill, from the Committee to wait on the Governor reported that his Excellency would send a communication to the General Assembly on Thursday.
The hour having arrived, the House proceeded to vote for Engrossing Clerk, with the following result:

**FOR MR. HARRIS.**


**FOR MR. HOUSTON.**


**FOR MR. JENKINS.**


Mr. Lander, of Lincoln, introduced an act, to incorporate the town of Lincolnton, in the county of Lincoln, which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Wynne, from the Committee appointed on behalf of the House to superintend the election of Engrossing Clerk reported, that there were 168 votes cast; that 85 were necessary for a choice; that Mr. Harris, had received 86 votes; Mr. Houston 31, and Mr. Jenkins 51; that as Mr. Harris had received a majority of all the votes, he was elected.
Which report was concurred in.

On motion of Mr. Cherry, of Bertie:

Resolved, that the Comptroller of the public accounts be requested to communicate to this House, the amount of taxes paid by each county, into the Treasury of the State, for the last five years, next preceding the year 1852, including the years 1847, '48, '49, '50, '51, and also, the aggregate amount of said Taxes for the same period of time.

Mr. Webb, of Rutherford, introduced a bill to pay taxes jurors, in the county of Rutherford, the same compensation as is now paid to jurors of the regular panel.

Read the first time and passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced a bill to incorporate Columbus Academy, near the town of Whiteville.

Read first time, passed and referred to the Committee on Private Bills.

The following resolution was introduced by Mr. Wheeler, of Lincoln:

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to be called a Committee on Apportionment, to consist of nine members from each House, to whom shall be referred the subject of the Electoral Districts; the Senatorial Districts; the Apportionment of the House of Commons, according to the ratio of representation; and the dividing the State into eight Congressional Districts, the number of representatives apportioned to the State of North Carolina, made the last seventh enumeration of the inhabitants of the United States.
Mr. Williams, of Warren, moved to lay the resolution on the table; which motion was lost.

The resolution was then adopted.

On motion of Mr. Webb, the House adjourned till tomorrow, at 10 o'clock.

Wednesday, Oct. 13th, 1852.

Mr. Dobbin, of Cumberland, introduced a bill to incorporate the Fayetteville and Raleigh Plank Road company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Cherry, of Bertie, introduced the following preamble and resolution, which were read, and, on motion, laid upon the table:

Whereas, a resolution was passed by this House, informing his Excellency, the Governor, that it has agreed to go on and transact the public business, by constituting this the regular session of the general Assembly:

And whereas, the Governor has responded that he will, on Thursday next, at noon, communicate his regular or biennial message to this House:

And whereas, this House has adopted a resolution, which has been referred to the Committee on the Judiciary, which resolution suggests doubts as to the constitutionality of this session of the General Assembly:

Therefore,
Resolved, That a committee of two members be appointed to wait on his Excellency, the Governor, and request him to withhold the message till the report of the Committee on the Judiciary on said resolutions shall be made to this House, and disposed of.

"A bill to pay tales jurors" was introduced by Mr. Williams, of Warren, read first time; passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced "a bill to repeal, in part, an act passed at the session of the General Assembly, in 1848-49, entitled an act to secure the title of purchasers of lands sold under execution, and ratified on the 29th of January, A. D. 1849; which was read first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Strange, of New Hanover, introduced "a bill to amend an act of the Revised Statutes, chapter 59th, entitled an act for establishing public landings and places of inspection, and for the appointment of inspectors and regulation of inspectors," which was read the first time, passed, and referred to the Committee on Private bills.

Mr. Leach, of Davidson, introduced "a bill to ascertain the will of the freemen of North Carolina, as to the call of a Committee on the Federal Basis;" which was read the first time, passed, and, on motion, laid on the table, and ordered to be printed.

Mr. Webb, of Rutherford, introduced "a bill to appoint tax collectors for the State of North Carolina;" which was read the first time, passed and ordered to be laid on the table, and be printed.

Mr. Caldwell, of Lincoln, introduced "a bill to alter the line between the counties of Lincoln and Gaston;" which
was read the first time, passed, and, with the memorial accompanying it, referred to the Committee on Propositions and Grievances.

Mr. Brooks, of Pasquotank, introduced "a bill to repeal an act, entitled an act for the better organization of the Court of Pleas and Quarter Sessions, for the county of Pasquotank, passed at the last session of the General Assembly, chapter 55th.

Mr. Lander of Lincoln, introduced "a bill explanatory of the meaning of the 2nd section of an act in the Revised Statutes, chapter 39th, entitled divorce and alimony," which was read the first time, passed and referred to the Committee on the Judiciary and ordered to be printed.

Mr. Lander, of Lincoln, introduced "a bill to qualify and explain the duty of grand jurors;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dobbin, of Cumberland, introduced "a bill to amend an act, entitled an act to incorporate the Cape Fear and Deep River Steamboat Company;" which was read the first time, passed, and the rule being suspended, passed its second and third readings, and was ordered to be engrossed.

Mr. Lander, of Lincoln, introduced the following resolution, which was read and referred to the Committee on Finance:

Resolved, That the only true basis of taxation of any free people, in a free government, is the cash valuation of the goods and chattels, lands and tenements, of which the people may be seized, and possessed, minus their indebtedness; and
Resolved further, That it is the duty of the General Assembly of North Carolina, to pass such a revenue bill as shall most effectually arrive at, carry out and establish the principle contained in the foregoing resolution.

Mr. Strange, of New Hanover, introduced "a bill to incorporate the True Brothers Society, in the town of Wilmington;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced "a bill to pay tales jurors, in the county of Columbus, the same compensation as is now paid to jurors of the regular panel;" which was read the first time and passed, and referred to the Committee on Private Bills.

Leave of absence was granted to Mr. Wynne, of Hyde, for ten days, from and after to-morrow.

On motion of Mr. Caldwell, of Lincoln, the House adjourned till to-morrow 11 o'clock.

Thursday, Oct 14, 1852.

The Speaker announced the following as the regular order of business:

1. Petitions and Memorials.
2. Bills and Resolutions.
3. Reports of Standing Committees, as follows:
   1. Privileges and Elections.
   2. Finance.
5. Propositions and Grievances.
6. Internal Improvements.
7. Private Bills.
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. Dobbin, of Cumberland, presented a memorial for “the President and Directors of the Fayetteville and Northern Plank Road Company;” which was referred to the Committee on Internal Improvements.

Mr. Saunders, of Wake, Chairman of the Committee on the Judiciary, submitted a report and the following resolution; which was concurred in:

Resolved, That the resolution referred to the Committee in regard to the expediency of adjournment of the Legislature at an early day be laid on the table, and that the House proceed with the regular discharge of its business.

A message was received from the Senate, disagreeing to the proposition to raise a joint Select Committee on Apportionment.

A message was received from the Senate, proposing to raise a Joint Select Committee of one on the part of each House, from each Judicial District, to whom shall be referred the arrangement of the Senatorial Districts, and the apportionment of the House of Commons; which report was read and concurred in.
Mr. Wynne, of Hyde, introduced "a bill to extend the jurisdiction of Justices of the Peace in certain cases," which was read the first time, passed, and referred to the Committee on the judiciary, and ordered to be printed.

A message was received from the Senate, proposing to raise a Joint Select Committee of nine from each House, to whom shall be referred the subject of dividing the State into eight Congressional Districts.

A message was received from the Senate, proposing a Joint Select Committee of two, on the part of each House, whose duty it shall be to prepare or cause to be prepared a skeleton map of the State, dividing the same into counties, with the federal proposition of each, agreeably to the last census; and the average amount of taxes paid by each county, reported by the Comptroller, laid down thereon; which was read and concurred in.

Mr. Carmichael, of Wilkes, introduced "a bill to incorporate the trustees of Buena Vista Academy, in the county of Iredell," which was read the 1st time, passed, and referred to the Committee on Private bills.

Mr. Caldwell, of Guilford, introduced the following resolution, which was read and adopted:

Resolved, That the Speaker be authorised to appoint a Select Committee of five persons, to be known and styled "the committee on incorporations."

Mr. Reid, of Duplin, introduced "a bill to extend the rights of appeal in certain cases," which was read the first time, passed, and referred to the Committee of the Judiciary.
Mr. Dortch of Wayne, introduced "a bill to confirm a grant to B. H. Stanmire," which was read the 1st time, passed, and referred to the Committee on the Judiciary.

Mr. Hill, of Caswell, introduced "a bill to amend the charter of the Milton Savings' Institution," which was read the 1st time, passed, and referred to the committee on the Judiciary.

Mr. Dortch, of Wayne, introduced "a bill to amend the 7th section of the 17th chapter of the Revised Statutes, entitled an act, concerning cattle, horses and hogs," which was read the 1st time, passed, and referred to the committee on the Judiciary.

On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee of Finance be instructed to inquire into the expediency of enacting some law, whereby the expense of collecting the public revenue, by the present mode may be facilitated and economized.

Mr. Erwin, of Burke and McDowell, introduced "a bill to authorize Mills Higgins, Sheriff of McDowell, to collect arrears of taxes due him," which was read the 1st time, passed, and referred to the Committee on Claims.

Mr. Perkins, of Halifax, introduced "a bill to pay tales jurors in the county of Halifax," which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Turner, of Iredell, introduced "a bill for dividing the County of Iredell," which was read the first time, passed, and referred to the Committee on Propositions and Grievances.
The biennial Message of his Excellency, the Governor, was received through the hands of his Private Secretary, read, and transmitted to the Senate, with a provision to print ten copies for each member:

GOVERNOR REID'S MESSAGE.

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

Favored by a bountiful Providence with Peace and Plenty, the present would seem a most auspicious period for directing our thoughts and energies to such objects of legislation as are calculated to advance the great interests of the State, and to perpetuate the blessings of liberty.

Government was instituted for the security of the rights of persons and of property, and for the promotion of the substantial prosperity and happiness of the people. These objects, controlled by constitutional limitations, constitute the great political chart to guide Legislative and Executive action.

Among the subjects which claim the consideration of the General Assembly, is the question of Constitutional Reform. At the session of 1850-'51, the General Assembly passed, by a constitutional majority, a bill to amend the Constitution, so as to extend to every freeman, who now has the right to vote for the Commons, the right to vote also for the Senate. The Executive Proclamation on this subject, was published agreeably to the requirements of the Legislature. I earnestly recommend that said amendment be passed by the constitutional majority of the present General Assembly, and submitted to the voters of the State for ratification.

The Constitution, as it now stands, prohibits every man who does not own fifty acres of land from voting in the
This provision, it is believed, disfranchises in the Senate about one-half of the free white men of the State, and embraces in its prescription a large class, who in point of merit, intelligence and patriotism, are not inferior to any portion of our population. The proposition is not to take from the land holders their just rights, but to elevate another meritorious class of our people to equal privileges at the ballot box. It is a marked feature in the progress of this reform, that a great portion of the freeholders, with a commendable disinterestedness, regarded this as a question of principle, and of right, and among them were found its earliest advocates and most zealous supporters.

A large majority of the people, in every portion of the State, are in favor of Equal Suffrage, and prefer the Legislative mode of effecting it. The greater part of the expense necessary to attain equal Suffrage has already been incurred; and now to abandon the legislative mode, and to rely upon the Convention mode, would not only cause delay, but an increase of expenditure. The Convention mode is impracticable. The constitutional majority cannot be obtained in favor of a Convention; and, if the fate of this question is made to depend upon calling a Convention, its defeat may be regarded as certain. The Legislative mode is not only expressly provided for in our State Constitution, but is also recognised in the Constitution of the United States, as one of the modes of ratifying amendments, by the States, to the Federal Constitution.

This mode affords time for examination and reflection in relation to the amendment proposed, and finally, when it shall have passed two successive Legislatures, it cannot be adopted without the sanction of a majority of the voters of the State at the ballot box. "A free, open and unrestricted Convention" could have no such restriction upon its power. Hence, a well founded apprehension exists in the minds of many ardent friends of constitutional reform, against the
Convention mode of effecting it. A Convention is impracticable and inexpedient, and I regard the Legislative as the safe and only practicable mode, at this time, of amending the constitution.

A change of the Basis of Representation would be fraught with mischief. Even the agitation of the subject is calculated to destroy that harmony among the various portions of the State, which is so essential to prosperity and happiness. Let us unite in directing our attention to objects that may produce more beneficial results.

It is a circumstance gratifying, and at the same highly complimentary to the State, that however much the people may desire constitutional reform, they promptly reject any other than a constitutional mode to attain it.

The election of Judges and Justices of the Peace, by the people, and for terms less than for life, are questions of constitutional reform, which I recommend to the favorable consideration of the General Assembly.

There is no object of more general importance than Common Schools, nor is there any question more worthy of the favorable consideration of the General Assembly and the people of the State.

It is contended by some that the present mode of dividing the School fund, is unjust, and that it ought to be divided according to white instead of federal population. The present basis of distribution has met the approval of many successive Legislatures, and I do not see any good reason to recommend a change in this respect. No mode can be devised that will operate with equal benefit to all the counties.

It is submitted, whether the appointment of a general superintendent may not tend to improve Common schools,
and to advance the cause of education. Such an officer could no doubt do much to produce uniformity in the system, and to diffuse a proper spirit on the subject throughout the State. It is believed that the present system has greatly diminished the number of private schools. In many instances, it would seem that a reliance upon the common school prevents the district from providing a private school; and it is often found that a district has a very imperfect school, and that only for a very short period during the year. The schools should, if possible, be of such a character as to make it the interest of all classes to patronize them; for they are intended alike for the poor and the rich.

The execution of the system is more defective than the system itself. One cause why our schools are not in a more flourishing condition, arises from the fact that public attention has not been sufficiently aroused to the importance of the subject. Sparseness of population, and the want of adequate means to employ suitable teachers, are the principal obstacles that impede the progress of the system. The question arises, whether it is better to endure the system, with its present limited but gradually increasing benefits, or to improve it at once, by a resort to an increase of taxation. I can imagine no object for which an increase of taxation would be more justifiable and commendable. Contributions for public education have been aptly compared to the vapor drawn from the earth, not to exhaust, but to be returned in fertilizing showers.

Our common school system, however, imperfect as it is, is producing lasting and beneficial effects. It will improve as we advance in experience and increase in population. During the past year, upwards of one hundred and twenty-eight thousand dollars were distributed from the Literary Fund, among the several counties of the State, and an equal amount will be distributed during the present year. The principal of the fund is gradually but slowly increasing, and is becoming more productive. As yet, there has
been nothing actually received from escheats; but it is believed that the act passed upon this subject, at the last session, will, in the course of time, greatly increase the Literary Fund.

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

A judicious system of Internal Improvements by the State, has ever been regarded of a subject of great importance, and entitled to the favorable consideration of the General Assembly. The want of cheap transportation is deeply felt by the agricultural, commercial, manufacturing and mining interests of the whole State. To overcome this inconvenience could not fail to increase the reward of every industrial pursuit, and add to the wealth and prosperity of the people of the State. Believing that the members of the General Assembly, coming from the various counties, will be fully prepared to give due consideration to the claims of every portion of the State, I do not feel called upon to decide between the peculiar merits of the many public improvements which demand the patronage of the State. Works of internal improvement necessarily involve a large expenditure, and should be undertaken with a due regard to their practicability, and to the adequacy of the resources and means necessary to complete them. The General Assembly, which authorizes a work of internal improvement, ought, as a general rule, to provide for raising the means necessary for its completion. Whether public opinion and the condition of the treasury will justify the State at this time in embarking in other and new objects of improvement, and if so, to what extent, is a question which is submitted to the prudence and wisdom of the General Assembly. A wise and prudent system all should approve: a wild and extravagant scheme all should deprecate.
The requisite amount having been subscribed, according to the terms of the Act passed at the last session of the General Assembly, to incorporate the Raleigh and Gaston Railroad Company, in the month of October last, the Commissioners on the part of the State delivered over the Road and fixtures to the new Company. Since that time, the Road has ceased to be under the control and management of the State. Since the transfer to the new Company, the road has been undergoing an entirely new superstructure, which is nearly complete.

This improvement has already enhanced facilities to the State. The stock has been subscribed to form the connecting link between this Road and the Wilmington and Raleigh and Seaboard and Roanoke Railroads, and this important work is in course of construction.

At the last session a Resolution was passed, authorizing the President and Commissioners of the Raleigh and Gaston Railroad to anticipate the receipts of the road by the purchase of two hundred and fifty tons of iron, for the purpose of repairing the road, and authorising them to pledge the receipts of the road for the iron thus purchased. It was provided that the State should, in no manner, or in any event, be held liable for the purchase money; and, when the new charter should be accepted, the iron should be sold for the benefit of the State. In pursuance of this resolution, the President of the road purchased two hundred and fifty tons of iron from Mr. Anderson, of Richmond, and it was applied to repairing the Road. A part of the iron has been taken up by the new Company, and a part of it, I presume, still remains on the road. The new Company has made no proposition to purchase the iron. Unless the Legislature shall otherwise direct, the iron will be sold for the benefit of the State.

It is believed that, after the settlement of the accounts and the payment of liabilities for the expenses of the Road, there will be little, if any thing, applicable to the payment of the debt contracted for this iron. If the Legis-
lature requires the proceeds of the sale of the iron to be placed in the treasury, it would prevent Mr. Anderson from receiving any portion of his debt. Should the proceeds be applied to this debt they would not pay one half of it.—I recommend that the General Assembly authorize the proceeds of the sale of the iron to be applied towards the payment of the debt contracted for its purchase; and it is submitted, whether an appropriation shall be made to pay the balance.

The Report of the President in relation to the affairs of the Road, while under the control of the State, will in due time be communicated to the General Assembly. In enrolling the Bill passed at the last Session to incorporate the Raleigh and Gaston Rail Road Company, it is believed that some of the sections as it passed were omitted, which renders farther legislation on the subject necessary. One of the omitted sections authorized the appointment of four directors on the part of the individual stockholders and only three on the part of the State. The Board of Internal Improvements only appointed the number provided for in the omitted section. But the State owns one half of the stock, and it is believed she ought to have the appointment of one half of the Directors, and it is recommended that such provision be made by law.

An Engineer was employed to survey Neuse River, and the balance of the appropriation made under the Act of 1850-'51, after paying the expenses of the survey, has been subscribed to the Neuse River Navigation Company, as directed by said Act, and a part of the appropriation paid to the Treasurer of the Company. This is a work of importance, and its completion promises highly beneficial results. The Report of the Engineer appointed to make the survey is herewith transmitted.

Three Commissioners were appointed under the act of 1848-'9 to superintend the improvement of Tar River.—
This is a desirable improvement, but it is doubted whether the appropriation is sufficient to accomplish the object for which it was intended.

The whole amount of subscription of the State, to the Cape Fear and Deep River Navigation Company, has been paid. The work is progressing, and promises to open new and valuable commercial advantages not hitherto enjoyed by the State.

Under a Resolution passed at the last session of the General Assembly, the Public Treasurer transferred two thousand shares of the stock owned by the State, in the Wilmington and Raleigh Railroad Company, to the Wilmington and Manchester Railroad Company, whereby the State became a stockholder in the important improvement under the charge of that company. In directing the transfer of the stock, the resolution did not make any change in regard to the number of directors to which the State should be entitled in the Wilmington and Raleigh Railroad Company. Under the circumstances, the Board of Internal Improvements did not feel authorized to make any change in the number of directors appointed on the part of the State. The stock transferred is represented by the State in the Wilmington and Manchester Railroad Company.

If the Legislature intended that the number of directors on the part of the State, should only be in proportion to her stock, farther legislation on the subject would appear to be necessary.

The Wilmington and Raleigh Railroad, with energetic management, has of late overcome, to a considerable extent, the early embarrassments this important work had to encounter. The Company has commenced paying dividends, thus enabling the Literary Board to distribute an increased amount for the support of Common Schools.
The North Carolina Railroad, it is believed, is progressing as rapidly as could be expected, considering the circumstances attending its commencement and prosecution. This improvement promises to afford new and increased means of transportation to a considerable portion of the State, heretofore deprived of such facilities. The President of the Company will, in due time, submit a report in relation to the progress and condition of the work.

It is probable that application will be made during the present year, or early in the next, for the first installment of the State's subscription to the stock of this road. To raise the sum, State bonds are authorized to be issued and sold. It is believed that this loan, as well as all others required by the State, can be procured upon better terms by authorizing the Public Treasurer to issue Coupon Bonds.

An act was passed at the last session of the General Assembly, appropriating twelve thousand dollars, "out of the first moneys collected after the first day of January 1852, from the Cherokee bonds, and from the sale of Cherokee lands," for the survey of a Railroad route from Salisbury to the Tennessee line. The Agent states, that only a small sum applicable to this appropriation has been collected. It was not therefore in the power of the Board of Internal Improvements, to procure the execution of the survey. It is to be regretted, that this could not be done before the commencement of the present session of the Legislature, as the contemplated line runs through a portion of the State, where the people are deprived of the means of convenient transportation, and are therefore deeply interested in the subject. It is uncertain, under the present Act, when a sufficient sum will be collected to defray the expense of the survey. Should the Legislature desire it to be made at an early period, an appropriation for that purpose will be the means by which it can surely be accomplished.
The Fayetteville and Western Plank Road is in course of extension. The whole amount of the State's subscription to this work has been paid. The stock has already been paying dividends into the State Treasury. This not only bids fair to be a valuable improvement, but the stock, it is believed, will be a good investment for the State. The Report of the President and Directors of the Company is herewith transmitted.

An agent was appointed to superintend the construction of the Western Turnpike road. A considerable portion of the Road has already been made, and other parts of it are under contract. The Agent, it is believed, has faithfully performed his duty in superintending the work. Toll gatherers have already been appointed on the portion of the road completed, but a report of the amount of tolls collected has not yet been received.

It is respectfully submitted, whether legislative action is not necessary on the subject of public highways. This is a subject of general importance to the State, and has been too much neglected. Good roads will be found to advance the interests of all the industrial pursuits of the State. The mode of assessing the labor to build and repair public highways is unequal and unjust. The work done on the public roads is a tax paid in labor. It often occurs, that a person of quite limited estate contributes, in the course of the year, a considerable amount of labor to roads, while his nearest neighbor, who has a large estate, contributes but little or nothing at all for that purpose.

It becomes the duty of the present General Assembly to lay off the State into Electoral, Congressional, and Senatorial Districts, and apportion the members of the House of Commons among the several counties of the State.
It is respectfully submitted, whether public convenience and the ends of public justice do not require the formation of one or two additional Judicial Circuits, and the election of a corresponding number of Judges.

The fiscal year closes on the 31st day of October, when the Public Treasurer will submit his report, giving a detailed account of the operations and condition of the Treasury:

The State debt is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>State bonds already issued</td>
<td>$1,224,000</td>
</tr>
<tr>
<td>Loans authorized by law for various works of Internal Improvement for which it is expected bonds will be issued during the next two years</td>
<td>$2,140,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,364,000</strong></td>
</tr>
</tbody>
</table>

The Report of the Comptroller, for the fiscal year ending the 21st of October, 1851, is herewith communicated.

It will be seen that the taxes paid into the Treasury during the year 1851, amounted to the sum of $157,137 71. The Revenue Act, passed at the last session, will, it is believed, increase the revenue paid into the Treasury this year, about $20,000. Neither the demands on the Treasury, nor public convenience, would seem to require any increase of taxation during the next two years. No more money should be collected from the people than is necessary to defray the expenses of a good and economical government. Taxation is indispensable, but it is one of the first duties of the Statesman to endeavor to equalize the burdens as well as the benefits of Government.

For many years the demands upon the Treasury were limited, that but little attention was paid to the subject of taxation. Of late years, Internal Improvements and other
public objects have increased the expenditures, and our financial system has assumed a more important aspect. It will be perceived, that of the $157,137 71 tax, paid into the Treasury in 1851, $37,659 32 was collected on land and town property; $36,133 07 on polls; $25,007 87 on interest tax, and $12,622 61 on store tax — amounting in the aggregate to the sum of $111,022 87, paid into the Treasury on these principal items of taxation, and $46,014 84, paid in on others. The land and poll tax amounted to $73,192 39. The tax for county purposes is collected entirely on land and polls; and the amount paid into the Public Treasury on these two items is small, when compared with the tax paid for county purposes. We have no returns to show the amount of county tax collected in the State. It is believed, however, that not more than twenty per cent. of the whole amount collected on land and polls goes into the Public Treasury, and I have based the estimate of the average amount paid on land accordingly. An examination into the existing revenue laws will show that the present system operates very unequally. At present, $1000 loaned at interest, pays 180 cents, while $1000, hoarded against the public convenience and public policy, pays nothing at all; $1000 invested in land, pays 300 cents, while $1000 invested in trade, pays 109 cents. Other unjust discriminations might be shown.

As a general rule, it is believed that the tax upon the estate of each person should be in proportion to its value, subject to such exceptions only as circumstances and fundamental principles may justify. Inasmuch as property on the one hand ought not to be made the test of public privilege, neither on the other ought the absence of property to exempt the person from bearing an equitable share of the public burden. Therefore it is thought just and proper to impose capitation tax. Slaves are regarded to some extent as both persons and property. The following wise provision in our State Constitution, which ought not to be departed from, defines the power of legislation upon this subject:
1. Capitation tax shall be equal throughout the State upon all individuals subject to the same.

2. All free males over the age of twenty-one years, and under the age of forty-five years, and all slaves over the age of twelve years, and under the age of fifty years, shall be subject to capitation tax, and no other person shall be subject to such tax; provided that nothing herein contained shall prevent exemption of taxable polls as heretofore prescribed by law incases of bodily infirmity."

It will be seen that slave property must form an exception in framing a system of ad valorem taxation. White males alone are subject to a poll-tax, while a poll-tax is imposed on both male and female slaves, and the period of taxation commences nine years earlier and continues five years longer. Thus it will appear that by taxing both sexes the amount of revenue collected from the tax on slaves is double the amount collected on white-polls, in proportion to the population of the two races; and the difference in the duration of the period for which they are taxed is equivalent to one hundred per cent more. It is therefore obvious, that in proportion to the whole number of each, the poll-tax paid on the slaves is three times as much as the poll-tax on the white population. So it will be seen that this provision in the Constitution has imposed a tax on slaves in the two-fold character of persons and property, and that an ad valorem tax cannot be imposed on that species of estate.

Persons and property being the principal object of taxation, they should bear a fair and just relation to each other, in a system of revenue. It is believed, that, after excepting slaves, each person's estate, real and personal, including money, whether at interest or not, ought to be taxed alike, according to value. This would require every person to
contribute in proportion to the value of his or her estate, and would equalize the public burden between the various classes, upon principles of justice. I know of no better rule to ascertain the ability of the owner to pay, or the degree of protection his estate requires from government, than by resorting to the actual value of such estate.

This system need not interfere with taxing certain employments, and the income on professions, as is now done. Such persons as do not possess personal estate of the value of one hundred and fifty dollars, out to be exempt from property tax, and an exemption of a like amount might be made in favor of all others. A system of revenue, based upon these principles, is recommended to the favorable consideration of the General Assembly.

On the 8th of May, 1851, Asa Biggs, B. F. Moore and R. M. Saunders, Esquires, were appointed commissioners, under the act of the last session of the General Assembly, to revise the public statute laws of the State. On the 2d day of August, 1852, R. M. Saunders sent in his resignation, which, in consequence of my necessary absence, did not reach me till the 24th of the month. His letter of resignation is herewith communicated. I have received no official report from the commissioners; but in the latter part of the month of August last, it came to my knowledge that the commissioners, prior to the date of this resignation, had decided not to report the revisal to the present Legislature. Under all the circumstances, it was deemed advisable not to fill the vacancy until the subject was submitted to the General Assembly. It is due to state that the commissioners were appointed with the hope and expectation that they would be able to complete their labor by the usual time of the meeting of the Legislature. They will, no doubt, in due time, report directly to the General Assembly, when such action can be taken as may seem expedient.

Professor Emmons was appointed under the act passed at the last session to make a geological and agricultural sur-
vey of the State. The work is progressing, and it is believed, will in the end be productive of highly beneficial results to the agricultural and mining interests of the State. Agriculture has been too long neglected, but it is hoped it may receive a new impulse, that will lead to the increased reward of the husbandman. It is believed that an additional appropriation, to supply a boring apparatus, and to justify the collection of specimens, to be deposited at some suitable place or places, would promote the objects of the survey.

A report in relation to the progress of the survey is expected in due time, and, when received, will be laid before the General Assembly.

Commissioners were appointed to value the Cherokee lands, under the act passed at the last session for that purpose. It is believed that they have completed their duties, but their official report has not yet been received.

I herewith communicate the report for 1851, of the agent of the State for the collection of Cherokee bonds, and the sale of Cherokee lands.

The report of the Cape Fear Navigation company is herewith transmitted. Also, the report of the Wilmington and Manchester Railroad company.

Resolutions of the General Assembly of New Hampshire, in relation to an Agricultural Bureau, and resolutions of the General Assembly of Florida, on the same subject, are communicated.

I also transmit Resolutions passed by the Legislature of Connecticut, in favor of the Compromise measures, passed by Congress.

My Letter Book is ready for your inspection, and will, on request, be laid before you by my private secretary.
It will afford me great pleasure to co-operate with the General Assembly in all such measures as are calculated to promote the honor and welfare of the State.

DAVID S. REID.

EXECUTIVE DEPARTMENT; }

Mr. Williams, of Warren, introduced "a bill to amend the first section of the 64th chapter of the Revised Statutes," which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Webb, of Rutherford, introduced the following resolution, which was read and adopted:

Resolved, That William King, keeper of the Capitol, be authorized to employ a workman to furnish a new flag staff for the Capitol of the State, if necessary.

Mr. Leach, of Davidson, introduced the following resolution, which was read, and on motion laid on the table:

Resolved, That so much of the Governor's Message as relates to Free Suffrage, and the amendment of the Constitution of the State, be referred to a Select Committee of seven.

Mr. Willey, of Guilford, introduced "a bill to incorporate the Guilford County Mining company; which was read the first time, passed and laid on the table.

A message was received from the Senate, proposing that the two Houses of the General Assembly adjourn sine die on the first Monday in December next.

A motion was made to lay the proposition on the table, on which Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Dobbin, of Cumberland, moved to postpone the consideration of the message till the 2nd Monday in November.

On this motion Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Adams, Amis, Blow, Brooks, Byrd, Calloway, Carmichael, Cherry, Cook, Daniel, Dargan, Dorich, Dunn, Erwin, Eure, Fagg,
On motion of Mr. Chesnutt, of Sampson, the House adjourned till to-morrow, at 10 o'clock.

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**Friday, Oct. 15, 1852.**

A message was received from the Senate, agreeing to the proposition to print ten copies of the Governor's Message, for the use of each member of the two Houses.

On motion of Mr. Hill, of Caswell,

*Resolved, That so much of the Message of his Excellency, the Governor, as relates to the subject of Free Suffrage, and a convention for the amendment of the Constitution, be referred to a Select Committee of seven members.*

2. *Resolved, That so much of said Message, as relates to the subject of Common Schools, be referred to the Committee on Education.*

3d. *That so much thereof as relates to the North Carolina Railroad, the Raleigh and Gaston Railroad, the Fayetteville and other Plank Roads, the Neuse and Deep River and other river improvements, and to the public highways and roads, be referred to the Committee on Internal Improvements.*

4th. *That so much of said message as relates to the establishment of one or more Judicial Circuits, and to the Revised Statutes, be referred to the Committee on the Judiciary.*
5th. That so much of said message as relates to the Congressional and Senatorial Districts, and to the apportionment of Representation, be referred to the Joint Select Committee, already ordered, on these subjects.

6th. That so much of said message as relates to the subject of revenue, be referred to the Committee on Finance.

7th. That so much of the said message as relates to the subject of agriculture and Geological survey of the State, be referred to the Committee on Agriculture.

A memorial was presented by Mr. Harris, of Cabarrus, signed by 817 citizens of Iredell, and 120 of Salisbury, which was, on motion, referred to the Committee on Proposions and Grievances.

On motion of Mr. Dargan, of Anson, leave of absence was granted to Mr. Christmas, of Warren, for eight days.

On motion of Mr. Scales, of Rockingham, leave of absence was granted to Mr. Williams, of Warren, till Monday next.

On motion of Mr. Webb, of Rutherford,

Resolved, That a message be sent to the Senate, proposing to create 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 or revising the militia law of this State, or abolishing the same altogether, and that they report by bill, or otherwise.

On motion of Mr. Chesnutt, of Sampson.
Resolved, That the Committee on the Judiciary be instructed to inquire into the expediency of enacting a law authorizing the County Courts to make compensation to Justices of the Peace, who perform the duty of taking and returning the list of taxables, the labors of said office having been much increased under the late revenue laws.

On motion of Mr. Phillips, of Orange,

Resolved, That the Committee on Finance be instructed to enquire, whether it be not expedient to amend section 10 of the Revised Statutes, Chapter 102, so as to provide that the persons peddling in any county in this State, and not on a navigable stream, goods, wares, or merchandize, not of the growth of the State, &c. may, upon the payment of fifty dollars to the Sheriff of the county, in which he shall take out his license, be permitted to peddle in every county of this State, for the term of one year thereafter.

On motion of Mr. Phillips, of Orange,

Resolved, That the Committee on the Judiciary be instructed to enquire into the propriety of giving to the Courts of Law jurisdiction over sales of land for the purposes of partition.

Mr. Hill, of Duplin, introduced "a bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning Crimes and Punishment;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced "a bill to attach a portion of the county of Wilkes to the county of Alexander;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Cherry, of Bertie, introduced the following resolution, which was read and adopted:
Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee of five on the part of the House, and three on the part of the Senate, to be called a Committee on Swamp Lands, with power to send for persons and papers.

Mr. Smith, of Halifax, introduced "a bill concerning the embankment of low grounds;" which was read the first time, passed, and ordered to be printed.

Mr. D F. Caldwell, of Guilford, introduced "a bill to incorporate the Greensboro' Mutual Life Insurance and Trust Company;" which was read the first time, passed, and ordered to be laid on the table, and printed.

Mr. Albertson, of Perquimans, introduced "a bill to facilitate the trial of civil causes in certain cases;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. McDugald, of Bladen, introduced "a bill to amend the first section of chapter 86, Revised Statutes, entitled an act concerning the appointment and duties of a Patrol in each county;" which was read the first time, passed, and referred to the Committee on the Judiciary.

The Speaker announced that Messrs. D. F. Caldwell, Christmas, Perkins, Chesnutt and Matthews compose the Committee on Corporations.

Also, that Messrs. Amis and McNeill compose the Committee on the part of the House, or Skeleton Maps.

Mr. Puryear, of Surry, Chairman of the Committee on Propositions and Grievances, reported back the resolutions in favor of the Sheriff of Lincoln, and recommended its passage.

The resolution was read the second time and passed.
A message was received from the Senate, announcing that Messrs. Boyd and Wiley form the Senate branch of the Committee on Skeleton Maps.

A message was received from the Senate, transmitting a communication and report from the Comptroller, with a proposition to print one copy of the Report for each member; which proposition was concurred in.

Mr. Wiley moved to take from the table the bill introduced by him yesterday, to incorporate the Guilford Mining Company, and refer the same to the Committee on Corporations; which motion was agreed to.

Mr. Wheeler, of Lincoln, introduced a bill to authorize Henry Ingold, of Catawba county, to erect a gate on the road crossing the Catawba River at Oxford; which was read the first time, passed, and with the memorial accompanying, was referred to the Committee on Private Bills.

Mr. Wheeler, of Lincoln, introduced "a bill to amend an act passed 1850-'51, chapter 133rd, entitled an act to incorporate the Western Plank Robd Company;" which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Caldwell, of Guilford, introduced "a bill to amend an act, entitled an act for landings and places of inspection &c. &c.;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Webb, of Rutherford, introduced "a bill calling a Convention to amend the Constitution of North Carolina;" which was read the first time, passed, and ordered to lie on the table.
The pension certificate of Alexander Taylor, Sen., was received from the Senate, signed by the Speaker of that body, read and countersigned by the Speaker of the House.

On motion of Mr. Cherry, of Bertie, the House adjourned until to-morrow 11 o'clock.

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Saturday, Oct 16, 1852.

The Speaker announced the following Committees on the part of the House:

**Senatorial Districts and Apportioning the House.**—Messrs Puryear, Wilder, Albertson, D. Reid, Erwin, McIntyre, Scales.


Mr. Calloway, of Ashe, presented a memorial from sundry citizens of Ashe, relative to the retailing of spirituous liquors in that county, which was referred to the Committee on Propositions and Grievances; and that they be instructed to report by bill or otherwise.

Mr. Caldwell, of Guilford, presented a memorial from sundry citizens of Iredell, against the division of said county;
which was referred to the Committee on Propositions and Grievances.

Mr. Carmichael, of Wilkes, presented a memorial from sundry citizens of Wilkes and Caldwell, for the establishment of a new county, which was referred to the Committee on Propositions and Grievances.

Mr. Mooring, of Martin, introduced "a bill concerning Private Corporations," which was read the first time, passed and referred to the Committee on Corporations, and ordered to be printed.

Mr. Long, of Randolph, introduced "a bill concerning the Superior Courts of Randolph county," which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Cherry, of Bertie, introduced "a bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes; which was read the first time, passed, referred to the Committee on Education and ordered to be printed.

Mr. Reid, of Duplin, introduced "a bill to repeal a part of the 31st section of the 102d chapter of the Revised Statutes, concerning the Revenue;" which was read the first time, passed and referred to the Committee on Finance.

On motion of Mr. McNeill, of Robeson,

Resolved, That the Secretary of State be requested to furnish this House with the specifications of his contract with Seaton Gales, Esq., for doing the printing of this Legislature.

Mr. Blow, of Pitt, presented the resignation of Samuel Vines, a Justice of the Peace for Pitt county, which was read and accepted.
Mr. Mooring, of Martin, introduced the following preamble and resolution, which were read and adopted:

Whereas, the trial by jury, in the several Courts of Pleas and Quarter Sessions, in this State, are conducted in a manner that fails to give satisfaction in its results, to the litigants therein engaged:

And whereas, the same is attended with an unnecessary cost and expenditure, to the counties and to suitors:

Be it therefore,

Resolved, That the Committee on the Judiciary be instructed to enquire into the expediency of abolishing all trials by jury in said Courts, and substitute, instead thereof, one or more additional Superior Courts, and report by bill or otherwise.

On motion of Mr. Scales, of Rockingham,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of passing an act forbidding the settlement of plantations, or placing together any number of slaves, for any purpose, unless said slaves shall be under the management and control of some white man, who is to live on or near the place, so as conveniently to take charge of them, or exercise control over them.

On motion of Mr. Reid, of Duplin,

Resolved, That the Committee on Finance be instructed to enquire, if any, what alterations are necessary to be made in the revenue laws of this State, and that they report by bill or otherwise.

Mr. Webb, of Rutherford, moved to take from the table the bill introduced by him yesterday, and refer it to the Committee of Finance.
Which motion was adopted.

The resolution for the Sheriff of Lincoln, was read the third time, when Mr. Harris, of Davidson, moved to amend by striking out the years, 1848 and 49: pending which, Mr. Leach moved to lay the resolution and amendment on the table.

Which motion was adopted.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on swamp lands, and informing the House that Messrs. Joyner, Jones, of Pasquotank, and Hoke form the Senate branch of the Committee.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on revising or abolishing the militia law, and informing the House that Messrs. Person, Bynum and Clark, form the Senate branch of the committee.

A message was received from the Senate, informing the House that the Senate branch of the Committee on Congressional Districts consists of Messrs. Thompson, Caldwell, Thomas, Mitchell, Berry, Lane, McDowell, Drake and Washington; also, that Messrs. Boyd, Joyner, Bower, Bunting, Woodfin and Willey form the Senate branch of the Committee, on Congressional Districts.

A message was received from the Senate, proposing to raise a Joint Select Committee of two on the part of each House, to prepare and report a tabular statement of the population of North Carolina, contained in the several counties, agreeably to the last census, and the federal population of each county; which proposition was concurred in.
A message was received from the Senate, proposing to print such of the documents accompanying the message of his Excellency, the Governor, as have not been heretofore printed, with the exception of the memorial of the Common Council of Philadelphia, the resolutions of New Hampshire, the resolutions of Florida, and the resolutions of Connecticut; which proposition was concurred in.

Mr. Caldwell, of Guilford, moved to take from the table the bill offered by him yesterday, and refer it to the Committee on Corporations; which was adopted.

Mr. Lander, of Lincoln, introduced "a bill to sell Poor House lands, in the county of Lincoln;" which was read the first time, passed, and referred to the Committee on Private Bills.

On motion of Mr. Amis, of Granville, the House adjourned until Monday, 11 o'clock.

MONDAY, Oct. 18, 1852.

The Speaker announced the following Committees.

On Enrolled Bills for the Week.—Messrs. Gaither, Martin, Eure, Whitehurst and Phelps.

On Free Suffrage and Convention.—Messrs. W. S. Harris, Dobson, Daniel, Tripp, Perry, S. A. Williams, and Styles.
A message was received from the Senate, proposing to print a list of the members of the Joint and Standing Committees of both Houses, one copy for each member of the Legislature, and informing the House that Messrs. Cunningham, Cowper and Barrow form the Senate branch of the Committee on Enrolled Bills for the week.

The House concurred in the proposition to print a list of the Committees.

Mr. Tripp, of Beaufort, introduced "a bill to amend an act providing for the keeping a record of marriages in this State, passed at the session of 1850-'51, chapter 84;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Miller, of Caldwell, introduced the following resolution, which was, on motion of Mr. Hill, of Caldwell, laid on the table:

Resolved, That his Excellency, the Governor, inform this House why he has not supplied the place occasioned by the resignation of Mr. Saunders, on the Commission for the Revisal of the Statutes of North Carolina.

Mr. McIntyre, of Richmond, introduced "a bill to ascertain and keep on record, the number of free white males, between the age of and forty-five in this State, and to abolish the militia laws of this State;" which was read the first time, passed, and referred to the Joint Select Committee on the Militia.

Mr. Smith moved to take from the table, the bill introduced by him, relative to embankments of low grounds, and refer it to the Committee on the Judiciary; which motion was carried.
A communication was received from the Secretary of State, transmitting the bond of Seaton Gales, Esq., given for the Public Printing; which on motion, was laid on the table.

The Committee on Private Bills, through their Chairman, Mr. Collins, of Chowan, reported back to the House the following bills, and recommended their passage:

A bill to incorporate Columbus Academy, near the town of Whiteville;

A bill to pay tales jurors, in the county of Rutherford;

A bill to incorporate the Trustees of Buena Vista Academy, in the county of Iredell;

A bill to pay tales jurors, in the county of Halifax;

A bill to pay tales jurors, in the county of Columbus;

A bill concerning inspectors, &c., for the town of Wilmington;

A bill to incorporate the True Brothers' Society, in the town of Wilmington.

These bills were severally read a second time and passed.

The Committee on Private Bills, through their Chairman, Mr. Collins, of Chowan, reported back the bill to incorporate the town of Lincolnton, with an amendment; pending a discussion of which, Mr. Caldwell, of Lincoln, moved to lay the bill and amendment on the table; which motion was carried.

Mr. Caldwell, of Guilford, introduced "a bill to incorporate the North Carolina Mining Company;" which was read the first time and passed.

On motion of Mr. Cherry, of Bertie,
Resolved, That the use of the Commons Hall be granted this evening at 3 o'clock to the State Agricultural and Industrial Convention.

The committee on corporations, through their chairman, Mr. Caldwell, of Guilford, reported back to the House the bill to incorporate the Guilford County Mining company, and recommend its passage; whereupon the bill was read its second time and passed.

Mr. Brooks, of Pasquotank introduced "a bill to incorporate the Farmer's Bank of North Carolina; which was read the first time, passed, referred to committee on corporations and ordered to be printed.

Mr. Caldwell, of Guilford, introduced "a bill to incorporate the Hillsboro Coal Mining and Transportation company;" which was read the first time and passed.

On motion of Mr. Martin, of Franklin.

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the law as to authorize the foreman of each and every Grand Jury of the Superior Courts of law in this State, to administer the oath to any witness or witnesses that may appear before said jury or juries.

Mr. Boyd, of Yancey, introduced a bill to incorporate the Burnsville Division, No. 209 of the Sons of Temperance; which was read the first time, passed, and referred to the Committee on Corporations.

On motion of Mr. McNeil, of Robeson, the House adjourned till to-morrow, 11 o'clock.
Tuesday, Oct. 19th 1852.

The Speaker announced the following Committees.

Committee on the part of the House to revise or abolish the Militia Laws.—Messrs. Webb, Hawkins, McDugald, Bryant, Teague, Pegram.

Committee on Swamp Lands.—Messrs. Cherry, Corbett, Jones, Burr and W. H. Lyon.

Committee to prepare Tabular Statements of the Population &c.—Messrs. Waugh and Whitehurst.

Mr. Hill, of Caswell, introduced "a bill concerning official bonds," which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Munday, of Macon, introduced "a resolution in favor of Joseph Donelson; which was read the first time, passed, and referred to the Committee on Claims.

Mr. Phelps, of Washington, introduced "a resolution in favor of Charles Latham, Sheriff of Washington; which was read the first time, passed, and referred to the Committee on Claims.

Mr. Leach, of Davidson, introduced "a bill to amend an act, to incorporate the Washington Mining company, passed in the year 1833'–39, and amended in the year 1850'–51; which was read the first time, passed, and referred to the Committee on Corporations.
Mr Reid, of Duplin, introduced "a bill to authorize certain persons therein named to raise by lottery, thirty thousand dollars, for the purpose of clearing out Goshen, in the county of Duplin," which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Teague, of Iredell, presented the pension certificate of Ann Patterson, which was ordered to be countersigned by the Speaker, and transmitted to the Senate.

A bill to incorporate the Hillsboro' Coal Mining company was read the second time and passed.

A bill to incorporate the North Carolina Mining company was read the second time and passed, and, on motion of Mr. Caldwell, of Guilford, the rule being suspended, the bill was read the third time.

Mr. Caldwell moved to strike out the names of Albert Camman, Robert McJimsey, A. S. Powell and F. W. Camman; which amendment was adopted, and the bill passed its third reading, and was ordered to be engrossed.

The following bills were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate Columbus Academy, near the town of Whiteville,
A bill to incorporate the Guilford Mining company;
A bill to incorporate the True Brothers' Society;
A bill to amend an act to regulate inspections;
A bill to pay tales jurors in the county of Columbus;
A bill to pay tales jurors in the county of Halifax;
A bill to incorporate the trustees of Buena Vista Academy.
The bill to pay tales jurors in the county of Rutherford having been read the third times, Mr. Boyd, of Yancey, moved to amend, by inserting "Yancey" after Rutherford, which amendment was adopted, and the bill passed, and was ordered to be engrossed.

Mr. Marshall, of Stokes, introduced "a bill to require the Courts of Pleas and Quarter Sessions, in the county of Forsyth, pay the Wardens of the Poor in said county," which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Marshall, of Stokes, introduced a bill to pay the Justices of the county of Forsyth; who may hereafter take the list of taxables, in said county; which was read the first time, passed, and referred to the Committee on Private Bills.

On motion of Mr. Wheeler, of Lincoln, the House adjourned till tomorrow, 11 o'clock.

*Wednesday, Oct. 20th, 1852.*

The Committee on the Judiciary reported back to the House the bill to amend an act, entitled an act providing for keeping a record of marriages, with a recommendation that it pass; whereupon the bill was read the second time and passed.

Mr. Smith, of Halifax, presented a memorial from the State Agricultural Society, praying for an appropriation to carry
out the object of their association, accompanied with the following resolution.

Resolved, That the Treasurer of the State be authorized to pay to Wilson W. Whitaker, Treasurer of the State Agricultural Society, one thousand dollars, to be applied by said society for the promotion of the laudable objects for which it was organized; which were read the first time, passed and ordered to be laid upon the table and printed.

The Committee on the Judiciary reported back to the House the bill to pay tales Juros, with a substitute, and a recommendation that the substitute do pass.

The bill was read the second time, and the substitute of the committee adopted; the question then recurring "shall the bill pass? pending a discussion, it was, on motion of Mr. Dobbin, of Cumberland, laid on the table and ordered to be printed.

The Committee on Propositions and Grievances to whom was referred to a memorial from sundry citizens of Ashe county praying for a repeal of the tax on retailers, so far as Ashe county is concerned, where the liquor is made of the corn or the fruit, of the liquor of the man who retails, reported back the same to the House with a recommendation that the prayer be not granted and asking that the committee be discharged from the further consideration of it; which report was concurred in.

The Committee on Propositions and Grievances, to whom was referred the bill proposing to attach a portion of Wilkes county to the county of Alexander, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The Committee on the Judiciary, to whom was referred the bill concerning the Superior Courts of Randolph county,
reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

A message was received from the Senate, informing the House that Messrs. Boyd and Palmer form the Senate branch of the Committee on Tabular Statement.

The Committee on Corporations, to whom was referred the bill to incorporate the Greensboro' Life Insurance and Trust Company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, of Guilford, moved that the rule be suspended, and that the bill be put on its third reading; which motion was carried.

The bill was read the third time, passed and ordered to be engrossed.

Mr. Tolson, of Anson, introduced "a bill to repeal an act of 1850-'51, taxing pistols, &c., and making it indictable to carry them," which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Munday, of Macon, introduced "a bill for the relief of Clark Bird," which was read the first time, passed and referred to the Committee on Propositions and Grievances.

On motion of Mr. Lander, of Lincoln,

Resolved, That the Committee on Education be required to report a bill authorizing the President and Directors of the Literary Board, to pay over directly to the Superintendent of Common Schools for Gaston county, the money to which the county of Gaston is legally entitled.
Mr. Matthews, of Forsythe, introduced "a bill to repeal the 25th chapter of the Statutes, passed at the session of 1850-'51;" which was read the first time, passed and referred to the Committee on revising or abolishing Militia Laws.

A bill to incorporate the Hillsboro' Coal Mining Company was read the third time, passed and ordered to be engrossed.

On motion of Mr. Dargan, of Anson, the House adjourned until to-morrow 11 o'clock.

THURSDAY, October 21st, 1852.

The Committee on Finance, to whom was referred the bill to repeal in part the 31st section of the Revised Statutes, chapter 102, reported the same back to the House, and recommended that it do not pass.

Mr. Reid of Duplin, moved to lay the report and bill on the table, and that the bill be printed; which motion was carried—Yea 52, nay 45.

The Committee on Finance, to whom was referred the resolution enquiring into the necessity of altering the Revenue Laws of the State, reported that the whole subject of the Revenue was under consideration, and they expected very soon, should the public emergency require it, to report a bill setting forth their views on the subject.
On motion the resolution and report were laid upon the table.

The Committee on Finance, to whom was referred a resolution instructing them to inquire into the expediency of amending section 10th of the Revised Statutes, chap. 102, reported the same back to the House, and recommended that it is not expedient to repeal said section.

Mr. Phillips moved to lay the report and resolution on the table; which motion was lost, and the question recurring shall the report be concurred in?

It was carried.

The Committee on Finance, to whom was referred the resolution on taxation, &c., reported the same back to the House, and asked to be discharged from the further consideration of the resolution.

The Committee on Propositions and Grievances, to whom was referred the bill to alter the line between the counties of Lincoln and Gaston, reported the same back to the House, and recommended that it do not pass.

On motion of Mr. Lander, the bill and report were laid upon the table.

The Committee on Propositions and Grievances, to whom was referred a bill for the central division of Iredell county, reported the same back to the House, with an unanimous recommendation that it do not pass.

On motion of Mr. Fagg, the bill and report were laid upon the table.

The Committee on Corporations, to whom was referred a bill concerning private corporations, reported the same back
to the House and unanimously recommended that it do not pass.

On motion of Mr. Mooring, of Martin, the bill and report were laid upon the table.

The Committee on Corporations, to whom was referred a bill to amend an act to incorporate the Washington Mining Company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion of Mr. Saunders, of Wake,

Resolved, that a message be sent to the Senate, proposing that the Secretary of State transmit by mail forthwith, to each of the sheriffs of the State, a copy of the act passed at the present session of the Legislature for laying off the State into Electoral Districts for the Election of Electors for President and Vice President of the United States and that the Treasurer pay for any expense arising from this order.

Mr. Dobbin, of Cumberland, introduced a bill to amend an act passed by the General Assembly at the session of 1850—51, entitled an act to incorporate the Fayetteville and centre Rail Road Company," which was read the first time and passed.

Mr. Miller, of Caldwell, introduced the following resolution:

Whereas, his Excellency, the Governor, has brought to the attention of the Legislature, in his message, the fact of the resignation of R. M. Saunders Esq., one of the commissioners to revise the public Statutes of the State; and, whereas, he has declined filling the vacancy thus occasioned (as by law he was authorized to do) until first bringing the matter to the consideration of the General Assembly:

Therefore,
Resolved, That the public interests of the State require, that the Governor proceed, without delay, to fill the vacancy in the commission to revise the public Statutes, occasioned by the resignation of R. M. Saunders Esq.,

Mr. moved to lay the Resolution upon the table.

On this motion the yeas and nays were demanded by Mr, Miller, of Caldwell; which being ordered:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Lander, of Lincoln, introduced "a bill concerning the Distribution of the School Fund, in the county of Gaston," which was read the first time, passed and referred to the Committee on Education.

Mr. Reid, of Duplin, introduced "a bill to authorise the County Court of Duplin to sell a part of the public lands of the said county; which was read the first time and passed.

Mr. Lowry, of Buncombe, introduced a bill to prohibit the felling of timber in the French Broad River and its tributaries, which was read the first time, passed and referred to the Committee on Propositions and Grievances.
Mr. Burton, of Cleaveland, introduced "a bill to repeal the seventh section of the 85th chapter of the Revised Statutes;" which was read the first time, passed and referred to a Select Committee of five.

Mr. Dargan, of Anson, introduced "a bill to amend the Constitution of the State;" which was read the first time, passed and referred to the Committee on the Judiciary.

On motion of Mr. B. F. Williams, the House adjourned till to-morrow, 11 o'clock.

Friday, Oct. 22, 1852.

The Judiciary Committee, to whom was referred so much of the message of his Excellency, the Governor, as relates to the commission to revise the Statutes, made a report accompanied with the following resolution:

Resolved That the subject of revising and digesting the Statutes of the State, be postponed until after the report of the commissioners appointed by the Governor for that purpose shall be received.

Mr. Spruill, of Bertie, moved to recommend the report and resolution to the committee on the judiciary, with instructions to report a bill on the subject of the commission to revise the Statutes, if, in their opinion, they should believe the commission has expired.

Mr. Albertson, of Perquimans, moved the following resolution, as an amendment:

Resolved, That the commissioners to revise the Statutes of the State, be called upon to report the extent and result of their labors to this House, at as early day as they can conveniently do so.

Mr. Avery, of Burke, moved to lay the amendments and original resolution upon the table.

Which motion was lost.

The question was then put upon the amendment offered by Mr. Albertson, which was lost.

The question was then put—shall the resolution be re-committed with instructions? and lost—yeas 38, nays 56.

The question now recurring on the original resolution, it was carried without a division.

The Committee on the Judiciary, to whom was referred the resolution as to the expediency of requiring the employment of white managers, where negroes are employed, reported that it was inexpedient to pass such an act and recommended that the Resolution be laid upon the table.

Which report was concurred in.

The Committee on the Judiciary to whom was referred the resolution to enquire into the expediency of authorizing Foremen of Grand Jurors in Superior Courts to administer the oath to witnesses, reported the same back to the House and recommended that it be laid on the table, and asked to be discharged from its further consideration.

Which report was concurred in.

The Committee on the Judiciary, to whom was referred a bill proposing to alter the Grand Jurors, oath, reported the same back to the House, and recommended that it do not pass. The bill was read the second time and rejected.
On motion of Mr. Harris of Cabarrus.

Resolved, That the Comptroller of Public accounts furnish to this House a statement of the expense of the printing of the Proclamation of the Governor, upon the subject of Free Suffrage, or an estimate thereof.

The select Committee on furnishing the Hall made a report accompanied by the following resolution:

Resolved, That James F. Taylor, Public Librarian, be and he is hereby authorized to carry into effect, as soon as practicable, the recommendations contained in the foregoing report, by having such alterations and improvements made and by purchasing such articles as are therein specified.

Resolved, That for making such alterations and improvements, the sum of a thousand dollars be appropriated, or such sum as may be necessary to accomplish the object of this report, not exceeding the limits therein specified.

Resolved, That a similar appropriation be made for the Senate Chamber, out of any money in the treasury, not otherwise appropriated by law.

Which were read the first time and passed.

The Committee on Corporations, to whom was referred the bill to incorporate Burnsville Division No. 209 Sons of Temperance, reported it back to the House with the following amendment: After the words "for the use and benefit of said Division" insert "not exceeding in valuation twenty five hundred dollars."

The amendment being adopted, the question was put—shall the bill pass its second reading?

On the question, the yeas and nays were demanded by Mr. Tolson, of Anson.

Those who voted in the affirmative are:

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Those who voted in the negative are:


So the bill passed its second reading.

On motion of Mr. Wheeler, of Lincoln, the bill to alter the line between the counties of Lincoln and Gaston, was taken from the table and recommended to the Committee on Propositions and Grievances.

A message was received from the Senate, concerning the proposition in relation to the bill laying off the State into Electoral Districts.

Mr Martin, of Franklin, introduced the following resolution, which was laid on the table under the rule:

Resolved, That when the House adjourn hereafter, it shall be the hour of ten o'clock, until otherwise ordered.

On motion of Mr. Martin, of Franklin, the House adjourned until to-morrow 11 o'clock.
The Speaker announced the following Select Committee:

Messrs Burton, Simons, Dunn, Trexler and Allen on the bill to repeal the 7th section, 85th chapter Revised Statutes.

The Committee on Education, to whom was referred the bill relative to the School fund of Gaston county, reported the same back to the House, and recommended its passage.

Whereupon, it was read the second time and passed.

The Committee on the Judiciary, to whom was referred the bill concerning the embankment of low grounds, reported the same back to the House with a substitute and recommended that the substitute do pass; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred the bill to sell the Poor House land in Lincoln, reported the same back to the House, with a substitute, and recommended the passage of the substitute; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred the bill to pay the Wardens of the Poor, of the county of Forsyth, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time, and, on motion of Mr. Waugh, was laid upon the table.

The Committee on Private Bills, to whom was referred the bill to repeal a private law, for the county of Pasquotank, reported the same back to the House, and recommended its passage.
Whereupon, it was read the second time and passed.

The Committee on Private Bills, to whom was referred a bill respecting lands and prices of inspection, reported the same back to the House with an amendment, and recommended its passage as amended; which recommendation being concurred in, the bill was read the second time and passed.

The Committee on Private Bills, to whom was referred a bill in favor of Henry Ingold, of Catawba, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Lander, of Lincoln, laid upon the table.

Mr. Shimpoek, of Cabarrus, introduced "a bill to incorporate the Concord and Anson Plank Road Company," which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from the Senate, transmitting the following engrossed bills:

1st. To give exclusive jurisdiction to the Superior Courts for the county of Stanly.

2nd. To establish a road in Catawba county; which were read the first time and passed.

Mr. Phillips, of Orange, introduced "a bill to facilitate the decision of controversies at law, arising upon instruments under seal," which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Tripp, of Beaufort, introduced "a bill to establish the boundary line between the counties of Beaufort and
Craven;’ which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Wood, of Craven, introduced "a bill to amend the 9th section of an act concerning Common Schools, passed in 1844;" which was read the first time, passed, and referred to the Committee on Education.

Mr. Williams, of Warren, introduced "a bill to amend an act passed at the session of 1840, chapter 80th, entitled an act to prevent persons of color from carrying fire-arms;" which was read first time, passed, and referred to the Committee on the Judiciary.

On motion of Mr. Caldwell, of Guilford,

Resolved, That his Excellency, David S. Reid, be requested to inform this House, whether 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, have been settled, or whether negotiations are pending to effect the same.

Mr. Miller, of Caldwell, introduced the following resolution, which on motion, was laid upon the table:

Resolved, That a message be sent to the Senate, proposing to go into the election of Secretary of State, on Monday next at 12 o'clock.

On motion to lay upon the table, the yeas and nays were demanded by Mr. Caldwell.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Dobbin, of Cumberland, introduced "a bill authorizing the probate of all deeds and bills of sale, requiring registration before the Clerks of the Courts of Pleas and Quarter Sessions, at any time"; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Wood, of Craven, introduced a bill to authorize any fifteen Justices of the Peace, of the county of Craven, to appoint Superintendents of Common Schools, for said county; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Burton, of Cleveland, introduced a bill to appoint Commissioners to sell a portion of the streets in the town of Shelby, county of Cleveland; which was read the first time, passed and referred to the Committee on Private Bills.

The resolutions of the Select Committee on furnishing the Halls were read the second time and passed—Yeas 52, nays 46.

Mr. Teague, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


On motion of Mr. Cherry, the rules were suspended, and the resolution read the third time, passed and ordered to be engrossed.

On motion of Mr. Turner,

Resolved, That the Committee on the Judiciary be in-<br>structed to inquire into the expediency of repealing, altering or amending, section first, chapter 48, of the Revised Statutes, concerning fines, and that they report the same to this House.

A bill to amend an act, passed by the General Assembly at the session of 1850-’51, entitled an act to incorporate the Fayetteville and Centre Plank Road Company, was read the second time and passed.

A bill to authorize the County Court of Duplin, to sell a part of the public lands of said county, was read the first time and passed.

A bill concerning Wilkes county line was read the third time, passed and ordered to be engrossed.

Mr. Williams, of Warren, moved to take from the table the bill concerning tales jurors; which motion was lost.
Mr. Lander, of Lincoln, moved to take up the resolution in favor of J. W. Lowe, Sheriff of Lincoln, and refer it to the Committee on Private Bills; which motion was carried.

On motion of Mr. Waugh, of Forsyth, the House adjourned till Monday 11 o'clock.

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MONDAY, Oct. 25th, 1852.

The Speaker announced the Committee on Enrolled Bills for the week, to consist of Messrs. Blow, Ellis, T. Bynum, W. Turner and Wood.

The Committee on Internal Improvements, through their Chairman, Mr. Avery, of Burke, reported back to the House the bill to amend an act, entitled an act to incorporate the Western Plank Road Company, with an amendment, and recommended that the bill as amended do pass.

Whereupon, the bill was read the second time.

Mr. Wheeler, of Lincoln, moved to strike out the second section of the bill; which was carried, and the bill, as amended, passed.

Mr. Wheeler moved that the rule be suspended, and the bill be put on its second reading.

This motion having prevailed, the bill was read the third time, passed and ordered to be engrossed.
On motion of Mr. Perkins, of Halifax, leave of absence was granted to Mr. Smith, of Halifax, for eight days.

Mr. Avery, of Burke, introduced "a bill to amend the Constitution of North Carolina, which was read the first time, passed and referred to the Select Committee on Constitutional Reform.

Mr. Saunders, of Wake, introduced "a bill abolishing trial by Jury in the County Court, and for the more speedy and certain administration of justice," which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Reid, of Duplin, moved to take from the table the bill to repeal in part the 31st section of the 102d chapter of the Revised Statutes, concerning the revenue.

Which motion having prevailed, the bill was read the second time and passed.

A bill to incorporate the town of Lincolnton was read the second time, and the amendment proposed by the Committee on Private Bills adopted.

Mr. Caldwell, of Lincoln, moved to amend the seventeenth section, by striking out, "or principally employed;" which was carried.

Mr. Caldwell moved to strike out the 28th section.

Lost.

The question then recurring—shall the bill pass? it was decided in the affirmative.

A message was received from his Excellency, the Governor, in reply to the resolution of Mr. Caldwell, of Guilford
and transmitting a letter from John S. Gallagher, of the Third Auditor's Office, Washington city, containing the information sought by said resolution.

Which was read, and, on motion, laid on the table.

Mr. Eure, of Gates, introduced a bill to establish a homestead freehold, by exempting from execution a certain portion of the land of every citizen of the State of North Carolina; which was read the first time, passed, and, on motion of Mr. Spruill, of Bertie, was laid on the table and ordered to be printed.

Mr. Sutton, of Lenoir, presented the resignation of Sam'l Howard as a Justice of the Peace for the county of Lenoir; which was read and accepted.

Mr. Cook, of Wilkes, moved to reconsider the vote of Saturday, on the resolutions of the select committee on furnishing the Hall; which motion was lost—Yea 36, nays 52.

Mr. Caldwell, of Guilford, moved to reconsider the vote by which the bill to repeal in part the 31st section of chapter 102 of the Revised Statutes, was rejected this morning.

Which motion prevailed—Ayes 50, noes 42.

Mr. Harris, of Davidson, moved to amend, by inserting after "situated," in the 11th line, the words. "where any large creek or river divides the two counties"

Mr. Reid, of Duplin, moved to recommit the bill and amendment to the Committee on Finance, which motion prevailed.

A bill to authorise the County Court of Duplin to sell a part of the public lands of said county was read the second time.
Mr. Reid, of Duplin, moved to amend, by inserting, after the word "Duplin," the words, "a majority of the acting justices being present."

Which motion was carried, and the bill, as amended, was passed and ordered to be engrossed.

Mr. Burton, of Cleaveland, introduced the following resolution, which was adopted:

Whereas, a very large, respectable and industrious class of our mechanics in this State have been almost entirely deprived of a means of subsistence, on account of the great influx of ready made clothing from the Northern States:

Therefore,

Resolved, That the Committee on Finance be requested to enquire into the propriety of laying a tax upon all ready made clothing, brought into North Carolina from other States, for sale, sufficient to give a reasonable protection to clothiers of this State.

The Committee on Claims reported back to the House, a bill to authorise Mills Higgins, sheriff of McDowell county, to collect arrears of taxes due him, and asked its reference to the Committee on Private Bills.

Which report was concurred in, and reference made.

The bill to authorise Henry Ingold, of Catawba county, to erect a gate on the road crossing the Catawba River, at Oxford, was, on motion of Mr. Lander, of Lincoln, taken from the table and read the second time, and, on motion of Mr. Spruill, of Bertie, indefinitely postponed.

The following bills were read a third time, passed and ordered to be engrossed:
A bill to amend an act passed at the General Assembly, the session of 1850-'51, entitled "an act to incorporate the Fayetteville and Centre Plank Road company;"

A bill to incorporate Burnsville Division, No. 209, Sons of Temperance;

A bill to amend an act to incorporate the Washington Mining company, passed in the years 1838 and '39, and amended in the years 1850-'51;

A bill concerning a record of marriages.

On motion of Mr. Burton, of Cleaveland, the House adjourned until to morrow, 11 o'clock.

Mr. Gaither demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Tuesday, Oct. 26, 1852.

A communication was received from the Comptroller, in reply to a call from the House, informing the House that the cost of the proclamation of his Excellency, the Governor, concerning "Free-Suffrage," would be about $1900; which was read, and, on motion of Mr. Harris, of Cabarrus, laid upon the table.

Mr. Lauder, of Lincoln, presented a memorial from Ephraim Lutz, and wife Catharine; which was read and referred to the Committee on the Judiciary.

The Committee on the Judiciary, through Mr. Dortch, of Wayne, reported back to the House the bill to amend sec. 1st, chapter 86, of the Revised Statutes, entitled an act concerning the appointment and duties of a patrol in each county, and recommended that it do not pass.

The question being put, the bill was rejected—Ayes 31, noes 75.

The yeas and nays were demanded by Mr. Williams, of Warren.

Those who voted in the affirmative are:


Those who voted in the negative are:
The Committee on the Judiciary, through Mr. Avery, of Burke, reported back to the House, the bill to facilitate the decision of controversies at law, arising upon instruments under seal, and recommended that it do not pass.

Whereupon, Mr. Cherry, of Bertie, introduced the following resolutions, which were read and unanimously adopted.

Resolved, That we have heard with deep regret of the death of that illustrious Statesman, jurist and orator, Daniel Webster, who, eminent during a long life, by a gigantic intellect, a profound knowledge of the constitution of his country, and vast acquirements in every department of human knowledge, consistently devoted them all to the service of his country, to advance her prosperity and glory and the welfare of her people.

2d. Resolved, That as an expression of our respect for the memory of the mighty dead, this House do now adjourn.

On motion of Mr. Dobbin, of Cumberland, the House adjourned until to morrow 11 o'oclock.
Mr. Dortch, of Wayne, from the Committee, on the Judiciary, to whom was referred the bill on jury trials, in the county of Columbus, reported the same back to the House, amended by the committee, and recommended its passage.

Whereupon, the bill was read the second time, and amended, and, on motion of Mr. George, of Columbus, was said upon the table.

Mr. Dortch, from the same Committee, to whom was referred the bill to extend the right of appeal in certain cases, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Dobbin, of Cumberland, in behalf of the same committee, to whom was referred a bill authorizing the probate of all deeds and bills of sale requiring registration before the Clerks of the County Courts, at any time, reported the same back to the House, and recommended its passage.

Whereupon the bill was read the second time and passed.

Mr. McDugald, of Bladen, from the same Committee, to whom was referred a bill to amend the act passed at the session of 1840, chapter 30th, entitled an act, to prevent free persons of color from carrying fire arms, reported the same back to the House, and recommended that it do not pass.
Whereupon the bill was read the second time and rejected—Ayes 44, nays 61.

Mr. Waillims, of Warren, demanded the yeas and nays

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Phillips, of Orange, in behalf of the same committee, to whom was referred a bill for facilitating the trial of certain causes, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Albertson, recommitted to the Committee on the Judiciary.

Mr. Collins, of Chowan, in behalf of the committee on Private Bills, to whom was referred a bill to authorize any fifteen of the Justices of the county of Craven, to appoint Superintendents of Common Schools for said county, reported the same back to the House, and recommended its passage.
Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill to appoint Commissioners to sell a portion of the streets, in the town of Shelby, county of Cleveland, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill to establish the dividing line between the counties of Beaufort and Craven, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of the same committee, to whom was referred a bill requiring the County Court for the county of Forsyth, to pay the Justices who may hereafter take the lists of taxables in said county, reported the same back to the House, with amendments, and recommended that the bill as amended do pass.

Mr. Saunders, of Wake, moved to amend, by striking out all after the words, "a bill," and inserting in lieu thereof the general bill prepared by the Judiciary.

Which motion was carried, and the bill, thus amended, passed its second reading.

A message was received from the Senate, informing the House that Messrs. Murray, Herring and Ward form the Senate branch of the Committee on Enrolled Bills, for the present week.
Also, transmitting an engrossed bill to alter the name of the county seat of Stokes county, and asking the concurrence of the House in the bill.

Whereupon, the bill was read the first time and passed.

Mr. Hill, of Caswell, introduced "a bill to facilitate the recovery of debts due from non-resident debtors;" which was read the first time, passed, and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Mooring, of Martin, introduced "a bill to amend the Revised Statutes, chapter 37th, entitled "deeds of conveyances;"" which was read the first time, passed, and referred to the Committee on the Judiciary.

A message was received from the Senate, transmitting the engrossed resolutions of the House, on furnishing the two Houses, and proposing amendments thereto, and asking the concurrence of the House therein.

Which amendments were read and concurred in.

Mr. Avery, of Burke, in behalf of the committee on Internal Improvement, to whom was referred a bill to amend an act to incorporate the Raleigh and Gaston Railroad Company, reported the same back with amendments, and recommended its passage.

Whereupon, the bill was read the second time, and the first amendment proposed by the committee adopted.

Pending a discussion of the second amendment proposed,

Mr. Fagg, of Buncombe, moved that the further consideration of the bill be postponed, and that it be made the
special order of the day for Wednesday next at 12 o'clock; which motion was carried.

On motion of Mr. Avery, of Burke, the House adjourned until to-morrow 11 o'clock.

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Thursday, October 28th, 1852.

Mr. Avery, of Burke, moved to reconsider the vote by which the bill, taking from the County Courts the power of licensing "Free Negroes to carry fire-arms," was rejected.

Mr. Holeman, of Person, moved the indefinite postponement.

Which motion was rejected.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who vote in the negative, are:

Messrs. Albertson, Amis, Avery, Barrett, Black, Blow, Brooks, Bryant, Byrd, J. A. Caldwell, Christmas, Dobson, Dunn, Durham, Ellis, Fonville, Foreman, George, Godwin, Harris, W. H. Harris, Hawkins,

The question then recurring on the motion to reconsider, it was adopted, and then, on motion of Mr. Avery, the bill was laid on the table.

Mr. Avery, of Burke, introduced "a bill to incorporate the North Carolina and Tennessee Railroad company," which was read first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

A message was received from his Excellency, the Governor, communicating the biennial report of the President and Directors of the Literary Fund, and the report laid on the table and ordered to be printed.

Mr Caldwell, of Lincoln, moved to take from the table the bill abridging the powers of Grand Juries, and refer it to a Select Committee of five; which was lost.

Mr. Love moved to take up and refer to the Committee on the Judiciary; which was carried and the bill referred.

A message was received from the Senate, transmitting the engrossed bill to incorporate Literary Institutions and Benevolent and Charitable Societies; which was read the first time, passed and referred to the Committee on Corporations.

Also, transmitting an engrossed resolution in favor of James R. Dodge; which was read the first time, passed and referred to the Committee on Claims.
Leave of absence was granted to Mr. Bynum, of Northampton, for seven days from to-day.

Mr. Puryear, Chairman, in behalf of the Committee of Propositions and Grievances, to whom was referred the bill to prohibit the felling of timber into the French Broad River and its tributaries, reported the same back to the House, with a substitute, as an amendment, and recommended its passage.

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

Mr. Avery, chairman, in behalf of the Committee on Internal Improvement, to whom was referred the bill to incorporate the Fayetteville and Raleigh Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, Chairman, in behalf of the same committee, reported back to the House the bill to incorporate the Concord and Anson Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Saunders, of Wake, chairman, in behalf of the Committee on the Judiciary, to whom was referred a bill to amend the third section, 39th chapter, of the Revised Statutes, entitled Divorce and Alimony, reported it back to the House, with a substitute, as an amendment, and recommended, that, as amended, it do pass.

Mr. Miller, of Caldwell, offered the following amendment:
Be it further enacted, That whenever a woman ascertains, within six months after the solemnization of the marriage, that her husband has gotten a child on the body of any woman before the marriage, the same shall dissolve the marriage, a vin cuio matrimonii, and she shall be entitled to all the rights and privileges of a single woman.

Which amendment being rejected, the substitute offered by the Committee was adopted.

And the bill passed its second reading—Yeas 33, nays 34.

Mr. Saunders, in behalf of the same committee, reported back to the House, the bill to amend the first section of the 64th chapter of the Revised Statutes, with a substitute, as an amendment, and recommended that the bill, as amended, do pass.

The bill being read the second time, the amendment proposed by the committee was adopted, and the bill pass.

Mr. Saunders, in behalf of the same committee, reported back to the House a bill to repeal an act of 1850-'51, taxing pistols, &c., and making it indictable to carry them, and recommended that it do not passed.

Whereupon, the bill was read the second time and rejected—Yeas 13, nays 91.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
Mr. Pegram of Cumberland, introduced "a bill to incorporate the Gulf and Graham Plank Road Company;" which was read the first time and referred to the Committee on Internal Improvements.

Mr. Hill of Caswell, introduced "a bill to lay off and establish a new county by the name of Ruffin," accompanied by several memorials.

The bill was read the first time, passed and referred with the memorials to the Committee on Propositions and Grievances.

Mr. McDugald of Bladen, introduced "a bill concerning the sale and inspection of lumber, and ton timber at Wilmington, or other point on the Cape Fear River;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Wood of Craven, introduced "a bill to amend an act passed in 1848-'49, chapter 57, entitled an act to confer on Courts certain powers over imprisoned Lunatics;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Dortch of Wayne, moved to adjourn until to-morrow, 10 o'clock; which motion was lost.
Mr. Johnson, of Guilford, moved to adjourn until to-morrow 11 o'clock; which motion was lost.

Mr. Waugh, of Stokes and Forsyth, introduced "a bill to change the boundary line between Forsyth and Davidson;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Martin, of Franklin, moved to take from the table the resolution on adjournment; which motion was carried, and the resolution adopted.

Mr. Ward, of Jones, offered the following resolution, which was read and rejected:

Resolved, That the Committee on the Judiciary, be instructed to enquire into the expediency of enacting a law, altering the time of holding the election of Sheriffs, so that the said election shall not occur at the same time as the election of members of the General Assembly.

Mr. Munday, of Macon, introduced "a bill to perfect title to lands, entered in the county of Macon, previous to the 15th of March, 1852;" which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Long, of Randolph, introduced "a bill in relation to the statute of limitation;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Cook, of Wilkes, introduced "a bill to repeal the second section of the 79th chapter of an act passed at the session of 1848-49;" which was read the first time, passed and referred to the Committee on Finance.
Mr. Phillips, of Orange, moved to take from the table, the bill to facilitate the decision of cases at law, arising upon instruments under seal; which motion being carried,

Mr. Phillips moved an amendment to the bill, and then moved that the bill and amendment be laid on the table, and printed; which motion prevailed.

Mr. Miller, of Caldwell, offered the following resolution:

Resolved, That a message be sent to the Senate, proposing to go forthwith into an election of United States Senator.

Pending which,

On motion of Mr. Marshall, the House adjourned.

FRIDAY, OCT. 29TH, 1852.

Mr. Dortch, of Wayne, on behalf of the Committee on the Judiciary, to whom it was referred a resolution instructing them to enquire into the propriety of giving to Courts of Law jurisdiction over sales of land, for purposes of partition, reported the same back to the House asking to be discharged from its further consideration, as further Legislation on the subject was deemed unnecessary and inexpedient by the committee.

Mr. Phillips, of Orange, moved that the report and resolution be laid upon the table; which motion was carried.
Mr. Webb, of Rutherford, introduced "a bill to incorporate the Western, and North Carolina Railroad Company;" which was read the first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

Mr. Caldwell, Chairman, in behalf of the Committee on Corporations, to whom was referred the engrossed bill of the Senate to incorporate Literary Institutions, and Benevolent and Charitable Societies, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Hill, of Caswell, introduced "a bill to incorporate the Bank of Yanceyville;" which was read the first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Bynum, of Chatham, introduced "a bill to incorporate the Haywood and Pittsboro' Plank Road Company;" which was read the first time, passed and referred to the Committee on Corporations.

Mr. Phillips, of Orange, introduced "a bill to give Courts of Law jurisdiction in cases of sales of land for purposes of partition;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phillips, of Orange, introduced "a bill to give Courts of Law Jurisdiction over sales of real and personal property belonging to wards;" which was read the first time, and passed, and referred to the Committee on the Judiciary.

Mr. Thornburgh, of Randolph, introduced "a bill to amend an act passed at the session of 1848-49, concerning the militia; which was read the first time, passed and referred to the committee on revising or abolishing the militia laws.
Mr. Eure, of Gates, introduced the following resolution, which was read, and, on motion of Mr. Spruill, was laid on the table:

Whereas, for the last several days, members of both branches of the General Assembly have been leaving daily, and many more have resolved to leave, to-day and to-morrow, to be absent for several days:

And whereas, by a resolution of both Houses, an appropriation has been made to furnish the two Houses, by carpeting the floors, &c.:

Therefore,

Resolved, That a message be sent to the Senate, proposing that when the two Houses adjourn to-day, that they stand adjourned until Monday, the 5th of November next, for the purpose of enabling those having charge of furnishing both Houses, to complete the same.

On the motion to lay upon the table.

The yeas and nays were demanded.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Amis, Avery, Barrett, Blow, Bryant, Cherry, Chesnutt, Corbett, Daniel, Dortch, Eure, Fonville, Godwin, Herring, Lockhart, Millers...
Leave of absence for four days from and after to-day was granted to Messrs. Corbett, Chesnutt, Hierring and Bryant.

Leave of absence for four days from and after to-morrow, was granted to Mr. Willans, of Warren.

Leave of absence for four days, from and after Monday, was granted to Messrs. Mooring and Perkins.

Leave of absence for eight days, from and after to day, was granted to Mr. Foreman.

Mr. Phillips, of Orange, introduced a bill to incorporate the Haywood and Chapel Hill Plank Road company; which was read the first time, passed and referred to the Committee on Internal Improvement.

Mr. Miller, of Caldwell, introduced the following resolution, which was read and laid on the table:

Resolved, That a message be sent to the Senate, proposing to go into an election for United States Senator, at 12 o'clock, Monday.

Mr. Ward, of Craven, introduced a bill concerning pilots and pilotage; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

A message was received from his Excellency, the Governor, transmitting the resignations of Justices of the Peace; the resolutions of sundry State Legislatures; and the proceedings of the stockholders of the Wilmington and Raleigh Railroad company.
Also, informing the General Assembly, that the necessary sum had been subscribed to the McDowell and Yancey Turnpike company, to authorize the Board of Internal Improvement, to order the payment of the appropriation for said work, at such times and in such sums as individuals should pay; and, also, that a director for the State had been appointed.

Which was read and transmitted to the Senate, with a proposition to print the message, and the proceedings of the stockholders of the Wilmington and Raleigh Railroad company.

The Committee on Claims, through their chairman, Mr. Wheeler, to whom was referred the engrossed resolution from the Senate, in favor of James R. Dodge, reported the same back to the House, and recommended that it do pass.

Whereupon, the resolution was read the second time and passed.

Mr. Wheeler moved that the rule be suspended, and the resolution put on its third reading.

Which motion was adopted, and the resolution read the third time, passed and ordered to be enrolled.

Mr. Perry, of Granville, introduced the following resolution, which was read, and, on motion, laid on the table.

Resolved, That a message be sent to the Senate, proposing to go into a balloting, at 1 o’clock P. M., on an adjournment, from and after this day, until the third Monday in November proximo.

On motion of Mr. Spruill, of Bertie, Mr. Norfleet, of Edgecombe, was added to the Judiciary committee; and
On motion of Mr. Leach, of Davidson, Mr. Stubbs, of Beaufort, was added to the same committee.

A message was received from the Senate, proposing that the two Houses of the General Assembly adjourn from and after to-day, until Wednesday next.

Mr. Mills, of Rutherford, moved that the proposition be indefinitely postponed; which was carried—Yea, 81, noes 20:

Mr. Miller, of Caldwell, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Amis, Avery, Barrett, Black, Bryant, Cherry, Chesnutt, Collins, Corbitt, Ellis, Eure, Harris, of Davidson, Herring, Moore, Norfolk, Perry, Perkins, Sutton, Teague and Wilder—23.

Mr. Hill, of Caswell, presented sundry memorials; which were referred to the Committee on Propositions and Grievances.

The following bills were severally read the third time, and ordered to be engrossed:
A bill to suspend private law, for the county of Pasquotank;
A bill relative to the school fund of Gaston county;
A bill to amend an act, entitled an act for landings and places of inspection;
A bill to authorize the Wardens of the Poor, of Lincoln county, to sell the lands in said county, on which the Poor House is situated;
A bill to establish a dividing line between the county of Craven and Beaufort;
A bill concerning the Superior Courts of Randolph county, was read the third time, and amended, by inserting the counties of Alamance and Currituck, and passed as amended.

The bill was then amended, to conform to the amendments of the bill.

A message was received from the Senate, concurring in the proposition to print the message of his Excellency, the Governor, and the proceedings of the Stockholders of the Wilmington and Raleigh Railroad Company.

On motion of Mr. Webb, of Rutherford, the House adjourned.
Leave of absence was granted to Mr. McIntyre, from and after to day, until Saturday next.

Leave of absence was granted to Messrs. Dortch and Amis, for four days, from and after to day.

Leave of absence was granted to Mr. Perry, of Granville, from and after to-day, until Thursday next.

Leave of absence was granted to Mr. Holeman, from and after to-day, until Wednesday next.

Leave of absence was granted to Mr. Long, of Caswell, for three days, from and after Monday next.

Mr. Turner, of Iredell, presented a memorial from the Regimental Court Martial, of the 52nd Regiment of North Carolina Militia; which was referred to the Committee on revising or abolishing the Militia Laws.

Mr. Speaker presented a memorial from T. G. Clayton, of Norfolk Virginia; which was read and referred to a select committee of three, consisting of Messrs. McNeill, Caldwell, of Lincoln, and Black.

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to change the boundary line between Forsyth and Davidson, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion, laid on the table.
On motion of Mr. Wilder, of Wake,

Resolved, That the Committee on Finance be instructed to enquire into the expediency of selling or enclosing the public lots belonging to the State, in Raleigh and its vicinity.

On motion of Mr. Webb, of Rutherford,

Resolved, That the Committee on the Judiciary enquire into the most eligible mode for the gradual removal of free negroes or persons of color from this State, and that said committee be authorized to report by bill or otherwise.

Mr. McDugald, of Bladen, introduced "a bill to amend chapter 104, section 1, &c. Revised Statutes, entitled an act, concerning public roads, fences and bridges in this State," which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Phillips, of Orange, introduced "a bill to do away with collateral warrantees," which was read the first time, passed and referred to the Committee on the Judiciary.

The following bills were severally read the third time and passed, and ordered to be engrossed:

A bill concerning the embankment of low grounds:
A bill to authorize fifteen Justices of the county of Craven, to appoint superintendents of Common Schools:
A bill to appoint Commissioners to sell a portion of the streets, in the town of Shelby, county of Cleveland:
A bill to authorize the probate of all deeds and bills of sale, requiring registration, before the Clerks of the Courts of Pleas and Quarter Sessions, at any time:
A bill to authorize the Courts of Pleas and Quarter Session to make compensation to Justices of the Peace, appointed for taking the list of taxable property:
A bill to amend the first section, 64th chapter, of the Revised Statutes.

The following bills were read the third time, and on motion laid on the table:

A bill to extend the right of appeal in certain cases:
A bill to prohibit the felling of timber into the French Broad River, and its tributaries:
A bill to amend the second section, 39th chapter of the Revised Statutes, entitled "divorce and alimony," was read the third time.

Whereupon, Mr. Caldwell, of Lincoln, moved to amend it by striking out "hath been or," which motion was lost.

The yeas and nays were demanded by Mr. Caldwell.

Those who voted in the affirmative are:

Messrs. Adams, Barco, Caldwell of Lincoln, Calloway, Cook, Dobson, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Holeman, Matthews, Miller, McNell, Sanders of Johnson, Tripp, Turner, of Iredell, Waugh and Whitehurst—21..

Those who voted in the negative are:


Mr. Caldwell, of Lincoln, moved to amend, by striking out "six" before months, and inserting "one."
Mr. Lander moved to amend the amendment, by striking out "one" and inserting "three," which motion was lost—Yeas 23, nays 43.

The amendment of Mr. Caldwell was then rejected, and the question recurring on the passage of the bill, it was passed, and ordered to be engrossed—Ayes 46, nays 35.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The report of the President and directors of the Raleigh and Gaston Railroad company was received and ordered to be transmitted to the Senate, with a proposition to print.

A bill to incorporate the town of Lincolnton, was read the third time.

Whereupon, Mr. Caldwell moved to lay the bill on the table.

Which motion was lost.
Mr. Caldwell then moved to postpone the further consideration of the bill till Wednesday next.

Rejected.

Mr. Marshall moved to amend the bill by adding the reto; "Provided that the said commissioners shall not lay any tax upon the sale, within the town, of any article, the growth or manufacture of this State, spirituous liquors excepted."

Which amendment was rejected—Ayes 23, nays 53.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Caldwell, of Lincoln, moved to amend the 28th section of the bill by striking out "less" and inserting "more."

Which was adopted—Yeas 34, nays 27.

Mr. Caldwell, of Lincoln, moved to amend the section by inserting, "and that the Clerk shall grant a certificate to
any person who shall prove by two witnesses a good moral character."

Which amendment was rejected.

Mr. Caldwell, of Lincoln, moved to strike out the word "give" in the 28th section.

Rejected.

Mr. Caldwell then moved to amend the bill by striking out the 28th section. This amendment was rejected—Yeas 15, nays 62.

Mr. Caldwell demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are:

Messrs. Barco, Caldwell, of Lincoln, Daniel, Durham, Furr, Jarvis, Jones, Love, Martin, Matthews, Miller, Munday, McDugald, Tolson, and Walters—15.

Those who voted in the negative, are:


Mr. Caldwell moved that the charter continue in force only for two years.

Which motion was rejected.
Mr. Caldwell then moved the indefinite postponement of the bill.

Which was lost.

The question then recurring—shall the bill pass? it was carried without a division, and the bill ordered to be engrossed.

Mr. Cook, of Wilkes, presented the following resolution, which was read and laid over, under the rule:

Resolved, That hereafter no person shall be granted leave of absence, without assigning some good reason for the same.

On motion of Mr. Eure, of Gates, the House adjourned till Monday.

Monday, Nov. 1st, 1852.

The Speaker announced that the Committee on enrolled bills for the week would consist of Messrs. Strange, Calloway, Johnson, Dunn, and Barco.

Mr. Carmichael, of Wilkes, presented sundry petitions from the citizens of Wilkes, for aid in establishing public roads; which were laid on the table.
A message was received from the Senate, proposing to adopt the report of the Comptroller, as the basis for laying off the Senatorial Districts, with sundry specified alterations.

Which was read and concurred in.

Also, concurring in the proposition of the House to print the report of the Raleigh and Wilmington Railroad.

On motion of Mr. Erwin, of Burke and McDowell,

Resolved, That a message be sent to the Senate, proposing to raise a Joint Select Committee, to be composed of the Senators and Members of the House of Commons, representing the counties of McDowell and Yancey, upon the message of the Governor, relative to the McDowell and Yancey Turnpike, and that said committee be instructed to inquire what further legislation is necessary, and report by bill or otherwise.

Leave of absence was granted to Messrs. Phillips, and Sanders, of Johnson, until Wednesday next.

Mr. Stubbs, of Beaufort, introduced a bill to amend the fourth section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel, in the county of Beaufort; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Webb, of Rutherford, introduced a bill for the better regulation of the militia of North Carolina; which was read the first time, passed and referred to the Committee on revising and abolishing the militia laws.

Mr. Lander, of Lincoln, introduced a bill to amend the 53d section of the 34th chapter of the Revised Statutes; which was read the first time, passed and referred to the Committee on the Judiciary.
Mr. Erwin, of Burke and McDowell, introduced a bill to prevent imitation of coinage; which was read the first time passed and referred to the Committee on the Judiciary.

Mr. Caldwell, of Lincoln, introduced a bill to abolish the present militia laws of the State, and for other purposes; which was read the first time, passed, and referred to the committee on revising or abolishing the militia laws.

Mr. Avery, chairman, in behalf of the Committee on Internal Improvements, to whom was referred the bill to incorporate the Gulf and Graham Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, in behalf of the same committee, to whom was referred a bill to incorporate the Haywood and Chapel Hill Plank Road company, reported the same back to the House and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, of Guilford, chairman of the Committee on Corporations, to whom was referred a bill to incorporate the Haywood and Pittsboro' Plank Road company, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The following engrossed bills from the Senate were severally read a second time and passed:

A bill to give exclusive jurisdiction to the Superior Courts for the county of Stanly.
A bill to establish a road in Catawba county;
A bill to alter the name of the county seat of Stokes county.

The following bills were severally read the third time, passed and ordered to be engrossed:

A bill to incorporate the Fayetteville and Raleigh Plank Road company;
A bill to incorporate the Concord and Anson Plank Road company.

The Senate bill to incorporate Literary Institutions, and Benevolent and Charitable Societies, was read the third time, passed and ordered to be enrolled.

A message was received from the Senate, concurring in the proposition to print the report of the President and Directors of the Raleigh and Gaston Railroad company;

Also, informing that Messrs. Richardson, Speight and Brogden form the Senate Committee on Enrolled Bills for the present week.

Mr Carmichael, of Wilkes, moved to reconsider the vote by which the bill to incorporate the town of Lincolnton passed its third reading on Saturday.

The House refused to reconsider—Yea 30, nay 35.

On motion of Mr. Webb, of Rutherford, the House adjourned.
Tuesday, Nov. 2nd, 1852.

Mr. Dobbin, of Cumberland, moved to adjourn; which motion was lost—Yea 30, nay 34.

Mr. Puryear, chairman of the Committee on Propositions and Grievances, to whom was referred the bill concerning the sale and inspection of lumber and ton timber at Wilmington or other point on Cape Fear River, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Puryear, Chairman, in behalf of same Committee, to whom was referred the bill concerning pilots and pilotage, reported the same back to the House, and recommended rejection.

Whereupon, the bill was read the second time, and on motion of Mr. Wood, of Craven, the memorial accompanying the bill was read, and the bill and memorial were laid on the table.

Mr. Puryear, Chairman, in behalf of same committee, to whom was referred a bill to perfect titles to entries made in Macon county, previous to the 15th of March, 1852, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Wheeler, of Lincoln, moved that the House adjourn; which motion was lost—Yea 28, nay 33.

Mr. McNeill, Chairman, in behalf of the Select Committee, to whom was referred the memorial of T. G. Clayton, of Norfolk, Virginia, reported the same back to the House, with the following resolution, which was adopted:
Resolved, That we have not had an opportunity of testing the practicability of said machine, therefore, for this and the further reason of the present financial condition of this State, it is not expedient to purchase the same.

Mr. Gwynn, of Surry, introduced "a bill to lay off and establish a new county by the name of Blue Ridge, and to attach a portion of Stokes county, to the county of Surry; which was read the first time, passed, and with sundry memorials, referred to the Committee on Propositions and Grievances.

Mr. Lander, of Lincoln, moved that the House do now adjourn; which motion was lost—Yeas 27, nays 39.

The following bills was severally read the third time, and passed, and ordered to be engrossed:

A bill to incorporate the Gulf and Graham Plank Road Company;

A bill to incorporate the Haywood and Pittsboro Plank Road Company:

On motion of Mr. Eure, of Gates, the House adjourned.

Wednesday, Nov. 3, 1852.

Mr. Carmichael, of Wilkes, presented a memorial from the citizens of Wilkes county, concerning the construction of dams across Roaring River, which was referred to the Committee on Propositions and Grievances.
The following bills were severally read the third time, passed and ordered to be engrossed:

A bill concerning the sale and inspection of lumber and ton timber at Wilmington, or other point on the Cape Fear River;
A bill to perfect titles to entries made in Macon county, previous to the 15th of March, 1852;
A bill to incorporate the Haywood and Chapel Hill Plank Road Company.

The following engrossed bills were severally read the third time, passed and to be enrolled:

A bill to give exclusive jurisdiction to the Superior Courts, for the county of Stanly;
A bill to establish a Road in Catawba county;
A bill to alter the name of the county seat of Stokes county.

On motion of Mr. Webb, of Rutherford;

Resolved, That the Committee on Finance, be instructed to look into the expediency of amending the 8th section of an act, to increase the revenue of the State, passed at the session of 1850-'51, so as to provide that each and every Company of Circus Riders, or Equestrian Performers, and each and every person or Company, who shall exhibit any collection of Animals, commonly known as a Menagerie, for reward, shall, previously to exhibiting or performing in any county in this State, pay to the Sheriff thereof, one hundred dollars; and all Ethiopian Serenaders, Comic Singers and Performers on Musical Instruments, who exhibit or perform, for reward, ten dollars; and they be authorized to report by bill or otherwise.

Mr. Wynne, of Hyde, introduced "a bill to repeal an act entitled an act to prevent the obstruction of the passage of
fish at inlets on the sea coast of the State, passed at the session of 1850-'51" which was read the first time and passed.

Mr. Wynne moved that the rule be suspended, and that the bill be put on its second reading; which motion was carried, and the bill was read the second time.

On motion of Mr. Spruill, the bill was referred to a Select Committee of seven.

On motion of Mr. Williams, of Warren, the bill to pay tales jurors was taken from the table, and having been read, was rejected—Yeas 40, nays 42.

Mr. Saunders, of Wake, presented a memorial from the heirs of Capt. R. D. Cook, a continental officer; which was read and referred to the Judiciary Committee.

On motion of Mr. Saunders, the bill to amend the Charter of the Raleigh and Gaston Railroad Company was taken from the table, and made the order of the day for Monday next at 12 o'clock.

On motion of Mr. Erwin, of Burke and McDowell, the House adjourned.
THURSDAY, Nov. 4th, 1852.

Mr. Phillips, of Orange, presented a memorial in behalf of the citizens of Alamance; which was referred to the Committee on Internal Improvements.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to amend chapter 104, section 1st, Revised Statutes, entitled an act concerning public roads, ferries and bridges in this State, reported the same back to the House, with a substitute, as an amendment, and recommended its passage.

The amendment of the committee was adopted, and the bill passed its second reading.

Mr. Saunders, of Wake, introduced "a bill to amend the act, entitled an act to incorporate the North Carolina Railroad company," which was read the first time, passed and referred to the Committee on Internal Improvements, and ordered to be printed.

Mr. Dortch, of Wayne, introduced a bill to prohibit the sale of spirituous liquor to free persons of color;" which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Ward, of Jones, introduced a bill to incorporate the North Carolina and Atlantic Railroad company; which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Long, of Randolph, moved to reconsider the vote by which the bill to pay tales jurors was rejected yesterday.
Which motion was carried—Yea's 64, nays 33.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


So the vote was reconsidered.

When, on motion of Mr. Saunders, the bill was recommitted to the Committee on the Judiciary.

Mr. Long, of Randolph, introduced a bill to incorporate Science Hill Male and Female Academy, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Bynum, of Chatham, introduced a bill for the collection and management of the revenue of this State; which was read the first time, passed and referred to the Committee on Finance.
Mr. Phillips, of Orange, introduced a bill to protect the rights of persons owning personal property in common; which was read the first time, passed and referred to the Committee on the Judiciary.

The Speaker announced the special committee on the bill introduced by Mr. Wynne, yesterday, to consist of Messrs. Wynne, Spruill, Jarvis, D. F. Caldwell, Phelps, Miller and Ward.

Mr. Jones, of Tyrrel, introduced a bill for the protection of boats, canoes, coasting and sea vessels; which was read the first time, passed and laid on the table.

On motion of Mr. Long, of Randolph, the House adjourned.

Friday, Nov. 5th, 1852.

Mr. Dobbin, of Cumberland, presented a memorial in regard to obstructions in the Cape Fear and Deep River Navigation company; which was referred to the Committee on Internal Improvements.

Mr. Lander, of Lincoln, presented a memorial from citizens of Gaston county, praying that no portion of that county be attached to Lincoln; which was referred to the Committee on Propositions and Grievances.

Mr. Saunders, of Wake, introduced a bill concerning Superior and County Courts; which was read the first time, passed and referred.
Mr. Saunders, of Wake, chairman, in behalf of the Judiciary Committee, to whom was referred a bill concerning Superior and County Courts, reported the same back to the House, with amendments, and asked the concurrence of the House in the same.

On motion, it was ordered that the bill, as amended, be printed, and made the special order of the day for Tuesday next, at 12 o'clock.

A bill to amend chapter 104, section 1st, &c. Revised Statutes, entitled an act concerning the Public roads, ferries, and bridges in this State, was read the third time, passed and ordered to be engrossed.

Mr. Johnson, of Guilford, introduced "a bill to incorporate the Greensboro' and Deep River Plank Road company," which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Webb, of Rutherford, introduced the following resolution:

Resolved, That the order of this House, requiring the Doorkeeper to furnish ice for the use of the members, be and the same is hereby rescinded.

Mr. Avery moved to lay the resolution on the table.

On this motion, Mr. Webb demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Allen, Alford, Avery, Barco, Barrett, Black, Blow, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell, of Lincoln, Calloway, Chesnutt, Corbett, Dargan, Dobbin, Dobson, Dorch, Dunn, Durham, Erwin, Fagg, George, Harris, of Cabarrus, Hawkins, Her- *19
rington, Hill of Caswell, Hill, of Duplin, Jarvis, Lockhart, Lowry, Love* 18
Those who voted in the negative, are:


Mr. Dargan, of Anson, moved to take from the table the bill of Mr. Leach, of Davidson, providing for calling of a convention.

Which motion was not carried—Yea's 46, nays 58.

Mr. Marshall, of Forsyth, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who vote in the negative, are:

Mr. Wheeler, of Lincoln, introduced "a bill to authorize J. Cline, Sheriff of Catawba county, to collect arrears of taxes;" which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Burton, of Cleaveland, charman of the select committee to whom was referred a bill to repeal 7th section, of the 82nd chapter, of Revised Statutes," reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Marshall, of Stokes, introduced the following resolution,

Which was read and rejected:

WHEREAS, the growth and culture of the grape, as well as the making of wine, in the State of North Carolina, is now in its infancy;

And whereas, the soil and climate of this State, is congenial to the growth and culture of the grape;

And whereas, any tax upon the selling or retailing of wine made in North Carolina is calculated to act injuriously upon the growth and culture of the vine in this State;

Therefore, be it,

Resolved, That the Committee on Finance be so instructed to amend the revenue laws of this State, as to exempt from taxation, the selling or retailing of wine the growth and manufacture of North Carolina.

Mr. Hill, of Daplin, introduced "a bill to make wilful tresspass on land, by cutting timber trees, and unlawful
hunting indictable;” which was read the first time, passed and referred to the Committee on the Judiciary.

A message was received from the Senate, agreeing to raise a joint Select Committee, to be composed of the Senators and Representatives of the counties of McDowell and Yancey, on the message of the Governor relating to the McDowell and Yancy Turnpike Company.

A message was received from the Senate, proposing to raise a Joint Select Committee of four from the Senate, and six from the House, to take into consideration the Western Turnpike Company, and the lands pledged for its construction, and that the said Committee report by bill or otherwise.

Which proposition was concurred in.

On motion of Mr. Martin, of Franklin, the House adjourned.

Saturday, Nov. 6th, 1852.

Mr. Dortch, of Wayne, in behalf of the Committee on the Judiciary, to whom was referred a bill to prohibit the sale of spirituous liquors to free persons of color, reported the same back to the House, and recommended that it do not pass.

Whereupon the bill was read the second time and pass
Mr. Phillips, of Orange, in behalf of same committee, to whom was referred a bill in relation to the collection of partnership and other debts, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Phillips, of Orange, in behalf of same committee, to whom was referred a bill to do away with collateral warrentees, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Dargan, of Anson, in behalf of the same committee, to whom was referred a bill to amend the 53rd section of the 34th chapter of the Revised Statutes, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Stubbs, of Beaufort, in behalf of same committee, to whom was referred a bill to amend the 4th section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel for the county of Beaufort, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Saunders, of Wake, Chairman, in behalf of same committee, to whom was referred a resolution concerning the removal of free negroes from the State, reported the same back to the House, with a recommendation that the resolu.
tion be laid on the table, and asking that the committee be discharged from its further consideration.

Which was concurred in.

Mr. Saunders, of Wake, Chairman, in behalf of same committee, to whom was referred the memorial of Ephraim Lutz and wife, of Chatham, reported the same back to the House, and recommended that it be laid on the table.

Which proposition was concurred in.

Mr. Dobbin, of Cumberland, in behalf of same committee, to whom was recommitted a bill to pay taxes jurors, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time, and passed.

Mr. Avery, of Burke, in behalf of same committee, to whom was referred a bill to protect live stock from malicious destruction, reported the same back to the House with amendments, and recommended that the bill as amended do pass.

The question being taken the 1st amendment of the committee was adopted.

Mr. Saunders, of Wake, moved to strike out "she" in the second amendment of the Committee.

Carried.

Mr. Avery moved to amend, by adding Caldwell to the counties named in the amendment.

Which motion was carried.
Mr. Webb, of Rutherford, moved to lay the bill and amendments on the table.

Which motion prevailed.

Mr. Harris, of Cabarrus, Chairman, in behalf of the Committee on Constitutional Reform, to whom was referred a bill to amend the Constitution of North Carolina, reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Williams, of Warren, laid on the table.

Mr. McDougald, of Bladen, introduced "a bill to incorporate the town of Elizabeth town, in the county of Bladen;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Avery, of Burke, Chairman, in behalf of the Committee on Internal Improvements, to whom was referred a bill to incorporate the Greensboro' and Deep River Plank Road Company, reported the same back to the House, and recommended that it do pass.

Whereupon, the bill was read the second time and passed.

Mr. Fagg, of Buncombe, introduced "a bill to establish a public road in the county of Madison;" which was read the first time, passed, and referred to the Committee on Internal Improvement.

Mr. Phillips, of Orange, introduced the following resolution, which was adopted:

Resolved, That the Committee on the Judiciary be instructed to investigate the law regulating the solemnization
of marriage in North Carolina, and report whether it be not expedient to amend the same.

Mr. McNeill, of Robeson, introduced a bill to incorporate the Lumberton and Cape Fear Plank Road Company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Gwynn, of Surry, introduced a bill to incorporate the town of Jonesville, in the county of Yadkin; which was read the first time, passed and referred to the Committee on Corporations.

Mr. McIntyre, of Richmond, introduced a bill to amend the Constitution of the State of North Carolina; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Wheeler, of Lincoln, introduced a bill to establish the North Carolina Military Institute; which was read the first time, passed and referred to the Committee on Education.

Mr. Martin, of Franklin, introduced a bill to amend the first section of the 20th chapter of the Revised Statutes; so as to give the election of clerks and masters in Equity, to the people; which was read the first time, passed and referred to a Select Committee of five.

The Speaker announced the committee to consist of Messrs. Martin, Lyon, Bynum, of Chatham, Phillips and Pegram.

Mr. Durham, of Orange, introduced a bill to incorporate the Trustees of the Hillsboro Academy; which was read the first time, passed and referred to the Committee on Corporations.
Mr. Matthevs, of Forsythe, introduced a bill to prohibit any corporate body from laying a tax on articles, the growth and manufacture of this State; which was read the first time, passed and referred to the Committee on the Judiciary.

The pension certificates of William Losser, Thos. Ewell, and Theophilus Gardner, were severally read and countersigned by the Speaker.

A message was received from the Senate, transmitting the following engrossed bills; which were severally read the first time and passed:

A bill to authorize the Court of Pleas and Quarter Sessions, of Perquimons county, to sell a portion of its public Square;

A bill to pay tales jurors in Rockingham and Guilford counties;

A bill to confirm the establishment of the county of Yadkin.

A message was received from the Senate, transmitting the following engrossed bills from the House, with amendments, and asking the concurrence of the House in the same:

The proposed amendments were concurred in:

A bill to provide for paying tales jurors, in the county of Halifax;

A bill to pay tales jurors, in the county of Columbus the same compensation as is now paid to jurors of the regular panel.

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On motion of Mr. Sutton, of Lenoir, the House adjourned.

Monday, Nov. 8th, 1852.

The Speaker announced the following committees:

On Enrolled Bills for the Present Week—Messrs. Erwin, W. Harris, of Davidson, Mooring, Rives and Lowry.

On Western Turnpike Road.—Messrs. Blow, Smith, Sanders, Fagg, Munday and Styles.

The House proceeded to take up the special order of the day: it being the proposition of the Senate to adjourn sine die on the first Monday in December.

Mr. Mooring, of Martin, moved the indefinite postponement, and Mr. Spruill, of Bertie, demanded the yeas and nays, which were ordered.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House refused to postpone indefinitely.

Mr. Dortch, of Wayne, moved to postpone the further consideration of the question till the first Monday in December next, and demanded the yeas and nays.

This motion was lost—Yea 48, nay 56.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion, the proposition of the Senate was laid on the table.
Mr. Williams, of Warren, moved to take from the table the bill to amend the Constitution of North Carolina, and the report of the majority of the committee thereon.

Which motion having prevailed, he submitted the report of the minority of the committee.

On motion of Mr. Wheeler, of Lincoln, it was ordered that the bill and reports of the Committee be printed, and that they be made the special order of the day for Monday next, at 12 o'clock.

Mr. Cherry, of Bertie, Chairman, on behalf of the Committee on Education, to whom was referred a bill to provide for the appointment of a Superintendent of Common Schools, and for other purposes, reported the same back to the House, with amendments, and recommended its passage.

Whereupon, the bill and amendments were read, and, on motion of Mr. Cherry, were laid on the table, and made the special order of the day for Wednesday next, at 12 o'clock.

Mr. Cotton, of Chatham, moved that leave of absence be granted to Mr. Webster, Assistant Doorkeeper, for two days, from and after to-day.

Which was granted.

A message was received from the Senate, informing the House that the Senate branch of the Committee on Enrolled Bills for the week consists of Messrs. McMillan, Albright and Kerr.

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred the bill
to alter the line between the counties of Lincoln and Gaston reported the same back to the House, and recommended that it do not pass.

Whereupon, the bill was read the second time.

Mr. Caldwell, of Lincoln, asked for the reading of the memorials which accompanied the bill, which was granted; and the memorials were read.

Mr. Burton, of Cleaveland, moved to lay on the table; which motion was laid on the table.

Mr. Wheeler, of Lincoln, moved a substitute as an amendment to the bill.

Mr. McIntyre moved to amend the substitute, by the following proviso:

"Provided, That in settling the said line, the population of Gaston county be not reduced below the ratio for a member of the House of Commons;" which proviso was adopted.

Mr. Lander, of Lincoln, moved to add the names of Messrs. B. F. Briggs, of Gaston, or Dr. Thomas Williams, of Cleaveland, to the commission.

Carried.

Mr. Burton moved to amend, so as to alter the boundary line between the counties of Lincoln, Gaston and Cleaveland.

Which motion prevailed.

The substitute to this amendment was adopted, and the question recurring, shall the bill pass?
It passed its second reading.

Mr. Erwin, of Burke, presented a memorial of sundry citizens of Henderson, praying an appropriation to build a public road in said county; which was referred to the Committee on Propositions and Grievances.

A message was received from the Senate, informing the House that Messrs. Thomas, Washington, Bower and Thompson form the Senate branch of the Committee on the Western Turnpike.

Also, informing the House that the Senate had rejected the bill to amend the second section of the 39th chapter, Revised Statutes, entitled Divorce and Alimony.

Mr. Chesnutt, of Sampson, introduced "a bill for the better regulation of the town of Clinton, in the county of Sampson;" which was read the first time, passed, and referred to the Committee on Corporations.

The hour of 12 having arrived, the House proceeded to take up the bill to amend an act, entitled an act to incorporate the Raleigh and Gaston Railroad Company—

The question pending being the recommendation of the committee to strike out the 18th section of the bill.

Mr. Avery moved an amendment to the 18th section, which was ruled out of order by the Speaker, as no amendment to the section could be entertained, while the question to strike out was pending,

Mr. Avery appealed from the decision of the Chair.

The question was, shall the chair be sustained?
The decision of the Speaker was sustained—Yeas 45, nays 39.

The 18th section was stricken out, and Mr. Avery moved to amend the bill, by inserting a section.

Pending which,

On motion of Mr. Phillips, of Orange, the House adjourned.

Tuesday, Nov. 9th, 1852.

The House resumed the consideration of the Raleigh and Gaston Railroad bill, the question pending, being the amendment proposed by Mr. Avery, of Burke.

The hour of 12 having arrived, the House proceeded to take up the regular order of the day for that hour, when

Mr. Hill, of Caswell, moved that the regular order, being the bill to alter and amend the judiciary system of the State, be postponed until Monday next, and made the special order for that day at 12 o'clock; which was agreed to, and the House continued the consideration of the amendment of Mr. Avery.

Mr. Burton, of Cleaveland, moved an adjournment, which motion was lost.
Mr. Webb, of Rutherford, moved to postpone the further consideration of the subject until Thursday 12 o'clock.

Which was disagreed to.

Mr. Hill, of Duplin, offered the following amendment:

"Provided, That no land be condemned until after the road is completed from Goldsboro' to Raleigh."

Which amendment was lost.

And the question recurring, shall the original amendment be adopted?

It was decided in the affirmative.

Mr. Smith, of Halifax, moved to amend the bill, by giving to the Company authority to form a connexion from the town of Weldon, with the navigable waters of the Roanoke River.

Mr. Strange, of New Hanover, moved an adjournment, upon which motion,

Mr. Saunders, of Wake, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Albertson, Adams, Alford, Allen, Amis, Barco, Black, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell, of Guilford, Callo-
way, Cherry, Christmas, Cotten, Daniel, Dargan, Dunn, Durham, Ellis,

So the House refused to adjourn. The question being taken on the amendment offered by Mr. Smith, it was adopted.

Mr. Hill, of Caswell, moved "that in the 3rd section, the words "three directors" be stricken out, and "four directors" inserted.

Pending a debate upon which, on motion, the House adjourned.

WEDNESDAY, NOV. 10th, 1852.

The Speaker announced that the first business in order was the amendment to the Raleigh and Gaston Railroad bill introduced by Mr. Hill, of Caswell.

On motion of Mr. Love, of Haywood, the bill was laid on table.

And the engrossed bill from the Senate, extending the time of making election returns, was taken up, read the first second and 3d times, and passed, and ordered to be enrolled.

The consideration of the amendment was then resumed and the question being taken upon it, 'twas decided in the negative—Yeas 47, nays 64.
Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The hour of 12 having arrived, the special order of the day, the bill to appoint a superintendent of Common Schools and for other purposes, was taken up, and, on motion of Mr. Cherry, was laid on the table, and the House resumed the consideration of the Raleigh and Gaston Railroad bill.

Mr. Fagg, of Buncombe, offered the following amendment after the word 'company,' in section 3rd, line 3rd: strike out the words, "to be annually adopted by the Board of Internal Improvements" and insert "to be annually chosen by the qualified voters for members of the House of Commons under such rules and regulations, and at such times as may be by law directed."

Which amendment was rejected—Yeas 14, nays 69.
Mr. Fagg demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


The question then recurring—shall the bill pass?

It was decided in the affirmative.

Mr. Phillips, of Orange, presented to the House a communication from the commission to revise the Statutes.

Which was, on motion, transmitted to the Senate with a proposition to print.

Mr. Saunders, of Wake, introduced the following resolution,

Which was read and adopted.

Resolved, That the Committee on the Judiciary be instructed to inquire whether full returns have been made.
the Sheriffs, in the election of electors, and if not, what has been the cause, and report what steps are necessary to be taken thereon.

On motion of Mr. Saunders, of Wake, the "bill to incorporate the Atlantic, and North Carolina Railroad company," with the amendments proposed by the Committee of Internal Improvements be laid on the table and printed.

Moved that the House adjourn.

Mr. Spruill, of Bertie, 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. Avery, of Burke, moved that the House do now adjourn.
Mr. Phillips, of Orange 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. Phillips, of Orange, moved that the House take a recess, until half-past three o’clock.

And, on this motion, the yeas and nays were demanded by Mr. Bynum, of Northampton.

Those who voted in the affirmative are:


Those who vote in the negative, are:
Mr. Caldwell moved that the House adjourn.

Mr. Williams, of Warren, demanded the yeas and nays.

The question being taken, it was decided in the affirmative.

And the House adjourned.

Thursday, Nov. 11th, 1852.

Mr. Carmichael, of Wilkes, presented a memorial from sundry citizens of Ashe and Watauga counties, praying the enactment of a law for the relief of Larkin Rey; which was referred to the committee on private bills.

Also, a memorial from sundry citizens of Wilkes county, praying that persons in this State be allowed to sell any articles of produce of their own manufacture, in any quantity, without taxation; which was referred to the Committee on Propositions and Grievances.
Mr. Watters, of Brunswick, presented a memorial from John Smith, and others, praying that ten acres of tide swamp lands be set apart for his use, for the purpose of propagating oysters; which was referred to the Committee on Private Bills.

Mr. Saunders, of Wake, presented a petition of W. G. Hamilton, praying to be divorced from his wife; which was referred to the Committee on the Judiciary.

Mr. Saunders, of Wake, introduced the following resolution, which was read and adopted:

Resolved, That the Judiciary Committee inquire whether the act of last session, entitled "an act to vest in the President and Directors of the Literary Fund, all the property that shall hereafter escheat to the State," requires any amendment, and whether it be expedient to authorize the said President and Directors to enter into any arrangement with the Trustees of the University, in regard to the subject matter embraced in said act?

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a petition from the citizens of Wilkes, for a repeal of an act forbidding the erection of dams across Roaring River, in that county, reported the same back to the House, with the information that they found no such law on the statute book, as the one sought to be repealed, and that, therefore, no further Legislation on the subject was necessary.

Which report was concurred in.

Mr. Puryear, Chairman, in behalf of same committee, to whom was referred a bill to lay off and establish a new county by the name of Blue Ridge, and to attach a part of Stokes county to the county of Surry, reported the same back to the House, and recommended that it do pass.
Mr. Cook, of Wilkes, moved to strike out in the first section, "thence up the Yadkin River, to the mouth of Roaring River to the Middle Fork, thence along the top of the leading ridge, which divides the waters of the Upper Fork of Roaring River from those of the Middle Fork, known as Carter's Mountain, to the Ashe county line, being to the top of the leading ridge that divides the waters of New River, from those of the Yadkin River to the Virginia Line."

Which amendment was adopted.

Mr. Caldwell moved to reconsider the vote by which the amendment of Mr. Cook was adopted.

Pending which motion,

Mr. Cherry, of Bertie, moved that the whole subject be laid over, and made the order of the day, for Wednesday next, two weeks.

Which was carried.

Mr. Cherry, Chairman, in behalf of the Committee on Education, to whom was referred a bill to amend the 9th section of an act concerning Common Schools, passed in 1844, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Dortch, of Wayne, in behalf of the Committee on the Judiciary, to whom was referred "a bill to confirm a grant to B. H. Stanmore," reported the same back to the House, and recommended that it do pass.

Mr. Styles, of Cherokee, moved that the bill be indefinitely postponed.
Which motion was lost.

Mr. Styles then moved the following amendment as an additional section to the bill.

*Be it further enacted,* That the Treasurer of the State, be, and he is hereby authorized and instructed to refund to Capt. John A. Powell and David Taylor, the sum paid by them for the Cherokee lands contemplated in the bill.

Which amendment was rejected—Yeas, 25, nays 43.

The question then recurring—shall the bill pass? it was decided in the affirmative.

On motion of Mr. Dortch, of Wayne, the rules were suspended, and the bill was read the third time, passed, and ordered to be engrossed.

Mr. Wynne, of Hyde, Chairman, in behalf of the Select Committee, to whom was referred the bill to repeal "an act to prevent the obstruction of the passage of fish at inlets on the sea coast of the State," passed at the session of 1850-'51, reported the same back to the House, and recommended its passage.

Mr. Collins, of Chowan, moved that the bill be indefinitely postponed.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:

22

So the House refused to postpone indefinitely.

The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Wynne moved that the rule be suspended, and that the bill be read the third time.

Which motion did not prevail.

Mr. Caldwell, of Guilford, Chairman, in behalf of the Committee on Corporations, to whom was referred "a bill to establish the Farmer's Bank of North Carolina," reported the same back to the House with amendments, and recommended that it do pass.

The first question being on the first amendment of the Committee,

It was adopted.

The second amendment proposed was then read and adopted.

And the the question recurring—shall the bill pass? it was decided in the affirmative—Yeas 79, noes 22.
Mr. Wilder, of Wake, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion of Mr. Marshall, of Stokes, the House adjourned.

Friday, Nov. 12th, 1852.

Mr. Martin, of Franklin, from the Select Committee, to whom was referred the bill giving elections of Clerks and Masters to the people, reported the the same back to the House, and recommended that it do pass.
Whereupon the bill was read the second time.

Mr. Munday, of Macon, moved the following section as an amendment to the bill.

_Be it further enacted_, That the county surveyor in each county, shall be elected in same manner as Clerks and Masters in Equity, by the qualified voters of the House of Commons, in each and every county, and that all laws and clauses of law coming within the purview of and meaning of this law be, and the same are hereby repealed.

Which amendment was rejected—Yea 41, nay 62.

Mr. Williams, of Warren, demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Webb, of Rutherford, introduced the following amendment; which was rejected—Ayes 27, nay 47.
Be it further enacted, That the provisions of this bill shall not extend to the county of Rutherford.

Mr. Dargan, of Anson, moved the following amendment; which was adopted:

Be it further enacted, That this bill and provisions be not extended to the county of Anson.

Mr. Brooks, of Pasquotank, moved the following amendment; which was adopted—Yeas 43, nays 63:

Be it further enacted, That the provisions of this bill shall not extend to the county of Pasquotank.

Mr. Webb, of Rutherford, introduced the following amendment; which was rejected—Yeas 43, nays 63:

Be it further enacted, That the county trustees of each and every county in this State be elected according to the same rules as are prescribed in this bill for the election of clerks and masters in Equity.

Mr. McDugald moved to lay on the table.

Which motion was lost.

And the question recurring on the amendment,

Mr. Webb demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


Mr. Cherry, of Bertie, moved the indefinite postponement of the bill.

Mr. Martin, of Franklin, 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. Webb, of Rutherford, moved to postpone until Friday next; which was rejected.
Mr. Spruill, of Bertie, offered the following amendment; which was rejected—Yea 28, nay 74:

"And overseers of public roads, patrols, county solicitors, public rangers, registers and superintendents of common schools."

Mr. Spruill demanded the yeas and nays.

Those who voted in the affirmative are:


Those who vote in the negative, are:


The hour of 12 having arrived, on motion of Mr. Avery, of Burke, the special order of the day was postponed until Friday next, and made the special order for that day at 12 o'clock.

The House resumed the consideration of the bill to give the election of Clerks and Masters to the people.

And the question recurring—shall the bill pass its second reading? it was decided in the affirmative—Yea 67, nay 36.
Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Caldwell, of Guilford, on behalf of the Committee on Corporations, reported back to the House the following bills:

Which were severally read the second time and passed:

A bill to incorporate the Lumberton and Cape Fear Plank Road company;

A bill to incorporate the trustees of the Hillsborough Academy;

A bill to incorporate Science Hill, Male and Female Academy;

A bill to incorporate the town of Jonesville, in Yadkin county.

Mr. Cherry, Chairman, in behalf of the Committee on Finance, to whom was recommended a bill, to repeal in part the 31st section of the 102 chapter, Revised Statutes,
reported the same back to the House, and recommended that it do not pass.

On motion of Mr. Dobbin, the bill and report were laid on the table.

Mr. Cherry, from the same Committee, reported back to the House the bill to appoint tax collectors for the State of North Carolina, and recommended that do not pass.

Whereupon, the bill was read the second time.

Mr. Webb moved to lay the bill on the table.

Which motion was rejected—Yea 28, nays 41.

Mr. Marshall moved the following amendment:

Provided, That this act shall extend to no other county than Rutherford.

Mr. Martin moved to postpone the bill indefinitely.

Which motion prevailed.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Cherry, from the same Committee, reported back to the House the bill concerning listing taxes, and recommended that it do not pass.

Whereupon the bill was read the second time.

Mr. Harris, of Davidson, moved to amend the bill, by striking out the 1st day of July, and inserting the 1st 20 days in July.

Which amendment was rejected.

And the question recurring—shall the bill pass its second reading? it was decided in the negative.

Mr. Cherry, from the same committee, reported back to the House a resolution to enquire into the expediency of increasing the tax on circus riders, &c., and recommended that it is inexpedient to legislate upon the same, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Dobbin, of Cumberland, introduced "a bill to incorporate a Mutual Insurance Company, in the town of Fayetteville;" which was read the first time, passed, and referred to the Committee on Corporations.
Mr. Dargan, of Aiscon, introduced "a bill to incorporate Carolina Lodge, No. 141, of Ancient York Masons;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Stubbs, of Beaufort, introduced "bill to extend the power of the Commissioners of navigation for the port of Washington;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Phelps, of Washington, introduced a bill to establish the Roanoke Bank, in the town of Plymouth.

Pending the reading of which,

On motion of Mr. Williams, of Warren, the House adjourned.

Saturday, Nov. 13th, 1852.

The first business in order, was the bill introduced by Mr. Phelps yesterday,

Pending the reading of which, the House adjourned.

It was read the first time, passed, and referred to the Committee on Corporations.
On motion of Mr. Cherry, of Bertie, the Homestead bill introduced by Mr. Eure, of Gates, was taken from the table and referred to the Committee on the Judiciary.

On motion of Mr. Cherry, of Bertie; Mr. Mooring, of Martin, was added to the Committee on Finance.

Mr. Stubbs, of Beaufort, presented the memorial of Thomas Latham, of Beaufort county; which was referred to the Committee on the Judiciary.

On motion of Mr. Long, of Randolph,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of passing a law to limit the time for which sureties upon administration bonds are liable, and that they report by bill or otherwise.

On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee on the Judiciary be instructed to enquire, if the present laws regulating the election of this State, prescribing the duties of Sheriffs, relative to the same, be sufficient to secure the faithful performance of their duties, as to holding the elections; the prompt transmission of the returns from each precinct to the Court House; and to the proper place of comparing the Senatorial and Congressional votes; and to execute the duty by signing, sealing, and delivering to the person who may appear to have a majority of the votes, a certificate of election.

On motion of Mr. Wood, of Craven,

Resolved, That the Committee on Swamp Lands be instructed to enquire into the quality and condition of the Swamp Lands belonging to the literary fund, and advise some plan whereby it may become a benefit to the same, and report by bill or otherwise.
On motion of Mr. Watters, of Brunswick,

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of amending the law passed at the session of 1846-'47, which requires the owners of slaves that are hired to list them for taxation, and that they report by bill or otherwise.

Mr. Webb, of Rutherford, introduced "a bill authorizing the Sheriff of Rutherford to collect arrears of taxes due him;" which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. George, of Columbus, introduced "a bill to incorporate the Lumberton and Columbus Plank Road Company;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Smith, of Halifax, introduced "a bill to incorporate the Roanoke and Meherrin Connection company;" which was read the first time, passed, and referred to a Select Committee of five—Messrs Smith, Mooring, Cherry, Daniel and Lockhart, compose said committee.

Mr. Long, of Randolph, introduced "a bill to incorporate Franklinsville Manufacturing company, in the county of Randolph;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Martin, of Franklin, introduced "a bill concerning the official bonds of Sheriffs, Coroners, and Constables;" which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Daniel, of Hertford, introduced "a bill to prevent the fraudulent conveyance of property, and for other purposes;" which was read the first time, passed, and referred to
the Committee on the Judiciary, and ordered to be printed.

Mr. Phillips, of Orange, introduced "a bill to incorporate the Chapel Hill, and Durhamville Plank Road company;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Phillips, of Orange, introduced "a bill to incorporate the Lockville and Hillsboro' Plank Road company;" which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Wilder, of Wake, introduced "a bill to extend the authority of the Commissioners of the city of Raleigh;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Cotton, of Chatham, introduced "a bill to amend an act, and the supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers, above Fayetteville;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from his Excellency, the Governor, transmitting the report of the President and Directors of the Deep River Navigation company; which was read, and with the report, transmitted to the Senate, with a proposition to print.

Mr. Rives, of Chatham, presented a memorial in favor of the Cape Fear and Deep River Navigation company; which was transmitted to the Senate, with a proposition to print.

Mr. Williams, of Warren, introduced the following resolution, which was read and laid on the table:
Resolved, That this House hold evening sessions from and after Monday next.

A message was received from the Senate, transmitting the following engrossed bills; which were severally read the first time and passed:

A bill to incorporate Catawba College;
A bill to amend the Charter of the town of Salisbury;
A bill concerning the Reports of the Supreme Court;
A bill to make the bonds of the State, issued on account of the Fayetteville and Western Plank Road Company, transferable.

Also, "a resolution in favor of Rufus H. Page, of Wake county; which was read the first time and passed.

Also, a bill concerning the Seaboard and Roanoke Railroad company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

A message was received from the Senate, transmitting the House bill, "authorizing the probate of deeds and bills of sale, requiring registration, before the Clerk of the Court of Pleas and Quarter Sessions at any time," amended by striking out the second section.

Which amendment was concurred in.

A message was received from the Senate, transmitting the following engrossed bill, and resolution:

"A bill to encourage the investment of capital, for Mining and Manufacturing purposes," which was read the first time and passed.

"A resolution requiring the Secretary of State to procure the names of the several acting Justices of the Peace in
this State, and report to the General Assembly;” which was read, adopted, and ordered to be enrolled.

The following bills were severally read the third time, passed, and ordered to be engrossed.

A bill to incorporate Science Hill Male and Female Academy;
A bill to incorporate the Lumberton and Cape Fear Plank Road Company;
A bill to incorporate the town of Jonesville, in Yackin county;
A bill to repeal an act, entitled “an act to prevent the obstruction of the passage of fish, at inlets on the sea coasts of the State,” passed at the session of 1850-'51.

The bill to amend an act, entitled “an act to incorporate the Raleigh and Gaston Railroad company,” was read the third time.

Mr. Caldwell, of Guilford, moved to amend, by inserting after the word “session” in 13th section, the following, “so long as the State shall remain a Stockholder.”

Which amendment was adopted.

Mr. Saunders, of Wake, moved to amend the 19th section of the bill, by inserting after the names of the Commissioners, the following: “with the Agent or Representative of the State, approved by the Board of Internal Improvements.”

Which amendment was adopted.

Mr. McDugald, of Bladen, moved to amend the 18th section of the bill, by adding the following:
Resolved, That the said connecting link of Railroad, between the said Raleigh and Gaston Railroad, and the said North Carolina Railroad, shall commence at the Raleigh Depot of the said Raleigh and Gaston Railroad and move thence in as direct a line as possible, to the said North Carolina Railroad, at or near the Southern end of Fayetteville street, in the city of Raleigh; and it is at the said point, that the said junction and actual connection of the said Raleigh and Gaston Railroad and the said North Carolina Railroad, shall be made, and no where else.

Mr. Dortch, of Wayne, moved that the House adjourn.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who vote in the negative, are:


So the House refused to adjourn.

The question being taken on the amendment of Mr. McDugald, it was rejected.
The question now recurring—shall the bill pass? it was decided in the affirmative, and the bill was ordered to be engrossed.

On motion of Mr. Erwin, of Burke and McDowell, the House adjourned.

Monday, Nov. 15th, 1852.

Mr. John T. Lyon, of Orange, appeared, his presented credentials, was qualified and took his seat.

The Speaker announced that the committee on enrolled bills, on the part of the House, for the week, consists of Messrs. Hill, of Duplin, Miller, Long, of Caswell, Williams of Greene and Teague.

A message was received from the Senate, proposing to raise a joint select committee of three on the part of the Senate, and six on the part of the House, to ascertain and report, the condition of the Institution for the education of the Deaf, Dumb and Blind; the manner in which it has been and is now conducted, and how the pupils therein are taken care of and instructed.

Which proposition was concurred in, and Messrs. Turner, of Orange, Bynum, of Northampton, Long, of Randolph, Foreman, Shimpock and Christmas, appointed as the Committee on the part of the House.
A message was received from the Senate, transmitting an engrossed bill "to extend the time for registering grants, mense conveyances, powers of attorney, bills of sale and deeds of gift."

Which was read the first time and passed.

A message was received from the Senate, transmitting the bill to incorporate the Haywood and Pittsboro' Plank Road company, with an amendment.

Which was concurred in.

A message was received from the Senate, transmitting the bill to incorporate the Concord and Anson Plank Road company, with an amendment.

Which amendment was read, and on motion, the bill and amendment were laid on the table.

Mr. Burton, of Cleaveland, presented a memorial from sundry persons against the establishment of a new county to be formed of portions of Cleaveland, Rutherford, Lincoln, &c.

Which was referred to the Committee on Propositions and Grievances.

Mr. Stubbs, of Beaufort, presented "a memorial from sundry citizens of Beaufort county, praying the Legislature to impose a tax upon ready made clothing brought into this State for sale."

Which was referred to the Judiciary Committee.

Mr. George, of Columbus, presented a petition of sundry citizens of Columbus, praying the manumission of slave Rachel, the property of one of the petitioners.
Which was referred to the Committee on Propositions and Grievances.

Mr. Cook, of Wilkes, presented a petition from sundry citizens of Wilkes county, praying for an appropriation to clear out Roaring River.

Which was referred to the Committee on Propositions and Grievances.

Mr. Munday, of Macon, presented a petition from Joseph Branch to be paid back money, which he alleges to have twice paid the State for Cherokee lands, and a resolution in favor of the same.

Which was read the first time, passed, and with the memorial, referred to the Committee on Propositions and Grievances.

Mr. Hill, of Caswell, in behalf of the Committee on the Judiciary, reported back to the House the bill to incorporate the Bank of Yanceyville, with two amendments, and recommended that it do pass.

Whereupon, the bill was read the second time, and the amendments proposed by the committee adopted.

Mr. Holeman, of Person, moved to amend the bill by striking out the words "or its equivalent," wherever they occurred in the bill.

Which amendment was rejected—Yeas 34, nays 65.

Mr. Holeman demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Holeman moved to amend by inserting the following proviso after the 12th section:

Provided, That the holder of said notes may have right of action against any person, who may then, or heretofore has been stockholders.

Which amendment was rejected.

The question recurring—shall the bill pass its second reading? it was decided in the affirmative.

A message was received from the Senate, proposing to go into the election of a Secretary of State to day, at 12 o'clock.

Which proposition was concurred in.

And Messrs. Hill and Amis, appointed to superintend the election on the part of the House.
Mr. Caldwell, of Guilford, chairman in behalf of the committee on corporations, reported back to the House, a bill to incorporate Carolina Lodge, No. 141, of the Ancient York Mason; also, a bill to incorporate the town of Elizabethtown in the county of Bladen, and recommended their passage.

Whereupon, they were severally read the second time and passed.

Mr. Avery, chairman, in behalfof the committee on Internal Improvements, reported back to the House a bill to incorporate the Chapel Hill and Durhamville Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

A message was received from the Senate, informing the House that Messrs. Steele and Cunningham form the Senate branch of the committee to superintend the election of Secretary of State, and that Mr. Wm. Hill is in nomination.

The House proceeded to vote with the following result:

FOR MR. HILL.

The hour having arrived for the consideration of the special order of the day, a bill concerning the Superior and County Courts:

On motion of Mr. Saunders, the House resolved itself into a Committee of the Whole, Mr. Cherry, of Bertie, in the Chair.

The committee rose, reported progress, and asked leave to sit again.

Leave being granted,

On motion of Mr. Cotton, of Chatham, the House adjourned

Tuesday, Nov. 16th, 1852.

On motion of Mr. Cherry, of Bertie, the bill to appoint a superintendent of common schools, and for other purposes, was taken from the table, and made the special order of the day for next, at 12 o'clock.

A message was received from the Senate, proposing that the General Assembly adjourn sine die, on the 15th day of December next.
Mr. Williams, of Warren, moved to lay the proposition on the table.

Mr. Byrd, of Yancey, 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. Scales, of Rockingham, moved to postpone the further consideration of the proposition until the 10th of December.

Mr. Smith of Halifax, 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.

And the question recurring—shall the proposition of the Senate be concurred in? it was decided in the affirmative—Yeas 73, nays 38.

Mr. Gaither of Davie, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:

A message was received from the Senate, informing the House that the Senate branch of the Committee on the Deaf, Dumb and Blind, consists of Messrs. Washington, Watson and Jones, of Wake.

A message was received from the Senate, informing the House that the Senate branch of the Committee on enrolled bills for the week, consists of Messrs. Steele, Collins and McDowell.

Also, informing the House that the Senate had rejected the bill "to extend the right of appeal in certain cases."

A message was received from the Senate, transmitting the following engrossed bills:

"A bill to repeal an act, passed at the session of 1850-51, entitled an act to establish a new county by the name of Jackson;" which was read the first time and passed.

Mr. Love moved that the rule be suspended, and that the bill be put on its second reading.

Which motion prevailed—yeas 65, nays 24.

The Bill was read the 2nd time.

Mr. Love moved an amendment, as a substitute for the Bill.

When, on motion of Mr. Wheeler, of Lincoln, the Bill was laid on the table, and made the special order for next Tuesday at 12 o'clock.

A message was received from the Senate, transmitting a Bill to incorporate the Gulf and Graham plank road Company, with amendments; which were concurred in.
Mr. Hill, of Caswell, from the Committee to superintend the election of Secretary of State, reported that there were 45 votes cast in the Senate, and 111 in the House; That William Hill received 156 votes, which, being a unanimous vote, he was duly elected.

Which report was concurred in.

On motion of Mr. Saunders, of Wake, the Bill to incorporate the Atlantic and North Carolina Railroad Company was taken from the table and made the order for Monday next, at 12 o'clock.

Mr. Caldwell, of Guilford, in behalf of the Committee on Corporations, reported back to the House a bill to incorporate the Mutual Insurance Company, in the town of Fayetteville, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Caldwell, in behalf of the same committee, reported back to the House "a bill to incorporate the Franklinsville Manufacturing company," and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Cherry, Chairman, in behalf of the committee, reported back to the House "a bill to repeal the second section of the 79th chapter of an act, passed at the session of 1848-'49," and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Cherry, in behalf of same committee, to whom was referred a resolution, to enquire into the expediency of tax-
ing ready made clothing brought into the State, reported the same back to the House, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Blow, of Pitt, introduced "a bill to amend an act passed at the session of 1850-'51, entitled an act to incorporate the Greenville and Raleigh Plank Road Company;" which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Blow, of Pitt, introduced "a bill to amend the 14th chapter of the Revised Statutes, entitled an act concerning the public roads, fences and bridges in this State.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Seaman's Friend Society; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Thornburg, of Randolph, introduced a bill to incorporate the Euwharrie and Yadkin Plank Road Company, which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Calloway, of Wilkes, introduced a bill to authorise E. C. Bartlett, late Sheriff of Ashe County, to collect arrears of Taxes due him; which was read the 1st time, passed and referred to the Committee on Private Bills.

Mr. Webb, of Rutherford, introduced a Bill to establish a road over Blue Ridge, at Gap; which was read the 1st time, passed and referred to the Committee on Internal Improvements.

Mr. Bynum, of Northampton, introduced a Bill to incorporate Cherith Division, No. 25, Sons of Temperance, in
the County of Northampton, which was read the 1st time, passed and referred to the Committee on Corporations.

Mr. Munday, of Macon, introduced a Bill to expedite trials, and avoid unnecessary costs in punishing petty offences; which was read the 1st time, passed and referred to the Committee on the Judiciary.

Mr. Carmichael, of Wilkes, introduced a Bill to repeal in part the fifth section of an act of the General Assembly, passed at its session of 1850-'51, entitled an act to establish a Superior Court of Law and Equity, for the county of Watauga; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Brooks, of Pasquotank, introduced a bill to incorporate Jonesboro’ Division, No. 201, Sons of Temperance, in the county of Camden; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Cook, of Wilkes, introduced a resolution in favor of H. T. Dyer, late sheriff of the county of Wilkes; which was read the first time, passed and referred to the Committee on Private Bills.

On motion of Mr. Saunders, of Wake, the House resolved itself into Committee of the Whole on the bill concerning County and Superior Courts—Mr. Cherry, of Bertie, in the Chair.

The Committee rose, and, through their Chairman, reported progress, and asked leave to sit again.

Leave was granted, and

On motion of Mr. Caldwell, of Guilford, the House adjourned.
The Speaker presented the following communication from the Hon. Thomas Ruffin, Chief Justice of the State:

To the Honorable the General Assembly of North Carolina now in Session:

Gentlemen:

I desire to return to the walks of private life; and, therefore, pray your honorable body to accept the resignation of my place on the Bench of the Supreme Court. In surrendering this trust, I would wish to express my grateful sense of the confidence and honors so often and so long bestowed on me by the General Assembly. But I have no language to do it suitably. I am very sensible that they were far beyond my deserts, and that I have made an insufficient return of service. Yet, I can truly aver, that, to the best of my ability, I have administered law, as I understood it, and to the ends of suppressing crime and wrong, and upholding virtue, truth and right; aiming to give confidence to honest men, and to confirm, in all good citizens, a love for our country, and a sure trust in her laws and magistrates.

In my place, I hope I have contributed to those ends, and firmly believe that our laws will, as heretofore, be well executed, and our people happy in the administration of justice, honest and contented, as long as they keep, and only so long as they keep, the independent and sound judiciary now established in the Constitutions, which, with all other blessings, I earnestly pray, may be perpetuated to the people of North Carolina.

I have the honor to be, gentlemen,

Your most obliged and ob't servant,

THOMAS RUFFIN.

Raleigh, Nov. 10, 1852.
On motion of Mr. Saunders, of Wake,

Resolved, That the letter of the Hon. Thomas Ruffin, Chief Justice of the Supreme Court, be transmitted to the Senate, with a proposition that it be printed, and referred to a joint select committee of five on the part of the House and three on the part of the Senate.

Mr. Phillips, of Orange, introduced a bill to establish the competency of certain evidence; which was read the first time, passed and referred to the committee on the Judiciary and ordered to be printed.

Mr. Carmichael, of Wilkes, introduced a bill to lay off and establish a new county, of portions of Wilkes and Caldwell counties, to be called Clay; which was read the first time, passed, and, with the memorial, referred to the Committee on Propositions and Grievances.

Mr. Bynum, of Northampton, introduced a bill to incorporate Invincible Division, No. 184, order of the Sons of Temperance.

Which was read the first time, passed and referred to the Committee on Corporations.

Mr. McIntyre, of Richmond, introduced a bill to incorporate Lawrenceburg High School, in the county of Richmond.

Which was read the first time, passed and referred to the committee on Corporations.

Mr. Long, of Randolph, introduced a bill in relation to liberties of sureties upon administration bonds.

Which was read the first time, passed and referred to the Committee on the Judiciary.
On motion of Mr. Wheeler, of Lincoln,

Resolved, That the Committee on Internal Improvements be instructed to examine the act as regards navigation of the Catawba River, what amendments may be proper to carry out this improvement.

On motion of Mr. Dobson, of Surry,

Resolved, That the Committee on Internal Improvements enquire into the expediency of the State subscribing a part of the stock in the Yadkin Navigation company, and that they report by bill or otherwise.

On motion of Mr. Willey, of Guilford,

Resolved, That the use of the Commons Hall be tendered to night, the 17th inst. to Professor Emmons, State Geologist, for the purpose of delivering a lecture on the agricultural and mineral resources of North Carolina.

Mr. Burton, of Cleaveland introduced the following resolution.

Which was read and rejected:

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee, of five on the part of the House, and three on the part of the Senate, to inquire into the expediency of adopting the free banking law in this State.

Mr. Jones, of Tyrrell, introduced the following resolution:

Which was read, and on motion laid on the table.

Resolved, That a message be sent to the Senate, proposing to go into the election of Public Treasurer, on Saturday next, at 11 o'clock.
Mr. Martin, of Franklin, offered the following resolution; which was read the first time, passed and referred to the Committee on Claims:

Resolved, That the Public Treasurer pay to W. W. Greene and L. A. Jeffreys ninety nine dollars and fifty cents, for their medical attendance upon Mary W. Fuller for injuries received by her while a passenger on the Raleigh and Gaston Railroad, in the month of June, 1850, and that he be allowed the same in the settlement of his public amounts.

A message was received from the Senate, concurring in the proposition to print the letter of resignation of the Hon. Chief Justice of the Supreme Court, and in the proposition to raise a joint select Committee, to whom the matter shall be referred, and informing the House that Messrs. Joyner, Caldwell and Gilmer form the Senate branch of the Committee.

The Committee on the part of House consists of Messrs. Saunders of Wake, Phillips, Norfleet, Amis and Collins.

Mr. Thornburg, of Randolph, presented the resignation of H. Dorrett as a Justice of the Peace for the county of Randolph.

Which was read, accepted, and ordered to be transmitted to the Senate.

On motion of Mr. Shimpock, of Cabarrus, the bill to incorporate the Concord and Anson Plank Road company was taken from the table, and the amendment of the Senate concurred in.

A message was received from his Excellency, the Governor, transmitting the Report of President of the Raleigh and Gaston Railroad.
Which was ordered to be sent to the Senate, with a proposition to print.

A memorial from sundry citizens of Davidson, and other counties, was presented by Mr. Leach, of Davidson, and referred to the Committee on Education.

The hour of eleven having arrived, the special order of the day the bill providing for the appointment of a superintendent of common schools, and for other purposes, was taken up, and the amendments proposed by the committee concurred in.

Mr. Scales, of Rockingham, moved to recommit the bill to the Committee on Education.

Which motion did not prevail.

Mr. Wiley moved the following amendment as an additional section to the bill.

Which was adopted.

Sec. 16. That all monies collected from defaulting chairmen shall be paid to the county from which collected.

The question then recurring—shall the bill pass its second reading? it was decided in the affirmative.

On motion of Mr. Love, of Haywood, the rule was suspended, the bill read the third time and passed—Yea 66, nay 48.

Mr. Marshall, of Stokes, demanded the yeas and nays.
Those who voted in the affirmative are:


Those who voted in the negative are:


A message was received from the Senate, transmitting a bill to incorporate the Greensboro' Mutual Life Insurance and Trust Company, with amendments.

Which were concurred in.

On motion of Mr. Perry, of Granville, the House ad- 
journed.
Thursday, Nov. 18th, 1852.

Mr. Phillips, of Orange, introduced a bill to incorporate the South Lowell Academy in the county of Orange;" which was read the first time and passed.

Mr. Waugh, of Stokes, introduced a bill to attach a part of Yadkin, to Forsythe county; which was read the first time, passed, and, on motion, the rule being suspended, the bill passed its second and third readings, and was ordered to be engrossed.

Mr. Wilder, of Wake, introduced a bill to incorporate Holly Springs High School, in the county of Wake; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Wilder, of Wake, introduced a bill to incorporate Wake Forest Male Academy, in the county of Wake; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Caldwell, of Guilford, introduced the following resolution; which was read and laid on the table—Yea's 84, nays 23.

Resolved, That the Senate concurring, that the Judges of the Supreme Court be, and they are hereby respectfully requested to enquire and inform the Assembly, whether the act or acts authorizing the annual proceeds of the Literary Fund to be divided among the several counties of this State, have been passed in strict conformity with the provisions of the Constitution of the State, and are not now acted on in violation thereof.

Mr. Caldwell demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Puryear, of Surry, offered a resolution in favor of Henry G. Hampton, late Sheriff of Yadkin and Surry counties; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Johnson, of Guilford, offered the following resolution; which was read, and under the rule, laid on the table:

Resolved, That this House take a recess from 2 to half-past 3 o'clock, P. M., from and after Monday next, for the purpose of holding evening sessions.

Mr. Avery, of Burke, offered the following resolution; which was read and adopted:

Resolved, That the Committee on Internal Improvements be authorized to employ Major Walter Gwynn, or some other skilful Engineer, to examine the improvements in the navigation of Cape Fear and Deep Rivers, above Fayetteville, now progressing under the control and management of the Cape Fear and Deep River Navigation Company; and report at as early a day as practicable, the
present condition of the work, and the probable amount of expenditure that will be necessary to insure its completion.

A message was received from his Excellency, the Governor, transmitting the report of the President and Directors of the Board of Internal Improvements; which, on motion of Mr. Caldwell, of Lincoln, was ordered to be sent to the Senate, with a proposition to print.

On motion of Mr. Saunders, of Wake, the House resolved itself into a committee of the whole, on the bill concerning County and Superior Courts, Mr. Cherry, of Bertie, in the Chair.

The committee rose, reported progress, and asked leave to set again; which was granted.

The report of the Comptroller, for the year 1852, was received and ordered to be transmitted to the Senate, with a proposition to print.

A bill to incorporate the Greensboro' and Deep River Plank Road Company was read the third time, amended, passed and ordered to be engrossed.

A bill to establish the Farmer's Bank of North Carolina, was read the third time, passed and ordered to be engrossed.

On motion of Mr. Avery, of Burke, the report of the President and Directors of the Cape Fear and Deep River Navigation company was referred to the Committee on Internal Improvements.

On motion of Mr. Martin, of Franklin, the House adjourned.
FRIDAY, NOV. 19th, 1852.

Mr. Johnson, of Guilford, moved to take from the table the resolution offered by him yesterday, providing for afternoon sessions.

Which motion prevailed—Yeas 42, nays 19.

And having been modified so as to take effect from and after Monday, 29th instant, was passed.

Mr. Saunders, of Wake, in behalf of the Joint Select Committee, appointed on the letter of resignation of Chief Justice Ruffin, reported the following resolutions;

Which were unanimously adopted:

Resolved, unanimously, That the General Assembly receive reluctantly, and with deep regret, the announcement that Thomas Ruffin has resigned his office of Chief Justice of the Supreme Court of this State.

2nd. Resolved unanimously, That the pre-eminent ability, profound learning, and unspotted integrity which marked his long career as a Magistrate, command the warmest acknowledgments of this General Assembly, the gratitude of the people at large and will ever be the ornament and pride of administrative justice in North Carolina.

3rd. Resolved, That the proceedings of the General Assembly on this resignation be signed by the Speaker of both Houses, and transmitted to Chief Justice Ruffin.

The following bills were severally read the third time, passed and ordered to be engrossed:
A bill to amend the 5th section of an act concerning Common Schools, passed in 1844;
A bill to incorporate the Trustees of Hilsbtor Academy;
A bill in relation to the collection of partnership and other debts;
A bill to do away with collateral warrantees;
A bill to amend the 53rd section of the 31th chapter of the Revised Statutes;
A bill to amend the 4th section of an act passed at the session of 1832-'33, entitled an act compensating jurors of the original panel, for the county of Beaufort.
A bill to prohibit the sale of spirituous liquors to free persons of color was read the third time, passed and ordered to be engrossed—Yeas 75, nays 35.

Mr. Thornburgh, of Yancey, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

A bill to pay tales jurors was read the third time, and the amendment proposed by the Committee adopted.

Mr. Carmichael, of Wilkes, moved to except the counties of Henderson, Rutherford, Ashe, Cabarrus, Wilkes, Yancey, Davie, Watagua, Alexander, Rockingham, Beaufort, Montgomery, Buncombe, Madison, Yadkin, Surry, Moore, Lincoln, Gaston, Iredell, Stanly, Union, Caldwell, Catawba, Tyrrell, Chatham, Washington, Anson, Pasquotank, and Mecklenburg.

Mr. Phillips, of Orange, moved to lay the bill and amendment on the table.

Mr. Williams, of Warren, 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 Guilford, moved the following as a substitute for the Bill: Strike out all after the enacting clause and substitute the following:

"That it shall be lawful for the preceding Court of any County to order a decree for the payment of such tales Jurors, as he or they may think entitled to pay for services rendered."

Which amendment was rejected.

Mr. Puryear, of Surry, moved the indefinite postponement of the Bill.

Which was lost.—yeas 39, nays 68.

Mr. Harriss, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question recurring—shall the Bill pass? it was decided in the affirmative.
A message was received from his Excellency, the Governor, transmitting the Report of the Agent for the collection of Cherokee bonds, and sale of Cherokee lands.

Also the Report of the Commissioners to superintend the construction of the Western Turnpike Company.

Which were, on motion, ordered to be sent to the Senate with a proposition to print.

The Report of the Public Treasurer was received, and on motion, ordered to be sent to the Senate with a proposition to print.

The hour for the special order of the day, a bill to amend the Constitution of the State of North Carolina, having arrived, it was taken up.

Mr. Holeman, of Person, moved an amendment.

The Speaker decided that all amendments to that portion of the bill, passed at the last session of the Legislature, were out of order, and could not be entertained.

Mr. Holeman appealed from the decision.

The House sustained the Speaker.

Whereupon, the bill passed its second reading, a majority of two-thirds of the House voting therefor—Yea 84, nay 27.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allen, Avery, Barco, Barrett, Black, Blow, Bryant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of Lincoln.
Galloway, Chesnutt, Christmas, Cotton, Corbett, Dobbin, Dobson, Dortch,
Dunn, Durham, Ellis, Eure, Fagg, Fonville, Foreman, Gafter, George,
Godwin, Gwynn, Harris of Davidson, Herring, Hill of Caswell; Hill of
Duplin, Jarvis, Lander, Leach, Lockhart, Long, of Caswell, Love, Lyon
of Granville, Lyon of Orange, Martin, Marshall, Matthews, Mills,
Mooring, Munday, McDugal, Mcintyre, McNeill, Norfleet, Pegram,
Phelps, Phillips, Puryear, Reid of Rockingham, Rives, Russell, Sanders
of Johnson; Saunders of Wake, Scales, Sherrill, Simons, Styles, Strange,
Stubbs, Sutton, Tolson, Watters Walton, Ward, Waugh, Webb,
Wheeler, Williams of Greene, Williams, of Warren, Wilder, Wood
Wynne, Alford and Reid of Duplin—81.

Those who voted in the negative, are:

Messrs Adams, Amis, Brooks, Caldwell, of Guilford, Carmichael,
Cherry, Cook, Erwin, Farr, Harris, of Cabarrus, Holman, Johnson,
Jones, Long, of Randolph, Lowery, Miller, Perry, Perkins, Shimpock,
Smith, Spruill, Teague, Thorburn, Trapp, Turner of Iredell,
Whitehurst and Wiley—27.

On motion, the bill was made the special order of the day
for Tuesday next, at half-past 12 o'clock.

Mr. Leach, of Davidson, moved to adjourn.

Which motion was lost.

Mr. Puryear, chairman, in behalf of the Committee on
Propositions and Grievances, reported back to the house, a
memorial from citizens of Wilkes, asking for free trade; a
petition to clear out Roaring River; and a memorial from
sundry citizens of Henderson, praying for an appropriation
for a public road; recommended that they be not granted, and
asked to be discharged from their further consideration.

Which reports were concurred in.

Mr. Puryear, in behalf of the same committee, reported
back to the House a bill for the relief of Clark Bird, and re-
commended that it do not pass.

On motion of Mr. Munday, of Macon, the bill and report
were laid on the table.
Mr. Dortch, of Wayne, moved that the House adjourn.

Which motion was lost—Yeas 17, nays 73.

Mr. Puryear, of Surry, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Allen, Avery, Bynum of Northampton, Cherry, Cotten, Corbett, Dobbin, Dortch, Durham, Ellis, Erwin, Fonville, George, Lockhart, Mooring, McNeill and Tripp—17.

Those who voted in the negative are:


So the House refused to adjourn.

Mr. Puryear, Chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to extend the authority of the Commissioners of Raleigh, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed.
On motion of Mr. Puryear, of Surry, the House adjourned.

Saturday, Nov. 20th, 1852.

The following bills were severally read the third time, passed, and ordered to be engrossed:

A bill to incorporate Elizabethtown in the county of Bladen;
A bill to incorporate the Chapel Hill and Durhamsville Plank Road Company;
A bill to amend the first section of the 20th chapter, of the Revised Statutes, so as to give the election of Clerks and Masters to the people;
A bill to incorporate the Franklinsville Manufacturing company.
A bill to incorporate Carolina Lodge, No. 141, of Ancient York Masons, was read the third time, passed and ordered to be engrossed—Yeas 89, nays 13.

Mr. Caldwell, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Albertson, Alford, Allen, Amis, Avery, Barco, Barrett, Black, Brooks, Bryant, Burton, Bynum of Northampton, Byrd, Caldwell of Guilford, Carmichael, Cherry, Chesnutt, Christmas, Collins, Cook, Corbett, Daniel, Dobbin, Durham, Ellis, Eure, Fagg, Fonville, Foreman, Gaither, George, Gwynn, Harris of Cabarrus, Herring, Hill of Caswell,

Those who voted in the negative are:


Mr. Avery, of Burke, moved to reconsider the vote by which the bill to pay tales jurors passed yesterday.

Which motion prevailed, and the bill being amended by striking out the counties of Mecklenburg and Rockingham, from the proviso, passed its third reading, and was ordered to be engrossed.

Mr. Spruill, of Bertie, moved to reconsider the vote by which the bill to prohibit the sale of spiritsuous liquors to free persons of color, passed its third reading yesterday.

Which motion prevailed.

Mr. Daniel, of Hertford, moved to exempt the counties of Hertford and Carteret from the operations of the bill.

Which amendment was adopted—Yeas 40, nays 32.

Mr. Cook, of Wilkes, moved to amend by exempting the county of Wilkes.

Which amendment was rejected.
Mr. McNeill, of Robeson, moved the following amendment:

Which was adopted:

Provided, That the provisions of this bill shall not extend to the sale of ardent spirits for medicinal purposes.

The question then recurring—shall the bill pass? it was decided in the affirmative and the bill ordered to be engrossed.

A bill to incorporate the bank of Yanceyville was read the third time, passed, and ordered to be engrossed.

Mr. Holeman, of Person, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A bill to alter the line between the counties of Lincoln, Gaston and Cleaveland, was read the third time.
Mr. Lander offered the following amendment, which was adopted:

*Be it further enacted, The Commissioners aforesaid, shall, when met for the establishment of the said line between the counties of Gaston, Lincoln and Cleaveland, before some Justice of the Peace, for the county of Gaston, take an oath in due form of law, that they, and each of them, shall do equal justice between the counties of Gaston, Lincoln, and Cleaveland, in establishing the lines between them.*

The question then recurring—shall the bill pass? it was decided in the affirmative, and the bill ordered to be engrossed.

The resignation of James E. Hoyt, a Justice of the Peace, for the county of Beaufort, was tendered and accepted.

On motion of Mr. Cotten, of Chatham,

*Resolved, That a message be sent to the Senate, proposing to go into the election of United States Senator, this day at 12 o'cock.*

Mr. Norfleet, of Edgecombe, introduced a bill to amend the several acts heretofore passed, and which are now in force, for the incorporation and government of the town of Tarborough, and to authorize and empower the Commissioners of said town to lay off a portion of the commons of said town into lots and sell the same; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Mooring, of Martin, introduced a bill to restrict fishing, in part, in Albermarle Sound and other waters; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.
A message was received from the Senate, agreeing to the proposition to go into an election of United States Senator at 12 o'clock, and informing the House that James C. Dobbin is in nomination.

Also, informing the House, that Messrs. Murchison and Thompson form the Senate branch of the committee, to superintend the election.

Mr. Love, of Haywood, added the name of R. M. Saunders to the nomination, and Mr. Cotten, of Chatham, put James B. Shepard in nomination.

The Speaker announced that Messrs. Strange and Spruill form the House branch of the committee to superintend the election.

The hour of 12 having arrived, the House proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.

FOR MR. RAYNER.


FOR MR. STANLY.

Mess. Barco, Jones, Stubbs, Tripp and Whitehurst—5.

FOR MR. CLINGMAN.


FOR MR. KERR.


FOR MR. WOODFIN.


FOR MR. MOREHEAD.

Messrs. Furr, W. S. Harris, Shimpoock and Styles—4.

FOR MR. OSBORNE.


FOR MR. MANLY.


FOR MR. PURYEAR.

Mr. Amis—1.
FOR MR. MILLER.

Mr. D. F. Caldwell—1

FOR MR. SWAIN.

Mr. Calloway—1

FOR MR. CHERRY.

Mr. Holeman—1

FOR MR. T. RUFFIN, Sr.

Mr. John F. Lyon—1.

FOR MR. GREENE.

Mr. Perkins—1.

FOR MR. CRAIG.

Mr. R. M. Saunders—1

FOR MR. GRAHAM.

Mr. Smith—1

FOR MANGUM.

Mr. J. Turner—1

FOR MR. BAXTER.

Mr. B. F. Williams—1.

Mr. Strange, from the committee to superintend the election of United States Senator, reported that 160 votes were
cast—that 81 were necessary for a choice—that Mr. Dobbin received 72; Mr. Saunders 12; Mr. Shepard 15; Mr. Rayner 11; Mr. Puryear 1; Mr. Stanly 8; Mr. Clingman 3; Mr. Miller 8; Mr. Swain 2; Mr. Kerr 3; Mr. Woodfin 2; Mr. Moorehead 4; Mr. Cherry 1; Mr. Osborne 2; Mr. Manly 2; Mr. Ruffin 1; Mr. Greene 1; Mr. Craig 1; Mr. Graham 4; Mr. Mangum 1; Mr. Baxter 2; Mr. Thompson 2; Mr. Gilmer 1; Mr. Outlaw 1: that as no one had a majority, there was no election.

Which report was concurred in.

A message was received from the Senate, proposing to go into an election of United States Senator forthwith; which was read, and, on motion of Mr. Love, laid on the table.

Mr. Love moved that a proposition be sent to the Senate, proposing to go into an election of United States Senator Monday at 12 o'clock.

Which motion prevailed.

Mr. Blow, of Pitt, moved that a message be sent to the Senate, proposing to go into an election for Attorney General forthwith.

Which motion was carried—Yea 50, nay 35.

Mr. Carmichael, of Wilkes, moved to reconsider the vote, by which the House had agreed to send a proposition to the Senate, proposing to go into an election for Attorney General forthwith.

Which motion was carried.

Whereupon, on motion of Mr. Love, the proposition was laid on the table.
On motion of Mr. McIntyre, of Richmond, the House adjourned.

MONDAY, NOV. 22nd, 1852.

The Speaker announced the Committee on Enrolled Bills for the week, to consist of Messrs. McNeill, Simons, Bryant, Mills, and Fonville.

Mr. Mills, of Rutherford, introduced a bill to repeal the 18th and 19th chapters of the Statutes, passed at the General Assembly in 1848-49; which was read the first time, passed, and with the memorial referred to a Select Committee of five—consisting of Messrs. Phillips, S. P. Hill, J. A. Caldwell, Miller and Wynne.

Mr. Webb, of Rutherford, presented sundry memorials and papers relating to the same subject; which were referred to same committee.

Mr. Chestnutt, of Sampson, presented a memorial of sundry citizens concerning free negroes; which was referred to the Committee on Propositions and Grievances.

Mr. Burton, of Cleaveland, presented a memorial from sundry citizens of Cleaveland, relative to the establishment of a new county; which was was referred to the Committee on Propositions and Grievances.

Mr. Webb, of Rutherford, presented a petition from sundry citizens of the 78th Regiment, of Rutherford county.
praying the revision or repeal of the militia law of this State

Which was referred to the committee on revising or abolishing the Militia Laws.

Mr. Saunders, of Wake, presented the pension certificate of Zilpha Crocker, which was countersigned by the Speaker.

Mr. Avery, from the Committee on Internal Improvements, to whom was referred a bill concerning the Seaboard and Roanoke Railroad company, reported the same back to the House, with two amendments, marked A and B, and recommended that the bill be amended and passed.

Thereupon, the bill was read the second time, amended according to the report of the committee, and passed.

Mr. Long, of Randolph, from the same committee, referred back to the House a bill to authorize certain persons therein named to raise, by lottery, thirty thousand dollars, for the purpose of clearing out Goshen, in the county of Duplin, and recommended it to the favorable consideration of the House.

Thereupon, the bill was read the second time and rejected—Yeas 41, nays 62.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


Mr. Avery, of Burke, chairman, in behalf of the same committee, reported back to the House a bill to incorporate the Enwharric and Yadkin Plank Road company,” and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Harris, of Davidson, moved to amend the first section of the bill, by inserting the names of the following commissioners: John Bradshaw, Abram Palmer, Joseph Spurce and Col. John Smith, of the county of Davidson.

Which amendment was adopted, and the bill passed its second reading.

Mr. Avery, chairman, from the same committee, reported back to the House a bill to amend an act, passed at the session of 1850-51, entitled an act to incorporate the Greenville and Raleigh Plank Road company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion of Mr. Leach, of Davidson, the resolutions relating to the public lands, introduced by him, were taken from the table, and made the special order of the day for Wednesday next, at 12 o’clock.
Mr. Turner, of Orange, introduced a bill to compensate owners of slaves who may be executed; which was read the first time, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Turner, of Orange, introduced a bill to prevent the removal of slaves from the State, by tenants for life; which was read the first time, passed, referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Lander, of Lincoln, introduced a bill to enable the chairman of the County Court, in any county in this State, to sue for injuries done to the public buildings of the county; which was read the first time, passed, referred to the Committee on the Judiciary, and ordered to be printed.

A message was received from the Senate, informing the House that the Senate branch of the Committee on Enrolled Bill for the week consists of Messrs. Willey, Jones, Palmer and Drake.

Also, informing the House that the Senate agree to go into an election for U.S. Senator, to-day at 12 o'clock, and that Messrs. Wesley Jones and Washington form the Senate branch of the Committee to superintend the election.

On motion of Mr. Smith, of Halifax,

Resolved, That the use of the Commons Hall be tendered to Professor Emmons, on Friday night, for the purpose of delivering a Lecture upon Agriculture, Mineralogy, &c.

On motion of Mr. McIntyre, of Richmond,

Resolved, That a Joint Select Committee of Eight, five on the part of the House, and three on the part of the Senate, be appointed, to enquire into the expediency of estab-
lishing a State Lottery, for the purpose of raising our internal improvement and educational fund.

Mr. Saunders, of Wake, Chairman, in behalf of the Judiciary Committee, to whom was referred a bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments, reported the same back to the House with an amendment, as a substitute for the bill.

Whereupon, the bill was read the second time, and pending the question on the amendment, the order of the day was taken up.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.

FOR MR. RAYNER.


FOR MR. KERR.


FOR MR. CLINGMAN.


FOR MR. PURYEAR.

Messrs. Caldwell of Guilford and McIntyre—2.

FOR MR. CRAIG.

Mr. Saunders—1.

FOR MR. JOYNER.

Messrs Perkins and Smith—2.

FOR MR. McCOY.

Mr. McDugald—1.

FOR MR. MILLER.


FOR MR. OUTLAW.

Messrs. Cherry, Gaither and Holeman—3.
FOR MR. GILLIAM.


FOR MR. OSBORNE.

Mr. Harris—1.

FOR MR. WOODFIN.

Mr. Erwin—1.

FOR MR. MOREHEAD.


FOR MR. WADDELL.

Mr. Turner of Orange—1.

FOR MR. BAXTER.

Messrs. Thornburg and Williams of Greene—2.

A message was received from his Excellency, the Governor transmitting the report of Professor Emmons; which, on motion of Mr. Dobbin, was ordered to be sent to the Senate, with a proposition to print three thousand copies.

Mr. Bynum, of Northampton, from the committee to superintend the election of United States Senator, made the following report; which was concurred in:

That 162 votes were cast: that of these—Mr. Dobbin received 74; Mr. Shepard 24; Mr. Saunders 22; Mr. Rayner 6; Mr. Graham 4; Mr. Miller 4; Mr. Outlaw 3; Mr. Clingman 3; Gilmer 2; Joyner 2; Mr. Morehead 2; Mr. Baxter 2; Mr. Keir 2; Mr. Swain 2; Mr. Stanley 1; Mr. Barrett 1; Mr. Lillington 1; Mr. Woodfin 6; Mr. Os
borne 1; Mr. Waddell 1; Mr. McKay 1; Mr. Craig 1; Mr. Puryear 2; that as 82 were necessary for a choice, and no one having received that number, there was no election.

The special order of the day, a bill to incorporate the Atlantic and North Carolina Railroad company, and the memorial from citizens of Craven, having been read, the bill was read the second time.

Pending the question on the amendments proposed by the Committee on Internal Improvements, on motion of Mr. Lowry, of Buncombe, the House adjourned.

Tuesday, Nov. 23d, 1852.

The House resumed the consideration of the unfinished business of yesterday, the bill to incorporate the Atlantic and North Carolina Railroad company, the question pending upon the amendment proposed by the committee.

Mr. Reid, of Duplin, moved to amend by striking out 40th section.

Which motion prevailed.

Mr. Caldwell, of Guilford, moved to amend the 31st section, by striking out in the 5th line of the printed bill, the words “five hundred,” and inserting “one hundred and fifty thousand.”
Which amendment was adopted.

The amendment proposed by the committee was then adopted—Yeas 59, nays 48.

Mr. Martin, of Franklin, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Williams, of Greene, moved to amend the 1st section, 6th line, by inserting "and Snow Hill," after the word "Newbern."

Which amendment was rejected.

Mr. Williams demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


Mr. Williams, of Greene, moved to amend the 2nd section of the bill, by inserting “and Snow Hill,” after the word “Kinston.”

Which amendment was rejected.

Mr. Dortch, of Wayne, moved to amend the 2nd section, 2nd line, by inserting after the word, at the word, “the most practicable point on Beaufort Harbor.”

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section, 5th line, by inserting after “point” “on Beaufort Harbor.”

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the second section, by adding the following proviso thereto:

Provided, That the terminus of the said Atlantic and North Carolina Railroad shall not be nearer the Neuse River than the point now laid out for the terminus of the North
Carolina Railroad, about 300 yards below the corporate limits of the town of Goldsboro.

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section 6th line, by striking out after the word "county," the words "in the manner presented in the 2nd section of the bill."

Which amendment was adopted.

Mr. Dortch, of Wayne, moved to amend the 17th section, 9th line, by inserting after "Wayne," the words "in the manner presented, and limited in the second section of this act."

Which amendment was adopted.

Mr. Reid, of Duplin, moved to amend the 9th section of the bill, by striking out after "by" in the 8th line, the words "the Governor, by and with the advice of his council," and insert, "the Board of Internal Improvement."

Which amendment was adopted.

Mr. Williams, of Greene, moved to amend by striking out the 5th line, 33th section, after the word, "Wayne."

Which amendment was rejected.

Mr. Amis moved to postpone the further consideration of the bill till Friday next.

Which motion was not carried.

The question then recurring—shall the bill pass its second reading? it was decided in the affirmative, by the casting vote of the Speaker.
Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. McNeill, of Robeson, moved to reconsider the vote by which the bill to provide for the draining of Goshen, in the county of Duplin, by means of a lottery, was rejected yesterday.

Mr. Avery moved to lay the motion to reconsider on the table.

Which motion was carried.

Mr. Williams, of Warren, moved to send a message to the Senate, proposing to go into the election of United States Senator, forthwith.

Mr. Love, of Haywood, moved to lay the motion on the table.
Which motion was carried—Yea 60, nay 53.

Mr. Love demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Saunders, of Wake, offered the following resolutions, which were read, and, on motion of Mr. Cherry, laid on the table and ordered to be printed:

Whereas, the Democratic Convention at Baltimore resolved that the "Constitution does not confer upon the General Government the power to commence and carry on a general system of Internal Improvements," and "that the proceeds of the public lands ought to be sacredly applied to the national objects specified in the Constitution;" and whereas, the Whig convention resolved "that the Constitution vests in Congress the power to open and repair harbors and remove obstructions from navigable rivers, and it is expedient that Congress shall exercise that power,"
whenever such improvements are necessary for the common
defence, or for the protection and facility of commerce with
foreign nations, or among the States—such improvements
being in every instance national and general in their charac-
ter."

And whereas, the opening of an inlet, at or near Nag's
Head, in the language of President Jackson's Maysville
Veto message, "being of a general, not local, National, not
State character:

Be it, therefore,

Resolved, That our Senators and Representatives in Con-
gress, ought, in the opinion of this General Assembly, to ap-
ply and vote for an appropriation of five hundred thousand
acres of public land, or so much as may be necessary to
open said Inlet, at or near Nag's Head, in this State.

Resolved, further, That the policy of granting the pub-
lic land to actual settlers, and of making large appropri-
tions of the same to works of internal improvements, within
particular States, is unjust, unequal, and impolitic; and if
persevered in by Congress, renders it the duty of the repre-
sentatives of the other States to claim an equal distribution
of the Public Domain, by the adoption of such a system as
shall do equal justice to all, either by a distribution of the
lands, or by a deposit with the States of their proceeds, to be
invested by the Legislature in such stocks as they may di-
rect, and to be returned, whenever called for, in such
stocks as may have been selected.

The special order of the day for 12 o'clock, the bill to re-
peal an act passed at the session of 1830, entitled an act
to establish a new county by the name of Jackson,
was taken up, and, on motion of Mr. Munday, of Macon,
postponed until Saturday next.

A message was received from the Senate, transmitting an
engrossed resolution in favor of Rufus H. Page, which was
read the first time and passed.
A message was received from the Senate, transmitting the following resolution, and asking the concurrence of the House therein:

Resolved, That it shall be established, as a joint rule of the two Houses, that no bill be introduced into the Senate or House of Commons during the present session after the 10th day of December next.

Mr. moved to lay the resolution on the table.

Which motion prevailed.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A message was received from the Senate, transmitting the following engrossed bill:
"A bill to emancipate James Langford, a slave;" which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Avery, Chairman, in behalf of the Committee on Internal Improvements, reported back to the House a bill to amend an act and the supplement thereto, entitled an act to improve the Cape Fear and Deep River Navigation company, with a substitute as an amendment, and,

On motion of Mr. Avery, the bill and substitute were ordered to lie on the table, and that the substitute be printed.

The report of the President and Directors of the North Carolina Institute for the education of the Deaf and Dumb, was presented, and on motion, it was ordered that it be transmitted to the Senate, with a proposition to print.

Mr. Saunders, Chairman, in behalf of the Committee on the Judiciary, reported back to the House a bill to protect the rights of persons owning personal property in common, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The special order for half-past 12 o'clock, the bill to amend the Constitution of North Carolina, was taken up, and the question being put—shall the bill pass its second reading? it was decided in the affirmative, a majority of two-thirds of the House voting therefor.

Mr. demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


A bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments, being unfinished business, was taken up, and the amendment proposed by the Judiciary Committee, adopted.

Whereupon, the bill passed its second reading.

Mr. Strange, of New Hanover, introduced a bill to incorporate King Solomon’s Lodge, No. 138, Ancient York Masons, and Masonic Academy at Long Creek, in the county of New Hanover.

Which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Collins, Chairman of the Committee on Private Bills, reported back to the House a resolution in favor of J. W. Lowe, with a bill as a substitute, and recommended its passage.
Whereupon, the bill was read the second time.

Mr. McIntyre, of Richmond, moved the following amendment; which was rejected:

*Be it further enacted, That all persons holding notes or accounts not collected by law on account of the statute of limitations shall be allowed to collect the same.*

The question recurring—shall the bill pass? it was decided in the affirmative.

Mr. Collins, chairman, in behalf of the Committee on Private Bills, reported back to the House a bill to authorize J. Chine, sheriff of Catawba county, to collect arrears of taxes, and recommended its passage.

Whereupon, the bill was read the second time and passed.

On motion, the House adjourned.

**Wednesday, Nov. 24th, 1852.**

On motion of Mr. Cotton, of Chatham, a message was sent to the Senate, to go into an election for United States Senator, to-day, at 11 o'clock.

Mr. Caldwell, of Guilford, chairman, in behalf of the committee on Corporations, reported to the House the following bills, and recommended their passage:

A bill to incorporate the Seamen’s Friend Society;
A bill to incorporate Invincible Division Sons of Temperance, No. 184;
A bill to incorporate Jonesboro' Division, No. 201 of the Sons of Temperance, in the county of Camden.
A bill to incorporate the Lumberton and Columbus Plank Road company;

Which were severally read the second time and passed.

Mr. Caldwell, of Guilford, of the same committee, reported back to the House a bill to incorporate Wake Forest Male Academy, in the county of Wake, and "a bill to incorporate Holly Springs High School, in the county of Wake," with amendments, and recommended their passage.

Whereupon, they were read the second time, the amendments proposed by the committee adopted, and passed.

Mr. Caldwell, of Guilford, in behalf of the same committee, reported back to the House a bill to incorporate Cherith Division, No. 25, Sons of Temperance, in the county of Northampton, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 68, nays 32.

Mr. Tolson, of Anson, demanded the yeas and nays:

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Caldwell, of Guilford, in behalf of the same committee, reported back to the House a bill to incorporate the Bank of Roanoke, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Martin, of Franklin, moved to amend the section, by striking out the words "equal to," and inserting the word "double;" which amendment was adopted.

Mr. Holeman, of Person, moved an amendment, which was rejected.

On motion of Mr. McNeill, of Robeson, the bill was laid on the table.

A message was received from the Senate, concurring in the proposition to raise a joint committee on Lottery for internal improvement; and informing the House that Messrs. Bynum, Person and McDowell form the Senate branch of said committee.

Also, agreeing to the proposition to go into an election for United States Senator, at 11 o'clock, and informing the House that Messrs. Bunting and Steele form the Senate branch of the committee to superintend the election.

The Speaker announced the committee on the part of the House to superintend the election of Senator, to be Messrs. Wilder and Jones.
The hour of eleven o'clock having arrived,

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.


FOR MR. RAYNER.


FOR MR. MILLER.


FOR MR. CLINGMAN.

FOR MR. WOODFIN.

Messrs. Erwin, McIntyre and Styles—3.

FOR MR. McKAY.

Mr. McDugald—1.

FOR MR. OSBORNE.

Messrs. Harris of Cabarrus and Shimpock—2.

FOR MR. MOREHEAD.

Mr. Furr—1.

FOR MR. CALDWELL.

Mr. Johnson—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. STANLY.

Messrs. Smith and Watters—2.

FOR MR. GRAHAM.

Messrs. Thornburg and Williams of Greene—2.

FOR MR. WHEELER.

Mr. Collins—1.

FOR MR. RUFFIN.

Mr. J. Turner—1.
FOR MR. ELLIS.

Mr. Leach—1.

On motion of Mr. Phelps, of Washington,

Resolved, That so much of the Report of President and Directors, of the Literary Fund, as relates to the construction of Pungo road in Washington county, be referred to the Committee on Education, with instructions to enquire into the expediency of completing the road.

The Speaker announced that Messrs. McIntyre, Mooreing, Jones, Hill of Duplin and Walton, form the House branch of the Committee on Lottery, for Internal Improvements.

Mr. Wilder, from the Committee to superintend the election of U. S. Senator, made the following report; which was concurred in:

That 164 votes were cast—that 83 were necessary for a choice; that Mr. Dobbin received 74; Mr. Saunders 27; Mr. Shepard 25; Mr. Lillington 1; Mr. Rayner 4; Mr. Joyner 4; Mr. Miller 6; Mr. Graham 6; Mr. Edwards 2; Mr. Clingman 3; Mr. Craig 1; Mr. Russin 1; Mr. Ellis 1; Mr. Wheeler 1; Mr. Morehead 1. Mr. Woodfin 5; Mr. McKay 1; Mr. Osborne 2; Mr. Waddell 1; Mr. Stanly 2; that as no one had received a majority of all the votes, there was no election.

On motion of Mr. Reid, of Duplin, the special order of the day, the land resolutions of Mr. Leach, was postponed until Friday and made the special order for 12 o'clock.

On motion of Mr. McNeill, of Robeson, it was
Ordered, That a message be sent to the Senate, proposing to go into an election for United States Senator forthwith.

A message was received from the Senate, proposing that the two Houses adjourn over until Friday," and to vote for Senator forthwith; which proposition was, on motion of Mr. Williams, of Warren, laid on the table.

A message was received from the Senate, agreeing to the proposition to vote for United States Senator forthwith, and informing the House that Messrs. Steele and Bunting form the Senate branch of the Committee.

Messrs. Reid, of Duplin, and Leach, form the House branch of the Committee.

The House proceeded to vote with the following result.

FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.

FOR MR. RAYNER.


FOR MR. CLINGMAN.


FOR MR. GILLIAM.


FOR MR. BAXTER.

Mr. Bynum of Chatham—1.

FOR MR. PATTERSON.

Mr. Calloway—1.

FOR MR. WOODFIN.

Mr. Eure—1.

FOR MR. OSBORNE.

Messrs. Furr and Tolson—2.

FOR MR. VENABLE.

Mr. Holemam—1.

FOR MR. MOREHEAD.

Mr. Johnson—1.
FOR MR. WASHINGTON:

Mr. Wiley—1.

FOR MR. McKAY.

Mr. McDugald—1.

FOR MR. JOYNER.

Mr. McIntyre—1.

FOR MR. STANLY.

Mr. Watters—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

On motion of Mr. Mooring, of Martin, the bill to incorporate the bank of Roanoke was taken from the table and passed its second reading.

Mr. Dobson moved to take from the table a bill to establish Yadkin county, and refer it to the Committee on the Judiciary.

Which motion prevailed.

Mr. Reid, from the Committee, to superintend the election of United States Senator, submitted the following Report.

Which report was concurred in:
That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 73; Mr. Saunders 27; Mr. Shepard 25; Mr. Lillington 1; Mr. Rayner 12; Mr. Edwards 5; Mr. Joyner 4; Mr. Clingman 4; Mr. Gilliam 2; Mr. Baxter 1; Patterson 1; Mr. Woodfin 1; Mr. Osborne 2; Mr. Venable 1; Mr. Morehead 1; Mr. Washington 1; Mr. McKay 1; Mr. Stanly 1; and Mr. Craig 1; that as no one had received a majority of all the votes, there was no election.

On motion of Mr. Avery, of Burke,

A message was sent to the Senate, proposing to go into an election for United States Senator forthwith, and that when the two Houses adjourn to-day, they adjourn over until Friday.

Mr. Saunders, of Wake, moved to take up a bill to incorporate the Roanoke and Seaboard Railroad company; which motion prevailed, and the bill was read the third time, passed and ordered to be enrolled.

A message was received from the Senate, concurring in the proposition, that "when the two Houses adjourn this day, they adjourn to meet Friday at 10 o'clock."

Also, concurring in the proposition to vote for U. States Senator forthwith, and informing the House that Messrs. Bunting and Steele form the Senate branch of the committee to superintend the election.

The Speaker announced that Messrs. Fagg and Jarvis form the House branch of the committee on the election.

The House then proceeded to vote with the following result:
FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.


FOR MR. RAYNER.


FOR MR. CLINGMAN.


FOR MR. STANLY,

Mr. Amis—1.

FOR MR. BARNES.

Messrs. Caldwell of Guilford, Erwin, Holeman, Perkins and Smith—5.

FOR MR. COTTEN.

Messrs. Speaker and Watters—2.
FOR MR. OSBORNE.

Mr. Furr—1.

FOR MR. JOYNER.

Mr. Calloway—1.

FOR MR. GILLIAM.

Mr. Johnson—1.

FOR MR. MANGUM.

Mr. Leach—1.

FOR MR. McKAY.

Mr. McDugald—1.

FGR MR. GILMER.

Messrs. McIntyre and Webb—2.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

FOR MR. ARENDELL.

Mr. Tripp—1.

FOR MR. NASH.

Mr. Turner of Orange—1.

FGR MR. KERR.

Mr. Williams of Greene—1.
Mr. Fagg from the committee to superintend the election of United States Senator, submitted the following report, which was concurred in:

That 164 votes were cast—that 83 were necessary for a choice; that Mr. Dobbin received 73; Mr. Saunders 29; Mr. Shepard 27; Mr. Lillington 1; Mr. Joyner 4; Mr. Jones, of Perquimans, 1; Mr. Woodfin 1; Mr. Rayner 7; Mr. Clingman 3; Mr. Stanley 1; Mr. Barnes 5; Mr. Cotton 2; Mr. Osborne 1; Mr. Mangum 1; Mr. Gilliam 1; Mr. McKay 1; Mr. Gilmer 1; Mr. Craig 1; Mr. Nash 1; Mr. Kerr 1; Mr. Arendell 1; that as no one had received a majority of all the votes cast, there was no election.

On motion of Mr. Leach, of Davidson, the House adjourned.

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Friday, Nov. 26, 1852.

A message was received from the Senate, transmitting the following engrossed bills and resolution; which were each read the first time and passed:

1st. A bill to enlarge the powers of the Commissioners of the town of Newbern;

2nd. A bill authorizing Justices of the Peace to resign to the County Courts, and for other purposes;

3rd. A bill to amend an act, passed in 1850-51, to incorporate Lewis’ Gold Mining company;
4th. A bill concerning Conrad Hill Gold Mining Company;

5th. A bill to provide for the paying of tales jurors, in the counties of Northampton and Wake;

6th. A bill to amend an act passed at the session of 1850 and 1851, entitled an act to incorporate the Anson Plank Road Company;

7th. A bill to amend an act passed at the session of 1850 and 1851, entitled an act to regulate the pay of jurors and witnesses, in the county of Craven;

8th. A bill to incorporate Cumberland Academy, in the county of Cumberland;

9th. A bill to incorporate the Haywood and Raleigh Plank Road company;

10th. A bill to incorporate the P de e Plank Road company;

11th. A bill to increase the revenue of the State, in the sale of its bonds;

12th. A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly of this State.

The following references of a portion of the above bills were made:

Number 5, to the Committee on the Judiciary;
Number 11, to the Committee on Finance.
Number 1, to the Committee on Propositions and Grievances.

Mr. Puryear, of Surry, introduced a resolution, directing the Public Treasurer, to subscribe in behalf of the State, for seven hundred and fifty shares of stock, in the Yadkin Navigation company; which was read, and, on motion of Mr. Puryear, laid on the table.
Mr. Stubbs, of Beaufort, introduced a bill to incorporate the Washington and Tarboro Plank Road Company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Dortch, of Wayne, presented the pension certificate of John Evans and Bryant Evans; which was read and referred to the Committee on Claims.

Mr. Dortch, of Wayne, introduced a bill to amend the 33th chapter of the Revised Statutes; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Cherry, of Bertie, introduced a bill to provide for the education of Teachers; which was read the first time, passed, and referred to the Committee on Education, and ordered to be printed.

Mr. McNeill, of Robeson, introduced a bill to amend an act, entitled an act to incorporate the town of Cumberland passed at the session of the General Assembly, in 1850-'51; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Webb, of Rutherford, introduced a bill to incorporate the Spartanburg and Rutherford Plank Road Company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Reid, of Duplin, introduced a bill to provide for the clearing out of Cypress Creek, in the county of Duplin; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Fagg, of Buncombe, introduced a bill to incorporate "The French Broad Turnpike Company;" which was, on motion of Mr. Spruill, laid on the table.
Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Fire Insurance company, in the town of Milton, Caswell county, North Carolina.

Pending the reading of which,

On motion of Mr. Williams, of Warren, a message was ordered to be sent to the Senate, proposing to go forthwith into an election for United States Senator.

Mr. Caldwell, of Lincoln, moved that a message be sent to the Senate, proposing to go forthwith into an election for Attorney General.

Which motion was adopted—Yeas 60, nays 49.

A message was received from the Senate, agreeing to the proposition to vote for United States Senator forthwith, and informing the House that Messrs. Washington and Cannady will superintend the election on the part of the Senate.

Messrs. Albertson and Bryant form the committee on the part of the House, to superintend the election.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.

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FOR MR. SAUNDERS.


FOR MR. SHEPARD.

Messrs. Albertson, Barco, Collins, Cook, Cotton, Daniel, Eure, Godwin, Jones, Matthews, Sanders of Johnson, Spruill and Trexler—13

FOR MR. RAYNER.


FOR MR. CLINGMAN.


FOR MR. CRAIG.

Mr. Saunders of Wake and Adams—2.

FOR MR. GRAHAM.


FOR MR. BAXTER.

Messrs. Furr and Styles—2.

FOR MR. BRYAN.

Mr. Johnson—1.
Mr. McIntyre—1.

FOR MR. REID.

Mr. Amis—1.

FOR MR. GILLIAM.

Mr. Holeman—1.

FOR MR. BYNUM.

Mr. Wiley—1.

FOR MR. McKAY.

Mr. McDugald—1.

FOR MR. GILMER.

Mr. Turner of Orange—1.

Mr. Albertson, from the Committee to superintend the election of United States Senator, made the following report:

Which was concurred in:

That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 73; Mr. Saunders 35; Mr. Shepard 20; Mr. Rayner 13; Mr. Clingman 3; Mr. Craig 2; Mr. Graham 4; Mr. Baxter 2; Mr. Lillington 2; Mr. E. G. Reid 1; Mr. Gilliam 1; Mr. Bryant 1; Mr. McKay 1; Mr. Morehead 1; Mr. Gilmer 1; Mr. Ellis 1; Mr. Bynum 1; Mr. Thompson 1; and Mr. Mitchell 1; that as no one had received a majority of all the votes, there was no election.
A message was received from the Senate, informing the House that that body had laid on the table the proposition to go into an election for Attorney General forthwith.

The hour having arrived, the special order of the day was taken up.

Mr. Leach, of Davidson, moved to postpone the consideration of the resolutions, until to-morrow 12 o'clock.

Which motion was lost.

Mr. Leach moved to postpone till Monday 12 o'clock.

Which motion did not prevail.

On motion of Mr. Caldwell, of Lincoln, the further consideration of the resolutions was deferred until one o'clock.

A message was received from the Senate, proposing to go forthwith into an election of United States Senator.

Mr. Caldwell, of Lincoln, moved to lay the proposition on the table.

Which motion was lost.

The proposition was concurred in, and Messrs. Erwin and Rives appointed to superintend the election, on the part of the House.

A message was received from the Senate, proposing to go into an election of Comptroller to-morrow at 11 o'clock.

Which was read and laid on the table.
A message was received from the Senate, informing the House that Messrs. Herring and Washington form the Senate branch of the Committee to superintend the election of United States Senator, and that the Senate would vote on return of the messenger.

The House proceeded to vote with the following result.

**FOR MR. DOBBIN.**


**FOR MR. SAUNDERS.**


**FOR MR. SHEPARD.**

Messrs. Barco, Caldwell of Guilford, Cook, Collies, Godwin, Matthews Sanders of Johnson, Spruill and Cotten—8.

**FOR MR. RAYNER.**

Messrs. Alford, Carmichael, and Williams of Greene—3.

**FOR MR. CLINGMAN.**


**FOR MR. CRAIG.**

FOR MR. GRAHAM.


FOR MR. WATTERS.

Mr. McIntyre—1.

FOR MR. THOMPSON.

Mr. Amis—1.

FOR MR. P. B. HAWKINS.

Mr. Blow—1.

FOR MR. D. L. SWAIN

Mr. Wiley—1.

FOR MR. D. S. REID.

Mr. Caldwell of Lincoln,—1.

FOR MR. BLOW.

Mr. Collins—1.

FOR MR. BURTON.

Mr. Furr—1.

FOR MR. WHEELER.

Mr. Daniel—1.
Mr. Jones,—1.

FOR MR. COLLINS.

Mr. Dargan—1.

FOR MR. PHILLIPS.

Mr. Eure—1.

FOR MR. J. H. HAWKINS.

Mr. Smith,—1.

FOR MR. S. F. PATTERSON.

Mr. Wilder—1.

FOR MR. BANKS.

Mr. McDugald—1.

FOR MR. STUBBS.

Mr. Tripp—1.

FOR MR. JNO. H. BRYAN.

Mr. Turner of Orange—1.

Mr. Erwin, from the committee to superintend the election of United States Senator, made the following report; which was concurred in:

That 165 votes were cast; that 83 were necessary for choice—Mr. Dobbin received 75; Mr. Saunders 35; Mr.
Shepard 15; Mr. Graham 7; Mr. Rayner 9; Mr. Clingman 4; Mr. Lillington 1; Mr. Joyner 1; Mr. Craig 2; Mr. Watters 1; Mr. Thompson 1; Mr. P. B. Hawkins 1; Mr. Swain 1; Mr. Reid 1; Mr. Blow 1; Mr. Baxter 1; Mr. Wheeler 1; Mr. Collins 1; Mr. Greene 1; Mr. J. H. Hawkins 1; Mr. Phillips 1; Mr. Patterson 1; Mr. Banks 1; Mr. Stubbs 1; Mr. Bryan 1; that as no one had a majority of all the votes cast, there was no election.

The hour of one having arrived, the House resumed the consideration of the land resolutions of Mr. Leach.

Mr. Lander moved to strike out all after the "word whereas," and submit the resolutions offered by him a few days since as a substitute.

Pending the question on the amendment,

On motion of Mr. Spruill, of Bertie, the House adjourned.

Saturday, Nov. 27th, 1852.

The House resumed the consideration of the unfinished business of yesterday, the land resolutions of Mr. Leach, of Davidson.

The question pending, being the amendment proposed by Mr. Saunders of Wake.
Mr. Bynum, of Northampton, moved to amend by striking out all after the word "whereas," in the first line, and inserting the following:

We regard the opening of an inlet at Nag's Head, as a national measure, and one calculated to benefit not only the commercial interests of the United States, but the interests of the people generally;

And whereas, we consider this work as strictly within the limits of the Constitution;

Therefore, be it,

Resolved, That our Senators and Representatives, if in their opinion said work shall be practicable, are hereby instructed to apply for an appropriation of so much of the Public money as may be necessary to open said inlet, at or near Nag's Head, in this State.

Resolved further, That we are opposed to the policy of granting the Public lands to actual settlers, and of making large appropriations of the same to works of Internal Improvements within particular States, as unjust, unequal, and in politic, and our Representatives in Congress are hereby instructed to endeavor to prevent said policy, but if said policy should continue contrary to our wishes, and their exertions, then, and in that case, they are further instructed to make application for an appropriation of a fair and equitable portion of said lands, to the State of North Carolina, which, when so appropriated, shall be applied as the Legislature may direct.

Which amendment was rejected—Yeas 38, nays 68.

Mr. Rives, of Chatham, demanded the yeas and nays.

Those who voted in the affirmative, are:
Mr. Dobbin moved to amend the first resolution, by striking out, "or 500,000 acres of land."

Which amendment was adopted.

Mr. Dobbin moved to strike out, in the second resolution, "or by a deposit within the States of their proceeds."

Which amendment was rejected.

The hour for the special order or the day having arrived,

Mr. Collins moved to postpone, and make it the special order for Tuesday next.

Mr. Saunders, of Wake, moved to lay the motion to postpone on the table.

Which motion prevailed.
The House resumed the consideration of the land resolutions.

Mr. Avery, of Burke, moved the following amendment to the second resolution:

Strike out all after the word "Domain," and insert, "by a deposite with the States of their proceeds, after the public debt shall be fully discharged."

The consideration of the resolutions being suspended,

On motion of Mr. Spruill, of Bertie, it was

Resolved, That the Commons Hall be offered to-night to the friends of internal improvement, for the purpose of holding a meeting.

On motion of Mr. Cherry, of Bertie, it was ordered that the report of the treasurer be referred to the Committee on Finance.

On motion of Mr. Avery, of Burke, the bill to amend the act incorporating the Cape Fear and Deep River navigation was made the special order for Tuesday, 12 o'clock.

The land resolutions were again taken up, and pending further discussion,

On motion of Mr. Spruill, of Bertie, the House adjourned.
Monday, Nov. 29th, 1852.

The Speaker announced the committee on enrolled bills for the week to consist of Messrs. Harris, of Cabarrus; Sherrill, Lyon of Orange, Webb and Russell.

Mr. Spruill, of Bertie, moved that the consideration of the unfinished business of yesterday be suspended till 11 o'clock, and that the bill to charter the Bank of Roanoke be taken up.

Which motion prevailed.

Whereupon, the bill was read the second time and passed.

Mr. Miller, of Caldwell, leave being granted, introduced the following resolution, which was read and laid over under the rule:

Resolved, That the gentlemen in the House of Commons be allowed to get through their conversation, and that the House then proceed to business.

Mr. Smith, of Halifax, chairman, in behalf of the Select Committee, leave being granted, reported back to the House a bill to incorporate the Roanoke and Meherrin connection company, with an amendment, marked A., and recommended that the amendment be adopted, and the bill passed.

Whereupon, the bill was read the third time, amended and passed.

Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Fire Insurance company, in the town of Milton
Caswell county, North Carolina; which was read the first time and passed

The Speaker presented the report of the Committee on Hospital for the Insane; which, on motion of Mr. Martin, of Franklin, was ordered to be transmitted to the Senate, with a proposition to print.

Mr. Avery, of Burke, in behalf of the Committee on Internal Improvements, moved that leave be granted to make a report.

Which motion prevailed.

Whereupon, he reported back to the House a bill to incorporate the North Carolina and Tennessee Railroad company; which, on motion, was laid on the table, and made the special order of the day for Tuesday, at 1 o'clock.

Mr. Love, of Haywood, moved to take from the table a bill to repeal an act passed at the session of 1850 '51, entitled an act to form a new county by the name of Jackson.

Which motion prevailed.

The hour of 11 o'clock, having arrived, the unfinished business of yesterday which was suspended until this hour, was resumed.

Mr. Love moved to lay the resolution and amendments on the table.

Which motion was lost.

The question pending, being the motion of Mr. Saunders to strike out all after the word "whereas" and insert the resolutions offered by him as an amendment,
Mr. Leach, of Davidson, called for a division of the question.

The question then being on the motion to strike out, it was decided in the negative—Yeas 43, nays 63.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Saunders, of Wake, moved the following amendment to the first resolution, which was rejected:

Insert after the word "application" the words "for a fair and equal distribution of Public Lands, or for a distribution and deposite with the States of the proceeds thereof, to be disposed of in such measure, as the respective Legislatures may direct."

Mr. Strange, of New Hanover, moved to amend the first resolution by striking out after the word "resolved" the
words "that our Senators and Representatives in Congress," and insert "that our Senators be instructed and our Representatives."

Which amendment was rejected—Yeas 53, nays 57.

Mr. Strange demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Smith, of Halifax, moved to amend the resolution by inserting after the words "Public Lands," the words "or of the proceeds thereof;" which amendment being accepted by Mr. Leach, and the question being on the passage of the resolution as amended,

Mr. Saunders demanded a division of the resolution.

The question being then put—shall the first part of the resolution, as divided; pass? viz:

"That our Senators and Representatives in Congress, be requested to make application by bill or otherwise, to that
body, for an appropriation of a fair and equitable portion of the Public Lands.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The question then recurring—shall the second division of the resolution pass?

It was decided in the affirmative—Yea 64, nay 45.

Mr. Hill, of Caswell, demanded the yeas any nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


Mr. Love, of Haywood, moved to adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Tolson, of Anson, moved that the House take a recess until half-past 3 o'clock.

Which motion was rejected.

On motion of Mr. Amis, the House adjourned.
Tuesday, Nov. 30th, 1852.

The House resumed the consideration of the unfinished business of yesterday—the Senate bill repealing the county of Jackson, the question pending being the amendment proposed by Mr. Love, of Haywood, as a substitute for the bill.

Mr. Avery, of Burke, moved to suspend the consideration until a message from the Senate could be considered.

A message was received from the Senate, proposing to ballot for United States Senator, at half-past 11 o'clock.

Mr. Cherry moved to lay the message on the table.

Which motion prevailed—Yeas 59, nays 53.

Mr. Dobson, of Surry, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Allen, Avery, Barrett, Black, Blow, Bryant, Bynum of Northampton, Byrd, Chesnutt, Corbett, Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Fonville, George, Hawkins, Herring, Hill of Cas-

The House resumed the consideration of the unfinished business—the question pending, being the amendment proposed by Mr. Love. The question was put, and the amendment was adopted.

Mr. Phillips, of Orange, moved a reconsideration of the vote just taken.

Which motion prevailed.

The hour for the consideration of the bill to amend an act and the supplement thereto, entitled an act to improve the Cape Fear and Deep River Navigation company, having arrived,

On motion of Mr. Avery, of Burke, the consideration was postponed until half past 3 P. M.

The question then recurring on the amendment to the bill to repeal Jackson county, it was decided in the affirmative—Yea's 69, nays 36.

Mr. Smith demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


The question then recurring—shall the bill as amended pass? it was decided in the affirmative—YeaS 72, nays 35.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


The special order of the day for 1 o'clock, the bill to incorporate the North Carolina and Tennessee Railroad company, was, on motion of Mr. Avery, of Burke, postponed until Tuesday 12 o'clock, and made the special order for that time.
Which was read and accepted.

A message was received from the Senate, transmitting the following engrossed resolution and bills; which were severally read the first time and passed:

1st. A resolution in favor of abolishing duties on Railroad iron;
2nd. A bill entitled an act, to amend an act concerning the draining of low lands;
3rd. A bill to incorporate the Trustees of the Wesleyan Female College;
4th. A bill to amend the Charter of Davidson College;
5th. A bill to incorporate the Bladen Steamboat Company;
6th. A bill to incorporate the Bank of Charlotte;
7th. A bill to incorporate the Bank of Charlotte, was referred to the Committee on the Judiciary.

On motion, the bill to incorporate the Atlantic and North Carolina Railroad company, was taken from table and made the special order for to-morrow 11 o'clock.

Mr. Erwin, of Burke, moved to adjourn.

Mr. Smith, of Helifax, demanded the yeas and nays.

Pending which, the House took a recess.
TUESDAY AFTERNOON, NOV. 30TH, 1852.

The question pending, being on the motion to adjourn of Mr. Erwin, it was decided in the negative—Yea 3, nays 93.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The House resumed the consideration of the bill to amend an act, and supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville.

The question pending being the amendment proposed by the committee.

Mr. McNeill moved to postponed the bill until Thursday one o’clock.
Which was read and accepted.

A message was received from the Senate, transmitting the following engrossed resolution and bills; which were severally read the first time and passed:

1st. A resolution in favor of abolishing duties on Railroad iron;
2nd. A bill entitled an act, to amend an act concerning the draining of low lands;
3rd. A bill to incorporate the Trustees of the Wesleyan Female College;
4th. A bill to amend the Charter of Davidson College;
5th. A bill to incorporate the Bladen Steamboat Company;
6th. A bill to incorporate the Bank of Charlotte;
7th. A bill to incorporate the Bank of Charlotte, was referred to the Committee on the Judiciary.

On motion, the bill to incorporate the Atlantic and North Carolina Railroad company, was taken from table and made the special order for to-morrow 11 o'clock.

Mr. Erwin, of Burke, moved to adjourn.

Mr. Smith, of Helifax, demanded the yeas and nays.

Pending which, the House took a recess.
Tuesday Afternoon, Nov. 30th, 1852.

The question pending, being on the motion to adjourn of Mr. Erwin, it was decided in the negative—Yeas 3, nays 93.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:

The House resumed the consideration of the bill to amend an act, and supplement thereto, entitled an act to improve the Cape Fear and Deep Rivers above Fayetteville.

The question pending being the amendment proposed by the committee.

Mr. McNeill moved to postpone the bill until Thursday one o'clock.
Which motion was rejected.

Mr. Saunders, of Wake, moved an amendment by adding the following section to come in after the 5th section of the bill.

6th Sec. *Be it further enacted*, That no portion of the money herein authorized to be subscribed on the part of the State, shall be paid until the entire work yet to be done, shall have been taken by contractors, and bond and security for the faithful execution and completion of the entire work, for the additional sum of one hundred and fifty thousand, herein, before authorized, shall be given, to be approved by the Governor and Attorney General.

Mr. Fagg, of Buncombe, moved to postponed the further consideration of the bill until Wednesday the 8th of December, 12 o'clock.

Pending which motion the House adjourned.

**Wednesday, Dec. 1st, 1852.**

Mr. Ellis, of , leave being granted, introduced a bill to establish a county by the name of Weldon.

Which was read the first time, passed and referred to the Committee on Propositions and Grievances.
The House resumed the consideration of the unfinished business of yesterday.

Mr. Amis moved to lay on the table.

Which motion was rejected—Yea's 40, nay's 55.

The question being taken on the motion of Mr. Fagg, to postpone until Wednesday next,

It was rejected—Yea's 40, nay's 53.

The hour for the special order of the day, "the bill to incorporate the Atlantic and North Carolina Railroad company," having arrived, it was, on motion of Mr. Reid, of Duplin, laid on the table.

The Speaker announced that a message had been received from the Senate, proposing to go into ballot for United States Senator at 11 o'clock.

Mr. Reid, of Duplin, moved that the bill before the House be laid on the table, and the message considered.

Which was rejected—Yea's 44, nay's 50.

The House refused to lay on the table.

The Speaker announced a message from his Excellency the Governor relative to the electors of President and Vice President; which was read, and on motion ordered to be transmitted to the Senate.

The question pending being the amendment of Mr. Saunders, of Wake.

On motion of Mr. Avery, of Burke, the House adjourned.
Thursday, Dec. 2nd 1852.

Mr. Avery, of Burke, moved to postpone the further consideration of the bill concerning the Cape Fear and Deep River Navigation company until 12 o'clock.

Which motion was rejected.

The question then recurring on the amendment proposed by Mr. Saunders, it was adopted.

Mr. Dobbin, of Cumberland, moved the following amendment.

And be it further enacted, That the money authorized by this act shall, as far as practicable, be in good faith so expended and appropriated, that the lock and dam, near the mouth of Cross Creek, in Cumberland county, known as the Cross Creek lock and dam, shall be the first work finished; then the lock and dam, known as Jones' falls lock and dam, then the Silver Run lock and dam, then the Red Rock lock and dam, and the other locks and dams along Cape Fear and Deep River, until the whole shall have been accomplished; and that the Treasurer shall not pay over the second installment, provided for, in this act, to be subscribed and paid by the Treasurer of the State, until evidence shall have been adduced to the satisfaction of the Governor and Treasurer, that the money appropriated by this act has been expended as provided for in this section.

On motion of Mr. Avery, of Burke, the bill was laid on the table.
A message was received from the Senate, proposing to go into an election for United States Senator today at half past eleven o'clock.

Which was concurred in,

And Messrs. Watters and Norfleet appointed to superintend the election, on the part of the House.

On motion of Mr. Dobbin, the bill concerning the Cape Fear and Deep River Navigation company was taken from the table.

Mr. Fagg, of Buncombe, moved that the bill be postponed until Thursday next, and made the special order for twelve o'clock that day.

Which motion was lost.

The amendment of Mr. Dobbin was then adopted.

On motion of Mr. McDugald, the bill was laid on the table, and a message was ordered to be sent to the Senate, proposing to go into an election for Attorney General, at half-past 12 o'clock.

On motion of Mr. Spruill, of Burke, a message was ordered to be sent to the Senate, proposing to go into an election for Superior Court Judge, to day at 1 o'clock.

On motion of Mr. McDugald, the bill concerning the Cape Fear and Deep River Navigation company was taken from the table.

The amendment proposed by the committee was adopted.
The hour to carry out the joint order of the two Houses having arrived, a massage was received from the Senate, informing the House that Messrs Kelly and Drake would superintend the election of United States Senator, on the part of the Senate.

The House then proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.


FOR MR. CLINGMAN.

Messrs. Blyow, Bynum of Chatham, Byrd Mills, Styles and Teague,—6

FOR MR. GRAHAM.

Mr. Holeman—1.
FOR MR. RAYNER.

Messrs. Turner and McDugald—2.

FOR MR. CRAIG.

Mr. Saunders of Wake and Adams—2.

FOR MR. JONES.

Mr. Smith—1.

FOR MR. OSBORNE.

Mr. Johnson—1.

FOR MR. THOMPSON.

Messrs. Jones and McIntyre—2.

FOR MR. MILLER.

Mr. Sanders of Johnson and Mr. Williams of Greer—2.

FOR MR. KERR.

Mr. Gaither—1.

FOR MR. JOYNER.

Mr. Amis—1.

FOR MR. MOREHEAD.

Mr. Harris of Davidson—1.
FOR MR. COLLINS.

Mr. Eure—1.

FOR MR. BYNUM.


FOR MR. PATTERSON.

Messrs. Calloway and Miller—2.

FOR MR. EDWARDS.


A message was received from the Senate, informing the House that the Senate had laid on the table the proposition to ballot for Attorney General, at half-past three o'clock.

Also, a message informing the House that the Senate had laid on the table the proposition to ballot for Judge of the Supreme Court, at 1 o'clock.

Mr. Norfleet, from the committee to superintend the election of United States Senator, made the following report,

Which was concurred in:

That 164 votes were cast; that 83 were necessary for a choice—that Mr. Dobbin received 76; Mr. Saunders 33; Mr. Shepard 10; Mr. Thompson 10; Mr. Rayner 7; Mr. Graham 6; Mr. Clingman 6; Mr. Baxter 2; Mr. Craig 2; Bynum 2; Mr. Patterson 2; Mr. Edwards 2; Mr. Miller 2; Mr. Jones 1; Mr. Kerr 1; Mr. Joyner 1; Mr. Morehead 1; Mr. Cotten 1; and that as no one had received a majority of all the votes, there was no election.
The House resumed the consideration of the bill concerning the Cape Fear River Navigation company.

And the question recurring—shall the pass its second reading? it was decided in the affirmative—Yeas 69, nays 44.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A message was received from the Senate, proposing to ballot for United States Senator forthwith.

Mr. Dargan moved to lay the message on the table.

Which motion was lost—Yeas 54, nays 59.

Mr. Caldwell, of Guilford, demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative are:


The message was then concurred in—Yea 56, nay 46.

And Messrs. Scales and Adams appointed to superintend the election on the part of the House.

On motion of Mr. Avery, of Burke, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad company, was postponed and made the special order to morrow 12 o'clock.

On motion of Mr. Leach, of Davidson, the bill relating to Normal College, was referred to the Committee on Education.

A message was received from the Senate, informing the House that Messrs. Drake and Kelly would superintend the election of Senator on the part of the Senate.

The House then proceeded to vote with the following result:
FOR MR. DOBBIN.


FOR MR. SAUNDERS.


FOR MR. SHEPARD.


FOR MR. RAYNER.


FOR MR. CLINGMAN.


FOR MR. BAXTER.


FOR MR. LILLINGTON.

Mr. Adams—1.
FOR MR. WOODFIN.

Mr. Amis—1.

FOR MR. DANCEY.

Mr. Blow—1.

FOR MR. PATTERSON.

Mr. Calloway—1.

FOR MR. BARNES.

Mr. Wiley—1.

FOR MR. CRAIG.


FOR MR. THOMPSON.

Messrs. Holeman, and Johnson,—2.

FOR MR. HARRIS.

Mr. Smith,—1.

FOR MR. BYNUM.


On motion of Mr. Marshall, of Stokes,

Resolved, That a message be sent to the Senate, proposing to set apart the afternoon of Saturday the 11th inst. for the appointment of Justies of the Peace.
On motion of Mr. Cook, of Wilkes, a bill to lay off and establish a new county by the name of "Blue Ridge," and to attach a part of Stokes county, to the county of Surry, was taken up, and made the special order for Tuesday next at 11 o'clock.

Mr. Smith, of Halifax, introduced the following resolution,

Which was read and laid over under the rule,

Resolved, That from and after Friday, the 3rd of December, the House of Commons devote the afternoon sessions to the receptions of petition, memorials, resolutions, and bills; and to the passing of bills and resolutions through their third readings.

A message was received from 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 votes, cast for Governor, at the last August election; which proposition was concurred in, and Messrs. Stubbs, Lockhart and Shimpock, appointed the committee on the part of the House.

On motion of Mr. Leach, of Davidson, the bill to incorporate the Atlantic and North Carolina Railroad company was made the special order of the day for half past three o'clock.

Mr. Adams, from the committee to superintend the election of United States Senator, submitted the following report, which was concurred in:

That 166 votes were cast—that 84 were necessary for a choice; that Mr. Dobbin received 77; Mr. Saunders 43; Mr. Shepard 26; Mr. Rayner 10; Mr. Clingman 5; Mr.
Thompson 8; Mr. Baxter 3; Mr. Craig 2; Mr. Bynum 2; and Messrs. Graham, Lillington, Woodfin, Dancey, Patterson, Barnes and Harris, one each; that as no one had received a majority of all the votes cast, there was no election.

On motion of Mr. Blow, of Pitt, a message was ordered to be sent to the Senate, proposing to go into an election of Attorney General, at half past 1 o'clock.

Mr. Waugh, of Stokes, moved that a message be sent to the Senate, proposing to go into an election of United States Senator, forthwith.

Mr. Caldwell, of Lincoln, moved to lay the motion on the table.

Which was lost—Yea 50, nays 62.

Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Alberston, Alford, Amis, Barco, Brooks, Caldwell of Guillord, Caldwell of Lincoln, Calloway, Carmichael, Cherry, Christ--
mas, Collins, Cook, Daniel, Dargan, Erwin, Eure, Fagg, Furr, Gaither, Gwynn, Harris, of Cabarrus. Harris of Davidson, Johnson, Jones, Leach, Long, of Randolph, Lowry, Matthews. Miller, McDugald, Per-

Those who voted in the negative, are:

Mr. Waugh, by general consent, withdrew his motion.

A message was received from the Senate, informing the House that that body had laid on the table the proposition to vote for Attorney General, at half past one o'clock.

On motion of Mr. Dortch, of Wayne, a message was ordered to be sent to the Senate, proposing to vote for Supreme Court Judge, to-morrow, at half-past 11 o'clock.

A message was received from the Senate, informing the House that Messrs. Boyd, Washington and Bunting form the Senate branch of the committee on comparing the vote for Governor.

The annual report of the Bank of Fayetteville was presented by the Speaker; and, on motion, it was ordered to be transmitted to the Senate, with a proposition to print.

A message was received from the Senate, concurring in the proposition to vote for Supreme Court Judge, to-morrow at half-past 11 o'clock; and informing the House that Messrs. Thompson and Clark form the Senate branch of the committee to superintend the election.

The following engrossed bills from the Senate were severally read the first time and passed:

1st. A bill to ascertain the whole amount of taxes paid by the people of North Carolina;
2d. A bill to increase the capital stock of the bank of Wadesborough;
3d. A bill to incorporate the Kingbury and Locksville Plank road company;
4th. A bill to declare what persons may intermarry.
An engrossed resolution in favor of Charles Sully Wheeler was read the first, second and third times, passed and ordered to be enrolled.

An engrossed bill from the Senate to amend an act entitled an act to incorporate Union Institute, a Normal College, was read the first time, passed and referred to the Committee on Education.

An engrossed bill from the Senate, to amend an act incorporating the Raleigh Savings' Institution, was read the first, second and third times, passed and ordered to be enrolled.

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Afternoon Session.

The House took up the special order—the bill to incorporate the Atlantic and North Carolina railroad.

Mr. Williams, of Warren, moved the following amendment; which was rejected—Yea 36, nays 68:

Strike out all between the words "to wit," in the 14th line of the 34th section, and the word "and," in the 23d line of the same.

Mr. Dortch of Wayne, moved the following amendment; which was adopted:

34th section, 23rd line, insert after the word "subscription" the words "and shall not be sold for less than par."
Mr. Holeman, of Person, moved to amend by striking out 38th and 39th sections of the bill.

Which amendment was rejected—Yeas 35, nays 70.

The question then recurring—shall the bill pass? it was decided in the affirmative—Yeas 56, nays 52.

Mr. Saunders, of Wake, moved to suspend the rule requiring the bill to lay on the table one day.

Which motion prevailed, and the bill was ordered to be engrossed.

On motion, the House adjourned

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Friday, Dec. 3rd, 1852.

Mr. McDugald moved to take from the table the bill to increase the capital stock of the Bank of Wadesborough.

Which motion was lost.

On motion of Mr. Reid, of Duplin, the House resolved it self into Committee of the whole, on the Judiciary bill.

Mr. Cherry, of Bertie, in the Chair—The committee rose, reported the bill back to the House, and asked to be discharged from its further consideration.
On motion of Mr. Reid, the bill was laid on the table, and made the special order for Wednesday next at 11 o'clock.

Mr. Bynum, of Northampton, introduced a bill to authorize the union of the Greenville and Roanoke Railroad company, with the Petersburg Railroad company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Hill, of Caswell, introduced a bill to incorporate the Caswell Plank Road Company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Lander, of Lincoln, introduced a bill to incorporate Lincoln Division of the Sons of Temperance, in the town of Lincoln; which was read the first time and passed.

Mr. Lander, of Lincoln, introduced a bill to incorporate Catawba Lodge, No. 41, of the Independent Order of Odd Fellows; which was read the first time and passed.

Mr. Dargan, of Anson, introduced a bill to make compensation to Justices of the Peace, and for other purposes; which was read the first time and passed, and made the order of the day for Thursday next 12 o'clock.

Mr. Reid, of Duplin, introduced a bill to lay off this State into fifty Senatoral Districts; which was read the first time, and passed, and made the order of the day, for Thursday next at 12 o'clock.

Mr. Harris, of Davidson, introduced a bill prescribing how persons shall be prosecuted for keeping insufficient fences; which was read the first time, passed, and referred to the Committee on the Judiciary.
Mr. Carmichael, of Wilkes, introduced a bill to lay off a public road from Enoch Vannoy's Mill, in Wilkes county, to the Virginia Line; which was read the first time and passed.

On motion of Mr. Smith, of Halifax, the resolution introduced by him yesterday, was taken up and adopted.

Mr. McDougald, of Bladen, introduced a bill concerning the place of trial for civil process, returnable before Justices of the Peace; which was read the first time, passed and referred to the Committee on the Judiciary.

The Speaker announced the resignation of C. McMillan as a Justice of the Peace, for the county of Duplin.

Mr. Turner, of Orange, introduced a bill to qualify every man of good mind and good character, to serve as a juror, without reference to a freehold qualification; which was read the first time, passed and referred to a select committee of five.

The Speaker announced the committee to consist of Messrs. Turner, Amis, Strange, Watters and Scales.

Mr. Carmichael, of Wilkes, introduced a bill to improve the public road leading from Helman's Ford, on the Yadkin River, in Wilkes county, to the Tennessee line; which was read the first time and passed.

The hour for the joint rule of the two Houses having arrived,

Mr. Cherry, of Bertie, nominated B. F. Moore, for the office of Judge of the Supreme Court. W. H. Battle was added to the nomination, by Mr. Scales, of Rockingham.
The House then proceeded to vote with the following result:

FOR MR. B. F. MOORE.


FOR MR. REID.


FOR MR. SAUNDERS.


FOR MR. BATTLE.


FOR MR. BAILEY.


FOR MR. STRANGE.

Messrs. Bryant, Lockhart, Walton—3.

FOR MR. BRAGG.

Mr. Chesnutt—1.
FOR MR. ASA BIGGS.

Messrs. Ellis, S. P. Hill—2.

FOR MR. BADGER.

Mr. Pegram,—1.

FOR MR. MANLY.


FOR MR. BRYAN.


FOR MR. MITCHELL.


On motion, it was ordered that a message be sent to the Senate, proposing to go into an election for Comptroller of State forthwith.

Mr. Puryear, of Surry, introduced a bill to change the name of the town of Wilson in Yadkin county; which was read the first time and passed, and the rule being suspended, it passed its second reading.

Mr. Cherry, of Bertie, from the Committee, to superintend the election of Supreme Court Judge, submitted the following report,

Which was concurred in;

That the whole number of votes cast was 163, that 82 were necessary to a choice—that Mr. Moore received 48:
Mr. Battle 49; Mr. Bailey 6; Mr. Bryan 16; Mr. Mitchell 9; Mr. Manly 4; Mr. Strange 8; Mr. Biggs 2; Mr. Saunders 3; Mr. Bragg 3; Mr. Badger 4; Mr. Craig 1; Mr. Toomer 1; Mr. Winston 1; and Mr. Reid 5; that as no one had a majority of all the votes there was no election.

Mr. McDugald moved that a message be sent to the Senate proposing to go into an election of Attorney General to-day at half-past one o’clock.

Mr. Waugh moved to lay on the table.

Which motion was lost.

And the motion of Mr. McDugald was adopted.

Mr. Brooks, of Pasquotank, introduced a bill to incorporate Woodville Division, No. 217 Sons of Temperance; at Woodville, in the county of Perquimans, which was read the first time and passed.

Mr. Corbett, of New Hanover, introduced a bill to incorporate Long Creek Division, No. 102 of the Sons of Temperance; which was read the first time, passed and referred to the Committee on Corporations.

Mr. McNeill, of Robeson, introduced a bill to amend an act incorporating Robeson Institute, in the county of Robeson;” which was read the first time and passed.

A message was received from the Senate, agreeing to go into an election for Comptroller, forthwith; and informing the House that Messrs. Murray and Cannady will superintend the election on the part of the Senate.

Also, informing the House that the Senate had laid on the table the proposition to vote for Attorney General, at half-past one o’clock.
The committee on the part of the House consist of Mr. Strange and Webb.

The House proceeded to vote with the following result:

FOR MR. CLARK.


FOR MR. MILLER.


Mr. Wheeler, of Lincoln, introduced a bill to amend an act passed 1848-49 chapter 195, to improve the navigation of the Catawba River; which was read the first time, passed, and referred to a select committee.

The committee consists of Messrs. Wheeler, Reid of Duplin, Dargan, Lowry and Ward

Mr. Cook, of Wilkes, introduced a bill to alter and improve the road leading from Trap Hill, in Wilkes county, to the ford of Yakkin river, at Isaac Martin’s, which was read the first time, passed, and, with memorials, referred to the Committee on Propositions and Grievances.
Mr. Dobbin, of Cumberland, introduced a bill to incorporate the North Carolina Steam Carriage and Plank Road company; which was read the first time and passed.

On motion of Mr. Avery, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad, was postponed until Monday, and made the special order for 12 o'clock that day.

Mr. Dargan, of Anson, introduced a bill to incorporate Stokes Lodge, No. of Ancient York Masons, in the town of Concord; which was read the first time, passed, and referred to the Committee on Corporations.

On motion of Mr. Puryear, of Surry;

Resolved, That a committee of five be appointed to enquire into the expediency of establishing a Medical Board in this State, and that they report by bill or otherwise.

The committee consists of Messrs. Blow, Durham and Mills.

Mr. Strange, from the committee to superintend the election of Comptroller, made the following report,

Which report was concurred in:

That there were 159 votes cast—that eighty were necessary to a choice—that Mr Clark received 97; Mr. Miller 62; and that Mr. Clark was therefore duly elected.

A message was received from the Senate, agreeing to set apart Saturday afternoon, 11th instant, for the appointment of Justices of the Peace.

Also, asking the concurrence of the House in the engrossed resolution "concerning the report of Professor Emmons."
Whereupon, the resolution was read the first, second and third times, passed and ordered to be enrolled.

Mr. Black, of Mecklenburg, introduced a resolution authorizing the Governor to furnish standard weights and measures to Union county; which was read the first time and passed.

Mr. Wynne, of Hyde, introduced a bill to incorporate the Trustees of Mattamuskeet Academy; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Pegram, of Cumberland, introduced a bill to incorporate the Fayetteville Ice company; which was read the first time and passed.

Mr. Saunders, of Wake, introduced a bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad company; which was read the first time and passed.

Mr. Tripp, of Beaufort, introduced a bill to prevent the obstruction of the passage of fish in the waters of Blount's Creek and its tributary streams; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

On motion of Mr. Lander, of Lincoln, it was ordered that a message be sent to the Senate, proposing to go into an election for Judge of the Supreme Court at a quarter before 2 o'clock.

On motion of Mr. Stubbs, of Beaufort, the bill concerning pilots and pilotage was taken from the table, and, with the memorials, referred to the Committee on Propositions and Grievances.
Mr. Collins, of Chowan, presented sundry memorials; which, on motion, were referred to the Committee on Propositions and Grievances.

Mr. Dortch, of Wayne, introduced a bill to amend the 34th chapter of the Revised Statutes; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Simons, of Montgomery, introduced a bill for better securing creditors against loss; which was read the first time, passed, and referred to the Committee on the Judiciary; and ordered to be printed.

Mr. Wilder, of Wake, introduced a bill to incorporate the Trustees of Morning Sun Academy, in the county of Wake; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Mooring of Martin, introduced a bill to incorporate the Roanoke Ferry and Turnpike company; which was read the first time and passed.

A message was received from the Senate, concurring in the proposition to ballot for Supreme Court Judge, at a quarter before 2 o'clock, and informing the House that Messrs. Thompson and Clark will superintend the election on the part of the Senate.

Messrs. Norfleet and Phillips form the committee on the part of the House.

Mr. Fagg, of Buncombe, introduced "a bill to alter the line of Madison county, and to establish the county of Warm Springs: which was read the first time, passed and referred to the Committee on Propositions and Grievances.
Mr. Webb, of Rutherford, introduced a bill to restore jury trials to the county of Rutherford; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Scales, of Rockingham, introduced a bill to prevent the felling or putting of timber in Hogan's Creek, in the county of Rockingham; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Byrd, of Yancey, introduced a bill to authorize John B. Gardner to collect arrearages of taxes in Yancey county for the year 1850; which was read the first time, passed and referred to the Committee on Private Bills.

Mr. Lyon, of Granville, introduced a bill to incorporate the trustees of Mount Energy academy; which was read the first time, passed and referred to the Committee on Corporations.

The Speaker presented a statement of the condition of the Bank of the State, on the 20th Nov. 1852; which, on motion, was ordered to be transmitted to the Senate, with a proposition to print.

The hour to carry out the joint order of the two Houses, having arrived,

The House proceeded to vote for Supreme Court Judge, with the following result:

FOR MR. MOORE.

Mr. Mooring, of Martin, introduced a bill to amend the 55th chapter of the Revised Statutes, entitled an act for the better security of personal property; which was read the first time, passed, and referred to the Committee on the Judiciary.

A bill to repeal an act, to establish a new county by the name of Jackson, was read the third time and passed.

Mr. Love, of Haywood, moved to amend the title of the bill, so as to read, "a bill supplemental to an act passed at the session of 1850-'51, entitled an act to lay off and establish a new county by the name of Jackson."

Which amendment was adopted.

Mr. Avery moved that the rule be suspended, and that the bill be sent to the Senate, asking the concurrence of that body in the amendment of this House.

Which motion prevailed.

Mr. Hill, of Caswell, introduced a bill to amend the Constitution of North Carolina; which was read the first time and made the order for Monday next 1 o'clock.

Mr. Amis, moved to reconsider the vote by which the bill was made the order of the day for Monday next.

Pending which,

On motion of Mr. Phillips, of Orange, the House adjourned.
The question pending being the motion of Mr. Amis, of Granville, to reconsider the vote by which the bill to amend the Constitution of North Carolina, was made the special order of the day for Monday next.

It was decided in the affirmative, by the casting vote of the Speaker.

Mr. Avery, of Burke, appealed from the decision of the Speaker, and the question, shall the Chair be sustained? was decided in the affirmative—Yeas 81, nays 17.

On motion, the bill was then made the special order for Monday next, at 1 o'clock.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion, the bill was made the special order for Monday next, 1 o'clock.
On motion of Mr. Hill of Caswell, a bill for the protection of boats, canoes, coasting and sea vessels, was taken from the table, and read the second time and passed.

On motion of Mr. Avery, of Burke, the bill "to protect live stock from malicious destruction" was taken from the table, and read the second time.

Mr. Calloway, of Ashe, moved to amend the bill, by striking out the county of Ashe.

Which amendment was adopted, and bill passed its second reading—Yeas 79, nays 18.

Mr. Spraiil, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion, the rule was suspended and the bill read the third time.
Mr. Webb, of Rutherford, moved to amend the bill by striking out the county of Rutherford.

Which amendment was rejected.

The question then recurring, shall the bill pass its third reading? it was decided in the affirmative—Yeas 72, nays 29; and the bill ordered to be engrossed.

Mr. Caldwell, of Guilford, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Long, of Randolph, moved a reconsideration of the vote by which the bill passed its third reading.

Which motion was not carried.

On motion of Mr. Leach, of Davidson, it was ordered that a message be sent to the Senate, proposing to go into an election for Attorney General to day at half past eleven o'clock.
On motion of Mr. Williams of Warren, it was,

Ordered, That a message be sent to the Senate, proposing to go into an election for United States Senator to day at a quarter before 2 o'clock.

On motion of Mr. Leach, of Davidson, a bill to ascertain the will of the freemen of North Carolina, as to the call of a convention on the federal basis, was taken from the table and made the special order for Thursday next at 11 o'clock.

On motion of Mr. Avery, of Burke, the bill to authorize certain persons therein named to raise by lottery thirty thousand dollars, for the purpose of clearing out Goshen in the county of Duplin, was taken from the table.

The question pending being the motion of Mr. McNeill, to reconsider the vote by which the bill was rejected.

Which motion did not prevail.

On motion of Mr. Wiley, of Guilford, leave of absence was granted to Mr. Lockhart of Northampton until Friday next.

A message was received from the Senate, refusing to concur in the proposition to vote for Attorney General to-day at half-past eleven o'clock; and agreeing to the proposition to vote for United States Senator at a quarter before 2 o'clock, and informing the House that Messrs. Person and Cowper will superintend the election on the part of the Senate.

A bill to amend an act of 1848-9, chapter 57, entitled an act to confer on over imprisoned Lunatics, was read the second time and passed.
A bill to provide for paying tales jurors in the counties of Northampton and Wake, was read the second time, amended by striking out all after the enacting clause and adopting the substitute proposed by the Committee and passed.

A statement from the Cashier was received, showing the condition of the bank of Cape Fear, the first of Dec. 1852, which was ordered to be transmitted to the Senate, with a proposition to print.

The Speaker announced that Messrs. Sanders of Johnson and Long of Caswell would superintend the election of United States Senator, on the part of the House.

The hour for the joint order of both Houses having arrived, the house proceeded to vote with the following result.

**FOR MR. DOBBIN.**


**FOR MR. SAUNDERS.**


**FOR MR. SHEPARD.**

Messrs. Cotten, Godwin, Sanders of Johnson and Spruill—4.
FOR MR. CLINGMAN.

Messrs. Blow and Mills,—2.

FOR MR. RAYNER.


FOR MR. BAXTER.

Messrs. Matthews, Turner of Iredell and Teague,—3.

FOR MR. GILMER.

Mr. Amis—1.

FOR MR. LILLINGTON.

Mr. Adams—1.

FOR MR. COLLINS.

Mr. McDugald—1.

FOR MR. OSBORNE.

Mr. Harris of Cabarrus—1.

FOR MR. KERR.

Mr. Gaither—1.

FOR MR. E. G. READ.

Mr. Turner of Orange—1.
1852. JOURNAL OF THE HOUSE OF COMMONS.

FOR MR. THOMPSON.


FOR MR. CRAIG.

Mr. Saunders of Wake—1.

Mr. McIntyre, of Richmond, introduced a bill to lay off the State into fifty Senatorial Districts, and for other purposes, which was read the first time, ordered to be printed, and made the special order for Thursday next, at 12 o’clock.

On motion of Mr. Reid, of Duplin, the bill introduced by him yesterday, was taken from the table and ordered to be printed.

Mr. Long, of Caswell, from the Committee to superintend the election of United States Senator, submitted the following report, which was concurred in:

That 161 votes were cast; that 81 were necessary to a choice; that Mr. Dobbin received 75, Saunders 35, Shepard 5, Thompson 4, Rayner 30, Baxter 3, Collins 1, Reid 1, Clingman 2, Gilliam 1, Osborne 1, Lillington 1, Kerr 1, Craig 1; that as no one had received a majority of all the votes, there was no election.

Mr. McIntyre, of Richmond, introduced the following resolution, which which was read the first time, passed, and the rules being suspended, was read second and third times, passed and ordered to be engrossed:

Resolved, That the clerk of this House procure a copy of the outline map by Wm. D. Cook of this city, for each member of this General Assembly, provided the cost does not exceed fifty cents each, and that the public treasurer be allowed the same in his public accounts.
Mr. Saunders, of Wake, from the Committee on the Judiciary, reported back to the House a bill to confirm the establishment of the county of Yadkin, with a substitute, as an amendment, and recommended that the substitute be adopted, and the bill passed.

Whereupon, the bill was read the second time, the amendment adopted, and the bill passed.

Mr. Long, of Randolph moved to take up the bill concerning the Cape Fear and Deep River Navigation company.

Pending which,

Mr. Fagg, of Buncombe, moved that the House adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

The House adjourned.

Monday, Dec. 6th, 1852.

The Speaker announced the Committee on engrossed bills for the week to consist of Messrs. Black, Wynne, Tripp, George and Munday.

Mr. Phelps, of Washington, presented a memorial from sundry citizens; which was referred to the Committee on Propositions and Grievances.

The House resumed the consideration of the unfinished business of yesterday—the motion of Mr. Long to take up the bill concerning the Cape Fear and Deep River navigation.

Which motion having prevailed, the bill was read the third time.

Mr. Marshall, of Stokes, moved to lay on the table, until Saturday next.

Which motion was rejected—yeas 38, nays 63.

Mr. Fagg, of Buncombe, demanded the yeas and nays.

The question then recurring—shall the bill pass? it was decided in the affirmative, and the bill ordered to be enrolled.
On motion of Mr. Williams of Warren, it was ordered that a proposition be sent to the Senate, proposing to go into an election for United States Senator, to day at half-past 1 o'clock.

On motion of Mr. Avery, the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad, was taken up, and several amendments submitted.

Whereupon, the bill was made the special order for tomorrow 12 o'clock, and the amendments ordered to be printed.

The committee on counting and comparing the vote of Governor, submitted a report,

Which was concurred in.

On motion of Mr. Saunders, of Wake,

Resolved, That a chair be placed at the right of the Speaker, to be occupied by the Speaker of the Senate, and that the seats on the left of the Speaker be occupied by the members of the House, and that the seats on the right be occupied by Senators, and that the members of the House receive the Senate standing.

A message was received from the Senate, agreeing to go into an election for United States Senator, to day at half-past 1 o'clock, and informing the House that Messrs. Hargrave and Thompson will superintend the election on the part of the Senate.

Committee on the part of the House—Messrs. Wheeler and Long, of Randolph.

A message was received from the Senate, informing the House that the Senate had concurred in the report of the
committee on counting and comparing the vote for Governor.

A message was received from the Senate, informing the House that Mr. Boyd will act as teller on the part of the Senate, in comparing the vote for Governor, and that the Senate will meet the House of Commons in their Hall today at 12 o'clock.


A message was received from the Senate, informing the House that the Senate rejected the engrossed bill from the House of Commons, "to amend the Constitution of North Carolina."

On motion of Mr. Spruill, of Bertie, the bill to incorporate the Trustees of the Wesleyan Female College, was taken up, read the second time and passed, and the rule being suspended, the bill was read the third time, passed and ordered to be enrolled.

A bill to amend the Constitution, was taken up and made the special order for to-morrow at one o'clock.

Mr. Puryear, Chairman of the Committee on Propositions and Grievances, reported back to the House a bill to emancipate James Langford, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 59, nays 46.

Mr. Brooks, of Pasquotank, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Wheeler, Chairman, in behalf of the Committee on Claims, to whom was referred a resolution in favor of W. W. Greene and L. A. Jeffreys, reported the same back to the House, and recommended its passage.

Mr. Puryear, Chairman, in behalf of the committee to whom was referred a bill to enlarge the power of the Commissioners of the town of Newbern, reported the same back to the House, and recommended its passage.

Whereupon, the bill was read the second time and passed—Yeas 50, nays 43.

Mr. Williams of Greene, demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative are:


Mr. Puryear, in behalf of the same committee, reported back to the House, a bill to restrict fishing in part in Albemarle Sound, and other waters, with amendments, and recommended its passage.

Whereupon the bill was read the second time, and the amendments proposed adopted, and on motion the bill was laid on the table.

Mr. Puryear, Chairman, in behalf of the same committee reported back to the House a resolution in favor of Joseph Brindle, of Macon county, and recommened that it do not pass.

Whereupon, it was read the second time, and on motion of Mr. Munday, laid on the table.

Mr. Puryear, Chairman, in behalf of the same Committee, reported back to the House, a bill to repeal in part the 5th section of an act of the General Assembly, passed at its session of 1850-51, entitled an act to establish a court of law and equity, for the county of Watauga, and recommended its passage.

Whereupon, the bill was read the second time and passed.
Mr. Puryear, in behalf of the same committee, reported back to the House, a memorial from sundry citizens, praying the passage of some law, to rid the State of free negroes, and recommended that it was inexpedient to legislate upon the subject, and asked to be discharged from its further consideration.

Which report was concurred in.

Mr. Puryear, in behalf of same Committee, reported adversely to the memorial of sundry citizens asking the emancipation of slave Rachel.

On motion, the report was laid on the table.

Mr. Avery, Chairman, in behalf of the Committee, on Internal improvements, reported back to the House a bill to authorize the Union of the Greenville and Roanoke Railroad company with the Petersburg Railroad company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The hour for the joint order of the Houses having arrived, the Senate, preceded by their Speaker, entered the Hall of the House of Commons, and both Houses proceeded to compare the vote cast for Governor in August last.

**COUNTIES.**

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Mr. Boyd, teller, on the part of the Senate, submitted the following report:

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Which was concurred in:

That 91,570 votes were cast, of which number David S. Reid received 48,567, and John Kerr 003—that David S. Reid having received a majority, was duly elected.

Whereupon, the Speaker of the Senate, declared David Reid Governor elect of the State, for two years, from and after the first day of January next.

The Senate then retired.

The hour agreed upon for a ballot for United States Senator having arrived, the House proceeded to vote with the following result:

FOR MR. DOBBIN.


FOR MR. RAYNER.


FOR MR. CLINGMAN.

Mr. Dobbin—1.

FOR MR. SHEPARD,

Mr. Cotten—1.

FOR MR. CRAIG.

Mr. Saunders of Wake—1.

The House then took a recess.

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AFTERNOON SESSION.

Mr. Norfleet, of Edgecombe, presented instructions from 813 voters of the county of Edgecombe, against the new county proposed to be made from part of Edgecombe and other counties.

Which, on motion, was laid on the table.

On motion of Mr. Tolson, of Anson,

Resolved, That the Committee on finance, be instructed to enquire into the propriety of taxing all incorporated divisions of the Sons of Temperance, Odd Fellows, and all other incorporated secret institutions.
Mr. Harris, of Cabarrus, introduced a bill to incorporate the Bank of Concord, in the town of Concord, Cabarrus county; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Black, of Mecklenburg, introduced a bill to incorporate Harrison Division, No. 273, Sons of Temperance; which was read the first time and passed.

Mr. George, of Columbus, introduced a bill to emancipate Rachel, a slave; which was read the first time.

Mr. Miller, of Caldwell, moved the rejection of the bill and 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.

Whereupon, the bill passed its second reading, and was referred to the Committee on Propositions and Grievances.
Mr. Wheeler, from the committee to superintend the election of United States Senator, submitted the following report.

Which was concurred in:

That 160 votes were cast; that 81 were necessary to a choice; that Mr. Rayner received 79, Mr. Dobbin 73, Mr. Shepard 2, Mr. Saunders 2, Mr. Clingman 2, Mr. Reid 1, Mr. Craig 1; that as no one had received a majority of all the votes, there was no election.

Mr. Martin, of Franklin, introduced a bill to provide for the better regulation of the town of Louisburg, in the county of Franklin; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Dortch, of Wayne, introduced a bill to incorporate Wayne Institute; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Carmichael, of Wilkes, introduced a bill to incorporate the Salisbury, Mocksville and Wilkesboro' Plank Road company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Lander, of Lincoln, introduced a bill to amend 5th section of the 6th chapter of the Revised Statutes, entitled "attachment," which was read the first time, passed and referred to the Committee on the Judidiary.

Mr. Dobson, of Surry, introduced a bill to provide for the re-assessment of the real estate within the corporate limits of the town of Rockford in the county of Surry; which was read the first time, passed and referred to the Committee on Propositions and Grievances.
Mr. Corbett, of New Hanover, introduced a bill to incorporate the Merchant’s and Planter’s Bank of Wilmington; which was read the first time, passed and referred to the Committee on the Judiciary.

On motion of Mr. Cotten, of Chatham,

Resolved, That his Excellency the Governor be requested to inform the Legislature, how many chairmen of superintendents of Common Schools have failed to make their reports for the past year, according to law, and how many for the year previous.

Resolved, That he be also requested to state how many chairmen who failed to report last year, also failed to report for the year preceding, and that he also state whether any, and how many, chairman have failed to report for the last three years.

Mr. Turner, of Orange, introduced a bill to authorize James Turrentine, Sheriff of Orange county, to collect arrears of taxes due him.

Pending the reading of which.

On motion of Mr. Amis, of Granville, the House adjourned—Yeas 50, nays 41.

Mr. Sherrill, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Tuesday, Dec. 7th, 1852.

The unfinished business of yesterday, a bill to authorize the union of the Greenville and Roanoke Railroad, with the Petersburg Railroad company, was read the second time and passed—Yeas 69, nays 28.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Norfleet, in behalf of the Committee on the Judiciary, reported back to the House a bill to facilitate the recovery of debts due from nonresident debtors, and recommended its passage.

Whereupon, the bill was read the second time, and passed.

Mr. Miller, of Caldwell, moved that a message be sent to the Senate, with a proposition to go into an election for United States Senator, forthwith.

Pending action on which, the hour for the special order of the day, a bill to lay off and establish a new county by the name of 'Blue Ridge,' and to attach a part of Stokes county to the county of Surry, arrived, the question pending being the motion to reconsider the vote by which the amendment of Mr. Cook was adopted.

The special order being suspended, a message was received from the Senate, proposing to go into an election for superintendent of Common Schools to day at a quarter before 2 o'clock.

On motion of Mr. McNeill, of Robeson, the proposition was laid on the table—Yeas 45, nays 32.

A message was received from the Senate, proposing to raise a joint Select Committee of one on the part of the Senate, and two on the part of the House, to wait on his
Excellency, David S. Reid, and inform him of his election as Governor of North Carolina, for two years, from the first day of January next, and to ascertain from him, when it will suit his convenience to appear before the two Houses of this General Assembly and take the oath of office.

The hour of 12 having arrived, the special order for that hour, the bill to incorporate the North Carolina and Tennessee Railroad, was taken up.

Mr. Carmichael, of Wilkes, moved to postpone the special order until to-morrow.

Which motion was lost—Yeas 28, nays 39.

The question pending, being the amendment proposed by Mr. Avery,

Mr. Holeman, of Person, moved to amend the amendment, by striking out the last two sections.

The hour of 1 having arrived, the special order for that hour, the bill to amend the Constitution of North Carolina, was taken up, and,

On motion of Mr. Hill, of Caswell, was postponed, and made the special order for to-morrow, 11 o'clock.

A letter was received from his Honor, Wm. H. Battle, accepting the appointment of Supreme Court Judge, and resigning his place on the Superior Court Bench; which resignation was accepted, and by order transmitted to the Senate.

The House resumed the consideration of the amendment of Mr. Holeman.

Pending the question on which,
On motion of Mr. Fagg, the bill and amendment were postponed until to-morrow 12 o'clock, and made the special order for that hour.

The Speaker announced the committee on the part of the House, to wait on his Excellency, the Governor, to be Messrs. Carmichael and W. E. Hill.

The House then adjourned.

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Afternoon Session.

Mr. Williams, of Warren, moved to adjourn, which motion was lost—Yea 7, nay 78.

Mr. Brooks, of Pasquotank, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

The bill introduced by Mr. Turner, of Orange, yesterday,

Pending the reading of which the House adjourned, was read the first time and passed.

Mr. Blow of Pitt, presented a memorial; which was referred to the Committee on Internal Improvements.

Mr. Dortch, of Wayne, introduced a bill to incorporate the Goldsboro' Normal School; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Saunders, of Wake, introduced the memorial of Geo. Little & Co.; which was referred to the Committee on Claims.

Mr. Reid, of Duplin, introduced a bill to incorporate the Duplin Plank Road Company; which was read the first time and passed.

Mr. Waugh, of Stokes, introduced a bill to incorporate the Winston and Wilksboro' Plank Road Company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Ward, of Jones, introduced a bill to prohibit free persons of color, from peddling in the county of Jones; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.
Mr. Millor, of Caldwell, introduced a resolution in favor of E. S. Moor; which was read the first time, passed, and referred to the Committee on Propositions and Grievances.

Mr. Erwin, of Burke and McDowell, introduced a bill to improve County Prisons, and establish houses of correction; which was read the first time, passed, laid on the table, and ordered to be printed.

On motion, the House adjourned.

Wednesday, Dec. 8th, 1852.

The Committee on Enrolled Bills for the week, on the part of the Senate, consists of Messrs. Cannady, McClees and Berry.

On motion of Mr. Waugh, of Stokes, the bill to establish the boundary line between Forsythe and Davidson was taken from the table and placed on the file of bills on their second reading.

On motion of Mr. Puryear, the bill to authorise the State to take seven hundred and fifty shares in the Yadkin Navigation company was taken from the table and placed on the file of bills on their second reading.

The House resumed the consideration of the unfinished business of yesterday:
"A bill to establish a new county by the name of Blue Ridge."

The question pending, being the motion to reconsider the vote by which the amendment of Mr. Cook was adopted.

The vote was reconsidered, and the amendment rejected.

Mr. Matthews moved an amendment,

Pending which,

On motion, the bill and amendment were indefinitely postponed.

On motion of Mr. Carmichael, of Wilkes, the special order for 11 o'clock to-day—the bill concerning County and Superior Courts—was postponed and made the special order of the day for Wednesday next, at 11 o'clock—Yeas 44, nays 41.

On motion of Mr. Avery, of Burke, the special order for to-day, 12 o'clock—the bill to incorporate the North Carolina and Tennessee Railroad, was postponed and made the special order of the day for Monday next.

Mr. Dargan, in behalf of the Committee on the Judiciary, reported back to the House a bill to establish a homestead freehold, and recommended its passage.

Whereupon, the bill was read the second time, and

On motion of Mr. Cherry, of Bertie, was laid on the table and made the special order for Friday next, at 11 o'clock.
Mr. Hill, of Caswell, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Bank of Charlotte, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Holeman, of Person, moved to amend the 16th section, by striking out all after the word "payable," in the 22d line.

Which amendment was adopted.

Mr. Marshall, of Stokes, moved to postpone the bill indefinitely.

Which motion was rejected—Yeas 29, nays 76.

Mr. Marshall, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Phillips, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Locks-ville and Hillsboro’ Plank Road company, and recommended its passage.

On motion of Mr. Reid, of Duplin, the bill was laid on the table, and the House proceeded to the consideration of the bill to amend the Constitution of North Carolina.

Mr. Miller, of Caldwell, moved to postpone the further consideration of the bill until Wednesday next, and make it the special order of the day, at 12 o’clock.

Which motion was rejected—Yees 47, nays 62.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

The question then recurring, shall the bill pass?

It was decided in the negative, a constitutional majority of three fifths not voting therefor.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Waugh, of Stokes, moved to reconsider the vote by which the bill was rejected.

Mr. Reid, of Duplin, moved to lay the motion to reconsider on the table and demanded the yeas and nays.

The motion to lay on the table was lost—yeas 10, nays 92.

Those who voted in the affirmative, are:
Messrs. Adam?, Allen, Barco, Carmichael, Cook, Harris of Cabarrus,
Herring, Perry, Saunders of Wake and Wilder,—19.

Those who voted in the negative are:

Messrs. Albertson, Alford, Amis, Avery, Barrett, Black, Brooks, Bry-
ant, Bynum of Chatham, Bynum of Northampton, Byrd, Caldwell of
Guilford, Cherry, Chesnutt, Collins, Corbett, Dobbin, Dobson, Dortch,
Dunn, Durham, Ellis, Erwin. Eure, Fagg, Foreman, Furr, Gaither,
George, Godwin, Gwynn, Harris of Davidson, Hawkins, Hill of Cas-
well, Hill of Duplin, Holman, Jarvis, Johnson, Jones, Lander, Leach,
Long of Caswell, Lowry, Love, Lyon of Granville, Lyon of Orange,
Martin, Marshall, Matthews, Miller, Mills, Mooring, McDugald, Mc-
Intyre, McNeil, Norfolk, Pegram, Perkins, Phillips, Puryear, Reid
of Rockingham, Rives, Russell, Saunders of Johnson, Sauls, Scales, Sherrill,
Shimpock, Simons, Smith, Spruill, Styles, Strange, Stubbs, Sutton,
Teague, Thorburn, Tolson, Trip, Turner of Raleigh, Watters, Ward,
Waugh, Webb, Wheeler, Whitehurst, Williams of Greene, Williams
of Warren, Wiley and Wood—90.

On motion of Mr. Avery, of Burke, the motion to recon-
sider was made the special order for Tuesday next at 12
o'clock.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allen, Avery, Barco, Barrett, Black, Bryant, Bynum of Chat-
ham, Bynum of Northampton, Byrd, Chesnutt, Christmas, Corbett,
Dobbin, Dobson, Dortch, Dunn, Durham, Ellis, Foreman, George,
Gwynn, Hawkins, Herring, Hill of Caswell, Hill of Duplin, Jarvis,
Lander, Long of Caswell, Love, Lyon of Granville, Lyon of Orange,
Martin, Marshall, Mills, Mooring, McNeil, Norfolk, Pegram, Phillips,
Reid of Duplin, Reid of Rockingham, Rives, Russell, Sanders of Wake,
Sauls, Scales, Sherrill, Stange, Sutton, Tolson, Walton, Ward, Waugh,

Those who voted in the negative are:

Messrs. Adams, Albertson, Alford, Amis, Brooks, Caldwell of Guil-
ford, Carmichael, Cherry, Collins, Cook, Daniel, Erwin, Eure, Fagg,
Furr, Gaither, Godwin, Harris, of Cabarrus, Harris of Davidson, Hole-
man, Johnson, Jones, Leach, Long, of Randolph, Lowry, Matthews,
Mill r, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Sanders
of Johnson, Shimpock, Simons, Smith, Spruill, Styles, Stubbs, Teague,
Mr. Strange, of New Hanover, introduced a bill for the incorporation of the Wilmington Mutual Marine Insurance Company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Long, of Randolph, introduced a bill to incorporate the town of New Salem in the county of Randolph; which was read the first time, and referred to the Committee on Corporations.

Mr. Miller, of Caldwell, introduced a bill to incorporate the Atlantic, Tennessee and Ohio Railroad company; which was read the first time and passed.

Mr. Strange, of New Hanover, introduced a bill to amend the 6th section of an act to charter the Wilmington and Manchester Railroad company; which was read the first time, passed and referred to the Committee on Internal Improvements.

Mr. Caldwell, of Guilford, introduced a bill for the vigorous prosecution of a judicious system of internal improvements in the State of North Carolina.
Mr. Hill, of Caswell, introduced a bill in regard to elections; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Hill, of Caswell, introduced a bill in regard to the town of Milton; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Matthews, of Stakes, introduced a bill to incorporate Salem Lodge, No. 36; I. O. O. F. in the town of Salem in the county of Forsythe; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Turner, of Iredell, introduced a resolution in favor of James M. Lewis; which was read the first time, passed, and referred to the Committee on Private Bills.

Mr. Russell, of Craven, introduced a bill providing for the recovery of taxes of free person of color; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Wiley, of Guilford, introduced a resolution in favor of R. O. Britton; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phelps, of Washington, introduced a resolution in favor of Samuel Kissam of the town of Plymouth; which was read the first time, passed and referred to the Committee on Claims.

A bill to incorporate the Uharrie and Yadkin Plank Road company was read the third time passed and ordered to be engrossed.

On motion, the House adjourned.
Thursday, Dec. 9th, 1852.

Mr. Phillips, of Orange, moved to take from the table the bill to incorporate the Locksville and Hillsboro' Plank Road company.

Which motion having prevailed, the bill was read the second time and passed.

Mr. Spruill, of Bertie, in behalf of the Committee on the Judiciary, reported back to the House a bill to prevent the fraudulent conveyance of property, and for other purposes, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion of Mr. Dargan, of Anson, indefinitely postponed.

On motion of Mr. Dobbin, of Cumberland,

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of five on the part of this House, and four on the part of the Senate, to whom shall be referred the report of the commissioners relative to the Lunatic Asylum.

Mr. Saunders, of Wake, chairman, in behalf of the Committee on the Judiciary, reported back to the House a bill to amend the Revised Statutes, chapter 37, entitled deeds and conveyances, and recommended its passage.

Whersupon, the bill was read the second time, passed and ordered to be printed.

Mr. Saunders, in behalf of the same committee, reported back to the House a bill to prevent imitation coinage, with a substitute, and recommended that the substitute be passed.
Whereupon, the bill was read the second time, and, on motion of Mr. Erwin, the bill and amendment were laid on the table.

The special order of the day coming up,

On motion of Mr. Cherry, of Bertie, it was postponed until Tuesday next, and made the special order, at one o'clock.

Twelve o'clock having arrived, the special order for that hour, a bill to lay off this State into Fifty Senatorial Districts, was taken up.

Mr. McIntyre, of Richmond, moved to amend, by striking out all after the enacting clause, and inserting the bill submitted by him, for the same purpose, as a substitute.

Pending the question on which motion, the bill and amendment were, on motion of Mr. Amis, of Bertie, laid on the table, and made the special order for Tuesday next, 11 o'clock.

A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on the Lunatic Asylum, and informing the House that Messrs. Cunningham, Lillington, Hoke and Thompson form the Senate branch of the Committee.

The committee on the part of the House consists of Messrs. Dobbin, Amis, Johnson, Strange and Erwin.

Mr. McDugald, in behalf of the Committee on the Judiciary, reported back to the House a bill to abridge the duties of Grand Jurors, in the county of Baldwin, and recommended that it do not pass.
Whereupon, on motion of Mr. McDugald, the bill was laid on the table.

Mr. Saunders, Chairman in behalf of same committee, reported back to the House a bill concerning the official bonds of sheriffs, coroners and constables, and recommended its passage.

Whereupon the bill was read the second time and passed

Mr. Saunders, in behalf of same committee, reported back to the House a bill abridging the powers of Grand Jurors, and recommended that it do not pass.

Whereupon the bill was read the second time and rejected—Yea's 16, nays 85.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Saunders, in behalf of same committee, reported back to the House a bill to expedite trials and avoid unnecessary costs in punishing petty offences, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected—Yea 39, nay 74.

Mr. Munday demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


Afternoon Session.

The following engrossed bills from the Senate were severally read the first time and passed:
A bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad company:

A bill to repeal the 4th section of an act passed by the General Assembly, at its session of 1850-'51, entitled an act to amend an act, entitled an act to incorporate the Caldwell and Ashe Turnpike company;

A bill to incorporate the North Carolina State Agricultural Society.

An engrossed bill from the Senate to emancipate Lewis Williams, was read the first time.

Mr. Miller, of Caldwell, moved its rejection, and 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.

A message was received from the Senate, transmitting the following engrossed bills with amendments, which were severally read, amendments concurred in, and the bills ordered to be enrolled:
A bill to incorporate the Chapell Hill and Durhamville Plank Road company;
A bill to incorporate the Lumberton and Cape Fear Plank Road Company;
A bill to incorporate the Fayetteville and Raleigh Plank Road Company;
A bill to incorporate the Haywood and Chapel Hill Plank Road company;
A bill in relation to the collections of partnership and other debts.

The report of Adjutant General, R. W. Haywood, was received and ordered to be transmitted to the Senate with a proposition to print.

Mr. Cook, of Wilkes, introduced a bill to lay off the State into eight Congressional Districts; which was read the first time, passed, and ordered to be printed.

Mr. Norfleet, of Edgecombe, introduced a bill to repeal an act passed at the Session of the General Assembly of 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Stubbs, of Beaufort, presented the memorial of Jesse G. Bryan, of Beaufort, county; which was referred to the Committee on Corporations and Grievances.

Mr. Wheeler, of Lincoln, presented a petition from Stephen Horton, of Wake county, for services rendered to the Raleigh and Gaston Railroad; which was referred to the Committee on Claims.
On motion the House adjourned.

Friday, Dec. 10th, 1852.

On motion Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to go into an election of a superintendent of Common Schools this day at 11 o'clock.

A message was received from the Senate, refusing to concur in the proposition of the House to go into an election of superintendent of Common Schools this day at 11 o'clock.

Mr. Phillips, of Orange, in behalf of the select committee of five to whom was referred a bill to repeal the 18th and 19th chapters of the Statutes passed at the session of the General Assembly in 1848-49, reported the same back to the House and recommended its passage.

Whereupon the bill was read the second time.

On motion of Mr. Mills, of Rutherford, the special order for to-day, at 11 o'clock, was postponed 'til 1, and made the special order for that hour.

The House resumed the consideration of the bill, reported by select Committee, and on motion of Mr. Holeman, of
Person, the bill and amendments were indefinitely postponed—Yeas 63, nays 40.

Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Caldwell, of Guilford, chairman, in behalf of the Committee on Corporations, reported back the following bills, and recommended their passage:

A bill to incorporate the Western Railroad company;
A bill to incorporate the Caswell Plank Road company;
A bill to incorporate the Salisbury, Mocksville and Wilkesboro' Plank Road company;
A bill to incorporate the Washington and Tarboro' Plank Road company;
A bill to incorporate King Solomon's Lodge, No. 133, Ancient York Masons and Masonic Academy at Long Creek, in the county of New Hanover;
A bill to amend an act, entitled an act to incorporate the town of Lumberton, passed at the session of the General Assembly of 1850-51.

Whereupon, they were severally read the second time and passed.

A message was received from his Excellency the Governor, informing the House that there were three vacancies in the Board of Trustees of the University, caused by the death of Dr. Thomas N. Cameron, Hon. W. B. Shepard and Joseph B. Skinner, Esq.

Also, transmitting the report of the President of the Petersburg, and Greenville, and Roanoke Railroad company.

On motion, the message was ordered to be transmitted to the Senate with a proposition to print the report concerning the Railroad companies.

A communication was received from the Public Treasurer, transmitting the statement of the condition of the Wadesboro' bank, the 24th of Nov. 1852, and the statement of the condition of the Merchants' bank at Newbern, the 23d of Nov. 1852.

Which were ordered to be sent to the Senate, with a proposition to print.

12 o'clock having arrived, the special order of the day for that hour, the bill to amend the Constitution of North Carolina, was taken up.

The question pending, being the motion of Mr. Waugh to reconsider.
Mr. Avery, of Burke, moved to lay upon the table.

Which motion prevailed—Yea56, nays54.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A bill to establish a Homestead Freeshold was taken up and read the second time.

Mr. Cook, of Wilkes, moved the following amendment:

Be it further enacted, In all cases, where a man has not fifty acres of land, he shall be allowed to enter fifty acres of any of the vacant lands lying any where in the State, and he shall be allowed to get a State grant for the same, free of charge.
Pending the question on which amendment, the House took a recess.

Afternoon Session.

Mr. McDugald, of Bladen, introduced a bill to incorporate the Colly Navigation company, in the county of Bladen; which was read the first time and passed, and referred to the Committee on Corporations.

Mr. Sherrill, of Lincoln, introduced a bill to authorize Dr. N. M. Powell and others, to erect a free bridge at or near Buffalo Shoals, between Catawba and Iredell counties; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Munday, of Macon, introduced a bill to authorize the acting Justices of Macon to abolish jury trials, in the County Court of said county; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Strange, of New Hanover, introduced the following resolutions, which were read and unanimously adopted, and ordered to be transmitted to the Senate:

Whereas, there was formerly a supply of water on the bar, at the mouth of Cape Fear River, of a depth sufficient to float the largest size merchant ship;

And whereas, owing in some measure to the action of the General Government, in building jetties for the protec-
tion of its Public Works, situated adjacent thereto, the channel has been so filled up, and navigation so of restricted, that the commercial interests of every section of the State, dependent on that outlet, are likely to suffer serious injury;

And Whereas, by an actual survey, made by a Board of Engineers, skilful and competent, it has been ascertained that a permanent channel of the depth of 20 feet can be easily obtained:

Therefore,

Resolved, That our Senators and Representatives in Congress are hereby earnestly requested to use all means to procure a sufficient appropriation for deepening the said channel, and otherwise improving the same in such manner as may be most expedient.

Resolved, That the Governor be requested to transmit a copy of these resolutions to our Senators and Representatives, with a request that they will lay them before their respective Houses.

Mr. Norfleet, of Edgecombe, introduced a bill to incorporate the Tarboro' and Rocky Mount Plank Road company; which was read the first time, passed, and referred to the Committee on Corporations.

Mr. Reid, of Duplin, introduced a bill in relation to wills and testaments; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Waugh, of Stokes, introduced the following resolution, which was read the first time and passed:

Resolved, That the resolution passed at this session of the General Assembly, making an appropriation for furnishing the Capitol, be, and the same is hereby rescinded.

Mr. Tripp, of Beaufort, introduced a bill to amend an act entitled an act to incorporate a Bank in the town of Wash
ington, in the county of Beaufort, passed at the last session of the General Assembly; which was read the first time, passed, and referred to the Committee on the Judiciary.

Mr. Cook, of Wilkes, introduced a bill to divide the county of Wilkes; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Dobson, of Surry, introduced a bill to repair the road from the town of Dobson, in the county of Surry, to the Virginia line, by way of Fisher's Gap; which was read the first time, passed and referred to the Committee on Propositions and Grievances.

Mr. Avery, of Burke, introduced a bill to authorize and empower Milton W. Kincaid, late sheriff of Burke county, to collect arrearages of taxes; which was read the first time and passed.

Mr. Calloway, of Ashe, introduced a bill to establish a public road from the stage road, at Jonas Burkett's, in Ashe county, to the Thin Top Fork road; which was read the first time and passed.

Mr. Hill, of Caswell, introduced a bill to incorporate Clinton Lodge; which was read the first time and passed.

Mr. Sherrill, of Lincoln, presented the resignation of Franklin D. Reinhart, as a Justice of the Peace for the county of Catawba; which was read and accepted, and ordered to be transmitted to the Senate.

Mr. Watters, of Brunswick, introduced a bill relative to St. Phillip's Church, in Smithville; which was read the first time and passed.
Mr. Mills, of Rutherford, introduced the following resolution, which was read and laid over under the rule:

Resolved, That this House hold night sessions, from and after Monday next, convening at 7 o'clock.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Ladies' Benevolent Society, in the town of Wilmington; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Avery, of Burke, introduced a bill to appoint the time of the meeting of the General Assembly; which was read the first time and passed.

Mr. Johnson, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Caldwell, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Wiley, of Guilford, presented a memorial, which was referred to the Committee on Finance.

Mr. Puryear, of Surry, presented a memorial, which was referred to the Committee on Internal Improvements.

Mr. Leach, of Davidson, presented a memorial, which was referred to the Committee on Propositions and Grievances.

Mr. Leach, of Davidson, introduced the following resolutions, which were read:

1. Resolved, That, while struggling freedom everywhere enlists the warmest sympathy of the people of North Carolina, that they still adhere to the doctrines of the Father of his Country, as announced in his Farewell Address, of
keeping themselves free from all entangling alliances with foreign countries, and of never quitting their own to stand upon foreign ground.

2. **Resolved,** That our mission as a republic, is not to propagate our opinions, or impose on other countries our form of government, by artifice or force, but to teach by example, and show by our success, moderation and justice, the blessings of self-government, and the advantage of free institutions.

3. **Resolved,** That the foregoing resolutions be transmitted to his Excellency, the Governor, to our Senators and Representatives in Congress, as an expression of the opinion of this Legislature.

Pending a discussion on which,

The House adjourned.

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**Saturday, Dec. 11th, 1852.**

The House resumed the consideration of the unfinished business of yesterday—the bill to establish a homestead freehold.

The question pending, being the amendment of Mr. Cook, it was rejected.

Mr. Caldwell, of Guilford, moved the following amendment, which was rejected:

45
Add to 2d section, the following: "Any other species of property held or owned by the owner thereof, shall be liable to execution, and the payment of his debts."

Mr. Puryear, of Surry, moved to amend, by striking out the fifth section.

Which amendment was rejected.

Mr. Avery, of Burke, moved the following amendment, which was adopted.

Be it further enacted, That no husband shall be entitled to claim the benefit of this act, in case at the time of his claiming under its provisions, his wife shall be seized and possessed in her own right, free from the control of said husband, of a freehold of fifty acres of land, with a dwelling House thereon, or of land of the value of five hundred dollars.

Mr. Phillips moved to amend, by striking out in the 7th line of 3rd section, the words, "when he disseized of more land," and insert, "when he disseized of land which shall exceed in value three times the value of the Homestead; in which case, he shall be entitled to in the excess."

Which amendment was adopted.

Mr. Phillips moved to amend, by striking out the 4th section.

Which was rejected.

Mr. Avery, of Burke, moved to amend, by inserting at the end of the 5th section, "provided that a less number of
acres than 50 may in all cases be allotted, if it be necessary so to reduce the quantity, in order that the Homestead Freehold may not exceed in value the said sum of five hundred dollars."

Mr. Reid, of Duplin, moved to amend the amendment, by adding, "provided, that if at any time after said freehold shall be laid off, the same same shall increase in value above five hundred dollars, said freehold shall not be exempt from execution."

Pending the question on which amendment,

On motion, the bill and amendments were recommitted to the Committee on the Judiciary.

A message was received from the Senate, proposing to go into an election for a Superintendent of Common Schools, Monday at 11 o'clock.

Which proposition was concurred in.

A message was received from the Senate, transmitting an engrossed resolution, appropriating $100,000 to the Central Railroad; which was read the first time and referred to the Committee on Internal Improvements.

On motion of Mr. Amis, of Granville, leave was granted to the committee to sit during the session of the House.

Mr. Leach, of Davidson, moved to reconsider the vote by which a bill to repeal the 18th and 19th chapters of the Statutes, passed at the session of the General Assembly in 1848-'49, was indefinitely postponed yesterday.

Which motion was not carried.
Mr. Wheeler, from the Select Committee, reported back to the house the bill to amend an act, passed 1818-49, chapter 195, to improve the navigation of the Catawba River, and recommended its passage.

Whereupon the bill was read the second time, and on motion, it was ordered to be printed, and made the special order for Monday next, 12 o’clock.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:

Messrs. Alford, Allen, Amis, Barco, Bryant, Bynum of Chatham, Calloway, Chesnutt, Dunn, Eare, Furr, Gaither, Godwin, Harris of Davidson, Hawkins, Herring, Holman, Jones, Lockhart, Long of Caswell, Martin, Matthews, Mowring, McNell, Norfleet, Perry, Sanders of Johnston, Shippock, Simons, Spruill, Tripp, Tolson, Watters and Williams of Greene—34.

On motion, the bill for dividing the county of Iredell was taken up, read the second time and rejected—Yees 33, nays 60.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Webb, of Rutherford, in behalf of the committee on revising or abolishing the militia laws, reported back to the House a bill concerning the militia of Rutherford county, with amendments, and recommended its passage.

Whereupon, the bill was read the second time, amended and passed.

Mr. Webb, in behalf of the same committee, reported back to the House a bill to repeal the 85th chapter of the Statutes, passed at the session of 1850-'51, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Webb, in behalf of the same committee, reported back to the House a bill to abolish the present militia laws of the State, and for other purposes, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.
Mr. Webb, in behalf of the same committee, reported back to the House a bill to ascertain and keep on record the number of free white males between the ages of eighteen and forty five in this State, and to abolish the militia laws of the State, and recommended that it do not pass.

Whereupon, the bill was read the second time, and, on motion, laid on the table.

The annual statement of the condition of the Commercial Bank of Wilmington was received, and ordered to be transmitted to the Senate, with a proposition to print.

A message was received from the Senate, refusing to concur in the amendment of the House to the bill for the repeal of the county of Jackson,

Which being read,

Mr. Love, of Haywood, moved that the House adhere to its amendment.

Which motion prevailed—Yeas 64, nays 34.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Caldwell, chairman, in behalf of the Committee on Corporations, reported back to the House a bill to incorporate the Bank of Concord, and recommended its rejection.

Whereupon, the bill was read the second time;

And pending the question on the passage of the bill,

The House took a recess.

Afternoon Session.

On motion,

Resolved, That the use of the Commons' Hall be tendered to the professors and pupils of the Deaf and Dumb Asylum, on Monday evening next.

In pursuance of the joint order of the two Houses, the House now proceeded, with the concurrence of the Senate, to the appointment of Justices of the Peace for the several counties in the State.

Which being accomplished,
On motion, the House adjourned until Monday next, at 10 o'clock.

MONDAY, Dec. 13th 1852.

The House resumed the consideration of the bill to establish the Bank of Concord.

The question being upon the passage of the bill, its second reading, it was rejected.

On motion of Mr. Erwin, of Burke and McDowell, the bill to improve county prisons, and to establish houses of correction, was taken from the table and placed on the file of bills on their second reading.

The Committee on Enrolled Bills for the week consists of Messrs. Dobson, Perkins, Sanders of Johnson, Lockhart and Furr.

Mr. Avery, of Burke, reported back to the House the engrossed resolution from the Senate, concerning the North Carolina Railroad, and recommended its passage.

Whereupon, the resolution was read the second time and passed.

Mr. Avery, of Burke, moved that the rule be suspended, and that the bill be put on its third reading.

Which motion was carried.
And the bill was read the third time and passed.

On motion of Mr. Avery, the rule was suspended, and the resolution ordered to be enrolled.

A message was received from the Senate, informing the House that Messrs. Barrow, Kelly, and Arendell, form the Senate branch of the committee on enrolled bills for the week.

Mr. Caldwell, of Guilford, Chairman of the Committee on Corporations, reported back to the House the following bill,

Which were severally laid on the table.

A bill to incorporate Stokes Lodge, No. of Ancient York Masons in the town of Concord;
A bill to incorporate the Trustees of Mattamuskeet Academy;
A bill to incorporate Salem Lodge, No. 36, Odd Fellows, in the town of Salem, in the county of Forsyth;
A bill to incorporate Long Creek Division No. 102, of the Sons of Temperance in New Hanover county;
A bill to incorporate Wayne Institute;
A bill to incorporate the Goldsboro' Normal School;
A bill to incorporate Lawrenceburg High School in the county of Richmond.

A bill for the better regulation of the town of Louisburg in Franklin county, was read the second time and passed.

Mr Cherry, chairman, in behalf of the committee on Finance, reported that the Committee had examined the accounts of the Comptroller and Treasurer, and that the Com-
mittee were pleased to state that those officers had performed the duties of their offices well; that every thing in their respective departments was well done.

Mr. Avery, of Burke, moved that a message be sent to the Senate proposing to ballot for a Public Treasurer, to-day, at one o'clock.

Which motion prevailed.

On motion of Mr. Leach, of Davidson, it was

Ordered, That a message be sent to the Senate, proposing to ballot for United States Senator, at 12 o'clock.

On motion of Mr. Webb, of Rutherford, the bill calling a Convention to amend the Constitution of North Carolina was taken from the table, ordered to be printed, and placed on the file of Bills on their second reading.

A message was received from the Senate, proposing to rescind the joint order of the two Houses to adjourn sine die the 15th instant, and proposing that the two Houses adjourn the 22d instant.

Mr. McNeill called for a division of the question.

The question recurring—shall the proposition of the Senate to rescind be concurred in? it was decided in the affirmative—Yeas 81, nays 22.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Allen, Amis, Avery, Barco, Black, Bryant, Bynum of Chatham, Caldwell, of Guilford, Carnichael, Collins,
Those who voted in the negative, are:


The question then being put—shall the House concur in the proposition of the Senate to adjourn sine die, the 22d instant?

It was decided in the affirmative—Yeas 77, nays 33.

The yeas and nays having been demanded,

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Amis, Avery, Caldwell of Guilford, Calloway, Christmas, Cook, Collins, Cotten, Corbett, Dobbin, Dobson, Erwin, Foreman,

Mr. Reid of Duplin, in behalf of the Committee on Private Bills, reported to the House a bill in favor of John Smith, of New Hanover, and recommended its passage.

Whereupon, the bill was read the first time and passed.

Mr. Webb, of Rutherford, in behalf of same committee, reported back to the House a bill authorizing the Sheriff of Rutherford county to collect arrears of taxes, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Collins, Chairman, in behalf of same committee, reported back to the House a bill to authorize John B Gardner, to collect arrearages of taxes in Yancy county, for the year 1850, and recommended its passage.

Whereupon, the bill was read the second time and passed, and the rule being suspended, it was read the third time, passed and ordered to be engrossed.

Mr. Collins, in behalf of same committee, reported back to the House a resolution in favor of H. T. Dyer, and recommended that it do not pass.

Whereupon, it was read the second time and rejected.

Mr. Collins, in behalf of same committee, reported back to the House a bill to extend the powers of the Commissioners of Navigation, for the port of Washington, and recommended its passage.
Whereupon, the bill was read the second time and passed.

Mr. Collins, in behalf of same Committee, reported back to the House a bill to authorize Mills Higgins, Sheriff of McDowell county, to collect arrears of taxes due him, and recommended that it do pass.

Whereupon, the bill was read the second time, and on motion, laid on the table.

Mr. Collins, in behalf of same committee, reported back to the House a resolution in favor of H. G. Hampton, and recommended that it do pass.

Whereupon the resolution was read the second time.

Mr. Dobson moved to amend, by striking out all after the word "resolved" and inserting a substitute for the resolution.

Pending the question on the amendment,

On motion of Mr. Puryear, of Surry the bill and amendment were laid on the table.

A message was received from the Senate, informing the House that Messrs. Ward and Lane form the Senate branch of the committee to superintend the election of Superintendent of Common Schools.

The committee on the part of the House consists of Messrs. Johnson and Fonville.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to ballot for a
general Superintendent of Common Schools, Messrs. Wiley, Mooring and Williams being in nomination, with the following result:

FOR MR. WILEY.


FOR MR. WILLIAMS.


FOR MR. MOORING.


FOR MR. HARPER.

Mr. Miller—1.

On motion of Mr. Tolson, of Anson, a message was sent to the Senate, proposing to go into an election for a Judge of the Superior Court, to Morrow at 11 o’clock.

On motion of Mr. McNeil, of Robeson, a message was ordered to be sent to the Senate, to go into a ballot for a Solicitor for the 7th Judicial District.
On motion of Mr. Cherry, of Bertie, it was ordered that a message be sent to the Senate, proposing to vote for four Trustees of the University, to morrow at 12 o'clock.

A message was received from the Senate, agreeing to the proposition to vote for Treasurer, to-day at 1 o'clock, and informing the House that Messrs. Boyd and Albritton form the Senate branch of the committee to superintend the election.

The committee on the part of the House, consists of Messrs. Avery and Thornburg.

Mr Johnson, from the committee to superintend the election of Superintendent, submitted the following report: which was concurred in:

That 150 votes were cast: that 76 were necessary to a choice—that Mr. Wiley received 79, Mr. Mooring 43, Mr. Williams 27, and Mr. Harper 1: that as Mr. Wiley had received a majority of all the votes cast—he was duly elected.

In pursuance of the special order of the day, the bill to incorporate the North Carolina and Tennessee Railroad Company was taken up.

The question pending’ being the amendment of Mr. Hcleman, of Person, it was adopted.

The question then recurring upon the amendment of Mr. Avery, as amended, it was rejected—Y eas 40, nays 65.

Those who voted in the affirmative are:

Messrs. Adams, Avery, Black, Burton, Byrd, Caldwell of Guilford, Caldwell of Lincoln, Calloway, Carmichael, Cook, Corbet, Erwin,

Those who voted in the negative, are:


The question then recurring—shall the bill pass its second reading? Mr. Avery, of Burke, moved to lay it upon the table.

Which motion prevailed.

A resolution authorising the Governor to furnish the county of Union with standard weights and measures was read the second time and passed, and the rule being suspended, it was read the third time, passed and ordered to be engrossed.

A bill to incorporate the Caswell Fire Insurance company, in the town of Milton, Caswell county, North Carolina, was read the second time and passed.

On motion of Mr. Dortch, of Wayne, the bill to incorporate the North Carolina and Tennessee Railroad was taken from the table.

Mr. Dortch moved to reconsider the vote by which the amendment of Mr. Avery was rejected.
On motion of Mr. Avery, the motion to reconsider was laid on the table.

On motion, Mr. Erwin, of Burke and McDowell, was added to the Committee on the Institution for the Deaf, Dumb and Blind.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for Treasurer, with the following result:

FOR MR. COURTS.


FOR MR. LOVE.


FOR MR. HINTON.

Messrs. Holeman, Smith and Williams of Greene—3.

FOR MR. DODGE.

Mr. Gaither—1.
A resolution in favor of G. Little was read the first time and passed.

Mr. Cherry, from the Committee on Finance, reported back to the House a resolution in favor of Chas. Latham, sheriff of Washington county, with an amendment, and recommended that it be adopted.

Whereupon, the resolution was read the second time, amended and passed.

And the rule being suspended, it was read the third time, passed and ordered to be engrossed.

Mr. Wheeler, from the Committee on Claims, reported back to the House a resolution in favor of Joseph Donelson, and recommended that it do not pass.

Whereupon, the resolution was read the second time and rejected—Yeas 29, nays 33.

Mr. Martin, of Franklin, moved to reconsider.

Which motion was lost—Yeas 30, nays 42.

The following bills were read the second time and passed:

A bill to incorporate the Trustees of Morning Sun Academy, in the county of Wake;
A bill to incorporate the town of New Salem, in the county of Randolph.

On motion of Mr. Amis, of Granville, the House adjourned.
Tuesday, Dec. 14th, 1852.

A message was received from the Senate, informing the House that that body had laid on the table the proposition to vote for Solicitor of the 7th Judicial Circuit, this day a half-past 12 o'clock.

Also, the proposition to vote for Judge of the Superior Court, at 11 o'clock.

Also, the proposition to vote for four Trustees of the University, at 12 o'clock.

Mr. Avery, from the committee to superintend the election of Treasurer, submitted the following report; which was concurred in:

Whole number of votes polled was 151—necessary for a choice 76—Mr. Courts received 81, Mr. Love 66, Mr. Dodge 1, Mr. Hinton 3—that as Mr. Courts received a majority of all the votes cast, he is duly elected.

The following bills and resolutions were severally read the second time and passed:

A bill to incorporate the Duplin Plank Road company;
A bill to authorize James A. Turrentine, Sheriff of Orange county, to collect arrears of taxes due him;
A bill to amend an act, entitled an act to incorporate the Roanoke Valley Railroad company;
A bill to improve the public road leading from Holeman's Ford, on the Yadkin River, in Wilkes county, to the Tennessee line;
A bill to incorporate the Fayetteville Ice company;
A bill to lay off a public road from Enoch Vannoy's Mill, in Wilkes county, to the Tennessee line;
A resolution to furnish the Governor's residence;
A bill on jury trials, in the county of Columbus,
A bill to incorporate the North Carolina Steam Carriage and Plank Road company.

The following bills on their second reading, were severally laid on the table:

A bill to incorporate Harrison Division No. 273, Sons of Temperance;
A bill to incorporate South Lowell Academy, in the county of Orange;
A bill to incorporate Catawba Lodge No. 41, I. O. O. F;
A bill to amend an act to incorporate Robeson Institute, in the county of Robeson;
A bill to incorporate Lincoln Division of Sons of Temperance, in the town of Lincoln;
A bill to incorporate Woodville Division No. 217, Sons of Temperance, at Woodville, in the county of Perquimans.

The following bills and resolutions, were severally read the second time and rejected.

A resolution to furnish commissioned officers with holsters and pistols;
A bill to authorize Milton W. Kincaid, late Sheriff of Burke county, to collect arrears of taxes;
A bill to extend the authority of the Commissioners of the town of Raleigh;
A bill to improve county prisons, and to establish houses of correction;
A bill to amend the 104th chapter of the revised Statutes entitled an act concerning the public roads, fences and bridges in this State, was read and rejected—Yeas nays
nays 97.

Mr. Holeman, of Person, demanded the yeas and nays.

Those who voted in the affirmative are:

None.

Those who voted in the negative are:


A bill to incorporate the Atlantic, Tennessee and Ohio Railroad company, was read the second time, and, on motion of Mr. Spruill, of Bertie, referred to the Committee on Internal Improvements.

A message was received from his Excellency, the Governor, relative to Chairmen of Superintendents of Common Schools, which was read and ordered to be transmitted to the Senate, with a proposition to print.

Leave of absence was granted to Mr. Lockhart, from and after to-day.
Mr. Williams, of Warren, moved that a message be sent to the Senate, proposing to ballot for United States Senator, to-day at 12 o'clock.

Mr. Love, of Haywood, moved to amend, by striking out "to-day" and inserting "to-morrow."

Which amendment having prevailed, the motion was adopted.

On motion of Mr. Webb, of Rutherford,

Ordered, That a message be sent to the Senate, proposing to vote for Judge of the Superior Court, to-morrow at 1 o'clock.

Mr. Scales, of Rockingham, moved to send a proposition to the Senate, to vote for Solicitor of the 7th Judicial District to-day, at half-past 12 o'clock.

Mr. Spruill of Bertie, moved to amend, by striking out "to-day at half-past 12 o'clock" and inserting "to-morrow at half-past 11 o'clock."

Which amendment prevailed, and the motion was carried.

A message was received from the Senate, proposing to vote for three Trustees of the University to-day at 12 o'clock.

Also, a proposition to vote for Solicitor of the 1st Judicial Circuit to-morrow, at 12 o'clock, each of which propositions was concurred in.

Mr. Adams moved to reconsider the vote, by which the resolution in favor of H. T. Dyer, was rejected yesterday.
On motion, the motion to reconsider was indefinitely postponed.

A message was received from the Senate, informing the House that Messrs. Cunningham and Murray form the Senate branch of the Committee, to superintend the election of Trustees.

The Committee on the part of the House consists of Messrs. Turner of Orange, and

In pursuance of the joint order of the two Houses: the hour having arrived, the House proceeded to ballot for three Trustees of the University.

Mr. Amis, of Granville, moved to reconsider the vote by which a bill to amend 104th chapter of the Revised Statutes &c. &c., was rejected this morning.

On motion of Mr. Amis, the motion to reconsider was laid on the table.

The resignation of a Justice of the Peace for Surry county; of Freeman Heath, of Caswell county; of John W. Dawson and Joseph Ringold, of Pitt county, were received and accepted.

On motion of Mr. Leach, of Davidson, a bill to lay off the State into fifty Senatorial Districts was postponed and made the special order for Thursday 11 o'clock.

The special order for one o'clock, a bill to ascertain the will of the freemen of North Carolina, as to the call of a convention on the federal basis, was taken up.

Mr. Foreman, of Pitt, moved an amendment as a substitute for the bill.
Pending which,

On motion, the bill was postponed and made the special order for Friday next at 11 o'clock.

Mr. Turner, from the Committee, to superintend the election of 3 Trustees of the University, submitted the following report,

Which was concurred in:

That 158 votes were cast—that 80 were necessary to a choice; that Mr. Steele received 74; Mr. Hill 65; Mr. Dortch 56; Mr. Bynum 45; Mr. Smith 36; Mr. Cherry 36; Mr. Taylor 28; Mr. Clark 38; Mr. Hawkins 14; Mr. Arendell 4; Mr. Lillington 1; Mr. Alison 3; Mr. Green 1; Mr. J. B. Bynum 1; Mr. Norfleet 4; Mr. Avery 1; Mr. Wheeler, 1; Mr. Phillips 3; Mr. Thomas 1; Mr. W. E. Hill 3; Mr. Martin 1; Mr. Saunders 2; Mr. Amis 5; Mr. Collins 3; Mr. Troy 4; Mr. Person 2; Mr. Reid 1; Mr. McGeehee 11; Mr. Spruill 1; Mr. Warren, 1; Mr. Siler 1; Mr. Person 6; that as no one had received a majority of all the votes cast, there was no election.

Afternoon Session.

Mr. Tolson moved to take up the resolution offered by him yesterday and laid over under the rule.

Which motion was rejected—Yeas 20, nays 60.
Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The unfinished business, the resolution offered by Mr. Leach, of Davidson, was resumed.

Mr. Avery, of Burke, moved to lay on the table.

Which motion was rejected—Yeas 49, nays 58.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Waugh, of Stokes, offered the following amendment, which was rejected—Ayes 26, nays 61:

Resolved, That nothing contained in the above resolutions shall be construed into a denial of the right of this government to intervene between the government of Spain and any other foreign power, whereupon such interposition may prevent the transfer of the island of Cuba from its present ownership.

Mr. Waugh demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Hill, of Caswell, offered the following amendment, which was rejected—Yea 34, nay 47:

Resolved, That nothing herein contained shall be so construed as to condemn the United States for interfering and preventing any European power from forming a monarchy on the North American continent.

Mr. Hill, of Caswell, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. McNeill moved that the House now adjourn.

Which motion was lost—Yea 26, nay 71.

Mr. Teague, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Allen, Avery, Barrett, Burton, Bynum of Chatham, Corbett, Durham, Ellis, George, Herring, Hill of Caswell, Hill of Duplin, Jarvis, Lyon of Orange, Marshall, Moore, McNeill, Norfleet, Pegram,
Those who voted in the negative, are:


Mr. Wynne, of Hyde, moved that the House now adjourn.

The question of order being raised, the Speaker decided that the motion to adjourn was in order, although the same question had just been determined.

Mr. Caldwell, of Guilford, appealed from the decision of the Chair,

And the question being—shall the Speaker be sustained? it was decided in the affirmative—Yeas 78, nays 18.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


The question then recurring on the motion of Mr. Wynne, to adjourn,

It was decided in the negative—Yeaş 26, nays 66.

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Scales, of Rockingham, moved that the House now adjourn.

Which motion was lost—Yeaş 18, naces 67.

Mr. Phillips, of Orange, demanded the yeas and nays
Those who voted in the affirmative are:


Those who voted in the negative, are:


Mr. Durham, of Orange, moved that the House adjourn.

Which motion was lost—Yea's 24, nays 63.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Avery, of Burke, offered the following amendment, to come after the second resolution:

Resolved, That it is not the intention of the foregoing resolutions to deny the rights of the Government of the United States to intervene in those cases where self-protection may require such intervention.

Mr. Caldwell, of Guilford, moved a call of the House; which was ordered, and absentees noted.

Mr. Avery moved that a further call be dispensed with, and on this motion demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to dispense with further call.

On motion of Mr. Perkins, of Halifax, all the absentees were excused.

Mr. Avery, of Burke, moved that the House now adjourn.
Mr. Miller, of Caldwell, 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 amendment of Mr. Avery, it was decided in the negative—Yeas 32, nays 45.

Mr. Avery demanded the yeas and nays.

Those who voted in the affirmative are:


Those who vote in the negative are:

Mr. George, of Columbus, moved that the House now adjourn.

Mr. Spruill demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Perry, of Granville, moved that the House now adjourn.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Messrs. Adams, Albertson, Alford, Barco, Bynum of Chatham, Byrd, Caldwell of Guilford, Collins, Cook, Daniel, Dargan, Eure, Furr, 49
The question then recurring—shall the resolution pass? it was decided in the affirmative, yeas 59, nays 8.

Mr. Spruill, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Carmichael, of Wilkes, moved that the House now adjourn.

Mr. Waugh, of Stokes, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:
Mr. Teague, of Iredell, moved that the House now adjourn.

Which motion was carried—Yeas 40, nays 28.

Mr. Mooring, of Martin, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Wednesday, Dec. 15th, 1852.

A message was received from the Senate, proposing to vote for three Trustees of the University to-day at a quarter past eleven o'clock.

Which was read, and on motion laid on the table.

A message was received from the Senate, proposing to vote for Solicitor of the 7th Judicial District, to-day at one o'clock.

Which was read and laid on the table.

On motion of Mr. Avery, of Burke, leave was granted to the committee on internal improvements, to sit during the Session of the House.

On motion of Mr. Saunders, of Wake, leave was granted to the Committee on the Judiciary, to sit during the Sessions of the House.

Mr. Williams, of Warren, moved that a proposition be sent to the Senate to go into an election of United States Senator to-day at 12 o'clock.

Mr. Stubbs, of Beaufort, moved to lay upon the table.

Mr. Williams demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Spruill, of Bertie, moved to amend the proposition by striking out "to-day 12 o'clock," and insert "to-morrow at half-past twelve."

Which amendment was adopted—Yeas 57, nays 55.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Allen, Avery, Barret, Black, Bryant, Burton, Byrd, Chesnutt, Cotten, Corbett, Dobbin, Dobson, Dortch, Dunn, Ellis, Fonville, Foreman, George, Hawkins, Herring, Hill of Caswell, Hill of Duplin,
The question then recurring on the proposition, as amended, it was decided in the affirmative, yeas 79, nays 27.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to go into the election of a Solicitor for the 7th Judicial District to-day at a quarter before 2 o'clock.

Mr. Cook, of Wilkes, moved to lay the motion on the table.

Mr. Dortch, of Wayne, demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative are:


A message was received from the Senate, concurring in the proposition to vote for four Trustees of the University, at half-past one o'clock.

Also agreeing to vote for United States Senator to-morrow at 12 o'clock.

Also, informing the House that Messrs. Hoke and Murray will superintend the election of Trustees of the University, on the part of the Senate.

The committee on the part of the House consists of Messrs. Waugh and Adams.

A message was received from the Senate, proposing to vote for Attorney General, to-morrow at one o'clock.

Which message was read and concurred in.
The hour for the special order of the day, the bill concerning County and Superior Courts, having arrived,

Mr. McNeill moved the indefinite postponement of the bill.

Which motion prevailed—Yeas 71, nays 44.

Mr. Erwin, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The following engrossed bills were read the second and third times, passed and ordered to be enrolled:

A bill to amend an act passed at the session of the General Assembly of 1850-51, entitled an act to incorporate the Anson Plank Road company;

A bill to ascertain the whole amount of taxes paid by the people of North Carolina;
A bill to extend the time for registering grants, mesne conveyances, powers of attorney, bills of sale and deeds of trust;

A bill to pay tales jurors in Rockingham and Guilford counties;

A bill to incorporate Catawba College;

A bill to authorize the Court of Pleas and Quarter Sessions, for the county of Perquimons, to sell a portion of its public square;

A bill to increase the capital stock of the Bank of Wadesboro;

A bill to amend the charter of the town of Salisbury;

A bill concerning the reports of the Supreme Court;

A bill to make the bonds of the State, issued on account of the Fayetteville and Western Plank Road company, transferable;

A resolution in favor of Rufus H. Page, of Wake county.

A message was received from the Senate, informing the House that Messrs. Cooper and Shaw form the Senate branch of the committee to superintend the election of solicitor for the first Judicial District.

The committee on the part of the House consists of Messrs. Brooks and Jarvis.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for Solicitor of the first Judicial District, with the following result:

FOR MR. SMITH.

Messrs. Speaker, Adams, Albertson, Alford, Amis, Barco, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael, Collins, Cook, Daniel, Dargan, Erwin, Eure, Furr, Gaither, Godwin, Gwynn, Harris of Cabarrus, Harris of Davidson, Holeman, Johnson, Jones, Leach, Long of Randolph, Lowry, Love, Matthews, Miller, Mills, McDugald, McIntyre, Perry, Perkins, Phillips, Puryear, Russell,

FOR MR. JOHNSON.


FOR MR. WILLIAMS.


A resolution in favor of W. G. Hampton, was, on motion of Mr. Sanders, indefinitely postponed.

A bill relating to St. Phillip's Church, in Smithville, was read the second and third times, passed and ordered to be engrossed.

A bill to appoint the time of the meeting of the General Assembly was read the second time and passed.

A bill to incorporate Clinton Lodge, on its second reading, was laid on the table.

A bill to amend an act incorporating Robeson institute, in the county of Robeson, was, on motion of Mr. McNeil, taken from the table, read the second time and passed.

The resolution rescinding the order to furnish the capitol was read the second time, and, on motion, laid on the table.
A bill in favor of John Smith, of New Hanover, was read the second time and passed.

A bill to establish a public road from the stage road at Jonas Burket's, in Ashe county, to the Three Top Fork road, was read the second time and passed.

Mr. Brooks, from the committee to superintend the election of Solicitor of the first Judicial Circuit, made the following report, which was concurred in:

That 161 votes were cast; that 81 were necessary for a choice; that Mr. Smith received 85, Mr. Johnson 73, and Mr. Williams 3; that, as Mr. Smith had received a majority of all the votes, he was elected.

A bill to incorporate the Colly Navigation company was referred to the Committee on Private Bills.

Mr. Strange, of New Hanover, introduced a bill to incorporate the Wilmington Fire Insurance company;" which was read the first time, passed and referred to the Committee on Corporations.

Mr. Strange introduced a bill to incorporate the Proprietors of the Wilmington Cemetery; which was read the first time and passed.

Mr. Collins introduced a bill for the more speedy administration of Justice; which was read the first time, passed and referred to the Committee on the Judiciary, and ordered to be printed.

Mr. Carmichael presented a memorial, from citizens of Watauga, relative to the streets of Boon.

Mr. Styles, a memorial in favor of Alexander Jarerdan of Cherokee County;
Mr. Burton presented a memorial from citizens of Clevel-
land, against a new county;

Mr. Burton presented a memorial against the license
law;

Mr. Black presented a memorial from sundry citizens
upon the same subject;

Mr. Dobbin presented a memorial on the subject of vending
spirituous liquors;

Mr. Carmichael presented a memorial from sundry citi-
zens of Ashe and Wilkes, praying to be attached to Watau-
ga county;

Which several petitions were referred to the Committee
on Propositions and Grievances.

Mr. Carmichael, of Wilkes, presented a petition of citi-
zens of Wilkes county, praying a repeal of the act of the
General Assembly, exempting persons under 35 years from
militia duty; which was referred to the Committee on Mil-
tary Affairs.

Mr. Norfleet presented the petition of Joseph N. Bow-
with; which was referred to the Committee on Claims.

Mr. Smith presented a memorial of citizens of Halifax
county with regard to the railroad bridge near Weldon; which
was referred to the Committee on Internal Improve-
ments.

Mr. Carmichael presented a memorial from citizens of
Watauga county; which was referred to the Committee on
Constitutional Reform.
Mr. Tolson presented the petition of sundry citizens of Anson and Union, against the Maine Liquor Law; which was read and referred to the Committee on Propositions and Grievances.

Mr. Byrd, of Yancy, presented a memorial from sundry citizens of Yancy, against the Maine Liquor Law; which was on motion laid on the table.

A memorial concerning a plank road from Kinston to Snow Hill was presented and referred to the Committee on Corporations.

Mr. Wheeler offered the following resolution; which was read and laid over under the rule:

Resolved, That the hour for taking a recess in the afternoon session shall be 5 o'clock.

Mr. Spruill, of Bertie, presented the following resolution.

Resolved, That the Commons Hall be tendered this night, to the members of the temperance convention now being held in this city.

Mr. Williams, of Warren, moved to lay on the table.

M. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


The resolution having been, by general consent, withdrawn,

Mr. Tripp, of Beaufort, moved that the House adjourn.

Which motion was rejected—Yea's 22, nay's 77.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The committee to superintend the election of four Trustees of the University submitted the following report, which was concurred in:
That 160 votes were cast; that 81 were necessary for a choice—that Mr. Steele received 89, Mr. Hill 76, Mr. Dortch 65, Mr. Bynum 52, Mr. S. F. Phillips, 45, Mr. Smith 43, Mr. Cherry 40, Mr. Clark 38, Mr. Person 37, Mr. Hawkins 35, Mr. Taylor 29, Mr. Amis 24, Mr. Arendell 12, Mr. Norfleet 4, Mr. McGeehee 4, Mr. Collins 5, scattering 39—that Mr. Steele having received a majority of all the votes cast, he was elected.

On motion, the House adjourned until to-morrow 10 o'clock.

THURSDAY, Dec. 16th, 1852.

A message was received from the Senate, transmitting the following engrossed bills from the House with amendments,

Which were concurred in:

A bill to amend the first section of the 64th chapter of the Revised Statutes;

A bill to do away with collateral waarrantees.

On motion of Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to ballot for three Trustees of the University, to-day at 11 o'clock.
The following engrossed bills from the Senate, were severally read the second time and passed:

A bill to incorporate the Charlotte, North Carolina, and the Cheraw, South Carolina, Plank Road company;

A bill concerning the Conrad Hill Gold Mining company;

A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly, of this State;

A bill to amend an act passed at the session of 1750-'51, entitled an act to regulate the pay of jurors and witnesses, in the county of Craven;

A bill to encourage the investment of capital, for Mining purposes;

A bill to amend an act, passed in 1850-'51, to incorporate Lewis' Gold Mining company.

A bill to incorporate the Cumberland Academy, being on its 2nd reading, was, on motion of Mr. Mills, laid on the table.

In pursuance of the special order, a bill to lay off this State into 50 Senatorial Districts, was taken up.

On motion of Mr. Puryear, of Surry, the House resolved itself into committee of the whole, on this bill,

Mr. Long, of Randolph, in the Chair. The committee, rose, reported progress, and asked to be discharged from the further consideration of the bill.

A message was received from the Senate, informing the House that the Senate had laid on the table, the proposition to vote for United States Senator, to-day, at 11 o'clock.
Also, informing the House, that the Senate had agreed to vote for United States Senator, to-day at 12 o'clock, and that Messrs. Bunting and Lillington form the Senate branch of the committee to superintend the election.

Messrs. Turner of Iredell, and Lyon of Granville, form the committee on the part of the House.

In pursuance of the first order, the hour having arrived, the House proceeded to vote for United States Senator, with the following result:

FOR MR. DOBBIN.


FOR MR. RAYNER.


FOR MR. J. R. DANIEL.


FOR MR. SHEPARD.

Mr. Cotten—1.
Mr. Holeman—1.

Mr. Saunders—1.

Mr. Tripp—1.


The House resumed the consideration of the bill to lay off the State into 50 Senatorial Districts,

The question pending being the amendment of Mr. McIntyre.

A message was received from the Senate, informing the House that Messrs. Clark and Cowper will superintend the election of Attorney General, on the part of the Senate.

Messrs. Christmas, and Williams of Warren, form the committee on the part of the House.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for Attorney General, with the following result:

Messrs. Speaker, Albertson, Alford, Amis, Barco, Blow, Brooks, Bynum of Chatham, Caldwell of Guilford, Calloway, Carmichael,

FOR MR. EATON.


FOR MR. ROGERS.

Messrs. Cotten and Godwin—2.

Leave being granted, Mr. Saunders, of Wake, introduced a bill to establish a new Judicial Circuit in the State of North Carolina; which was read the first time and passed, and the rule being suspended, it was put on its second reading and rejected.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

The House resumed the consideration of the bill for Senatorial Districts.

Mr. Reid, of Duplin, moved to postpone the further consideration of the bill until half-past one o'clock.

Which motion was lost—Yea 51, nay 59.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Leave being granted, Mr. Williams, of Warren, from the committee to superintend the election of Attorney General, submitted the following report, which was concurred in:

That 161 votes were cast: that 81 were necessary for a choice—that Mr. Ransom received 80, Mr. Eaton 79, and Mr. Rogers 2—that as no one had received a majority of all the votes, there was no election.

Leave being granted, Mr. Lyon, of Granville, from the committee to superintend the election of United Stated Senator, submitted the following report, which was concurred in:

That 160 votes were cast: that 81 were necessary for a choice; that Mr. Dobbin received 75, Mr. Rayner 73, Mr. Shepard 2, Mr. R. S. Donnell 1, Mr. Clingman 4, Mr. J. R. J. Daniel 2, Mr. Graham 1, Mr. Craig 1, and Mr. Kerr 1; that as no one had received a majority of all the votes, there was no election.

Leave being granted, Mr. Marshall, of Forsy the, presented a memorial from sundry citizens; which was referred to the Committee on Internal Improvements.

The House resumed the consideration of a bill to lay off the State into fifty Senatorial Districts.
Mr. Hill introduced a bill authorising the Richmond and Danville Railroad company to establish a Depot in the town of Milton; which was read the first time and passed.

Mr. Mashall, of Stokes, introduced a bill to establish a public road—from Winston to the Virginia line, by the way of Danbury; which was read the first time, passed, and with the memorial, referred to the Committee on Internal Improvements.

Mr. Perry, of Granville, introduced a bill in relation to executors of last wills and testaments; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Sutton, of Lenoir, introduced a bill to incorporate the Kinston and Snow Hill Plank Road company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Harris, of Cabarrus, introduced a bill to incorporate the Phoenix Gold Mining company; which was read the first time, passed and referred to the Committee on Corporations.

Mr. Hill, of Duplin, introduced a bill to incorporate the town of Kenansville; which was read the first time and passed.

Mr. Sanders, of Johnson, introduced a bill to amend an act, passed at the session of 1848-'49, entitled an act to incorporate the Johnson Little River Manufacturing company; which was read the first time and passed.
Mr. Brooks, of Pasquotank, introduced a resolution in favor of the sureties of J. A. Pool, late sheriff of Pasquotank county; which was read the first time and passed.

Mr. McDugald, of Bladen, introduced a bill for the protection and preservation of the rights and property of married women; which was read the first time and passed.

Mr. Saunders, of Wake, introduced a bill to provide for the holding of an extra term of the Superior Court of Wake; which was read the first time and passed;

And the rule being suspended, it was read the second time and passed.

Mr. Cherry, from the Committee on Education, reported resolutions in favor of appropriating six thousand dollars to finish the road to the Pungo lands; which were read the first time and passed,

And the rule being suspended, they were read the second time and passed—Yeas 48, nays 44.

Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs Allen, Amis, Barrett, Black, Byrd, Cotten, Dobson, Dunn, Furr, Gaither, Godwin, Gwynn, Hawkins, Hill of Duplin, Holeman,
Mr. Avery, of Burke, presented a memorial from sundry citizens of Burke; which was referred to the Committee on Internal Improvements.

Mr. Phillips, of Orange, introduced the following resolution, notice of which was given yesterday:

Resolved, That it shall not be in order to move an adjournment for twenty minutes, from and after a division to the contrary upon a previous motion of the same sort has been announced by the Speaker.

Mr. McNeill, moved to amend by striking out "20" and inserting "five;" which motion was lost.

Mr. McNeill moved to amend by striking out "twenty" and inserting "ten;" which motion was lost.

Mr. McNeill moved to lay on the table; which motion was lost.

Mr. Dortch moved to amend, by striking out "twenty" and inserting "fifteen;" which motion was adopted.

And the question recurring—shall the resolution pass? it was decided in the negative.

On motion of Mr. Avery, of Burke, the resolution offered by him yesterday was taken up.

Mr. Johnson, of Guilford, moved to amend, by striking out "five" and inserting "half past five;" which amendment was adopted and the resolution passed.
Mr. Martin, of Franklin, introduced the following resolution; which was read and laid over under the rule:

Resolved, That from and after Monday next, no member of the House shall speak more than fifteen minutes at any time, and after two on each side have spoken, no member shall speak on the same subject more than five minutes.

Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to go into an election for United States Senator, to-morrow at 12 o'clock.

Mr. Amis moved that the House adjourn.

Which motion was lost—Yeas 44, nays 53.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Cherry moved to lay the motion on the table.

Which was lost—Yea 44, nay 46.

Mr. Love, of Haywood, 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 motion of Mr. Strange, it was adopted.

On motion, the House adjourned until to-morrow 10 o'clock.
Friday, Dec. 17th, 1852.

Leave being granted, Mr. Chrrry, of Bertie, chairman, in behalf of the committee on education, reported back to the House a bill to incorporate a Normal College, and recommended its passage.

Whereupon, the bill was read the second time.

Mr. Phillips, of Orange, moved to amend by striking out in the second section, "that all vacancies in the Board of Trustees shall be filled by the General Assembly of the State;" which amendment was adopted.

Mr. Leach, of Davidson, moved to amend and insert the following: "by a majority of the Trustees of said College;" which amendment was adopted, and the bill passed its second reading.

On motion, the rule was suspended, and the bill read the third time and passed, and ordered to be transmitted to the Senate, asking that body to concur in the amendment of the House.

The House resumed the consideration of the unfinished business of yesterday—the bill to lay off the State into 50 Senatorial Districts.

Mr. Saunders, of Wake, moved that a message be sent to the Senate, proposing to raise a Joint Select Committee of two on the part of each House, to whom shall be referred the plans and matters in regard to the subject of the Senatorial Districts.

Which motion was lost—Yees 88, noes 19.
Mr. Harris demanded the yea and nay.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion of Mr. McNeill, of Robeson, a message was ordered to be sent to the Senate, proposing to vote for Solicitor of the 6th Judicial Circuit, to-day at half-past twelve o'clock.

On motion of Mr. Love, of Haywood, a message was ordered to be transmitted to the Senate, proposing to vote for a Solicitor for the 7th Judicial District, to-day at half-past 12 o'clock.

On motion of Mr. Webb, of Rutherford, it was ordered that a message be sent to the Senate, proposing to vote for Attorney General, to-day at half-past 1 o'clock.

On motion of Mr. Wheeler of Lincoln, it was ordered that a message be sent to the Senate, proposing to vote for three Trustees of the University, to-day at 1 o'clock.
A message was received from the Senate, informing the House that the Senate had agreed to the proposition to go into an election for United States Senator, to-day at 12 o'clock, and also informing the House that Messrs. Hoke and Steele would superintend the election on the part of the Senate.

The committee on the part of the House consists of Messrs. Smith and Chesnutt.

In pursuance of the special order of the day, the hour having arrived, a bill to ascertain the will of the freeman of North Carolina, as to the call of a Convention on the Federal Basis, was taken up, and, on motion of Mr. Smith, of Halifax, laid on the table.

A message was received from the Senate, agreeing to the proposition to vote for Senator to-day, at half-past twelve o'clock, and informing the House that Messrs. Cunningham and Murray form the Senate branch of the committee.

Also, agreeing to vote for three Trustees of the University at 1 o'clock.

Messrs. Bunting and Albright superintend the election on the part of the Senate.

Also, informing the House that the Senate had laid on the table the proposition to vote for Attorney General, at half-past 1 o'clock, and for Solicitor of the 7th Judicial Circuit at quarter-past 12 o'clock.

A message was received from the Senate, proposing to vote for Attorney General, to-day at quarter-past 1 o'clock, and to vote for Solicitor of the 7th Judicial Circuit, to-morrow at 1 o'clock; which was read and concurred in.
The committee on the part of this House, to superintend the election of Solicitor, for the 6th Judicial Circuit, consists of Messrs. Wheeler and Carmichael.

The committee to superintend the election of Attorney General, consists of Messrs. Simons and Herring.

The committee on the part of the House, to superintend the election of Trustees of the University, consists of Messrs. Perry and Sauls.

The committee on the part of the House, to superintend the election of Solicitor, for the 7th Judicial Circuit, consists of Messrs. Lowry and Sherrill.

On motion of Mr. Caldwell, of Guilford, leave was granted to the Committee on Corporations to sit during the sessions of the House.

On motion of Mr. Wheeler, of Lincoln, leave was granted to the Committee on Corporations, to sit during the sessions of the House.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for U. States Senator, with the following result:

FOR MR. DOBBIN.

FOR MR. WOODFIN.


FOR MR. SHEPARD.

Mr. Cotten—1.

FOR MR. DANIEL.

Mr. Love—1.

FOR MR. CLINGMAN.

Mr. Mills—1.

FOR MR. OSBORNE.

Mr. Tolson—1.

On motion of Mr. Carmichael, of Wilkes, it was ordered that a message be sent to the Senate, proposing to vote for Judge of the Superior Court, to-morrow at 12 o'clock.

The resolution offered by Mr. Martin, yesterday, restricting debate, was taken up and passed.

The hour having arrived, the House proceeded to ballot for three Trustees of the University.

A message was received from his Excellency, the Governor; which was read and transmitted to the Senate.
Mr. Smith, from the committee to superintend the election of United States Senator, submitted the following report; which was concurred in:

The whole number of votes cast was 162, necessary for a choice 82: Mr. Dobbin had 80, Mr. Woodfin 76, Mr. Shepard 2, Mr. Clingman 1, Mr. Daniel 1, Mr. Gilmer 1, Mr. Osborne 1,—that as no one had received a majority of all the votes cast, there was no election.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for a Solicitor for the 6th Judicial Circuit, with the following result:

FOR MR. BYNUM.


FOR MR. LANDER.


On motion of Mr. Carmichael, of Wilkes, the bill to lay off the State into eight Congressional Districts was taken from the table, and made the special order for to morn-row at 11 o'clock.
Mr. Wheeler, from the Committee to superintend the election of Solicitor for the 6th Judicial District, submitted the following report:

Which was concurred in.

Whole number of votes cast 157—necessary to a choice 79; that Mr. Lander received 89: and Mr. Bynum 68; that as Mr. Lander had received a majority of all the votes cast, he was duly elected.

In pursuance of the joint order of the two Houses, the hour having arrived, the House proceeded to vote for Attorney General, with the following result.

FOR MR. RANSOM.


FOR MR. ROGERS.


FOR MR. BUSBEE.

FOR MR. LEWIS.

Messrs. Bryant, Hawkins and Martin—3.

FOR MR. EATON.


FOR MR. BRAGG.

Mr. Saunders of Wake—1.

FOR MR. DARGAN.

Mr. Wheeler—1.

The following bill was read the second time and passed:

An engrossed bill from the Senate, to incorporate the Charleston, Blue Ridge and Chattanooga Railroad Company;

A bill for the protection and preservation of the rights and property of married women, was read the second time and on motion referred to the Committee on the Judiciary.

Mr. Johnson, of Guilford, introduced a bill for the appointment of a Board of Public works; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. McDugald, of Bladen, introduced a bill to amend section 12, chapter 104, Revised Statutes, entitled an act concerning the public roads, fences, and bridges, in this State, which was read the first time and passed.
Mr. Collins, of Chowan, introduced a bill relating to the Capitol Square; which was read the first time and passed.

Mr. Phillips, of Orange, introduced a bill to incorporate the Hawfield Volunteer Regiment, in the county of Orange; which was read the first time and passed.

Mr. McIntyre, of Richmond, introduced a bill to apportion the members of the House of Commons amongst the several counties in the State; which was read the first time, passed and made the special order of the day for Monday next at 11o'clock.

Mr. Turner, of Orange, introduced a bill explanatory of an act, passed at the session of 1833-39; which was read the first time and passed.

Mr. Stubbs, of Beaufort, introduced a bill relating to the sale of goods &c; which was read the first time, passed and referred to the Committee on the Judiciary.

Mr. Phillips, of Orange, introduced a bill to incorporate the Chapel Hill and Raleigh Plank Road company, which was read the first time and passed.

Mr. Strange, of New Hanover, introduced a bill relating to the Superior Court in New Hanover; which was read the first time and passed.

Mr. Phillips, of Orange, from the Judiciary Committee made a report in relation to the commission to revise the Statute laws, accompanied by a bill to continue the Commission to revise and digest the statute laws of the State; which was read the first time and passed.
Mr. Pegram, of Cumberland, introduced a resolution in favor of D. A. Ray, and Co.; which was read the first time and passed.

Mr. Munday, of Cherokee, introduced a resolution in favor of Jesse Cole, of Cherokee county; which was read the first time and passed.

A resolution in favor of M. W. Ransom was introduced, read the first time and passed.

A resolution in favor of R. M. Saunders was introduced, read the first time and passed.

On motion of Mr. Collins, of Chowan,

Resolved, That the Doorkeeper of this House be instructed to light the lamps upon the gates of the enclosure of the Capitol at night, for the remainder of the session.

On motion,

Resolved, That the Seamen’s Friends Society be allowed the use of the Commons Hall on Sunday night next.

Mr. McIntyre, of Richmond, presented a memorial from sundry citizens, relating to the obstruction of the passage of fish up Pee dee and Yadkin Rivers; which was referred to the Committee on Propositions and Grievances.

Mr. Perry, from the committee to superintend the election of Trustees of the University, submitted the following report:

Which was concurred in:

That the whole number of votes cast was 154: that 78 were necessary to a choice—that Mr. Hill received 91,
Mr. Dortch 73, Mr. Bynum 57, Mr. Phillips 42, Mr. Clark 29, Mr. Arendell 7, Mr. Person 15, Mr. Taylor 20, Mr. Smith 34, Mr. Amis 10, Mr. Collins 8, Mr. Hawkins 14, Mr. Cherry 22, and Messrs. Cunningham, Siler, Mitchell, Fuller, Tripp, Stubbs, Gales, Erwin and Lillington 1, Baxter 1, Richardson 1, Bryant 1, Norfleet 1, McGeehee 1, Turner, Lindsay, Spruill, Rogers, Wheeler, Pearson, Eaton, Hill, Osborne, W. J. Long, McDugald, McKeane, White, Pepper, each received 1.

Mr. Hill, of Caswell, having received a majority of all the votes cast, is duly elected one of the Trustees of the University.

Mr. McNeill, of Robeson, presented a memorial from citizens of North Carolina, relating to the liquor traffic.

Mr. Miller, of Caldwell, moved to lay the memorial on the table.

Mr. Munday demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Johnson, of Guilford, moved that the House adjourn.

Mr. Smith, of Halifax, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A message was received from the Senate, agreeing to raise a Joint Select Committee of two on the part of each house, on Senatorial Districts.

Messrs. Woodfin and Boyd form the Senate branch of the committee.

Also, informing the House that the Senate has laid on the table the proposition to vote for Judge of the Superior Court, to-morrow at half-past 1 o’clock.
The following engrossed bills were severally read the third time and passed, and ordered to be enrolled:

A bill concerning the Conrad Hill Gold Mining company;
A bill to enlarge the powers of the Commissioners of the town of Newbern;
A joint resolution to furnish the Library of Congress with certain volumes of the acts of the General Assembly of the State.

A bill to incorporate the Bank of Charlotte was read the third time and passed—Yeas 60, nays 18.

Mr. Bryant, of Nash, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Dobbin, of Cumberland, introduced a bill to regulate the form of bonds issued by the State; which was read the first time and passed,

And the rule being suspended, the bill was read the second and third times, passed and ordered to be engrossed.

Mr. Cherry, of Bertie, introduced a bill to allow the Comptroller of Public Accounts additional compensation for clerks' hire; which was read the second time and passed.

Leave being granted, Mr. Dargan, in behalf of the Committee on the Judiciary, reported back to the House a bill to incorporate the Merchants' and Planters' Bank of Wilmington, and recommended its passage.

Whereupon, the bill was read the second time and passed.

The following bills and resolutions were severally read a third time, passed and ordered to be engrossed:

A bill to incorporate the Western Railroad company:
A bill to incorporate the Mutual Insurance company, in the town of Fayetteville:
A bill to incorporate the Lumberton and Columbus Plank Road company:
A bill to protect the rights of persons owning personal property in common:
A bill to incorporate the Locksville and Hillsboro Plank Road company:
A resolution in favor of W. W. Greene and L. A. Jeffreys:
A bill concerning the official bonds of sheriffs, coroners and constables:
A bill concerning jury trials in the county of Columbus:
A bill to incorporate the Seamen's Friends society:
A bill to amend an act passed at the session of 1850-'51 entitled an act to incorporate the Greenville and Raleigh Plank Road company:

A bill to amend the 10th section of the 34th chapter of the Revised Statutes, entitled an act concerning crimes and punishments:

A bill to incorporate the town of New Salem, in the county of Randolph.

A bill to change the name of the county seat of Yadkin county:

A bill to provide for the holding of an extra term of the Superior Court of Wake:

A bill to facilitate the recovery of debts due from non-resident debtors:

A bill to repeal in part the 5th section of an act of the General Assembly, passed at its session 1850-'51, entitled an act to establish a Superior Court of Law and Equity, for the county of Watauga:

A resolution to furnish the Governor's residence.

The following bills, on their third reading, were severally, on motion, laid on the table:

A bill to incorporate Jonesboro' Division No. 201 of Sons of Temperance, at Jonesboro', in the county of Camden:

A bill concerning the Roanoke and Meherrin Connection company:

A bill to incorporate Cherith Division, No. 25 Sons of Temperance, in the county of Northampton:

A bill to incorporate Invincible Division, No. 184 of the order of the Sons of Temperance:

A bill to amend the Revised Statutes, chapter 37, entitled bonds and conveyances:

A bill to authorize J. Cline, sheriff of Catawba county, to collect arrears of taxes due him:
A bill to incorporate Wake Forest Male Academy, in the county of Wake:
A bill to incorporate Holly Springs High School, in the county of Wake.

On motion of Mr. Caldwell, of Guilford,

The House adjourned.

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Saturday, Dec. 18th, 1852.

The Committee on Senatorial Districts, on the part of this House, consists of Messrs. Saunders and Amis.

Leave being granted, a bill to incorporate the proprietors of the Wilmington Cemetery was read the second time and passed.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, to whom was referred a bill to establish a new county, by the name of Wilson, reported the same back to the House, and recommended its rejection.

Whereupon, the bill was read the second time.

Mr. Smith of Halifax, moved the indefinite postponement of the bill.

Mr. Ellis 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. Bryant, of Nash, offered an amendment,

Pending the question on which the bill was on motion laid on the table.

In pursuance of the special order of the day, the hour having arrived, the House proceeded to the consideration of the bill to lay off the State into eight Congressional Districts.

The bill having been read the second time, a motion was made to postpone until Monday, and make the special order for 12 o'clock.

Which was decided in the negative—Yeas 24, nays 71.

Mr. Adams, of Iredell, demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative are:


On motion of Mr. Franklin, of Martin, the bill was laid on the table, and the following resolution concerning the subject adopted:

Resolved, That a message be sent to the Senate, proposing to raise a joint select committee of two on the part of each House to take into consideration the Congressional Districts of the State.

The Committee on the part of the House consists of Messrs. Martin and Long of Randolph.

On motion of Mr. Saunders, of Wake,

Resolved, That a message be sent to the Senate, proposing to go into an election for a Judge of the Superior Court of law and equity on Monday at 11 o’clock, and that the Judge who may be elected, shall be required to reside in the 1st, 3rd, 5th or 7th Judicial Circuit.
A message was received from the Senate, informing the House that Messrs. Hoke and Mitchell form the Senate branch of the Committee to superintend the election of Solicitor of the 7th Judicial Circuit.

In pursuance of the joint order of the two Houses, the hour having arrived,

The House proceeded to vote with the following result, for Solicitor of the 7th Circuit:

FOR MR. GAITHER.


FOR MR. BURTON.


A message was received from the Senate, concurring in the proposition to raise a Joint Select Committee on Congressional Districts, and informing the House that Messrs. Bynum and Person form the Senate branch of the Committee.

Also informing the House, that the Senate had laid on the table the proposition to vote for Judge of the Superior Court at 11 o'clock Monday next.
Mr. Puryear, chairman, reported back to the House a resolution in relation to a public lot adjoining the city of Raleigh, with a bill as a substitute, and recommended its passage.

Whereupon, it was read the second time.

Mr. Saunders, of Wake, moved to amend the amendment, by striking out the condition to pay $150, and inserting "that any officer of the Government or member of the General Assembly, who may die in the city of Raleigh, shall be buried in said burial ground;" which amendment being rejected, the amendment of the committee was adopted, and the bill passed its second reading.

Whereupon, the bill was read the second time, and, on motion of Mr. Wynne, indefinitely postponed.

Mr. Lowry, from the committee to superintend the election of Solicitor, for the 7th Judicial Circuit, submitted the following report; which was concurred in:

That 146 votes were cast—that 74 were necessary for a choice: that Mr. Burton received 74, Mr. Gaither 72; that as Mr. Burton had received a majority of all the votes, he was duly elected.

On motion of Mr. Cotten, of Chatham, a bill to incorporate the North Carolina and Tennessee Railroad company was taken from the table.

The question pending, being the motion to reconsider the vote, by which Mr. Avery's amendment had been rejected.
The motion to reconsider being withdrawn, and the question recurring on the passage of the bill its second reading:

Mr. Saunders, of Wake, moved to amend, by striking out all after the words "a bill," and inserting a substitute offered by him.

Mr. Webb, of Rutherford, moved to amend the amendment, by adding two additional sections, providing for the connection of the Anson and Spartanburg Railroad, with the North Carolina and Tennessee Railroad, at some point between Salisbury and the Blue Ridge whenever a company shall be formed by private subscription of one million of dollars, &c.

Which amendment was rejected—Nays 88, yeas 2.

Mr. Webb, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:

Mr. Webb moved to amend, by striking out "at or near Salisbury," and inserting, "that the road shall commence at Salisbury or Charlotte, or at some intermediate point."

Which amendment being rejected, and the question recurring on the amendment of Mr. Saunders.

It was adopted—Yeas 53, nays 45.

The yeas and nays were demanded,

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Pending the question on the passage of the bill its second reading, the House took a recess.
Afternoon Session.

On motion of Mr. Stubbs, of Beaufort, Mr. Long, of Randolph, was excused from further service on the committee of Internal Improvements.

On motion of Mr. Reid, of Duplin, leave was granted to the Committee on Private Bills, to sit during the sessions of the House.

On motion of Mr. Adams, of Iredell, a message was ordered to be sent to the Senate, proposing to vote for two Trustees of the University, to day at a quarter past four o'clock.

Mr. Strange, of New Hanover, introduced a bill to amend an act entitled an act, to provide for a reassessment of the lands of this State and a more accurate enlistment of the taxable polls, which was read the first time, passed and referred to the Committee on Corporations.

Mr. Black, of Mecklenburg, introduced a bill to amend an act entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg; which was read the first time and passed.

Mr. Tripp introduced a bill concerning elections in Beaufort county; which was read the first time and passed.

Mr. Dobbin, of Cumberland, introduced a bill to amend an act to emancipate Lucy, a slave, and her child Laura, passed at the session of 1850-'51; which was read the first time and passed.
Mr. Strange, of New Hanover, introduced a bill to amend an act, entitled an act, to amend an act passed in the year 1818, chapter 42, entitled an act to elect a magistrate for the town of Wilmington; which was read the first time and passed.

Mr. Wheeler, of Lincoln, introduced a bill to lay off the State into ten Electoral Districts, for President and Vice President of the United States; which was read the first time and passed.

Mr. Avery, chairman, in behalf of the Committee on Internal Improvements, to whom was referred so much of the Governor's Message, as relates to the Wilmington and Manchester Railroad company, made a report, accompanied by the three following bills, the passage of which the committee recommend:

A bill to amend an act, entitled an act, to amend an act incorporating the Wilmington and Raleigh Railroad company; which was read the first time and passed.

A bill directing the dividends on the stock of the State, in the Wilmington and Manchester Railroad company, to be paid into the Treasury as a part of the Literary Fund; which was read the first time and passed.

A bill to amend an act, entitled an act to incorporate the Wilmington and Manchester Railroad company; which was read the first time and passed.

Mr. Erwin introduced a bill for the relief of Jacob Aby, of the county of Burke; which was read the first time and passed.

Mr. Love, of Haywood, introduced a bill to incorporate the Rich Mountain Turnpike company; which was read the first time and passed.
Mr. Munday, of Macon, introduced a bill to provide for making returns to the agent for collecting Cherokee bonds, by the entry takers of Macon, Haywood and Cherokee; which was read the first time and passed.

On motion of Mr. Perkins, of Halifax,

Resolved, That from and after Saturday, the 18th instant, no private bill shall be introduced for the consideration of this House.

A resolution in favor of Wm. R. White and Lewis Hiiflin was introduced, read the first time, passed and referred to the Committee on Claims.

Mr. McNeill, of Robeson, introduced a resolution in favor of Wm. R. Lovell; which was read the first, second and third times, and ordered to be enrolled.

Mr. Scales, of Rockingham, introduced a bill to emancipate Joseph Bowling, a slave; which was read the first time, and, on motion of Mr. Miller, of Caldwell, rejected.

Mr. Williams, of Warren, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Mr. Dobson, of Surry, moved to take from the table the list of Magistrates for Yadkin county, and upon this motion 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 from the table.

Mr. Blow, in behalf of the Select Committee, to whom was referred memorials praying for the establishment of a Medical Board, reported the same back to the House, and asked to be discharged from its further consideration.

Which report was concurred in.

A message was received from the Senate, refusing to concur in the proposition to vote for two Trustees of the University, to-day at a quarter-past 4 o’clock, P. M.
Mr. Cherry, of Bertie, introduced a resolution to increase the salary of the Treasurer and his Clerk.

A motion was made to reject, and the yea and nay demanded.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to reject.

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Evening Session.

On motion of Mr.
Resolved, That the Public Treasurer be, and he is hereby, authorized, to borrow such sum or sums of money, not to exceed two hundred thousand dollars, as may be necessary to meet the proper liabilities of the State, until the meeting of the next General Assembly, provided that the sum so borrowed shall be repaid by the Public Treasurer as soon as the condition of the Treasury will enable him to do so.

Which was read the first time and passed, and the rule being suspended, was read the second and third time and ordered to be engrossed.

A bill to establish a public road in the county of Madison, was read the second time, and, on motion, made the order of the day for Monday, 11 o'clock.

The following bills were read the third time, passed, and ordered to be engrossed:

A bill to establish the Merchants' Bank of Wilmington;
A bill to amend an act of 1838-'39, chapter 57, entitled an act to confer on Courts certain powers over imprisoned lunatics;
A bill to incorporate the Salisbury, Mocksville and Wilkesboro' Plank Road company;
A bill for the protection of boats, canoes, coasting and sea vessels;
A bill to authorize the union of the Greenville and Roanoke Railroad company, with the Petersburg Railroad company;
A bill in favor of John Smith, of New Hanover;
A bill to amend an act, entitled an act to incorporate the town of Lumberton, passed at the session of 1850-'51.

A bill to incorporate the Charleston, Blue Ridge and Chattanooga Railroad company, was read the third time, passed and ordered to be enrolled.
On motion, the House adjourned.

Monday, Dec. 20, 1852.

The Committee on Enrolled Bills for the week consists of Messrs. Albertson, Bynum of Northampton, McIntyre, Johnson and Waugh.

Mr. Miller, of Caldwell, introduced the following resolution; which was read and rejected.

Resolved, That a committee of three be appointed to ascertain who shall pay for the chair broken in the Commons House yesterday.

The consideration of the unfinished business of yesterday, a bill to incorporate the North Carolina and Tennessee Railroad company, was resumed.

The question pending being on the passage of the bill,

It was decided in the affirmative—Yeas 46, nays 45.

Mr. Cotton, of Chathan, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


On motion, the rule was suspended and the bill was read the third time and passed.

Mr. Phillips, of Orange, moved to reconsider the vote, by which the bill passed its third reading.

Mr. Cotten, of Chatham, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


So the House refused to reconsider.

A bill to establish a new county by the name of Wilson was taken up, and, on motion of Mr. Love laid on the table.

Mr. Saunders, of Wake, Chairman, in behalf of the Committee on the Judiciary, leave being granted, reported back to the House,

A bill to establish a homestead freehold, with an amendment, and recommended that the amendment be adopted and the bill passed.

Whereupon the bill was read the second time.

Mr. Durham, of Orange moved to amend the 5th section by striking out "five hundred," and inserting "three hundred."

Which amendment was adopted—Yeas 50, nays 23.

Mr. Phillips, of Orange, moved to strike out, in the 2d section, the word "citizens" and insert "head of white family."

Mr. Dortch, of Wayne, moved to amend the amendment, by striking out "head of white family," and inserting "house keeper."

Which amendment was rejected.

The question then recurring on the amendment of Mr. Phillips,
It was decided in the negative—Yeas 22, nays 65.

Mr. Avery, of Burke, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Reid, of Duplin, moved the following amendment, which was rejected—Yeas 20, nays 70:

Add to the second section: “Provided, That, if at any time after said homestead freehold shall be laid off, the same shall increase in value above three hundred dollars, said freehold shall not be exempt from execution.”

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Reid, of Duplin, moved to postpone the bill indefinitely.

Which motion was lost—Yea 39, nays 55.

Mr. Eure, of Gates, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


Mr. Daniel, of Hertford, moved the following amendment:
"That whenever the freehold laid off under this act, shall exceed in value one thousand dollars, the excess shall be subject to taxation."

Mr. Caldwell, of Guilford, moved to amend the amendment, by striking out one thousand, and inserting five hundred.

Which was adopted.

And the question recurring on the amendment, as amended, was decided in the negative—Yea 42, nay 47.

Mr. Harris, of Davidson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Adams, of Iredell, moved to lay the bill on the table.

Mr. Eure demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative are:


Mr. Cook, of Wilkes, moved the following amendment

Which was rejected—Yea 42, nays 51.

Resolved, That every white house-holder who does not own a freehold of fifty acres of land, shall be authorized to enter fifty acres of land of any of the vacant lands in the State, free of cost.

Mr. Cook demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:
Mr. Reid, of Duplin, moved to amend, by adding to the second section, "that when any Sheriff or other officer shall hold an execution against any person to collect, to whom a freehold has been assigned under the provisions of this act, he is hereby required to summons three freeholders, who shall proceed, under oath, to value said freehold, and if it be ascertained to be of greater value than five hundred dollars, said freehold shall not be exempt from execution."

Which amendment was rejected.

The question then recurring shall the bill pass?

It was decided in the negative—Yeas 49, nays 50.

Mr. Norfleet, of Edgecombe, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:

Messrs. Adams, Allen, Barco, Black, Blow, Bryant, Bynum of Chatham, Caldwell, of Guilford, Chesnut, Cook, Cotten, Corbett, Dobbin, Dobson, Dorich, Ellis, Fontville, Foreman, Furr, Guither, George, Harris of Davidson, Hill of Caswell, Hill of Duplin, Holeman, Jarvis,
Mr. Leach, of Davidson, moved to take from the table a bill to ascertain the will of the freemen of North Carolina, as to the call of a Convention on the Federal Basis, and make it the special order of the day, for to-morrow, at 1 o'clock.

Which motion was rejected.

In pursuance of the special order, the hour having arrived, the bill to apportion the representation in the House of Commons was taken up and read the second time and passed.

Mr. Leach, of Davidson, moved to take up the bill concerning a committee, and make it the special order of the day for to-morrow, at half past twelve o'clock.

Which motion being divided, and the question being upon taking from the table, it was decided in the affirmative.

Mr. Mooring, of Martin, moved to postpone indefinitely.

Which motion prevailed—Yeas 54, nays 47.

Mr. Mooring demanded the yeas and nays.

Those who voted in the affirmative are:

Those who voted in the negative, are:


A message was received from the Senate, transmitting an engrossed bill from the House, to provide for the better government of Lincolnton, and to amend the existing corporate laws of said town, with amendment, and asking the concurrence of the House in the same.

The amendment proposed by the Senate was concurred in.

On motion of Mr. Hill, of Caswell,

Resolved, 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 consider the public business, and report the earliest possible time for adjournment, due regard being had to the public interest.

Mr. Adams, of Iredell, demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


A bill to establish a public road in the county of Madison was read the third time, passed and ordered to be engrossed.

The resignation of Calvin H. Wiley, as a member of this House, to take effect from and after Wednesday next, was tendered and accepted.

The committee on the part of this House, to make arrangements for the reception of his Excellency, D. S. Reid, are Messrs. Wynne, Allen, Miller and Reid of Rockingham.

The House took a recess.

Afternoon Session.

A message was received from the Senate, proposing to vote for United States Senator, to-morrow at 12 o'clock, and to continue to vote, in case of no election, during the day; and if there should be no choice, then to postpone further voting during the session.

Mr. Hill, of Caswell, called for a division of the question.
The question being taken upon the proposition to vote for a Senator, to morrow at 12 o'clock, it was concurred in—Yeas 74, nays 18.

Mr. Hill demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


The question then being. shall the second part of the proposition from the Senate be concurred in?

It was decided in the negative—Yeas 27, Nays 62.

The yeas and nays having been demanded,

Those who voted in the affirmative, are:


Those who voted in the negative, are:
Mr. Stubbs, of Beaufort, introduced a bill to amend an act passed at the session of 1850-51, entitled an act to amend an act for the incorporation of the town of Washington; which was read the first time and passed.

Mr. Dobbin, of Cumberland, from the Committee on the Insane Hospital, leave being granted, made a report, accompanied by a bill to amend an act passed at the session of 1848-49, entitled an act for the establishment of a State Hospital for the insane of North Carolina, and for other purposes; which was read the first time and passed.

Mr. Stubbs, of Beaufort, from the Committee on the Judiciary, submitted a resolution in favor of Thomas Latham, of Beaufort; which was read the second time and passed.

Mr. Stubbs, of Beaufort, from the same committee, reported back to the House a bill to amend an act to incorporate a Bank in the town of Washington, in the county of Beaufort, passed at the last session of the General Assembly, and recommended its passage.

Whereupon, it was read the second time and passed, and the rule being suspended, it was read the third time and passed, and ordered to be engrossed.

Mr. Puryear, chairman, in behalf of the committee on Propositions and Grievances, reported back to the House a
bill to divide the county of Wilkes, and recommended that it do not pass.

Whereupon the bill was read the second time, and, on motion, indefinitely postponed.

Mr. Carmichael demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


Mr. Puryear, chairman, in behalf of same committee, reported back to the House a bill to lay off and establish a new county out of a portion of Wilkes and Caldwell counties, to be called Clay, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Puryear, chairman, in behalf of same committee, reported a bill to alter and improve the road leading from Trap Hill, in Wilkes county, to the ford of the Yadkin River, at Isaac Martin's, and recommended that it do not pass.
Whereupon, the bill was read the second time and rejected.

Mr. Puryear, chairman, in behalf of same committee, reported back to the House a bill to prevent the obstruction of fish in the waters of Blunt's Creek, and its tributary streams, and recommended its passage.

Whereupon the bill was read the second time and passed.

Mr. Puryear, chairman, in behalf of the same committee, reported back to the House a bill to restore jury trials to the County Court of Rutherford, and recommended its passage.

Mr. Puryear, chairman in behalf of same committee, reported back to the House a memorial from sundry citizens of Chowan, praying for a repeal of the tax on gates, and asked to be discharged from the further consideration of it.

Which report was concurred in, and the committee discharged.

Mr. Puryear, chairman, in behalf of the same committee, reported back to the House a bill to prevent the felling of timber in Hogan's Creek, in the county of Rockingham, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Puryear, chairman in behalf of the same committee, reported back to the House a bill to alter the line of Madison county, and to establish the county of Warren Springs, and recommended that it do not pass.

Whereupon, on motion, the bill was laid on the table.
A communication was presented from the Treasurer, transmitting a statement of the condition of the bank of Washington, on the 1st of December; which was ordered to be sent to the Senate, with a proposition to print.

A communication was received from the Secretary of State, relative to Justices of the Peace; which was ordered to be transmitted to the Senate.

A message was received from the Senate, informing the House that Messrs. McMillan, Kelly and Shaw, form the Senate branch of the Committee on Enrolled Bills.

The Committee on Propositions and Grievances, reported back to the House, a petition from citizens, of Watauga county, praying that commissioners be appointed to lay off the streets of Boone, according to the plot of said town, and asked to be discharged from its further consideration.

Which report was concurred in.

The report of the Cape Fear Navigation company was received, and on motion it was ordered to be transmitted to the Senate, with a proposition to print.

The Committee on Propositions and Grievances, through their chairman, R. C. Puryear, reported back to the House a bill to provide a reassessment of the real estate within the corporate limits of the town of Rockford, in the county of Surry, and recommended its passage.

Whereupon, the bill was read the second time and passed.
A message was received from the Senate, transmitting a bill to extend the right of appeal, prevent unnecessary accumulation of cost, expedite justice and for other purposes, and a bill for the government of Elizabeth City in the county of Pasquotank.

Which were read the first time and passed.

Mr. Cherry, from the Committee on Education, reported back to the House, a bill to provide for the Education of Teachers, which was read the second time, and, on motion, indefinitely postponed.

Mr. Tolson, of Anson, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion, the House adjourned.
Tuesday, Dec. 21, 1852.

Mr. Adams, of Iredell, moved that a message be sent to the Senate, proposing to vote for a Judge of the Superior Court to day at 11 o'clock.

Mr. Dortch, of Wayne, offered the following resolution, as an amendment.

Resolved, That a message be sent to the Senate, proposing to raise a joint Committee of two on the part of each House, to select by lot the circuit for which a Judge of the Superior Courts of law and equity shall be elected.

Mr. Leach, of Davidson, moved to amend the amendment by striking out all after the word Senate, and inserting, proposing to ballot this day at half-past eleven o'clock for Judge, who shall, when elected, reside in the 1st, 3rd, 5th, or 7th Judicial Circuit

Which amendment was adopted.

And the question recurring, on the proposition as amended.

It was carried, and the message ordered to be sent.

On motion of Mr. Cherry, of Bertie, the resolution relating to Pungo lands, was taken up, read the 3rd time, and passed—Yeas 56, nays 23.

Mr. Marshall, of Stokes, demanded the yeas and nay
Those who voted in the affirmative, are:


Those who voted in the negative are:


The House resumed the unfinished business of yesterday, a bill to lay off the State into fifty Senatorial Districts.

The question pending being the motion of Mr. McIntyre, to strike out all after the enacting clause, and insert the bill offered by him,

Mr. Saunders, of Wake, demanded a division of the question.

And the question being taken on the proposition to strike out, it was decided in the negative—Yeas 49, nays 52.

Mr. Carmichael, of Wilkes, 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.

Mr. Puryear moved to amend the first section, by striking out Yadkin, in the 44th District, and inserting Wilkes, and in the 45th District strike out Wilkes and insert Yadkin; which amendment was adopted.

Mr. Cook demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

A message was received from the Senate, informing the House that Messrs. Boyd, Hargrove, Drake and Bynum form the Senate branch of the committee on the reception of his Excellency, David S. Reid.

The committee on the part of the House consists of Messrs. Reid of Rockingham, Wynne, Miller and Sherrill.

A message was received from the Senate, informing the House that Messrs. Clark and Mitchell form the Senate branch of the committee to superintend the election of United States Senator.

The Committee on the part of the House consists of Messrs. Cherry and Strange.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for United States Senator, with the following result:

FOR MR. WOODFIN.


FOR MR. CLINGMAN.

A message was received from the Senate, informing the House that the Senate had laid on the table the proposition to vote for Judge of the Superior Court to-day.

A message was received from the Senate, transmitting the following report of the committee to superintend the reception of the Governor.
Which report was concurred in.

The committee appointed to make arrangements for the inauguration of the Governor elect, ask leave to make the following report:

That the Speakers of the two Houses will occupy the place at the Speaker's table, in the Commons Hall, and that the Governor elect will occupy the place at the Clerk's table.

The committee of arrangements immediately in front of the Clerk's table. 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 presence of the members of both branches of the General Assembly, the Speaker of the Senate will announce that the Senators will return to the Senate Chamber, and thereupon, the Governor and Committee of Arrangements will retire at the head of the members of the Senate.

Mr. Cherry, from the committee to superintend the election of United States Senator, made the following report; which was concurred in:

That 147 votes were cast—that 74 were necessary for a choice—that Woodfin received 67, Clingman 53, Ruffin 6, Strange 1, Bragg 1, A. A. Shepard 1, Craig 2, Avery 2, Leake 4, Dobbin 4, Busbee 1, Daniel 1, Caldwell 1, and Rayner 3—that, as no one had received a majority of all the votes, there was no election.

On motion, a message was ordered to be sent to the Senate, proposing to vote for United States Senator forthwith.
The pension certificates in favor of Mrs. Martha Spears, were presented, and, on motion, referred to the Committee on Claims.

A message was received from the Senate, concurring in the proposition to vote for United States Senator forthwith, and informing the House that Messrs. Clark and Mitchell form the Senate branch of the committee.

The committee on the part of the House, consists of Messrs. Albritton and Dortch.

The House proceeded to vote with the following result:

FOR MR. WOODFIN.


FOR MR. CLINGMAN.


FOR MR. RUFFIN.


FOR MR. DANIEL.

Mr. Christmas—1.
The House resumed the consideration of the bill to lay off the Senatorial Districts.

Mr. Dargan, of Anson, moved the following amendment:

Strike Union from Anson, and put Union, Stanly and Cabarrus, as one Senatorial District.

Pending the question on which amendment, the House took a recess.
Mr. Albertson, from the committee to superintend the election of United States Senator, submitted the following report: which report was concurred in:

That 141 votes were cast—that 71 were necessary for a choice—that Mr. Woodfin received 68, Mr. Clingman 61, Mr. Strange 2, Mr. Ruffin 3, Mr. Joyner 2, Mr. Dobbin 2, Mr. Leake 1, Mr. Busbee 1, Mr. Daniel 1, Mr. Craig 1, and Mr. Avery 1—that, as no one had received a majority of all the votes, there was no election.

The following engrossed bills from the Senate were severally read the first time and passed:

A bill to encourage Agriculture, Domestic Manufactures, and the Mechanic Arts;

A bill to incorporate the Swift Creek Plank Road company;

A bill supplemental to an act passed at the last session of the General Assembly entitled an act to alter the line between the counties of Buncombe and Henderson;

A bill to regulate the pay of witnesses, in the county of Brunswick;

A bill to authorize the several Courts of Pleas and Quarter Sessions, to pay the Wardens of the Poor;

A bill to regulate appeals to the Supreme Court, in the 6th Judicial Circuit;

A bill to authorize Ambrose Calderon, John Por and others, to establish a toll bridge over New River, in the county of Ashe;

A bill to make indictable certain trespasses;
A bill to amend the Charter of the Ashville and Greenville Plank Road company;

A bill to consolidate and amend the several acts passed for the government of the town of Oxford, in Granville county;

A bill to give the Courts of Pleas and Quarter Sessions of the counties of Randolph and Granville, jurisdiction over the sale of real estate, for division amongst joint tenants and tenants in common;

A bill to refund to the Treasurer certain monies and for other purposes, and a bill to appoint Commissioners to locate the town of Marshall.

Mr. Turner, of Orange, introduced a bill to repeal the 18th section of an act, passed at the session of 1850-51, entitled an act to provide for the increase of the public revenue; which was read the first time and passed.

Mr. Norfleet, of Edgecombe, introduced a bill to amend an act, passed at the session of the General Assembly, of the State of North Carolina, in the years 1846-47, to authorize the Governor to establish a depot of arms at Newbern, and to validate the payment heretofore made by the Public Treasurer to the keeper of said depot; which was read the first time and passed.

Mr. Pegram, of Cumberland, introduced a bill to incorporate the Rockfish Plank Road company; which was read the first time, passed, and referred to the Committee on Internal Improvements.

Mr. Dobbin, of Cumberland, introduced a bill to enlarge the powers of the Commissioners of the town of Fayetteville; which was read the first time and passed.
Mr. Sutton of Lenoir, introduced a bill to regulate the fees of Constables in certain cases; which was read the first time and passed.

Mr. Puryear, of Surry, introduced a bill to alter and amend an act to incorporate the Salisbury and Taylorsville Plank Road company; which was read the first time and passed.

On motion of Mr. Avery, a bill to appoint the time of the meeting of the General Assembly was taken up and read the third time, passed, and ordered to be engrossed.

Mr. Martin, of Franklin, introduced the following resolution, which was read, and, on motion, laid on the table:

Resolved, That a message be sent to the Senate, proposing to rescind the joint order heretofore agreed on, that the two Houses adjourn on Wednesday the 22nd instant, and proposing that the two Houses will adjourn, sine die, on Monday 27th instant.

Mr. Dobbin, of Cumberland, introduced a bill to legalize the rights of the Cape Fear Navigation company, in the Cape Fear River, above the mouth of Crop Creek, and for other purposes.

On motion of Mr. ——,

Resolved, That no bills shall be introduced into this House from and after this day, except those in the hands of the committees.

An engrossed bill from the Senate, to emancipate James Hostler, was read the first time and rejected.

Mr. Allen, of Wake, moved to reconsider the vote by which the bill to emancipate James Hostler, was rejected.
Which motion did not prevail.

The House took a recess.

**Evening Session.**

The following bills were severally read the third time, passed and ordered to be engrossed:

- A bill concerning militia of Rutherford county;
- A bill to repeal the 35th chapter of the statutes passed at the session of 1850-'51;
- A bill to lay off a public road from Enoch Vannoy's mill in Wilkes county, to the Virginia line;
- A bill to authorize James C. Turrentine, sheriff of Orange county, to collect arrears of taxes due him;
- A bill to incorporate the Fayetteville Plank Road company;
- A bill to improve the public road leading from Holeman's ford on the Yadkin River in Wilkes county to the Tennessee line;
- A bill to amend an act entitled and act to incorporate the Roanoke Valley Railroad company;
- A bill to incorporate the Caswell Insurance company in the town of Milton, in Caswell county, North Carolina;
- A resolution in relation to a public lot adjoining the city of Raleigh;
A bill to provide for the better regulation of the town of Louisburg, in Franklin county;
A bill to incorporate the Washington and Tarboro Plank Road company;
A bill to incorporate the proprietors of the Wilmington Cemetery;
A bill to establish a public road from the stage road, at Jonas Buskett's, in Ashe county, to the three top fork read;
A bill to incorporate the Duplin Plank Road Company;
A bill to incorporate the North Carolina Steam Carriage and Plank Road company;
A bill to extend the power of the commissioners of Navigation, for the port of Washington;
A bill to prevent the obstruction of the passage of fish in the waters of Blount's Creek and its tributary streams;
A bill to incorporate the Caswell Plank Road Company;
A bill to prevent the felling of timber in Hogan's Creek in the county of Rockingham;
A resolution in favor of Thomas Lautham of Beaufort county;
A bill to amend an act to incorporate Robeson Institute in the county of Robeson.

A bill to amend an act, passed at the session of 1848-49, entitled an act to provide for the establishment of the State Hospital for the Insane of North Carolina and other purposes, was read the second time, amended and passed, and the rule being suspended, the bill was read the third time and passed.

A bill to incorporate the Trustees of Morning Sun Academy in the county of Wake, was read the third time and laid on the table.
A bill to incorporate King Solomon's Lodge, No. 138, of Ancient York Masons in Masonic Academy, at Long Creek in the county of New Hanover.

A bill to provide for paying tales jurors, in the counties of Northampton and Wake, were read the third time, amended and passed, ordered to be transmitted to the Senate asking the concurrence of that body.

Mr. Cherry, of Bertie, introduced the following resolution: which was adopted and ordered to be engrossed.

Resolved, That our Senators and Representatives in the Congress of the United States be requested to use their exertions to procure an appropriation by Congress, for the erection of a marine hospital at or near Smithville or Wilmington in this State.

The following engrossed bills from the Senate were read the second time, passed and ordered to be enrolled:

A bill to emancipate James Langford, a slave;
A bill to encourage the investment of capital for mining and manufacturing purposses;
A bill to amend an act passed at the session of 1850-51, entitled an act to regulate the pay of jurors and witnesses in the county of Craven;
A bill to confirm the establishment of the county of Yadkin;
A bill to incorporate the Charlotte, North Carolina, and Cheraw Plank Road company;
A bill to amend an act passed in 1850-51, to incorporate Lewis, Gold Mining company;

Mr. Dargan, of Anson, introduced 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 from and after the 22d of Dec. no member shall receive his per diem or any compensation for his services.

Which was read the first time and passed.

On motion the House adjourned.

Wednesday, Dec. 22d, 1852.

The following communication was received from Seaton Gales, Esq., and read for the information of the House:

Hon. Jno. Baxter,
Speaker of the House of Commons:

SIR,

At the time of making a contract with the committee, to whom the subject had been referred, for an increased number of copies of Prof. Emmons' Report upon his Geological, &c. Survey, I informed the gentlemen who composed it, that I should be compelled to ask indulgence as to the time within which the work shall be executed.

Some progress has been made in printing the report; but it will be impossible to complete it by the adjournment. It will, however, be ready for delivery shortly thereafter, and I respectfully request that provision be made for its transmission to the members of the Legislature.

Very respectfully,

Your ob't servant,

Seaton Gales,
Public Printer.
On motion of Mr. Leach, of Davidson,

Resolved, That one copy of Professor Emmons' Report be mailed to each member of the Legislature, so soon as Seaton Gales, Esq., shall be able to print said report, and that the balance shall be transmitted to each member, at the same time and manner that the acts of the Assembly are by law transmitted.

Mr. Webb, of Rutherford, introduced a resolution in favor of the Door-Keepers, which was read the first, second and third times, and ordered to be engrossed.

Mr. Leach, of Davidson, moved that a message be sent to the Senate, proposing to go into an election for Judge of the 7th Judicial District, forthwith.

Which motion was adopted—Yea 44, nay 39.

Mr. Dortch, of Wayne, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The House resumed the consideration of the unfinished business of yesterday—the bill to divide the State into fifty
Senatorial Districts—the question being the passage of the bill on its second reading.

Mr. Dargan moved to amend the bill, by striking Union from Anson, and inserting Stanly, and putting Union and Cabarrus into one Senatorial District.

Which amendment prevailed—Yeas 49, nays 36.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Adams, of Iredell, moved to strike out Alexander from the 45th District, and insert it in the 44th.

Which amendment was adopted.

Mr. Leach moved to amend, by taking Washington from the 4th District, and adding it to the 8th District.

Which amendment prevailed—Yeas 44, nays 35.

Mr. Mooring, of Martin, demanded the yeas and nays.
Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Caldwell, of Guilford, moved to reconsider the vote by which the amendment of Mr. Dargan was adopted.

Which motion prevailed by the casting vote of the Speaker.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

Messrs. Allen, Avery, Barrett, Black, Bryant, Bynum of Northampton, Chesnutt, Corbett, Dargan, Dobbin, Dobson, Dortch, Ellis, Foreman, George, Hawkins, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, etc.
The question then recurring on the amendment, it was
decided in the affirmative—Yeas 45, nays 41.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Allen, Avery, Barrett, Black, Byrant, Bynum of Northampton,

Those who voted in the negative, are:


Mr. McIntyre, of Richmond, moved to amend, by taking Onslow from the 14th, and making the 18th to consist of Onslow.

Which amendment was rejected—Yeas 43, nays 45.

Mr. Sherrill, of Lincoln, demanded the yeas and nays.

Those who voted in the affirmative are:

Messrs. Adams, Albertson, Alford, Blow, Bynum of Chatham, Caldwell of Guilford, Calloway, Carnichael, Cherry, Cook, Daniel, Erwin, Eure, Fagg, Furr, Godwin, Gwynn, Harris of Davidson, Holeman,
Those who voted in the negative, are:


On motion of Mr. Saunders, a committee of two was appointed, to whom was referred the subject of the Senatorial District, during the recess.

The House took a recess.

Afternoon Session

On motion, a message was ordered to be sent to the Senate, proposing to vote for seven councillors of State, for two years, from the first of January 1853, at quarter-past 4 o'clock.

The following engrossed bills from the Senate were severally read the first time and passed:
A bill to incorporate Perseverance Mining company;
A bill to provide for the improvement of the public road from Reddins River to the turnpike line;
A bill to revise and continue in force an act to incorporate the North Carolina Manufacturing, Mining and Land company, passed at the session of the General Assembly for 1850;
A bill concerning the County Courts of Edgecombe and Guilford;
A bill in favor of Joseph R. Anderson, of Richmond Virginia;
A bill to incorporate the Manteo Mining company;
A resolution in favor of George W. Scarborough;
A bill defining the duties and powers of Turnpike and Plank Road companies.

The following communication was received and read for the information of the House:

OFFICE RALEIGH AND GASTON RAILROAD COMPANY, |
Raleigh, Dec. 22nd, 1852 |

To the Speaker of the House of Commons:

Sir:

I have the honor, through you, to invite the members and officers of the House of Commons, to pass over this road and return not, at their pleasure, the day after the adjournment of the Legislature.

Yours, very respectfully,

(Signed) L. O'B. BRANCH,
President.

In pursuance of the joint order, the House proceeded to ballot for seven Councillors of State, with the following result:
FOR MR. STALLINGS.


FOR MR. LANE.


FOR MR. BUSBEE.


FOR MR. HILL.

FOR MR. FRENCH.


FOR MR. HENDERSON.


FOR MR. MILLS.


FOR MR. PIPKIN.


FOR MR. BAXTER.

FOR MR. PURYEARTH

Messrs. Alberson, Bynum of Chatham, Cotten, Fagg, Lowry, Thornburg, Tripp, Leach and Alford.

FOR MR. MILLER.


FOR MR. JOYNER.


FOR MR. ELLIOTT.


FOR MR. GILMER.


FOR MR. WILLIAMS.


FOR MR. WILLIAMS.

Messrs. Phillips and Puryear.

FOR MR. GORRELL.

Messrs. Caldwell of Guilford, Cherry, Daniel, Erwin, Gwynn, Holeman, Perry, Stubbs, Perkins, Thornburg and Johnson—12.
And several scattering.

Mr. Avery, of Burke, from the Committee of two, submitted a report, with amendments, to the bill laying off the State in fifty Senatorial Districts.

Pending the question on the amendment,

The House took a recess until seven o'clock.

Evening Session.

The committee to superintend the election of Councillors of State submitted the following report, which was concurring in:

That 126 votes were cast; that 64 were necessary for a choice; that Mr. Stallings received 89, Mr. Lane 90, Mr. Busbee 89, Mr. Hill 87, Mr. French 87, Mr. Henderson 91, Mr. Mills 89, Mr. Patton 17, Mr. Davidson 17, Mr. Jones 17, Mr. Baxter 18, Mr. Puryear 8, Mr. Miller 16, Mr. Granbury 12, Mr. Leake 15, Mr. Kennan 1, Mr. Pipkin 21, Mr. Joyner 20, Mr. Williams 7, Mr. Gorrell 8, Mr. Finley 1, Mr. Gunn 3, Mr. Elliott 14, Mr. Gilmer 7, Mr. Collins 1, Mr. Russ 1, Mr. Hammond 2, Mr. Morehead 2, Mr. Graham 3, Mr. Kerr 2, Mr. Bryan 2, Mr. Cotten 7, Mr. Thompson 1, Mr. Williamson 2, Mr. Strange 2, Mr. McNeill 1, Mr. Dortch 1, Mr. Scales 1, Mr. Martin 1, Mr. Hill 1, Mr. Sanders 2, Mr. C. Sanders 1, Mr. W. S. Mills 1, Mr.
Smith 1, Mr. Lecraft 15, and Mr. Kirkland 1; that as Messrs. Stallings, Lane, Busbee, Hill, French, Henderson and Mills had received a majority of all the votes, they were duly elected.

The House resumed the consideration of the unfinished business—the bill dividing the State into fifty Senatorial Districts.

The question pending, being the amendment proposed by the committee of Conference,

Mr. Dortch, of Wayne, moved that the bill under consideration be laid on the table, and that the message from the Senate, proposing to rescind the joint order for adjournment this day, be taken up.

Mr. Cherry, of Bertie, moved a call of the House, and demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

So the House refused a call, and thereupon,

Mr. Fagg of Buncombe moved that the House adjourn.

Which motion was rejected—Yeas 5, nays 86.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Alford, Caldwell of Guilford, Dargan, Erwin and Fagg—5.

Those who voted in the negative are:


The question now recurring on the motion of Mr. Dortch, it was carried—Yeas 50, nays 43.

Mr. Dortch demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


Mr. Leach, of Davidson, moved that a message be sent to the Senate, proposing to ballot for a Judge of the Superior Court for the 7th Judicial Circuit.

Which motion was lost.

Mr. Cherry, of Bertie, moved that the bill to lay off the State into fifty Senatorial Districts be taken up.

Mr. Puryear offered the following resolution:

Resolved, That a message be sent to the Senate, proposing, on condition that that body will agree that both Houses of the General Assembly adjourn tomorrow at 12 o'clock sine die, to rescind the joint order for adjournment, the 22d inst., and that, the two Houses adjourn to morrow sine die, at 12 o'clock.

The Speaker announced that in the present crisis, he should take the responsibility to take the vote on the resolution submitted by Mr. Puryear, although the motion offered by Mr. Cherry was still before the House.

Mr. Cherry moved that the House do now adjourn.

The Speaker refused to entertain the motion for the reasons, which he had before assigned, and proceeded to put the question on the resolution offered by Mr. Puryear.

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


Those who voted in the negative, are:


The question was then taken on the motion to take the bill from the table and lost—Yea's 35, nays 52.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:

A message was received from the Senate, agreeing to the proposition "that on condition the Senate will agree that both Houses adjourn on to-morrow, at 12 o'clock sine die, to rescind the joint order for adjournment on the 22d inst., and that the two houses adjourn sine die, on to-morrow at 12 o'clock."

Mr. Puryear moved that the House do now adjourn.

Which motion was lost—Yeas 39, nays 46.

Mr. Dargan, of Anson, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


Mr. Strange, of New Hanover, moved that a message be sent to the Senate, proposing to rescind the joint rule for adjournment to-morrow at 12 o'clock.

Pending which,
On motion, the House adjourned.

Thursday, Dec. 23, 1852.

The House resumed the consideration of the unfinished business of yesterday, the motion to lay on the table the motion of Mr. Strange to send a message to the Senate, proposing to rescind the joint order of the two Houses to adjourn today at 12 o'clock.

By unanimous consent, Mr. Martin, of Franklin, introduced the following resolution, which was unanimously adopted:

Resolved, That the House of Commons proceed to take up the bill, dividing the State into fifty Senatorial Districts.

Whereupon, the House proceeded to the consideration of the bill.

The question pending, being the amendments proposed by the committee of two, yesterday,

Mr. Saunders, of Wake, moved the following amendment to the amendment:

Which was rejected—Yeas 33, nays 57.
Restore Madison to 49th District, give Alamance and Randolph each a Senator, and add Brunswick to Bladen and Columbus, and to make Richmond and Robeson a District.

Mr. Dargan demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Saunders, of Wake, offered the following amendment.

Which was adopted—Yeas 58, nays 33:

Strike out the word "Madison" in the 50th District, and insert the word Madison in the 49th District.

Strike out the word Onslow, in the 14th District.

In the 18th District, strike out the words, Bladen and Robeson, and insert the word Onslow.

In the 19th District, insert the word Bladen.
In the 31st District, insert the word Randolph.

In the 33rd District, strike out the word Randolph, and insert Moore.

In the 34th District, strike out the word Moore, and insert the word Robeson.

Mr. McIntyre, of Richmond, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


The question now recurring on the passage of the bill its second reading,

It was decided in the affirmative—Yeas 57, noes 34.

Mr. Cook, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative, are:

Messrs. Adams, Albertson, Alford, Amis, Blow, Bynum of Chatham, Byrd, Caldwell of Guilford, Calloway, Carmichael, Cherry, Collins,
Those who voted in the negative are:


A motion was made to suspend the rule, and put the bill on its third reading.

Mr. Hill, of Caswell, raised a question of order.

The Speaker decided that under the operation of the resolution of Mr. Martin, unanimously adopted this morning, the bill would be considered until half-past eleven o'clock, unless sooner disposed of finally, and that said resolution was a suspension of the rules, and that therefore the bill would be read the third time.

Mr. Hill, of Caswell, appealed from the decision of the Chair, and demanded the yeas and nays.

Pending the questing of appeal,

The hour of half-past eleven o'clock having arrived,

The House resumed the consideration of the unfinished business—
The motion to lay on the table the motion to send to the Senate a proposition to rescind the joint rule to adjourn sine die this day at 12 o'clock.

A message was received from the Senate, proposing to rescind the joint order for adjournment, this day at 12 o'clock and proposing to adjourn Monday the 27th inst.

The Speaker announced that he should cut off all further discussion, and put the question on concurring in the proposition from the Senate, after which he should resign to the House the position, which he occupied—said resignation to take effect at 10 o'clock to-morrow.

The question then recurring—shall the message from the Senate be concurred in.

It was decided in the affirmative—Yea's 81, nay's 16.

Those who voted in the affirmative are:


Those who voted in the negative are:

The bill to lay the State into fifty Senatorial Districts was taken up, the rule being suspended, and read the third time and passed, and ordered to be engrossed.

Mr. Cherry, of Bertie, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


On motion of Mr. Webb, of Rutherford, it was

Ordered, That a message be sent to the Senate, proposing to vote for Judge of the 7th Judicial Circuit to day at half past one o’clock.

Mr. Avery, Chairman, in behalf of the Committee on Internal Improvements, reported back to the House, a bill to incorporate the Western and Wadesboro’ Plank Road company, with amendment, and recommended that the amendment be adopted, and the bill passed.

Whereupon the bill was read the third time and the amendment adopted—Yeas 56, nays 15.
Mr. Reid, of Rockingham, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question then recurring—shall the bill pass? it was decided in the affirmative.

Mr. Avery, chairman, in behalf of the same committee, to whom so much of the Governor’s Message, as relates to the North Carolina Railroad, was referred, reported to the House,

A bill to amend an act, entitled an act to incorporate the North Carolina Railroad company, and recommended its passage.

Whereupon, the bill was read the first time and passed.

Mr. Avery, in behalf of the same committee, reported back to the House a bill to incorporate the Spartanburg and Rutherford Plank Road company, and recommended that it do pass.

Whereupon, the bill was read the second time, and passed.
Mr. Avery, in behalf of the same committee, reported back to the House a bill for the vigorous prosecution of a judicious system of Internal Improvements, in the State of North Carolina, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Saunders, of Wake, leave being granted, introduced a bill to appoint an Agent of internal improvements, in behalf of the State; which was read the first time and passed.

Leave of absence was granted to Messrs. Shimpock, Lyon of Orange, Harris of Cabarrus, Furr, Adams, Williams of Warren and Perkins.

A message was received from the Senate, transmitting an engrossed bill from the House, to amend an act, entitled an act to incorporate the Raleigh and Gaston Railroad company, with amendment, and asking the concurrence of the House in the same.

Whereupon, the amendment was read and concurred in.

The House took a recess.

Afternoon Session.

A bill to provide for making entries to the agent for collecting Cherokee Bonds, by entry takers of Macon, Hay-
wood and Cherokee, was taken up, read the second and third times, and ordered to be engrossed.

Mr. Avery, chairman, in behalf of the same committee on Internal Improvements, reported back to the House a bill to incorporate Roanoke Ferry and Turnpike company, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. Avery, chairman, in behalf of the same committee, reported back to the House a bill to amend the 6th section of an act, entitled an act to charter the Wilmington and Manchester Railroad company, and recommended that it do not pass.

Whereupon, the bill was read the second time and rejected.

Mr. Avery, in behalf of the same committee, reported back to the House a bill to lay off and establish a road over the Blue Ridge Gap, and recommended its passage.

Whereupon, the bill was read the second time and rejected.

Mr. Avery, in behalf of the same committee, reported back to the House a bill appointing Commissioners to lay off a road from Salisbury to the Virginia public road, at the mouth of Wilson.

Which was laid on the table.

Mr. Leach, of Davidson, from the same committee, reported back to the House a bill to incorporate the Atlantic,
Tennessee and Ohio Railroad company, and recommended that it do not pass.

Whereupon, on motion, the bill was laid on the table.

Mr. Norfleet, of Edgecombe, on behalf of the Judiciary Committee, reported back to the House a bill to repeal an act passed at the General Assembly, in the year 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe, and recommended its passage.

Whereupon, the bill was read the second time and passed.

Mr. McDugald, of Bladen, from the same committee, reported back to the House a bill prescribing how persons shall be prosecuted for keeping insufficient fences, and a bill to amend the 35th chapter of the Revised Statutes, entitled an act for the better security of personal liberty, and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. McDugald, from the same committee, reported back to the House a bill in relation to wills and testaments, and a bill authorizing a majority of acting Justices of Macon, to establish jury trials in the County Court of said county, and recommended their passage.

Whereupon, they were read the second and third times, passed and ordered to be engrossed.

Mr. McDugald reported from the same committee a bill concerning the place of trial for civil process, returnable before Justices of the Peace.

Whereupon, the bill was read the second time.
Mr. Leach, of Davidson, moved the following amendment, which was adopted:

After the word reside, in the 9th line, insert, "and in case no Justices of the Peace should reside in said District, then said process shall be returned before some Justice, in an adjoining District."

Mr. Dobson moved to amend, by inserting after the words "or one of them shall reside," the words, "or in which the plaintiff resides."

Mr. Munday, of Macon, moved to except the county of Macon from the operation of the bill; which amendment was rejected.

The question recurring on the passage of the bill its second reading, it was decided in the affirmative, and the rule being suspended, the bill was read the third time, and, on motion, laid on the table.

Mr. McDugald, from the same committee, reported back to the House a bill to amend the 39th chapter of the Revised Statutes, and recommended its rejection.

Whereupon, the bill was read the second time, and, on motion, laid on the table.

Mr. McDugald, from the same committee, reported back to the House a resolution in favor of R. O. Britton, and a resolution directing the Judiciary Committee to enquire into the expediency of amending the law, which requires owners of slaves hired out to list the same, and asked to be discharged from its further consideration,

Which was concurred in.
Mr. Caldwell, chairman, in behalf of the committee on Corporations, reported back to the House the following bills, and recommended their passage:

Whereupon, they were severally read the second time and passed:

A bill to incorporate the Tarboro' and Rocky Mount Plank Road company;
A bill to amend an act, entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg;
A bill to incorporate the Phoenix Gold Mining company;
A bill to incorporate the Robeson and Richmond Plank Road company.

Mr. Caldwell, on behalf of the same committee, reported back to the House a bill authorizing Dr. N. M. Powell, and others, to erect a toll bridge at or near Buffalo Shoals, between Catawba and Iredell counties, with an amendment, and recommended its passage.

Whereupon, the bill was read the second time, amended and passed.

A bill to appoint Commissioners to lay off a public road through the counties of Burke and Caldwell, was introduced, read the first time and passed.

The House took a recess.
Evening Session.

Mr. Caldwell, from the Committee on Corporations, reported back to the House a bill to incorporate the Wilmington Fire Insurance company: and

A bill to incorporate the Kinston and Iron Hill Plank Road company, and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. Caldwell, of Guilford, from the Committee on Corporations, reported back to the House a bill for the incorporation of the Wilmington Mutual Insurance company, and recommended that it do not pass.

Whereupon, it was, on motion, laid on the table.

Mr. Collins, chairman, in behalf of the committee on Private Bills, reported back to the House a bill to amend the several acts heretofore passed, and which are in force for the incorporation and government of the town of Tarborough, and to authorize and empower the Commissioners of the said town, to lay off a portion of the Common of said town into lots, and sell the same;

A bill to provide for the cleaning out Cypress Creek, in the county of Duplin; and recommended their passage.

Whereupon, they were read the second time and passed.

Mr. Collins, chairman, from the Committee on Private Bills, reported back to the House "A bill to incorporate the Colly Navigation Company," and recommended that it do not pass.
Whereupon, the bill was read the second time:

Mr. McDugald moved to amend the bill by striking out the 28th section.

Which motion was carried.

Mr. McDugald also moved an amendment marked "A," as an addition to the bill;

Which was adopted.

The question recurring, Shall the bill pass its second reading?

It was decided in the affirmative.

Mr. Collins, on behalf of same committee, reported back to the House "A bill to authorise E. C. Bunstall, late Sheriff of Ashe county, to collect arrears of taxes due him," and a "Resolution in favor of James M. Lewis," and recommended that they do not pass.

Whereupon, they were read the second time and laid upon the table.

Mr. Collins, from the same committee, reported back to the House "A resolution in favor of J. B. Debnam," and recommended that it do not pass.

Whereupon the resolution was read the second time and laid upon the table.

Mr. Collins, from the same committee, reported back to the House "A memorial in favor of Larkin Ray," and asked to be discharged from its further consideration.
Which report was concurred in.

A resolution in favor of George Little, reported from the Committee on Claims, was read the second and third times, passed, and ordered to be engrossed.

Mr. Turner, from the Select Committee to whom was referred "A bill to qualify every man of good character and good mind to serve as a juror, without reference to a freehold qualification," reported the same back to the House, and recommended its passage.

Whereupon the bill was read the second time and passed; and, the rule being suspended, it was read the third time and passed, and ordered to be engrossed.

On the second reading of the bill, Mr. Mills, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The following bills were read the second time and passed; and, the rule being suspended, they were read the third time, passed, and ordered to be engrossed:
A bill to lay off the State into Electoral Districts for the election of President and Vice President of the United States;

A resolution in favor of David A. Ray & Co.;

A bill to amend an act to emancipate Lucy and her child Laura, passed at the session of 1850-'51;

A bill to amend an act passed at the session of 1848-'49, concerning the militia.

Mr. Webb, from the Committee on revising or abolishing the Militia Laws, reported to the House a bill for the better regulation of the Militia of North Carolina;

Which was read the second time, and laid on the table.

Mr. Webb, from the same committee, reported back to the House a petition of citizens of Wilkes county, praying a repeal of the act of the General Assembly exempting persons under 35 from militia duty; and a petition from sundry citizens of the 78th Regiment, of Rutherford county, praying the revision or repeal of the Militia Laws of the State; and asked to be discharged from the further consideration thereof.

Which report was concurred in, and the committee discharged.

The following bills were severally read the second time and passed:

A bill to amend the 15th section of the 31st chapter of the Revised Statutes, so as to authorise the Superior Courts of Law and Equity to be held for two weeks, at the Spring and Fall Terms thereof, in the county of New Hanover;

A bill to amend an act entitled an act to incorporate the Rich Mountain Turnpike company;
A bill to incorporate the town of Kenansville;
A bill to amend an act entitled an act to provide for the re-assessment of the lands of the State, and more accurate establishment of the taxable polls.

On motion of Mr. Martin, of Franklin,

Resolved, That the 31st Rule of the House, requiring that no bill, petition, memorial, or other paper 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, be suspended for the present session.

A bill for calling a Convention to amend the constitution of North Carolina was read the second time, and, on motion, laid on the table, yeas 38, nays 26.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


On motion, the House adjourned.
Friday, December 24, 1852.

The Clerk called the House to order, and announced that the first business in order would be the election of a Speaker.

Messrs. Dobbin and Long, of Randolph, were appointed to superintend the election.

The House proceeded to vote, with the following result:

FOR MR. BAXTER.


FOR MR. AVERY.


FOR MR. PHILLIPS.

Messrs. Lyon of Granville, Martin,—2.

The following communication was presented to the House by the Speaker:

December 24, 1852.

Hon. John Baxter,
Speaker House of Commons:
Sir—I have been requested by the President and Directors of the Wilmington and Raleigh Railroad Company to extend an invitation to the members of the House of Commons to pass, free of charge, on their route home, over the Wilmington and Raleigh Railroad, and through to Charleston.

Very respectfully,

ROBERT STRANGE; Jr.

On motion of Mr. Saunders, of Wake,

Resolved, That John F. Lyon, one of the members for the county of Orange, who was detained at the commencement of the session, by a severe misfortune, be allowed his per diem for the entire session.

On motion of Mr. Ellis, of Edgecomb, the bill to establish a new county by the name of Wilson, was taken from the table—Yea 40, nay 36.

Mr. Ellis, of Edgecomb, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


The question pending being on the amendment of Mr. Bryant, of Nash,
On motion of Martin, of Franklin, the bill was indefinitely postponed—Yea 39, nay 37.

Mr. Martin demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Wheeler, Chairman, in behalf of the Committee on Claims, to whom was referred the certificate of the County Court of Wayne, in favor of Bryan Evans and John Evans, reported adversely to the claim, and begged leave to be discharged from its further consideration.

Which report was concurred in.

Mr. Puryear, chairman, in behalf of the Committee on Propositions and Grievances, reported back to the House a bill to emancipate Rachel, a slave, and recommended that it do not pass.

Whereupon, the bill was read the second time and indefinitely postponed.

Mr. Puryear, in behalf of the same committee, reported back to the House a bill to repair the road from the town of 64
Dobson, in the county of Surry, to the Virginia line, by way of Fisher's Gap, and recommended that it do not pass.

Whereupon, the bill was read the second time, and the proposition laid on the table.

Mr. Puryear, in behalf of the same committee, reported back to the House a bill to prohibit free persons of color from peddling in the county of Jones, with an amendment, and recommended that it be amended and passed.

Whereupon, the bill was read the second time and passed.

A resolution in favor of E. S. Moore was read the second time, and, on motion, laid on the table.

A message was received from the Senate, proposing to vote for a Judge of the third Judicial District to-morrow at 11 o'clock.

Which was read and disagreed to.

A message was received from the Senate, proposing to raise a joint select committee of two on the part of each House, to select the district for which the Judge should be elected.

Which was concurred in.

The House branch of the committee consists of Messrs. Spruill and Wheeler.

The House took a recess.
A message was received from the Senate, informing the House that Messrs. Cunningham and Albright form the Senate branch of the committe, for selecting a Judicial District.

A bill to amend section 12, chapter 104, Revised Statutes, entitled an act concerning the public roads and fences and bridges in this State, was read the second time and passed, and was read the third time, and, on motion, rejected.

Mr. Martin, of Franklin, moved to strike out section and demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Spruill, from the committee to select a District for which a Judge should be elected, reported that the commit-
tee, not being able to agree, had placed the members of the District to be supplied in a hat and drew one of them out, and the choice fell upon the third District.

The question being, shall the report of the committee be adopted?

It was decided in the negative—Yea's 30, nays 36.

Mr. Carmichael, of Wilkes, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative are:


The House took a recess.
Evening Session.

The following engrossed bills from the Senate were each read the second and third time, passed and ordered to be enrolled:

A bill to incorporate the Bladen Steamboat company;
A bill for the government of Elizabeth city, in the county of Pasquotank;
A bill to provide for the improvement of the public road from Reddie's river, to the Tennessee line;
A resolution in favor of Joseph R. Anderson, of Richmond, Virginia.

The following Senate bills were read the second and third times, amended, passed, and ordered to be sent to the Senate for concurrence:

A bill to appoint commissioners to locate the town of Marshall;
A bill to give the Courts of Pleas and Quarter Sessions of the counties of Randolph and Granville, jurisdiction over the sale of real estate for division purposes, joint tenants, and tenants in common;
A bill to amend the charter of the Asheville and Greenville Plank Road company.

A bill to amend several acts of the General Assembly in relation to the Deaf, Dumb and Blind, was read the first, second and third times, passed, and ordered to be enrolled.

The following engrossed bills from the Senate were read the first time and passed:

A bill to incorporate the Upper Little River Navigation Company, in the county of Cumberland;
A resolution in favor of P. F. Pescud;
A bill to lay off and establish a public road from Lincoln-ton to Greenville, South Carolina;
A bill regulating the fisheries in the Eastern part of the State.

The following bills were severally read the third time, passed, and ordered to be enrolled:

A bill to incorporate the Kinston and Snow Hill Plank Road company;
A bill to incorporate the Tarboro’ and Rocky Mount Plank Road company;
A bill to incorporate the Phoenix Gold Mining company;
A bill to incorporate the Winston and Wilkesboro’ Plank Road company;
A bill to incorporate the Spartansburg and Rutherford Plank Road company;
A bill to incorporate into one the several acts heretofore passed, and which are now in force, for the incorporation of the town of Tarboro’, and to authorise and empower the commissioners of said town to lay off a portion of the common of said town into lots, and sell the same;
A bill to provide for the clearing out Cypress Creek, in the county of Duplin;
A bill to incorporate the Wilmington Fire Insurance company;
A bill to incorporate the Robeson and Richmond Plank Road company;
A bill to incorporate the Roanoke Ferry and Turnpike Company;
A bill to authorise Dr. A. M. Powell and others to erect a Bridge at or near Buffaloe Shoals, between Catawba and Iredell counties;
A bill to amend the 53d chapter of the Revised Statutes, entitled an act for the better security of personal liberty;
A bill to repeal an act passed at the session of the General Assembly held in the year 1811, entitled an act to alter the mode of holding elections in the county of Edgecombe;
A bill to amend an act entitled an act to incorporate the North Carolina Railroad company;

A bill to amend an act entitled an act to incorporate the town of Charlotte, in the county of Mecklenburg;

A bill prescribing how persons shall be prosecuted for keeping insufficient fences;

A bill to provide for a re-assessment of the real estate within the corporate limits of the town of Rockford, in the county of Surry;

A bill to amend an act to incorporate the Rich Mountain Turnpike company, in the county of Haywood.

A message was received from the Senate, proposing to vote for a Judge for the 3d Judicial circuit to-morrow at 11 o'clock.

Mr. Webb, of Rutherford, moved to lay the message on the table.

Mr. Reid, of Rockingham, 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 message on the table.

The question recurring—shall the message be concurred in.

It was decided in the negative—Yea 37, nay 39.

Mr. Webb, of Rutherford, demanded the yeas and nays.

Those who voted in the affirmative are:


Those who voted in the negative, are:


The following bills were severally read the second and third times, passed and ordered to be enrolled:

A bill to amend an act entitled an act to incorporate the Wilmington and Manchester Railroad company;

A resolution in favor of Jesse Cole, of Cherokee county;

A bill to amend an act entitled an act to incorporate the Johnson Little River Manufacturing company;
A resolution in favor of J. A. Pool, late sheriff of Pasquotank county;

A bill to amend an act passed at the session of the General Assembly of the State of North Carolina, held in the year 1848-'49, entitled an act to amend an act, passed at the session of the Legislature of 1846-'47, entitled an act, authorizing the Governor to establish a depot of arms at Newburn, and to validate the payments heretofore made by the Public Treasurer, to the keeper of said depot;

A bill to incorporate the Chapel Hill and Raleigh Plank Road company;

A bill to amend an act entitled an act to amend an act incorporating the Wilmington and Raleigh Railroad company;

A bill to amend an act passed at the session of 1850-'51, entitled an act to amend an act for the incorporation of the town of Washington;

A bill concerning elections in Beaufort county;

A bill directing the dividends on the stock of the State in the Wilmington and Manchester Railroad company to be paid into the Treasury as part of the Literary Fund;

A bill to amend an act entitled an act to amend an act passed in the year 1818, chap. 42, entitled an act to elect a magistrate for the town of Wilmington and other purposes;

A bill to amend an act entitled an act to provide for a reassessment of the land of this State and a more accurate establishment of the taxable polls;

A bill to incorporate the town of Kennsville;

A resolution in favor of Matthew W. Ransom;

A resolution as to furnishing Jackson county with weights and measures;

A bill to incorporate the Hawfield Volunteer regiment in the county of Orange;
A bill explanatory of an act passed at the session of 1838-39.

Mr. Dortch, of Wayne, moved that the house adjourn,

On which motion, the yeas and nays were demanded.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


A bill to enlarge the powers of the Commissioners of the town of Fayetteville was read the second time, amended by striking out all but the enacting clause, and adopting a substitute, and passed and ordered to be engrossed.

A bill concerning the Superior Court of New Hanover county was read the third time and passed.

On motion of Mr. Dobbin, the vote by which the bill passed its third reading was reconsidered.

Mr. Strange, of New Hanover, moved an amendment to the bill, which was adopted, and the question again recurring—shall the bill pass?
It was decided in the affirmative.

A message was received from the Senate, transmitting a bill on jury trials in the County Court of Columbus, with an amendment, asking concurrence therein.

The amendment was read and adopted.

A message was received from the Senate, transmitting a bill to lay off the State into fifty Senatorial Districts,

Which was, on motion, laid on the table.

Mr. Cherry, of Bertie, moved that the House do now adjourn.

Mr. McDugald, of Bladen, demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative are:


Mr. Avery, of Burke, introduced a bill to amend an act entitled an act, to amend an act, entitled an act to incorpo
rate the McDowell and Yancey Turnpike company; which was read the first time and passed.

Mr. Avery introduced a bill to amend an act, entitled a act concerning Rutherford, passed at the session of 1850-51; which was read the first time and passed.

A bill for a public road through Burke and Caldwell was read the second time and passed, and being read the third time, it was, on motion, laid on the table.

The following bills were read the second time, and, on motion, laid on the table:

A bill to regulate the fees of Constables in certain cases;
A bill relating to the Capitol and the Square;
An engrossed bill to authorize Ambrost Calderon, John Poe and others, to establish toll bridge over New River, in the county of Ashe.
A bill appointing Commissioners to lay off a public road from Salisbury to the Virginia public road, at the mouth of Wilson, was read the second and third times, and ordered to be engrossed.

Saturday, Dec. 25, 1852.

A message was received from the Senate, proposing that so much of the joint rules of the two Houses, as relates to
the enrolments of bills, be so altered as to allow their being sent from one House to the other, without their being engrossed, provided there be no amendment, and they are written in a plain legible manner, and free from grammatical error, and that engrossed bills be considered as enrolled bills.

On motion of Mr. Martin, of Franklin,

Resolved, That, the Senate concurring, that all engrossed bills for the incorporation of companies, which may have been passed by the houses of the General Assembly, and passed upon by the committee on enrolled bills, shall be signed as enrolled bills, and ratified accordingly.

A message was received from the Senate, proposing to vote for a Judge of the third Judicial Circuit, to day at 11 o'clock.

Mr. Erwin, of Burke and McDowell, moved to lay the motion on the table, and demanded the yeas and nays.

Those who voted in the affirmatives are:


Those who voted in the negative are:


So the House refused to lay on the table, and the question recurring on the proposition of the Senate, it was concurred in.
The following resolutions were severally read the first, second and third times, passed and ordered to be engrossed:

A resolution in favor of an extran allowance to the principal Clerks;

A resolution providing for furnishing a set of standard weights to the county of Alexander;

A resolution providing for furnishing a set of standard weights, to the county of Madison;

A resolution in favor of W. L. Pomeroy

The following bills were read the second and third times, passed and ordered to be engrossed.

A bill authorizing the Richmond and Danville Railroad company to establish a depot in the town of Milton;

A bill to amend an act, entitled an act concerning Rutherford, passed at the session of 1850-'51;

A bill to amend an act, entitled an act, to amend an act, entitled an act to incorporate the McDowell and Yancy Turnpike company;

A bill to appoint an agent of Internal Improvements, in behalf of the State.

A bill to alter and amend an act, entitled an act to incorporate the Salisbury and Taylorsville Plank Road company, was read the third time, amended, by striking out the third section, and ordered to be engrossed.

A message received from the Senate; transmitting a bill to divide the State of North Carolina into Congressional Districts, was read, and the bill read the first time and passed.

A message was received from the Senate, informing the House that Messrs. Person and Albritton form the Senate branch of the committee, to superintend the election of U. States Senator.
Committee on the part of the House—Messrs. Daniel and Moorin.

In pursuance of the joint order, the hour having arrived, the House proceeded to vote for a Judge of the 3rd Judicial Circuit, with the following result:

FOR MR. SANDERS.


FOR MR. BARNES.


FOR MR. BIGGS.

Messrs. Avery, Blow, Burton, Chesnutt, Corbett, Dabbn, Dortch, George, Hill of Caswell, Jarvis, Martin, Marshall, Mooring, Phelps, Reid of Duplin, Reid of Rockingham, Sauls and Strange—19.

FOR MR. WHITAKER.

Mr. Norfleet—1,

FOR MR. BUSBEE.

Mr. Hill of Duplin—1.

The bill to divide the State into Congressional Districts, were taken up and read the second time.
Mr. McIntyre, of Richmond, moved to put off the further consideration of the bill until Monday 10 o'clock.

Which motion was rejected—Ycas 14, nays 57.

Mr. McIntyre, demanded the yeas and nays.

Those who voted in the negative, are:


Those who voted in the negative, are:


Leave being granted, Mr. Daniel, from the committee to superintend the election of Judge for the 3d Judicial District, submitted the following report,

Which was concurred in:

That 117 votes were cast;—that 59 were necessary for a choice;—that Mr. Barnes received 43, Mr. Biggs 32, Mr. Saunders 27, Mr. Whitaker 10, Mr. Eaton 3, Mr. Busbee 1;—and that, as no one had received a majority of all the votes, there was no election.

A message was received from the Senate, proposing to go into an election for Judge of the 3d Judicial District forthwith;
Which message was concurred in.

A message was received from the Senate informing the House that Messrs. Person and Albritton form the Senate branch of the committee to conduct the election.

Committee on the part of the House—Messrs. Cotten and Norfleet.

In pursuance of the joint order, the House proceeded to vote, with the following result:

FOR Mr. SAUNDERS.


FOR Mr. BIGGS.

Messrs. Albertson, Avery, Blow, Carmichael, Cherry, Chesnutt, Corbett, Daniel, Dortch, Dobbin, Eure, George, Godwin, Hill of Caswell, Hill of Duplin, Holeman, Jarvis, Martin, Marshall, Miller, Mooreing, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Strange, Stubbs, Sutton, Tolson, Tripp, and Williams of Greene.—32.

FOR Mr. EATON.

Mr. Turner.—1.

FOR Mr. WHITAKER.

Mr. Norfleet.—1.

FOR Mr. BARNES.

Mr. Spruill.—1.
The House resumed the consideration of the bill to divide the State into Congressional districts.

Mr. Avery, of Burke, moved the following amendment which was rejected, yeas 21, nays 51.

Strike out the word "Cleaveland," in the 7th District, and insert the word "Wilkes;"

In the 8th District, strike out the word "Wilkes," and insert "Cleaveland."

Mr. Avery demanded the yeas and nays:

Those who voted in the affirmative, are:


Those who voted in the negative are:


Leave being granted, Mr Norfleet, from the committee to superintend the election of Judge of the 3d District, submitted the following report;

Which was concurred in:

That 117 votes were cast;—that 59 were necessary to a choice;—that Mr. Saunders received 51, Mr. Biggs 52, Mr. Whitehurst 9, Mr. Eaton 4, Mr. Barnes 1;—and that, as
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no one had a majority of all the votes, there was no election.

A message was received from the Senate, informing the House that Messrs. Jones, of Wake, and Cunningham will superintend the election of Judge of the 3d Judicial District, on the part of the Senate.

Committee on the part of the House, Messrs. Black and Stubbs.

In pursuance of the joint order, the House proceeded to vote, with the following result:

FOR MR. SAUNDERS.


FOR MR. BIGGS.

Messrs. Avery, Blow, Chesnutt, Corbett, Daniel, Dobbin, Dortch, George, Hill of Caswell, Hill of Duplin, Jarvis, Martin, Mooring, Pegram, Phelps, Reid of Duplin, Reid of Rockingham, Sauls, Strange, Stubbs, Tripp and Williams of Greene—22.

The House resumed the suspended business.

Mr. McIntyre moved to postpone the further consideration of the bill till 12 o'clock at night.

Which motion was rejected—Yea's 5, nay's 65.

Mr. Cook, of Wilkes, demanded the yeas and nay's.

Those who voted in the affirmative are:

Those who voted in the negative, are:


Mr. McIntyre moved the following amendment, which was rejected:

Strike out Cleaveland from the 7th District, and insert Richmond and Montgomery;
Strike out Rockingham from the 6th District, and insert Wilkes;
Strike out Montgomery and Moore from the 5th District, and insert Rockingham;
Strike out Richmond from the 3d District, and insert Moore.

The following amendment was offered and rejected:
Strike out Watauga from the 8th district, and insert in the 7th;
Strike out Alexander from the 7th district; and add it to the 8th.

Mr. Wangh, of Stokes, moved the following amendment, which was rejected:
Take Cabarrus from 7th, and add it to the sixth.

Leave being granted, Mr. Stubbs, from the committee to superintend the election of Judge, made the following report, which was concurred in:
That 118 votes were cast; that 60 were necessary for election; that Mr. Saunders received 72, Mr. Biggs 45, Mr. Eaton 1; that as Mr. Saunders had received a majority of all the votes, he was duly elected.

The House resumed the consideration of the suspended business.

Mr. McIntyre moved to postpone till this afternoon at four o'clock, and demanded the yeas and nays.

Those who voted in the affirmative, are:


Those who voted in the negative, are:


Mr. Waugh, of Stokes, moved an amendment, as a substitute for the bill,

Pending the question on which,

The House took a recess.
The House resumed the consideration of the bill to divide the State into Congressional Districts—the question pending being the amendment offered by Mr. Waugh.

The amendment was rejected,

And the question recurring—shall the bill pass its second reading?

It was decided in the affirmative,

On motion the rules were suspended, and the bill read the third time, passed and ordered to be enrolled.

A bill to establish a new county by the name of Ruffin was taken up and read the second time.

The House resolved itself into committee of the whole—Mr. Saunders, of Wake, in the chair.

The committee rose, and, through their chairman, reported the bill back to the House, and asked to be discharged from its further consideration.

The question then recurring shall the bill pass its second reading?

It was decided in the negative—Yeas 37 nays 39.

Mr. Dortch demanded the yeas and nays.

Those who voted in the affirmative, are:

Those who voted in the negative, are:


A bill allowing the Comptroller additional compensation was read the second time and rejected.

A bill to repeal the 18th section of an act passed at the session 1850-51, entitled an act to provide for the increase of the public revenue, was read the second time and indefinitely postponed.

A resolution in favor of Wm. R. White and Lewis Heflin was read the second time, and laid on the table.

Mr. Mooring, of Martin, presented a memorial from sundry citizens of Martin in favor of William Pool, which was read, and on motion laid on the table.

A resolution increasing the salary of the Treasurer and Clerk, was read the second time and on motion laid on the table.

The following engrossed bills were severally read the second and third times, passed and ordered to be enrolled:

A bill to repeal the 5th section of the act passed by the General Assembly, at its session of 1850-51, entitled
to amend an act entitled an act to incorporate the Caldwell and Ashe Turnpike company;

A bill to increase the revenue of the State, in the sale of its bonds;

A bill to refund to the Treasurer certain money and for other purposes;

A bill to incorporate the Hillsboro' and Locksville Plank Road company;

A resolution in favor of abolishing the duties on railroad iron.

The House took a recess.

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**Evening Session.**

The following engrossed bills from the Senate were severally read the second and third times, passed and ordered to be enrolled:

A bill to lay off and establish a public road from Lincoln ton, to Greenville, South Carolina;

A bill to authorize the several Courts of Pleas and Quarter Sessions to pay the Wardens of the Poor;

A bill to incorporate the Swift Creek Plank Road company;

A resolution in favor of George W. Scarborough;

A bill concerning the County Courts of Edgecombe county;

A bill to incorporate the Manteo Mining Company;
A bill to regulate the pay of witnesses, in the county of Brunswick;
A bill to define the duties and powers of Plank Road companies;
A bill to incorporate the Upper Little River Navigation company, in the county of Cumberland;
A bill to encourage Agriculture, Domestic Manufactures and the Mechanic arts.

The following engrossed bills from the Senate, were severally read the first, second and third times, passed and ordered to be enrolled:

A bill to incorporate the Rutherford and Cleveland Plank Road Company;
A bill to revise and continue in force an act to incorporate the North Carolina Manufacturing, Mining, and Land company, passed at the session of the General Assembly for 1850;
A bill to incorporate the New River Canal company, in Onslow county;
A resolution in relation to the selling of Railroad iron, &c;
A bill to extend the time of effecting titles to land heretofore entered;
A resolution in favor of Walsh and Ashley;
A resolution in favor of James Fisher.

The following engrossed bill and resolution were read the second and third times and passed, and ordered to be enrolled:

A bill to incorporate Perseverance Mining company;
A resolution in favor of P. F. Pescud.
The following engrossed bills from the Senate were severally read the first time and passed:

A bill to incorporate the town of Troy, in the county of Montgomery, and to appoint Commissioners of the same;
A bill to incorporate the Jacksonville and Trent River Plank Road company;
A bill to amend an act passed at the session of 1846-47 entitled an act to make real estate assets;
A resolution concerning public arms;
A bill to incorporate Neuse River and Snow Hill Plank Road company;
A resolution in favor of Benjamin W. Bell, of Macon county.

The following resolutions were severally read the first time and passed:

A resolution in favor of Samuel Martland, of Washington county;
A resolution in favor of Joseph Bowditch, of Edgecombe county;
A resolution in favor of William Thompson, Williams, Haywood & Co., and of W. H. & R. S. Tucker;
A resolution in favor of James McKimmon, of Raleigh.

The above resolutions were reported to the House by Mr. Wheeler, Chairman of the Committee on Claims.

A message was received from the Senate, transmitting the following engrossed bills from the House, with amendments, and asking the concurrence of the House:

The amendments were severally read and concurred in.

A bill to provide for the holding of an extra term of the Superior Court of Wake;
A bill to incorporate the Greensboro' and Deep River Plank Road company.

A message was received from the Senate, transmitting a bill to appoint Commissioners to locate the town of Marshall, informing the House that the Senate had disagreed to the amendments proposed by the House.

Whereupon the House receded from its amendment and ordered the bill to be enrolled.

A message was received from the Senate, proposing to fix on 7 o'clock, the 27th instant, for adjournment.

Which was read, and, on motion, laid on the table.

A message was received from the Senate, transmitting a bill to provide for holding the County and Superior Courts, in the fourth Judicial Circuit.

The bill was read the first and second times, and passed, and read the third time.

The following amendment, marked A. was read and adopted:

Amend the first section of the bill, so as to provide, "provided that the County Court of Watauga, shall be held on the third Monday in February, May, August, and November."

Mr. Avery, of Burke, moved the following amendment, marked B.

Strike out the words after the year 1853, in the first line of the second section, and insert the words, "and Superior" after the word county, in the first line of the third section.
The amendment was adopted, and the bill ordered to be transmitted to the Senate, asking the concurrence of that body.

The following engrossed bills were severally read and laid on the table:

A bill to emancipate Lewis Williams;
A bill to incorporate the town of Winston;
A bill to repeal the 9th section of the 42d chapter of the Revised Statutes, entitled entries and grants.

The following engrossed bills were read the second time, and indefinitely postponed:

A bill to make indictable certain transiers;
A bill to extend the right of appeal, prevent the unnecessary accumulation of costs, expedite justice, and for other purposes.

An engrossed bill to authorise Justices of the Peace to resign to the County Court, and for other purposes, was read the second time and rejected.

Mr. Cherry, of Bertie, introduced a bill to repeal an act passed at the session of 1848-'49, entitled an act to amend the 95th chapter of the Revised Statutes; which was read the first and second times, and, on motion, indefinitely postponed.

The following engrossed bills from the Senate were severally read the second and third times and ordered to be enrolled:

A bill to consolidate and amend the several acts heretofore passed for the government of the town of Oxford, in Granville county;
A bill to declare what persons may intermarry;
A bill to amend an act concerning the draining of low lands;
A bill to amend the charter of Davidson College;
A bill to incorporate the Pedee Manufacturing company;
A bill supplemental to an act passed at this session of the General Assembly, entitled an act to alter the line between the counties of Buncombe and Henderson.

A bill for the incorporation of the Wilmington Marine Insurance company was taken from the table, read the second and third times, passed, and ordered to be engrossed.

On motion, the House adjourned.

Monday, December 27, 1852.

The following engrossed bills from the Senate were read the second and third times and ordered to be enrolled:

A bill to incorporate the Salisbury and Trent River plank road company;
A bill to incorporate the Neuse River and Snow Hill plank road company;
A bill to incorporate the Tarboro' and Enfield plank road company;
A bill to amend an act passed at the session of 1846-'7, to make real estate assets;
A bill to incorporate the French Broad Turnpike Company;
A bill incorporating the town of Troy;
A bill extending the time of payment of the bonds of the Seaboard and Roanoke Railroad Company;
A resolution in favor of B. F. Moore and Edw'd. Stanly;
A resolution concerning the Public Library;
A resolution in favor of Samuel H. Young and others;
A resolution in favor of Bynum W. Bell, of Macon county.

The House then took a recess.

Afternoon Session.

A resolution with regard to the report of Professor Emmons was read the first, second and third times, passed, and ordered to be enrolled.

Mr. Waugh, of Stokes, offered the following resolution; which was read and adopted:

Resolved, That a message be sent to the Senate, proposing to rescind the joint resolution to adjourn to-day, and that both branches of this General Assembly shall be adjourned, sine die, by the Speakers thereof, to-morrow morning, at 6 o'clock precisely.

A resolution in favor of the engrossing clerks was read the first, second and third times, and ordered to be enrolled.

A message was received from the Senate, disagreeing to the proposition of the House to rescind the joint rule to adjourn to-morrow morning, at 6 o'clock.
A bill to bring into market the lands pledged to the Western Turnpike company, was read the second and third times, passed and ordered to be enrolled.

Mr. Saunders, chairman, in behalf of the Committee on the judiciary, reported sundry bills and memorials, and asked that they be laid on the table, and the committee discharged.

Which was disagreed to.

Mr. Spruill, in behalf of Mr. Cherry, of the Committee on Claims, reported back a resolution and bill, and asked that they be laid on the table, and the committee discharged.

Which was agreed to.

Mr. Avery, of Burke, in behalf of the Committee on Internal Improvements, reported back to the House a sundry papers, and asked that they be laid on the table, and the committee discharged.

Which was agreed to.

The House took a recess.

Evening Session.

A message was received from the Senate, transmitting a bill appointing Commissioners to lay off a road from Salis-
bury to the the Virginia public road, at the mouth of Wilson, with an amendment, in which the Senate ask the concurrence of the House.

Whereupon the amendment was read and concurred in.

A resolution in favor of William Thompson, Williams, Haywood & Co., and W., H. & R. S. Tucker, was read the second and third times passed, and ordered to be engrossed.

A resolution from the Senate, rescinding the resolution furnishing the two Houses, was read the first time and passed.

Mt. McIntyre, of Richmond, offered the following protest; which was read and ordered to be spread upon the Journals;

The undersigned do hereby protest against the action of the House of Commons, in passing the bill to divide the State of North Carolina into Congressional Districts, for the reason, that a majority of said Districts are laid off, as they conceive, in violation of the only free and safe rule which ought to prevail, to wit: Similarity of pursuits and interest, compactness and convenience of form and equal population.

It is not presumed, that the passage of the bill was necessary to secure equal representation to the Whig and Democratic parties, and the conclusion, therefore, forces itself upon our minds, that the accommodation of particular individuals has been consulted at the expense of the rights of the people.

(Signed)

WM. NORFLEET,
D. C. McINTYRE,
JAS. HOLEMAN,
R. C. CALLOWAY,
WM. LONG,
D. REID.
On motion of Mr. Martin, of Franklin,

Resolved, That a message be sent to the Senate, informing that body that this House having acted on all the business before it, is now ready to adjourn.

A message was received from the Senate, informing the House, that the Senate having dispatched all the public business, is now ready to adjourn.

Mr. Saunders of Wake, sent to the Clerk the following resolution; which being read, was unanimously adopted:

Resolved, That the thanks of the House are due to the Hon. John Baxter, for the firm, dignified, and impartial manner in which he has discharged the duties of his station as Speaker.

The Speaker having made his acknowledgments in an appropriate manner, declared that this House of the General Assembly is adjourned sine die.

JOHN BAXTER,
Speaker of the House of Commons.

STEPHEN D. POOL, Clerk.
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